



---

west virginia department of environmental protection

---

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)

Friday, March 21, 2025

WELL WORK PLUGGING PERMIT  
Vertical Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT  
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for # 1  
47-013-04758-00-00

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:  
Farm Name: Glenn Fulks  
U.S. WELL NUMBER: 47-013-04758-00-00  
Vertical Plugging  
Date Issued: 3/21/2025

## **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. 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.

WW-4B  
Rev. 2/01

1) Date February 18, 2025  
2) Operator's  
Well No. Calhoun - 04758  
3) API Well No. 47-013 - 04758

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 909' Watershed 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 25288 Bridgeport, WV 25330

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

**See Attached Work Procedures**

RECEIVED  
Office of Oil and Gas

FEB 21 2025

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 08:47:07 -0500

03/28/2025

Creed Barker Company

Grantsville, W.Va. Address

## COMPLETION DATA SHEET

NO. 2

## FORMATION RECORD

Name	Color	Character	Oil, Gas or Water	Top	Bottom	Thickness	Total Depth	Remarks
Soil	Red	Clay		0	14	14	14	
Sand	Yellow	Soft Coarse		14	35	21	35	
Red Rock	Red	Soft Fine		35	100	65	100	
Slate	Gray	Soft Fine		100	140	40	140	
Sand	Gray	Soft Coarse		140	165	25	165	
Red Rock	Red	Soft Fine		165	185	20	185	
Slate	Gray	Soft Fine		185	235	50	235	
Sand	Gray	Hard Fine		235	265	30	265	
Slate	Gray	Soft Fine		265	350	85	350	
Sand	Gray	Hard Fine		350	450	100	450	
Slate	Gray	Soft Fine		450	465	15	465	
Lime	White	Hard Fine		465	505	40	505	
Slate	Gray	Soft Fine		505	515	10	515	
Lime	White	Hard Fine		515	545	30	545	
Slate	Gray	Soft Fine		545	575	30	575	
Red Rock	Red	Soft Fine		575	590	15	590	
Slate	Gray	Soft Fine		590	615	25	615	
Lime	White	Hard Fine		615	650	35	650	
Sand	Gray	Hard Fine	Water	650	675	25	675	Fresh
Red Rock	Red	Soft Fine		675	890	115	890	
Sand	Gray	Hard Fine		890	910	20	910	
Red Rock	Red	Soft Fine		910	1005	95	1005	
Lime	White	Hard Fine		1005	1070	65	1070	
Sand	White	Hard Fine		1070	1120	50	1120	
Slate	Gray	Soft Fine		1120	1145	25	1145	
Lime	White	Hard Fine		1145	1205	60	1205	
Slate	Gray	Soft Fine		1205	1290	85	1290	
Sand	Gray	Hard Fine		1290	1414	124	1414	
Slate	Gray	Soft Fine		1414	1470	56	1470	
Lime	Gray	Hard Fine		1470	1502	32	1502	
Sand	White	Hard Fine		1502	1525	23	1525	
Slate	Gray	Soft Fine		1525	1565	40	1565	
Lime	White	Hard Fine		1565	1605	40	1605	
Slate	Gray	Soft Fine		1605	1625	20	1625	
Sand SALT	White	Hard Fine	Gas	1625	#1675		1675	

RECEIVED  
Office of Oil and Gas

FEB 21 2025

WV Department of  
Environmental Protection

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

Fresh water at 665 salt  
feet; fresh water at .....feet.Well was producing  
hole.

May 16, 1931

Date

Approved

Creed Barker

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.

03/28/2025

# WEST VIRGINIA DEPARTMENT OF MINES

Oil and Gas Section

## PRELIMINARY DATA SHEET NO. 1

File No. \_\_\_\_\_ Well No. 2  
Creed Barker Company, of Grantsville, W. Va.  
 on the Nancy Richards Farm  
 containing 57 acres. Location Grantsville, W. Va.  
Sheridan District, in Calhoun County, West Virginia.

The surface of the above tract is owned in fee by B.R. Holbert  
Grantsville, W. Va. address, and the mineral rights are owned by  
J.W. Pell Heirs 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. Cal-65 issued by the West Virginia Department of Mines, Oil and Gas Section,  
September 19 1931

Elevation of surface at top of well, 1050' Spirit Barometric

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

14 feet 13" size. Wood conductor.  
151 feet 8 1/2" size. esg. 1070 feet 65/8" sized esg.  
 feet size esg. feet sized esg.  
 feet size esg. feet sized esg.

