



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

November 20, 2015

WELL WORK PLUGGING PERMIT

Plugging

This permit, API Well Number: 47-6900002, issued to TUNNEL RIDGE, LLC, 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.

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. The above named operator will also file, as required in WV Code 22-6-23, an affidavit on form WR-38 by two experienced persons in the operator's employment and the Oil and Gas inspector that the work authorized under this permit was performed and a description given. Failure to abide by all statutory and regulatory provisions governing all duties and operations here under may result in suspensions or revocation of this permit and in addition may result in civil and/or criminal penalties being imposed upon the operator.

This permit will expire in two (2) years from date of issue. If there are any questions, please free to contact me at (304) 926-0499 ext. 1654.


James Martin
Chief

Operator's Well No: 1
Farm Name: RODGERS, J.M.
API Well Number: 47-6900002
Permit Type: Plugging
Date Issued: 11/20/2015

Promoting a healthy environment.

11/20/2015

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. 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.

Clk# 1000109707

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WW-4B
Rev. 2/01

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1) Date 08/11, 2015
2) Operator's Well No. 1
3) API Well No. 47-069 - 0002

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 XXXX / Liquid injection ____ / Waste disposal ____ /
(If "Gas, Production XXXX or Underground storage ____) Deep ____ / Shallow XXXX

5) Location: Elevation 1009 Watershed Rices Run of Castleman Run
District Liberty County Ohio Quadrangle Bethany

6) Well Operator Tunnel Ridge, LLC 7) Designated Agent John Dubowski
Address 2596 Battle Run Road, Triadelphia, WV 26059 Address 2596 Battle Run Road
Triadelphia, WV 26059

8) Oil and Gas Inspector to be notified Name Eric Blend
Address PO Box 2115
Wheeling, WV 26003
9) Plugging Contractor Name _____
Address _____

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

See attached Petition to Modify
MSHA 101 C.

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

OK given

Work order approved by inspector _____ Date _____

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STATE OF WEST VIRGINIA - DEPARTMENT OF ENVIRONMENTAL PROTECTION

SPECIAL NOTICE OF PLUGGING OF AN ABANDONED OIL OR GAS WELL BY AN INTERESTED PARTY WHO IS NOT THE OWNER OR OPERATOR OF THE WELL.

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ABANDONED WELL TO BE PLUGGED:

API Well No: 47- 0069 0002

Elevation: 1009 Watershed: Rices Run of Castleman Run

District: Liberty County: Ohio

Public Road access: _____

Generally used Farm Name: J.M. Rodgers

Other description of location: 620' south of Rices Run Rd. and McCoy Rd Intersection

NOTICE TO:

[List any owners of the surface of the land upon which such abandoned well exists and their address or their location for service.]

Lewis I. Rodgers
94 McCoy Road
Valley Grove, WV 26060

[List any owner or operator of such abandoned well of record with the Secretary of the Department of Environmental Protection their address or their location for service]

[List any oil or gas lessee of record with the Secretary of the Department of Environmental Protection and their address or location for service:]

NOTICE FROM:
Interested Party Proposing to Plug Well

Name: Tunnel Ridge, LLC

Address: 2596 Battle Run Road

Triadelphia, WV 26059

Telephone: 304-547-2904

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DOES THE INTERESTED PARTY ELECT TO TAKE THE CASING, EQUIPMENT, AND OTHER SALVAGE WHICH MAY RESULT FORM THE PLUGGING OF THE WELL? [] YES [] NO

If the interested party has checked "no" then the surface owners may elect to take any casing, equipment or other salvage by sending a notice to the interested party at the address listed above. The interested party must then leave the salvage at a location which will not adversely affect reclamation. If the surface owners do not elect to take the salvage, the interested party must properly dispose of the salvage.

[Service of this notice may be by certified mail return receipt requested (file the return receipt card with the Department of Environmental Protection DEP), personal service (file form WW-70 with the DEP) or by such manner as is sufficient for service of process in a civil action in court (with corresponding proof of service to be filed with the DEP). In the event there is no owner or operator of record with the Chief or no oil and gas lessee of record with the Chief, this notice must be posted in a conspicuous place at or near the well. Service and posting must be done at least 20 days prior to entering onto the surface to began plugging.]

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STATE OF WEST VIRGINIA - DEPARTMENT OF ENVIRONMENTAL PROTECTION

SPECIAL NOTICE OF PLUGGING OF ABANDONED OIL OR GAS WELL BY AN INTERESTED PARTY

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NOTICE INFORMATION FOR SURFACE OWNERS, WELL OWNERS AND OPERATORS, AND OIL AND GAS LESSEES

It is lawful pursuant to The West Virginia Abandoned Well Act (W.Va. Code 22-6-1 et seq.) and the rules and regulations promulgated pursuant to that law (all of which will be called the "Act" in the rest of this notice) for any interested person, the operator of a well, or the Chief of the Department of Environmental Protection (Chief) to enter upon the premises where any abandoned well is situated and properly plug or replug the well and reclaim any area disturbed by the plugging or replugging. A permit to do the plugging or replugging must be obtained from the West Virginia Department of Environmental Protection.

You are hereby notified that the party proposing to plug the oil or gas well identified on the reverse side of this notice is claiming to be an "interested party" in the plugging of that well as that term is defined by the Act. This interested party is claiming that well is "abandoned" within the meaning of W. Va. Code 22-6-19 because it is a dry hole or because it has not been in "use" for a period of 12 months and no satisfactory proof of a "bona fide" future use" for the well has been furnished to the Director.

ADDITIONAL NOTICE INFORMATION FOR SURFACE OWNERS

Any interested person who plugs a well pursuant to the provision of the Act must repair the damage or disturbance resulting from the plugging or compensate the surface owners for the damage or disturbance. This requirement of the Act is in addition to any rights and remedies any party may have pursuant to common law or other statutes. The compensation provided by the Act if the interested party does not fully repair the damage or disturbance is (i) the reasonable cost of repairing or placing any water well, (ii) the reasonable value of any crops destroyed, damaged or prevented from reaching market, (iii) the reasonable cost of repair to personal property up to the value of the replacement value of personal property of like age, wear and quality, (iv) lost income or expense incurred, and (v) reasonable costs to reclaim or repair real property including roads.

When the interested person is finished with the reclamation, the interested person must send the surface owners a letter advising that the reclamation has been completed. If the surface owners do not agree with the interested party that as to the adequacy of the repairs performed or the amount of compensation to which the surface owners may be entitled, either party may bring a civil action in court. In addition either party upon written notice to the other may elect to have that issue finally determined by binding arbitration pursuant to W. Va. Code 55-10-1 et seq. For materials further explaining the arbitration process please contact the Chief.

ADDITIONAL NOTICE INFORMATION FOR OWNERS OR OPERATORS OF WELLS

In the event the owner or operator of a well fails or has failed to plug an abandoned well in accordance with laws and regulations in effect at the time the well is or was first subject to plugging requirements, any interested persons who plugs or replugs such well pursuant to the provisions of this section may recover from the owner or operator of such well all reasonable costs incidental to such plugging or replugging, including any compensation provided for in this section. In the event funds from the oil and gas reclamation fund established pursuant to section twenty-nine, article one of this chapter are used to plug or replug such well, the Secretary shall be entitled to recover from the owner or operator of such well any amounts so expended from the fund. Any amounts so recovered by the Chief shall be deposited in said fund.

