



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

Wednesday, June 11, 2025
WELL WORK PLUGGING PERMIT
Vertical Plugging

DIVERSIFIED PRODUCTION LLC
101 MCQUISTON DRIVE

JACKSON CENTER, PA 16133

Re: Permit approval for CNR FEE 3R
47-099-01912-00-00

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

A handwritten signature in blue ink, appearing to read "James A. Martin", is written over a blue circular stamp.

Operator's Well Number:
Farm Name: BERRY, NOLAN & HERMAN
U.S. WELL NUMBER: 47-099-01912-00-00
Vertical Plugging
Date Issued: 6/11/2025

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.
4. 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.

1) Date April 3, 2025
2) Operator's
Well No. NOLAN & HERMAN BERRY 3R
3) API Well No. 47-099-01912

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 ☒
- 5) Location: Elevation 831.47' Watershed Lick Br. of Sycamore Br.
District Butler County Wayne Quadrangle Wayne 7..5'
- 6) Well Operator Diversified Production, LLC 7) Designated Agent Chris Veazey
Address 414 Summers Street Address 414 Summers Street
Charleston, WV 25301 Charleston, WV 25301
- 8) Oil and Gas Inspector to be notified Name Brian Warden 9) Plugging Contractor Name Next LVL Energy (Diversified Owned)
Address 49 Elk Creek Rd Address 104 Helliport Loop Rd
Delbarton, WV 25670 Bridgeport, WV 25330

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

See Attached

Plugging to occur with Bond in place. Permit includes salt disposal. EPHS and Paul have been notified.

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

Work order approved by inspector [Signature] Date 4/28/25

06/13/2025

Latex additives must be used to provide enhanced corrosion resistance and protection against fluid migration.

Plugging Prognosis – KNOWN H2S WELL

API #: 45-099-01912

West Virginia, Wayne County

Lat/Long – 38.135572, -82.443716

Nearest ER: Three Rivers Medical Center Emergency Department – 2485 KY-644 Louisa, KY 41230

Casing Schedule

16" @ 40' – No Cementing Information

9-5/8" @ 531' – CTS 200 sks Class A

7" @ 1744' – CTS w/ 300 sks Class A

2-7/8" @ 4042' – Cemented w/ 80 sks RFC – ETOC @ 3481' using 1.18 yield and 6-1/4" hole

TD @ 4062'

Completion: Big Six – 3914'-3926' – 250 gal 15% HCL, 184 bbls gelled acid

Fresh Water: 100'

Salt Water: 965', 999', 1030', 1123', 1187'

Gas Shows: None Reported

Oil Shows: None Reported

Coal: None Reported

Open Mine: None Reported

Elevation: 818'

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1. Notify Inspector Brian Warden @ 304-205-3229, 48 hrs prior to commencing operations.
2. One week prior to P&A, pump water w/ H2S Scavenger down well.
3. MIRU service rig, ancillary equipment, and all H2S monitoring and safety equipment.
4. Check and record pressures on csg/tbg. Kill well as necessary with fresh water or brine water. Use H2S Scavenger in kill water.
5. Check TD w/ sandline/tbg.
6. TOOH w/ any rods and/or tbg in well.
7. Pump 6% Bentonite gel between each plug.
8. TIH w/ tbg to 4052', 10' above TD. Kill well as needed with 6% bentonite gel and fill rat hole with gel. Pump at least 10 bbls gel. *TD*
9. Pump 338' Class L/Class A cement plug from *TD* 4052' to 3714' (2-7/8" Csg Shoe & Completion – Big Six Plug). Approximately 10 sks @ 1.14 yield. Tag TOC. Top off as needed. Do not omit any plugs listed below. Perforate as needed.
10. Free point 2-7/8" tbg. Cut and TOOH. Set 100' Class L/Class A cement plug across tbg cut. 50' in/out of cut. TOOH w/ tbg to top of plug. Approximately 11 sks @ 1.14 yield in 6-1/4" hole. Tag TOC. Top off as needed. Do not omit any plugs listed below. Perforate as needed.
11. TOOH w/ tbg to 1794'. Pump 100' Class L/Class A cement plug from 1794' to 1694' (7" Csg Shoe Plug). Approximately 20 sks @ 1.14 yield in 6-1/4" hole. Tag TOC. Top off as needed. Do not omit any plugs listed below. Perforate as needed.
12. TOOH w/ tbg to 1237'. Pump 756' Class L/Class A cement plug from 1237' to 481' (7" Csg Shoe, Saltwater, Elevation, & 9-5/8" Csg Shoe Plug). Approximately 160 sks @ 1.14

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yield. Tag TOC. Top off as needed. **Do not omit any plugs listed below. Perforate as needed.**

13. TOOH w/ tbg to 150'. Pump 150' Class L/Class A cement plug from **150' to Surface (Freshwater & Surface Plug)**. Approximately 32 sks @ 1.14 yield. Tag TOC. Top off as needed. **Do not omit any plugs listed below. Perforate as needed.**
14. Reclaim location and well road to WVDEP specifications and erect P&A well monument.



