



west virginia department of environmental protection

Office of Oil and Gas
601 57th Street, S.E.
Charleston, WV 25304
(304) 926-0450
fax: (304) 926-0452

Harold D. Ward, Cabinet Secretary
www.dep.wv.gov

Friday, March 21, 2025
WELL WORK PLUGGING PERMIT
Vertical Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for # 1
47-013-04759-00-00

This well work permit is evidence of permission granted to perform the specified well work at the location described on the attached pages and located on the attached plat, subject to the provisions of Chapter 22 of the West Virginia Code of 1931, as amended, and all rules and regulations promulgated thereunder, and to any additional specific conditions and provisions outlined in the pages attached hereto. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations, and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Spills or emergency discharges must be promptly reported by the operator to 1-800-642-3074 and to the Oil and Gas Inspector.

Upon completion of the plugging well work, the above named operator will reclaim the site according to the provisions of WV Code 22-6-30. Please be advised that form WR-38, Affidavit of Plugging and Filling Well, is to be submitted to this office within 90 days of completion of permitted well work, as should form WR-34 Discharge Monitoring Report within 30 days of discharge of pits, if applicable. Failure to abide by all statutory and regulatory provisions governing all duties and operations hereunder may result in suspension or revocation of this permit and, in addition, may result in civil and/or criminal penalties being imposed upon the operators.

Per 35 CSR 4-5.2.g this permit will expire in two (2) years from the issue date unless permitted well work is commenced. If there are any questions, please feel free to contact me at (304) 926- 0450.

James A. Martin
Chief

Operator's Well Number:
Farm Name: Burch Cleo
U.S. WELL NUMBER: 47-013-04759-00-00
Vertical Plugging
Date Issued: 3/21/2025

PERMIT CONDITIONS

West Virginia Code §22-6-11 allows the Office of Oil and Gas to place specific conditions upon this permit. Permit conditions have the same effect as law. Failure to adhere to the specified permit conditions may result in enforcement action.

CONDITIONS

1. In the event of an accident or explosion causing loss of life or serious personal injury in or about the well or while working on the well, the well operator or its contractor shall give notice, stating the particulars of the accident or explosion, to the oil and gas inspector and the Chief within twenty-four (24) hours.
2. Well work activities shall not constitute a hazard to the safety of persons.
3. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing.

WW-4B
Rev. 2/01

1) Date _____, 20____
2) Operator's
Well No. Calhoun - 04759
3) API Well No. 47- 013 - 04759

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS

APPLICATION FOR A PERMIT TO PLUG AND ABANDON

4) Well Type: Oil ☐ / Gas ☒ / Liquid injection ☐ / Waste disposal ☐ /
(If "Gas, Production ☐ or Underground storage ☐) Deep ☐ / Shallow ☒

5) Location: Elevation 827' Watershed Left Fork Sycamore creek
District Sherman County Calhoun Quadrangle Millstone 7.5'

6) Well Operator Unknown - WVDEP Paid Plugging Contract 7) Designated Agent Jason Harmon
Address 601 57th St., SE Address 601 57th St., SE
Charleston, WV 26304 Charleston, WV 25304

8) Oil and Gas Inspector to be notified 9) Plugging Contractor
Name April Lawson Name Next LVL Energy (Diversified Owned)
Address 347 Main St. Address 104 Helliport Loop Rd
Spencer, WV 25289 Bridgeport, WV 25330

10) Work Order: The work order for the manner of plugging this well is as follows:

See Attached Work Procedures

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Office of Oil and Gas

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Department of
Environmental Protection

Notification must be given to the district oil and gas inspector 24 hours before permitted work can commence.

Work order approved by inspector _____

April Lawson
Digitally signed by April Lawson
DN: cn = April Lawson email = april.lawson@wv.gov c = US
Date: 2025.02.19 08:56:38 -0500

Date _____

03/28/2025

April Lawson

Digitally signed by: April Lawson
DN: CN = April Lawson email = april.n.
lawson@wv.gov C = US
Date: 2025.02.19 08:59:39 -05'00'

Plugging Prognosis

API #: 4701304759

West Virginia, Calhoun Co.

Lat./Long: 38.829826, -81.096814

Nearest ER: Roane General Hospital, 200 Hospital Dr, Spencer, WV 25276

Casing Schedule:

Casing and tubing visible at surface, unknown size.

Closest Offset wells with available information 4701300003

4701300003

6-5/8" Casing @ 1953'

2" Tubing @ 2050'

Well TD is 2068'

Completion: Producing Sand – Unknown. Offset – Injun Sand 2032'-2067'

Fresh Water: Unknown. Offset – 665'

Salt Water: Unknown. Offset – ~~none~~ 1800

Gas Shows: Unknown. Offset – none

Oil Shows: Unknown. Offset – 2045'-2067'

Coal: Unknown. Offset – 975'-980'

Elevation: 828'

1. Notify Inspector April Lawson @ (681) 990-6944, 48 hrs prior to commencing operations.
2. Check and record pressures on csg/tbg.
3. Pull and lay down any rods and tubing.
4. Check TD w/ wireline and confirm shoe depth of casing and top of cement in inner most casing string with CBL.
5. Run in and clean out to attainable bottom. Kill well as needed with 6% bentonite gel and fill rat hole. Pump at least 10 bbls gel. Pump 200' Class A/L cement plug. **(Producing zone plug)** Tag TOC. Top off as needed.
6. If the casing is not run to TD, TOO H w/ tbg to above cement plug. Pump 6% bentonite gel from top of plug to 50' below casing shoe.
7. If the casing is not run to TD, TOO H w/ tbg to 50' below casing shoe. Pump 100' Class A/L cement plug **50' in/out of csg shoe (csg shoe plug)**.
8. Pump 6% bentonite gel from top of shoe plug to bottom of cut plug.

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9. Free point csg. Cut and TOOH. **Set 100' Class A/L cement plug across csg cut. 50' in/out**

of cut. Do not omit any plugs listed below. Perforate as needed.

10. Pump 6% bentonite gel from top of cut plug to ⁹²⁵878'.

11. TOOH w/ tbg to ⁹²⁵878'. Pump ^{310'}100' Class A/L cement plug from ⁹²⁵878' to ^{615'}778' (elevation plug). Coal FW

12. TOOH w/ tbg to ^{615'}778'. Pump 6% bentonite gel from ^{615'}778' to 100'.

13. If there is another casing string in the well, free point csg. Cut and TOOH. **Set 100' Class A/L cement plug across csg cut. 50' in/out of cut. Do not omit any plugs listed below.**

Perforate as needed.