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.

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U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939**MAR 28 2012**In the matter of:
Tunnel Ridge LLC
Tunnel Ridge Mine
I. D. No. 46-08864

Petition for Modification

Docket No. M-2011-019-C

PROPOSED DECISION AND ORDER

On April 25, 2011, a petition was filed seeking a modification of the application of 30 C.F.R. § 75.1700 to Petitioner's Tunnel Ridge Mine located near Triadelphia in Ohio County, West Virginia. The petitioner alleges that the alternative method outlined in the petition will at all time guarantee no less than the same measure of protection afforded by the standard.

On September 21, 2011 MSHA conducted an investigation of the petition and filed a report of their findings and recommendations with the Administrator for Coal Mine Safety and Health. After a careful review of the entire record, including the petition and MSHA's investigative reports, this Proposed Decision and Order (PDO) is issued.

Finding of Fact and Conclusion of Law

The Tunnel Ridge Mine will operate in the Pittsburgh No. 8 coal seam. The average depth of cover is 550 feet. The mining height will average 84 inches in this seam and continuous mining sections will use room and pillar methods to develop longwall gate road entries for subsequent longwall retreat mining.

The alternative method proposed by the Petitioner (as amended by the recommendations of MSHA) will at all times guarantee no less than the same measure of protection afforded the miners under 30 C.F.R. § 75.1700.

On the basis of the petition and the findings of MSHA's investigation, Tunnel Ridge LLC, is granted a modification of the application of 30 C.F.R. § 75.1700 to its Tunnel Ridge Mine.

ORDER

Under the authority delegated by the Secretary of Labor to the Administrator for Coal Mine Safety and Health and under § 101(c) of the Federal Mine Safety and Health Act of

You can now file your MSHA forms online at www.MSHA.gov. It's easy, it's fast, and it saves you money!

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1977, 30 U.S.C. § 811(c) and 30 C.F.R. Part 44, a modification of the application of 30 C.F.R. § 75.1700 at the Tunnel Ridge Mine is hereby:

GRANTED, subject to the following terms and conditions:

1. **DISTRICT MANAGER APPROVAL REQUIRED**

- a. A safety barrier of 300 feet in diameter (150 feet between any mined area and a well) shall be maintained around all oil and gas wells until approval to proceed with mining has been obtained from the district manager.
- b. Prior to mining within the safety barrier around any well, the mine operator shall provide to the district manager a sworn affidavit or declaration executed by a company official stating that all mandatory procedures for cleaning out, preparing, and plugging each gas or oil well have been completed as described by the terms and conditions of this order. The affidavit or declaration must be accompanied by all logs described in subparagraphs 2(a)(2) and 2(a)(3) below and any other records described in those subparagraphs which the district manager may request. The district manager will review the affidavit or declaration, the logs and any other records that have been requested, and may inspect the well itself, and will then determine if the operator has complied with the procedures for cleaning out, preparing and plugging each well as described by the terms and conditions of this Order. If the district manager determines that the procedures have been complied with, he will provide his approval, and the mine operator may then mine within the safety barrier of the well, subject to the terms of this Order.
- c. The terms and conditions of this Order apply to all types of mining.

2. **MANDATORY PROCEDURES FOR CLEANING OUT, PREPARING, PLUGGING, AND REPLUGGING OIL OR GAS WELLS**

a. **MANDATORY PROCEDURES FOR CLEANING OUT AND PREPARING OIL AND GAS WELLS PRIOR TO PLUGGING OR REPLUGGING**

- (1) The operator shall completely clean out the well from the surface to at least 200 feet below the base of the lowest mineable coal seam, unless the district manager requires cleaning to a greater depth based on his judgment as to what is required due to the geological strata, or due to the pressure within the well (the operator shall provide the district manager with all information it possesses concerning the geological nature of the strata and the pressure of the well). The operator shall remove all material from the entire diameter of the

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well, wall to wall. Directing high pressure water jets at the outer walls of the well along the entire length to be cleaned will satisfy this provision with respect to the outer walls.

- (2) The operator shall prepare down-hole logs for each well. They shall consist of a caliper survey and log(s) suitable for determining the top, bottom, and thickness of all coal seams and potential hydrocarbon producing strata and the location for a bridge plug. The district manager may approve the use of a down-hole camera survey in lieu of down-hole logs if in his judgment such logs would not be suitable for obtaining the above-listed data. Whichever method is used, a journal shall be maintained describing the depth of each material encountered, the nature of each material encountered; bit size and type used to drill each portion of the hole; length and type of each material used to plug the well; length of casing(s) removed, perforated or ripped or left in place; and other pertinent information concerning cleaning and sealing the well. Invoices, work-orders, and other records relating to all work on the well shall be maintained as part of this journal and provided to MSHA upon request.
- (3) When cleaning out the well as provided for in subparagraph (a)(1), the operator shall make a diligent effort to remove all of the casing in the well. If it is not possible to remove all of the casing, then the operator must take appropriate steps to ensure that the annulus between the casing and between the casings and the well walls are filled with expanding (minimum 0.5% expansion upon setting) cement and contain no voids. Any casing which remains shall be perforated or ripped. From 10 feet below the coal seam to 10 feet above the coal seam, the operator shall perforate or rip at intervals of at least 5 feet. Beyond this distance, perforations or rips are required at least every 50 feet from at least 200 feet below the base of the lowest mineable coal seam up to 100 feet above the seam being mined, unless the district manager requires a greater distance based on his judgment that a greater distance is required due to the geological strata, or due to the pressure within the well. When a mineable seam exists which is higher than the seam being mined, the operator shall contact the owner of that seam by certified mail and offer to perforate or rip and plug the well to 100 feet above that seam in accordance with the procedures specified in this Agreement, in exchange for payment for the additional cost by that owner. If the owner accepts the operator's offer, then the operator shall perforate or rip and plug the well to 100 feet above that seam in accordance with the procedures specified in this Agreement. If the operator, using a casing bond log, can demonstrate to the satisfaction of the district manager that all annuli in the well are already adequately sealed with cement, then the operator will not be required to perforate or rip the casing for that particular well. When multiple casing and tubing strings are present in the coal horizon(s), any casing which remains shall be ripped or perforated and filled with

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expanding cement as indicated above. An acceptable casing bond log for each casing and tubing string is needed if used in lieu of ripping or perforating multiple strings.