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WR-35

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JAN 26 1998

Permitting
Office of Oil and Gas

State of West Virginia
Division of Environmental Protection
Section of Oil and Gas
Well Operator's Report of Well Work

Date: 4-Dec-97
API # 47-099-01912

Farm name: Berry, Nolan & Herman Operator Well No.: CNR Fee #3R

LOCATION: Elevation: 818.00 Quadrangle: Wayne
District: Butler County: Wayne
Latitude: 11,300 Feet South of 38 Deg. 10 Min. 0 Sec.
Longitude: 7,900 Feet West of 82 Deg. 25 Min. 0 Sec.

Company: Cabot Oil & Gas Corporation
400 Fairway Drive: Suite 400
Coraopolis, PA 15108-4308

Casing & Tubing Size	Used in Drilling	Left in Well	Cement Fill up Cu. Ft.
16"	40'	40'	
9-5/8"	531'	531'	200 sks Class "A"
7"	1744'	1744'	300 sks Class "A"
2-7/8"	4042'	4042'	80 sks RFC

Agent: John Abshire
Inspector: David Belcher
Permit Issued: 6/17/97
Well Work Commenced: 8/14/97
Well Work Completed: 9/3/97
Verbal Plugging
Permission granted on:
Rotary X Cable Rig
Total Depth (feet) 4062'
Fresh Water Depths (ft) 100'

Salt Water Depths (ft) 965', 999', 1030', 1123', 1187'

Is coal being mined in area (Y / N)?

Coal Depths (ft)

OPEN FLOW DATA

Producing formation Big Six Pay zone depth (ft) 3914' - 3926'
Gas: Initial open flow 146 MCF/d Oil: Initial open flow N/A Bbl/d
Final open flow 453 MCF/d Final open flow N/A Bbl/d
Time of open flow between initial and final tests 4 Hours
Static rock pressure 1200 psig (surface pressure after 14 Hours

Second producing formation Pay zone depth (ft)
Gas: Initial open flow MCF/d Oil: Initial open flow Bbl/d
Final open flow MCF/d Final open flow Bbl/d
Time of open flow between initial and final tests Hours
Static rock pressure psig (surface pressure after Hours

NOTE: ON BACK OF THIS FORM PUT THE FOLLOWING: 1). DETAILS OF PERFORATED 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.

For: CABOT OIL & GAS CORPORATION

By: Ray Prudnick Jr.
Date: 1-22-98

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MAY 1912

OPEN FLOW DATA

Perf'd Big Six @ 3914'-3926'. Brokedown with 250 gals 15% HCl acid. Breakdown pressure 3571 psi. Treated with 184 bbls gelled acid. ATP: 3404 psi. MTP: 3631 psi. AIR: 3 bpm. ISIP: 3000 psi.

