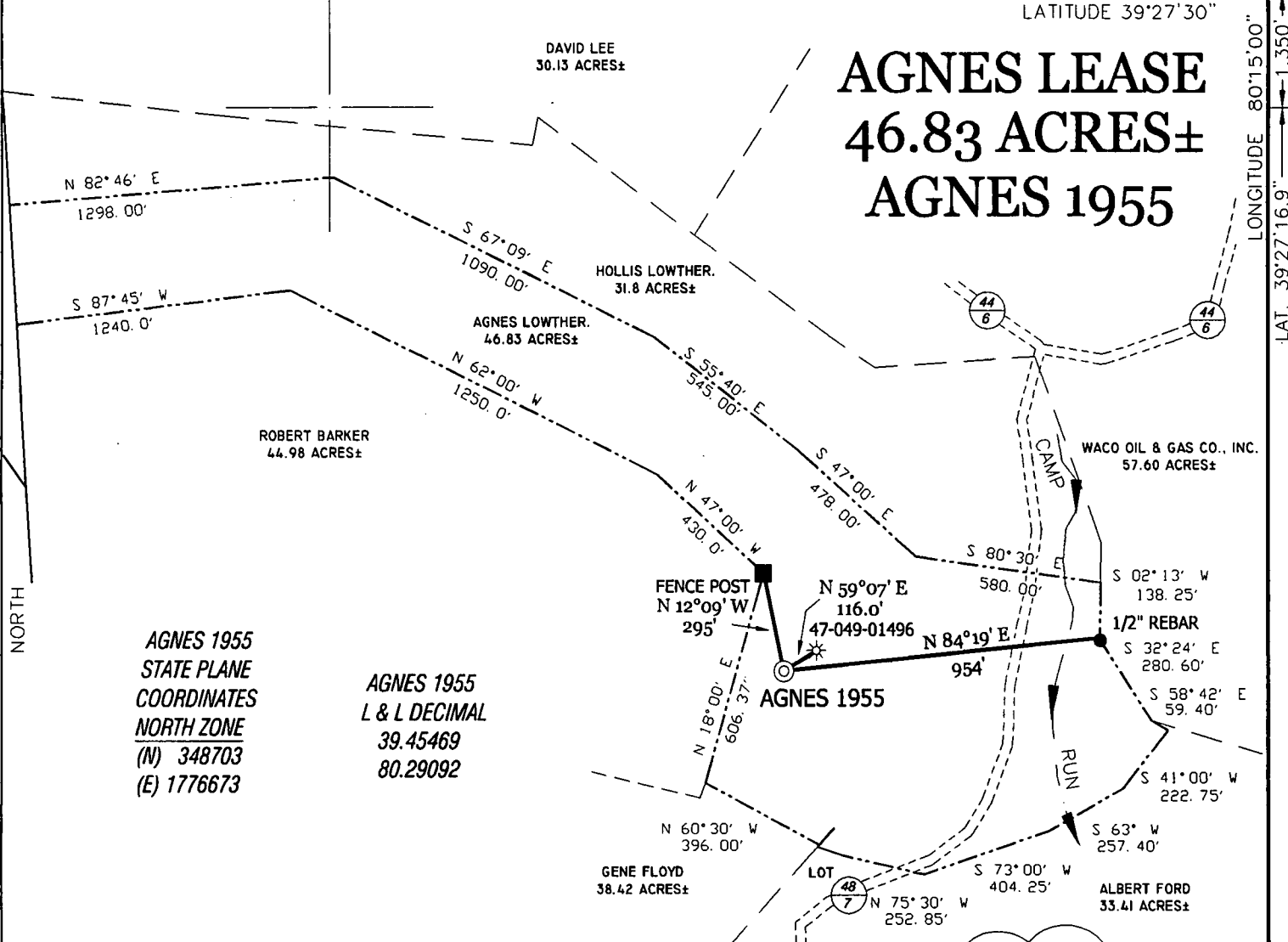


# AGNES LEASE 46.83 ACRES± AGNES 1955

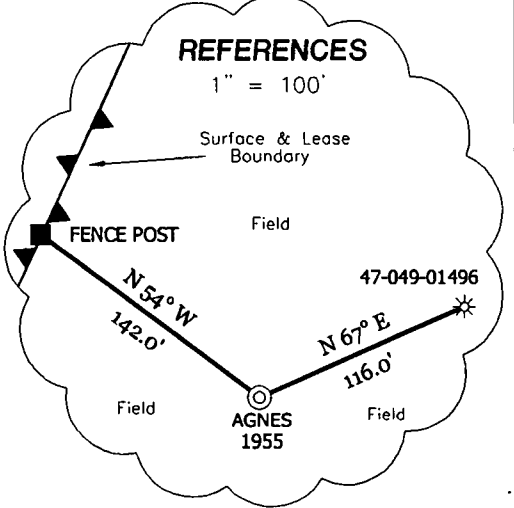
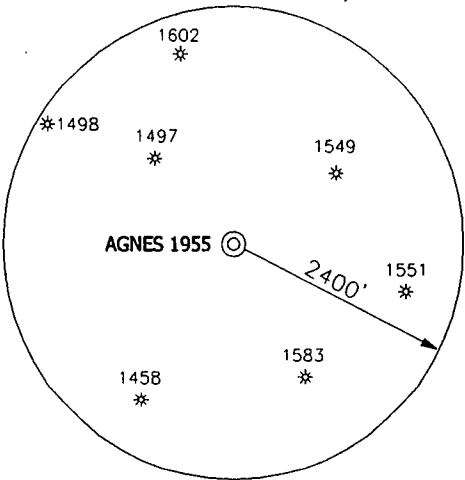


