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west virginia department of environmental protection

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

Harold D. Ward, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

Tuesday, December 20, 2022  
WELL WORK PLUGGING PERMIT  
Vertical Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT  
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for 1  
47-017-00114-00-00

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: MARTIN, FLORA E.  
U.S. WELL NUMBER: 47-017-00114-00-00  
Vertical Plugging  
Date Issued: 12/20/2022

# PERMIT CONDITIONS<sup>47 0 17 0 0 1 1 4</sup>

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

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1. All pits must be lined with a minimum of 20 mil thickness synthetic liner.
2. 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.
3. Well work activities shall not constitute a hazard to the safety of persons.



4701700114

info@sllswv.com  
www.sllswv.com

November 11, 2022

Jason Harmon, Deputy Director  
WV Department of Environmental Protection  
Office of Oil & Gas  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304-2345

RECEIVED  
Office of Oil and Gas  
NOV 16 2022  
WV Department of  
Environmental Protection

Dear Mr. Harmon,

Please find enclosed a permit application to plug API# 47-017-00114 in the West Union District, Doddridge County. It is a part of the multi-well plugging contract for the Orphan and Abandoned Well Program for Region 1. The plugging contractor is Next Level Energy, operating under the Region 1 contract. The surface owner and inspector have been mailed copies of the permit application. The signed waivers will be forwarded to you as we receive them. I have enclosed a copy of the Surface owner Certified Mail package that was sent to them.

Please note that we will forward the IR-9 forms as they are completed.

If you have any questions or comments please do not hesitate to contact me.

Jim Mencer  
Permitting Technician  
SLS Land & Energy Development  
304-462-5634

12 Vanhorn Drive, Glenville, WV 26351  
1412 Kanawha Boulevard East, Charleston, WV 25301  
254 East Beckley Bypass, Beckley, WV 25801  
**304-462-5634**

12/23/2022

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 X / Liquid injection \_\_\_ / Waste disposal \_\_\_ /  
(If "Gas, Production \_\_\_ or Underground storage \_\_\_) Deep \_\_\_ / Shallow X

5) Location: Elevation 899' Watershed Nutter Fork.  
District West Union County Doddridge Quadrangle West Union

6) Well Operator Unknown WV DEP Paid Plugging Contract 7) Designated Agent Jason Harmon  
Address 601 57th Street, SE Address 601 57th Street, SE  
Charleston, WV 25304 Charleston, WV 25304

8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name Sam Ward Name Next Level Energy  
Address P.O. Box 2327 Address 104 Heliport Loop  
Buckhannon, WV 26201 Bridgeport, WV 26330

NOV 16 2022  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

10) Work Order: The work order for the manner of plugging this well is as follows:  
**See Attached Well Work Procedure:**

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

Work order approved by inspector  Date 12/15/2022



## PLUGGING PROGNOSIS

West Virginia, Doddridge County  
API # 47-017-00114

**Casing Schedule**

6-5/8" csg @ 1751' (no cement data)  
TD @ 2616'