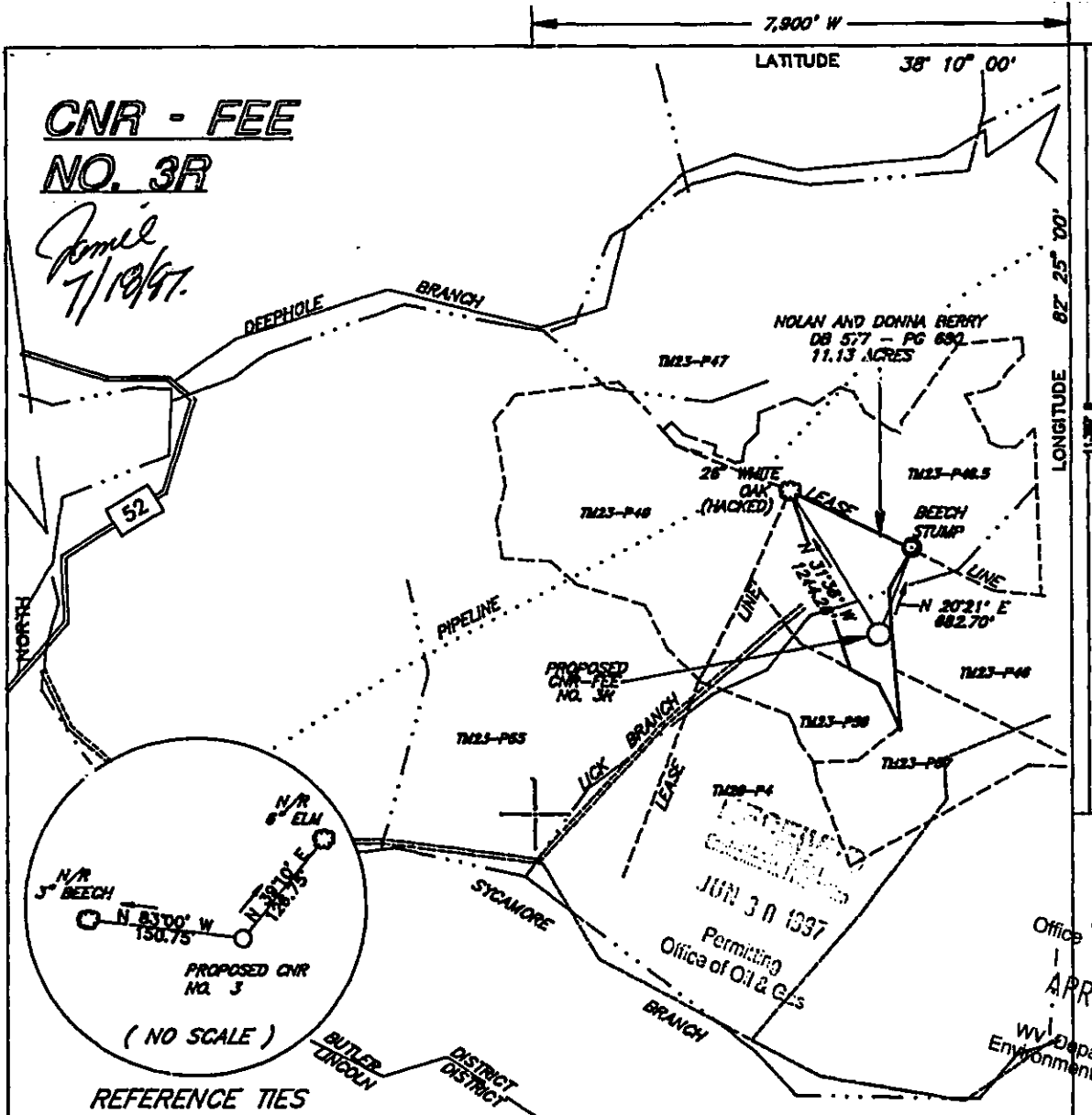
FORMATION	TOP	BOTTOM	REMARKS
Sand/Shale	0	772	
Salt Sand	772	1257	
Little Lime	1257	1321	
Big Lime	1321	1484	
Injun	1484	1591	
Shale	1591	2092	
Berea	2092	2131	
Shale	2131	3216	
Onondaga	3216	3365	
Lockport	3365	3950	
Shale	3950	TD - 4062	

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CNR - FEE NO. 3R

Amel
7/19/97



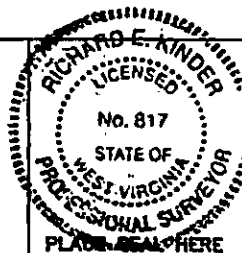
REFERENCE TIES

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NO. 97041
DRAWING NO. 97041P
SCALE 1" = 1000'
MINIMUM DEGREE OF
ACCURACY 1:1500
PROVEN SOURCE OF
ELEVATION SPOT & ELEV. TOP OF KNOWN
EL. 1138'

I THE UNDERSIGNED, HEREBY CERTIFY THAT
THIS PLAT IS CORRECT TO THE BEST OF MY
KNOWLEDGE AND BELIEF AND SHOWS ALL THE
INFORMATION REQUIRED BY LAW AND THE REGU-
LATIONS ISSUED AND PRESCRIBED BY THE DEPART-
MENT OF ENERGY.
(SIGNED) Richard E. Kinder

R.P.E. LLS. 817



WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
#10 McJUNKIN ROAD
NITRO, WEST VIRGINIA 25143-2506



