



**HG Energy, LLC**  
5260 Dupont Road  
Parkersburg, WV 26101  
(304) 420-1100 - Office  
(304) 863-3172 - Fax

RECEIVED  
Office of Oil and Gas

FEB 20 2020

WV Department of  
Environmental Protection

February 20, 2020

Jacob Rhodes  
WV DEP - Office of Oil & Gas  
601 57<sup>th</sup> Street  
Charleston, WV 25304

RE: Response to a Letter from Howard Persinger on behalf of Joshua Brumfield –  
Lincoln County, WV  
Proposed Wells – E Griffith 166, 167, 168, 267, N Mason 169, 268

Dear Mr. Rhodes,

Mr. Persinger, writing on behalf of landowner, Joshua Brumfield, in a letter received by the WV DEP, expressed several concerns regarding the proposed drilling of the above referenced wells on his surface property by HG Energy, LLC (HG). This letter is in response to those concerns.

1. Mr. Brumfield requests that any producing wells placed on his property have underground electricity run to them so electric motors can be installed. He was told by HG that this would be done on the well that is currently located on his property but it was never done. The well can be heard from his house.

The original plan for that well in 2015 did anticipate that it would be electrified. However after the actual costs for doing so were fully evaluated, it was clear that the project would not support the expense of the electrical infrastructure that would be needed. Since 2015, HG has abandoned electrification of producing wells in favor of the more economic gas engines.

2. He disagrees with the proximity to his home of at least one of the well pads which will be used for the Emma Griffith 166, 167 and 267 Wells and requests that they explore alternative locations.

WVDEP requires that new wells be at least 200 feet from dwellings. The wells in question are to be located on a neighboring property at a distance in excess of 550 feet. HG did explore other potential locations for these wells but, because of the topography and pipelines in the area, this option was determined to be the most feasible location for these wells.

3. He believes the road HG Energy intends to build to access the well sites will be a major land disturbance leading to erosion of his property. HG Energy claims to “already have a right-of-way” but he isn’t sure if that is true.

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HG Energy, LLC, will construct and maintain the drill site, access roads and pipelines in accordance with WVDEP requirements and industry BMPs. It should be noted that HG uses pad drilling in this project, enabling the drilling of three or more wells from one location in order to minimize the total amount of earthwork required for drill sites, roads and pipelines. This approach significantly reduces overall environmental impact and minimizes the surface use of Mr. Brumfield's land. The access road is authorized under terms of the lease which HG holds on Mr. Brumfield's property. That lease provides for the rights of ingress and egress for wells on the premises.

4. He feels that the standard \$5,000 per pad offer for "nuisance pay" to the landowner is insufficient considering the locations they have chosen, one of which is very close to his home.

The obligations of oil and gas operators to the surface owners are spelled out in Chapter 22-7-3 of the WV Code and HG fully complies with each of these requirements. Although it is not required by law, HG's policy is to go a step further and offer a \$5,000 location fee to landowners in order to help mitigate any inconvenience incurred during the drilling process.

5. He also requests that the producing well established in 2014 or 2015 (believed to be Nathaniel Mason 224) be switched to an electric motor as he was told it would be so that there will be less noise from said well.

After becoming aware of this noise issue, HG has explored options to minimize the sound generated by the subject well. As discussed above, electrification is not an economic feasibility, but HG has taken other measures to suppress the noise from the well. A noise reducing muffler and an acoustic enclosure have since been installed on this pumping unit in order to address Mr. Brumfield's complaint.

I trust we have adequately addressed Mr. Brumfield's concerns and respectfully request the subject drilling permits be issued by the WV DEP – Office of Oil and Gas.

Sincerely,

*Diane White*

Diane White

CC Jeffery Smith – DEP Inspector  
Mr. Joshua Brumfield  
Howard Persinger – Persinger & Persinger LLC

FEB 14 2020

Rhodes, Jacob K

WV Department of  
Environmental Protection

**From:** Mo Persinger <hmp3@persingerlaw.com>  
**Sent:** Friday, February 14, 2020 1:08 PM  
**To:** Rhodes, Jacob K  
**Cc:** Robin Phelps; joshdrumfield@hotmail.com  
**Subject:** [External] WVDEP Permit No. UIC2R04301AP

CAUTION: External email. Do not click links or open attachments unless you verify sender.

RE: Permit No. UIC2R04301AP  
Wells: Emma Griffith 166 – Elevation 920'  
Emma Griffith 167 – Elevation 920'  
Emma Griffith 168 – Elevation 911'  
Emma Griffith 267 – Elevation 920'  
Nathaniel Mason 169 – Elevation 911'  
Nathaniel Mason 268 – Elevation 911'  
Operator: HG Energy, LLC  
Locations: Duval District, Lincoln County, West Virginia  
Quadrangle: Griffithsville 7.5' Watershed: Straight Fork  
Elevations: 920'

I am writing on behalf of Joshua D. Brumfield of 31 Vandalia Drive, Yawkey, West Virginia 25573. His telephone number is 304-561-7831. My contact information is below.