14. TOOH w/ tbg to 100'. Pump 100' Class A/L cement plug from **100' to surface (surface plug).**

15. Reclaim location and well road to WV DEP specifications and erect P&A well monument.

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West Virginia Department of
Environmental Protection

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WEST VIRGINIA DEPARTMENT OF MINES
OIL AND GAS DIVISION

WELL RECORD

Permit No. Calhoun-5

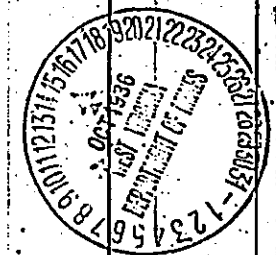
Oil or Gas Well Oil
(Kind)

Company VIRGINIAN GASOLINE AND OIL COMPANY
Address Charlottesville, West Virginia
Farm O. E. & B. V. Elliott Acres 5.44
Location (waters) _____
Well No. 5992 Elev. 844' B.
District Shannon County Calhoun
The surface of tract is owned in fee by O. E. & B. V. Elliott
Address Hillstone, W. Va.
Mineral rights are owned by O. E. & B. V. Elliott
Address Hillstone, W. Va.
Drilling commenced August 9, 1929
Drilling completed September 24, 1929
Date shot October 5, 1929 Depth of shot 2045-2167
Open Flow /10ths Water in _____ Inch
/10ths Merc. in _____ Inch
Volume _____ Cu. Ft.
Rock Pressure _____ lbs. _____ hrs.
Oil 10 _____ bbls. 1st 24 hrs.
Fresh water _____ feet _____ feet
Salt water 1800 _____ feet _____ feet

Casing and Tubing	Used in Drilling	Left in Well	Packers
Size			
16			Kind of Packer
12			Bottom Hole
10	508'		Size of
8 1/2	954'		6-5/8x8x10
6 5/8	1955'	1955'	Depth set
5 3/16			1955'
3			Perf. top
2	2050'	2050'	Perf. bottom
Liners Used			Perf. top
			Perf. bottom

CASING CEMENTED - SIZE - No. FT. - Date
COAL WAS ENCOUNTERED AT - FEET - INCHES
FEET INCHES FEET INCHES
FEET INCHES FEET INCHES

Formation	Color	Hard or Soft	Top	Bottom	Oil Gas or Water	Depth Found	Remarks
Red Rock				40			
Slate		Soft	40	70			
Sand	Grey	Soft	70	90			
Red Rock		Soft	90	140			
Slate	Blue	Soft	140	215			
Sand	Grey	Hard	215	300			
Slate	White	Soft	300	320			
Sand	Grey	Hard	320	360			
Slate	White	Soft	360	370			
Sand	Grey	Soft	370	500			
Slate	White	Soft	390	500			
Red Rock		Soft	500	520			
Sand	Grey	Hard	520	540			
Red Rock		Soft	540	560			
Sand	Grey	Hard	560	575			
Slate	White	Soft	575	655			
Red Rock		Soft	655	670			
Slate	White	Soft	670	685			
Sand	Grey	Soft	685	710			
Slate	White	Soft	710	745			
Red Rock		Soft	745	755			
Slate	White	Soft	755	800			
Red Rock		Soft	800	815			
Slate	White	Soft	815	850			
Sand	Grey	Hard	850	850			
Slate	Black	Soft	850	860			
Slate	White	Soft	860	935			
Sand	Black	Soft	935	955			
Lime	Grey	Hard	955	975			
Coal	Black	Soft	975	980			
Sand, Dunkard		Hard	980	1085			
Slate	Black	Soft	1035	1100			
Sand	Black	Soft	1100	1140			
Sand	Grey	Hard	1140	1240			
Slate	Black	Soft	1240	1255			
Sand	Grey	Soft	1255	1285			
Slate	Black	Soft	1285	1320			
Lime	Black	Hard	1320	1340			
Sand	Dark	Hard	1340	1360			
Slate & Shell	Black		1360	1510			



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Virginian Gas. & Oil Co. ^Q Company

Charleston, West Va. Address

Well 5992

COMPLETION DATA SHEET
NO. 2
FORMATION RECORD

Name	Color	Character	Oil, Gas or Water	Top	Bottom	Thickness	Total Depth	Remarks
Red Rock					40			
Slate, Soft				40	70			
Sand, Grey Soft				70	90			
Red Rock, Soft				90	140			
Slate, Blue Soft				140	215			
Sand, Grey Hard				215	300			
Slate, White Soft				300	320			
Sand, Grey Hard				320	360			
Slate, White Soft				360	370			
Sand, Grey Soft				370	390			
Slate, White Soft				390	500			
Red Rock, Soft				500	520			
Sand, Grey Hard				520	540			
Red Rock, Soft				540	560			
Sand, Grey Hard				560	575			
Slate, White Soft				575	655			
Red Rock, Soft				655	670			
Slate, White Soft				670	685			
Sand, Grey Soft				685	710			
Slate, White Soft				710	745			
Red Rock, Soft				745	755			
Slate, White Soft				755	800			
Red Rock, Soft				800	815			
Slate, White Soft				815	830			
Sand, Grey Hard				830	850			
Slate, Black Soft				850	860			
Slate, White Soft				860	935			
Sand, Black Soft				935	955			
Lime, Grey Hard				955	975			
Coal, Black Soft				975	980			
Sand, Dark Hard				980	1085			
Slate, Black Soft				1085	1100			
Sand, Black Soft				1100	1140			
Sand, Grey Hard				1140	1240			
Slate, Black Soft				1240	1255			
Sand, Grey Soft				1255	1285			
Slate, Black Soft				1285	1320			
Lime, Black Hard				1320	1340			
Sand, Dark Hard				1340	1360			
Slate & Shell, Black				1360	1510			

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Well was ^{shot} not shot at _____; well was shot at _____ feet.

Salt
Fresh water at _____; salt
fresh water at _____ feet.

producing
Well was _____ hole.
dry

September 24, 1929

Date

Approved Virginian Gasoline & Oil Co.

Owner

NOTE: All bottom formations must be noted as indicated above and all key-rocks and oil and gas sands must be recorded under their proper geological names in the district as well as any local names commonly used in the district for such strata.