DATE JUNE 6, 1997
OPERATOR'S WELL NO. CNR - 3R
API WELL NO. 47-099-01912
STATE COUNTY PERMIT

WELL TYPE: OIL GAS LIQUID INJECTION WASTE DISPOSAL
(IF "GAS," PRODUCTION STORAGE DEEP X SHALLOW)
LOCATION: ELEVATION 819' WATERSHED LICK BRANCH OF SYCAMORE BRANCH
DISTRICT BUTLER COUNTY WAYNE
QUADRANGLE WAYNE 7.5'
SURFACE OWNER NOLAN AND DONNA BERRY ACREAGE 11.13 ACRES
OIL & GAS ROYALTY OWNER COLUMBIA NATURAL RESOURCES LEASE ACREAGE 1.385 ACRES
LEASE NO.

PROPOSED WORK: DRILL X 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 Deep Six ESTIMATED DEPTH 4025'
WELL OPERATOR CAROL OIL & GAS CORP. DESIGNATED AGENT JOHN ARSHRE
ADDRESS P.O. BOX 1473 ADDRESS P.O. BOX 454
CHARLESTON, WV GLASCOCK, WV 25086

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FORM WW-6

WAYNE
1912

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099-1412

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

- 1) Well Operator: Cabot Oil & Gas Corporation 8145 (1) 659
- 2) Operator's Well Number: CNR Fee #3R 3) Elevation: 818.00
- 4) Well Type: a) Oil / or Gas X /
- b) If Gas: Production X / Underground Storage /
Deep X / Shallow /
- 5) Proposed Target Formation(s): Big Six
- 6) Proposed Total Depth: 4025 feet
- 7) Approximate fresh water strata depths: 10', 189'
- 8) Approximate salt water depths: 910', 950', 1159'
- 9) Approximate coal seam depths: 325', 401'
- 10) Does land contain coal seams tributary to active mine? Yes X / No
- 11) Proposed Well Work: Drill and complete a gas well
- 12) Based on Wayne 1174, 1893, 1894 and coal company maps

CASING AND TUBING PROGRAM

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft.	For Drilling	Left in Well	Fill-up (cu. ft.)
Conductor	16"	L.S.	65#	30'	30'	10 sks (GFS)
Fresh Water						
Coal	9-5/8"	L.S.	26#	500'	500'	19-0 sks (CTS)
Intermediate	7"	L.S.	20#	1700'	1700'	80 sks
Production	2-7/8"	J-55	6.5#	3975'	3975'	80 sks
Tubing						
Liners						

PACKERS: Kind
Sizes
Depths set

For Office of Oil and Gas Use Only

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

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WW-4A
Revised 6-07



1) Date: 4/3/2025
2) Operator's Well Number NOLAN & HERMAN BERRY 3R

3) API Well No.: 47 - 099 - 01912

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>Alvin F. Newsome & Keyona M. Newsome</u>	Name <u>Not Currently Operated</u>
Address <u>PO Box 75</u>	Address _____
<u>Genoa, WV 25517</u>	_____
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>Pocahontas Land Corp. c/o Pocahontas Land, LLC</u>
_____	Address <u>PO Box 1516</u>
_____	<u>Bluefield, WV 24700</u>
(c) Name _____	Name _____
Address _____	Address _____
_____	_____
6) Inspector <u>Brian Warden</u>	(c) Coal Lessee with Declaration
Address <u>49 Elk Creek Rd</u>	Name <u>ANR, INC.</u>
<u>Delbarton, WV 25670</u>	Address <u>340 Martin Luther King Jr. BLVD</u>
Telephone <u>304-205-3229</u>	<u>Bristol, TN 37620</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.



Well Operator Diversified Production, LLC
By: Chris Veazey
Its: Director of Administration
Address 414 Summers Street
Charleston, WV 25301
Telephone 304-590-7707

Subscribed and sworn before me this 3rd day of April, 2025
Jeffrey Bush Notary Public
My Commission Expires September 28, 2028

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.

