



west virginia department of environmental protection

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

Harold D. Ward, Cabinet Secretary
www.dep.wv.gov

Tuesday, March 14, 2023
WELL WORK PLUGGING PERMIT
Vertical Plugging

BERRY ENERGY, INC.
310 STILES ST

CLARKSBURG, WV 263012252

Re: Permit approval for THOMAS 2
47-091-01058-00-00

This well work permit is evidence of permission granted to perform the specified well work at the location described on the attached pages and located on the attached plat, subject to the provisions of Chapter 22 of the West Virginia Code of 1931, as amended, and all rules and regulations promulgated thereunder, and to any additional specific conditions and provisions outlined in the pages attached hereto. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations, and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Spills or emergency discharges must be promptly reported by the operator to 1-800-642-3074 and to the Oil and Gas Inspector.

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. Please be advised that form WR-38, Affidavit of Plugging and Filling Well, is to be submitted to this office within 90 days of completion of permitted well work, as should form WR-34 Discharge Monitoring Report within 30 days of discharge of pits, if applicable. Failure to abide by all statutory and regulatory provisions governing all duties and operations hereunder may result in suspension or revocation of this permit and, in addition, may result in civil and/or criminal penalties being imposed upon the operators.

Per 35 CSR 4-5.2.g this permit will expire in two (2) years from the issue date unless permitted well work is commenced. If there are any questions, please feel free to contact me at (304) 926- 0450.

James A. Martin
Chief

Operator's Well Number: THOMAS 2
Farm Name: POLHEMUS, MARK & KATH⁺
U.S. WELL NUMBER: 47-091-01058-00-00
Vertical Plugging
Date Issued: 3/14/2023

Promoting a healthy environment.

03/17/2023

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4709101058 P

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.

03/17/2023

1) Date January 25, 2023
 2) Operator's
 Well No. Thomas #2
 3) API Well No. 47-91 - 01058

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 ___ / Liquid injection ___ / Waste disposal ___ /
 (If "Gas, Production ___ or Underground storage ___) Deep ___ / Shallow X
- 5) Location: Elevation 1712' Watershed Tributary of Little Sandy Creek
 District Knottsville County Taylor Quadrangle Thornton (638)
- 6) Well Operator Berry Energy, Inc. 7) Designated Agent David B. Berry
 Address 310 Stiles Street Address 310 Stiles Street
Clarksburg, WV 26301 Clarksburg, WV 26301
- 8) Oil and Gas Inspector to be notified 9) Plugging Contractor
 Name Sam Ward Name Coastal Drilling East, LLC
 Address P.O. Box 2027 Address 130 Meadows Ridge Road
Buckhannon, WV 26201 Mt. Morris, PA 15349

- 10) Work Order: The work order for the manner of plugging this well is as follows:
 See Exhibit Nos. 1 and 2 and MSHA 101-C Exemption

NOTE: Berry Energy, Inc. plans to plug this gas well to meet the MSHA requirements (the 101-C Exemption) for the Leer Mine.

Note: Class A cement will be utilized.

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Appropriate coal seam top = 496.50'

Approximate coal seam bottom = 502.80'

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

Work order approved by inspector Kenneth Greynolds Date _____

Digitally signed by Kenneth Greynolds
 DN: cn = Kenneth Greynolds email = Kenneth.L.Greynolds@wv.gov c = AD O = WVDEP OU = Oil and Gas
 Date: 2023.02.27 14:43:45 -0500

03/17/2023

EXHIBIT NO. 1

From the experience and technology developed since 1970 in plugging oil and gas wells for mining through, ICG Tygart Valley, LLC will utilize the following method to plug all future wells.

SOLID PLUG METHOD

- ★ a) If active well: clean out to total depth and plug back according to state regulations to a minimum of 200 feet below lowest minable coal seam.
- ~~b) If abandoned well: clean out to first plug 200 feet below lowest minable coal seam.~~
- c) Circulate through tubing or drill steel an expanding cement plug from a minimum of 200 feet below minable coal seam to a point 100 feet above minable coal.

Circulate through tubing or drill steel from 100 feet above coal seam to surface.

A monument will be installed with API No. and stating "solid plug".

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EXHIBIT #2

Coastal Drilling East LLC • 130 Meadow Ridge Road, Mt. Morris, PA 15349

Phone 304-296-1120 Fax 304-413-0061

"A Shaft Drillers International Company"

06/21/2021

Mr. Chuck Duckworth, on behalf of Diversified Gas & Oil Corporation
Gas Well & Property Manager
Arch Coal, Inc. - Leer Mine Complex
100 Tygart Drive
Grafton, WV 26354

Mr. Duckworth,

Below is the proposed plugging plan we discussed that can be used on wells similar to the wells we have been plugging for the last few years. This is the procedure we will generally utilize to plug ~~47-091-01171~~. **47-091-01058 P**

Plugging Plan

- Move to site, rig up, mix mud, drill rathole
- Bullhead well and maintain static well head pressures
- Removed any/all of the 1 1/2" tubing from surface to TD (5717')
- Clean out well to original total depth (5717'). **5850'**
- Run cement bond log on 4 1/2" casing to determine top of cement
- Set bottom hole cement plug as required by the WV DEP from TD to top of cement determined by the bond log.
- Tag top of bottom hole plug to insure plug is at correct depth. Re-cement if necessary.
- Cut and pull 4 1/2" casing from the free point determined by the bond log.
- Clean out wellbore to top of remaining 4 1/2" casing
- Run suite of logs to determine casing size, bottom of casing, depth of coal seams, deviation of wellbore and cement bond to casing.
- Cement hole from top of bottom hole plug to a depth within 50' of the ~~drilled~~ **top** of the ~~7" casing~~. **8 5/8" CASING (CTS)**
- If necessary cut and pull any free casing.
- Perforate, cut, rip or mill any remaining casing at depths determined by MSHA's 101C Petition for the Leer Mine.
- Optional: Depending on findings versus records, multiple cuts may be required to be placed with the bonded **8 5/8"** casing string. The cuts will be placed in 18" increments through the mining area in the Lower Kittanning Coal Seam.
- Cement hole from top of intermediate plug to surface using cement required by MSHA's 101C Petition for the Leer Mine.
- Rig down and set monument as required by WV DEP.

gwn
ONLY ONE STRING OF COAL CASING

gwn

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face area will be available. The fire hose will be located near the working face.

(5) Sufficient supplies of roof support and ventilation materials will be available and located near the working face. In addition, an emergency plug and/or plugs will be available within the immediate area of the well intersection.

(6) Equipment involved in mining through the well will be checked for permissibility and serviced on the maintenance shift prior to mining through the well. The methane monitor on the continuous mining machine involved in mining through the well will also be calibrated on the maintenance shift prior to mining through the well.

(7) When mining is in progress, tests for methane will be made with a hand-held methane detector at least every 10 minutes, from the time that mining with the continuous mining machine is within 30 feet of the well until the well is intersected, and immediately prior to mining through. During the actual cutting-through process, no individual will be allowed on the return side until mining-through has been completed and the area has been examined and declared safe.

(8) The working area will be free from accumulations of coal dust and coal spillages, and rock dust will be placed on the roof, rib, and floor to within 20 feet of the face when mining through the well.

(9) When the well is intersected, all equipment will be deenergized and the place thoroughly examined and determined safe before mining is resumed.

(10) Any casing will be removed and no open flame will be permitted in the area until adequate ventilation has been established around the well.