- (4) If the district manager concludes that the completely cleaned-out well is emitting excessive amounts of gas, the operator must place a mechanical bridge plug in the well. It must be placed in a competent stratum at least 200 feet below the base of the lowest mineable coal seam, but above the top of the uppermost hydrocarbon-producing stratum, unless the district manager requires a greater distance based on his judgment that it is required due to the geological strata, or due to the pressure within the well (the operator shall provide the district manager with all information it possesses concerning the geological nature of the strata and the pressure of the well). If it is not possible to set a mechanical bridge plug, an appropriately sized packer may be used.
- (5) If the upper-most hydrocarbon-producing stratum is within 300 feet of the base of the lowest mineable coal seam, the operator shall properly place mechanical bridge plugs as described in subparagraph (a)(4) to isolate the hydrocarbon producing stratum from the expanding cement plug. Nevertheless, the operator shall place a minimum of 200 feet of expanding cement below the lowest mineable coal seam, unless the district manager requires a greater distance based on his judgment that it is required due to the geological strata, or due to the pressure within the well.

b. MANDATORY PROCEDURES FOR PLUGGING OR REPLUGGING OIL OR GAS WELLS TO THE SURFACE.

After completely cleaning out the well as specified in paragraph 2(a) above, the following procedures shall be used to plug or replug gas or oil wells to the surface:

- (1) The operator shall pump expanding cement slurry down the well to form a plug which runs from at least 200 feet below the base of the lowest mineable coal seam (or lower if required by the district manager based on his judgment that a lower depth is required due to the geological strata, or due to the pressure within the well) to the surface. The expanding cement will be placed in the well under a pressure of at least 200 pounds per square inch. Portland cement or a lightweight cement mixture may be used to fill the area from 100 feet above the top of the uppermost mineable coal seam (or higher if required by the district manager based on his judgment that a higher distance is required due to the geological strata, or due to the pressure within the well) to the surface. When a mineable seam exists which is higher than the seam being mined, the operator shall contact the owner of that seam by certified mail and offer to plug the well to 100

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feet above that seam with expanding cement, in exchange for payment for the additional cost by that owner. If the owner accepts the operator's offer, then the operator shall plug the well to 100 feet above that seam with expanding cement.

- (2) The operator shall embed steel turnings or other small magnetic particles in the top of the cement near the surface to serve as a permanent magnetic monument of the well. In the alternative, a 4 1/2 inch or larger casing, set in cement, shall extend at least 36 inches above the ground level with the API well number engraved or welded on the casing

c. MANDATORY PROCEDURES FOR PLUGGING OR REPLUGGING OIL AND GAS WELLS FOR USE AS DEGASIFICATION BOREHOLES.

After completely cleaning out the well as specified in paragraph 2(a) above, the following procedures shall be utilized when plugging or replugging oil or gas wells that are used as degasification boreholes:

- (1) The operator shall set a cement plug in the well by pumping an expanding cement slurry down the tubing to provide at least 200 feet of expanding cement below the lowest mineable coal seam, unless the district manager requires a greater depth based on his judgment that a greater depth is required due to the geological strata, or due to the pressure within the well. The expanding cement will be placed in the well under a pressure of at least 200 pounds per square inch. The top of the expanding cement shall extend at least 100 feet above the top of the coal seam being mined, unless the district manager requires a greater distance based on his judgment that a greater distance is required due to the geological strata, or due to the pressure within the well.
- (2) The operator shall securely grout into the bedrock of the upper portion of the degasification well a suitable casing in order to protect it. The remainder of this well may be cased or uncased.
- (3) The operator shall fit the top of the degasification casing with a wellhead equipped as required by the district manager in the approved ventilation plan. Such equipment may include check valves, shut-in valves, sampling ports, flame arrestor equipment, and security fencing.
- (4) Operation of the degasification well shall be addressed in the approved ventilation plan. This may include periodic tests of methane levels and limits on the minimum methane concentrations that may be extracted.
- (5) After the area of the coal mine that is degassed by a well is sealed or

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the coal mine is abandoned, the operator must seal degas holes using the following procedures:

- (i) The operator shall insert a tube to the bottom of the drill hole or, if not possible, to at least 100 feet above the American Eagle Coal Seam. Any blockage must be removed to ensure that the tube can be inserted to this depth.
- (ii) The operator shall set a cement plug in the well by pumping Portland cement or a lightweight cement mixture down the tubing until the well is filled to the surface.
- (iii) The operator shall embed steel turnings or other small magnetic particles in the top of the cement near the surface to serve as a permanent magnetic monument of the well. In the alternative, a 4 1/2 inch or larger casing, set in cement, shall extend at least 36 inches above the ground level with the API well number engraved or welded on the casing.

d. MANDATORY ALTERNATIVE PROCEDURES FOR PREPARING AND PLUGGING OR REPLUGGING OIL OR GAS WELLS.

The following provisions apply to all wells which the operator determines, and the MSHA district manager agrees, cannot be completely cleaned out due to damage to the well caused by subsidence, caving or other factors.

- (1) The operator shall drill a hole adjacent and parallel to the well, to a depth of at least 200 feet below the lowest mineable coal seam, unless the district manager requires a greater depth based on his judgment that a greater depth is required due to the geological strata, or due to the pressure within the well.
- (2) The operator shall use a geophysical sensing device to locate any casing which may remain in the well.
- (3) If the well contains casing(s), the operator shall drill into the well from the parallel hole. From 10 feet below the coal seam to 10 feet above the coal seam, the operator shall perforate or rip all casings at intervals of at least 5 feet. Beyond this distance, the operator shall perforate or rip at least every 50 feet from at least 200 feet below the base of the lowest mineable coal seam up to 100 feet above the seam being mined, unless the district manager requires a greater distance based on his judgment that a greater distance is required due to the geological strata, or due to the pressure within the well. The operator shall fill the annulus between the casings and between the casings and the well wall with expanding (minimum 0.5% expansion upon setting) cement, and shall ensure that these areas contain no voids. If the operator, using a casing bond log, can demonstrate to the satisfaction of the district manager that the annulus of the well is

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adequately sealed with cement, then the operator will not be required to perforate or rip the casing for that particular well, or fill these areas with cement. When multiple casing and tubing strings are present in the coal horizon(s), any casing which remains shall be ripped or perforated and filled with expanding cement as indicated above. An acceptable casing bond log for each casing and tubing string is needed if used in lieu of ripping or perforating multiple strings.

- (4) Where the operator determines, and the district manager agrees, that there is insufficient casing in the well to allow the method outlined in subparagraph (d)(3) to be used, then the operator shall use a horizontal hydraulic fracturing technique to intercept the original well. From at least 200 feet below the base of the lowest mineable coal seam to a point at least 50 feet above the seam being mined, the operator shall fracture in at least six places at intervals to be agreed upon by the operator and the district manager after considering the geological strata and the pressure within the well. The operator shall then pump expanding cement into the fractured well in sufficient quantities and in a manner which fills all intercepted voids.
- (5) The operator shall prepare down-hole logs for each well. They shall consist of a caliper survey and log(s) suitable for determining the top, bottom, and thickness of all coal seams and potential hydrocarbon producing strata and the location for the bridge plug. The operator may obtain the logs from the adjacent hole rather than the well if the condition of the well makes it impractical to insert the equipment necessary to obtain the log. The district manager may approve the use of a down-hole camera survey in lieu of down-hole logs if in his judgment such logs would not be suitable for obtaining the above-listed data or are impractical to obtain due to the condition of the drill hole. A journal shall be maintained describing the depth of each material encountered, the nature of each material encountered; bit size and type used to drill each portion of the hole; length and type of each material used to plug the well; length of casing(s) removed, perforated or ripped or left in place; and other pertinent information concerning sealing the well. Invoices, work-orders, and other records relating to all work on the well shall be maintained as part of this journal and provided to MSHA upon request.
- (6) After the operator has plugged the well as described in subparagraphs (d)(3) and/or (d)(4), the operator shall plug the adjacent hole, from the bottom to the surface, with Portland cement or a lightweight cement mixture. The operator shall embed steel turnings or other small magnetic particles in the top of the cement near the surface to serve as a permanent magnetic monument of the well. In the alternative, a 4 1/2 inch or larger casing, set in cement, shall extend at least 36 inches above the ground level.