**Completion:** 2579'-2581'; 1964'-1972'

**Fresh Water:** None Reported

**Saltwater:** None Reported

**Coal:** None Reported

**Oil Show:** 1905'-1919'

**Gas Show:** 1964'-1972'; 2579'-2581'

**Elevation:** 894'

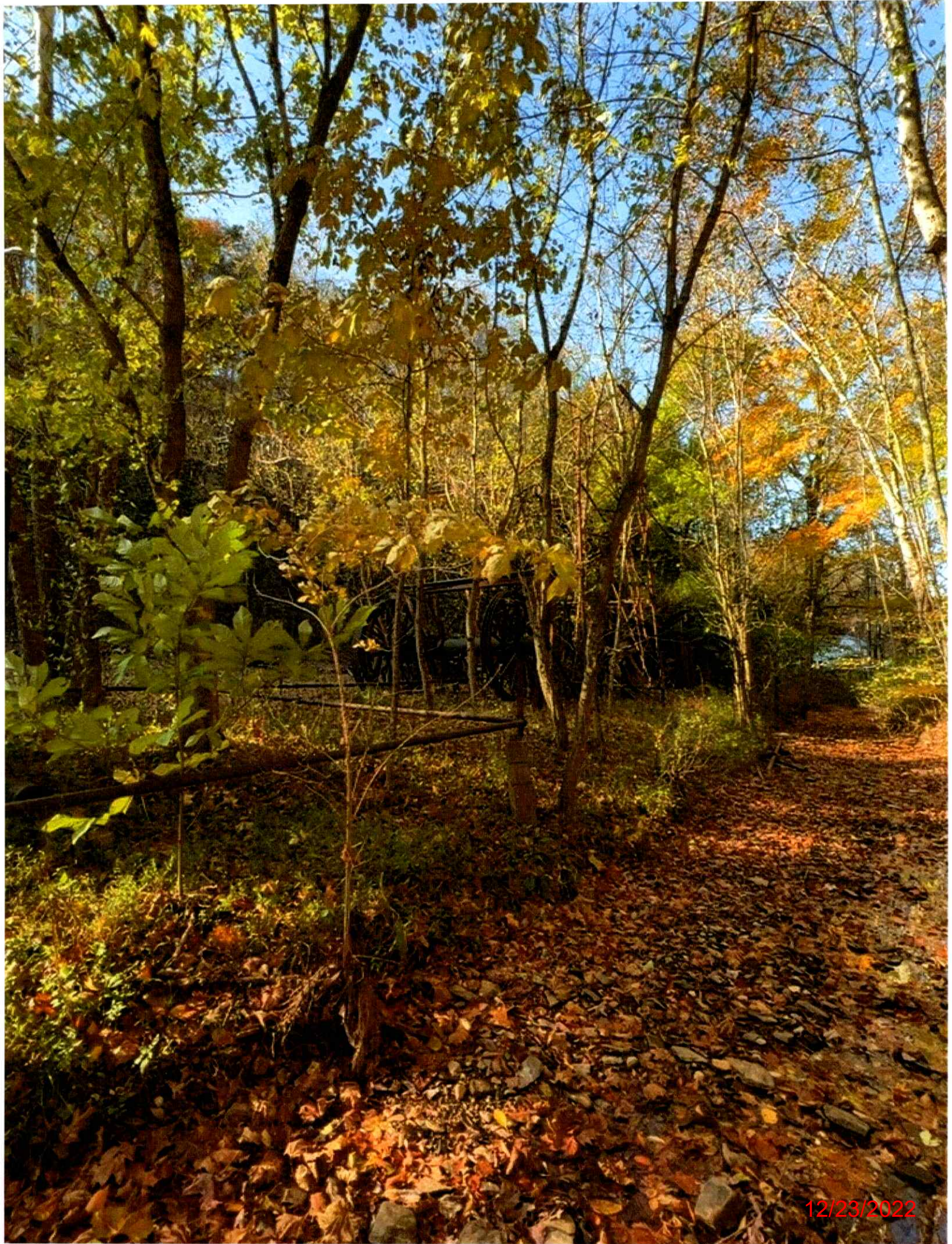
1. Notify inspector, Sam Ward @ 304-389-7583, 48 hrs. prior to commencing operations.
2. Check wellhead pressure, blow down and kill well as needed and tag TD w/ sand line.
3. Run in to depth @ 2581'. Kill well as needed with 6% bentonite gel and fill rat hole. Pump at least 10 bbls gel. Pump 102' Class A/Class L cement plug from **2581' to 2479' (completion and gas show plug)**. Tag TOC. Top off as needed.
4. TOOH w/ tbg to 2479'. Pump 6% bentonite gel from 2479' to 1972'
5. TOOH w/ tbg to 1972'. Pump 108' Class A/Class L Cement plug from **1972' to 1864' (completion and gas/oil show plug)**
6. TOOH w/ tbg to 1864'. Pump 6% bentonite gel from 1864' to 1801'
7. Run CBL to check for TOC behind 6-5/8" csg
8. TIH w/ tbg to 1801'. Pump 100' Class A/Class L Cement plug from **1801' to 1701' (6-5/8" csg shoe plug)**
9. TOOH w/ tbg to 1701'. Pump 6% bentonite gel from 1701' to 894'
10. Free point 6-5/8" csg. Cut and TOOH. Set 100' Class A/Class L cement plug across csg cut. 50' in/out of cut. TOOH w/ tbg to top of plug. **Do not omit any plugs listed below. Perforate as needed.**
11. TOOH w/ tbg to 894'. Pump 100' Class A/Class L Cement plug from **894' to 794' (Elevation plug)** **change elevation plug to 844'-944'**
12. TOOH w/ tbg to 794'. Pump 6% bentonite gel from 794' to 100'
13. TOOH w/ tbg to 100'. Pump 100' Class A/Class L Cement plug from **100' to Surface (Surface plug)** **IMR 12/15/2022**
14. Erect monument with API#, date plugged, & company name.
15. Reclaim location and road to WV-DEP specifications.