**AGNES 1955  
STATE PLANE  
COORDINATES  
NORTH ZONE  
(N) 348703  
(E) 1776673**

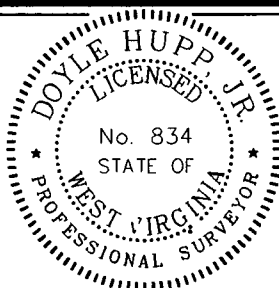
**AGNES 1955  
L & L DECIMAL  
39.45469  
80.29092**

**NOTES ON SURVEY**

TIES TO WELLS AND CORNERS ARE BASED ON STATE PLANE GRID NORTH WV NORTH ZONE NAD '27.  
TIES TO REFERENCES ARE BASED ON MAGNETIC NORTH 10-28-08.  
LEASE BOUNDARY SHOWN HEREON TAKEN FROM DEED RECORDED IN DEED BOOK 963 AT PAGE 1107 AND INFORMATION PROVIDED BY WACO OIL AND GAS CO., INC.  
SURFACE OWNER AND ADJOINER INFORMATION TAKEN FROM THE ASSESSOR AND COUNTY CLERK RECORDS OF MARION COUNTY IN JUNE, 2008 AND INFORMATION PROVIDED BY WACO OIL AND GAS CO., INC.  
WELL LAT./LONG. ESTABLISHED BY DGPS(SUBMETER 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 DIVISION OF ENVIRONMENTAL PROTECTION.



P.S. 834 *Doyle Hupp Jr.*  
**HUPP Surveying & Mapping**  
P.O. Box 647 Grantsville, WV 26147  
(304) 354-7035 EMAIL: hupp@frontiernet.net

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS.  
DATE NOVEMBER 3, 20 08  
OPERATORS WELL NO. AGNES 1955  
API WELL NO. 47-049-01994  
STATE            COUNTY            PERMIT           

MINIMUM DEGREE OF ACCURACY 1/200 FILE NO. W1235 (BK 38-24)  
PROVEN SOURCE OF ELEVATION DGPS (SUBMETER GRADE) SCALE 1" = 500'

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

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

LOCATION : ELEVATION 1,270' WATERSHED CAMP RUN  
DISTRICT LINCOLN COUNTY MARION QUADRANGLE SHINNSTON 7.5'

SURFACE OWNER AGNES K. LOWTHER ACREAGE 46.83±  
ROYALTY OWNER AGNES LOWTHER, et al LEASE ACREAGE 46.83±  
PROPOSED WORK : LEASE NO. \_\_\_\_\_  
DRILL  CONVERT  DRILL DEEPER  REDRILL  FRACTURE OR STIMULATE  PLUG OFF OLD FORMATION  PERFORATE NEW FORMATION  PLUG AND ABANDON  CLEAN OUT AND REPLUG  OTHER \_\_\_\_\_  
PHYSICAL CHANGE IN WELL (SPECIFY) \_\_\_\_\_ TARGET FORMATION MARCELLUS  
ESTIMATED DEPTH 7,500'

WELL OPERATOR WACO OIL & GAS CO., INC. DESIGNATED AGENT STEPHEN E. HOLLOWAY  
ADDRESS P.O. BOX 397 GLENVILLE, WV 26351 ADDRESS P.O. BOX 397 GLENVILLE, WV 26351

COUNTY NAME  
PERMIT



---

**west virginia** department of environmental protection

---

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

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

July 22, 2013

**FINAL INSPECTION REPORT**

**New Well Permit Cancelled**

WACO OIL & GAS CO INC,

The FINAL INSPECTION REPORT for the CANCELLED permit, API Well Number: 47-4901994, issued to WACO OIL & GAS CO INC, and listed below has been received in this office. The permit has been cancelled as of 6/14/2013.

James Martin  
Chief

Operator: WACO OIL & GAS CO INC  
Operator's Well No: AGNES 1955  
Farm Name: LOWTHER, AGNES  
**API Well Number: 47-4901994**  
Date Issued: 12/02/2008

Date Cancelled: 06/14/2013

**Promoting a healthy environment.**

INSPECTORS PERMIT SUMMARY FORM

GPS YES [ ] NO [ ] *Jenkins*

DATE STARTED/LOCATION: \_\_\_\_\_ OPERATOR: WACO OIL & GAS CO INC  
 DRILLING COMMENCED: \_\_\_\_\_ FARM: LOWTHER, AGNES  
 TO DATE: \_\_\_\_\_ DEPTHS: \_\_\_\_\_ Well No: AGNES 1955  
 WATER DEPTHS: \_\_\_\_\_ COAL DEPTHS \_\_\_\_\_

QUESTIONS FOR THIS REPORT ARE IN ACCORDANCE OF WV CODE 22-6-30 AND REGULATIONS 35CSR 4-12.1 AND 35CSR 4-16 AND THE GENERAL WATER POLLUTION CONTROL PERMIT.