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A combination of the methods outlined in subparagraphs (d)(3) and (d)(4) may have to be used in a single well, depending upon the conditions of the hole and the presence of casings. The operator and the district manager should discuss the nature of each hole. The district manager may require that more than one method be utilized.

3. **MANDATORY PROCEDURES AFTER APPROVAL HAS BEEN GRANTED BY THE DISTRICT MANAGER TO MINE WITHIN THE SAFETY BARRIER, OR TO MINE THROUGH A PLUGGED OR REPLUGGED WELL**

- a. A representative of the operator, a representative of the miners, the appropriate State agency, or the MSHA district manager may request that a conference be conducted prior to mining through any plugged or replugged well. Upon receipt of any such request, the district manager shall schedule such a conference. The party requesting the conference shall notify all other parties listed above within a reasonable time prior to the conference to provide opportunity for participation. The purpose of the conference shall be to review, evaluate, and accommodate any abnormal or unusual circumstance(s) related to the condition of the well or surrounding strata when such conditions are encountered.
- b. The operator shall mine through a well on a shift approved by the district manager. The operator shall notify the district manager and the miners' representative in sufficient time prior to mining-through a well in order to provide an opportunity to have representatives present.
- c. When using continuous mining methods, the operator shall install drivage sights at the last open crosscut near the place to be mined to ensure intersection of the well. The drivage sites shall not be more than 50 feet from the well. When using longwall-mining methods, drivage sights shall be installed on 10-foot centers for a distance of 50 feet in advance of the well. The drivage sights shall be installed in the headgate.
- d. The operator shall ensure that fire-fighting equipment including fire extinguishers, rock dust, and sufficient fire hose to reach the working face area of the mine through (when either the conventional or continuous mining method is used) is available and operable during all well mine throughs. The fire hose shall be located in the last open crosscut of the entry or room. The operator shall maintain the water line to the belt conveyor tailpiece along with a sufficient amount of fire hose to reach the farthest point of penetration on the section. When the longwall mining method is used, a hose to the longwall water supply is sufficient.
- e. The operator shall ensure that sufficient supplies of roof support and ventilation materials shall be available and located at the last open crosscut. In addition, emergency plugs shall be available in the immediate area of the mine through.

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- f. On the shift prior to mining through the well, the operator shall service all equipment and check it for permissibility
- g. The operator shall calibrate the methane monitor(s) on the longwall, continuous mining machine, or cutting machine and loading machine on the shift prior to mining through the well.
- h. When mining is in progress, the operator shall perform tests for methane with a handheld methane detector at least every 10 minutes from the time that mining with the continuous mining machine or longwall face is within 30 feet of the well until the well is intersected and immediately prior to mining through it. During the actual cutting process, no individual shall be allowed on the return side until the mine through has been completed and the area has been examined and declared safe. All workplace examinations will be conducted on the return side of the shearer while the shearer is idle.
- i. When using continuous or conventional mining methods, the working place shall be free from accumulations of coal dust and coal spillages, and rock dust shall be placed on the roof, rib, and floor to within 20 feet of the face when mining through the well. On longwall sections, rock dusting shall be conducted and placed on the roof, rib, and floor up to both the headgate and tailgate gob.
- j. When the well is intersected, the operator shall de-energize all equipment, and thoroughly examine and determine safe the area before mining is resumed.
- k. After a well has been intersected and the working place determined safe, mining shall continue in by the well a sufficient distance to permit adequate ventilation around the area of the well.
- l. No open flame shall be permitted in the area until adequate ventilation has been established around the well bore. The operator shall apply a thick layer of rock dust to the roof, face, floor, ribs and any exposed coal within 20 feet of the casing prior to any use of torches.
- m. Non-sparking (brass) tools will be located on the working section and will be used to expose and examine cased wells.
- n. No person shall be permitted in the area of the mine through operation except those actually engaged in the operation, including company personnel, representatives of the miners, personnel from MSHA, and personnel from the appropriate State agency.
- o. The operator shall alert all personnel in the mine to the planned intersection of the well prior to their going underground if the planned intersection is to occur during their shift. This warning shall be repeated for all shifts until the well has been mined through.

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specific objections to the proposed decision. A party other than Petitioner who has requested a hearing may also comment upon all issues of fact or law presented in the petition, and any party to this action requesting a hearing may indicate a desired hearing date. If no request for a hearing is filed within 30 days after service thereof, the Decision and Order will become final and must be posted by the operator on the mine bulletin board at the mine.



Charles J. Thomas
Deputy Administrator for
Coal Mine Safety and Health

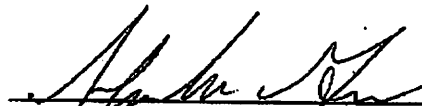
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11/20/2015

Certificate of Service

I hereby certify that a copy of this proposed decision was served personally or mailed, postage prepaid, this 28 day of March, 2012, to:

Mr. Jack Price, Safety Director
Tunnel Ridge Mine
2596 Battle Run Road
Triadelphia, West Virginia 26059



Shameka Green
Secretary

cc: C.A. Phillips, Director, Division of Mines and Minerals West Virginia
Department of Energy

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WEST VIRGINIA DEPARTMENT OF MINES
OIL & GAS SECTION
PRELIMINARY DATA SHEET NO. 1

File No. _____ Well No. 1
L.M. IRWIN Company, of Avella, Pa.
on the J.M. RODGERS Farm
containing 45 acres. Location Liberty
District, in Ohio County, W. Va.

The surface of the above tract is owned in fee by _____
J.M. RODGERS of West Alexander, Pa. address, and the
mineral rights are owned by J.M. TIMMONS of West Alexander, Pa

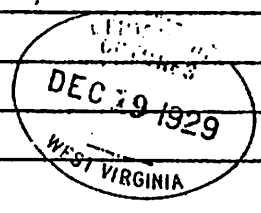
The oil and gas privileges are held under lease by the
above named company, and this well is drilled under permit No. 1
issued by the West Virginia Department of Mines, Oil and Gas Section,
November, 9 1929.

Elevation of surface at top of well, 1009 Spirit
Barometer.
The number of feet of the different sized casings used in the well.

12 feet _____ feet 1 3/4" size. Wood conductor.
18 feet 7" _____ feet 10" size, csg. _____ feet _____ sized csg.
121 feet 8" size, csg. _____ feet _____ sized csg.
_____ feet _____ size, csg. _____ feet _____ sized csg.
_____ packer of _____ size, set at _____
_____ packer of _____ size, set at _____
_____ in, casing perforated at _____ foot to _____ feet.
_____ in, casing perforated at _____ foot to _____ feet.