12/15/2022

12/23/2022





12/23/2022





12/23/2022



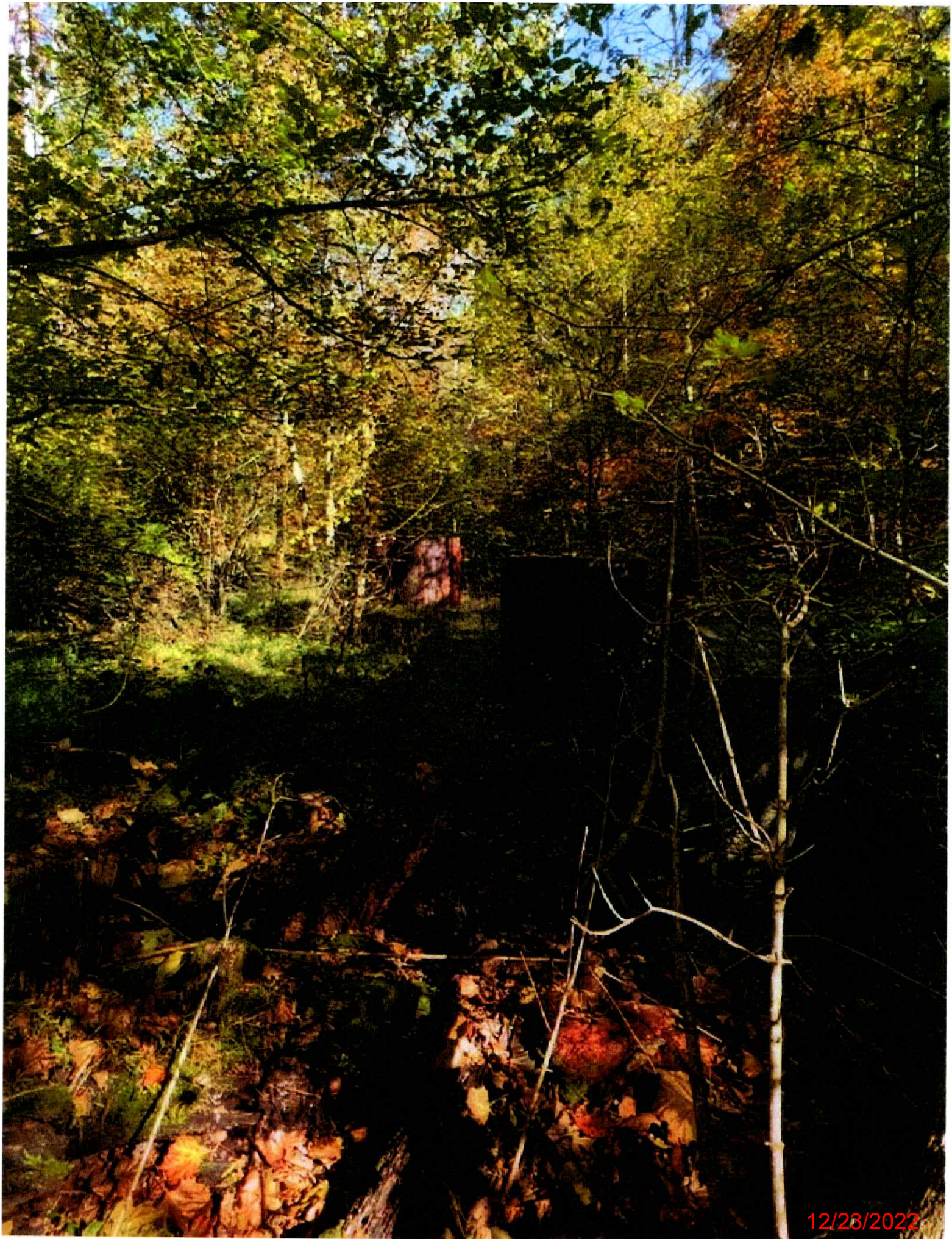






12/23/2022







WEST VIRGINIA DEPARTMENT OF MINES  
OIL & GAS DIVISION  
W E L L R E C O R D

Permit No. Dod-114  
West Union Quad.

Oil & Gas Well

Company Braden & Creighton  
Address Marietta, Ohio  
Farm Flora E. Froeman Martin ACRES 35  
Location Nutters Fork  
Well No. 1 ELEV. -  
District West Union - Doddridge County  
Surface & Mineral Flora Martin, et al, West Union, W.Va.  
Commenced May -  
Completed June -  
Shot June - depth 1972-2581  
Open Flow 6/10ths W in 2 inch  
Volume 115,968 c.f.  
Oil 1/2 bbl.  
Water -