Mr. Brumfield's comments are as follows:

1. Mr. Brumfield requests that any producing wells placed on his property have underground electricity run to them so electric motors can be installed. He was told by HG that this would be done on the well that is currently located on his property but it was never done. The well can be heard from his house.
2. He disagrees with the proximity to his home of at least one of the well pads which will be used for the Emma Griffith 166, 167 and 267 Wells and requests that they explore alternative locations.
3. He believes the road HG Energy intends to build to access the well sites will be a major land disturbance leading to erosion of his property. HG Energy claims to "already have a right-of-way" but he isn't sure if that is true.
4. He feels that the standard \$5,000 per pad offer for "nuisance pay" to the landowner is insufficient considering the locations they have chosen, one of which is very close to his home.
5. He also requests that the producing well established in 2014 or 2015 (believed to be Nathaniel Mason 224) be switched to an electric motor as he was told it would be so that there will be less noise from said well.



We are in the process of reviewing the applications and anticipate submitting more comments by the end of the month and hopefully by the end of next week.

Mo Persinger



Howard M. "Mo" Persinger, III  
237 Capitol Street  
Charleston, WV 25301  
Phone: 304-346-9333  
Fax: 304-346-9337  
[hmp3@persingerlaw.com](mailto:hmp3@persingerlaw.com)

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**HG Energy, LLC**  
5260 Dupont Road  
Parkersburg, WV 26101  
(304) 420-1100 - Office  
(304) 863-3172 - Fax

47-043-03615

February 4, 2020

Mr. Jeff McLaughlin  
WVDEP  
Division of Oil & Gas  
601 57<sup>th</sup> Street  
Charleston, West Virginia 25304

Check AMT \$650  
Check Date 02/06/2020  
Check No. 4522

RE: Nathaniel Mason No. 268  
Duval District, Lincoln County  
West Virginia

Dear Mr. McLaughlin:

Enclosed are Forms WW-3A, WW-3B, WW-9, WW-3(B1), mylar of plat, reclamation plan, topo map and copies of the certified mailing receipts for a permit to drill the above referenced injection well. Also enclosed is our check in the amount of \$650.00 to cover the associated permit fees.

Very truly yours,

*Diane White*

Diane C. White

Enclosures

cc: Joshua D. Brumfield – Certified  
Justin White - Certified  
Jeffery Smith – Inspector

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Office of Oil and Gas

FEB 18 2020

WV Department of  
Environmental Protection



1) Date: 02/04/2020  
 2) Operator's Well No. Nathaniel Mason 268  
 3) API Well No.: 47 - 043 s 03615  
 State County Permit  
 4) UIC Permit No. UIC2R04301AP

**STATE OF WEST VIRGINIA  
 NOTICE OF LIQUID INJECTION OR WASTE DISPOSAL WELL WORK PERMIT APPLICATION  
 FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**

5) WELL TYPE: Liquid Injection  / Gas Injection (not storage)  / Waste Disposal   
 6) LOCATION: Elevation: 911' Watershed: Straight Fork  
 District: Duval County Lincoln Quadrangle Griffithsville 7.5'  
 7) WELL OPERATOR: HG Energy, LLC 8) DESIGNATED AGENT Diane White  
 Address 5260 Dupont Road Address 5260 Dupont Road  
Parkersburg, WV 26101 Parkersburg, WV 26101  
 9) OIL & GAS INSPECTOR TO BE NOTIFIED 10) DRILLING CONTRACTOR  
 Name Jeffery L. Smith Name To Be Determined Upon Approval of the Permit  
 Address 5369 Big Tyler Road Address \_\_\_\_\_  
Cross Lanes, WV 25313  
 11) PROPOSED WELL WORK Drill  / Drill deeper  / Redrill  / Stimulate   
 Plug off old formation  / Perforate new formation  Convert   
 Other physical change in well (specify) \_\_\_\_\_  
 12) GEOLOGIC TARGET FORMATION Berea Depth 2393' Feet (top) to 2415' Feet (bottom)  
 13) Estimated Depth of Completed Well, (or actual depth of existing well): 2525' MD Feet  
 14) Approximate water strata depths: Fresh 260' Feet Salt 970' Feet  
 15) Approximate coal seam depths: 400'  
 16) Is coal being mined in the area? Yes \_\_\_\_\_ No \_\_\_\_\_  
 17) Virgin reservoir pressure in target formation 1250 psig Source Estimated  
 18) Estimated reservoir fracture pressure 2650 psig (BHFP)  
 19) MAXIMUM PROPOSED INJECTION OPERATIONS: Volume per hour 25 BBL Bottom hole pressure 2400 psi  
 20) DETAILED IDENTIFICATION OF MATERIALS TO BE INJECTED, INCLUDING ADDITIVES Fresh water, produced  
water, bactericides and other chemicals as needed to maintain water quality and improve oil recovery  
 21) FILTERS (IF ANY) Cartridge filters and charcoal bed filters  
 22) SPECIFICATIONS FOR CATHODIC PROTECTION AND OTHER CORROSION CONTROL NA

23) CASING AND TUBING PROGRAM

CASING OR TUBING TYPE	SPECIFICATIONS					FOOTAGE INTERVALS		CEMENT FILL -UP OR SACKS (CU. FT.)	PACKERS
	Size	Grade	Weight per ft.	New	Used	For Drilling	Left In Well		
Conductor									Kinds
Fresh Water	7"	LS	17#	X		460'	460'	CTS	
Coal									Sizes
Intermediate									2.375"
Production	4 1/2"	J-55	10.5#	X		2505'	2505'	150 sks	Depths set
Tubing	2 3/8"	J-55	4.8#	X		2300'	2300'		2200'
Liners									Perforations
									Top Bottom

24) APPLICANT'S OPERATING RIGHTS were acquired from Nathaniel Mason et ux  
 by deed \_\_\_\_\_ / lease x / other contract \_\_\_\_\_ / dated 01/29/1907 of record in the  
Lincoln County Clerk's office in Lease Book 39 Page 123

JS

WW-2B1  
(5-12)

Well No. Nathaniel Mason 268

West Virginia Department of Environmental Protection  
Office of Oil and Gas

NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

Be advised, you have the right to sample and analyze any water supply at your own expense.