(11) After a well has been intersected and the working place determined safe, mining will continue in by the well at a distance sufficient to permit adequate ventilation around the area of the well.

(12) No person will be permitted in the area of the mining-through operation except those actually engaged in the operation, company personnel, personnel from MSHA, and personnel from the Kentucky OMSL.

(13) The mining-through operation will be under the direct supervision of a certified individual. Instructions concerning the mining-through operation will be issued only by the certified individual in charge. MSHA personnel may interrupt or halt the mining through operation when necessary for the safety of the miners.

(14) Within 30 days after this Order becomes final, the petitioner will submit

proposed revisions for its approved mine emergency evacuation and firefighting plan required by 30 CFR 75.1501. The petitioner will revise the plans to include the hazards and evacuation procedures to be used for well intersections.

The petitioner further states that this petition will apply to all types of mining (conventional, continuous, and longwall) and asserts that the proposed alternative method will at all times provide a measure of protection no less than that of the existing standard.

Docket Number: M-2012-064-C.

Petitioner: Lone Mountain Processing, Inc., Drawer C, St. Charles, Virginia 24282.

Mine: Mine No. 1, MSHA I.D. No. 15-18734, Route 636 Benedict Road, St. Charles, Virginia 24282, located in Harlan County, Kentucky.

Regulation Affected: 30 CFR 75.208 (Warning devices).

Modification Request: The petitioner requests a modification of the existing standard to permit a readily visible warning to be posted at the second row of permanent roof support outby unsupported roof or a physical barrier to be installed to impede travel beyond permanent support, except during the installation of roof supports. The petitioner states that:

(1) The Kentucky Office of Mine Safety and Licensing requires "a warning device to be installed on the second row of permanent roof support outby unsupported roof."

(2) MSHA's approved Precautions for Remote Control Operation of Continuous Mining Machines states that "While using remote controls, the continuous mining machine operator and all other persons will position themselves no closer than the second 'full row' of installed roof bolts outby the face."

(3) This petition is necessary to improve safety and to attain commonality between State and Federal regulations.

(4) Safety increases when the distance an employee keeps from unsupported roof increases.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the existing standard.

Docket Number: M-2012-065-C.

Petitioner: ICG Tygart Valley, LLC, 1200 Tygart Drive, Grafton, West Virginia 26354.

Mine: Tygart #1 Mine, MSHA I.D. No. 46-09192, located in Taylor County, West Virginia.

Regulation Affected: 30 CFR 75.1700 (Oil and gas wells).

Modification Request: The petitioner requests a modification of the existing standard requiring that barriers be established and maintained around oil and gas wells penetrating coalbeds or underground areas of coal mines to permit an alternative method of compliance. The petitioner states that:

(1) The mine is projected to encounter vertical in-seam boreholes, typical to oil and natural gas wells, as mine development progresses.

(2) The active development section is approaching these boreholes, and is projected to encounter additional boreholes in the future as mining operations continue.

(3) The procedure presented in this petition will be used to ensure that mining through these boreholes is accomplished safely and, as an alternative to compliance with 30 CFR 75.1700, will provide no less than the same measure of protection to the miners, as required by the MSHA standard.

The petitioner proposes to use the following procedures when plugging oil or gas wells:

(1) Prior to plugging an oil or gas well, a diligent effort will be made to clean the borehole to the original total depth. If this depth cannot be reached, the borehole will be cleaned out to a depth that would permit the placement of at least 200 feet of expanding cement below the base of the lowest minable coal bed.

(2) When cleaning the borehole, a diligent effort will be made to remove all of the casing in the borehole. If it is not possible to remove all of the casing, the casing that remains will be perforated or ripped at intervals spaced close enough to permit expanding cement slurry to infiltrate the annulus between the casing and the borehole wall for a distance of at least 200 feet below the base of the lowest minable coal bed.

(3) If the cleaned-out borehole produces gas, a mechanical bridge plug will be placed in the borehole in a competent stratum at least 200 feet below the base of the lowest minable coal bed, but above the top of the uppermost hydrocarbon-producing stratum. If it is not possible to set a mechanical bridge plug, a substantial brush plug may be used in its place.

The District Manager may allow the use of other effective methods of stopping any and all gas flow emitting from the wellbore before placement of cement through the minable coal seam(s). Such approval will be documented in a written response to the operators' submittal of a detailed explanation of the method to be used

and an engineering evaluation of the relative effectiveness of the alternative.

(4) A suite of logs will be made, consisting of a caliper survey, directional deviation survey, and log(s) suitable for determining the top and bottom of the lowest minable coal bed and potential hydrocarbon-producing strata and the location for the bridge plug.

(5) If the uppermost hydrocarbon-producing stratum is within 200 feet of the base of the lowest minable coal bed, properly placed mechanical bridge plugs or a suitable brush plug described in paragraph (3) above will be used to isolate the hydrocarbon-producing stratum from the expanding cement plug. Nevertheless, a minimum of 200 feet of expanding cement will be placed below the lowest minable coal bed.

(6) The wellbore will be completely filled and circulated with a gel that inhibits any flow of gas, supports the walls of the borehole, and increases the density of the expanding cement. This gel will be pumped through open-end tubing run to a point approximately 20 feet above the bottom of the cleaned out area of the borehole or bridge plug.

The petitioner proposes to use the following procedures when plugging gas and oil wells to the surface:

(1) A cement plug will be set in the wellbore by pumping expanding cement slurry down the tubing to displace the gel and fill the borehole to the surface. As an alternative, the cement slurry may be pumped down the tubing so that the borehole is filled. There will be at least 200 feet of expanding cement below the base of the lowest minable coal bed.

(2) A marker conforming to the requirements of the state regulatory authority will be installed at the borehole, or a small quantity of steel turnings or other small magnetic particles will be embedded in the top of the cement near the surface. The method used will be suitable to serve as a permanent magnetic monument of the borehole.

The following procedures will be used for the vent pipe method for plugging oil and gas wells:

(1) A 4½-inch or larger pipe will be run into the wellbore to a depth of 100 feet below the lowest minable coal bed and wedged to a smaller diameter pipe that, if desired, will extend to a point approximately 20 feet above the bottom of the cleaned-out area of the borehole or bridge plug.

(2) A cement plug will be set in the wellbore by pumping expanding cement slurry, Portland cement, or a Portland cement-fly ash mixture down the tubing to displace the gel so that the borehole is filled with cement. The borehole and

the vent pipe will be filled with expanding cement for a minimum of 200 feet below the base of the lowest minable coal bed. The top of the expanding cement will extend upward to a point approximately 100 feet above the top of the lowest minable coal bed.

(3) All fluid will be evacuated from the vent pipe to facilitate testing for gases. During the evacuation of fluid, the expanding cement will not be disturbed.

(4) The top of the vent pipe will be protected to prevent liquids or solids from entering the wellbore, but permit ready access to the full internal diameter of the vent pipe when necessary.

The petitioner proposes to use the following procedures when plugging oil or gas wells for subsequent use as degasification boreholes:

(1) A cement plug will be set in the wellbore by pumping expanding cement slurry down the tubing to displace the gel and provide at least 200 feet of expanding cement below the lowest minable coal bed. The top of the expanding cement will extend upward to a point above the top of the coal bed being mined. This distance will be based on the average height of the roof strata breakage for the mine.

(2) To facilitate methane drainage, degasification casing of suitable diameter, slotted or perforated throughout its lower 150 to 200 feet, will be set in the borehole to a point 10 to 30 feet above the top of the expanding cement.

