

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

Monday, November 27, 2023 WELL WORK PERMIT Vertical / Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT 601 57TH STREET

CHARLESTON, WV 25304

Re:

Permit approval for MESSER # 1

47-039-06400-00-00

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.

Please be advised that form WR-35, Well Operators Report of Well Work 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: JOSEPH MESSER

U.S. WELL NUMBER: 47-039-06400-00-00

Vertical Plugging

Date Issued: 11/27/2023

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

- 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		<u> </u>	20	23	
2)Opera	tor's				
Well	No	MESSER # 1			_
3)API W	Well No	47- 039	-	05400	

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

APPLICATION FOR A PE	RMIT TO PLUG AND ABANDON
4) Well Type: Oil/ Gas X / Liqu (If "Gas, Production X or U	nid injection/ Waste disposal/ inderground storage) Deep/ Shallow X
5) Location: Elevation 659' District POCA	Watershed FROGS CREEK, POCA RIVER County KANAWHA Quadrangle SISSONVILLE
6) Well Operator Address WV DEP PAID PLUGGING CONTRAC 601 57TH STREET S E CHARLESTON, WV 25304	7) Designated Agent JASON HARMON Address 601 57TH STREET S E CHARLESTON, WV 25304
8) Oil and Gas Inspector to be notified Name ALLEN FLOWERS Address 165 GRASSY LICK ROAD LIBERTY, WV 25124	9)Plugging Contractor Name UNKNOWN AT THIS TIME Address
10) Work Order: The work order for the ma	`
Notification must be given to the district of work can commence.	oil and gas inspector 24 hours before permitted
Nork order approved by inspector <u>ALLENFL</u> O	OWERS Date 10/31/2023

WELL PLUGGING PROJECT MESSER # 1 API # 47-039-06400

Well detail:

The Office of Oil and Gas does not have a well record for the subject well (47-039-06400). Reference well (47-039-02393) will be considered for casing size and down hole conditions. The record shows 77' of 13-3/8" conductor, additionally there is 2020' of 8-5/8" casing and 5527' of 5-1/2" casing. Cemented locations of the casing strings are unknown. Elevation at the well site is 659'. The record shows fresh water at 160, 700' and salt water at 1300'. No coal was reported. The total depth of the well is 5588'.

Site-based considerations:

The well site is flat and covered in brush and small trees. All brush and trees that are cut may be piled and left on location. The well is situated 50' from a stream (Frogs Creek). There is currently a 6" stand of casing about 4' above ground level. The well is leaking gas and water. There is no production line attached to the well. There is no storage tank located at the well site. A entrance will need to be constructed from the county road to the well, estimated length 120'. OOG will contact locate 811 to have all sub surface utilities marked.



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WELL ACIDIZED (DETAILS

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WELL API # 47-039-06400 WELL # MESSER 1 PLUGGING WORK ORDER

The work order for the manner of plugging this well is as follows:

- Notify inspector specialist, Allen Flowers @ (304) 552-8308.
 Email address is <u>Allen.D.Flowers@wv.gov</u>, <u>Notification is</u> required 24 hrs prior to commencing plugging operations.
- 2. Move in and rig up to existing 6" casing.
- 3. TIH pull tubing and packer if found.
- 4. TIH check TD @ or below 5527'. If TD cannot be reached begin cleaning out hole to approved depth/TD by inspector.
- 5. Once TD has be reached and approved by inspector a bond log will be ran inside the 6" casing to determine cement bond location and free points. Any casing found with out cement in the annulus that cannot be retrieved must be perforated at all required locations.
- TIH to TD with tubing, spot 6% gel followed by cement from 5527' to 5227'. TOH, WOC tag top of plug. Add cement if needed.
- 7. TIH with tubing, spot 6 % gel from 5227' to 4200', followed by cement plug From 4200' to 4000'. TOH, WOC tag top of plug. Add cement if needed.
- TIH with with tubing , spot 6% gel from 4000' to 3000', followed by cement Plug from 3000' to 2800'. TOH, WOC tag top of plug. Add cement if needed.
- TIH with tubing, spot gel from 2800' to 1350' followed by cement plug from 1350' to 1250'. WOC tag top of cement. Add cement if needed.
- 10. TIH with tubing, spot gel from 1250' to 750' followed by cement plug from 750' to 600'. TOH, WOC tag top of plug. Add cement if needed.
- 11. TIH with tubing, spot gel from 600' to 200' followed by cement plug from 200' to surface.
- 12. Rig down and install monument, reclaim site.
 - NOTE.. Any casing found in the well with out cement In the annulus that Cannot be retrieved must be perforated and cemented at all saltwater, Freshwater, coal, gas, casing shoe and elevation points.
- 12. Class L cement will be used as a replacement for Class A cement during Supply chain interruptions.