03/28/2025

Formation	Color	Hard or Soft	Top	Bottom	Oil, Gas or Water	Depth Found	Remarks
1st Salt Sand		Hard	1510	1505			
Slate & Shell	Black		1585	1640			
2nd Salt Sand	White		1640	1740			
Lime	Black	Hard	1740	1750			
Maxon Sand	Blue	Hard	1750	1865	Water	1800	
Little, Lime	Black	Hard	1865	1888			
Break, Lime	Cave		1888	1910			
Pencil Cave	Black	Hard	1910	1925			
Big Lime	White	Hard	1925	2015			
Keener Sand			2015	2032			
Injun Sand	S.L. Mass.		2032	2067			
Oil Pay, Steel	Lime				Oil	2045-2057	
Total Depth				2068			

APPROVED VERGINIAN GASOLINE & OIL COMPANY, Owners

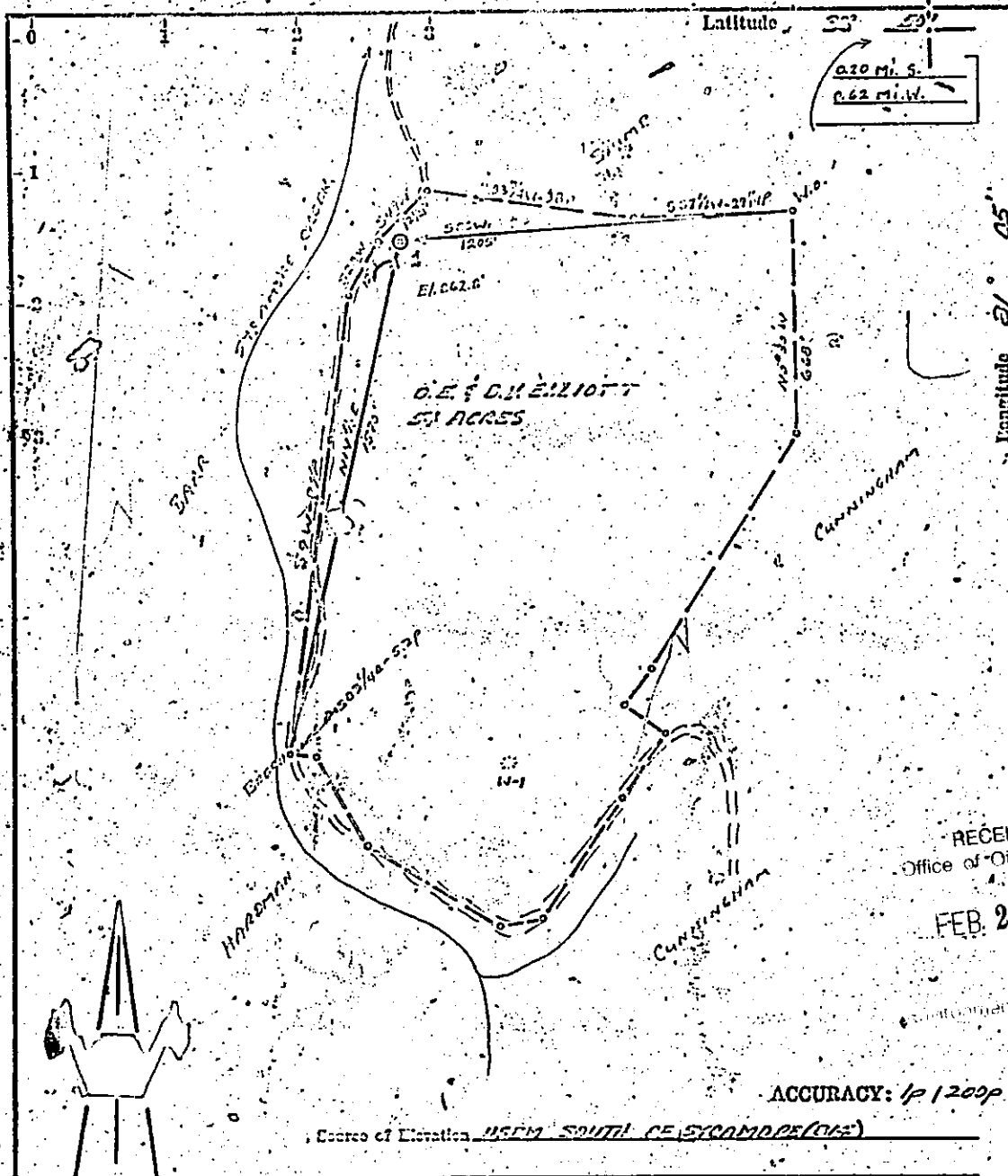
By

J. A. Cunningham

(Title)

Engineer

03/28/2025



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ACCURACY: 1p/200p

Source of Elevation: USGS SOUTH OF SCANDORA (012)

- New Location ☐
- Drill Deeper ☐
- Abandonment ☐
- Fracture ☐
- Redrill ☐

I, the undersigned, hereby certify that this map is correct to the best of my knowledge and belief and shows all the information required by paragraph 6 of the rules and regulations of the oil and gas section of the mining laws of West Virginia.

Chet Waterman

Company	FRANCIS COIN		
Address	BIG BEND, W.V.		
Farm	O.E. & D.H. ELLIOTT		
Tract	Acres	51	Lease No.
Well (Farm) No.	1	Serial No.	
Elevation (Spirit Level)	632.0		
Quadrangle	ARNOLDSEBURG		
County	CLAYTON	District	SHERRY
Engineer	CHET WATERMAN		
Engineer's Registration No.	3783		
File No.	69013-22	Drawing No.	
Date	2/25/69	Scale	1" = 1200'

STATE OF WEST VIRGINIA
DEPARTMENT OF MINES
OIL AND GAS DIVISION
CHARLESTON

WELL LOCATION MAP

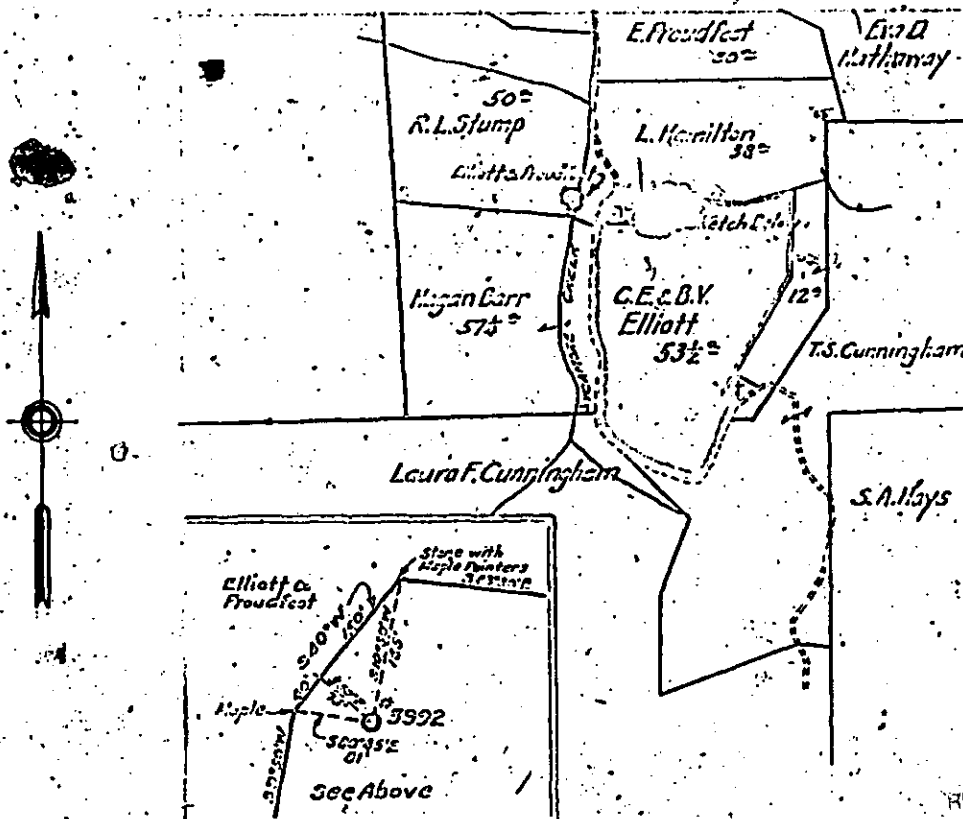
FILE NO. 69-3-P
(Insert)