(3) The annulus between the degasification casing and the borehole wall will be cemented from a point immediately above the slots or perforations to the surface.

(4) The degasification casing will be cleaned out for its total length.

(5) The top of the degasification casing will be fitted with a wellhead equipped as required by the District Manager. Such equipment may include check valves, shut-in valves, sampling port, flame arrester equipment, and security fencing.

The following alternative procedures for preparing and plugging oil and gas wells will apply to wells that the petitioner and the District Manager agree cannot be completely cleaned out due to damage to the well caused by subsidence, caving, or other factors; as determined by the petitioner and agreed to by the District Manager. These provisions will apply unless alternative measures are agreed upon and based upon a plan submitted to the District Manager:

(1) The petitioner will drill a hole adjacent and parallel to the well to a

depth of at least 200 feet below the lowest minable coal seam.

(2) The petitioner will use a geophysical sensing device to locate any casing that may remain in the well.

(3) If the well contains casing(s), the petitioner will drill into the well from the parallel hole. From 10 feet below the coal seam to 10 feet above the coal seam, the petitioner will perforate or rip all casings at intervals of at least 5 feet. Beyond this distance, the petitioner will perforate or rip at least every 50 feet from at least 200 feet below the base of the lowest minable coal seam up to 100 feet above the seam being mined. The petitioner will fill the annulus between the casing, and between the casings and the well wall with expanding cement (minimum 0.5 percent expansion upon setting), and will ensure that these areas contain no voids. If the petitioner, using a casing bond log, can demonstrate to the satisfaction of the District Manager that the annulus of the well is adequately sealed with cement, then the petitioner 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 that remains will 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 petitioner determines and the District Manager agrees that there is insufficient casing in the well to allow the method outlined in paragraph (3) above to be used, then the petitioner will use a horizontal hydraulic fracturing technique to intercept the original well. From at least 200 feet below the base of the lowest minable coal seam to a point at least 50 feet above the seam being mined, the petitioner will fracture at least six places at intervals to be agreed upon by the petitioner and the District Manager after considering the geological strata and the pressure within the well. The petitioner will then pump expanding cement into the fractured well in sufficient quantities and in a manner that fills all intercepted voids.

(5) The petitioner will prepare down-hole logs for each well. The logs will 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 petitioner 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 or her judgment, such logs would not be suitable for obtaining the data or are impractical to obtain due to the condition of the drill hole. A journal will be maintained describing the length and type material used to plug the well; the length of casing(s) removed, perforated, or ripped or left in place; and other pertinent information concerning sealing the well.

(6) After the petitioner has plugged the well, the petitioner will plug the open portions of both holes from the bottom to the surface with Portland cement or a lightweight cement mixture. The petitioner will 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 4½-inch or larger casing set in cement will extend at least 36 inches above the ground level. A combination of the methods outlined in paragraph (3) and (4) above may have to be used in a single well, depending upon the conditions of the hole and the presence of casings. The petitioner and the District Manager may discuss the nature of each hole and the District Manager may require the use of more than one method.

The petitioner proposes to use the following cut-through procedures whenever the safety barrier diameter is reduced to a distance less than the District Manager would approve pursuant to § 75.1700 or the petitioner proceeds with an intent to cut through a plugged well:

(1) Prior to reducing the safety barrier to a distance less than the District Manager would approve or proceeding with intent to cut through a plugged well, the petitioner will notify the District Manager.

(2) Mining in close proximity to or through a plugged well will be done on a shift approved by the District Manager.

(3) The District Manager, a representative of the miners, and the appropriate States agency will be notified by the operator in sufficient time prior to the mining-through operation to provide an opportunity for them to have a representative present.

(4) When using continuous mining equipment, drilage sights will be installed at the last open crosscut near the place to be mined to ensure intersection of the well. The drilage sights will not be more than 50 feet from the well. When using longwall mining methods, drilage sights will be installed

on 10-foot centers for a distance of 50 feet in advance of the well bore. The drilage sights will be installed in the headgate and tailgate.

(5) Firefighting equipment, including fire extinguishers, rock dust, and sufficient fire hose to reach the working face area of the mining-through will be available when either the conventional or continuous mining method is used. The fire hose will be located in the last open crosscut of the entry or room. All fire hoses will be ready for operation during the mining-through.

(6) Sufficient supplies of roof support and ventilation materials will be available and located at the last open crosscut. In addition, an emergency plug and/or plugs will be available in the immediate area of the cut-through.

(7) The quantity of air required by the approved mine ventilation plan, but not less than 6,000 cubic feet per minute (cfm) of air for scrubber-equipped continuous miners or not less than 9,000 cfm for continuous miner sections using auxiliary fans or line brattice only, will be used to ventilate the working face during the mining-through operation. The quantity of air required by the ventilation plan, but not less than 30,000 cfm, will reach the working face of each longwall during the mining-through operation.

(8) Equipment will be checked for permissibility and serviced on the shift prior to mining-through the well. The methane monitors on the continuous mining machine or the longwall shear and face will be calibrated on the shift prior to mining through the well.

(9) When mining is in progress, tests for methane will be made with a handheld methane detector at least every 10 minutes from the time that mining with the continuous mining machine is within 30 feet of the well until the well is intersected and immediately prior to mining through. When mining with longwall mining equipment, tests for methane will be made at least every 10 minutes when the longwall face is within 10 feet of the well. During the actual cutting-through process, no individual will be allowed on the return side until mining through has been completed and the area has been examined and declared safe.

(10) When using continuous mining methods, the working area will be free from accumulations of coal dust and coal spillages, and rock dust will be placed on the roof, rib, and floor to within 20 feet of the face when mining through or near the well on the shift or shifts during which the cut-through will occur. On longwall sections, rock-dusting will be conducted and placed

on the roof, rib, and floor up to both headgate and tailgate gob.

(11) When the wellbore is intersected, all equipment will be deenergized and the area thoroughly examined and determined safe before mining is resumed. Any well casing will be removed and no open flame will be permitted in the area until adequate ventilation has been established around the wellbore.

(12) After a well has been intersected and the working area determined safe, mining will continue in by the well at a distance sufficient to permit adequate ventilation around the area of the wellbore.

(13) No person will be permitted in the area of the mining-through operation except those actually engaged in the operation, company personnel, representatives of the miners, personnel from MSHA, and personnel from the appropriate State agency.

(14) The mining-through operation will be under the direct supervision of a certified official. Instructions concerning the mining-through operation will be issued only by the certified official in charge. MSHA personnel may interrupt or halt the mining-through operation when necessary for the safety of the miners.

(15) The petitioner will file a plugging affidavit setting forth the persons who participated in the work, a description of the plugging work, and a certification by the petitioner that the well has been plugged as described.

(16) Within 60 days after the Proposed Decision and Order (PDO) becomes final, the petitioner will submit proposed revisions for its approved 30 CFR Part 48 training plan to the District Manager. The provisions will include initial and refresher training regarding compliance with the terms and conditions stated in the PDO.

The petitioner asserts that the proposed alternative method will at all times guarantee miners no less than the same measure of protection as afforded by the existing standard.

Docket Number: M-2012-002-M.
Petitioner: Hecla Greens Creek Mining Company, P.O. Box 32199, Juneau, Alaska 99803.

Mine: Greens Creek Mine, MSHA I.D. No. 50-01267, located in Juneau County, Alaska.

Regulation Affected: 30 CFR 57.14130 (Roll-over protective structures (ROPS) and seat belts for surface equipment).