1) Date:	10/31/2023			
2) Operator's Well				
	MESSER	# 1		
3) API Well No.: 47	_ 039		06400	_

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

4) Surface Own	ner(s) to be served:	5)	(a) Coal Operator	r
(a) Name	JOSEPH & DEBORAH	MESSER	Name	NOT OPERATED
Address	1416 OUR WAY ROAD)	Address	
	CHARLESTON, WV 25	5312	21 21 1982 1982	
(b) Name			(b) Coal Ov	vner(s) with Declaration
Address			Name	CHARLESTON WELDING COMPANY, LLC
			Address	P.O. BOX 1106
				ST. ALBENS, WV 25177
(c) Name			Name	
Address			Address	
0) I	ALLEN FLOWERS		(a) Coal Lo	ssee with Declaration
6) Inspector		DOAD	Name	N/A
Address	165 GRASSY LICK F LIBERTY, WV 25124		Address	IVA
M-1h	(304) 552-8308		Address	
Telephone	(304) 332-8306			
The reason However, you Take notice accompanying Protection, when the Application of the	that under Chapter 22-6 of ng documents for a permit	ents is that you have rigny action at all. The West Virginia Coot to plug and abandon a the location described on mailed by registered	ghts regarding the applications the undersigned well with the Chief of the or the attached Application or certified mail or de	operator proposes to file or has filed this Notice and Application and e Office of Oil and Gas, West Virginia Department of Environmental on and depicted on the attached Form WW-6. Copies of this Notice, livered by hand to the person(s) named above (or by publication in
		Well Operator By:	WY DEP PAID PLUG	GING CONTRACT
AWIST DA	OFFICIAL SEAL NOTARY PUBLIC	Its:		
ST	ATE OF WEST VIRGINIA Zachary S Johnson	Address	601 57TH STREET S	
WV Departmen	nt of Environmental Protection, Office of Oil and Gas Street SE, Charleston, WV 25304		CHARLESTON, WV 2	
My Comm	idesign Expires February 15, 2028	Telephone	(304) 926-0499 EX 41	100
Subscribed and s	Expires	is 3rd d	ay of Move	noer 2023 Notary Public
	100	1 1/ 0.00.0		

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.

SURFACE OWNER WAIVER

Operator's Well Number

47 - 039 - 06400

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

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.

<u>Comments must be in writing.</u> 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 p	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	FOR EXECUTION BY A CORPORATION,

Jarch G. Wesse	Date	10/31/23	Name _	WV DEP PAID PLUGGING
Signature			By Its	Date

WW-4B

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 then 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 has examined this proposed plugging wordone at this location, provided, the well Virginia Code and the governing regulation	k order. The undersigned has no operator has complied with all a	of the coal under this well location objection to the work proposed to be applicable requirements of the West
Date:	By:	
	Its	



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)	ORDER NO.	2022-13
SECTION 14.1. AND LEGISLATIVE RULE)		
35CSR8 SECTION 20.1,)		
RELATING TO THE CEMENTING)		
OF OIL AND GAS WELLS)		

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.
- 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.