+ Denotes location of well on United States Topographic Maps, scale 1 to 62,500, latitude and longitude lines being represented by border lines as shown.

— Denotes one inch spaces on border line of original tracing.

I, the undersigned hereby certify that this map is true and correct, and shows all the information required by Oil & Gas Law, Acts of 1929.

G.A. Cunningham



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O.E. & B.V. Elliott
Well No. 3992
Sherman District
Galhoun County, W. Va.
July 1, 1929

Cal-3

VIRGINIAN GASOLINE & OIL CO.
MAP SHOWING
PROPOSED WELL LOCATION
SCALE: 4 INCHES = 1 MILE

03/28/2025

WW-4A
Revised 6-07

1) Date: 2/18/2025
2) Operator's Well Number Calhoun - 04759

3) API Well No.: 47 - 013 - 04759

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
NOTICE OF APPLICATION TO PLUG AND ABANDON A WELL

<p>4) Surface Owner(s) to be served:</p> <p>(a) Name <u>Cleo Burch</u> Address <u>7906 S. Calhoun Hwy.</u> <u>Millstone, WV 25621</u></p> <p>(b) Name <u>Not Reported</u> Address _____</p> <p>(c) Name <u>Not Reported</u> Address _____</p> <p>6) Inspector <u>April Lawson</u> Address <u>347 Main St.</u> <u>Spencer, WV 25289</u> Telephone <u>(681) 990-6944</u></p>	<p>5) (a) Coal Operator</p> <p>Name <u>Not Reported</u> Address _____</p> <p>(b) Coal Owner(s) with Declaration</p> <p>Name <u>Not Reported</u> Address _____</p> <p>(c) Coal Lessee with Declaration</p> <p>Name <u>Not Reported</u> Address _____</p>
--	---

TO THE PERSONS NAMED ABOVE: You should have received this Form and the following documents:

- (1) The application to Plug and Abandon a Well on Form WW-4B, which sets out the parties involved in the work and describes the well its and the plugging work order; and
- (2) The plat (surveyor's map) showing the well location on Form WW-6.

The reason you received these documents is that you have rights regarding the application which are summarized in the instructions on the reverses side. However, you are not required to take any action at all.

Take notice that under Chapter 22-6 of the West Virginia Code, the undersigned well operator proposes to file or has filed this Notice and Application and accompanying documents for a permit to plug and abandon a well with the Chief of the Office of Oil and Gas, West Virginia Department of Environmental Protection, with respect to the well at the location described on the attached Application and depicted on the attached Form WW-6. Copies of this Notice, the Application, and the plat have been mailed by registered or certified mail or delivered by hand to the person(s) named above (or by publication in certain circumstances) on or before the day of mailing or delivery to the Chief.



Well Operator Unknown - WVDEP Paid Plugging Contract
By: Jason Harmon
Its: WV Office of Oil and Gas Deputy Chief
Address 601 57th St. SE
Charleston, WV 25304
Telephone 304-926-0452

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Office of Oil and Gas

FEB 21 2025

Subscribed and sworn before me this 21 day of February 2025
Zachary S. Johnson Notary Public
My Commission Expires 2-15-28

WV Department of
Environmental Protection

Oil and Gas Privacy Notice

The Office of Oil and Gas processes your personal information, such as name, address and phone number, as a part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact DEP's Chief Privacy Officer at depprivacyofficer@wv.gov.

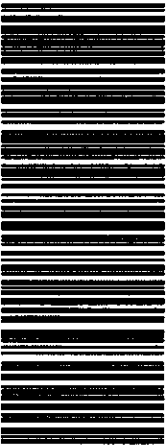
03/28/2025

Diversified Gas & Oil Corporation
Permitting Department
414 SUMMERS STREET
2ND FLOOR
CHARLESTON WV 25301

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FEB 21 2025

Environmental Protection Agency

USPS CERTIFIED MAIL™



9407 1362 0855 1276 8667 56



CLEO BURCH
7906 S CALHOUN HWY
MILLSTONE WV 25261-8510

US POSTAGE AND FEES PAID
2025-02-18
25301
C4000004
Retail
4.0 OZ FLAT



easyPost

0901000010742

03/28/2025

WW-9
(5/16)

API Number 47 - 013 - 04759
Operator's Well No. Calhoun - 04759

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Unknown - WVDEP Paid Plugging Contract OP Code _____

Watershed (HUC 10) Left Fork Sycamore creek Quadrangle Millstone 7.5'

Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes ☐ No ☒

Will a pit be used? Yes ☐ No ☒

If so, please describe anticipated pit waste: Production fluid and cement returns.

Will a synthetic liner be used in the pit? Yes ☐ No ☐ If so, what ml.? _____

Proposed Disposal Method For Treated Pit Wastes:

- ☐ Land Application (if selected provide a completed form WW-9-GPP)
- ☒ * Underground Injection (UIC Permit Number #25-744)
- ☐ Reuse (at API Number _____)
- ☐ Off Site Disposal (Supply form WW-9 for disposal location)
- ☐ Other (Explain _____)

Will closed loop system be used? If so, describe: N/A

Drilling medium anticipated for this well (vertical and horizontal)? Air, freshwater, oil based, etc. N/A

-If oil based, what type? Synthetic, petroleum, etc. N/A

Additives to be used in drilling medium? N/A

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. N/A

-If left in pit and plan to solidify what medium will be used? (cement, lime, sawdust) N/A

-Landfill or offsite name/permit number? N/A

Permittee shall provide written notice to the Office of Oil and Gas of any load of drill cuttings or associated waste rejected at any West Virginia solid waste facility. The notice shall be provided within 24 hours of rejection and the permittee shall also disclose where it was properly disposed.

