



west virginia department of environmental protection

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)

Friday, September 15, 2023  
WELL WORK PLUGGING PERMIT  
Vertical Plugging

DIVERSIFIED PRODUCTION LLC  
101 MCQUISTON DRIVE

JACKSON CENTER, PA 16133

Re: Permit approval for 10859  
47-033-02689-00-00

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: CRISS, JAMES C.  
U.S. WELL NUMBER: 47-033-02689-00-00  
Vertical Plugging  
Date Issued: 9/15/2023

# 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

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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.
4. 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.

09/22/2023

1) Date June 28, 2023  
2) Operator's  
Well No. 10859  
3) API Well No. 47-033 - 02689

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 1174' Watershed Little Run  
District Eagle County Harrison Quadrangle Wallace 7.5'
- 6) Well Operator Diversified Energy 7) Designated Agent Chris Veazey  
Address 414 Summers Street Address P.O. Box 381087  
Charleston, WV 25301 Birmingham, AL 35238
- 8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name Kenneth Greynolds Name Next LVL Energy (Diversified Owned)  
Address Jane Lew, WV 26378 Address 104 Helliport Loop Rd  
304-206-6613 Bridgeport, WV 25330

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

See Attached

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Office of Oil and Gas  
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WV 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 *Kenneth Greynolds* Date 8-9-23

09/22/2023



IV-35  
(Rev. 8-81)

Date: 12-22-81

Operator's

Well No. 113-H

State of West Virginia

Department of Mines

Oil and Gas Division

Farm Cavendish

API No. 47-033 - 2689

WELL OPERATOR'S REPORT

OF

DRILLING, FRACTURING AND/OR STIMULATING, OR PHYSICAL CHANGE

WELL TYPE: Oil    / Gas X / Liquid Injection    / Waste Disposal    /  
(If "Gas," Production X / Underground Storage    / Deep    / Shallow XX /)

LOCATION: Elevation: 1174 Watershed Jones Run

District: Eagle County Harrison Quadrangle   

COMPANY Hydrocarbon Energies, Inc.

ADDRESS P. O. Drawer 976, Buckhannon WV

DESIGNATED AGENT Alvin Sorcan

ADDRESS Rt. 4, Box 444, Buckhannon, WV

SURFACE OWNER Wayman Baker

ADDRESS 75 Reheka St., Shinnston, WV

MINERAL RIGHTS OWNER L.S. Cavendish

ADDRESS Bankford Herbert

ADDRESS 221 Mercer St., Beckley, WV

ADDRESS Rt. 1, Lumberport, WV

OIL AND GAS INSPECTOR FOR THIS WORK Steve Casey

ADDRESS Jane Lew., WV

PERMIT ISSUED 10-20-81

DRILLING COMMENCED 12-2-81

DRILLING COMPLETED 12-8-81

IF APPLICABLE: PLUGGING OF DRY HOLE ON CONTINUOUS PROGRESSION FROM DRILLING OR REWORKING. VERBAL PERMISSION OBTAINED ON

Casing Tubing	Used in Drilling	Left in Well	Cement fill up Cr. ft.
Size 20-16 Cond.			
13-10"			
9 5/8.			
8 5/8.		1552	To surface
7			
5 1/2			
4 1/2		5158	375 ska (1800-5158)
3			
2			
Liners used			

GEOLOGICAL TARGET FORMATION Benson Depth: 5120 feet

Depth of completed well 5215 feet Rotary X / Cable Tools   

Water strata depth: Fresh 15 feet; Salt    feet

Coal seam depths: 73-77 Is coal being mined in the area? yes

OPEN FLOW DATA

Producing formation Riley, Bradford, Pay zone depth 3917-4982 feet

Gas: Initial open flow Balltown Mcf/d Oil: Initial open flow show Bbl/d

Final open flow 561 Mcf/d Final open flow    Bbl/d

Time of open flow between initial and final tests    hours

Static rock pressure 1460 psig (surface measurement) after    hours shut in

(If applicable due to multiple completion--)

Second producing formation    Pay zone depth    feet

Gas: Initial open flow    Mcf/d Oil: Initial open flow    Bbl/d

Final open flow    Mcf/d Oil: Final open flow    Bbl/d

Time of open flow between initial and final tests    hours

Static rock pressure    psig (surface measurement) after    hours shut in

(Continue on reverse side)

AUG 16 2023

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DETAILS OF PERFORATED INTERVALS, FRACTURING OR STIMULATING, PHYSICAL CHANGE, ETC.