 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 monogramed 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

API Number 47 -	039		06400
Operator's Well No.	MESSI	ER#1	

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name WV DEP PAID PLUGGING CONTRACT OP Code	
Watershed (HUC 10) FROGS CREEK, POCA RIVER Quadrangle SISSONVILLE	
Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes No	Will
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)	8%
Underground Injection (UIC Permit Number UNKNOWN AT THIS TIME Reuse (at API Number	
Off Site Disposal (Supply form WW-9 for disposal location)	
Other (Explain	
Will closed loop systembe 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? UNKNOWN AT THIS TIME	
Permittee shall provide written notice to the Office of Oil and Gas of any load of drill cuttings or associated waste rejected West Virginia solid waste facility. The notice shall be provided within 24 hours of rejection and the permittee shall also d where it was properly disposed.	at any isclose
I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERM on April 1, 2016, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understa provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other apport regulation can lead to enforcement action. I certify under penalty of law that I have personally examined and am familiar with the information submitt application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible to the information, I believe that the information is true, accurate, and complete. I am aware that there are significant probability of fine or imprisonment. Company Official Signature Company Official Title DEPUTY CHIEF Subscribed and super before methic and conditions of the GENERAL WATER POLLUTION PERM on April 1, 2018 to the GENERAL WATER POLLUTION PERM on April 2, 2018 to the GENERAL WATER POLLUTION PERM o	and that the olicable law ed on this or o btaining
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Operator's Well No. 47 - 039 - 06400

pposed Revegetation Treatment: Acres Disturbed	0.5 Preveg etation pH	
Lime Tons/acre or to com	rect to pH	
Fertilizer type10 - 10 - 20		
Fertilizer amount500	lbs/acre	
Mulch 2-3	Tons/acre	
	Seed Mixtures	
Temporary	Permai	nent
Seed Type lbs/acre	Seed Type	lbs/acre
N/A	FESCUE	30
	CONTRACTOR MIX	10
	CLOVER	10
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PLUGGING PROJECT

MESSER # 1

API # 47-039-06400

Site Preparation:

The well site will be cleared of all trees and brush, all debris can be piled and left on location. 200' of silt fence will be installed around the well site to isolate the disturbed area from the stream. The area around the well 50' x 100' may be covered with tie mats or stone to stabilize the plugging equipment. A service road will need to be constructed with stone or tie mats to accommodate plugging equipment; all stone must be removed upon completion. The service road estimated length is 120'. All production equipment shall be dismantled and removed from the well site. A minimum 24" cellar will be installed around the well head.

PLUGGING PROJECT

MESSER #1

API # 47-039-06400

Site Reclamation:

All production equipment shall be removed and disposed of. All silt fences shall be removed and disposed of. All tie mats and/or stone shall be removed from the well site and service road. The cellar shall be removed from around the well head. All disturbed areas will be smoothed, seeded and mulched per OOG plugging permit. A well monument will be install at the well head, minimum 6" diameter and 42" above final grade.

Well Name, MESSER #1 PLUGGING PROJECT API # 47-039-06400

I. SPECIAL PROVISIONS

1.0 Location/Site Description

Located at Frogs Creek Road, Kanawha County WV 25124

The GPS location is as follows:

Coordinates, Decimal Degrees 38.562500, -81.723656

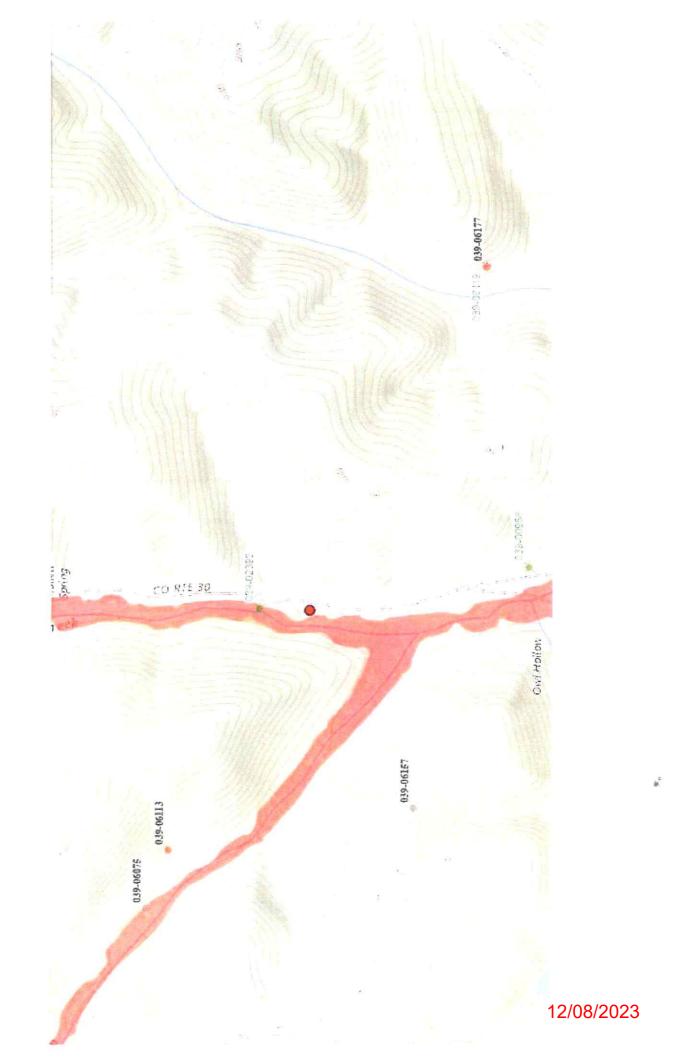
Directions to site:

From the Charleston Area:

Take I-77 N 7.1 miles to exit 111 Tuppers Creek. Turn left onto Walkers Drive and continue 1.3 miles. Turn right onto Sissonville Drive and continue 1.2 mile. Turn left onto WV-622 S Martins Branch Road and continue 3.6 miles. Turn right onto Kelly's Creek Road and continue 2 miles. Turn right onto Frogs Creek Road and continue 5 miles. The well site will be on the left side of the road.

From the Ripley Area:

Take I-77 S 23.9 miles to exit 111 Tuppers Creek. Turn right onto Walkers Drive and continue 1.3 miles. Turn right onto Sissonville Drive and continue 1.2 mile. Turn left onto WV-622 S Martins Branch Road and continue 3.6 miles. Turn right onto Kelly's Creek Road and continue 2 miles. Turn right onto Frogs Creek Road and continue 5 miles. The well site will be on the left side of the road.





West Virginia Department of Environmental Protection Office of Oil and Gas

WELL LOCATION FORM: GPS

AA EELE E	OCATION I	Oldin. Gir	,	
API: 47 - 039 - 06	6400	WELL NO.:_	MESSER # 1	
FARM NAME: JOSEF	PH MESS	ER		
RESPONSIBLE PARTY NAME	: WV DEP PA	AID PLUGGIN	NG CONTRAC	Т; —
COUNTY: KANAWHA	, 1	ISTRICT:	POCA	
QUADRANGLE: SISS	ONVILLE		·	_
SURFACE OWNER: JOS	SEPH ME	SSER		
ROYALTY OWNER: PO	CA COAL	. LAND		
UTM GPS NORTHING: 426	8476.76			
UTM GPS EASTING: 4369	52.92	GPS ELEVAT	_{rion:} 659'	ļ
The Responsible Party named above preparing a new well location plat above well. The Office of Oil and the following requirements: 1. Datum: NAD 1983, Zoheight above mean sea 2. Accuracy to Datum – 3 3. Data Collection Method Survey grade GPS: Post I	for a plugging per Gas will not accenne: 17 North, Coolevel (MSL) – mer 1.05 meters	rmit or assigned pt GPS coordina ordinate Units: m eters.	API number on the tes that do not me	ıe :et
Real	Time Differentia	1		
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	eal-Time Differer			
4. Letter size copy of the I the undersigned, hereby certify the belief and shows all the information prescribed by the Office of Oil and	is data is correct n required by law	to the best of my	knowledge and	
ALLEN FLOWERS	INSPE	CTOR	6/19/202	23
Signature	Ti	le	Date	



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

plugging permit issued 4703906400

1 message

Kennedy, James P <james.p.kennedy@wv.gov> Mon, Nov 27, 2023 at 9:46 AM To: Henry J Harmon <henry.j.harmon@wv.gov>, Allen D Flowers <allen.d.flowers@wv.gov>, Terry W Urban <terry.w.urban@wv.gov>, sallierobinson@kanawha.us

To whom it may concern, a plugging permit has been issued for 4703906400.

James Kennedy

WVDEP OOG