Coal was encountered at 112 feet; thickness 1 foot inches, and at
306 feet; thickness 2 feet inches; and at 372 feet;
thickness 4 feet inches.

Liners were used as follows: (Give details) none



Date, _____
Approved [Signature]
By _____ (Title)

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COMPLETION DATA SHEET NO. 2

FORMATION RECORD

NAME	COLOR	CHARACTER	OIL, GAS OR WATER	TOP	BOTTOM	THICKNESS	TOTAL DEPTH	REMARKS
Surface	Black					10	10	
Creek Sand	Dark	Soft		10	12	2	12	
Lime	White	Hard		12	18	6	18	
Slate	Dark	Soft	Water	18	24	6	24	enough to
Lime	White	Hard		24	32	8	32	drill with
Slate	Dark	Soft	Water	32	40	8	40	Hole full
Lime	White	Hard	35 ft	40	60	20	60	
Slate	Dark	Soft		60	75	15	75	
Lime	White	Hard		75	85	10	85	
Slate	Dark	Soft		85	112	27	112	
Waynesburg	Black	Soft		112	113	1	113	
Slate	Dark	Soft		113	152	39	152	
Lime	White	Hard	Water-151	152	160	8	160	3 Bailers-
Slate	Dark	Soft	160	160	185	25	185	1 1/2 hours
Lime	White	Hard		185	210	25	210	
Slate	Dark	Soft		210	220	10	220	
Lime	White	Hard		220	300	80	300	
Slate	Dark	Soft		300	308	8	308	
Mapletown								
Coal	Black	Soft		308	308	0	308	
Slate	Dark	Soft		308	315	7	315	
Lime	White	Hard		315	322	7	322	
Slate	Dark	Soft		322	338	16	338	
Lime	White	Hard		338	350	12	350	
Slate	Black	Soft		350	372	22	372	
Pgh. Coal	Black	Soft		372	376	4	376	
Lime	White	Hard		376	382	6	382	
Slate	White	Soft		382	425	43	425	
Lime	White	Hard		425	450	25	450	
Red Rock	Red	Soft		450	460	10	460	
Slate	Light	Soft		460	505	45	505	
Lime	White	Hard		505	528	23	528	
Murphy Sand	White	Hard		528	632	104	632	
Slate	Dark	Soft		632	636	4	636	
Lime Shells	White	Hard		636	641	5	641	
Slate	White	Soft		641	655	14	655	
Lime	White	Hard		655	685	30	685	
Slate	Dark	Soft		685	730	45	730	
Red Rock,	Red	Soft		730	736	6	736	
Slate	Dark	Soft		736	760	24	760	
L. Dunkard	Dark	Hard		760	760	0	760	
Slate	Black	Soft		760	798	38	798	

Hall was not shot at _____ feet; well was shot at _____ feet.

Fresh water at 35 feet; fresh water at 151 feet.

Well was dry hole.

12/18/29
Date

Approved R. P. Brown
Owner

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NOTE: All bottom formations must be noted as indicated above and all key-rocks and oil and gas sands must be recorded under their proper geological names in the district as well as any local names for which strata that may be common to the district.

11/20/2015

J.M. Rodgers NO. 1 WELL.

No. 5 O.F. - Ohio

Liberty District, Ohio County, W. Va.

By L. M. Irwin.

Preliminary data sheet missing.

Completion data sheet No. 2, marked Ohio-1, dated Aug. 18, 1929,
and filed with Dept. of Mines Sept. 19, 1929.

Well was shot at 529-538'.

Fresh water at 16'; salt water at 645'. *Point Ohio - 2*

Dry hole.

	Top.	Bottom.
Subsoil	0	13
Shale, white, soft (hole full of fresh water at 16')	13	140
Lime, white, hard	140	160
Shale, white, soft	160	245
Lime, white, hard	245	290
Shale, dark, soft	290	350
Lime, white, hard	350	375
Pittsburgh Coal, black	375	381
Lime, white, hard	381	395
Shale, white, soft	395	440
Shale, red, soft	440	460
Shale, white, soft	460	529
Murphy Sand, white, medium	529	605
Shale, white, soft	605	635
Sand, white, hard (little salt water at 645')	635	655
Shale, white, soft, to bottom	655	672

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WV Department of
Environmental Protection

11/20/2015

LATITUDE 40° 10' 00"

00' 03" 08"

LONGITUDE



7'5 OGIS topo location

7.5' loc 1.79 S 15' loc _____
 1.63 W (calc.) _____

Company LM Jansin

Farm JM Rodgers #1

Quad BETHANY 7 1/2'