POINTS ARE TO BE GIVEN UP TO MAXIMUM AS SHOWN BASED ON PERFORMANCE.

1. DID OPERATOR GIVE PROPER NOTICE TO INSPECTOR BEFORE THE FOLLOWING:
- A. CONSTRUCTION YES [ ] NO [ ] (2\_PTS) **(4\_PTS) \_\_\_\_\_**
  - B. DRILLING YES [ ] NO [ ] (2\_PTS)
2. WAS THE TIMBER CUT, STACKED, AND BRUSH USED FOR SEDIMENT BARRIERS BEFORE DIRT WORK STARTED? YES [ ] NO [ ] (2\_PTS) **(4\_PTS) \_\_\_\_\_**
3. ARE ALL LOCATION AND/OR ROAD BANKS BEING SLOPED? YES [ ] NO [ ] (4\_PTS) **(4\_PTS) \_\_\_\_\_**

4. CONSTRUCTIONS:
- WERE THE FOLLOWING SEDIMENT CONTROL STRUCTURES PROPERLY INSTALLED/MAINTAINED?
- A. ROAD DITCHES (1)\_ (2)\_ (3)\_ (4)\_ (PTS) B. CROSS DRAINS (1)\_ (2)\_ (3)\_ (4)\_ (5)\_ (PTS)
  - C. CULVERTS (1)\_ (2)\_ (3)\_ (4)\_ (5)\_ (PTS) D. CREEK CROSSINGS (1)\_ (2)\_ (3)\_ (PTS)
  - E. DIVERSION DITCHES (1)\_ (2)\_ (3)\_ (PTS) F. BARRIERS (1)\_ (2)\_ (3)\_ (PTS)
  - G. TEMPORARY SEEDING YES [ ] NO [ ] (10\_PTS)
- POINTS AVAILABLE FOR QUESTION 4: (33\_PTS) \_\_\_\_\_**

5. HAS TOP SOIL (IF ANY) BEEN STOCKED PILED? YES [ ] NO [ ] (2\_PTS) **(2\_PTS) \_\_\_\_\_**
6. IS THE PIT PROPERLY INSTALLED AND MAINTAINED? YES [ ] NO [ ] (9\_PTS) **(9\_PTS) \_\_\_\_\_**

7. RECLAMATION:
- A. ROADWAY (1)\_ (2)\_ (3)\_ (PTS) B. LOCATION (1)\_ (2)\_ (3)\_ (PTS)
  - C. PITS (1)\_ (2)\_ (3)\_ (PTS) D. PIPELINES (1)\_ (2)\_ (3)\_ (PTS)
  - E. TANK DIKES (1)\_ (2)\_ (3)\_ (PTS) F. API INSTALLED YES [ ] NO [ ] (3\_PTS)
  - G. ADEQUATE SEEDING MATERIALS (1)\_ (2)\_ (3)\_ (PTS)
  - H. WAS SEED BED ADEQUATE (1)\_ (2)\_ (3)\_ (PTS)
- POINTS AVAILABLE FOR QUESTION 7: (24\_PTS) \_\_\_\_\_**

8. WAS RECLAMATION COMPLETED WITHIN:
- 6 MTHS OF TD 6\_PTS ONLY; 4 MTHS OF TD 12\_PTS ONLY; 2 MTHS OF TD 19\_PTS ONLY;
- POINTS AVAILABLE FOR QUESTION 8: (19\_PTS) \_\_\_\_\_**

TOTAL MAXIMUM POSSIBLE SCORE OF 99 **JUN 24 2013** TOTAL RECLAMATION SCORE: \_\_\_\_\_

*6-14-13* **WV Department of Environmental Protection** *Matthew Hersh...*  
 DATE RELEASED **INSPECTOR'S SIGNATURE**



---

**west virginia** department of environmental protection

---

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

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

December 02, 2008

**WELL WORK PERMIT**

**New Well**

This permit, API Well Number: 47-4901994, issued to WACO OIL & GAS CO INC, 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 all 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 drilling, 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 35CSR-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) 926-0499 ext. 1654.

James Martin  
Chief

Operator's Well No: AGNES 1955  
Farm Name: LOWTHER, AGNES  
**API Well Number: 47-4901994**  
**Permit Type: New Well**  
Date Issued: 12/02/2008

**Promoting a healthy environment.**

**STATE OF WEST VIRGINIA**  
**DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**WELL WORK PERMIT APPLICATION**

49-01994

49-3-606

- 1) Well Operator : Waco Oil & Gas Co. Inc.
- 2) Operator's Well Number : Agnes 1955
- 3) Elevation: 1270
- 4) Well type : (a) Oil  or Gas   
 (b) If Gas: Production  Deep  Underground Storage  Shallow
- 5) Proposed Target Formation(s) : Marcellus
- 6) Proposed Total Depth: 7500 feet
- 7) Approximate fresh water strata depths : 88
- 8) Approximate salt water depths: 1820
- 9) Approximate coal seam depths : 570
- 10) Does land contain coal seams tributary to active mine? Yes  No

11) Proposed Well Work : Drill and stimulate new well.

