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west virginia department of environmental protection

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

Harold D. Ward, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

Wednesday, March 12, 2025  
WELL WORK PLUGGING PERMIT  
Vertical Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT  
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for 4223  
47-013-00014-00-00

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: 4223  
Farm Name: PROUDFOOT, EVERETT  
U.S. WELL NUMBER: 47-013-00014-00-00  
Vertical Plugging  
Date Issued: 3/12/2025

## 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

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1. 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.
2. Well work activities shall not constitute a hazard to the safety of persons.
3. 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 February 18, 2025  
2) Operator's  
Well No. Calhoun - 00014  
3) API Well No. 47-013 - 00014

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 1009' Watershed Unnamed trib of Sycamore Creek  
District Sherman County Calhoun Quadrangle Millstone 7.5'

6) Well Operator Unknown - WVDEP Paid Plugging Contract 7) Designated Agent Jason Harmon  
Address 601 57th St., SE Address 601 57th St., SE  
Charleston, WV 26304 Charleston, WV 25304

8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name April Lawson Name Next LVL Energy (Diversified Owned)  
Address 347 Main St. Address 104 Helliport Loop Rd  
Spencer, WV 25276 Bridgeport, WV 25330

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

**See Attached Work Procedures**

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WV Department of  
Environmental Protection

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

Work order approved by inspector April Lawson Date \_\_\_\_\_

Digitally signed by April Lawson  
DN: CN = April Lawson email = april.lawson@wv.gov C  
= US  
Date: 2025.02.19 08:42:59 -0500

03/21/2025

## Plugging Prognosis

API #: 4701300014

West Virginia, Calhoun Co.

Lat./Long: 38.834132, -81.093242

Nearest ER: Roane General Hospital, 200 Hospital Dr, Spencer, WV 25276

## Casing Schedule:

Surface Casing @ Unknown Depth (cement top unknown)

Production Casing @ Unknown Depth (cement top unknown)

Tbg seen at surface

Rods seen at surface

TD @ 2210'

Completion: Producing Sand – Injun Sand perforated 2190'-2209'

Fresh Water: 415'

Salt Water: 1955'

Gas Shows: None Reported

Oil Shows: None Reported

Coal: None Reported

Elevation: 1011'

1. Notify Inspector April Lawson @ (681) 990-6944, 48 hrs prior to commencing operations.
2. Check and record pressures on csg/tbg.
3. Remove and lay down pumping rods and pull production tubing.
4. Check TD w/ wireline and confirm top of cement in production casing with CBL. If well is completed OH, then confirm shoe depth of production casing.
5. Run into depth @ 2209'. Kill well as needed with 6% bentonite gel and fill rat hole. Pump at least 10 bbls gel. Pump 304' Class A/L cement plug from **2209' to 1905' (Completion and saltwater plug)** Tag TOC. Top off as needed.
6. TOOH w/ tbg to 1905'. Pump 6% bentonite gel from 1905' to 1051'.
7. Free point csg. Cut and TOOH. **Set 100' Class A/L cement plug across csg cut. 50' in/out of cut. Do not omit any plugs listed below. Perforate as needed.**
8. TOOH w/ tbg to 1051'. Pump 100' Class A/L cement plug from **1051' to 951' (elevation plug)**.
9. TOOH w/ tbg to 951'. Pump 6% bentonite gel from 951' to 465'.

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10. If another string of casing is in well, locate casing shoe and TOC. Free point casing. Cut and TOO. **Set 100' Class A/L cement plug across csg cut. 50' in/out of cut. Do not omit any plugs listed below. Perforate as needed.**
11. TOO w/ tbg to 465'. Pump 100' Class A/L cement plug from **465' to 365' (freshwater plug).**
12. TOO w/ tbg to 365'. Pump 6% bentonite gel from 365' to 100'.
13. If another string of casing is in well, locate casing shoe and TOC. Free point casing. Cut and TOO. **Set 100' Class A/L cement plug across csg cut. 50' in/out of cut. Do not omit any plugs listed below. Perforate as needed.**
14. TOO w/ tbg to 100'. Pump 100' Class A/L cement plug from **100' to surface (surface plug).**
15. Reclaim location and well road to WV DEP specifications and erect P&A well monument.

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B-1

leaf 14

WEST VIRGINIA DEPARTMENT OF MINES

Oil and Gas Section

PRELIMINARY DATA SHEET NO. 1

File No. Well No. 4223
Virginian Gas. & Oil Co. Company of Charleston, W. Va.
on the Everett Proudfoot Farm
containing 30 acres. Location
Sherman District in Calhoun County, West Virginia.

The surface of the above tract is owned in fee by Everett Proudfoot
of Grantsville, W. Va. address, and the mineral rights are owned by
Everett Proudfoot of Grantsville, W. Va.