CASING & TUBING

10 627  
8-1/4 1080  
6-5/8 1751 1751  
Coal at 512 & 1040

Shale	bl	s	0	15
Shale	rd	s	15	25
Sand			25	40
Shale	bl	s	40	80
Lime	gr	s	80	100
Slate			100	180
Shale	rd	s	180	225
Slate	bl	s	225	260
Coal			260	265
Slate	bl	s	265	300
Shale	rd	s	300	330
Lime		h	330	370
Red Rock		h	370	375
Lime		h	375	385
Slate	bl	s	385	430
Sand		h	430	445
Shale	rd	s	445	455
Slate	bl	s	455	485
Lime		h	485	512
Coal			512	516
Lime		h	516	550
Slate	bl	s	550	580
Lime	wh	h	580	585
Sand		h	585	604
Shells&Slate		s	604	640
Shale	rd	s	640	704
Slate	bl	s	704	710
Sand		h	710	725
Slate	bl	s	725	745
Shells		s	745	825
Shells		s	825	850
Shale	rd	s	850	900
Slate	bl	s	900	930
Slate	bk	s	930	955
Slate	bl	s	955	1020
Slate	bk	s	1020	1040
Coal			1040	1045
Shells & Slate			1045	1052
Shale	pink	s	1052	1060
Slate	bl	s	1060	1230
Slate	bk	s	1230	1245
Sand		h	1242	1280
Slate	bl	s	1280	1360
Sand		h	1360	1400
Slate	bl	s	1400	1500
Sand		h	1500	1615
Slate	bl	s	1615	1751
Lime		h	1751	1919
Injun Sand		h	1919	1972
Shells			1972	2560
Stray Sand		h	2560	2565

Cavo Slate	2574	2579	
Gordon Sand	2579	2581	
Slate - blue	2581	2616	
Show of Oil	1905	1919	No Gas
Oil & Gas	1964	1972	
Gas	2579	2581	
No Water			
Shot 150 lbs. Gelatin	1964	1972	
Shot 50 lbs. "	2579	2581	

NOV 18 2022  
Environmental Protection

1017

12/23/2022



4701700114

WW-4A  
Revised 6-07

1) Date: November 11, 2022  
2) Operator's Well Number  
Flora E. Martin No. 1

3) API Well No.: 47 - 017 - 00114

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

RECEIVED  
Office of Oil and Gas

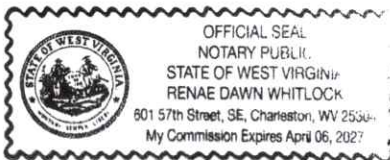
4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name <u>Jeremy G. Baliss</u>	Name <u>N/A</u>
Address <u>3486 Nutter Fk.</u>	Address _____
<u>West Union, WV 26456</u>	
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>N/A</u>
(c) Name _____	Address _____
Address _____	Name _____
	Address _____
6) Inspector <u>Sam Ward</u>	(c) Coal Lessee with Declaration
Address <u>P.O. Box 2327</u>	Name <u>N/A</u>
<u>Buckhannon, WV 26201</u>	Address _____
Telephone <u>304-389-7583</u>	_____

**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	<u>Unknown WVDEP Paid Plugging Contract</u>
	By:	<u>Jason Harmon</u>
	Its:	<u>Agent</u>
	Address	<u>601 57th Street, SE Charleston, WV 25304</u>
	Telephone	<u>304-926-0452</u>

Subscribed and sworn before me this 18th day of November 2022  
Renae Dawn Whitlock Notary Public  
My Commission Expires April 6, 2027

**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 [depprivacyoffier@wv.gov](mailto:depprivacyoffier@wv.gov).

12/23/2022





7021 2720 0001 6303 6673  
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4701700114

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**OFFICIAL USE**

PS Form 3811, July 2015 PSN 7530-02-000-9053

1. Article Addressed to:  
MR. JEREMY G. BALISS  
3486 NUTTER FORK  
WEST UNION, WV 26456

2. Article Number (Transfer from service label)  
9590 9402 4307 8190 3806 94

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)  
 Priority Mail Express®  
 Registered Mail™  
 Registered Mail Restricted Delivery  
 Return Receipt for Merchandise  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery

4. Amount of Postage and Fees  
 Postage: 4.20  
 Insurance: 1.92  
 Total: 6.12

5. Signature of Addressee  
 Jeremy G. Baliss  
 3486 Nutter Fork  
 West Union, WV 26456

**SMITH LAND SURVEYING, INC.**  
12 Vanhorn Drive  
PO Box 150  
Glenville, WV 26351

**TO:** MR. JEREMY G. BALISS  
3486 NUTTER FORK  
WEST UNION, WV 26456

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
MR. JEREMY G. BALISS  
3486 NUTTER FORK  
WEST UNION, WV 26456

2. Article Number (Transfer from service label)  
9590 9402 4307 8190 3806 94

3. Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail®  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)  
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 Registered Mail™  
 Registered Mail Restricted Delivery  
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 Signature Confirmation™  
 Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X  
 Agent  
 Addressee