12-21-81	Interval	Holes	BRDK	Sand BHls.	Rate	press.	ISIP
Riley	4921-82	10	2800#	60,000	480	24	2700# 1500#
Bradford	4417-68	12	NA	60,000	475	24	2700# 2100#
Balltown	3917-37	12	NA	70,000	595	32	2400# 1800#

WELL LOG

FORMATION	COLOR	HARD OR SOFT	TOP FEET	BOTTOM FEET	REMARKS Including indication of all fresh and salt water, coal, oil and gas
Top Soil	BR	S	0	20	H2O c 15,1165
Shale	GR	S	20	73	
Coal	BL	S	73	77	
Sandy Shale	BR	S	77	722	
Shale	RED	S	722	1150	
Sand	W	H	1150	1287	
Shale	Red	S	1287	1430	
Shale	GR	S	1430	1665	
Sand	W	H	1665	1755	
Sandy Lime	BR	H	1755	1795	
Shale	GR	S	1795	1935	
Big Lime	GR	H	1935	2015	Coal @ 73-77
Bg. Injun	W	H	2015	2135	
Silt&Shale	G	S	2135	2595	Gas @ 2420
Sand	W	H	2595	2915	Gas @ 2905
Shale	G	S	2915	3910	
Sand	BR	M	3910	3955	Show Gas @ 3925
Shale	G	S	3955	4370	
Silt	BR	M	4370	4495	
Shale	G	S	4495	4895	
Silty Sand	BR	M	4895	4990	Show Gas @ 4930
Shale&Silt	G	S	4990	5215	
TD			5215		

(Attach separate sheets as necessary)

Well Operator

AUG 16 2023

By: Stewart Rhodes

Date:

Department of Environmental Protection

Note: Regulation 2.02(i) provides as follows:  
"The term 'log' or 'well log' shall mean a systematic detailed geological record of all formations, including sand, encountered in the drilling of a well."

09/22/2023

(Reverse)

(Revised 3-81)

PROPOSED WORK ORDER

THIS IS AN ESTIMATE ONLY. ACTUAL INFORMATION MUST BE SUBMITTED ON FORM IV-35 UPON COMPLETION

DRILLING CONTRACTOR (IF KNOWN)

Address

GEOLOGICAL TARGET FORMATION

Benson

Estimated depth of completed well 5400 feet. Rotary  Cable tools

Approximate water strata depths: Fresh 40 feet, salt 900 feet.

Approximate coal seam depths: 205, 365, 760

Is coal being mined in this area: Yes  No

CASING AND TUBING PROGRAM

CASING OR TUBING TYPE	SPECIFICATIONS	Weight		FOOTAGE INTERVALS		CEMENT FILL UP OR (SACKS) CUBIC FT.	PACKERS
		per ft.	New	Used	For Drill		
Conductor	11 3/4			X	X		Kinds
Fresh water							Sizes
Coal							Depths set
Intermed.	8 5/8	230	X		1250	To Surface	Perforations:
Production	4 1/2	10 1/2	X		5400	500 SKS	Top Bottom
Tubing							
Liners							

NOTE: Regulation 7.02 of the Department of Mines provides that the original and four copies of Form IV-2 must be filed with the Department, accompanied by (i) a plat in the form prescribed by Regulation 11, (ii) a bond in one of the forms prescribed by Regulation 12, or in lieu thereof the other security allowed by Code 822-4-2, (iii) Form IV-9, "Reclamation Plan" applicable to the reclamation required by Code 822-2-12b and Regulation 23, (iv) unless previously paid on the same well, the fee required by Code 822-4-12a, and (v) if applicable, the consent required by Code 822-2-8a from the owner of any water well or dwelling within 200 feet of the proposed well.

A separate Form IV-2 shall not be required for fracturing or stimulating a well where fracturing or stimulating is to be part of the work for which a permit is sought and is noted as such on the Form IV-2 filed in connection therewith.

THIS PERMIT MUST BE POSTED AT THE WELL SITE

All provisions being in accordance with Chapter 22, Article 1 of the W. Va. Code, this location is hereby approved

for drilling. This permit shall expire

operations have not commenced by 7-4-82

Deputy Director - Oil & Gas Division

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The following waiver must be completed by the coal operator and by any coal owner or coal lessee who has recorded a declaration under Code 822-10-2023. The permit shall be issued within fifteen (15) days of receipt thereof.