County OHIO

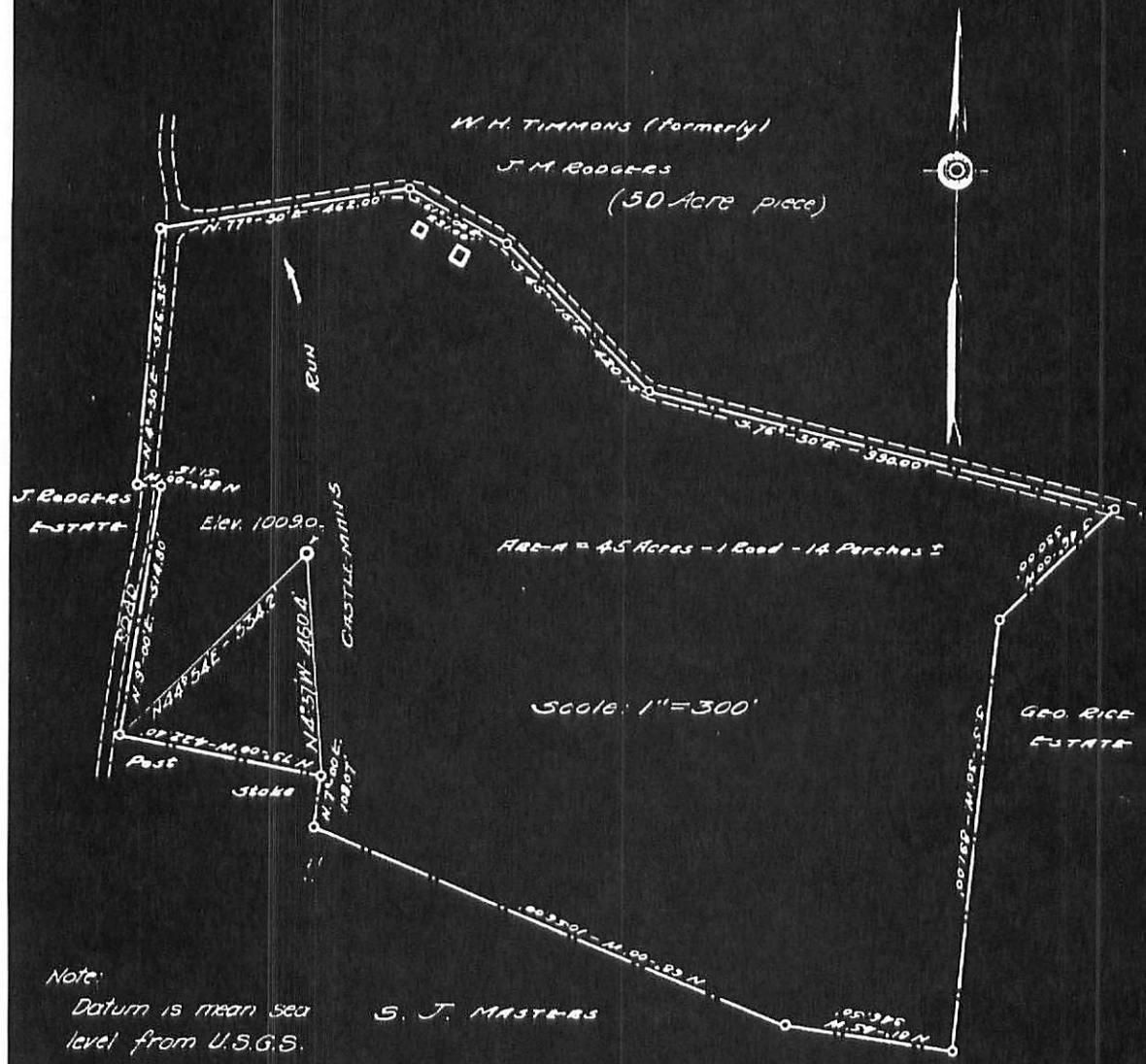
District LIBERTY

WELL LOCATION MAP

File No. 069-6002

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Ohio Department of
Environmental Protection
SEP 16 2013

Plot of the Proposed Location of Well No. 12 of the
of _____ on the
J. MILTON RODGERS Farm, consisting of 45 Acres
Located in LIBERTY District, OHIO County.



Note:
Datum is mean sea level from U.S.G.S.

ENGINEER'S CERTIFICATE

I, the undersigned, hereby certify that this Map is correct and shows all the information to the best of my knowledge and belief, required by the oil and gas section of the Mining Laws of W. VIRGINIA.

ENGINEER

Acknowledged before me a _____
this 30th day of _____ 1929

D. C. Morrow, Engineer
Washington, Pa

WW-4A
Revised 6-07

1) Date: 08/11/2015
2) Operator's Well Number
2
3) API Well No.: 47 - 069 - 0002

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

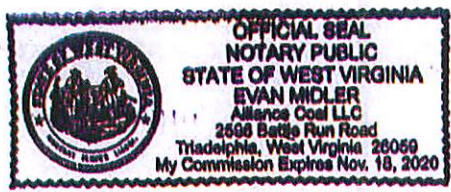
4) Surface Owner(s) to be served:	5) (x) Coal Operator
(a) Name <u>Lewis I. Rodgers</u>	Name <u>Tunnel Ridge, LLC</u>
Address <u>94 McCoy Road</u>	Address <u>2596 Battle Run Road, Triadelphia, WV 26059</u>
<u>Valley Grove, WV 26060</u>	
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name _____
	Address _____
(c) Name _____	Name _____
Address _____	Address _____
6) Inspector _____	(c) Coal Lessee with Declaration
Address _____	Name _____
	Address _____
Telephone _____	

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.

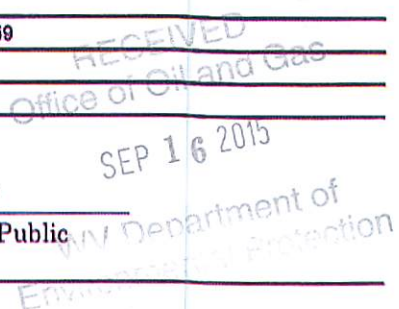


Well Operator Tunnel Ridge, LLC
 By: John Dubowski
 Its: Permitting and Environmental Coordinator
 Address 2596 Battle Run Road, Triadelphia, WV 26059
 Telephone 304-547-2904

Subscribed and sworn before me this 11 day of August 2015
Evan Midler Notary Public
 My Commission Expires November 18 2020

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.



69 0000 2 P

69 0000 2 P

POWER OF ATTORNEY
ALLIANCE COAL, LLC AND SUBSIDIARIES
TO
ROBERT W. RAY
MARCH 31, 2011
EXPIRES: INDEFINITE


KNOW ALL PERSONS BY THESE PRESENTS: That Alliance Coal, LLC (the "Company"), organized and existing under the laws of the State of Delaware, acting on its behalf and on behalf of its wholly owned subsidiaries, does hereby appoint Robert W. Ray, Manager, Permitting and Environmental Compliance of the Company, its true and lawful Attorney-in-Fact with power and authority, for and on behalf and in the name of the Company, to file for, execute, process, or otherwise take necessary action pertaining to environmental applications for air, waste, and water permits, applications for surface disturbance mining permits, renewals thereof, or amendments or supplements thereto, certificates or other instruments directly related to such applications, renewals, amendments or supplements required to be filed with any local, state or federal governmental agency related to the Company's coal mining operations.

All actions taken by said Attorney-in-Fact prior to the date hereof consistent with the authority granted herein are hereby ratified and confirmed.

The Attorney-in-Fact herein appointed shall be authorized to act hereunder from the date hereof only so long as such Attorney-in-Fact shall remain an employee or authorized agent of the Company, or until such earlier time as this instrument has been revoked, annulled, rescinded or set aside by an instrument of revocation filed with the Company, whichever first occurs.

IN WITNESS WHEREOF, the Company has caused this Power of Attorney to be executed on its behalf, and its seal to be hereunto affixed and attested, in the County of Fayette, Commonwealth of Kentucky, as of the day and year first above written, by the undersigned, R. Eberley Davis, the duly authorized Secretary of Alliance Coal, LLC and Subsidiaries.

Alliance Coal, LLC and Subsidiaries

BY: 
R. Eberley Davis
Senior Vice President, General Counsel
and Secretary

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WV Department of
Environmental Protection

69 00002 P

WW-4B

API No. 47-06900002
 Farm Name J.M.Rodgers
 Well No. 2

**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 XXXX / 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: 08/11/2015

Robert Ray

By: 
 Its GM - Permits and Env. Compliance

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 Environmental Department of
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11/20/2015

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Tunnel Ridge, LLC OP Code _____

Watershed (HUC 10) Rices Run of Castleman Run Quadrangle Bethany

Elevation 1009 County Ohio District Liberty

Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes _____ No XXXX

Will a pit be used for drill cuttings? Yes _____ No XXXX

If so, please describe anticipated pit waste: N/A

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

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? NO

Drilling medium anticipated for this well? Air, freshwater, oil based, etc. Air/Water

-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. Landfill

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

-Landfill or offsite name/permit number? Tunnel Ridge refuse facility, O201608

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Office of Oil and Gas

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 [Signature]

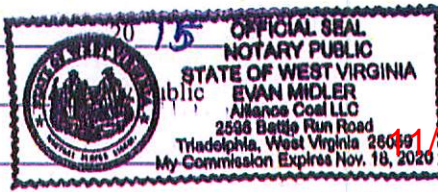
Company Official (Typed Name) John Dubowski