B. Received by (Printed Name)  
 C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

Domestic Return Receipt

NOV 16 2022  
 Environmental Protection  
 Division

12/23/2022



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21/6  
6.16

Jeremy G. Baliss  
3486 Nutter Fork  
West Union, WV 26456

4701700114

US POSTAGE - PRIORITY MAIL

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02 74  
0001207538

\$ 006.16<sup>0</sup>  
NOV 10 2022

**SMITH LAND SURVEYING, INC.**  
12 Vanhorn Drive  
PO Box 150  
Glenville, WV 26351

TO: JEREMY G. BALISS  
3486 NUTTER FORK  
WEST UNION, WV 26456

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p>JEREMY G. BALISS 3486 NUTTER FORK WEST UNION, WV 26456</p> <p>2. Article Number (Transfer from service label)</p> <p>9590 9402 4307 8190 3807 00</p> <p>7021 2720 0001 6303 6666</p>	<p>A. Signature</p> <p><input checked="" type="checkbox"/> X <input type="checkbox"/> Agent</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Addressed</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
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<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																	

PS Form 3811, July 2015 PSN 7530-02-000-3033

Domestic Return Receipt





4701700114

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west virginia department of environmental protection

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Office of Oil and Gas  
601 57<sup>th</sup> Street  
Charleston, WV 25304  
(304) 926-0450  
Fax: (304) 926-0452

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

**NOTICE OF INTENT  
TO PLUG / REPLUG  
ABANDONED WELL(S)**

Jeremy G. Balis  
3486 Nutter Fork  
West Union, WV 26456

You are hereby given a twenty-day notice, as required by West Virginia Code, Chapter 22, Article 10, Section 7, that the West Virginia Department of Environmental Protection, Office of Oil and Gas (OOG), intends to enter upon the following described premises where an abandoned well(s) is situated and plug or re-plug such well(s) and reclaim any area disturbed by the plugging or re-plugging. This notice should be construed only as a declared intent to plug such well(s); site-specific considerations or other factors may ultimately prevent the plugging or re-plugging at this time.

Description of premises: West Union Dist., Doddridge County WV, Map 8 Parcel 3, 360.9 acres.

Wells API# 47-017-00141, #47-017-00114,

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The well(s) is considered "abandoned" within the meaning of W. Va. Code § 22-6-19 because it is a dry hole or because it has not been in use for a period of 12 consecutive months and no satisfactory proof of a "bona fide" future use for the well has been demonstrated to the OOG.

If you are a surface owner of the above described premises, be advised that surface owners have the right to repair of any damage or disturbance resulting from the well plugging or to compensation for (1) the reasonable cost of repairing or replacing any water well, (2) the reasonable value of any crops destroyed, damaged or prevented from reaching market, (3) the reasonable cost of repair to personal property up to the value of the replacement value of personal property of like age, wear and quality, (4) lost income or expenses incurred, and (5) reasonable costs to reclaim or repair real property, including roads. Additionally, the surface owners have the potential right to take any casing, equipment or other salvage not claimed in this notice. Please be advised that it is the intent of the OOG to take all casing, equipment, and other salvage from the subject well(s).



4701700114

US POSTAGE  **\$ 004.57<sup>0</sup>**  
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Certified Mail Fee \$ <u>4.00</u> Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	Postmark Here
Postage \$ <u>.57</u> <b>Total Postage and Fees</b> \$ <u>4.57</u>	
Sent To <u>Jeremy G. Baliss</u> Street and Apt. No., or PO Box No. <u>3486 Nutter Fork</u> City, State, ZIP+4® <u>West Union, WV 26456</u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



PO Box 150  
GLENVILLE, WV 26351

12/23/2022





DEPARTMENT OF ENVIRONMENTAL PROTECTION

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  
Environmental Protection [dep.wv.gov](http://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.

**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.



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

RECEIVED  
Office of Oil and Gas

NOV 16 2022

DEPARTMENT OF  
Environmental Protection



**SURFACE OWNER WAIVER**

**4701700114**

Operator's Well  
Number

Flora E. Martin No.1

**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 57<sup>th</sup> St. SE  
Charleston, WV 25304  
(304) 926-0450

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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  
**12/23/2022**



WW-4B

4701700114

API No. 47-017-00114  
 Farm Name \_\_\_\_\_  
 Well No. Flora E. Martin No.1

**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.

RECEIVED  
 DEPT. OF ENVIRONMENTAL PROTECTION  
 OFFICE OF OIL AND 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.