Listed below is the laboratory chosen by operator to perform analysis, and contactor chosen to collect sample.

Certified Laboratory Name Sturm Environmental Labs  
Sampling Contractor Sturm Environmental Labs

Well Operator HG Energy, LLC  
Address 5260 Dupont Road  
Parkersburg, WV 26101  
Telephone 304-420-1119

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site, the Chief may require the operator to test wells up to 2000 feet from the proposed site.

- \* Justin White  
53 Bear Fork  
Yawkey WV 25573
- \* Joshua D. Brumfield  
31 Vandalia Drive  
Yawkey WV 25573

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## Diane White

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**From:** Diane White  
**Sent:** Tuesday, February 4, 2020 11:05 AM  
**To:** Vicki Hoops  
**Subject:** Pre-Drill Water Testing - Griffithsville Wells 169, 169, 268  
**Attachments:** 20200204111603765.pdf

Vicki,  
For the well pad identified above there are two land owners with a water source. One of them, Joshua Brumfield has been identified before recently so doesn't need to be tested again. Please test Justin White. Attached are a topo, plat and rec plan to help you locate the water source. If he declines testing please document that as well.

Justin White  
53 Bear Fork  
Yawkey, WV 25573

Thanks,  
Diane

*Diane C. White*



**HG Energy, LLC**  
5260 Dupont Road  
Parkersburg, WV 26101  
304-420-1119 (O)  
304-482-0108 (C)  
[dwhite@hgenergyllc.com](mailto:dwhite@hgenergyllc.com)

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name HG Energy, LLC OP Code 494497948

Watershed (HUC 10) Straight Fork Quadrangle Griffithsville 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: Fluids encountered while drilling subject well

Will a synthetic liner be used in the pit? Yes  No  If so, what ml.? 20 mil

Proposed Disposal Method For Treated Pit Wastes:

- Land Application
- Underground Injection ( UIC Permit Number \_\_\_\_\_ )
- 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: No

Drilling medium anticipated for this well (vertical and horizontal)? Air, freshwater, oil based, etc. Air, Fresh Water

-If oil based, what type? Synthetic, petroleum, etc. NA

Additives to be used in drilling medium? Water, Soap, KCl

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. Offsite Disposal at a DEP Approved Landfill

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

-Landfill or offsite name/permit number? To Be Determined Upon Approval of Permit

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 August 1, 2005, 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.

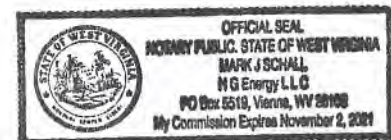
I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is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

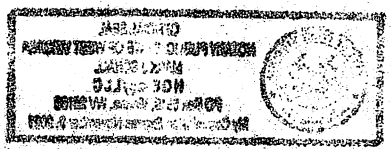
Company Official Signature Diane White  
Company Official (Typed Name) Diane White  
Company Official Title Accountant

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Environmental Protection

Subscribed and sworn before me this 4th day of February, 2020  
[Signature] Notary Public

My commission expires 11/2/2021





HG Energy, LLC

Proposed Revegetation Treatment: Acres Disturbed 1.5 acres Prevegetation pH \_\_\_\_\_

Lime 3 Tons/acre or to correct to pH 6.5

Fertilizer type 10-20-20

Fertilizer amount 500 lbs/acre

Mulch Straw 2 Tons/acre

Seed Mixtures

**Temporary**

**Permanent**

Seed Type	lbs/acre
Tall Fescue	40
Ladino Clover	5

Seed Type	lbs/acre
Tall Fescue	40
Ladino Clover	5

**\*\*Sediment and Erosion Control will be in place at all times \*\***

Attach:

Drawing(s) of road, location, pit and proposed area for land application (unless engineered plans including this info have been provided)

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Jeffrey Smith

Comments: All sediment control to be removed prior to release.

Title: O. & Gas Inspector

Date: 2-11-20

Field Reviewed?