12) *possible underground mine - Williams No. 98 Consolidated Coal*

**RECEIVED**  
 Office of Oil & Gas  
 NOV 13 2008

**CASING AND TUBING PROGRAM**

WV Department of Environmental Protection

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT Fill-Up (Cubic Ft.)
	Size	Grade	Weight Per Ft.	For Drilling	Left in Well	
<b>Conductor</b>						
<b>Fresh Water</b>						
<b>Coal</b>	113/4or9/5/8	API	32 or 26 lb	620	620	CTS
<b>Intermediate</b>	85/8 or 7	API	23 or 17 lb	1870	1870	CTS
<b>Production</b>	5 1/2	API	15 lb	7500	7500	300 sks.
<b>Tubing</b>						
<b>Liners</b>						

A Deep Well Drilling Permit is required for penetrating the Onondaga Limestone more than 20 feet.

PACKERS : Kind  
 Sizes  
 Depths Set

For Office of Oil and Gas Use Only

- Fee(s) paid:  Well Work Permit  Reclamation Fund  WPCP
  - Plat  WW-9  WW-2B  Bond \_\_\_\_\_  Agent
- (Type)

*ckoo 6823  
650*

*TAJ  
6 Nov 08*

1) Date: 11/6/2008  
2) Operator's well number  
Agnes 1955  
3) API Well No: 47- 49- 01994  
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT  
DIVISION OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS**

**NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:

(a) Name Agnes Lowther ✓  
Address RR 1 Box 271  
Worthington, WV 26591

(b) Name  
Address

(c) Name  
Address

5) (a) Coal Operator:

Name Consol c/o Don Puglio ✓  
Address 4000 Brownsville Rd  
South Park Pa 15219

(b) Coal Owner(s) with Declaration  
Name N/A  
Address

Name  
Address

6) Inspector Tristan Jenkins  
Address 2310 Williams Ave  
Clarksburg WV 26301  
Telephone (304) - 552-3874

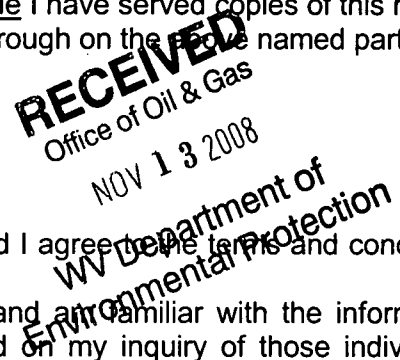
(c) Coal Lessee with Declaration  
Name N/A  
Address

**TO THE PERSON(S) NAMED ABOVE TAKE NOTICE THAT:**

- Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas OR
- Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

I certify that as required under Chapter 22 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through on the above named parties, by:

- Personal Service (Affidavit attached)
- Certified Mail (Postmarked postal receipt attached)
- Publication (Notice of Publication attached)



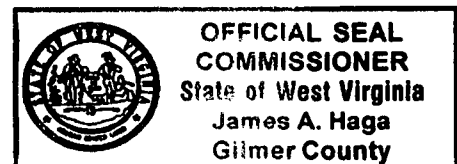
I have read and understand Chapter 22-6 and 38 CSR 11-18, and I agree to the terms and conditions of any permit issued under this application.

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, 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 and imprisonment.

Well Operator Waco Oil & Gas Co., Inc.  
By: Stephen E. Holloway  
Its: Land Manager  
Address P.O. Box 397  
Glennville, WV 26351  
Telephone 304-462-5347

Subscribed and sworn before me this 6th day of November, 2008  
My commission expires 12/14/2019 Notary Public



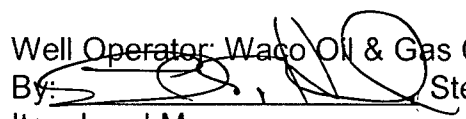
Information supplied Under West Virginia Code  
Chapter 22, Article 6, Section 8 (d)  
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that:

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil and gas are as follows:

Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
Agnes Lowther	Waco Oil & Gas Co. I	1/8	991/437
F Bowman	Waco Oil & Gas Co I	1/8	991/584
T Foreman	Waco Oil & Gas Co I	1/8	991/1048

**RECEIVED**  
Office of Oil & Gas  
NOV 13 2008  
WV Department of  
Environmental Protection

Well Operator: Waco Oil & Gas Co., Inc.  
By:  Stephen E. Holloway  
Its: Land Manager

49-01994

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.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

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

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<input checked="" type="checkbox"/>	Contractor Name	<u>Reliance Laboratories – Bridgeport, WV</u>
<input type="checkbox"/>	Well operator's private laboratory	
	Well Operator	<u>WACO Oil &amp; Gas Co., Inc.</u>
	Address	<u>P.O. Box 397</u>
		<u>Glenville, WV 26351</u>
	Telephone	<u>(304) 462-5347</u>

**RECEIVED**  
Office of Oil & Gas

NOV 13 2008

WV Department of Environmental Protection

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 underlining which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

NOTE:          There appears to be no potable water sources within 1,000', therefore there will be no tests run.