06/13/2025

Diversified Gas & Oil Corporation
Permitting Department
414 SUMMERS STREET
2ND FLOOR
CHARLESTON WV 25301

USPS CERTIFIED MAIL™



9407 1362 0855 1277 9989 51



ALVIN F & KEYONA M NEWSOME
PO BOX 75
GENOA WV 25517-0075

US POSTAGE AND FEES PAID
2025-04-03
25301
C4000004
Retail
4.0 OZ FLAT

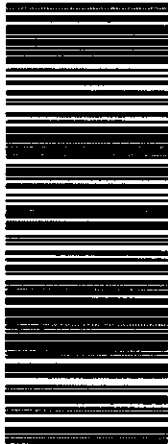


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Diversified Gas & Oil Corporation
Permitting Department
414 SUMMERS STREET
2ND. FLOOR
CHARLESTON WV 25301

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9407 1362 0855 1277 9993 78



ANR INC
340 MARTIN LUTHER KING JR BLVD
BRISTOL TN 37620-3996

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25301
C4000004
Retail
4.0 OZELAT



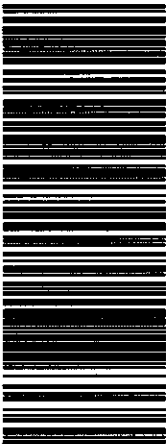
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Diversified Gas & Oil Corporation
Permitting Department
414 SUMMERS STREET
2ND. FLOOR
CHARLESTON WV 25301

USPS CERTIFIED MAIL™



9407 1362 0855 1277 9997 74



POCAHONTAS LAND CORP
C/O POCAHONTAS LAND LLC
PO BOX 1516
BLUEFIELD WV 24701-1516

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

Operator Name: Diversified Production, LLC OP Code 494524121

Watershed (HUC 10)Lick Br. of Sycamore Br. Quadrangle Wayne 7..5'

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

Will a pit be used? Yes ☐ No ☒

If so, please describe anticipated pit waste: Production fluid and cement returns.

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

Proposed Disposal Method For Treated Pit Wastes:

- ☐ Land Application (if selected provide a completed form WW-9-GPP)
- ☒ * Underground Injection (UIC Permit Number 2D03902327 002)
- ☐ Reuse (at API Number _____)
- ☐ Off Site Disposal (Supply form WW-9 for disposal location)
- ☐ Other (Explain _____)

Will closed loop system be used? If so, describe: N/A

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

-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. N/A

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

-Landfill or offsite name/permit number? N/A

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 Chris Veazey

Company Official (Typed Name) Chris Veazey

Company Official Title Director of Administration



Subscribed and sworn before me this 3rd day of April, 2025

Jeffrey Bush Notary Public

My commission expires September 28, 2028

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Proposed Revegetation Treatment: Acres Disturbed +/- 1 ac. Prevegetation pH N/ALime 3 Tons/acre or to correct to pH 6.5Fertilizer type 10-20-20 or EquivalentFertilizer amount 500 lbs/acreMulch 2 Tons/acreSeed MixturesTemporaryPermanent

Seed Type	lbs/acre	Seed Type	lbs/acre
Red Fescue	<u>40</u>	Red Fescue	<u>15</u>
Alsike	<u>5</u>	Alsike Clover	<u>5</u>
Annual Rye	<u>15</u>		

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: [Signature]Comments: To DEP Study

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Title: [Signature]Date: 4/28/25

Field Reviewed?

☒ Yes☐ No

06/13/2025



DIVERSIFIED
energy

Date: 4/3/2025

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

Mr. Martin,

Due to our cement provider, LaFarge Holcem, discontinuing the manufacturing of Class A cement, DGOC will be utilizing Class L cement to plug the following well:

API Number 4709901912 Well Name NOLAN & HERMAN BERRY 3R

Attached is the approved variance order for use of Class L cement.

Sincerely,

Diversified Energy Permitting Department

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west virginia department of environmental protection

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

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

**BEFORE THE OFFICE OF OIL AND GAS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE OF WEST VIRGINIA**

**IN THE MATTER OF A VARIANCE FROM)
LEGISLATIVE RULE 35CSR4)
SECTION 14.1. AND LEGISLATIVE RULE)
35CSR8 SECTION 20.1,)
RELATING TO THE CEMENTING)
OF OIL AND GAS WELLS)**

ORDER NO. 2022-13

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REPORT OF THE OFFICE

In response to industry requests, the West Virginia Department of Environmental Protection, Office of Oil and Gas has reviewed the proposed use of American Petroleum Institute (API) Class L cement to be used in place of API Class A cement for well plugging.

FINDINGS OF FACT

1. On July 28, 2022, Diversified Gas & Oil Co. (DGO) submitted a variance request from Legislative Rule 35CSR4 for the use of API Class L cement in place of API Class A cement, relating to the plugging of conventional wells.
2. Laboratory analysis submitted by DGO on July 28, 2022, indicates API Class L cement is comparable to API Class A cement and thereby satisfies the requirements of the West Virginia Code.
3. Contemporaneously, the Chief of the Office of Oil and Gas also chose to consider a variance to Legislative Rule 35CSR8 Section 20.1., for the use of API Class L cement in place of API Class A cement, relating to the plugging of horizontal wells.

