

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

83-01251P

AFFIDAVIT OF PLUGGING AND FILLING WELL

AFFIDAVIT SHOULD BE IN TRIPLICATE, one copy mailed to the Department, one copy to be retained by the Well Operator and the third copy (and extra copies if required) should be mailed to each coal operator at their respective addresses.

Farm name: Ruthbell Lumber Company Operator Well No.: Upper Pond 1V

LOCATION: Elevation: 3,740 ft Quadrangle: Bowden 7.5
District: Beverly County: Randolph
Latitude: North Feet South of 39 Deg. 52 Min. 41.1 Sec.
Longitude: West Feet West of 79 Deg. 44 Min. 54.8 Sec.

Well Type: OIL _____ GAS X

Company Novus Operating Coal Operator E&K Properties, L.P.
2963 Ruger Drive or Owner P.O. Box 2057
Royce City, TX 75189 Elkins, WV 26241
Coal Operator Frank E. Wilson Residuary Trust
Agent Anthony J. Beilman, President or Owner c/o Citizens Bank of West Virginia
Permit Issued Date October 19, 2012 213 Third Street, Elkins, WV 26241

AFFIDAVIT

STATE OF WEST VIRGINIA,
County of Monongalia ss:

Bryan Stevens, consultant and Ray Prudnick, Jr., VP Engineering & Operations being first duly sworn according to law depose and say that they are experienced in the work of plugging and filling oil and gas wells and were employed by the above named well operator, and participated in the work of plugging and filling the above well say that said work was commenced on the 25th day of October, 2012, and the well was plugged and filled in the following manner:

TYPE	FROM	TO	PIPE REMOVED	LEFT
Cement Plug #1,2	7838'	8192'		
Cement Plug #3	4840'	4948'	Pipe was not removed from this well.	All cement tops were tagged.
Cement Plug #4	3786'	3898'		
Cement Plug #5	2691'	2801'	Original/Final casing depths:	Well was filled with 3% gel between every plug
Cement Plug #6	2380'	2578'	Conductor: 20" to 70'	
Cement Plug #7	342'	473'	Surface: 13 3/8" to 408'	
Cement Plug #8	0 (GL)	126'	Intermediata: 9 5/8" to 2525'	

Description of monument: 7" pipe, plate with well name, API #, & date and that the work of plugging and filling said well was completed on the 11th day of November, 2012.

And further deponents saith not.

Bryan Stevens
Ray Prudnick, Jr.

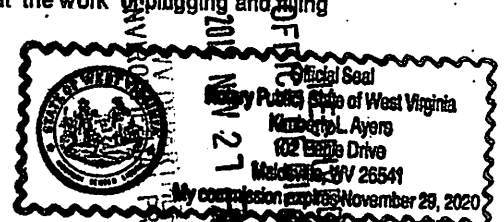
Sworn and subscribe before me this 13th day of November, 2012

My commission expires: 11/29/20

Kimberly L. Ayers
Notary (Public)

Affidavit reviewed by the Office of Oil and Gas: Bill Hathfield

Title: 11/26/12



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11/30/2012