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on April 1, 2016, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature Jason Harmon

Company Official (Typed Name) Jason Harmon

Company Official Title Deputy Chief

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FEB 21 2025

Environmental Protection

Subscribed and sworn before me this 21 day of February, 20 25

Zach Johnson

My commission expires 2-15-28

Notary Public



Proposed Revegetation Treatment: Acres Disturbed +/- 1 ac. Prevegetation pH _____Lime 3 Tons/acre or to correct to pH 6.5Fertilizer type 10-20-20 or EquivalentFertilizer amount TBD lbs/acreMulch 2 Tons/acreSeed Mixtures**Temporary**

Seed Type	lbs/acre
Red Fescue	40
Alsike	5
Annual Rye	15

Permanent

Seed Type	lbs/acre
Red Fescue	15
Alsike Clover	5

Attach:

Maps(s) of road, location, pit and proposed area for land application (unless engineered plans including this info have been provided). If water from the pit will be land applied, provide water volume, include dimensions (L, W, D) of the pit, and dimensions (L, W), and area in acres, of the land application area.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: April Lawson
Digitally signed by April Lawson
DN: cn = April Lawson email = april.lawson@wv.gov C = US
Date: 2025.02.19 08:57:14 -05'00'Comments: Follow E&S Control PlanRECEIVED
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WV Department of
Environmental ProtectionTitle: OOG InspectorDate: 2/19/2025

Field Reviewed?

(☐) Yes(☐) No

03/28/2025



DIVERSIFIED
energy

Date: 2/18/2025

James Martin
Office of Oil and Gas
601 57th Street, SE
Charleston, WV 25304
(304)926-0450

Mr. Martin,

Due to our cement provider, LaFarge Holcem, discontinuing the manufacturing of Class A cement, DGOC will be utilizing Class L cement to plug the following well:

API Number 4701304759 Well Name Calhoun - 04759

Attached is the approved variance order for use of Class L cement.

Sincerely,

Chris Veazey
Permitting Supervisor
304-590-7707

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03/28/2025



west virginia department of environmental protection

Office of Oil and Gas
601 57th Street, SE
Charleston, WV 25304
Phone (304) 926-0450

Harold D. Ward, Cabinet Secretary
dep.wv.gov

**BEFORE THE OFFICE OF OIL AND GAS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE OF WEST VIRGINIA**

**IN THE MATTER OF A VARIANCE FROM)
LEGISLATIVE RULE 35CSR4)
SECTION 14.1. AND LEGISLATIVE RULE)
35CSR8 SECTION 20.1,)
RELATING TO THE CEMENTING)
OF OIL AND GAS WELLS)**

ORDER NO. 2022-13

REPORT OF THE OFFICE

In response to industry requests, the West Virginia Department of Environmental Protection, Office of Oil and Gas has reviewed the proposed use of American Petroleum Institute (API) Class L cement to be used in place of API Class A cement for well plugging.

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FINDINGS OF FACT

1. On July 28, 2022, Diversified Gas & Oil Co. (DGO) submitted a variance request from Legislative Rule 35CSR4 for the use of API Class L cement in place of API Class A cement, relating to the plugging of conventional wells.
2. Laboratory analysis submitted by DGO on July 28, 2022, indicates API Class L cement is comparable to API Class A cement and thereby satisfies the requirements of the West Virginia Code.
3. Contemporaneously, the Chief of the Office of Oil and Gas also chose to consider a variance to Legislative Rule 35CSR8 Section 20.1., for the use of API Class L cement in place of API Class A cement, relating to the plugging of horizontal wells.

Promoting a healthy environment.

03/28/2025

4. On August 18, 2022, the Office of Oil and Gas provided public notice of acceptance of public comments on the variance consideration. During the 20-day public comment period, no comments were received.

CONCLUSIONS OF LAW

Pursuant to Article 6 and Article 6A, Chapter 22 of the Code of West Virginia, the Office of Oil and Gas has jurisdiction over the subject matter, and the persons interested therein, and jurisdiction to promulgate the hereinafter prescribed Order.

Pursuant to Legislative Rule 35CSR4, Section 18 and Legislative Rule 35CSR8, Section 14, the Chief of the Office of Oil and Gas may grant a variance from any requirement of these rules.

ORDER

It is ordered that the Class L cement product approved and monogrammed by API is approved for use in place of API Class A cement for well plugging subject to the provisions of Legislative Rule 35CSR4 and Legislative Rule 35CSR8.

Dated this, the 13th day of September, 2022.