  X   There appears to be   6+   potable water sources within 1,000', therefore tests will be offered and samples taken as required.



49-01994

**HUPP Surveying & Mapping**  
P.O. BOX 647  
GRANTSVILLE, WV 26147  
(304) 354-7035 [hupp@frontiernet.net](mailto:hupp@frontiernet.net) FAX: (304) 354-6548

---

November 3, 2008

RE: Water Samples for Agnes 1955

There appears to be seven (7) potable water sources within 1,000' of Agnes 1955, therefore tests should be offered and samples taken as required.

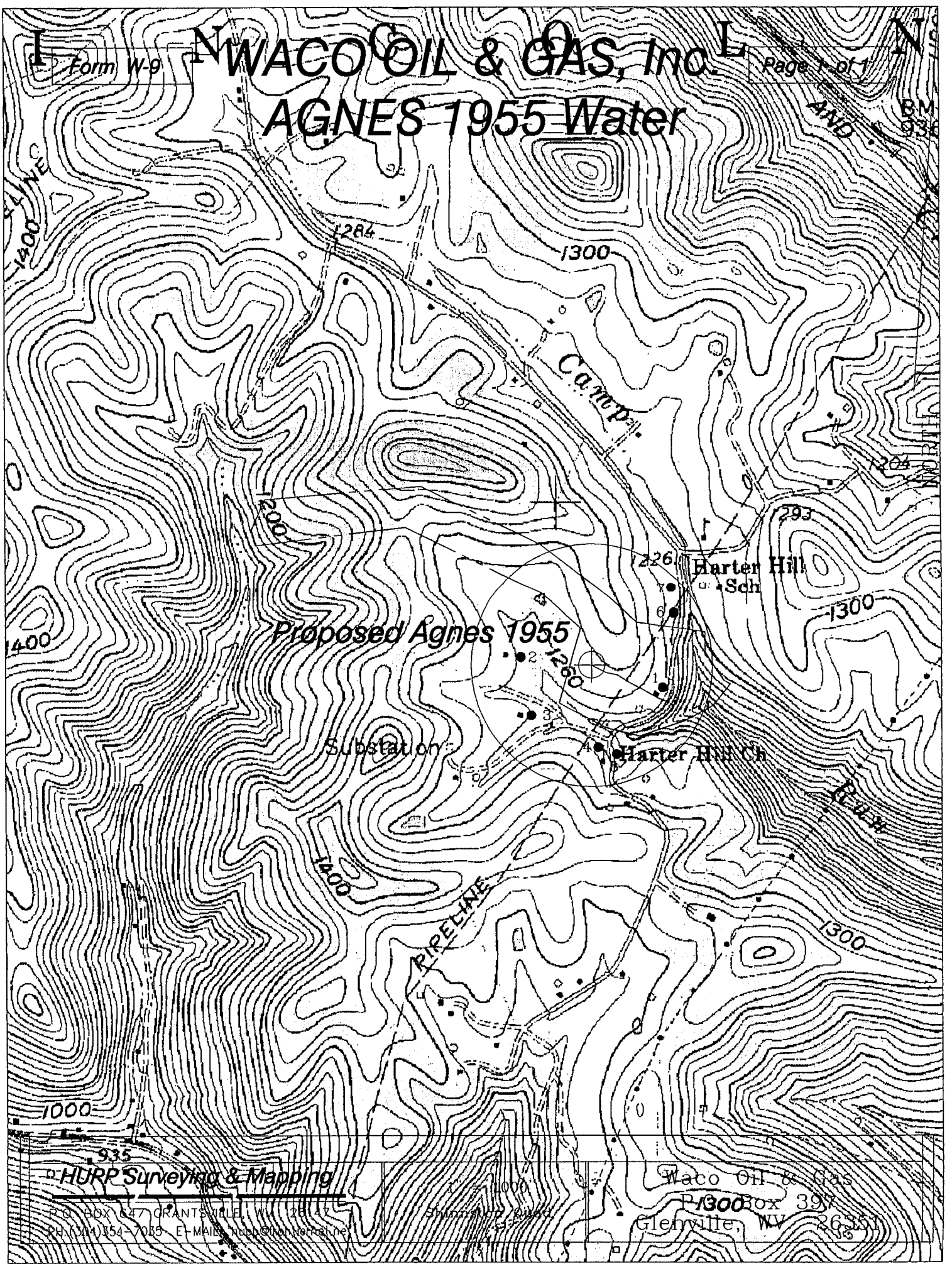
1. Agnes Lowther  
RR 1 Box 271  
Worthington, WV 26591  
Tax Map 53 Parcel 22.1
2. Robert & Willetta Barker  
P.O. Box 11  
Worthington, WV 26591  
Tax Map 53 Parcel 21
3. Gene & Linda Floyd  
65 Farmers PL  
Worthington, WV 26591  
Tax Map 53 Parcel 20
4. L.W. Gwinn Heirs  
708 Oberlin Rd.  
Augusta, GA 30909  
Tax Map 53 Parcels 17 & 18
5. Robert & Eloise Ison  
313 Bellview Ave.  
Fairmont, WV 26554  
Tax Map 53 Parcel 16.1
6. Hollis Lowther  
RR 1 Box 271  
Worthington, WV 26591  
Tax Map 53 Parcel 22
7. David & Nancy Lee  
RR 1 Box 191  
Fairmont, WV 26554  
Tax Map 53 Parcel 23