The oil and gas privileges are held under lease by the above named company, and this well is drilled under
permit No. issued by the West Virginia Department of Mines, Oil and Gas Section,
February 8 1930.

Elevation of surface at top of well, 1011 Barometric.

The number of feet of the different sized casings used in the well.

16 feet 13" size. Wood conductor.
646 feet 10" size. esg. 350 feet 8 1/2" sized esg.
2086 feet 6 5/8" size. esg.
feet size. esg. feet sized esg.

OK
Chas. L. Webb

pucker of size, set at
pucker of size, set at
in casing perforated at feet to feet.
in casing perforated at feet to feet.

Coal was encountered at No. COAL feet; thickness inches, and at
feet; thickness inches; and at feet; thickness inches.

Liners were used as follows: (Give details)

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FEB 21 1930

April 3, 1930

Date.

West Virginia Department of
Environmental Protection

Approved Virginian Gasoline & Oil Co., Owner.

By G. Cunningham
(Title) Engineer

JUL 27 1930

03/21/2025

B-2

VIRGINIAN GASOLINE &amp; OIL Company

Charleston, W. Va., Address

## COMPLETION DATA SHEET

NO. 2

## FORMATION RECORD

Well No. 4223,  
Elev. 1011' Baro.

Name	Color	Character	Oil, Gas or Water	Top	Bottom	Thickness	Total Depth	Remarks
Soil					13	13		
Hard Blue Lime				13	28	15		
Blue Slate & Shell				28	80	52		
Soft Red Rock				80	105	25		
Blue Slate & Shell				105	175	70		
Red Rock				175	180	5		
Blue Slate				180	300	120		
Grey Sand				300	330	30		
Blue Slate				330	350	20		
Grey Sand			Water 415'	350	420	70		
Blue Slate & Shell				420	520	100		
Red Rock				520	535	15		
Black Slate				535	600	65		
Grey Sand				600	625	25		
Blue Slate				625	635	10		
Red Rock				635	670	35		
Grey Sand				670	680	10		
Blue Slate				680	690	10		
Red Rock				690	700	10		
Blue Slate				700	725	25		
Grey Sand				725	740	15		
Blue Slate				740	815	75		
Grey Sand				815	865	50		
Blue Slate				865	875	10		
Red Rock				875	890	15		
Blue Slate				890	900	10		
Red Rock				900	935	35		
Blue Slate & Shell				935	1136	201		
Grey Sand				1136	1200	64		
Black Slate				1200	1225	25		
Grey Gas Sand				1225	1370	145		
Black Slate				1370	1400	30		
Grey Sand				1400	1420	20		
Soft Sl. & Shell				1420	1470	50		

(Continued)

Cal-14

shot  
Well was not shot at \_\_\_\_\_ feet; well was shot at \_\_\_\_\_ feet.

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Salt  
Fresh water at \_\_\_\_\_ feet; salt  
fresh water at \_\_\_\_\_ feet.

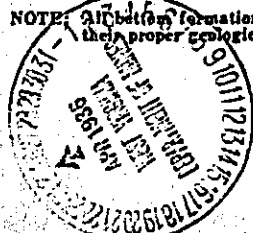
FEB 21 2025

producing  
Well was \_\_\_\_\_ hole.  
dry

WV Department of  
Environmental Protection

Date \_\_\_\_\_ Approved \_\_\_\_\_ Owner \_\_\_\_\_

NOTE: All formations must be noted as indicated above and all key-rocks and oil and gas sands must be recorded under their proper geological names in the district as well as any local names commonly used in the district for such strata.



03/21/2025

B-3

Virginian Gaso. & Oil Co. Company  
 Charleston, West Va. Address  
 Well 4223

COMPLETION DATA SHEET  
 NO. 2  
 FORMATION RECORD

Name	Color	Character	Oil, Gas or Water	Top	Bottom	Thickness	Total Depth	Remarks
Soil					13			
Hard Blue Lime				13	28			
Soft Blue Slate & Shell				28	60			
Soft Red Rock				60	105			
Hard Blue Slate & Shell				105	175			
Soft Red Rock				175	180			
Soft Blue Slate				180	300			
Soft Gray Sand				300	350			
Soft Blue Slate				350	420			
Soft Gray Sand				420	520			
Soft Blue Slate & Shell				520	535			
Soft Red Rock				535	600			
Soft Black Slate				600	625			
Hard Gray Sand				625	635			
Hard Blue Slate				635	670			
Soft Red Rock				670	680			
Hard Gray Sand				680	690			
Soft Blue Slate				690	700			
Soft Red Rock				700	725			
Soft Blue Slate				725	740			
Soft Gray Sand				740	815			
Soft Blue Slate				815	865			
Soft Red Rock				865	875			
Soft Blue Slate				875	890			
Soft Pink Red Rock				890	900			
Soft Blue Slate & Shell				900	935			
Hard Gray Sand				935	1136			
Soft Black Slate				1136	1200			
Hard Gray Gas Sand				1200	1225			
Soft Black Slate				1225	1370			
Hard Gray Sand				1370	1400			
Dark Soft Slate & Shell				1400	1420			
Soft Gray Sand				1420	1470			
Soft Black Slate				1470	1515			
				1515	1644			