The undersigned coal operator/owner/lessee of the above described well location has examined this proposed well location, if a mine map exists which covers the area of the well location, the well location has been added to the mine map. 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: October 29, 1981

Signature of Jay M. Parnard

Senior Vice President

09/22/2023

## Plugging Prognosis

API #: 4703302689  
Harrison County, WV

### Casing Schedule:

8-5/8" csg @ 1552' CTS per report  
5-1/2" @ 5158' cement from 5158-1800' per report  
TD @ 5215'

Completion –Producing Formation listed as 3917'-4982'; 5120'

Fresh Water: 15'  
Salt Water: 1165'  
Gas Shows: 2420'; 2905'; 3925'; 4930'  
Oil Shows: None listed  
Coal: 73'-77'  
Elevation: 1174'

681-990-6948

1. Notify Inspector Kenneth Greynolds @ ~~(304) 206-6613~~, 48 hrs prior to commencing operations.
2. Check and record pressures on csg/tbg.
3. Check TD.
4. Run in to 5120'. Kill well as needed with 6% bentonite gel and fill rat hole with gel. Pump at least 10 bbls gel. Pump 1303' Class A/Class L cement plug from 5120' to 3817' (Producing zones and gas show plug). Tag TOC. Top off as needed.
5. TOOH w/ tbg to 3817', Pump 6% bentonite gel from 3817' to 2955'
6. TOOH w/ tbg to 2955'. Pump 100' Class A/Class L cement plug from 2955' to 2855' (Gas show plug).
7. TOOH w/ tbg to 2855'. Pump 6% bentonite gel from 2855' to 2470'.
8. TOOH w/ tbg to 2470'. Pump 100' Class A/Class L cement plug from 2470' to 2370' (Gas show plug).
9. TOOH w/ tbg to 2370'. Pump 6% bentonite gel from 2370' to 1602'
10. Free point 4-1/2" csg. Cut and TOOH. Set 100' Class A/Class L cement plug across csg cut. 50' in/out of cut. **Do not omit any plugs listed below. Perforate as needed.**
11. TOOH w/ tbg to 1602'. Pump 100' Class A/Class L cement plug from 1602' to 1502' (8-5/8" csg shoe plug).
12. TOOH w/ tbg to 1502'. Pump 6% bentonite gel from 1502' to 1224'.

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13. TOOH w/ tbg to 1224'. Pump 109' Class A/Class L cement plug from 1224' to 1115' (Elevation and saltwater plug).
14. TOOH w/ tbg to 1115'. Pump 6% bentonite gel from 1115' to 127'.
15. TOOH w/ tbg to 127'. Pump 127' *Class A/Class L Expandable cement plug* from 127' to Surface. (Freshwater, coal and Surface plug).
16. Reclaim site and set monument per WV DEP regulations.

*Lennard Reynolds*  
8-9-23

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WW-4A  
Revised 6-07

1) Date: 6/28/2023  
2) Operator's Well Number 10859

3) API Well No.: 47 - 033 - 02689

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

4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name <u>Dean S Owens and Genia J Owens</u>	Name <u>Consolidation Coal Company</u>
Address <u>3651 BLUE LOOP LN</u>	Address <u>79 Camp Run Road</u>
<u>ARVIN, CA 93203</u>	<u>Mannington, WV 26582</u>
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>See Attached</u>
_____	Address _____
(c) Name _____	Name _____
Address _____	Address _____
_____	_____
6) Inspector <u>Kenneth Greynolds</u>	(c) Coal Lessee with Declaration
Address <u>613 Broad Run Road</u>	Name _____
<u>Jane Lew, WV 26378</u>	Address _____
Telephone <u>304-206-6613</u>	_____

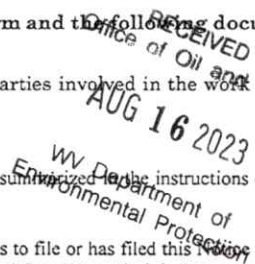
**TO THE PERSONS NAMED ABOVE:** You should have received this Form and the following documents:

- (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.