**RECEIVED**  
Office of Oil & Gas  
NOV 13 2008  
WV Department of  
Environmental Protection

# WACO OIL & GAS, INC.

## AGNES 1955 Water

BM 936



*Proposed Agnes 1955*

Substations

Harten Hill Sch

Harten Hill Ch

PIPELINE

HURP Surveying & Mapping

P.O. BOX 647 GRANTSVILLE, WV 24847  
PH: (304) 854-7085 E-MAIL: hurp@earthlink.net

Waco Oil & Gas  
P.O. Box 397  
Glenville, WV 26331

STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

Operator Name Wao Oil & Gas Co. Inc OP Code

Watershed Camp Run Quadrangle 7.5'

Elevation 1270 County Marion District Lincoln

Will a synthetic liner be used in the pit ? yes.

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 )

Proposed Work For Which Pit Will Be Used:

- Drilling
- Workover
- Other ( Explain )
- Swabbing
- Plugging

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term and 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

RECEIVED  
Office of Oil & Gas  
NOV 13 2008

Company Official ( Typed Name ) Stephen E. Holloway

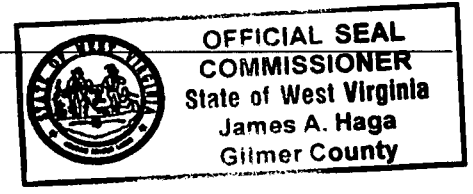
Company Official Title Land Manager

WV Department of  
Environmental Protection


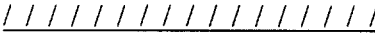
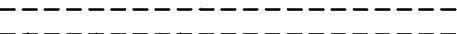

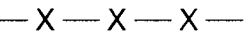





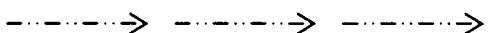










Subscribed and sworn before me this 10th day of Nov. 2008

Notary Public

My Commission expires 12/14/2017



**LEGEND**

Property Boundary 	Diversion 
Road 	Spring 
Existing Fence 	Wet Spot 
Planned Fence 	Drain Pipe with size in inches 
Stream Drain 	Waterway 
Open Ditch 	Cross Drain 
Rock 	Artificial Filter Strip 
North N 	Pit: cut walls 
Buildings 	Pit: compacted fill walls 
Water Wells 	Area for Land Application of Pit Waste 
Drill Site 	

Proposed Revegetation Treatment: Acres Disturbed 2.5 Prevegetation pH

Lime 3 Tons/acre or to correct to pH 6.5

Fertilizer ( 10-20-20 or equivalent ) 500 lbs/acre ( 500 lbs minimum )

Mulch hay 2/ fiber 3/4 Tons/acre

**Seed Mixtures**

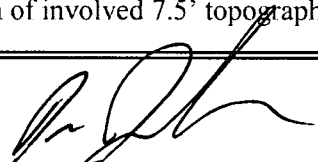
Area I		Area II	
Seed Type	Lbs/acre	Seed Type	Lbs/acre
Orchardgrass	35		
Timothy	15		
Alsike Clover	5		

Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by:



Title: *0/4 GAS Inspector*

Date: *6/11/08*

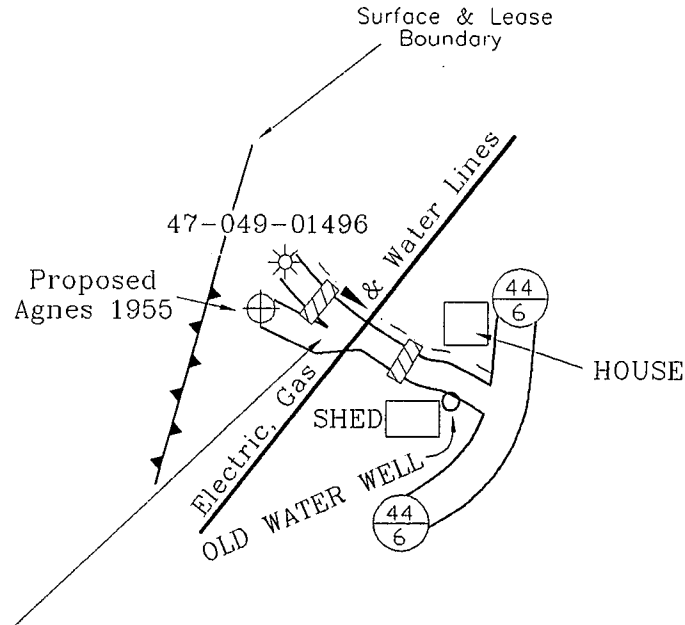
Field Reviewed?  Yes  No

49-01994

# Waco Oil & Gas Co., Inc.

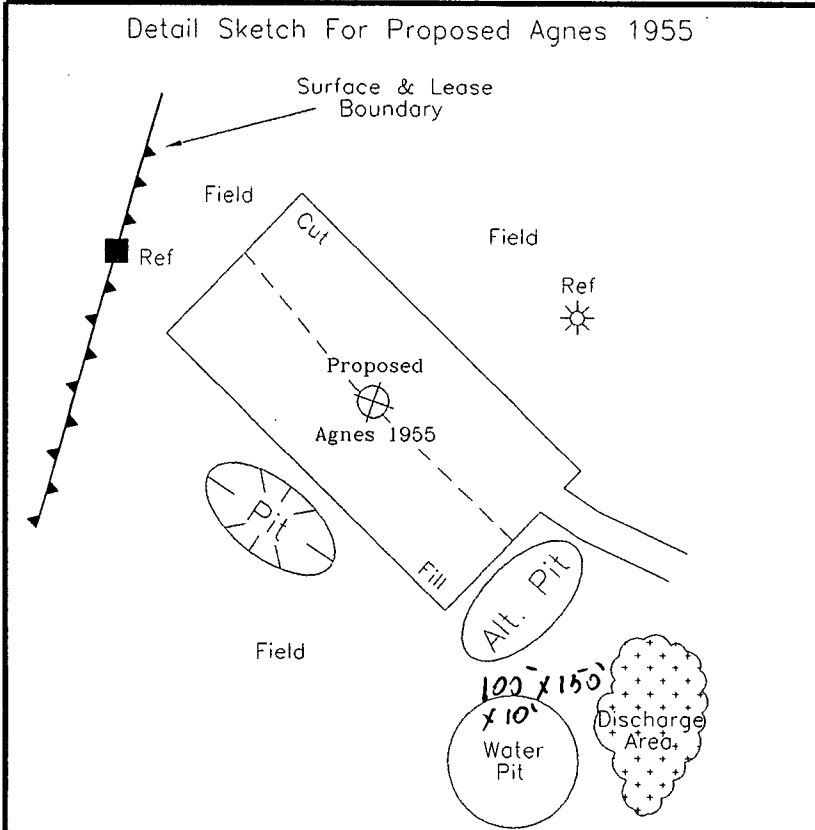
## Agnes 1955

600' +/- @ 2% to 4%  
Spacing 250' to 170'



Road Is Existing To Here.  
Upgrade Drainage Devices Where Needed.  
Begin New Construction

Drawing Not To Scale NORTH



Install Minimum 12" Culvert

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

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

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

CONTRACTORS/COMPANY ARE RESPONSIBLE FOR LOCATING UTILITIES WHETHER SHOWN ON THIS PLAN OR NOT.

TEMPORARY SEED AND MULCH ALL SLOPES AFTER CONSTRUCTION OF LOCATION.

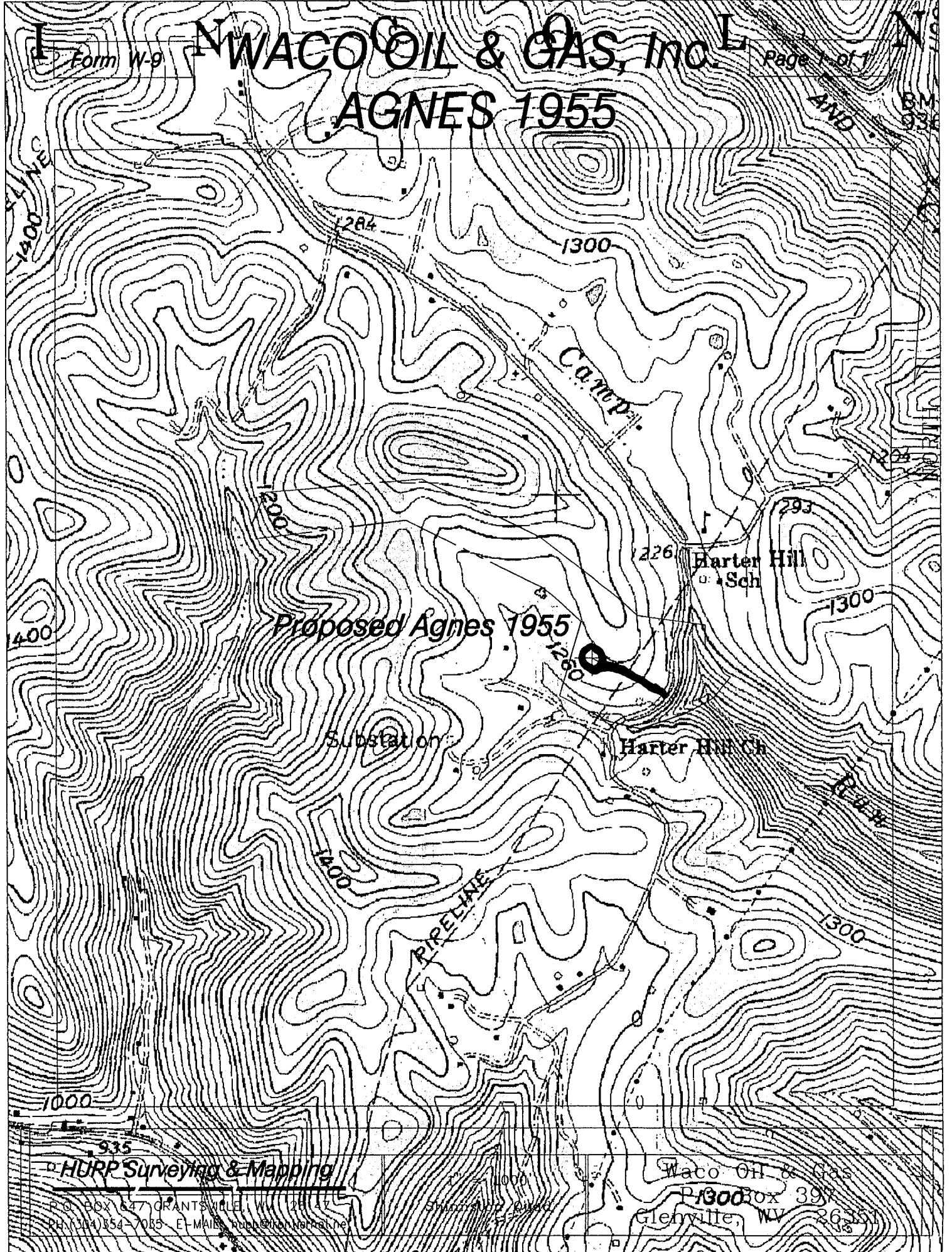
CUT AND STACK ALL TIMBER ABOVE 6-INCHES AND ABOVE.