Cal-14

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Well was not shot at \_\_\_\_\_ feet; well was shot at \_\_\_\_\_ feet.

FEB 21 2025

Fresh water at \_\_\_\_\_ feet; fresh water at \_\_\_\_\_ feet.

Well was \_\_\_\_\_ producing hole.  
 dry

WV Department of  
 Environmental Protection

April 3, 1930  
 Date

Approved \_\_\_\_\_  
 Owner

must be noted as indicated above and all key-rocks and oil and gas sands must be recorded under names in the district as well as any local names commonly used in the district for such strata.

03/21/2025



B-5

VIRGINIAN GASOLINE & OIL Company

COMPLETION DATA SHEET

Charleston, W. Va., Address

NO. 2

Well No. 4223,

FORMATION RECORD

Sheet #2,

Name	Color	Character	Oil, Gas or Water	Top	Bottom	Thickness	Total Depth	Remarks
Grey Sand				1470	1515	45		
Black Slate				1515	1644	129		
Grey 1st Salt Cd.				1644	1740	96		
Black Slate				1740	1780	40		
Grey 2nd Salt Cd.				1780	1810	30		
Black Slate				1810	1855	25		
Grey Sand				1855	1845	10		
Black Slate				1845	1980	35		
Grey Sand				1880	1900	20		
Black Slate				1900	1915	15		
Grey Maxon Sand			Water 1955'	1915	2000	85		
Black Slate				2000	2005	5		
Blue Little Lime				2005	2030	25		
Black Slate				2030	2035	5		
Grey Lime Shell				2035	2043	8		
Black Pencil Chert				2043	2063	10		
Grey Br. Lime				2063	2157	104		
Grey Keener				2157	2177	20		
Injun Sand				2177	2210	33		
Oil pay S.L. Meas.				2191	2210	19		
Total Depth							2210	

C21-14

shot  
Well was shot at 1990 to 2209 feet; well was shot at Office of Oil & Gas feet.

1955'  
Fresh water at 415 feet; salt water at 1955' FEB 21 2025 feet.

producing  
Well was hole. dry.

May 5th, 1930. Date Approved VIRGINIAN GASOLINE & OIL COMPANY Owner

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



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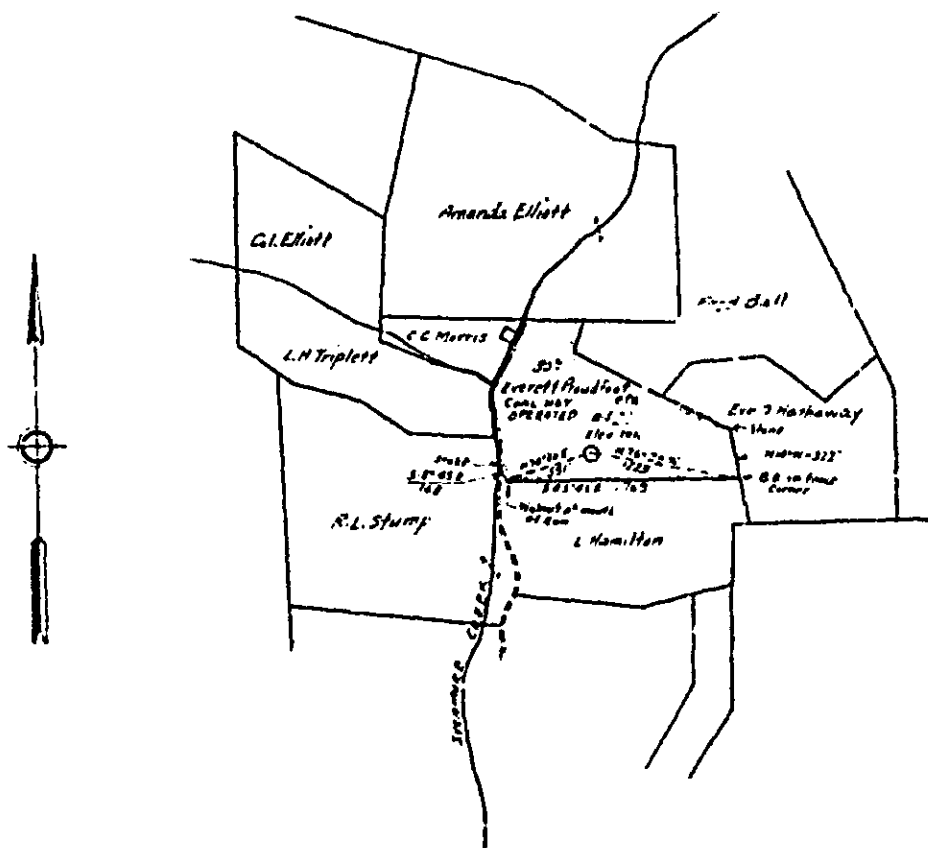
I, the undersigned hereby certify that this map is true and correct, and shows all the information required by Oil & Gas law, Acts of 1929.