Company Official Title Permitting and Environmental Coordinator

Subscribed and sworn before me this 11 day of August

Evan Midler [Signature]

My commission expires November 18 2020



11/20/2015

69000027A

Form WW-9

Operator's Well No. 2

Tunnel Ridge, LLC

Proposed Revegetation Treatment: Acres Disturbed 0.50 Prevegetation pH _____

Lime _____ Tons/acre or to correct to pH 6.0 to 7.0

Fertilizer (10-20-20 or equivalent) 600 lbs/acre (500 lbs minimum)

Mulch 0.5 Tons/acre

Seed Mixtures

Seed Type	Area I	lbs/acre
Timothy 8, Red Clover		5
Orchard Grass 6, Alsike Clover		3
Annual Rye Grass		9

Seed Type	Area II	lbs/acre
Timothy 8, Red Clover		5
Orchard Grass 6, Alsike Clover		3
Annual Rye Grass		9

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

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: *[Signature]*

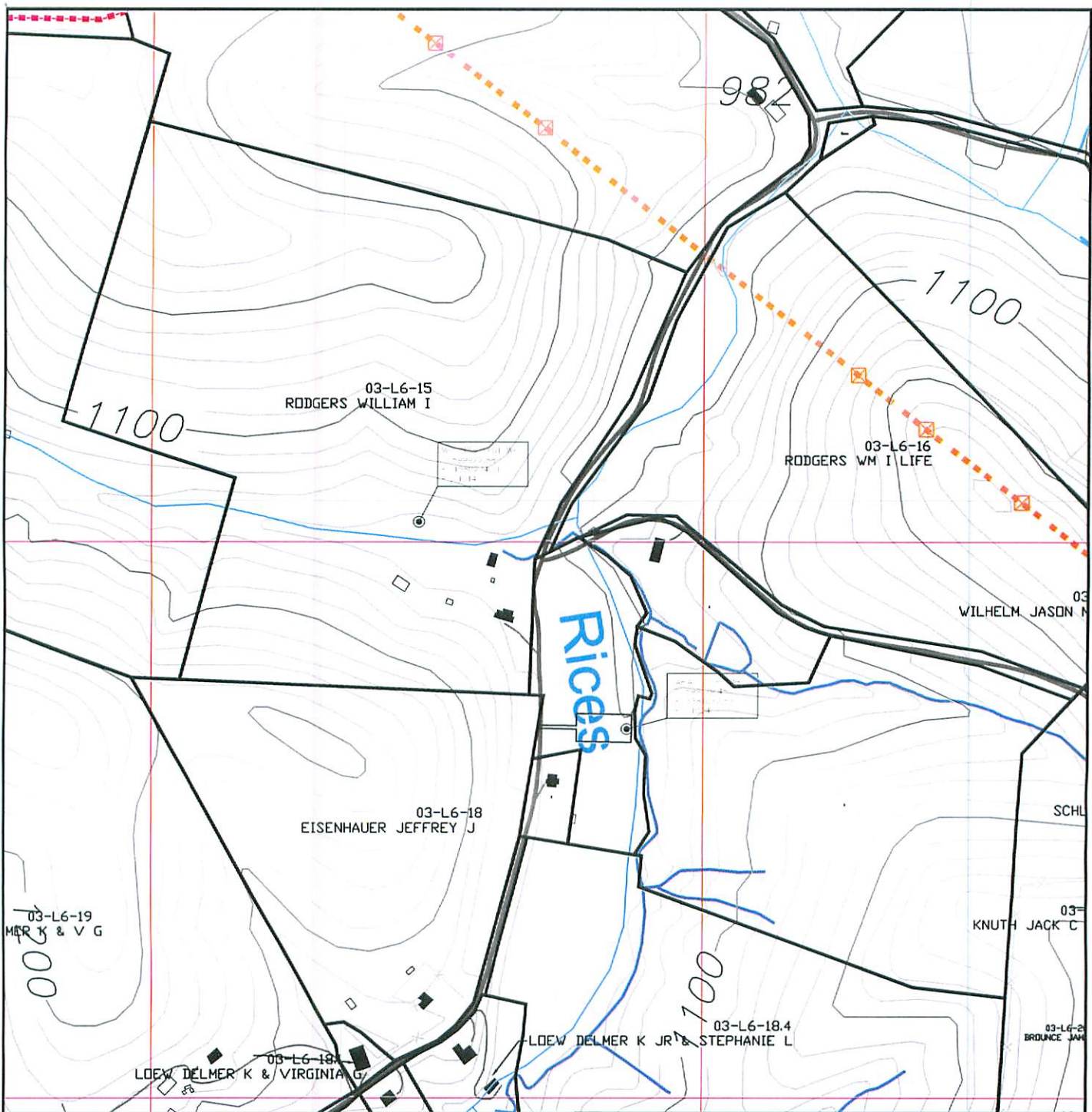
Comments: _____

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WV Department of
Environmental Protection