Modification Request: The petitioner requests a modification of the existing standard to permit employees to be transported 1,600 feet to and from the surface dry facility to work sites underground using underground mine

WR-35

State of West Virginia
Division of Environmental Protection
Section of Oil and Gas

API #: 47-091-01058

Well Operator's Report of Well Work

Farm Name: Polhemus, Mark & Katherin Operator Well No.: Thomas2

LOCATION Elevation: 1712 Quadrangle: Thornton

District: Knottsville County: Taylor

Latitude: 6,700 Feet South of 39 Deg. 20 Min. 0 Sec. N

Longitude: 11,175 Feet West of 79 Deg. 52 Min. 30 Sec. W

Company: **JACK PRODUCTION INC.**
P. O. BOX 697
INDIANA, PA 15701-0697

Agent: Mary Herndon
Inspector: Bill Hatfield
Permit Issued: 12/16/2004
Well Work Commenced: 3/24/2005
Well Work Completed: 4/2/2005
Verbal Plugging
Permission granted on: _____
Rotary Cable _____ Rig
Total Depth (feet): 5850
Fresh Water Depth (ft): 60, 735
Salt Water Depth (ft) None
Is coal being mined in area (Y/N)? N
Coal Depth (ft): 357-361; 685-690

Casing and Tubing	Used in Drilling	Left in Well	Cement Fill Up sks
11 3/4	22	22	
8 5/8	795	795	225
4 1/2		5364.25	230

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OPEN FLOW DATA

Producing formation 4th Elk; 3rd Elk Pay zone depth (ft) 5094-5294; 4984-4990
Gas: Initial open flow 846 MCF/d Oil: Initial open flow 0 Bbl/d
Final open flow No test MCF/d Final open flow 0 Bbl/d
Time of open flow between initial and final tests NA Hours
Static rock pressure No test psig (surface pressure) after NA Hours

Second producing formation Riley Pay zone depth (ft) 4048-4061
Gas: Initial open flow 846 MCF/d Oil: Initial open flow 0 Bbl/d
Final open flow No test MCF/d Final open flow 0 Bbl/d
Time of open flow between initial and final tests NA Hours
Static rock pressure No test psig (surface pressure) after NA Hours

* Open flows are commingled.

NOTE: ON BACK OF THIS FORM PUT THE FOLLOWING: 1) DETAILS OF PERFORMED INTERVALS, FRACTURING OR STIMULATING, PHYSICAL CHANGE, ETC. 2) THE WELL LOG WHICH IS A SYSTEMATIC DETAILED GEOLOGICAL RECORD OF ALL FORMATIONS INCLUDING COAL ENCOUNTERED BY THE WELLBORE.

RECEIVED
Office of Oil & Gas
Office of Chief
OCT 24 2005
WV Department of
Environmental Protection

For: **JACK PRODUCTION INC.**

By: Mary Herndon

Date: 10/19/85

DETAILS OF PERFORATED INTERVALS, FRACTURING OR STIMULATING, PHYSICAL CHANGE, ETC. 47-091-01058

Stage	T-Perf	B-Perf	Shots	Formation	Sand (Bbl)	Grade	Water (Bbl)	Foam (Bbl)	N2 (Cu Ft)
1	5094	5294	12	4th Elk	45,624	20/40	220	630	406,032
2	4984	4990	14	3rd Elk	40,888	20/40	232	548	307,159
3	4048	4061	14	Riley	38,588	20/40	205	501	288,233

WELL LOG

Formation	Color	Hard/Soft	Top	Bottom	Remarks
Clay/Shale			0	22	
Sand			22	82	
Sd/Sh			82	357	
Coal			357	361	
Sd/Sh			361	396	
Shale			396	450	
Sd/Sh			450	458	
Shale			458	473	
Sd/Sh			473	496	
Sand			496	521	
Shale			521	551	
Sand			551	597	
RR			597	609	
Sand			609	685	
Coal			685	690	
Sand			690	718	
Sd/Sh			718	733	
Sand			733	829	
Sd/Sh			829	883	
Sand			883	914	
Sd/Sh			914	1044	
Sand			1044	1109	
Sd/Sh			1109	1265	
Little Lime			1265	1275	
Big Lime			1275	1380	
Sand	white		1380	1480	
Sd/Sh			1480	1499	
RR/Sd/Sh			1499	1518	
Sd/Sh			1518	1582	
L. Weir			1582	1629	
Sd/Sh			1629	1757	
Sh/Sd			1757	1780	
Sd/Sh			1780	1981	
Gordon			1981	1993	
Sd/Sh			1993	2317	
4th-C			2317	2353	
Sd/Sh			2353	2465	
M. Bayard			2465	2500	
Sd/Sh			2500	2530	
L. Bayard			2530	2560	
Sd/Sh			2560	2750	
U. Warren			2750	2763	
Sh/Sd			2763	3070	
Speechley			3070	3103	
Sd/Sh			3103	3150	
Balltown-A			3150	3162	
Sd/Sh			3162	3194	
Balltown-B			3194	3199	
Sd/Sh			3199	3260	
Balltown-C			3260	3273	
Sd/Sh			3273	3436	
Riley			3436	3503	
Sd/Sh			3506	4246	
Betson			4246	4271	
Sd/Sh			4271	4728	
2nd Elk			4728	4742	
Sd/Sh			4742	4990	
3rd Elk			4990	5150	
Sd/Sh			5150	5285	
4th Elk			5285	5297	
Sd/Sh			5297	5626	
Haverty			5626	5634	
Sh/Sd			5634	5850	TD

RECEIVED
Office. Of Oil and Gas
MAR 01 2023
WV Department of
Environmental Protection

Select County: (091) Taylor

Enter Permit #: 01058

Get Data

Select datatypes: (Check All)

Location Production Plugging

Owner/Completion Stratigraphy Sample

Pay/Show/Water Logs Btm Hole Loc

[Table Descriptions](#)
[County Code Translations](#)
[Permit Numbering Series](#)
[License Notes](#)
[Contact Information](#)
[Disclaimer](#)
[WVGES Main](#)
["Pipeline-Plus"](#)

WV Geological & Economic Survey

Well: County = 91 Permit = 01058 [Link to all digital records for well](#)

Report Time: Tuesday, March 14, 2023 9:20:20 AM

Location Information: [View Map](#)
API COUNTY PERMIT TAX DISTRICT QUAD 75 QUAD 15 LAT DD LON DD UTMN
 4709101058 Taylor 1058 Knottsville Thornton Thornton 39.315012 -79.914137 593589.5 4352296.5

Owner Information:
API CMP DT SURFIX STATUS SURFACE_OWNER WELL_NUM CO_NUM LEASE LEASE_NUM MINERAL_OWN OPERATOR AT_COMPLETION PROP_YD PROP_TRGT_FM TFM_EST_PR
 4709101058 4/2/2005 Original Loc Completed Mark/Katherine Polhemus 2 Thomas 2 Walter H Thomas Jack Production, Inc.