NOV 18 2022

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 \_\_\_\_\_

12/23/2022



WW-9  
(5/16)

4701700114

API Number 47 - 017 - 00114  
Operator's Well No. Flora E. Martin No.1

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

Operator Name Unknown WV DEP Paid Plugging Contract OP Code \_\_\_\_\_

Watershed (HUC 10) Nutter Fk. Quadrangle West Union

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: \_\_\_\_\_

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 #25-774 )
- Reuse (at API Number \_\_\_\_\_)
- Off Site Disposal (Supply form WW-9 for disposal location)
- Other (Explain \_\_\_\_\_)

NOV 16 2022

WV Department of Environmental Protection

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

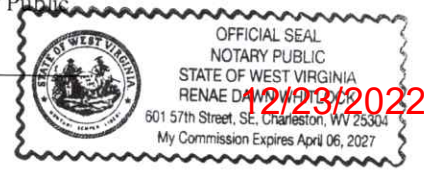
Company Official Title Deputy Chief

Subscribed and sworn before me this 18th day of November, 2022

Renae Dawn Whitlock

Notary Public

My commission expires April 6, 2027





Proposed Revegetation Treatment: Acres Disturbed Less than an acre Prevegetation pH \_\_\_\_\_

Lime 3 Tons/acre or to correct to pH 6.0

Fertilizer type 20-20-20

Fertilizer amount 500 lbs/acre

Mulch 2-3 Tons/acre

NOV 16 2022

Department of  
Environmental Protection

**Seed Mixtures**

**Temporary**

**Permanent**

Seed Type	lbs/acre	Seed Type	lbs/acre
		Fescue	30
		Clover	5
		Contractor Mix	10

**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:

12/15/2022

Comments:

**No Pits will be used.**

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Field Reviewed?

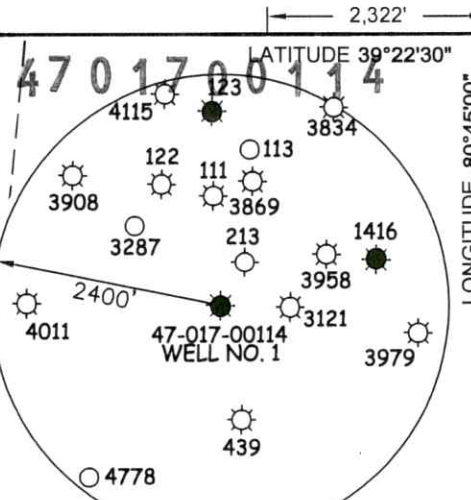
( ) Yes

( ) No

12/23/2022

**FLORA E. MARTIN LEASE**  
**10.5 ACRES**  
**WELL NO. 1**  
**47-017-00114**

(UTM(M) ZONE 17 NORTH)  
 NAD'83 GEO. LAT-(N) 39.225592 LONG-(W) 80.758209  
 NAD'83 UTM (M) N. 4,354,046.5 E. 520,837.8



NAD'83 GRID NORTH

P/O 8-5-3  
 JEREMY G.  
 BALIS  
 360.9 AC.

8-5-2  
 FEDERAL  
 NATIONAL  
 MORTGAGE  
 ASSOCIATION  
 11 AC.

24" MAPLE  
 W/FENCE  
 (FOUND)

OLD POST  
 (FOUND)

WELL NO. 1  
 47-017-00114

8-5-3  
 JEREMY G.  
 BALIS  
 360.9 AC.

P/O 8-5-3  
 JEREMY G.  
 BALIS  
 360.9 AC.

Office of Oil and Gas  
 NOV 16 2022  
 West Virginia  
 Environmental Protection

**LEGEND**

- LEASE LINE
- SURFACE LINE
- TIE LINE
- CREEK
- COUNTY ROUTE
- PROPOSED WELL
- EXISTING WELL
- PERMITTED WELL
- DISTRICT-TAXMAP-PARCEL 00-00-00

**NOTES ON SURVEY**

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

12 Vanhorn Drive | P.O. Box 150 | Glenville, WV 26031 | 304.462.5634  
 1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.1952  
 254 East Beckley Bypass | Beckley, WV 25801 | 304.255.5296  
 slswv.com

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. 849 *Gregory A. Smith*



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS.  
 DATE NOVEMBER 5, 20 22  
 REVISED \_\_\_\_\_, 20 \_\_\_\_  
 OPERATORS WELL NO. 1  
 API WELL NO. 47 - 000 - 00114-P  
 STATE COUNTY PERMIT

MINIMUM DEGREE OF ACCURACY 1 / 2500 FILE NO. 9277-SURV-01700114-WP-R00-MT-221108.dwg  
 HORIZONTAL & VERTICAL CONTROL DETERMINED BY DGPS (SUBMETER MAPPING GRADE TIE TO CORS NETWORK) SCALE 1" = 100'

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

WELL TYPE: OIL \_\_\_\_\_ GAS X LIQUID INJECTION \_\_\_\_\_ WASTE DISPOSAL \_\_\_\_\_ IF "GAS" PRODUCTION \_\_\_\_\_ STORAGE \_\_\_\_\_ DEEP \_\_\_\_\_ SHALLOW X