Title: Permitting Coordinator

Date: 08/11/2015

Field Reviewed? () Yes () No



GAS WELL REPLUG LOCATION MAP

Applicant: Tunnel Ridge, LLC

API: 47-69-0002

District: Liberty

County: Ohio

Contour Interval: N/A

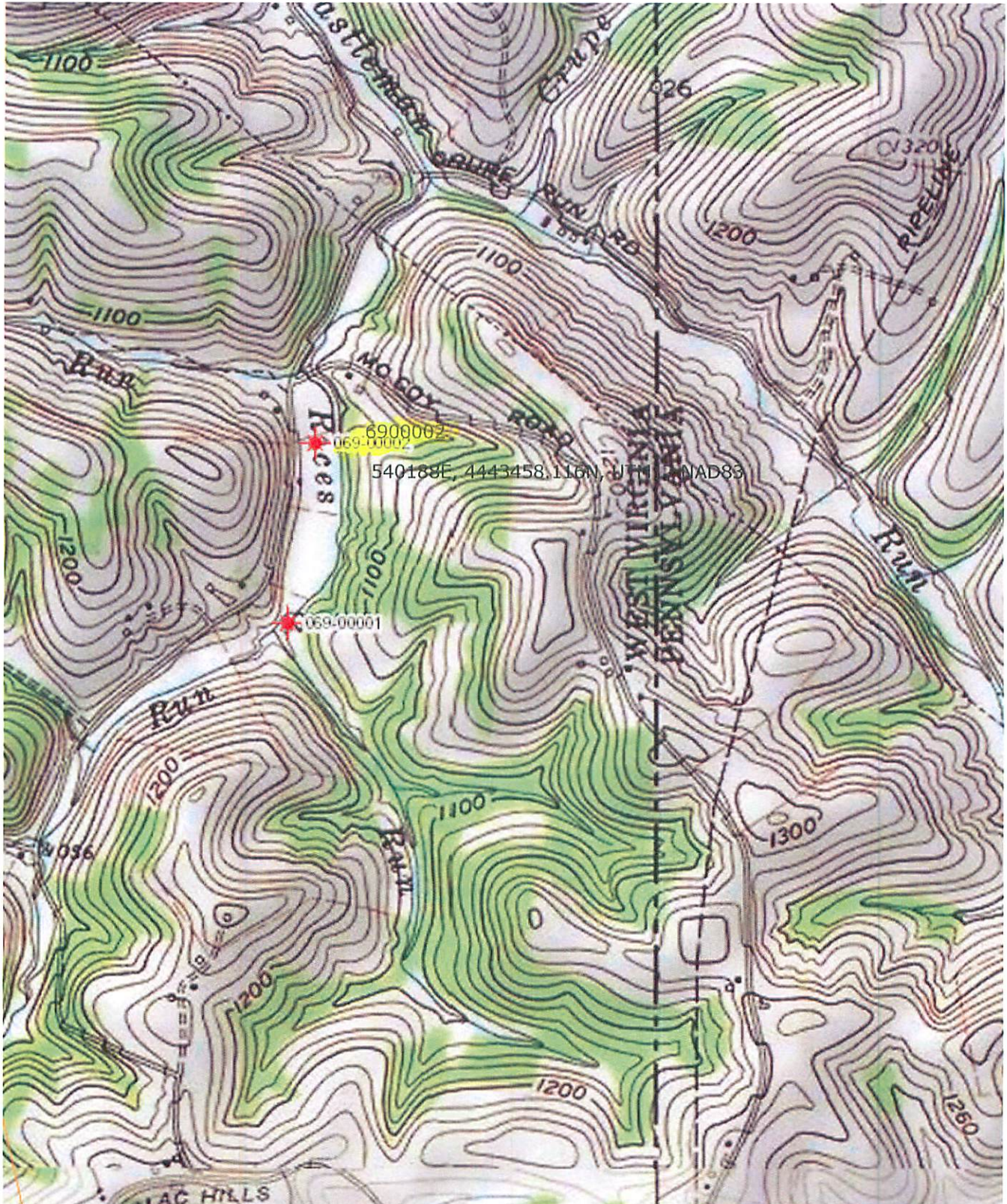
Scale: 1" = 500'

Date: 05/27/2015

Date Revised:



2596 Battle Run Road
 Traidelphia, WV 26059
 Ph: (304) 547-2900
 Fax: (304) 547-2940



11/20/2015

Office**Project**

18 November 2015

INPUTState Plane, NAD83
4701 - West Virginia North, U.S. Feet**OUTPUT**UTM, NAD83
17 - 84W to 78W, Meters

Masters

1/2

Northing/Y: 597773.72**Easting/X:** 1680725.09**Northing/Y:** 4443028.294**Easting/X:** 540101.548**Convergence:** -0 39 23.17808**Scale Factor:** 0.999980402**Convergence:** 0 18 12.40114**Scale Factor:** 0.999619796

Grid Shift (m.): X/Easting = 27815.5, Y/Northing = 4260826.5

Rodgers

2/2

Northing/Y: 599179.45**Easting/X:** 1681032.53**Northing/Y:** 4443458.116**Easting/X:** 540188.034**Convergence:** -0 39 20.78575**Scale Factor:** 0.999981006**Convergence:** 0 18 14.90688**Scale Factor:** 0.999619881

Grid Shift (m.): X/Easting = 27808.3, Y/Northing = 4260827.9

Remark:

Corpscon v6.0.1, U.S. Army Corps of Engineers

11/20/2015

WW-7
8-30-06



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

API: 47-069-0002 WELL NO.: 2

FARM NAME: J.M.Rodgers

RESPONSIBLE PARTY NAME: Tunnel Ridge, LLC

COUNTY: Ohio DISTRICT: Liberty

QUADRANGLE: Bethany

SURFACE OWNER: _____

ROYALTY OWNER: N/A

UTM GPS NORTHING: 4,445,584 4443458.116

UTM GPS EASTING: 538,086 540188.0 GPS ELEVATION: 307.5 (1008.6')

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 XXXX; Post Processed Differential _____
Real-Time Differential XXXX

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]
Signature

Permitting Coordinator
Title

08/11/2015
Date

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Office of Oil and Gas

SEP 16 2015

Department of
[unclear]

REQUEST TO INVEST WEST VIRGINIA CONSOLIDATED INVESTMENT FUND

DEP USE ONLY		STO USE ONLY	
Investment Account # DEPX _____	Date _____	Permit /ID # _____	Fund _____ Doc # _____
Extended Org _____	O&G <input type="checkbox"/>	DMR <input type="checkbox"/>	OWM <input type="checkbox"/>
	Other <input type="checkbox"/>		Position _____ Amount _____

Cash performance bonds posted with the West Virginia Department of Environmental Protection pursuant to Chapter 22 of the Code of West Virginia are eligible for investment in the West Virginia Consolidated Fund, with interest payable to the operator posting the bond. Under the provisions of W.Va. Code §12-6-8 and §12-6C-6, State agencies may request the West Virginia State Treasurer to invest funds administered by them. The State Treasurer sends the moneys to the West Virginia Board of Treasury Investments for inclusion in investments through the Consolidated Fund.

Principal amounts and interest earned may be distributed at any time throughout the year when applicable requirements for the release of bond have been met or upon the substitution of acceptable alternate bonding. Interest on bonds, greater than \$50, included in the Consolidated Fund will be withdrawn from the investor's account and paid to the investor in the first quarter of the calendar year. Interest on bonds less than \$50 will be paid upon request. Upon forfeiture, the principal amount of the bond becomes the property of the Department of Environmental Protection, and the operator will receive interest earned up to the date of forfeiture.

Permittee Name Tunnel Ridge, LLC

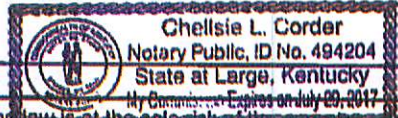
Address 94 McCoy Road
Valley Grove, WV 28060

Phone 304-547-2900

By: [Signature] GM - Permits and Env. Compliance Title Robert Ray Printed Name

Taken, subscribed and sworn to before me this 11th day of August, 2015.

[Signature] Notary Public Commission Expiration July 29, 2017



Investment in the Consolidated Fund for the principal amount required by the applicable bonding laws is at the sole risk of the operator. Any diminishment of the principal amount of the bond due to the performance of the Consolidated Fund does not reduce the requirement of full bonding by the bond participant.

The undersigned does hereby authorize the Department of Environmental Protection to direct the West Virginia State Treasurer to invest the enclosed funds (cash, certified or cashier's checks only) in the West Virginia Consolidated Fund. These deposits are subject to the rules, policies and fee schedules adopted by the State Treasurer.

Investor/Name Tunnel Ridge, LLC

Address 2598 Battle Run Road
Triadelphia, WV 26059

FEIN/Social Security #: 73-0956034 Phone _____

Individual Partnership Corporation Other (Specify)

Sole Proprietorship Estate/Trust

By: [Signature] GM - Permits and Env. Compliance Title Robert Ray Printed Name

Taken, subscribed and sworn to before me this 11th day of August, 2015.

[Signature] Notary Public Commission Expiration July 29, 2017