Yes

No

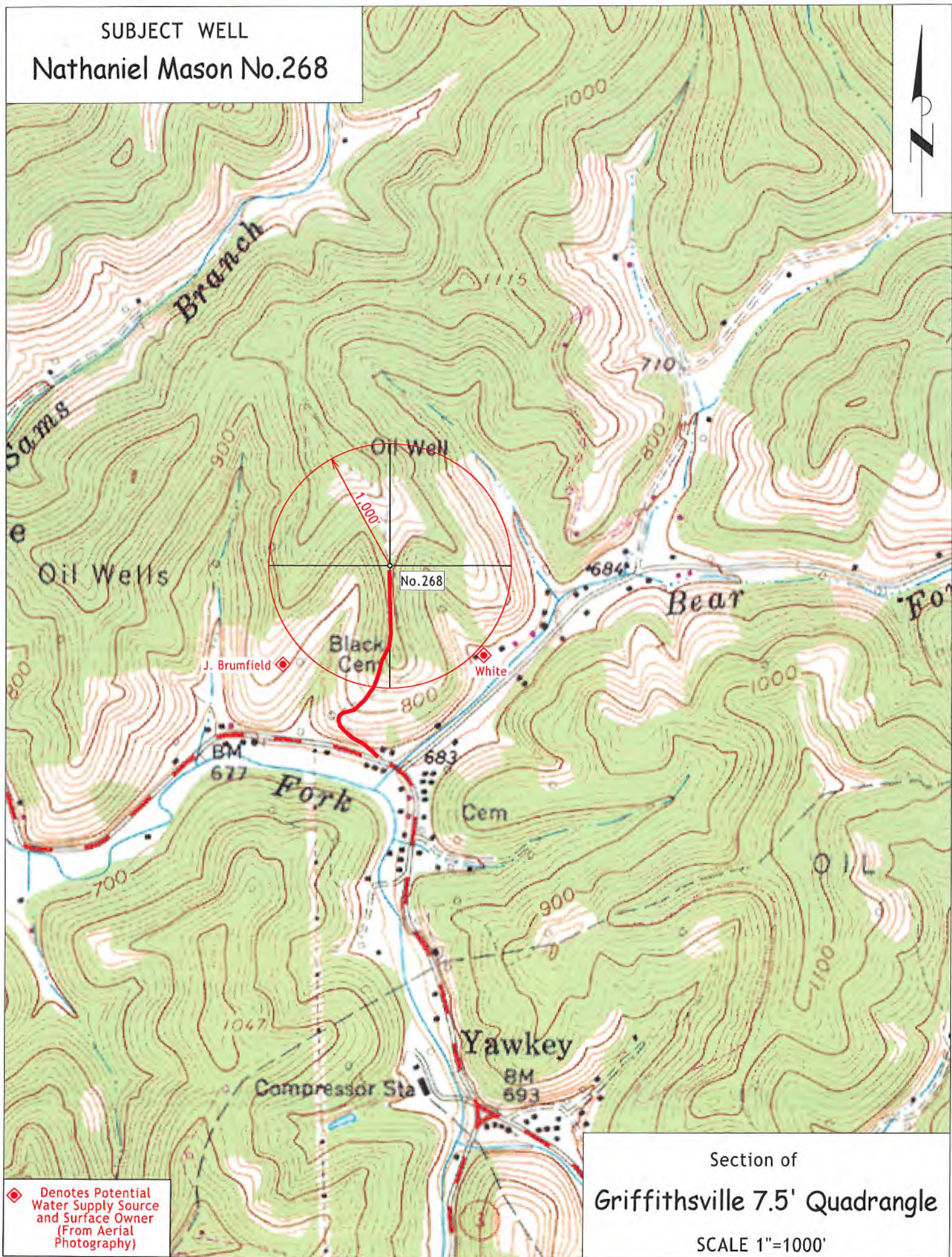
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SUBJECT WELL  
Nathaniel Mason No.268



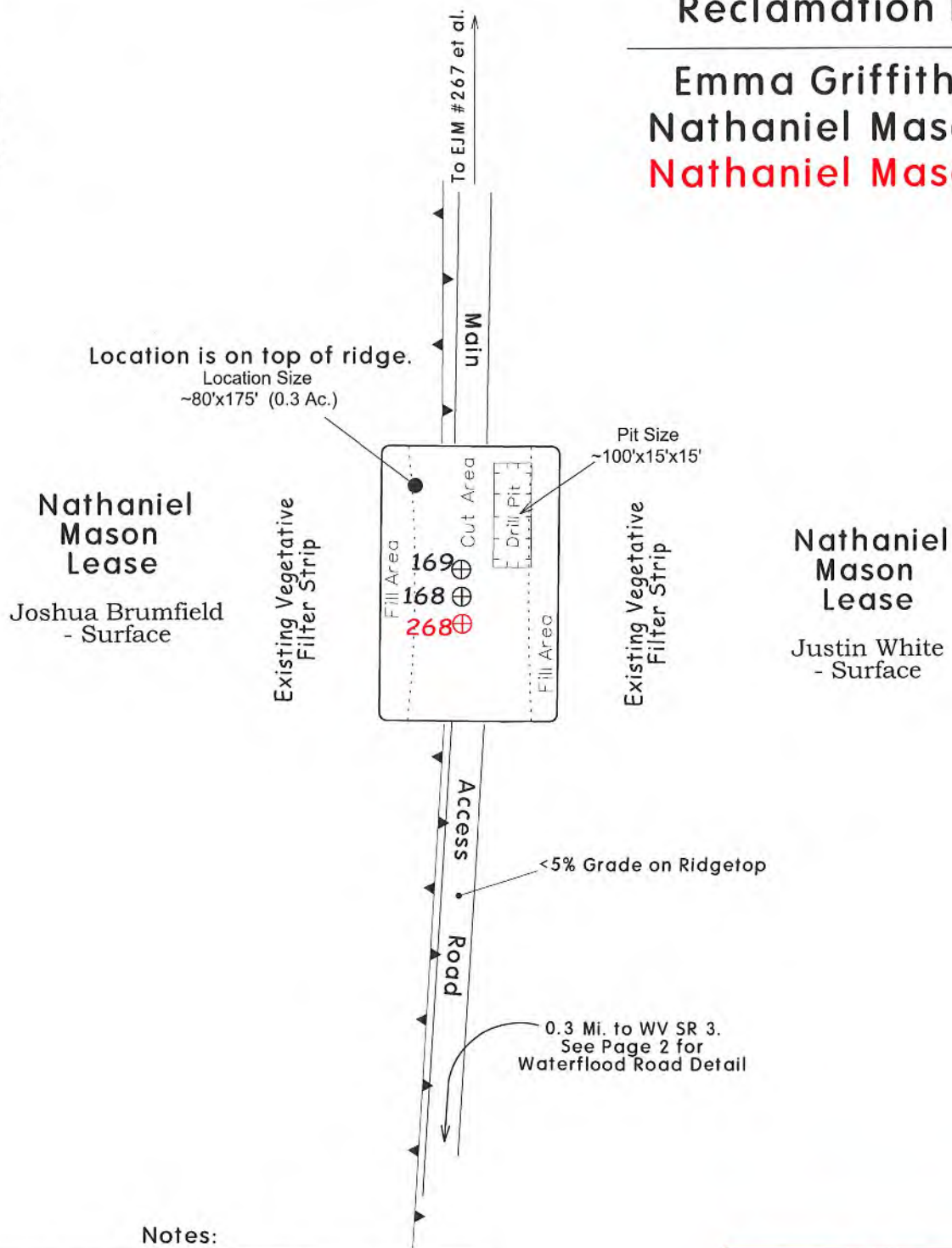
◆ Denotes Potential Water Supply Source and Surface Owner (From Aerial Photography)