Promoting a healthy environment.

06/13/2025

4. On August 18, 2022, the Office of Oil and Gas provided public notice of acceptance of public comments on the variance consideration. During the 20-day public comment period, no comments were received.

CONCLUSIONS OF LAW

Pursuant to Article 6 and Article 6A, Chapter 22 of the Code of West Virginia, the Office of Oil and Gas has jurisdiction over the subject matter, and the persons interested therein, and jurisdiction to promulgate the hereinafter prescribed Order.

Pursuant to Legislative Rule 35CSR4, Section 18 and Legislative Rule 35CSR8, Section 14, the Chief of the Office of Oil and Gas may grant a variance from any requirement of these rules.

ORDER

It is ordered that the Class L cement product approved and monogrammed by API is approved for use in place of API Class A cement for well plugging subject to the provisions of Legislative Rule 35CSR4 and Legislative Rule 35CSR8.

Dated this, the 13th day of September, 2022.

IN THE NAME OF THE STATE OF WEST VIRGINIA

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



James Martin, Chief
Office of Oil and Gas

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Diversified Gas & Oil
Corporation
100 Diversified Way
Pikeville KY, 41051

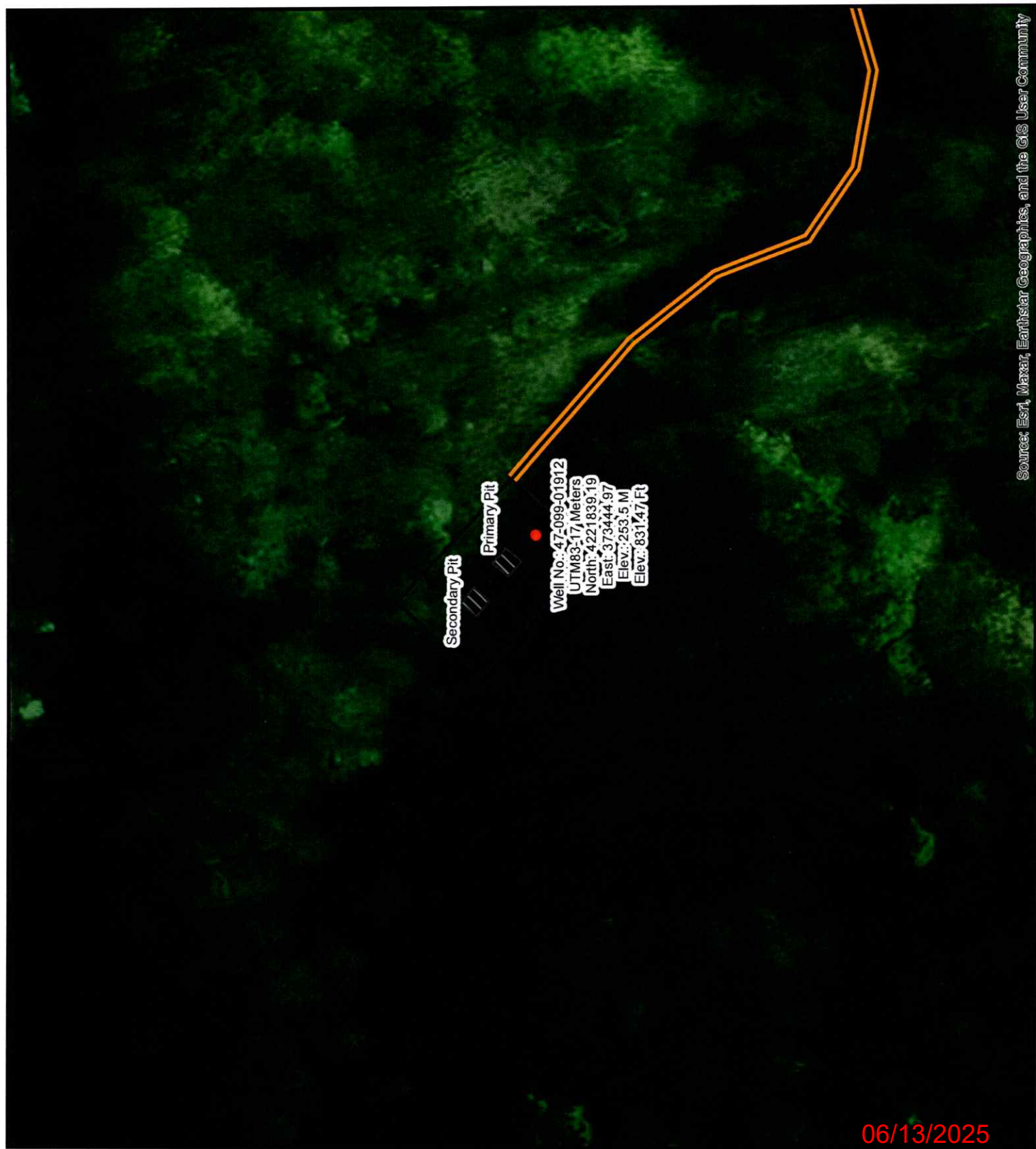
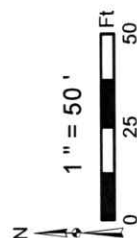
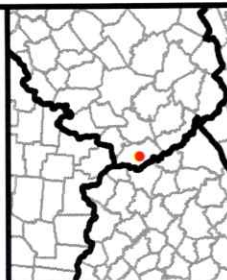
47-099-01912