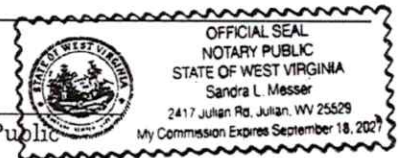
Take notice that under Chapter 22-6 of the West Virginia Code, the undersigned well operator proposes to file or has filed this Notice and Application and accompanying documents for a permit to plug and abandon a well with the Chief of the Office of Oil and Gas, West Virginia Department of Environmental 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 Diversified Energy  
 By: Chris Veazey  
 Its: Permitting Supervisor  
 Address 414 Summers Street  
Charleston, WV 25301  
 Telephone 304-590-7707



Subscribed and sworn before me this 28<sup>th</sup> day of June 2023  
Sandra L. Messer  
 My Commission Expires Sept. 18, 2027

Notary Public



**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](mailto:depprivacyofficer@wv.gov).

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Postage	\$	6.08/25 J&B
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	10.859

Postmark Here

Sent to  
 Gray Corporation  
 Street, Apt. No. or PO Box No.  
 92 16th St 2nd Flr  
 City, State, ZIP+4®  
 Wheeling, WV 26003

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:  
 Gray Corporation  
 92 16th St. Floor 2  
 Wheeling, WV 26003

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
 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

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

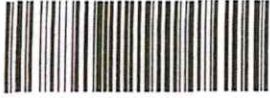
2. Article Number (Transfer from service label) 7006 3450 0000 2428 1558

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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Postage	\$ 6.125100	JSB
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.125100	

Postmark Here

Send To: Hens of Harold Herbert 10859  
PO Box 505  
Lumberport, WV 26350

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:  
Hens of Harold A. Herbert  
PO Janet Sargent  
PO Box 505  
Lumberport, WV 26350

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent  Addressee  
X

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

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7006 3450 0000 2428 1565

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7006 3450 0000 2428 1572

Postage	\$	6.18
Certified Fee		0.50
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	6.68

Postmark Here

Sent to: Virginia Tetrick Estate, Willis Tetrick estate  
 or PO Box No. 92 16th St 2nd Fl  
 City, State, ZIP+4: Wheeling WV 26003

PS Form 3811, July 2020 PSN 7530-02-000-9053 See Reverse for Instructions

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:  
 Virginia A Tetrick Estate  
 Willis Tetrick Estate  
 c/o Guel Corporation  
 92 16th St 2nd Fl  
 Wheeling, WV 26003



9590 9402 8261 3094 7415 62

7006 3450 0000 2428 1572

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent  Addressee

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

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

3. Service Type

<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"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™ Restricted Delivery
<input type="checkbox"/> First-class Delivery Restricted Delivery	
<input type="checkbox"/> Insured Restricted Delivery	

PS Form 3811, July 2020 PSN 7530-02-000-9053

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**OFFICIAL USE**

Postage	\$	108.59	Postmark Here
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage & Fees	\$	108.59	

Send to: Dean & Genia Owens  
 Street, Apt. No.,  
 or PO Box No. 3651 Blue Loop Ln  
 City, State, ZIP+4® Arvin, CA 93203

PS Form 3802, August 2006. See Reverse for Instructions.

**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:  
Dean S. & Genia Owens  
3651 Blue Loop Ln.  
Arvin, CA 93203

2. Article Number (Transfer from service label)  
7006 3450 0000 2426 1589

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 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

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery	
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

Domestic Return Receipt

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

**US POSTAGE AND FEES PAID**  
2023-08-14  
25301  
C4000004  
Retail  
4.0 OZFLAT  
0901000008048



**USPS CERTIFIED MAIL™**



**9407 1361 0544 0217 2596 86**



CONSOLIDATION COAL COMPANY  
79 CAMP RUN RD  
MANNINGTON WV 26582-6492

AUG 6 2023  
Department of  
Environmental Protection

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8/14/23, 2:40 PM

**API**  
**47-033-02689**  
**Coal Owners**

Guy Corporation  
92 16<sup>th</sup> St. Floor 2  
Wheeling, WV 26003

Virginia A. Tetrick, Estate  
Willis Tetrick, Estate  
c/o Guy Corporation  
92 16<sup>th</sup> St. Floor 2  
Wheeling, WV 26003

Heirs of Harold A. Harbert  
c/o Janet Sargent  
PO Box 505 Lumberport, WV 26356

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**DIVERSIFIED**  
energy

Date: 6/28/2023

James Martin  
Office of Oil and Gas  
601 57<sup>th</sup> 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 4703302689 Well Name 10859

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

Sincerely,

Chris Veazey  
Permitting Supervisor  
304-590-7707

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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.