Section of  
Griffithsville 7.5' Quadrangle  
SCALE 1"=1000'





Reclamation Plan For:  
 Emma Griffith No. 168  
 Nathaniel Mason No. 169  
**Nathaniel Mason No. 268**



Notes:

- REQUESTED PERMIT IS FOR DRILLING OF NEW WELL.
- ACCESS ROADS ARE EXISTING AND WILL BE MAINTAINED TO WVDEP STANDARDS. NEW STRUCTURES WILL BE INSTALLED AS SHOWN.
- STOCKPILE TOPSOIL FOR RE-DRESSING LOCATION DURING RECLAMATION
- ALL DISTURBED AREAS WILL BE RE-VEGETATED AS OUTLINED ON FORM WW-9.
- MAINTAIN SEDIMENT BARRIERS AND DRAINAGE STRUCTURES.
- ALL ROAD GRADES <5% EXCEPT AS NOTED.
- LOCATION OF DRILL PIT MAY BE CHANGED BASED ON AS-BUILT CONSIDERATIONS.
- STACK BRUSH BELOW DISTURBED AREAS FOR SEDIMENTATION CONTROL.
- DRAWING NOT TO SCALE.

**NOTE**  
 REFER TO THE WVDEP  
 EROSION AND SEDIMENT CONTROL  
 FIELD MANUAL VER. MAY 2012 FOR  
 BMPs CONTROLLING EROSION AND  
 SEDIMENT FROM SOIL-DISTURBING  
 OPERATIONS.

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WV Department of  
 Environmental Protection



**HG Energy, LLC**  
5260 Dupont Road  
Parkersburg, WV 26101  
(304) 420-1100 - Office  
(304) 863-3172 - Fax

---

February 4, 2020

Justin White  
53 Bear Fork  
Yawkey, WV 25573

RE: Nathaniel Mason No. 268  
Duval District, Lincoln County  
West Virginia

Dear Landowner:

Enclosed are copies of various application papers that we have filed with the West Virginia Department of Environmental Protection (WVDEP), Office of Oil and Gas. A well work permit is being requested for the above-referenced well.

Pursuant to WV Code Chapter 22B, Article 6, you are receiving copies of this correspondence because the well or other anticipated disturbance is located on your surface property. Your rights as a landowner are detailed in the enclosed permit application papers.

No action on your part is required. If you have any questions or comments regarding this application, you may call this office at (304) 420-1119.

Very truly yours,

*Diane White*

Diane C. White

Enclosures

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Environmental Protection



**HG Energy, LLC**  
5260 Dupont Road  
Parkersburg, WV 26101  
(304) 420-1100 - Office  
(304) 863-3172 - Fax

---

February 4, 2020

Joshua D. Brumfield  
31 Vandalia Drive  
Yawkey, WV 25573

RE: Nathaniel Mason No. 268  
Duval District, Lincoln County  
West Virginia

Dear Landowner:

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Very truly yours,

*Diane White*

Diane C. White

Enclosures

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Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage  
\$ 1.40

Total Postage and Fees  
\$ 7.80



Sent To  
Joshua D. Brunfield  
Street and Apt. No., or PO Box No.  
31 Vandalia Drive  
City, State, ZIP+4®  
Yawkey WV 25573

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0700 0002 0456 8160

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ 2.05

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage  
\$ 1.40

Total Postage and Fees  
\$ 7.80



Sent To  
Justin White  
Street and Apt. No., or PO Box No.  
53 Bear Fork  
City, State, ZIP+4®  
Yawkey WV 25573