G.A. Cunningham

Acknowledged before me a Notary Public of  
Kanawha County, W. Va. this 24 day of January 1930

My Commission expires November 30, 1930

James P. Fessenden  
Notary Public



Everett Proudfoot et al  
Well No. 4223  
Sherman District  
Calhoun County, W. Va.  
Jan. 23, 1930

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VIRGINIAN GASOLINE & OIL CO.  
MAP SHOWING  
PROPOSED WELL LOCATION  
SCALE: 4 INCHES = 1 MILE

03/21/2025

1) Date: 2/8/2025  
2) Operator's Well Number Calhoun - 00014

3) API Well No.: 47 - 013 - 00014

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

<p>4) Surface Owner(s) to be served:</p> <p>(a) Name <u>David &amp; Patsy Kisner, Cynthia Morgan</u> Address <u>2166 Sycamore Rd.</u> <u>Millstone, WV 25621</u></p> <p>(b) Name <u>Not Reported</u> Address _____</p> <p>(c) Name <u>Not Reported</u> Address _____</p> <p>6) Inspector <u>April Lawson</u> Address <u>347 Main St.</u> <u>Spencer, WV 25276</u> Telephone <u>(681) 990-6944</u></p>	<p>5) (a) Coal Operator</p> <p>Name <u>Not Reported</u> Address _____</p> <p>(b) Coal Owner(s) with Declaration</p> <p>Name <u>Not Reported</u> Address _____</p> <p>(c) Coal Lessee with Declaration</p> <p>Name <u>Not Reported</u> Address _____</p>
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**FEB 21 2025**  
WV Department of  
Environmental Protection

**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 Unknown - WVDEP Paid Plugging Contract  
By: Jason Harmon  
Its: WV Office of Oil and Gas Deputy Chief  
Address 601 57th St. SE  
Charleston, WV 25304  
Telephone 304-926-0452

Subscribed and sworn before me this 21 day of February 2025  
Zachary S. Johnson Notary Public  
My Commission Expires 2-15-28

**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](mailto:depprivacyofficer@wv.gov).

03/21/2025

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

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FEB 21 2025  
WV Department of  
Environmental Protection

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DAVID & PATSY KISNER  
CYNTHIA MORGAN  
2166 SYCAMORE RD  
MILLSTONE WV 25261-8672

US POSTAGE AND FEES PAID  
2025-02-18  
25301  
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Retail  
4.0 OZ FLAT  
easypost  
0901000010738



03/21/2025



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

Operator Name Unknown - WVDEP Paid Plugging Contract OP Code \_\_\_\_\_

Watershed (HUC 10) Unnamed trib of Sycamore Creek Quadrangle Millstone 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.? \_\_\_\_\_

Proposed Disposal Method For Treated Pit Wastes:

- \_\_\_\_\_ Land Application (if selected provide a completed form WW-9-GPP)
- \* ☒ Underground Injection ( UIC Permit Number #25-744 )
- \_\_\_\_\_ 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.

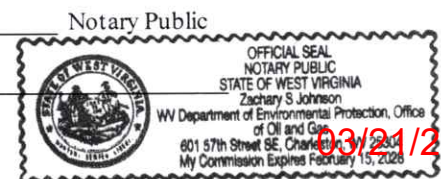
I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on April 1, 2016, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations 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 Jason Harmon RECEIVED  
Company Official (Typed Name) Jason Harmon Office of Oil and Gas  
Company Official Title Deputy Chief FEB 21 2025

Subscribed and sworn before me this 21 day of February, 2016

Zach Johnson  
My commission expires 2-15-28



03/21/2025



Proposed Revegetation Treatment: Acres Disturbed +/- 1 ac. Prevegetation pH \_\_\_\_\_Lime 3 Tons/acre or to correct to pH 6.5Fertilizer type 10-20-20 or EquivalentFertilizer amount TBD lbs/acreMulch 2 Tons/acreSeed MixturesTemporary

Seed Type	lbs/acre
Red Fescue	40
Alsike	5
Annual Rye	15

Permanent

Seed Type	lbs/acre
Red Fescue	15
Alsike Clover	5

## 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: April LawsonDigitally signed by April Lawson  
DN: CN = April Lawson email = april.n.  
lawson@wv.gov C = US  
Date: 2025.02.19 08:43:47 -0500Comments: Follow E&S Control PlanRECEIVED  
Office of Oil and Gas

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WV Department of  
Environmental ProtectionTitle: OOG InspectorDate: 2/19/2025

Field Reviewed?