IN THE NAME OF THE STATE OF WEST VIRGINIA

OFFICE OF OIL AND GAS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OF THE STATE OF WEST VIRGINIA



James Martin, Chief
Office of Oil and Gas

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Office of Oil and Gas

FEB 21 2025

Department of
Environmental Protection

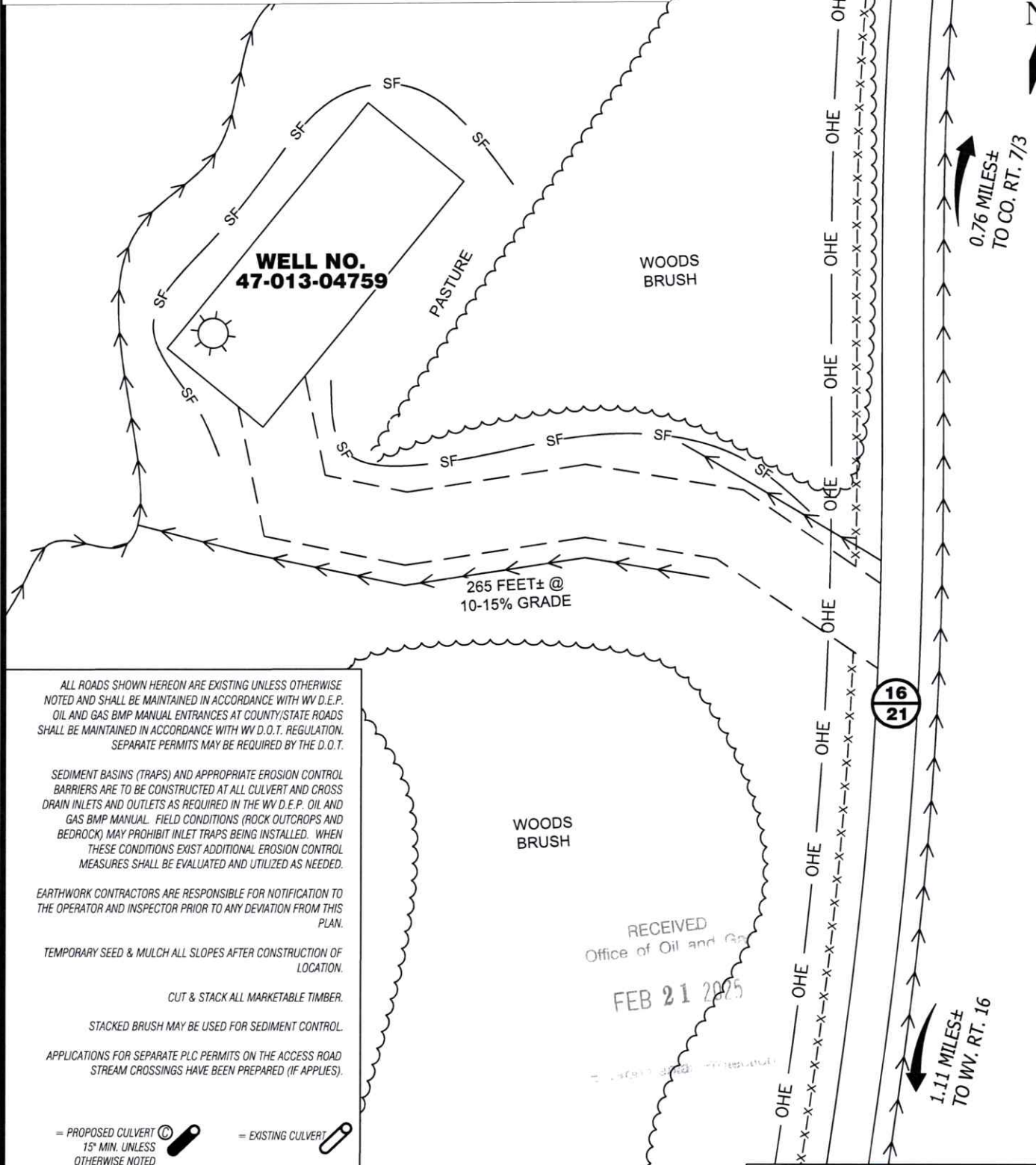
03/28/2025

BURCH #1

WELL NO. 47-013-04759

Form WW-9

page of



ALL ROADS SHOWN HEREON ARE EXISTING UNLESS OTHERWISE NOTED AND SHALL BE MAINTAINED IN ACCORDANCE WITH WV D.E.P. OIL AND GAS BMP MANUAL ENTRANCES AT COUNTY/STATE ROADS SHALL BE MAINTAINED IN ACCORDANCE WITH WV D.O.T. REGULATION. SEPARATE PERMITS MAY BE REQUIRED BY THE D.O.T.

SEDIMENT BASINS (TRAPS) AND APPROPRIATE EROSION CONTROL BARRIERS ARE TO BE CONSTRUCTED AT ALL CULVERT AND CROSS DRAIN INLETS AND OUTLETS AS REQUIRED IN THE WV D.E.P. OIL AND GAS BMP MANUAL. FIELD CONDITIONS (ROCK OUTCROPS AND BEDROCK) MAY PROHIBIT INLET TRAPS BEING INSTALLED. WHEN THESE CONDITIONS EXIST ADDITIONAL EROSION CONTROL MEASURES SHALL BE EVALUATED AND UTILIZED AS NEEDED.

EARTHWORK CONTRACTORS ARE RESPONSIBLE FOR NOTIFICATION TO THE OPERATOR AND INSPECTOR PRIOR TO ANY DEVIATION FROM THIS PLAN.

TEMPORARY SEED & MULCH ALL SLOPES AFTER CONSTRUCTION OF LOCATION.

CUT & STACK ALL MARKETABLE TIMBER.

STACKED BRUSH MAY BE USED FOR SEDIMENT CONTROL.

APPLICATIONS FOR SEPARATE PLC PERMITS ON THE ACCESS ROAD STREAM CROSSINGS HAVE BEEN PREPARED (IF APPLIES).

= PROPOSED CULVERT 15' MIN. UNLESS OTHERWISE NOTED

= EXISTING CULVERT

= APPROXIMATE LIMITS OF DISTURBANCE

= PROPOSED STREAM CROSSING

SCALE: 1"=50'

0' 50' 100'



12 Vanhorn Drive | P.O. Box 150 | Glenville, WV 26351 | 304.462.5634
1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.3952
254 East Beckley Bypass | Beckley, WV 25801 | 304.255.5296

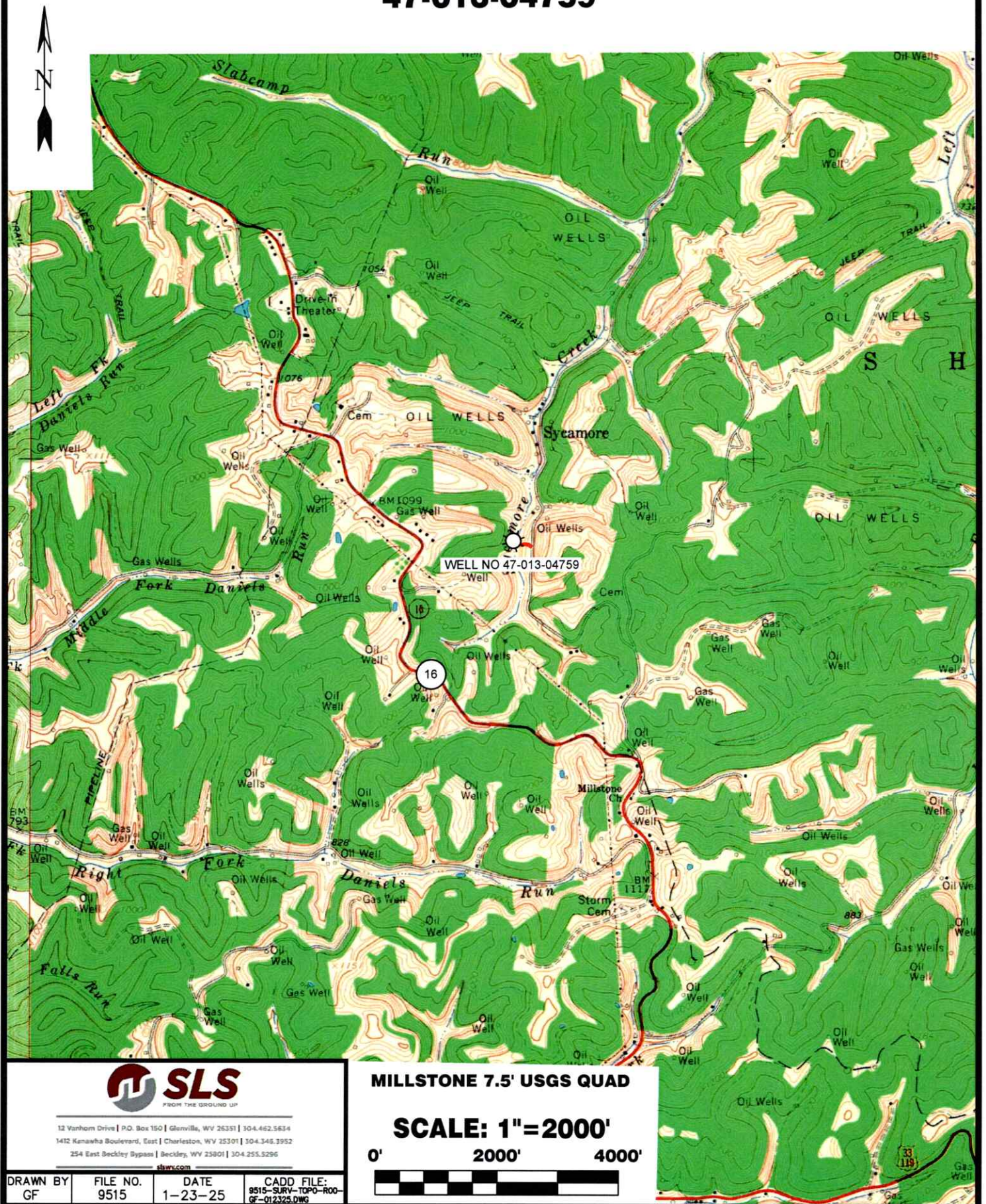
CADD FILE:
9515-SURV-REC-R00-
GF-012325.DWG