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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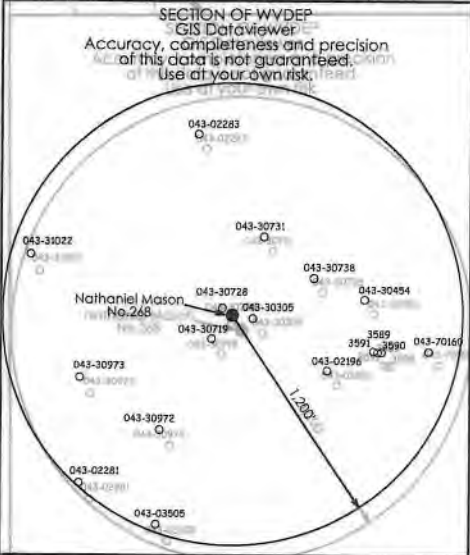
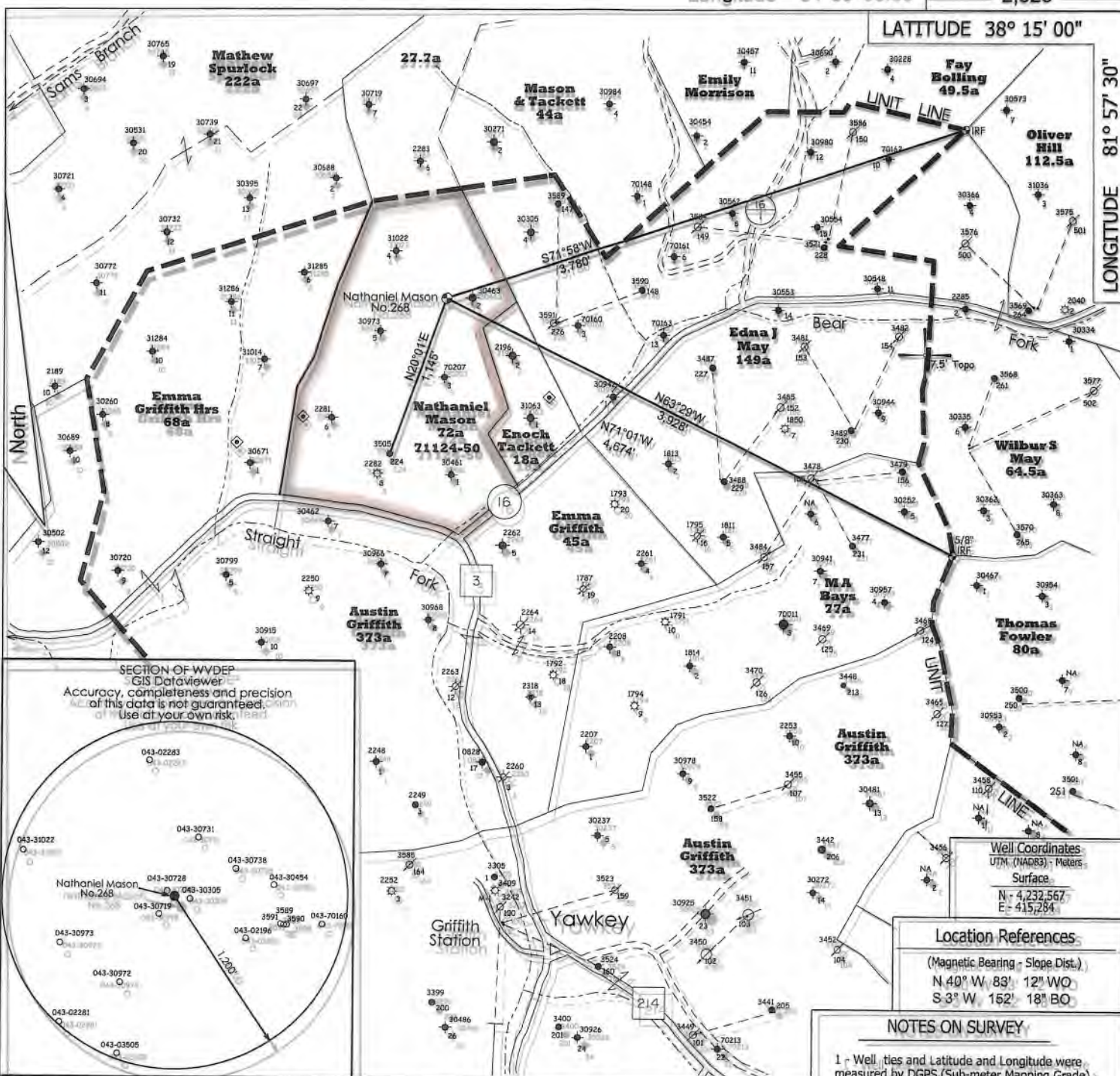
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Environmental Protection









Well Coordinates  
UTM (NAD83) - Meters  
Surface  
N = 4,232,567  
E = 415,284

Location References  
(Magnetic Bearing - Slope Dist.)  
N 40° W, 83' 12" WO  
S 3° W, 152' 18" BO

NOTES ON SURVEY  
1 - Well ties and Latitude and Longitude were measured by DGPS (Sub-meter Mapping Grade). Bearings are referenced to UTM Grid North (Zone 17 North - NAD 1927).  
2 - Surface owner information obtained from the Lincoln County Assessor's tax records.