LOCATION:  
 ELEVATION 899' WATERSHED NUTTER FORK  
 DISTRICT WEST UNION COUNTY DODDRIDGE QUADRANGLE WEST UNION  
 SURFACE OWNER JEREMY G. BALIS ACREAGE 360.9  
 ROYALTY OWNER JEREMY J. BALIS ET AL. ACREAGE 10.5±  
 PROPOSED WORK:  
 DRILL \_\_\_\_\_ CONVERT \_\_\_\_\_ DRILL DEEPER \_\_\_\_\_ REDRILL \_\_\_\_\_ FRACTURE OR STIMULATE \_\_\_\_\_ PLUG OFF OLD FORMATION \_\_\_\_\_ PERFORATE NEW FORMATION \_\_\_\_\_ PLUG AND ABANDON X CLEAN OUT AND REPLUG \_\_\_\_\_ OTHER \_\_\_\_\_  
 PHYSICAL CHANGE IN WELL (SPECIFY) \_\_\_\_\_ TARGET FORMATION GOLATIN ESTIMATED DEPTH 2581'

WELL OPERATOR UNKNOWN WVDEP PAID PLUGGING CONTRACT DESIGNATED AGENT JASON HARMON  
 ADDRESS 601 57TH STREET SE CHARLESTON, WV 25304 ADDRESS 601 57TH STREET SE CHARLESTON, WV 25304

12/23/2022

COUNTY NAME PERMIT



## 47-017-00114

## 47 0 17 0 0 1 1 4

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.

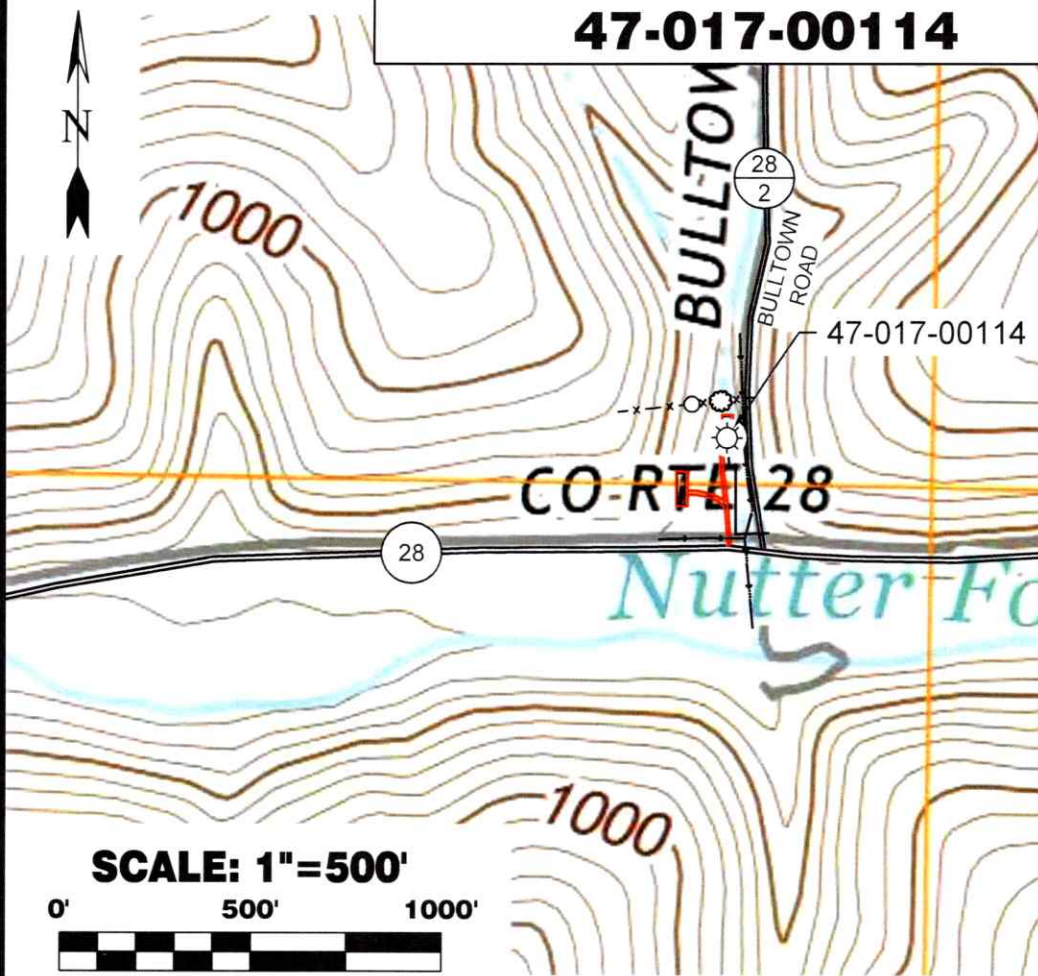
EARTHWORK CONTRACTORS ARE RESPONSIBLE FOR NOTIFICATION TO THE OPERATOR AND INSPECTOR PRIOR TO ANY DEVIATION FROM THIS PLAN.