**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.

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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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WW-9  
(5/16)

API Number 47 - 033 - 02689  
Operator's Well No. 10859

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

Operator Name Diversified Energy OP Code 494524121

Watershed (HUC 10) Little Run Quadrangle Wallace 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.? 20

Proposed Disposal Method For Treated Pit Wastes:

- Land Application (if selected provide a completed form WW-9-GPP)
- \* Underground Injection ( UIC Permit Number 2D03902327 002 )
- 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 [Signature]

Company Official (Typed Name) Chris Veazey

Company Official Title Permitting Supervisor

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Subscribed and sworn before me this 28th day of June, 20 23

Sandra L. Mission Notary Public

My commission expires Sept. 18, 2027



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Proposed Revegetation Treatment: Acres Disturbed +/- 1 ac. Prevegetation pH \_\_\_\_\_

Lime 3 Tons/acre or to correct to pH 6.5

Fertilizer type 10-20-20 or Equivalent

Fertilizer amount TBD lbs/acre

Mulch 2 Tons/acre

**Seed Mixtures**

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

**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: *Arnold Shepard*

Comments: RECLAIM, SEED + MULCH AREA

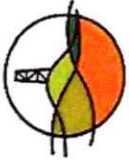
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Title: OIL & GAS INSPECTOR Date: 8-9-23

Field Reviewed?  Yes  No








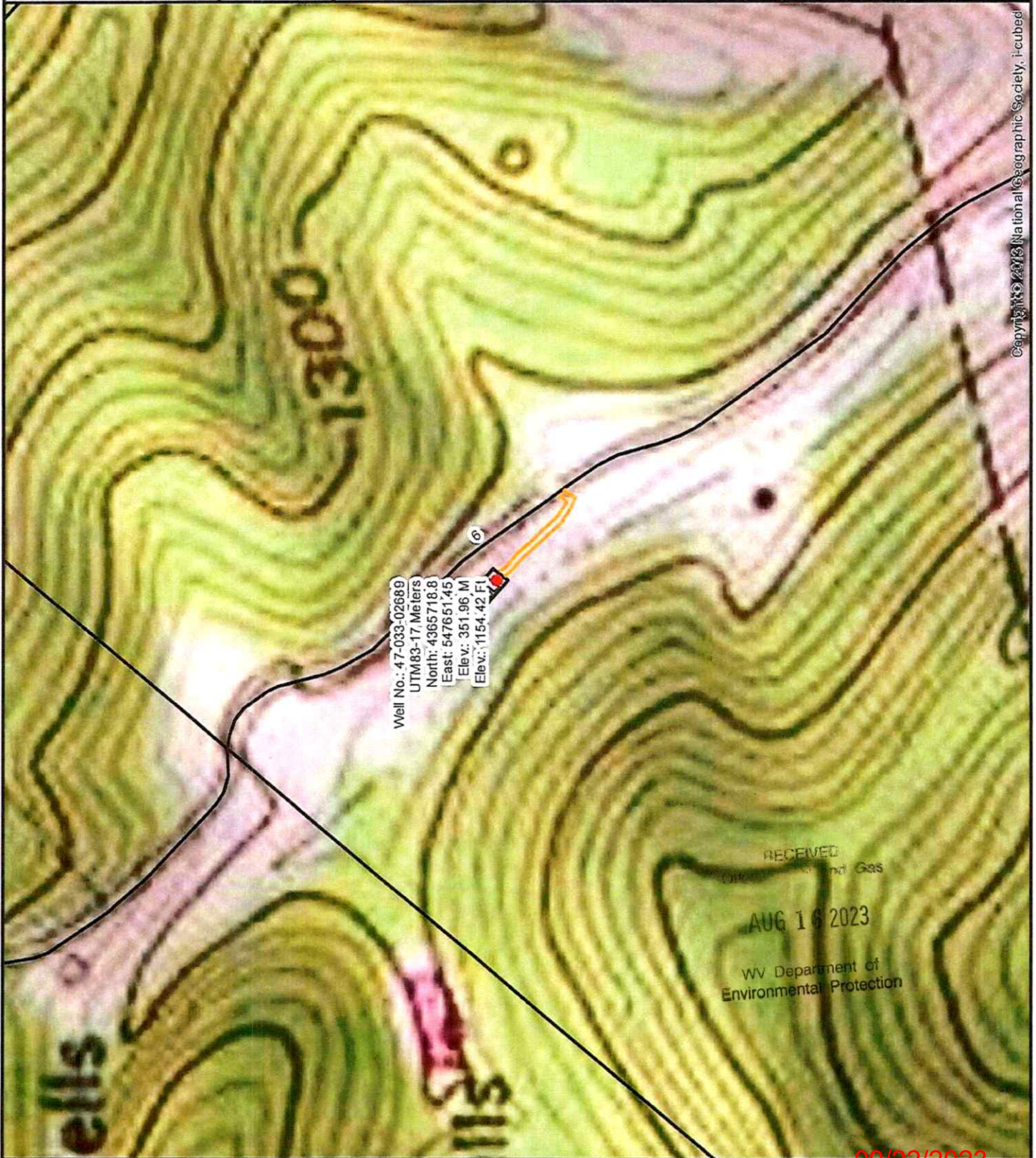
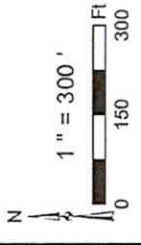
Diversified Gas & Oil Corporation  
 100 Diversified Way  
 Pikeville KY, 41051