Well Plugging Map

Legend

- Well
- Access Road
- Pits
- Pad
- Public Roads

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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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Diversified Gas & Oil
Corporation
100 Diversified Way
Pikeville KY, 41051

47-099-01912

Well Plugging Map

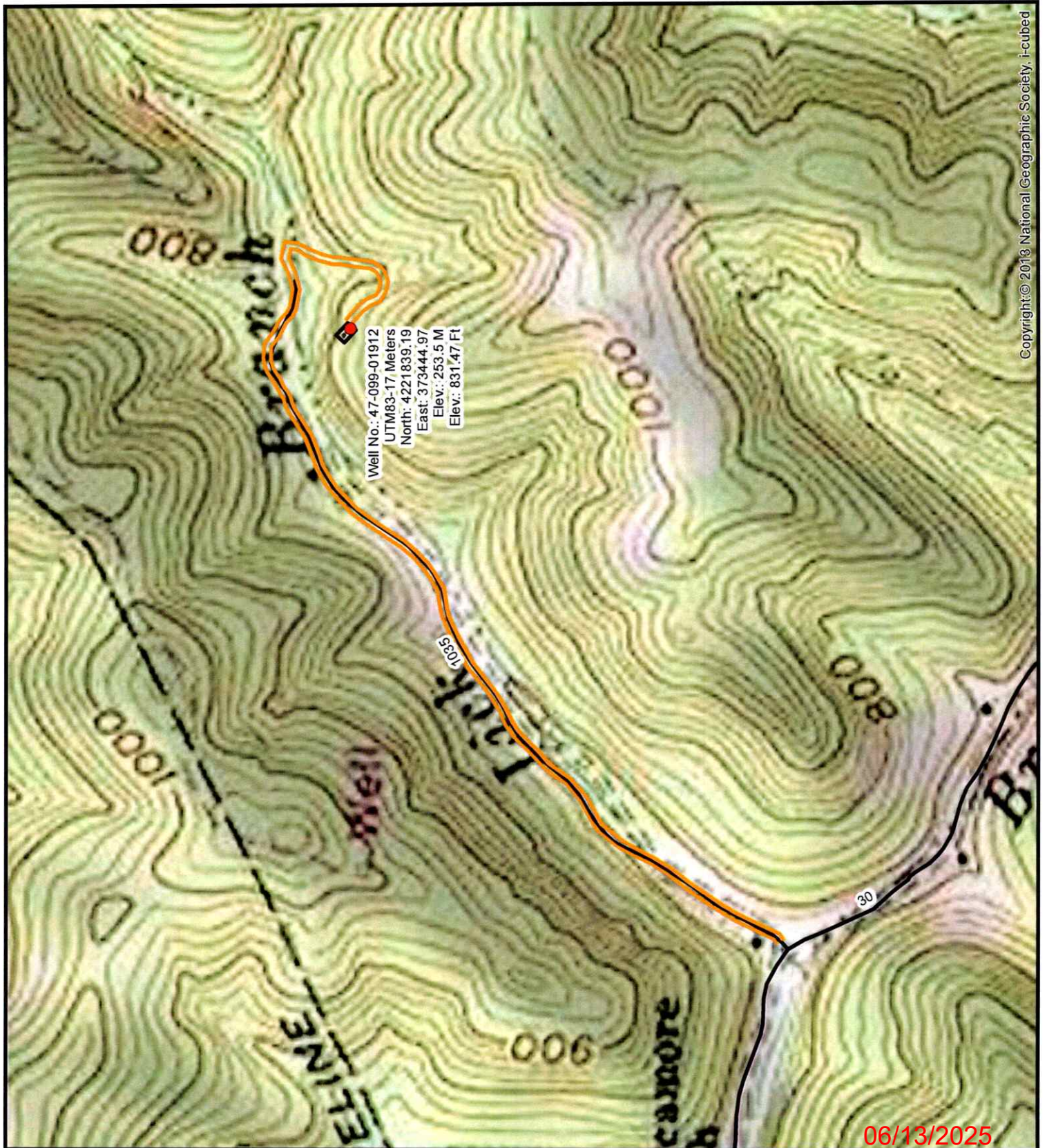
Legend

- Well
- Access Road
- Pits
- Pad
- Public Roads

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Well No.: 47-099-01912
UTM83-17 Meters
North: 4221839.19
East: 373444.97
Elev.: 253.5 M
Elev.: 831.47 Ft

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WW-7
8-30-06



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

API: 4709901912 WELL NO.: NOLAN & HERMAN BERRY 3R
FARM NAME: Berry, Nolan & Herman
RESPONSIBLE PARTY NAME: Diversified Production, LLC
COUNTY: Wayne DISTRICT: Butler
QUADRANGLE: Wayne 7..5'
SURFACE OWNER: Alvin F. Newsome & Keyona M. Newsome
ROYALTY OWNER: Columbia Natural Resources
UTM GPS NORTHING: 4221839.19
UTM GPS EASTING: 373444.97 GPS ELEVATION: 831.47'

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:

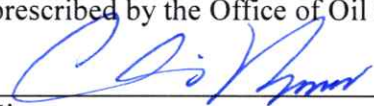
1. Datum: NAD 1983, Zone: 17 North, Coordinate Units: meters, Altitude: height above mean sea level (MSL) – meters.
2. Accuracy to Datum – 3.05 meters
3. Data Collection Method:

Survey grade GPS ____: Post Processed Differential ____
Real-Time Differential ____

Mapping Grade GPS X: Post Processed Differential X
Real-Time Differential ____

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

Chris Veazey - Director of Administration
Title

4/3/2025
Date

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WW-4B

API No. 4709901912
Farm Name Berry, Nolan & Herman
Well No. NOLAN & HERMAN BERRY 3R