STACK BRUSH BELOW LOCATION FOR SEDIMENT CONTROL.

<b>HUPP Surveying &amp; Mapping</b> P.O. BOX 647 GRANTSVILLE, WV 26147 PH:(304)354-7035 E-MAIL: hupp@frontiernet.net	Drafted BY:	Date Drafted:	Job Number:
	DB	11/03/08	W20041235

# NWACO OIL & GAS, INC.

## AGNES 1955



HURP Surveying & Mapping

P.O. BOX 647 GRANTSVILLE, WV 24847  
PH: (304) 854-7085 E-MAIL: hurp@harp.net

Waco Oil & Gas  
P.O. Box 397  
Glenville, WV 26351

Instructions to Surface Owners (cont.)

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  
Division of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
(304) 926-0450

OR ) District Oil and Gas Inspector  
(Name and address listed on obverse  
side of this notice)

**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 **FIFTEEN (15) 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 (if you have a telephone), the well operator's name and well number, and the approximate location of the proposed well site including the 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.**

**List of Water testing Laboratories.** The Office maintains a list of water testing laboratories which you can hire to test your water to establish water quality prior to and after drilling. Contact the Chief to obtain a copy.

**VOLUNTARY STATEMENT OF NO OBJECTION**

I hereby state that I have read the instructions to the surface owners and that I have received copies of a Notice and Application for a Well Work Permit on Form WW-2A, and attachments consisting of pages 1 through including a work order on Form WW-2B, a survey plat, and a soil and erosion plan, all for proposed well work on my surface land as described therein.

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 based on those materials.

(For execution by natural person)

(For execution by corporation, etc.)

Agnes K. Lawther Date Nov 10, 08  
(Signature)

Name \_\_\_\_\_  
By \_\_\_\_\_  
Its \_\_\_\_\_ Date \_\_\_\_\_  
Date \_\_\_\_\_  
(Signature)

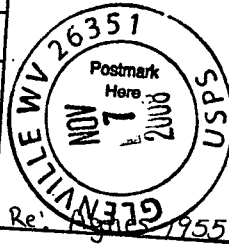
7004 2510 0003 0321 6413

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .93
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.83</b>



Re: Ag 12-1955

Sent To  
 Leatherwood, Inc. 40 Dan Puglia  
 Street, Apt. No.;  
 or PO Box No. 4000 Brownsville Road  
 City, State, ZIP+4  
 South Park, PA 15219

PS Form 3800, June 2002

See Reverse for Instructions

**RECEIVED**  
Office of Oil & Gas

NOV 13 2008

WV Department of  
Environmental Protection



Operator: WACO OIL & GAS CO INC  
API: 4901994  
WELL No: AGNES 1955  
Reviewed by: AB Date: 11/17  
15 Day End of Comment: 12/2

### CHECKLIST FOR FILING A PERMIT

#### New Well

- WW-2B
- Inspector signature on WW-2B
- WW-2A (Notarized)
- Certified Mail Receipts, Waivers, or Affidavits of Personal Service
- Surface Owner Waiver
- Coal Owner / Lessee / Operator Waiver
- WW-2A-1 (Signed) Showing Book/Page Number and Royalty Percentage
- WW-2B-1 (Names, addresses, and spot on topographical map listed as water testing) (6)
- WW-9 (Page 1 & 2) (Notarized)
- Inspector Signature on WW-9
- Reclamation plan
- Topographic Map of location of well
- Mylar Plat (Signed and Sealed) (Surface owner on plat matches WW-2A)
- Bond
- Company is Registered with the SOS
- Worker's Compensation / Unemployment Insurance account is OK
- \$650.00 check (\$550.00 if no pit)

*Falls exactly on API: 1496  
References show API 1496 116 feet away*

*X*