☐

Yes

☐

No

03/21/2025



**DIVERSIFIED**  
energy

Date: 2/18/2025

James Martin  
Office of Oil and Gas  
601 57<sup>th</sup> 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 4701300014 Well Name Calhoun - 00014

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

Sincerely,

Chris Veazey  
Permitting Supervisor  
304-590-7707

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Department of  
Environmental Protection

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west virginia department of environmental protection

Office of Oil and Gas  
601 57<sup>th</sup> 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 ) ORDER NO. 2022-13  
SECTION 14.1. AND LEGISLATIVE RULE )  
35CSR8 SECTION 20.1, )  
RELATING TO THE CEMENTING )  
OF OIL AND GAS WELLS )**

**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.

FEB 21 2025

Office of Oil and Gas  
Environmental Protection

03/21/2025

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

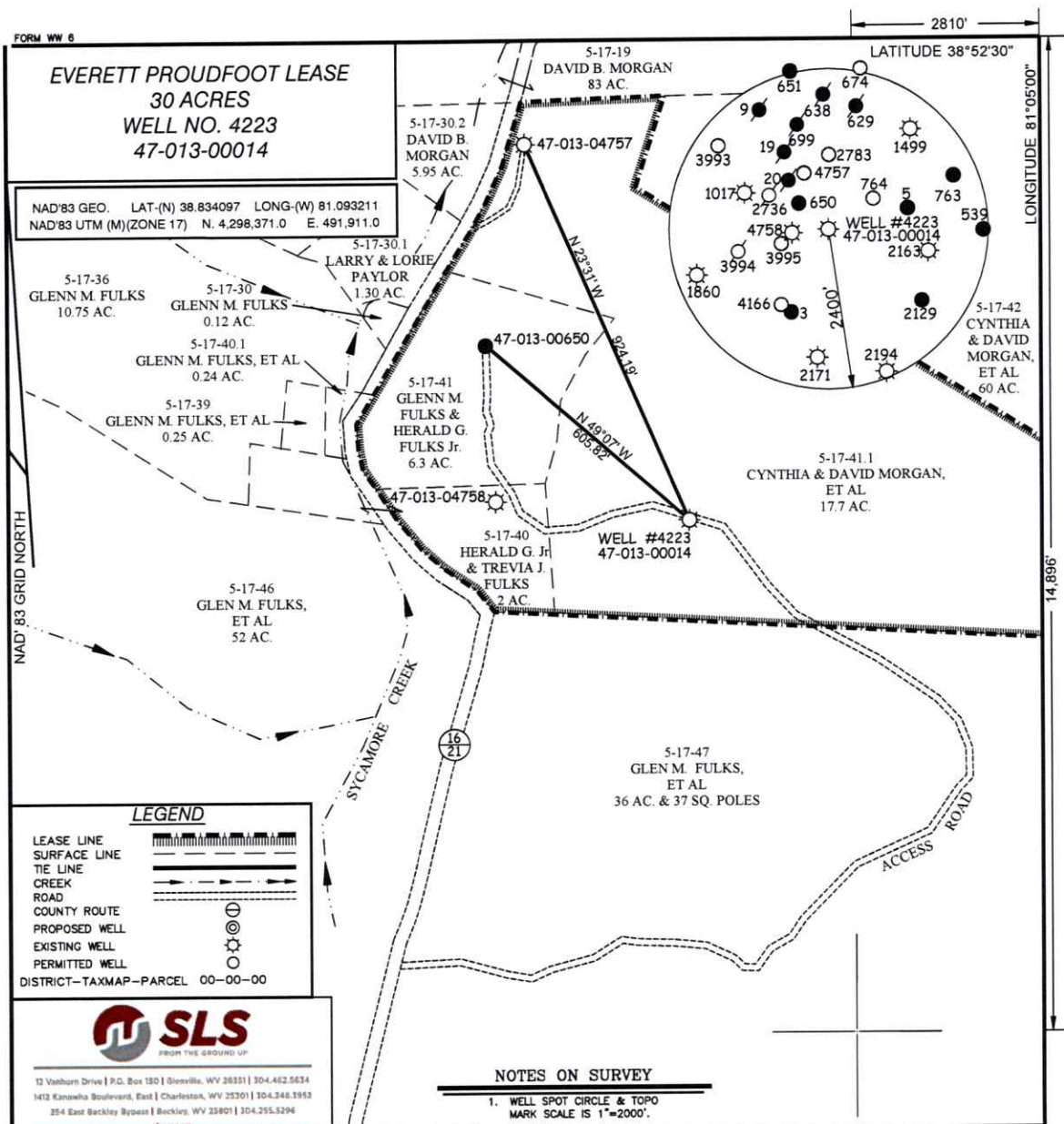
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Department of  
Environmental Protection