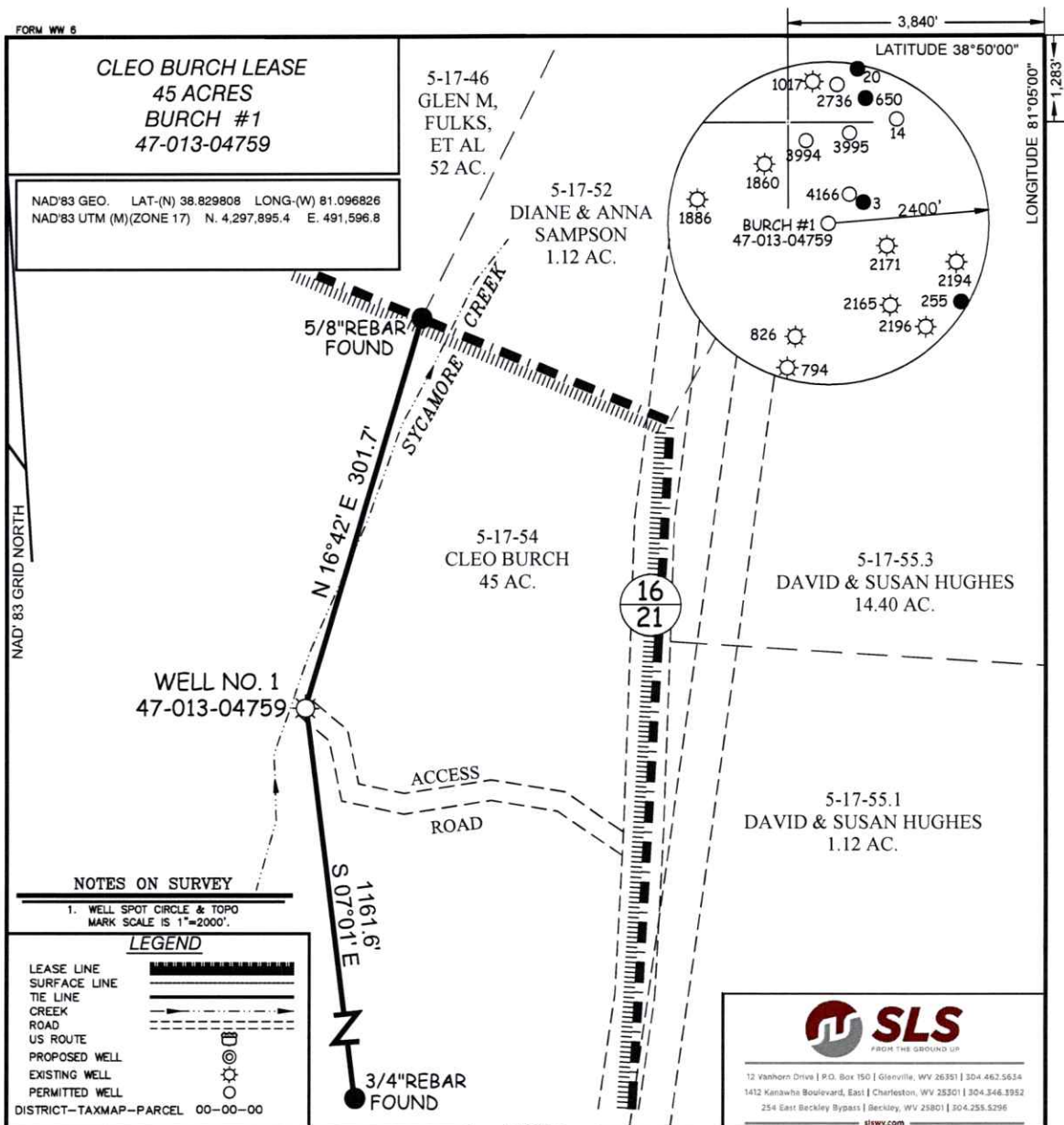
DATE
1-23-25

FILE NO.
9515

DRAWN BY
GF

03/28/2025





NOTES ON SURVEY

1. WELL SPOT CIRCLE & TOPO MARK SCALE IS 1"=2000'.

LEGEND

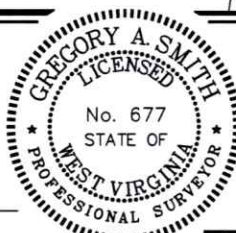
LEASE LINE
SURFACE LINE
TIE LINE
CREEK
ROAD
US ROUTE
PROPOSED WELL
EXISTING WELL
PERMITTED WELL

DISTRICT-TAXMAP-PARCEL 00-00-00

I THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND PRESCRIBED BY THE DIVISION OF ENVIRONMENTAL PROTECTION.

P.S.
677

Gregory A. Smith



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS.