Steel Shoe packer of 65/8" x 14" size, set at 1070'  
 packer of size, set at  
 in casing perforated at feet to feet.  
 in casing perforated at feet to feet.

Coal was encountered at None feet; thickness inches, and at  
 feet; thickness inches; and at feet; thickness inches.

Liners were used as follows: (Give details) None used

RECEIVED  
 Office of

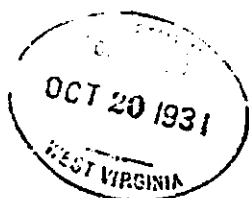
FEB 21 2025

WV Department of  
 Environmental Protection

May 15, 1931 Date.

Approved Creed Barker, Owner.

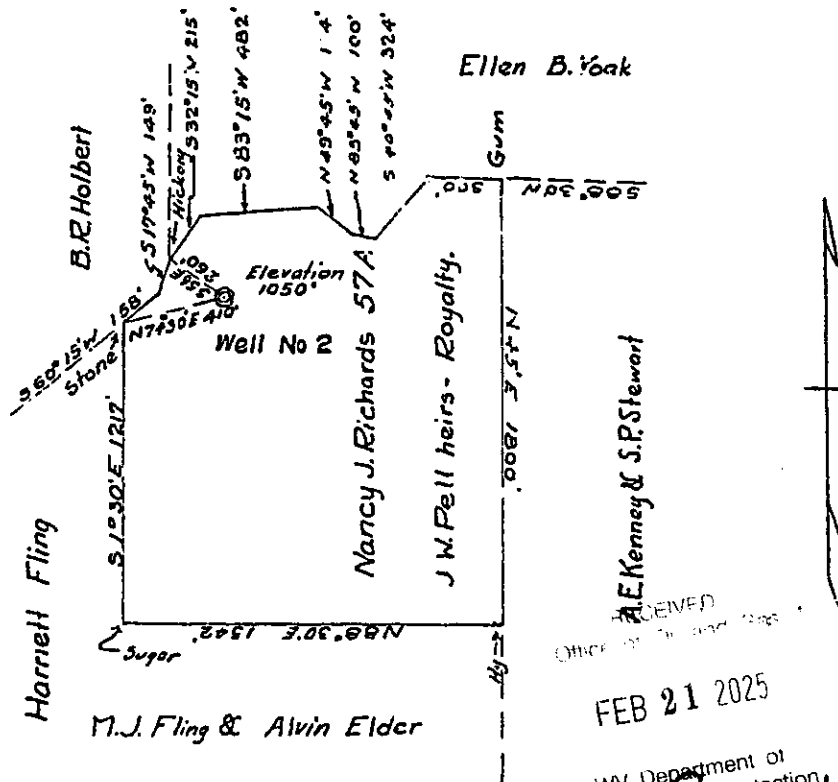
By \_\_\_\_\_ (Title)



03/28/2025



Plat of the Proposed Location of Well No. 2 of  
 Creed Barker of Grantsville, W. Va. on the Nancy Richards  
 Farm, Consisting of 57 Acres, Located in Sheridan  
 district, Calhoun county.



# ENGINEER'S CERTIFICATE

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

Dogan McDonald  
 Engineer

Acknowledged before me, a Notary Public this the  
2 day of Sept 1931.

J. E. Newhall  
 Notary Public.

03/28/2025

April Lawson

Digitally signed by: April Lawson  
DN: CN = April Lawson email =  
april.n.lawson@wv.gov C = US  
Date: 2025.02.19 08:55:17 -05'00'

## Plugging Prognosis

API #: 4701304758

West Virginia, Calhoun Co.

Lat./Long: 38.834169, -81.094811

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

## Casing Schedule:

Casing and tubing visible at surface, unknown size.