03/21/2025





I THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND PRESCRIBED BY THE DIVISION OF ENVIRONMENTAL PROTECTION.

P.S.  
677

*Gregory A. Smith*



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

DATE JANUARY 4, 2025

REVISED, 20

OPERATORS WELL NO. 4223

API WELL NO. 47 - 013 - 00014-P

STATE COUNTY PERMIT

MINIMUM DEGREE OF ACCURACY 1 / 200

FILE NO. 9502-WELL PLAT-4701300014-R00-250205-MRH.dwg

HORIZONTAL & VERTICAL CONTROL DETERMINED BY DGPS (SUBMETER MAPPING GRADE TIE TO CORS NETWORK)

SCALE 1" = 300'

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



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

LOCATION: ELEVATION 1009' WATERSHED SYCAMORE CREEK  
DISTRICT SHERMAN COUNTY CALHOUN QUADRANGLE MILLSTONE 7.5'

SURFACE OWNER CYNTHIA & DAVID MORGAN, ET AL ACREAGE 17.70±

ROYALTY OWNER N/A ACREAGE 30±

PROPOSED WORK: LEASE NO.

DRILL ☐ CONVERT ☐ DRILL DEEPER ☐ REDRILL ☐ FRACTURE OR STIMULATE ☐ PLUG OFF OLD

FORMATION ☐ PERFORATE NEW FORMATION ☐ PLUG AND ABANDON ☒ CLEAN OUT AND REPLUG ☐ OTHER ☐

PHYSICAL CHANGE IN WELL (SPECIFY) TARGET FORMATION INJUN

ESTIMATED DEPTH 2210

WELL OPERATOR UNKNOWN WVDEP PAID PLUGGING CONTRACT DESIGNATED AGENT JASON HARMON, WVDEP

ADDRESS 601 57TH STREET

CHARLESTON, WV 25304 (WVDEP) ADDRESS 601 57TH STREET

CHARLESTON, WV 25304



**PROUDFOOT #1 WELL NO. 47-013-04758**  
**PROUDFOOT #4223 WELL NO. 47-013-00014**  
**PROUDFOOT #2 WELL NO. 47-013-00650**