47-033-02689

Plugging Map

**Legend**

-  Well
-  Access Road
-  Pits
-  Pad
-  Public Roads



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WW-7  
8-30-06



West Virginia Department of Environmental Protection  
Office of Oil and Gas  
**WELL LOCATION FORM: GPS**

API: 4703302689 WELL NO.: 10859  
FARM NAME: Criss, James C.  
RESPONSIBLE PARTY NAME: Diversified Energy  
COUNTY: Harrison DISTRICT: Eagle  
QUADRANGLE: Wallace 7.5'  
SURFACE OWNER: Dean S Owens and Genia J Owens  
ROYALTY OWNER: L.S. Cavendish  
UTM GPS NORTHING: 4365718.8  
UTM GPS EASTING: 547651.45 GPS ELEVATION: 1174'

The Responsible Party named above has chosen to submit GPS coordinates in lieu of preparing a new well location plat for a plugging permit or assigned API number on the above well. The Office of Oil and Gas will not accept GPS coordinates that do not meet the following requirements:

1. Datum: NAD 1983, Zone: 17 North, Coordinate Units: meters, Altitude: height above mean sea level (MSL) – meters.
2. Accuracy to Datum – 3.05 meters
3. Data Collection Method:

Survey grade GPS \_\_\_\_: Post Processed Differential \_\_\_\_

Real-Time Differential \_\_\_\_

Mapping Grade GPS  : Post Processed Differential  RECEIVED  
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Real-Time Differential \_\_\_\_

4. **Letter size copy of the topography map showing the well location.**

I the undersigned, hereby certify this data 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 Office of Oil and Gas.