◆ DENOTES A POSSIBLE WATER SUPPLY SOURCE LOCATED FROM CIRCA 2016 AERIAL PHOTOGRAPHY - NOT BY SURVEY. OTHER SOURCES MAY BE PRESENT.  
+ DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS.  
○ DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS.

FILE NO. \_\_\_\_\_  
SCALE 1" = 1000'  
MINIMUM DEGREE OF ACCURACY Sub-Meter  
PROVEN SOURCE OF ELEVATION DGPS Survey (Sub-Meter Mapping Grade)

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 ENVIRONMENTAL PROTECTION.  
(SIGNED) *[Signature]*  
TIMOTHY P. ROUSH PS 793



WEST VIRGINIA  
Division of Environmental Protection  
Office of Oil and Gas  
601 57th Street  
Charleston, West Virginia 25301



DATE December 20, 2019  
FARM Nathaniel Mason No. 268  
API WELL NO. 47 - 043 - 03615

WELL TYPE: OIL \_\_\_\_\_ GAS \_\_\_\_\_ LIQUID INJECTION  WASTE DISPOSAL \_\_\_\_\_  
(IF "GAS") PRODUCTION \_\_\_\_\_ STORAGE \_\_\_\_\_ DEEP \_\_\_\_\_ SHALLOW \_\_\_\_\_  
LOCATION: ELEVATION 911' WATERSHED Straight Fork  
DISTRICT Duval COUNTY Lincoln  
QUADRANGLE Griffithville 7.5'  
SURFACE OWNER Joshua Brumfield; Justin White ACREAGE 42.72 Ac.; 22.26 Ac.  
OIL & GAS ROYALTY OWNER HG Energy, LLC et al. LEASE ACREAGE 72 Ac.  
LEASE NO. 71124-50  
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 Berea ESTIMATED DEPTH 2,525'  
WELL OPERATOR HG Energy LLC. DESIGNATED AGENT Diane White  
ADDRESS 5260 DuPont Road ADDRESS 5260 DuPont Road  
Parkersburg, WV 26101 Parkersburg, WV 26101



MAR 13 2020

**McLaughlin, Jeffrey W**

WV Department of  
Environmental Protection

**From:** McLaughlin, Jeffrey W  
**Sent:** Friday, March 13, 2020 12:50 PM  
**To:** Timothy Roush  
**Cc:** Diane White; Roger L. Heldman; Ed Haas; Mark Schall  
**Subject:** RE: [External] HG Energy Permit Withdrawals

Tim,

Your request to withdraw the following permit applications has been granted as of March 13, 2020: Your applications should be mailed out today.

1. Emma Griffith No.166 47-043-03610
2. Emma Griffith No. 167 47-043-03611
3. Emma Griffith No. 168 47-043-03612
4. Emma Griffith No. 267 47-043-03613
5. Nathaniel Mason No. 169 47-043-03614
6. Nathaniel Mason No. 268 47-043-03615

Regards

*Jeffrey W. McLaughlin*

Jeff McLaughlin, B.S. Petroleum Eng.  
Technical Analyst, Office of Oil & Gas  
WV Dept. of Environmental Protection  
Phone: 304-926-0499 Ext. 1614

**From:** Timothy Roush <troush@hgenergyllc.com>  
**Sent:** Friday, March 13, 2020 10:36 AM  
**To:** McLaughlin, Jeffrey W <Jeffrey.W.McLaughlin@wv.gov>  
**Cc:** Diane White <dwhite@hgenergyllc.com>; Roger L. Heldman <rheldman@hgenergyllc.com>; Ed Haas <ehaas@hgenergyllc.com>; Mark Schall <mschall@hgenergyllc.com>  
**Subject:** [External] HG Energy Permit Withdrawals

**CAUTION: External email. Do not click links or open attachments unless you verify sender.**

Jeff,

This email is to confirm our phone conversation this morning.

HG Energy wishes to withdraw the following permits that are currently under review by your office:

1. Emma Griffith No.166 47-043-03610
2. Emma Griffith No.167 47-043-03611
3. Emma Griffith No.168 47-043-03612

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4. Emma Griffith No.267 47-043-03613
5. Nathaniel Mason No.169 47-043-03614
6. Nathaniel Mason No.268 47-043-03615

Thank you for your attention to this matter.  
Tim

**Timothy P. Roush, PS**  
HG Energy, LLC  
5260 Dupont Road  
Parkersburg, WV 26101  
[troush@hgenergyllc.com](mailto:troush@hgenergyllc.com)  
304-420-1120



**HG Energy, LLC**  
5260 Dupont Road  
Parkersburg, WV 26101  
(304) 420-1100 - Office  
(304) 863-3172 - Fax

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WV Department of  
Environmental Protection

February 20, 2020

Jacob Rhodes  
WV DEP - Office of Oil & Gas  
601 57<sup>th</sup> Street  
Charleston, WV 25304

RE: Response to a Letter from Howard Persinger on behalf of Joshua Brumfield –  
Lincoln County, WV  
Proposed Wells – E Griffith 166, 167, 168, 267, N Mason 169, 268

Dear Mr. Rhodes,

Mr. Persinger, writing on behalf of landowner, Joshua Brumfield, in a letter received by the WV DEP, expressed several concerns regarding the proposed drilling of the above referenced wells on his surface property by HG Energy, LLC (HG). This letter is in response to those concerns.