Completion Information:

API CMP DT SPDUD_DT ELEV DATUM FIELD DEEPEST_FM DEEPEST_FHT INITIAL_CLASS FINAL_CLASS TYPE RIG CMP_MTHD TYD TMD NEW_FITG KOD G_BEF_G_AFT O_BEF_O_AFT NGL_BEF_NGL_AFT P_BEF_TL_BEF_P_AFT TI_AFT_BH_P
 4709101058 4/2/2005 3/24/2005 1712 Ground Level Hiram Greenland Gap Fm Heavy Duty Development Well Development Well Gas Rotary Fractured 5850 5850 846

Pay/Show/Water Information:

API	CMP DT ACTIVITY	PRODUCT	SECTION	DEPTH_TOP	FM_TOP	DEPTH_BOT	FM_BOT	G_BEF	G_AFT	O_BEF	O_AFT	WATER_QNTY
4709101058	4/2/2005	Water	Fresh Water	Vertical		60	Pennsylvanian System					
4709101058	4/2/2005	Water	Fresh Water	Vertical	4048	4061	Eik					
4709101058	4/2/2005	Pay	Gas	Vertical	4984	4990	Eik					
4709101058	4/2/2005	Pay	Gas	Vertical	5094	5294	Greenland Gap Fm					

Production Gas Information: (Volumes in Mcf)

API	PRODUCING_OPERATOR	PRD_YEAR	ANN_GAS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DCM
4709101058	Berry Energy Consultants & Managers, Inc.	2006	21,245	1,290	1,363	0	1,649	1,770	2,383	1,832	1,991	2,401	2,401	2,117	2,108
4709101058	Berry Energy Consultants & Managers, Inc.	2007	26,601	2,359	595	0	1,435	3,846	2,478	2,599	1,772	4,544	3,427	2,659	5,938
4709101058	Berry Energy, Inc.	2008	15,275	498	580	0	1,724	1,952	1,403	1,768	1,527	1,778	1,481	1,993	1,503
4709101058	Berry Energy, Inc.	2009	14,541	1,707	1,975	1,286	1,315	706	1,200	1,140	1,287	1,210	1,481	1,214	0
4709101058	Berry Energy, Inc.	2010	14,272	1,443	559	1,403	875	1,510	1,568	1,766	756	1,347	1,712	0	0
4709101058	Berry Energy, Inc.	2011	9,476	1,512	1,303	899	66	1,063	1,490	1,030	30	540	534	0	0
4709101058	Berry Energy, Inc.	2012	1,706	802	882	222	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2013	47	334	4	47	334	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2014	1,974	361	280	183	179	322	183	51	0	179	190	46	0
4709101058	Berry Energy, Inc.	2015	817	0	0	0	0	76	0	98	130	154	159	95	146
4709101058	Berry Energy, Inc.	2016	1	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2017	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2021	1,160	196	1	0	0	0	0	121	15	59	225	287	175

Production Oil Information: (Volumes in Bbl) ** some operators may have reported NGL under Oil

API	PRODUCING_OPERATOR	PRD_YEAR	ANN_OIL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DCM
4709101058	Berry Energy Consultants & Managers, Inc.	2006	1,445	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy Consultants & Managers, Inc.	2007	2,476	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2008	1,245	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2009	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2010	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2011	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2012	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2013	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2017	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2021	0	0	0	0	0	0	0	0	0	0	0	0	0

Production NGL Information: (Volumes in Bbl) ** some operators may have reported NGL under Oil

API	PRODUCING_OPERATOR	PRD_YEAR	ANN_NGL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DCM
4709101058	Berry Energy, Inc.	2013	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2014	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2015	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2021	0	0	0	0	0	0	0	0	0	0	0	0	0

Production Water Information: (Volumes in Gallons)

API	PRODUCING_OPERATOR	PRD_YEAR	ANN_WTR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DCM
4709101058	Berry Energy, Inc.	2016	0	0	0	0	0	0	0	0	0	0	0	0	0
4709101058	Berry Energy, Inc.	2021	0	0	0	0	0	0	0	0	0	0	0	0	0

Stratigraphy Information:

API	SURFIX	FM	FM_QUALITY	DEPTH_TOP	DEPTH_QUALITY	THICKNESS	THICKNESS_QUALITY	ELEV_DATUM
4709101058	Original Loc	undifferentiated coal	Well Record	357	Reasonable	4	Reasonable	1712 Ground Level
4709101058	Original Loc	undifferentiated coal	Well Record	685	Reasonable	5	Reasonable	1712 Ground Level
4709101058	Original Loc	Little Lime	Well Record	1265	Reasonable	10	Reasonable	1712 Ground Level
4709101058	Original Loc	Big Lime	Well Record	1275	Reasonable	105	Reasonable	1712 Ground Level
4709101058	Original Loc	Greenbrier Group	Well Record	1275	Reasonable	Qstrible Pick	Reasonable	1712 Ground Level
4709101058	Original Loc	Lo Weir	Well Record	1582	Reasonable	47	Reasonable	1712 Ground Level

4709101058	Original Loc	Gordon	Well Record	1981	Reasonable	12	Reasonable	1712	Ground Level
4709101058	Original Loc	Fourn	Well Record	2317	Reasonable	36	Reasonable	1712	Ground Level
4709101058	Original Loc	Bayard	Well Record	2465	Reasonable	35	Reasonable	1712	Ground Level
4709101058	Original Loc	Warren	Well Record	2530	Reasonable	30	Reasonable	1712	Ground Level
4709101058	Original Loc	Speckley	Well Record	2750	Reasonable	13	Reasonable	1712	Ground Level
4709101058	Original Loc	Balltown	Well Record	3070	Reasonable	33	Reasonable	1712	Ground Level
4709101058	Original Loc	Balltown	Well Record	3150	Reasonable	12	Reasonable	1712	Ground Level
4709101058	Original Loc	Balltown	Well Record	3194	Reasonable	5	Reasonable	1712	Ground Level
4709101058	Original Loc	Riley	Well Record	3260	Reasonable	13	Reasonable	1712	Ground Level
4709101058	Original Loc	Benson	Well Record	3436	Reasonable	67	Reasonable	1712	Ground Level
4709101058	Original Loc	Elk	Well Record	4248	Reasonable	25	Reasonable	1712	Ground Level
4709101058	Original Loc	Elk	Well Record	4728	Reasonable	14	Reasonable	1712	Ground Level
4709101058	Original Loc	Elk	Well Record	4990	Reasonable	160	Reasonable	1712	Ground Level
4709101058	Original Loc	Elk	Well Record	5285	Reasonable	12	Reasonable	1712	Ground Level
4709101058	Original Loc	Haverly	Well Record	5629	Reasonable	8	Reasonable	1712	Ground Level

Wireline (E-Log) Information:

* There is no Scanned/Paper Log data for this well

* There is no Digitized Log data for this well

* There is no Scanned or Digital Logs available for download

There is no Plugging data for this well

There is no Sample data for this well

WW-4A
Revised 6-07

1) Date: January 25, 2023
2) Operator's Well Number
Thomas #2
3) API Well No.: 47 - 91 - 01058

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) (a) Coal Operator
(a) Name <u>Mark A. & Katherine M. Polhemus</u>	Name <u>CoalQuest Development, LLC</u>
Address <u>14203 Rogers Ford Rd</u>	Address <u>100 Tygart Drive</u>
<u>Sumerduck, Virginia 22742</u>	<u>Grafton, West Virginia 26354</u>
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name _____
_____	Address _____
(c) Name _____	Name _____
Address _____	Address _____
_____	_____
6) Inspector <u>Sam Ward</u>	(c) Coal Lessee with Declaration
Address <u>P.O. Box 2027</u>	Name _____
<u>Buckhannon, WV 26201</u>	Address _____
Telephone <u>(304) 389-7583</u>	_____

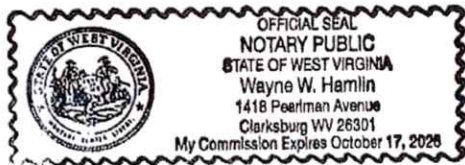
TO THE PERSONS NAMED ABOVE: You should have received this Form and the following documents:

- (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.