  
Signature

Chris Veazey - Permitting Supervisor  
Title

06/27/23  
Date

09/22/2023



Diversified Gas & Oil Corporation  
100 Diversified Way  
Pikeville KY, 41051

47-033-02689

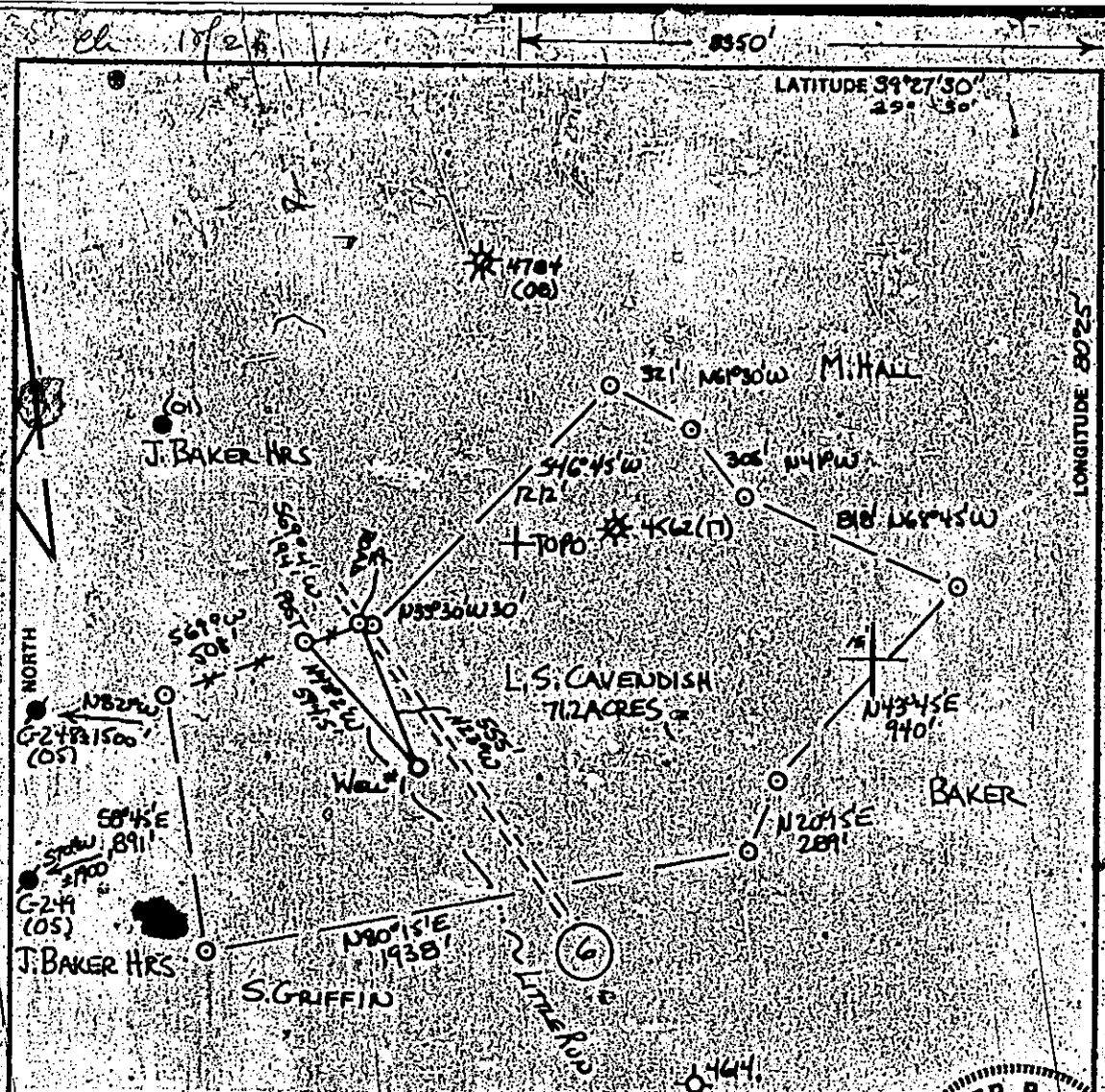
Plugging Map

### Legend

- Well
- Access Road
- Pits
- Pad
- Public Roads

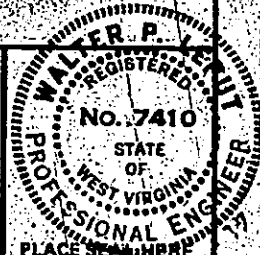


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FILE NO. 10-12-1981  
 DRAWING NO. 10-12-81  
 SCALE 1"=500'  
 MINIMUM DEGREE OF ACCURACY 1" @ 2000'  
 PROVEN SOURCE OF ELEVATION ROADS ± 1 MILE SOUTHWEST (1933)

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 DEPARTMENT OF MINES.  
 (SIGNED) Walter P. Leight  
 P.E. 7410 L.L.S.



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS  
 FORM IV-B (8-78)



DATE Oct 12, 1981  
 OPERATOR'S WELL NO. 086  
 API WELL NO. 47-033-2089  
 STATE COUNTY PERMIT

STATE OF WEST VIRGINIA  
 DEPARTMENT OF MINES  
 OIL AND GAS DIVISION

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WELL TYPE: OIL  GAS  LIQUID INJECTION  WASTE DISPOSAL   
 (IF "GAS") PRODUCTION  STORAGE  DEEP  SHALLOW   
 LOCATION: ELEVATION 1174 WATER SHED LITTLE Run  
 DISTRICT EAGLE COUNTY HARRISON  
 QUADRANGLE WALLACE 712  
 SURFACE OWNER L.S. CAVENDISH ACREAGE 71.2  
 OIL & GAS ROYALTY OWNER L.S. CAVENDISH LEASE ACREAGE 71.2