Form WW-9

page of

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

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

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

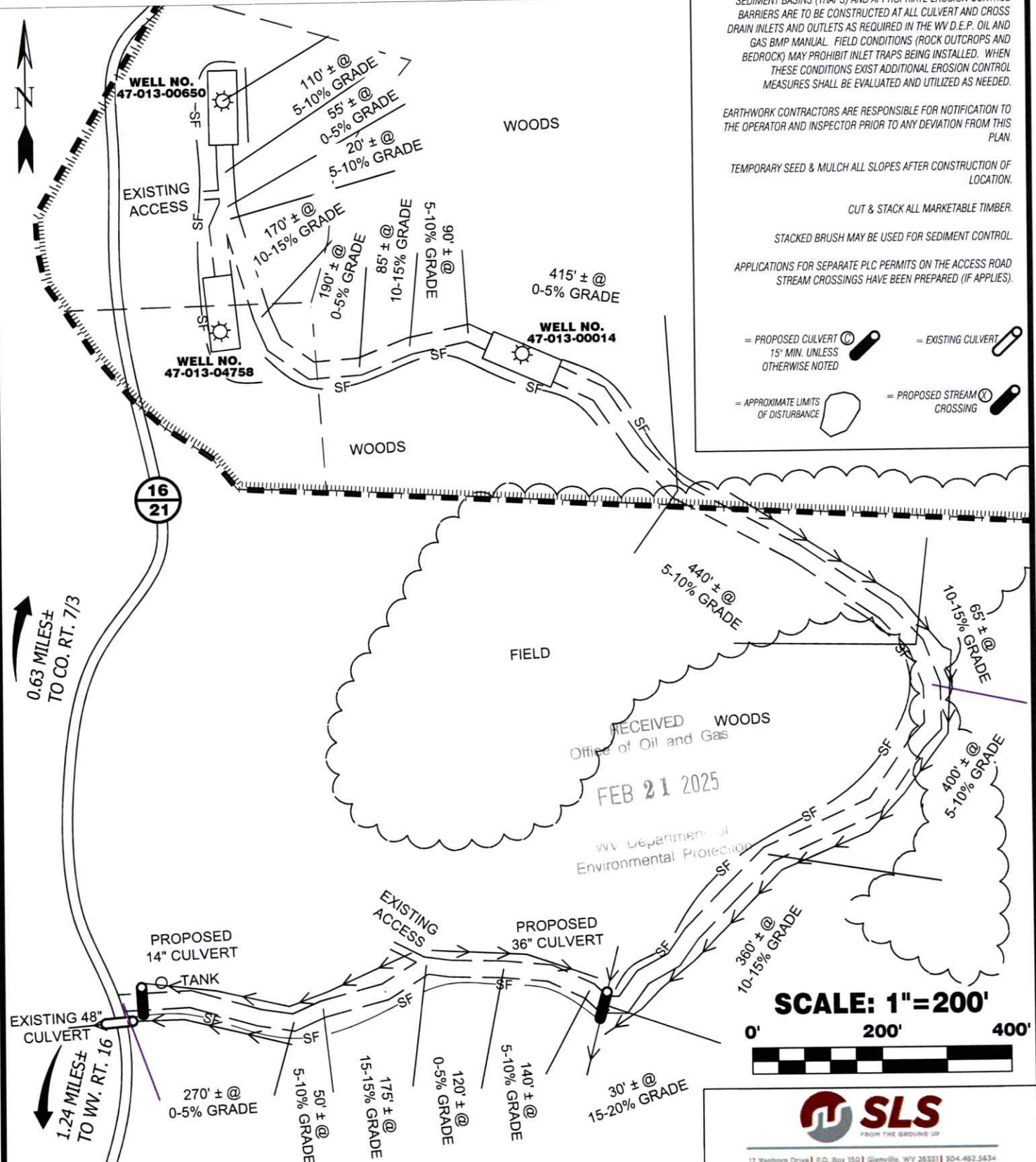
TEMPORARY SEED & MULCH ALL SLOPES AFTER CONSTRUCTION OF LOCATION.

CUT & STACK ALL MARKETABLE TIMBER.

STACKED BRUSH MAY BE USED FOR SEDIMENT CONTROL.

APPLICATIONS FOR SEPARATE PLC PERMITS ON THE ACCESS ROAD STREAM CROSSINGS HAVE BEEN PREPARED (IF APPLIES).

- = PROPOSED CULVERT 15' MIN. UNLESS OTHERWISE NOTED
- = EXISTING CULVERT
- = APPROXIMATE LIMITS OF DISTURBANCE
- = PROPOSED STREAM CROSSING