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 ☐ / 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: _____

By: _____
Its _____

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SURFACE OWNER WAIVER

Operator's Well
Number

NOLAN & HERMAN BERRY 3R

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

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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

06/13/2025

11/10/2016

PLUGGING PERMIT CHECKLIST
4709901912

Plugging Permit

- ☐ WW-4B
- ☐ WW-4B signed by inspector
- ☐ WW-4A
- ☐ SURFACE OWNER WAIVER or PROOF THAT APPLICATION WAS SENT BY REGISTERED OR CERTIFIED MAIL
- ☐ COAL OWNER/COAL OPERATOR/COAL LESSEE WAIVERS or PROOF THAT APPLICATION WAS SENT BY REGISTERED OR CERTIFIED MAIL
- ☐ WW-9 PAGE 1 (NOTARIZED)
- ☐ WW-9 PAGE 2 with attached drawing of road, location, pit and proposed area for land application
- ☐ WW-9 GPP PAGE 1 and 2 if well effluent will be land applied
- ☐ RECENT MYLAR PLAT OR WW-7
- ☐ WELL RECORDS/COMPLETION REPORT
- ☐ TOPOGRAPHIC MAP OF WELL, SHOWING PIT IF PIT IS USED
- ☐ MUST HAVE VALID BOND IN OPERATOR'S NAME
- ☐ CHECK FOR \$100 IF PIT IS USED

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

plugging permit issued 4709901912

1 message

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

Wed, Jun 11, 2025 at 3:42 PM

To: Brian Warden <brian.warden@wv.gov>, Nicholas Bumgardner <nbumgardner@dgoc.com>, assessor@waynecountywv.org, Chris Veazey <CVeazey@dgoc.com>

To whom it may concern, a plugging permit has been issued for 4709901912.

--

James Kennedy

Environmental Resource Specialist III / Permitting

WVDEP Office of Oil and Gas

601 57th Street, SE

Charleston, WV 25304

304-926-0499 ext. 45025

james.p.kennedy@wv.gov



4709901912.pdf

2725K

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