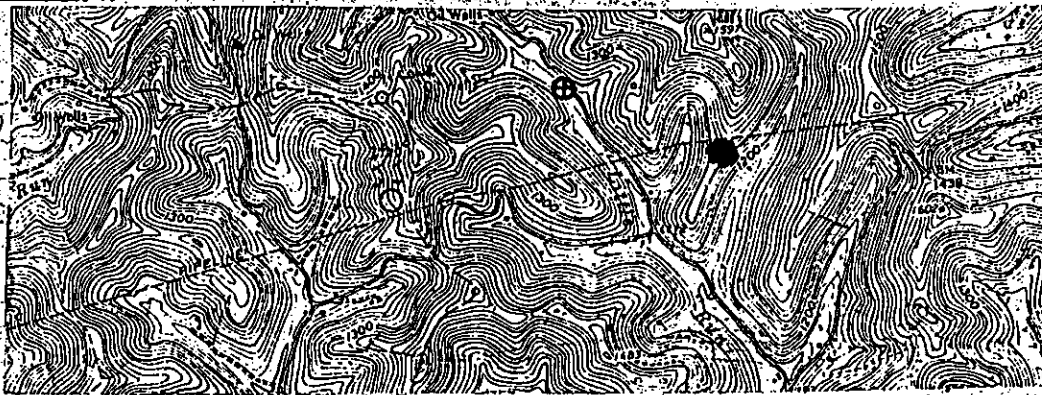
PROPOSED WORK: DRILL  CONVERT  DRILL DEEPER  REDRILL  FRACTURE OR STIMULATE  PLUG OFF OLD FORMATION  PERFORATE NEW FORMATION  OTHER PHYSICAL CHANGE IN WELL (SPECIFY) \_\_\_\_\_  
 PLUG AND ABANDON  CLEAN OUT AND REPLUG   
 TARGET FORMATION Pensacola ESTIMATED DEPTH 5400  
 WELL OPERATOR HYDROCARBON ENERGIES, INC. DESIGNATED AGENT HYDROCARBON ENERGIES, Inc  
 ADDRESS Rt 4 Box 444 ADDRESS Rt 4 Box 444  
Buckhannon, W. Va. Buckhannon, W. Va.

09/22/2023



ATTACH OR PHOTOCOPY SECTION OF  
INVOLVED TOPOGRAPHIC MAP, QUADRANGLE WALLACE

LEGEND	
Well Site	⊕
Access Road	—



Sketch to include well location, existing access road, roads to be constructed, well site, drilling pits and necessary structures numbered or lettered to correspond with the first part of this plan. Include all natural drainage.

LEGEND	
Property Boundary	—•—•—•—•—•—•—•—•—•—
Road	==
Existing fence	—x—x—x—x—x—x—x—x—x—x—
Nonplanned fence	—x—x—x—x—x—x—x—x—x—x—
Stream	~
Open ditch	—•—•—•—•—•—•—•—•—•—
Diversion	
Spring	⊕
Wet spot	⊕
Building	■
Drain pipe	—○—○—○—○—○—○—○—○—○—○—
Waterway	≡≡≡



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API (Permit) Number      Farm Name      Operator's Well Number

47 - Harr - 2688	Reva Lyons (Consolidate Coal)	\$1
<del>Harr - 2689</del>	<del>L.S. Cavendish (W. Baker)</del>	<del>\$1</del>
Harr - 2693	Sally W. Curry	\$1
Ups - 2337	Manzel Marple	\$1
Ups - 2405	M.A. & E. Marple	\$1
Harr - 2673	R. Winter	\$1

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WW-4B

API No. 4703302689  
Farm Name Criss, James C.  
Well No. 10859

**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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**SURFACE OWNER WAIVER**

Operator's Well  
Number

10859

**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

**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...".

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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

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11/10/2016

PLUGGING PERMIT CHECKLIST  
4703302689

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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

09/22/2023



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

---

## plugging permits issued 4703301397 03302689

1 message

---

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

Fri, Sep 15, 2023 at 9:44 AM

To: Chris Veazey <CVeazey@dgoc.com>, Austin Sutler <asutler@nextlvlenergy.com>, Kenneth L Greynolds <kenneth.l.greynolds@wv.gov>, rromano2@harrisoncountywv.com, Phyllis Copley <pcopley@dgoc.com>


To whom it may concern, plugging permits have been issued for 4703301397 03302689.


James Kennedy

WVDEP OOG

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### 2 attachments

 **4703301397.pdf**  
2349K

 **4703302689.pdf**  
3653K

09/22/2023