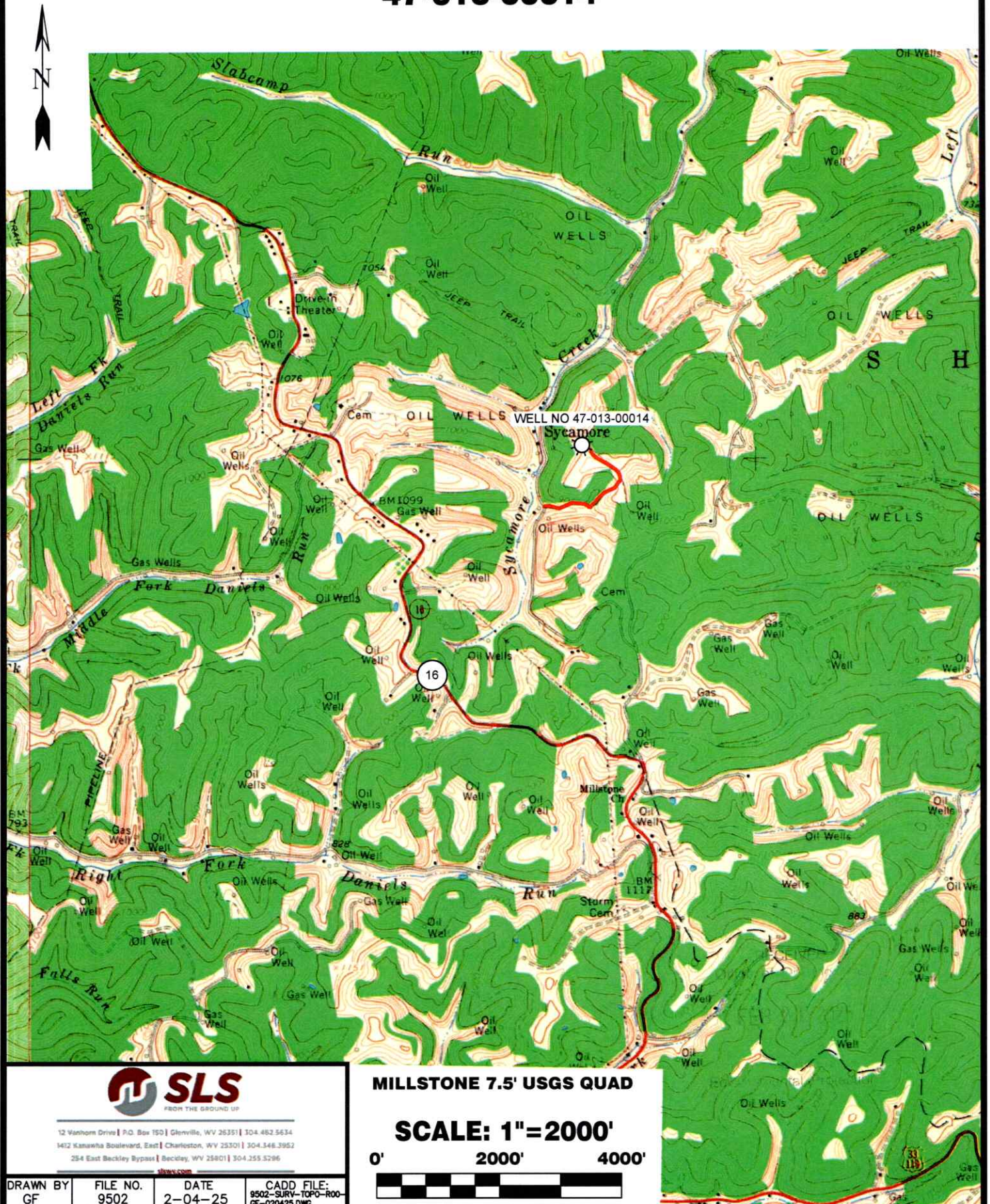
CADD FILE: 9514-SURV-REC-000-GF-020425.DWG  
 DATE: 2-04-25  
 FILE NO.: 9514  
 DRAWN BY: GF



12 Vanhorn Drive | P.O. Box 150 | Glenville, WV 26351 | 304.462.5654  
 1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.9952  
 254 East Beckley Bypass | Beckley, WV 25801 | 304.253.5296

03/21/2025





03/21/2025



WW-4B

API No.	4701300014
Farm Name	Everett Proudfoot
Well No.	Calhoun - 00014

## 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

Calhoun - 00014

### 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 57<sup>th</sup> 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

03/21/2025

11/10/2016

PLUGGING PERMIT CHECKLIST  
4701300014

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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WV Department of  
Environmental Protection

03/21/2025





**DIVERSIFIED**  
energy

Jason Harmon – Deputy Director  
WV Department of Environmental Protection  
Office of Oil and Gas  
601 57<sup>th</sup> Street, SE  
Charleston, WV 26304-2345

Mr. Harmon,

Please find enclosed a permit application to plug and abandon the orphan well listed below.

API #: 4701300014  
Tax District: Sherman  
Calhoun County, WV

This well is part of the state orphan multi-well plugging contract for Calhoun County, WV. Next Level Energy will be the plugging contractor operating under the Calhoun County Contract. The oil and gas inspector has reviewed and signed off on the permit application for the work to be carried out. Additionally, a copy of the application has been mailed to the surface owner(s) of record, with the associated mail receipt(s) enclosed.

If you have any questions or require further information regarding the work or the permitting process, please do not hesitate to contact the Diversified Energy Permitting Department

We are here to assist and provide any clarification you may need.

Sincerely,

Nick Bumgardner - Permitting Supervisor  
Diversified Energy Company  
304-545-4848  
[nbumgardner@dgoc.com](mailto:nbumgardner@dgoc.com)

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WV Department of  
Environmental Protection

03/21/2025



Kennedy, James P &lt;james.p.kennedy@wv.gov&gt;

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**plugging permits issued 4701300014 01304756 01304757**

1 message

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

Wed, Mar 12, 2025 at 3:24 PM




To: April N Lawson &lt;april.n.lawson@wv.gov&gt;, Henry J Harmon &lt;henry.j.harmon@wv.gov&gt;, jnettle1@assessor.state.wv.us, Nicholas Bumgardner &lt;nbumgardner@dgoc.com&gt;

To whom it may concern, plugging permits have been issued for 4701300014 01304756 01304757.

James Kennedy

WVDEP OOG

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**3 attachments** **4701304757.pdf**  
3031K **4701304756.pdf**  
3476K **4701300014.pdf**  
3094K

03/21/2025