1. Mr. Brumfield requests that any producing wells placed on his property have underground electricity run to them so electric motors can be installed. He was told by HG that this would be done on the well that is currently located on his property but it was never done. The well can be heard from his house.

The original plan for that well in 2015 did anticipate that it would be electrified. However after the actual costs for doing so were fully evaluated, it was clear that the project would not support the expense of the electrical infrastructure that would be needed. Since 2015, HG has abandoned electrification of producing wells in favor of the more economic gas engines.

2. He disagrees with the proximity to his home of at least one of the well pads which will be used for the Emma Griffith 166, 167 and 267 Wells and requests that they explore alternative locations.

WVDEP requires that new wells be at least 200 feet from dwellings. The wells in question are to be located on a neighboring property at a distance in excess of 550 feet. HG did explore other potential locations for these wells but, because of the topography and pipelines in the area, this option was determined to be the most feasible location for these wells.

3. He believes the road HG Energy intends to build to access the well sites will be a major land disturbance leading to erosion of his property. HG Energy claims to “already have a right-of-way” but he isn’t sure if that is true.

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HG Energy, LLC, will construct and maintain the drill site, access roads and pipelines in accordance with WVDEP requirements and industry BMPs. It should be noted that HG uses pad drilling in this project, enabling the drilling of three or more wells from one location in order to minimize the total amount of earthwork required for drill sites, roads and pipelines. This approach significantly reduces overall environmental impact and minimizes the surface use of Mr. Brumfield's land. The access road is authorized under terms of the lease which HG holds on Mr. Brumfield's property. That lease provides for the rights of ingress and egress for wells on the premises.

4. He feels that the standard \$5,000 per pad offer for "nuisance pay" to the landowner is insufficient considering the locations they have chosen, one of which is very close to his home.

The obligations of oil and gas operators to the surface owners are spelled out in Chapter 22-7-3 of the WV Code and HG fully complies with each of these requirements. Although it is not required by law, HG's policy is to go a step further and offer a \$5,000 location fee to landowners in order to help mitigate any inconvenience incurred during the drilling process.

5. He also requests that the producing well established in 2014 or 2015 (believed to be Nathaniel Mason 224) be switched to an electric motor as he was told it would be so that there will be less noise from said well.

After becoming aware of this noise issue, HG has explored options to minimize the sound generated by the subject well. As discussed above, electrification is not an economic feasibility, but HG has taken other measures to suppress the noise from the well. A noise reducing muffler and an acoustic enclosure have since been installed on this pumping unit in order to address Mr. Brumfield's complaint.

I trust we have adequately addressed Mr. Brumfield's concerns and respectfully request the subject drilling permits be issued by the WV DEP – Office of Oil and Gas.

Sincerely,

*Diane White*

Diane White

CC Jeffery Smith – DEP Inspector  
Mr. Joshua Brumfield  
Howard Persinger – Persinger & Persinger LLC



FEB 14 2020

Rhodes, Jacob K

WV Department of  
Environmental Protection

**From:** Mo Persinger <hmp3@persingerlaw.com>  
**Sent:** Friday, February 14, 2020 1:08 PM  
**To:** Rhodes, Jacob K  
**Cc:** Robin Phelps; joshdrumfield@hotmail.com  
**Subject:** [External] WVDEP Permit No. UIC2R04301AP

CAUTION: External email. Do not click links or open attachments unless you verify sender.

RE: Permit No. UIC2R04301AP  
Wells: Emma Griffith 166 – Elevation 920'  
Emma Griffith 167 – Elevation 920'  
Emma Griffith 168 – Elevation 911'  
Emma Griffith 267 – Elevation 920'  
Nathaniel Mason 169 – Elevation 911'  
Nathaniel Mason 268 – Elevation 911'  
Operator: HG Energy, LLC  
Locations: Duval District, Lincoln County, West Virginia  
Quadrangle: Griffithsville 7.5' Watershed: Straight Fork  
Elevations: 920'

I am writing on behalf of Joshua D. Brumfield of 31 Vandalia Drive, Yawkey, West Virginia 25573. His telephone number is 304-561-7831. My contact information is below.

Mr. Brumfield's comments are as follows:

1. Mr. Brumfield requests that any producing wells placed on his property have underground electricity run to them so electric motors can be installed. He was told by HG that this would be done on the well that is currently located on his property but it was never done. The well can be heard from his house.
2. He disagrees with the proximity to his home of at least one of the well pads which will be used for the Emma Griffith 166, 167 and 267 Wells and requests that they explore alternative locations.
3. He believes the road HG Energy intends to build to access the well sites will be a major land disturbance leading to erosion of his property. HG Energy claims to "already have a right-of-way" but he isn't sure if that is true.
4. He feels that the standard \$5,000 per pad offer for "nuisance pay" to the landowner is insufficient considering the locations they have chosen, one of which is very close to his home.
5. He also requests that the producing well established in 2014 or 2015 (believed to be Nathaniel Mason 224) be switched to an electric motor as he was told it would be so that there will be less noise from said well.

We are in the process of reviewing the applications and anticipate submitting more comments by the end of the month and hopefully by the end of next week.

Mo Persinger



Howard M. "Mo" Persinger, III  
237 Capitol Street  
Charleston, WV 25301  
Phone: 304-346-9333  
Fax: 304-346-9337  
[hmp3@persingerlaw.com](mailto:hmp3@persingerlaw.com)

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