DATE JANUARY 28, 20 25

REVISED, 20

OPERATORS WELL NO. BURCH #1

API WELL NO. 47 - 013 - 04759
STATE COUNTY PERMIT

MINIMUM DEGREE
OF ACCURACY

1 / 200

FILE NO. 9515-WELL PLAT-4701304759-R00-250127-MRH.dwg

HORIZONTAL & VERTICAL
CONTROL DETERMINED BY

SCALE 1" = 100'

DGPS (SUBMETER MAPPING GRADE TIE TO CORS NETWORK)

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS



WELL TYPE: OIL ☒ GAS ☒ LIQUID INJECTION ☐ WASTE DISPOSAL ☐ IF "GAS" PRODUCTION ☐ STORAGE ☐ DEEP ☐ SHALLOW ☒

LOCATION:

ELEVATION 827' WATERSHED SYCAMORE CREEK

DISTRICT SHERMAN COUNTY CALHOUN QUADRANGLE MILLSTONE 7.5'

SURFACE OWNER CLEO BURCH

ACREAGE 45

ROYALTY OWNER N/A

ACREAGE N/A

PROPOSED WORK:

LEASE NO.

DRILL ☐ CONVERT ☐ DRILL DEEPER ☐ REDRILL ☐ FRACTURE OR STIMULATE ☐ PLUG OFF OLDFORMATION ☐ PERFORATE NEW FORMATION ☐ PLUG AND ABANDON ☒ CLEAN OUT AND REPLUG ☐ OTHER ☐

PHYSICAL CHANGE IN WELL (SPECIFY)

TARGET FORMATION UNKNOWN

ESTIMATED DEPTH UNKNOWN

WELL OPERATOR UNKNOWN WVDEP PAID PLUGGING CONTRACT

DESIGNATED AGENT JASON HARMON, WVDEP

ADDRESS 601 57TH STREET

ADDRESS 601 57TH STREET

CHARLESTON, WV 25304 (WVDEP)

CHARLESTON, WV 25304

03/28/2025

WW-4B

API No. 4701304759
Farm Name Burch
Well No. Calhoun - 04759

**INSTRUCTIONS TO COAL OPERATORS
OWNERS AND LESSEE**

The well operator named on the obverse side of WW-4 (B) is about to abandon the well described in the enclosed materials and will commence the work of plugging and abandoning said well on the date the inspector is notified. Which date shall not be less than five days after the day on which this notice and application so mailed is received, or in due course should be received by the Department of Environmental Protection Office of Oil & Gas.

This notice and application is given to you in order that your respective representatives may be present at the plugging and filling of said well. You are further notified that whether you are represented or not the operator will proceed to plug and fill said well in the manner required by Section 24, Article 6, Chapter 22 of the Code and given in detail on obverse side of this application.

NOTE: If you wish this well to be plugged according to 22-6-24(d) then as per Regulation 35CSR4-13.9 you must complete and return to this office on form OB-16 "Request by Coal Operator, Owner, or Lessee for plugging" prior to the issuance of this plugging permit.

WAIVER

The undersigned coal operator ☐ / owner ☐ / lessee ☐ / of the coal under this well location has examined this proposed plugging work order. The undersigned has no objection to the work proposed to be done at this location, provided, the well operator has complied with all applicable requirements of the West Virginia Code and the governing regulations.

Date: _____

By: _____

Its _____

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West Virginia Department of
Environmental Protection

03/28/2025

SURFACE OWNER WAIVER

Operator's Well
Number

Calhoun - 04759

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW4-A

The well operator named on page WW-4A is applying for a permit from the State to plug and abandon a well. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.

WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas
Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
(304) 926-0450

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Department of
Environmental Protection

Time Limits and methods for filing comments. The law requires these materials to be served on or before the date the operator files his Application. You have **FIVE (5) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

Comments must be in writing. Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation..."

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

VOLUNTARY STATEMENT OF NO OBJECTION

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application For A Permit To Plug And Abandon on Forms WW-4A and WW-4B, and a survey plat.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON
ETC.

FOR EXECUTION BY A CORPORATION,

_____	Date _____	Name _____
Signature		By _____
		Its _____
		_____ Date _____

Signature

Date

03/28/2025

11/10/2016

PLUGGING PERMIT CHECKLIST
4701304759

Plugging Permit

- ☐ WW-4B
- ☐ WW-4B signed by inspector
- ☐ WW-4A
- ☐ SURFACE OWNER WAIVER or PROOF THAT APPLICATION WAS SENT BY REGISTERED OR CERTIFIED MAIL
- ☐ COAL OWNER/COAL OPERATOR/COAL LESSEE WAIVERS or PROOF THAT APPLICATION WAS SENT BY REGISTERED OR CERTIFIED MAIL
- ☐ WW-9 PAGE 1 (NOTARIZED)
- ☐ WW-9 PAGE 2 with attached drawing of road, location, pit and proposed area for land application
- ☐ WW-9 GPP PAGE 1 and 2 if well effluent will be land applied
- ☐ RECENT MYLAR PLAT OR WW-7
- ☐ WELL RECORDS/COMPLETION REPORT
- ☐ TOPOGRAPHIC MAP OF WELL, SHOWING PIT IF PIT IS USED
- ☐ MUST HAVE VALID BOND IN OPERATOR'S NAME
- ☐ CHECK FOR \$100 IF PIT IS USED

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Environmental Protection

03/28/2025



DIVERSIFIED
energy

Jason Harmon – Deputy Director
WV Department of Environmental Protection
Office of Oil and Gas
601 57th Street, SE
Charleston, WV 26304-2345

Mr. Harmon,

Please find enclosed a permit application to plug and abandon the orphan well listed below.

API #:4701304759
Tax District: Sherman
Calhoun County, WV

This well is part of the state orphan multi-well plugging contract for Calhoun County, WV. Next Level Energy will be the plugging contractor operating under the Calhoun County Contract. The oil and gas inspector has reviewed and signed off on the permit application for the work to be carried out. Additionally, a copy of the application has been mailed to the surface owner(s) of record, with the associated mail receipt(s) enclosed.

If you have any questions or require further information regarding the work or the permitting process, please do not hesitate to contact the Diversified Energy Permitting Department

We are here to assist and provide any clarification you may need.

Sincerely,

Nick Bumgardner - Permitting Supervisor
Diversified Energy Company
304-545-4848
nbumgardner@dgoc.com

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FEB 21 2025

WV Department of
Environmental Protection

03/28/2025



Kennedy, James P <james.p.kennedy@wv.gov>

plugging permit issued 4701304759

1 message

Kennedy, James P <james.p.kennedy@wv.gov>

Fri, Mar 21, 2025 at 2:50 PM

To: Henry J Harmon <henry.j.harmon@wv.gov>, April N Lawson <april.n.lawson@wv.gov>, Nicholas Bumgardner <nbumgardner@dgoc.com>, jnettle1@assessor.state.wv.us

To whom it may concern, a plugging permit has been issued for 4701304759.

James Kennedy

WVDEP OOG



4701304759.pdf

3166K

03/28/2025