RECEIVED
Office of Oil and Gas
MAR 01 2023



Well Operator Berry Energy, Inc.
 By: David B. Berry
 Its: President
 Address 310 Stiles Street
Clarksburg, West Virginia 26301
 Telephone (304) 265-9704

Subscribed and sworn before me this 25TH day of January, 2023
BY DAVID B. BERRY, PRESIDENT Notary Public Wayne W. Hamlin
 My Commission Expires OCTOBER 17, 2026

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.

449
03/17/2023

4709101058P

7021 1970 0000 0908 4147

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL U.S. POSTAL SERVICE

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

<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ <u>3.35</u>	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage
 \$ 2.22

Total Postage
 \$ 9.72

Sent To
 Mark A. and Katherine M. Polhemus

Street and Apt
 14203 Rogers Ford Road

City, State, ZIP
 Sumerduck, Virginia 22742

47-91-01058

PS Form 380



RECEIVED
 Office Of Oil and Gas
 MAR 01 2023
 WV Department of
 Environmental Protection

03/17/2023

4709101058P

A Subsidiary of



ICG TYGART VALLEY, LLC

100 Tygart Drive, Grafton, West Virginia 26354

February 24, 2023

Mark A. and Katherine M. Polhemus
14203 Rogers Ford Road
Sumerduck, Virginia 22742

Re: Plugging Permit – API # 47-91-01058 – Well No. Thomas #2

Dear Mr. and Mrs. Polhemus:

As required by the permit process of the WV Department of Environmental Protection – Office of Oil and Gas enclosed please find a copy of the plugging permit application for the above referenced well that ICG Tygart Valley, LLC plans to submit on behalf of Berry Energy, Inc. to the WV Department of Environmental Protection, Office of Oil and Gas.

If you have no objection to the plugging, permit application, please sign the page, titled Surface Owner Waiver and return in the enclosed self-addressed stamped envelope.

If you should have any questions concerning this application, please feel free to contact Charles Duckworth at (304) 265-9704 or me at (304) 265-9778 or via email at gnair@archrsc.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Nair", with a stylized flourish at the end.

Greg Nair
Manager Surface Mine Planning

Enclosures

RECEIVED
Office Of Oil and Gas
MAR 01 2023
WV Department of
Environmental Protection

CERTIFIED MAIL NO. 7021 1970 0000 0908 4147
RETURN RECEIPT REQUESTED

03/17/2023

SURFACE OWNER WAIVER

Operator's Well
Number

Thomas #2

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW4-A

The well operator named on page WW-4A is applying for a permit from the State to plug and abandon a well. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.
WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas
Department of Environmental Protection
601 57th St. SE
Charleston, WV 25304
(304) 926-0450

Time Limits and methods for filing comments. The law requires these materials to be served on or before the date the operator files his Application. You have **FIVE (5) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

Comments must be in writing. Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation...".

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

VOLUNTARY STATEMENT OF NO OBJECTION

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application For A Permit To Plug And Abandon on Forms WW-4A and WW-4B, and a survey plat.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON
ETC.

FOR EXECUTION BY A CORPORATION,

_____	Date _____	Name _____
Signature		By _____
		Its _____
		Date _____

Signature _____ Date _____

03/17/2023

Office of Oil and Gas
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MAR 01 2023
Department of Environmental Protection

WW-4B

API No. 47-91-01058
Farm Name Mark & Katherine Polhemus
Well No. Thomas #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.

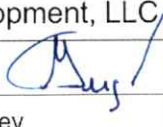
This notice and application is given to you in order that your respective representatives may be present at the plugging and filling of said well. You are further notified that whether you are represented or not the operator will proceed to plug and fill said well in the manner required by Section 24, 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 X / 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: 2/27/2023

CoalQuest Development, LLC
By: Greg Nair 
Its Power of Attorney

RECEIVED
Office Of Oil and Gas
MAR 01 2023
WV Department of
Environmental Protection

POWER OF ATTORNEY

**COALQUEST DEVELOPMENT LLC
TO
GREG NAIR**

Dated: January 1, 2023

Expires: December 31, 2023

KNOW ALL MEN BY THESE PRESENTS: That CoalQuest Development LLC, a limited liability company formed under the laws of the State of Delaware (the "Company"), acting by and through Rosemary L. Klein, its duly authorized Secretary, has and does hereby appoint Greg Nair its true and lawful Attorney-in-Fact with power and authority, for and on behalf, and in the name of the Company, during the period herein specified, and subject to the restrictions and limitations set forth in this Power, to execute, acknowledge and deliver in the ordinary and regular course of the Company's business, applications for mining, environmental, safety, and health permits, permit transfers, or permit bond releases or bond adjustments, amendments, supplements or modifications to such permits, certificates, gas well plugging applications, shallow well drilling permit applications, or other instruments directly related to such amendments, supplements or modifications, monthly production reports, air quality, water quality or other environmental reports, quarterly discharge monitoring reports and any other like or similar reports required to be filed with any local, state or federal governmental agency.

The Attorney herein appointed shall be authorized to act pursuant to this Power from the date hereof only so long as such Attorney shall remain an employee of Arch Resources, Inc. or any subsidiary thereof, or until December 31, 2023, or until such earlier time as this instrument has been revoked, annulled, rescinded or set aside by an instrument of revocation filed with the Secretary of 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 as of the day and year first above written, by the undersigned, Rosemary L. Klein, duly authorized Secretary of the Company.

COALQUEST DEVELOPMENT LLC

By: RKL
Rosemary L. Klein
Secretary

RECEIVED
Office Of Oil and Gas
MAR 01 2023
WV Department of
Environmental Protection

STATE OF MISSOURI)
) ss
COUNTY OF ST. LOUIS)

On this 1st day of January, 2023, before me, the undersigned notary public, personally appeared Rosemary L. Klein, known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Sarah Tribout
Notary Public

My Commission Expires: 11/8/2024

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Office Of Oil and Gas

MAR 01 2023

WV Department of
Environmental Protection

WW-9
(5/16)

API Number 47 - 091 - 01058
Operator's Well No. Thomas #2

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Berry Energy, Inc. OP Code _____

Watershed (HUC 10) Tributary of Little Sandy Creek Quadrangle Thornton (63B)

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

Will a pit be used? Yes No

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

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

Proposed Disposal Method For Treated Pit Wastes:

- Land Application (if selected provide a completed form WW-9-GPP)
- Underground Injection (UIC Permit Number _____)
- Reuse (at API Number _____)
- Off Site Disposal (Supply form WW-9 for disposal location)
- Other (Explain Tanks - See attached letter)

Will closed loop system be used? If so, describe: Yes, Gel circulated from tank thru well bore ad returned to tank.

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

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

Additives to be used in drilling medium? Bentonite, Bicarbonate or Soda

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. removed offsite

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

-Landfill or offsite name/permit number? ICG Tygart Valley, LLC - Permit No. O-2017-06

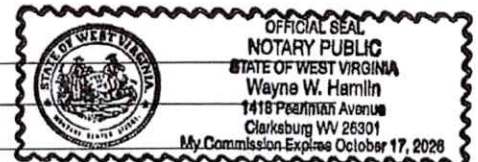
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Office of Oil and Gas
JAN 01 2023
West Virginia Department of Environmental Protection

Permittee shall provide written notice to the Office of Oil and Gas of any load of drill cuttings or associated waste rejected at any West Virginia solid waste facility. The notice shall be provided within 24 hours of rejection and the permittee shall also disclose where it was properly disposed.