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).

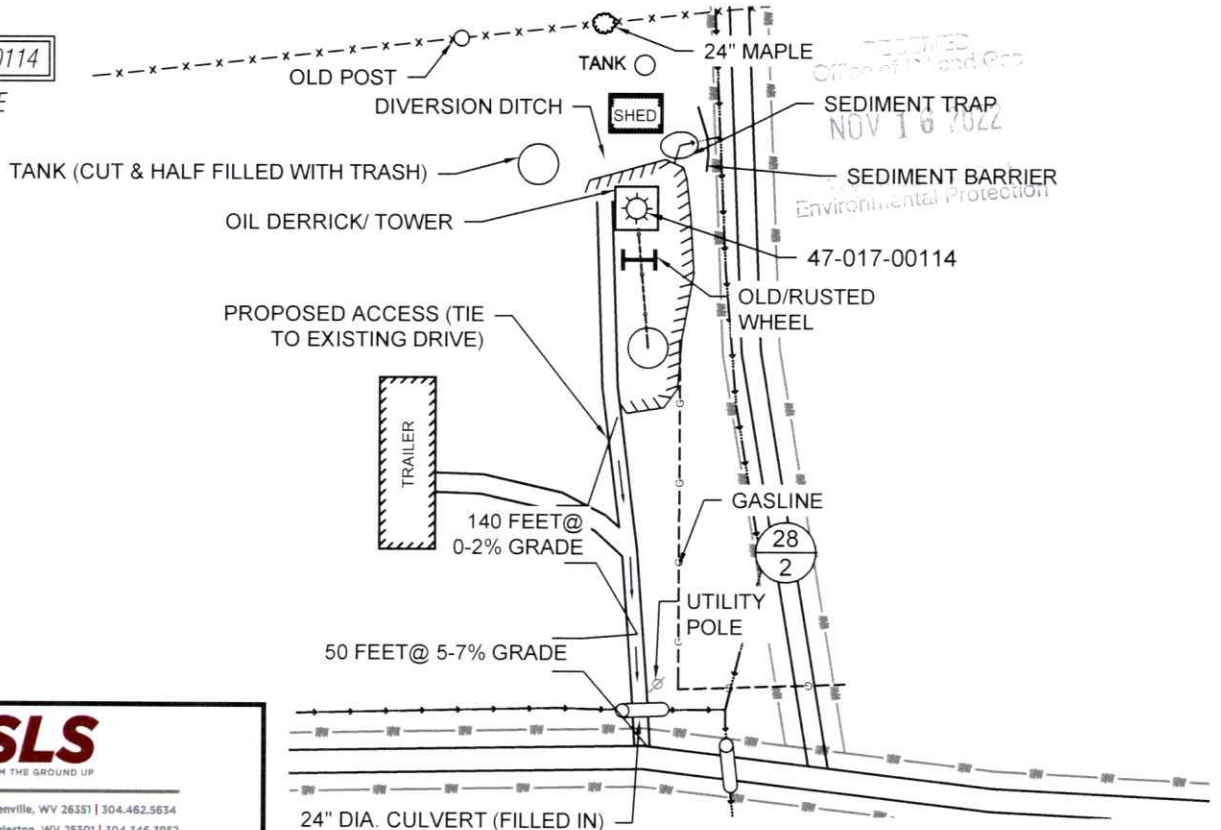


**SCALE: 1"=500'**



Detail Sketch for 47-017-00114

Detail Sketch NOT TO SCALE



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  
[slsvv.com](http://slsvv.com)

DRAWN BY JDR	FILE NO. 9283	DATE 11-08-22	CADD FILE: 9283-17 00480-REC-R00- JDR-221108.dwg
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TOPO SECTION OF WEST UNION, WV  
 7.5' TOPO QUADRANGLE

12/23/2022



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

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## Plugging permits issued 4701700114 01700814 01701296

1 message

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

Tue, Dec 20, 2022 at 2:06 PM

To: Henry J Harmon <henry.j.harmon@wv.gov>, Isaiah M Richards <isaiah.m.richards@wv.gov>, dsponaug@assessor.com

To whom it may concern plugging permits have been issued for 4701700114 01700814 01701296.


James Kennedy


WVDEP OOG


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### 6 attachments


 **4701700814.pdf**  
3754K

 **IR-8 4701700814.pdf**  
12K

 **4701700114.pdf**  
4831K

 **IR-8 4701700114.pdf**  
120K

 **4701701296.pdf**  
3568K

 **IR-8 4701701296.pdf**  
120K

12/23/2022