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on April 1, 2016, 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 David B. Berry
Company Official (Typed Name) David B. Berry
Company Official Title President



Subscribed and sworn before me this 25TH day of January, 2023

BY DAVID B. BERRY, PRESIDENT Notary Public Wayne W. Hamlin

My commission expires October 17, 2026

03/17/2023



***Berry Energy, Inc.
Proudly Serving the Appalachian Basin***

Berry Energy, Inc., 310 Stiles Street, Clarksburg, WV 26301

January 27, 2023

WV Department of Environmental Protection
Office of Oil and Gas
601 – 57th Street, S.E.
Charleston, West Virginia 25304

To Whom It May Concern:

As per the WV Department of Environmental Protection, Office of Oil and Gas request, Berry Energy, Inc., submits the following procedures utilizing pit waste.

Upon submitting a well work application (without a general permit for Oil and Gas Pit Waste Discharge Application), Berry Energy, Inc., will construct no pits, but instead will use mud tanks to contain all drilling muds.

Once the well is completed, that material (minus the cave material) will be trucked to the next well to be plugged or to ICG Tygart Valley, LLC WVDEP impoundment facilities O-2017-06 or to an approved facility that can handle the material.

Sincerely,


David B. Berry
President

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Office Of Oil and Gas
MAR 01 2023
WV Department of
Environmental Protection

03/17/2023 

Proposed Revegetation Treatment: Acres Disturbed 1.50 / 2.0 Prevegetation pH _____

Lime 3 Tons/acre or to correct to pH 6.5

Fertilizer type 10-20-20 or equivalent

Fertilizer amount 500 lbs/acre

Mulch Hay Bales Tons/acre

Seed Mixtures

Temporary		Permanent	
Seed Type	lbs/acre	Seed Type	lbs/acre
Orchard Grass	12	Orchard Grass	12
Landino Clover	3	Landino Clover	3
Timothy	10	Timothy	10

Attach:

Maps(s) of road, location, pit and proposed area for land application (unless engineered plans including this info have been provided). If water from the pit will be land applied, provide water volume, include dimensions (L, W, D) of the pit, and dimensions (L, W), and area in acres, of the land application area.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Kenneth Greynolds Digitally signed by Kenneth Greynolds
DN: cn = Kenneth Greynolds, email = Kenneth.L.Greynolds@wv.gov, c = AD, o = WVDEP, ou = Oil and Gas
Date: 2023.02.27 14:46:17 -0500

Comments: _____

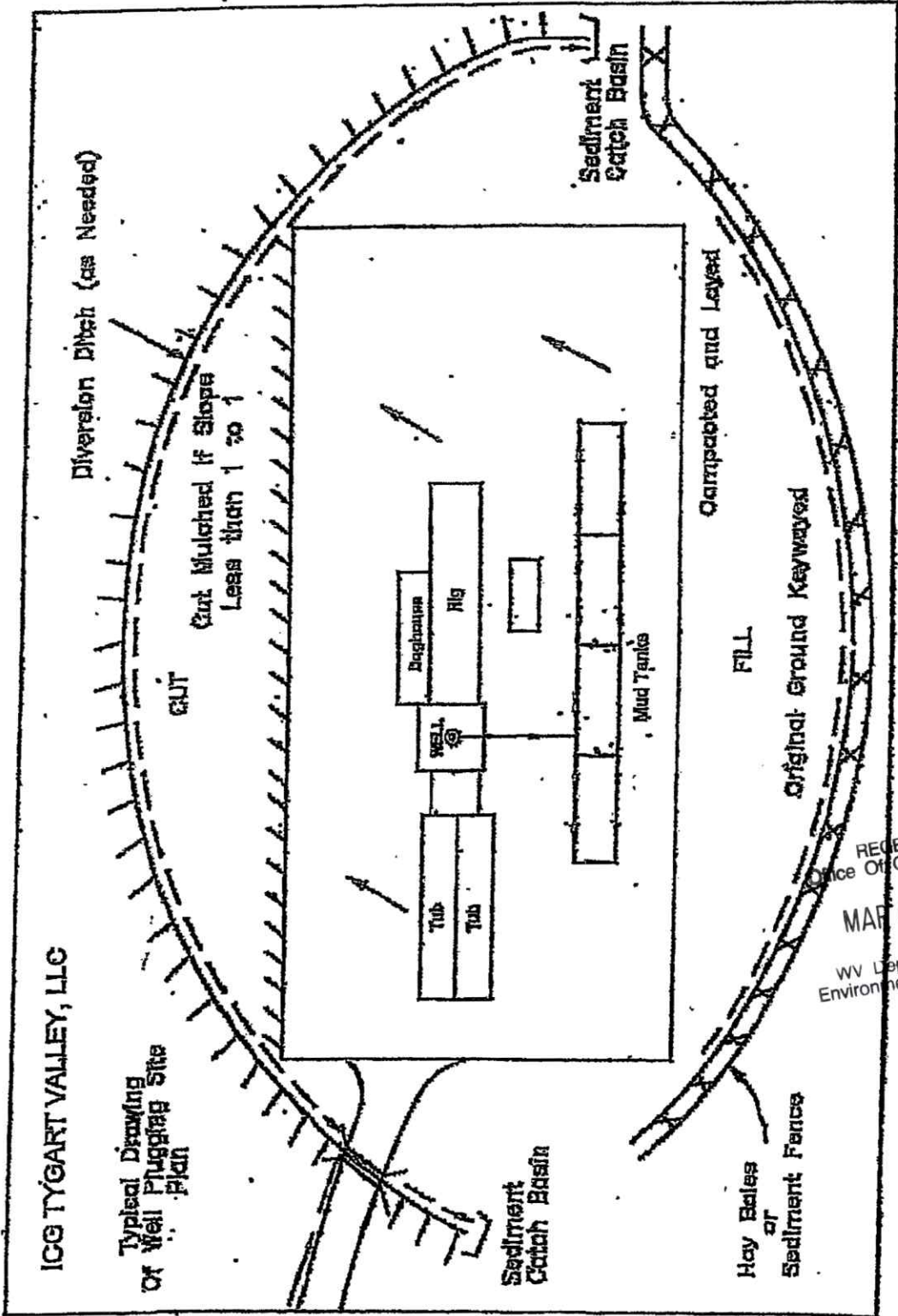
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Office Of Oil and Gas

MAR 01 2023

WV Department of
Environmental Protection

Title: _____ Date: _____

Field Reviewed? () Yes () No



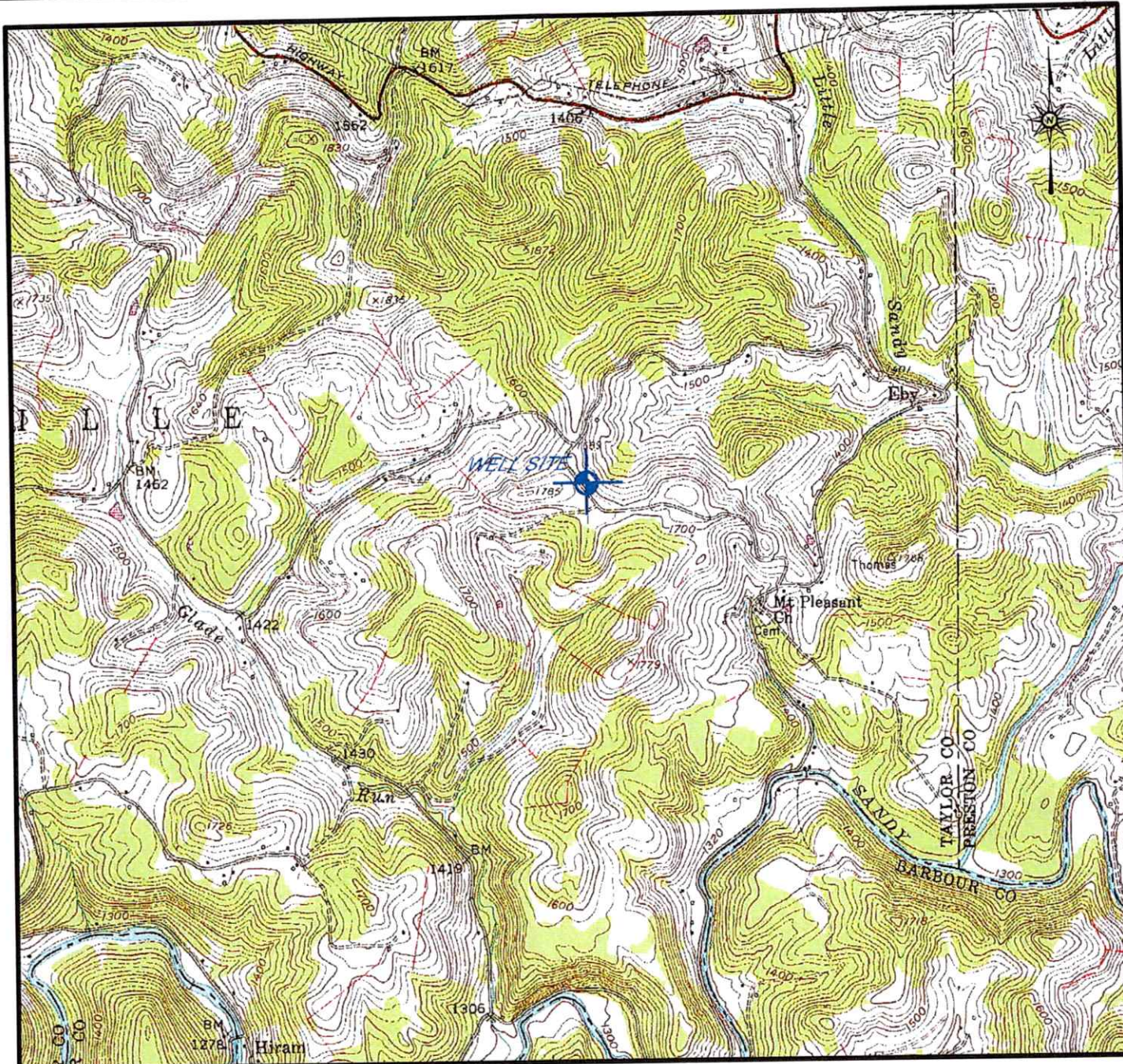
ICG TYGART VALLEY, LLC

Typical Drawing
Of Well Plugging Site
Plan

Sediment
Catch Basin

Hay Bales
or
Sediment Fence

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LATITUDE: 39° 18' 53"
 LONGITUDE: 79° 54' 52"
 NEAREST WATERCOURSE: Tributary of Little Sandy Creek
 NEAREST TOWN: Knottsville

OPERATOR'S WELL NO. Thomas #2
 API WELL NO. 47-001-01058
 STATE 091 COUNTY 091 PERMIT

WELL TYPE: OIL GAS LIQUID INJECTION WASTE DISPOSAL
 (IF "GAS") PRODUCTION STORAGE DEEP SHALLOW
 LOCATION: ELEVATION 1712' WATERSHED Tributary of Little Sandy Creek
 DISTRICT Knottsville COUNTY Taylor

QUADRANGLE Thornton 7 1/2'
 SURFACE OWNER: Mark A. & Katharine M. Polhemus ACREAGE 96.04±
 OIL & GAS ROYALTY OWNER: Mark A. & Katharine M. Polhemus LEASE ACREAGE 200±

PROPOSED WORK: DRILL CONVERT DRILL DEEPER REDRILL
 FRACTURE OR STIMULATE PLUG OFF OLD FORMATION
 PERFORATE NEW FORMATION
 OTHER PHYSICAL CHANGE IN WELL (SPECIFY)

PLUG AND ABANDON CLEAN OUT AND REPLUG
 TARGET FORMATION Alvander ESTIMATED DEPTH 5990'
 WELL OPERATOR Berry Energy, Inc. DESIGNATED AGENT David B. Berry
 ADDRESS 310 Stiles Street, Clarksburg, WV 26301 ADDRESS 310 Stiles Street, Clarksburg, WV 26301

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 Office Of Oil and Gas

MAR 11 2023
Berry Energy, Inc.
 1200 Tygart Drive, Grantsville, WV 26040
 WV Department of Environmental Protection
 API WELL NO. 47-001-01058
 THOMAS #2
 SITE LOCATION MAP

DRAWN		DATE		BY	
1/23		TAN			
REVISED		DATE		BY	
APPROVED		DATE		BY	
Knottsville District Thornton, WV 7.5' Quadrangle		TOPOGRAPHIC CONTOUR INTERVAL = 20'		Scale: 1"=2000'	
Taylor County West Virginia		File No.: 47-001-01058 THOMAS #2.dgn		Sheet No.: 1 of 1	
Path VOL1/DWG/TYG VALLEY/TYG #1 PERMITS/U-2004-06/WV OIL & GAS PERMIT MAPS/					

WW-7
8-30-06



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

API: 47-091-01058 WELL NO.: Thomas #2

FARM NAME: Mark & Katherine Polhemus

RESPONSIBLE PARTY NAME: Berry Energy, Inc.

COUNTY: Taylor DISTRICT: Knottsville

QUADRANGLE: Thornton

SURFACE OWNER: Mark A. & Katherine M. Polhemus

ROYALTY OWNER: Berry Energy, Inc. ET AL

UTM GPS NORTHING: 4352277

UTM GPS EASTING: 593585 GPS ELEVATION: 1715.85'

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:

- Datum: NAD 1983, Zone: 17 North, Coordinate Units: meters, Altitude: height above mean sea level (MSL) – meters.
- Accuracy to Datum – 3.05 meters
- Data Collection Method:

Survey grade GPS : Post Processed Differential **RECEIVED**
Real-Time Differential **Office Of Oil and Gas**

Mapping Grade GPS : Post Processed Differential
Real-Time Differential **MAR 01 2023**
WV Department of Environmental Protection

- 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.

David B Berry President January 25, 2023
Signature Title Date

03/17/2023



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

Plugging permit issued 4709101058

1 message

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

Tue, Mar 14, 2023 at 2:25 PM


To: "Duckworth, Charles" <cduckworth@archrsc.com>, Kenneth L Greynolds <kenneth.l.greynolds@wv.gov>, ckinsey@wvassessor.com, Samuel D Ward <samuel.d.ward@wv.gov>

To whom it may concern a plugging permit has been issued for 4709101058.

James Kennedy

WVDEP OOG

2 attachments

 **ir-8 4709101058.pdf**
120K

 **4709101058.pdf**
5586K

03/17/2023