Closest Offset wells with available information 4701300065

Closest Offset Well 47-013-00650

4701300065

13" Casing @ 14'

8-1/4" Casing @ 151'

6-5/8" Casing @ 1070' with steel shoe

Tubing unknown

Well TD is 1675'

Completion: Producing Sand – Unknown. Offset – not listed

Fresh Water: Unknown. Offset – 665'

Salt Water: Unknown. Offset – none

Gas Shows: Unknown. Offset – 1625'-1675'

Oil Shows: Unknown. Offset – none

Coal: Unknown. Offset – none

Elevation: 900'

RECEIVED  
Office of Oil and Gas

FEB 21 2025

Environmental Protection

1. Notify Inspector April Lawson @ (681) 990-6944, 48 hrs prior to commencing operations.
2. Check and record pressures on csg/tbg.
3. Pull and lay down any rods and tubing.
4. Check TD w/ wireline and confirm shoe depth of casing and top of cement in inner most casing string with CBL.
5. Run in and clean out to attainable bottom. Kill well as needed with 6% bentonite gel and fill rat hole. Pump at least 10 bbls gel. Pump 200' Class A/L cement plug. **(Producing zone plug)** Tag TOC. Top off as needed.
6. If the casing is not run to TD, TOO H w/ tbg to above cement plug. Pump 6% bentonite gel from top of plug to 50' below casing shoe.
7. If the casing is not run to TD, TOO H w/ tbg to 50' below casing shoe. Pump 100' Class A/L cement plug **50' in/out of csg shoe (csg shoe plug)**.

03/28/2025

8. Pump 6% bentonite gel from top of shoe plug to bottom of cut plug.
9. 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.**
10. Pump 6% bentonite gel from top of cut plug to 950'.
11. TOOH w/ tbg to 950'. Pump 100' Class A/L cement plug from **950' to 850' (elevation plug)**.
12. TOOH w/ tbg to 850'. Pump 6% bentonite gel from 850' to <sup>715'</sup> 100'.
13. If there is another casing string in the well, 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.**
14. TOOH 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.

715' - 615' CLASS A/L cement (FW)  
615' - 100' 6% bentonite gel

RECEIVED  
Office of Oil and Gas

FEB 21 2025

WV Department of  
Environmental Protection

03/28/2025



1) Date: 2/18/2025  
2) Operator's Well Number Calhoun - 04758

3) API Well No.: 47 - 013 - 04758

**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>Herald G. Fulks, Jr. &amp; Trevia J. Fulks</u> Address <u>3727 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 25288</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>
---	---

**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  
Zach 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 [depprivacyoffier@wv.gov](mailto:depprivacyoffier@wv.gov).

03/28/2025

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

RECEIVED  
Office of Oil and Gas  
FEB 21 2025  
WV Department of  
Environmental Protection

USPS CERTIFIED MAIL™



9407 1362 0855 1276 8662 51



HERALD G FULKS JR & TREVIA J FULKS  
3272 SYCAMORE RD  
MILLSTONE WV 25261-8682

US POSTAGE AND FEES PAID  
2025-02-18  
25301  
C4400004  
Retail  
4.0 OZ FLAT  
easypost  
0901000010760

03/28/2025

WW-9  
(5/16)

API Number 47 - 013 - 04758  
Operator's Well No. Calhoun - 04758

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) 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

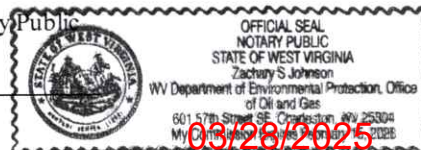
Company Official (Typed Name) Jason Harmon

Company Official Title Deputy Chief

Subscribed and sworn before me this 21 day of February, 2025

Jason John  
My commission expires 2-15-28

Notary Public





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 Lawson  
Digitally signed by April Lawson  
DN: cn = April Lawson email = april.lawson@wv.gov C = US  
Date: 2025.02.19 08:48:51 -0500Comments: Follow E&S Control PlanRECEIVED  
Office of Oil and Gas

FEB 21 2025

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

Field Reviewed?

( ☐ ) Yes( ☐ ) No

03/28/2025



**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 4701304758 Well Name Calhoun - 04758

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

Sincerely,

Chris Veazey  
Permitting Supervisor  
304-590-7707

RECEIVED  
Office of Oil and Gas

FEB 21 2025

WV Department of  
Environmental Protection

03/28/2025





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 )  
SECTION 14.1. AND LEGISLATIVE RULE )  
35CSR8 SECTION 20.1, )  
RELATING TO THE CEMENTING )  
OF OIL AND GAS WELLS )**

**ORDER NO. 2022-13**

RECEIVED  
Office of Oil and Gas

FEB 21 2025

**REPORT OF THE OFFICE**

WV Department of  
Environmental Protection

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.

03/28/2025

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**

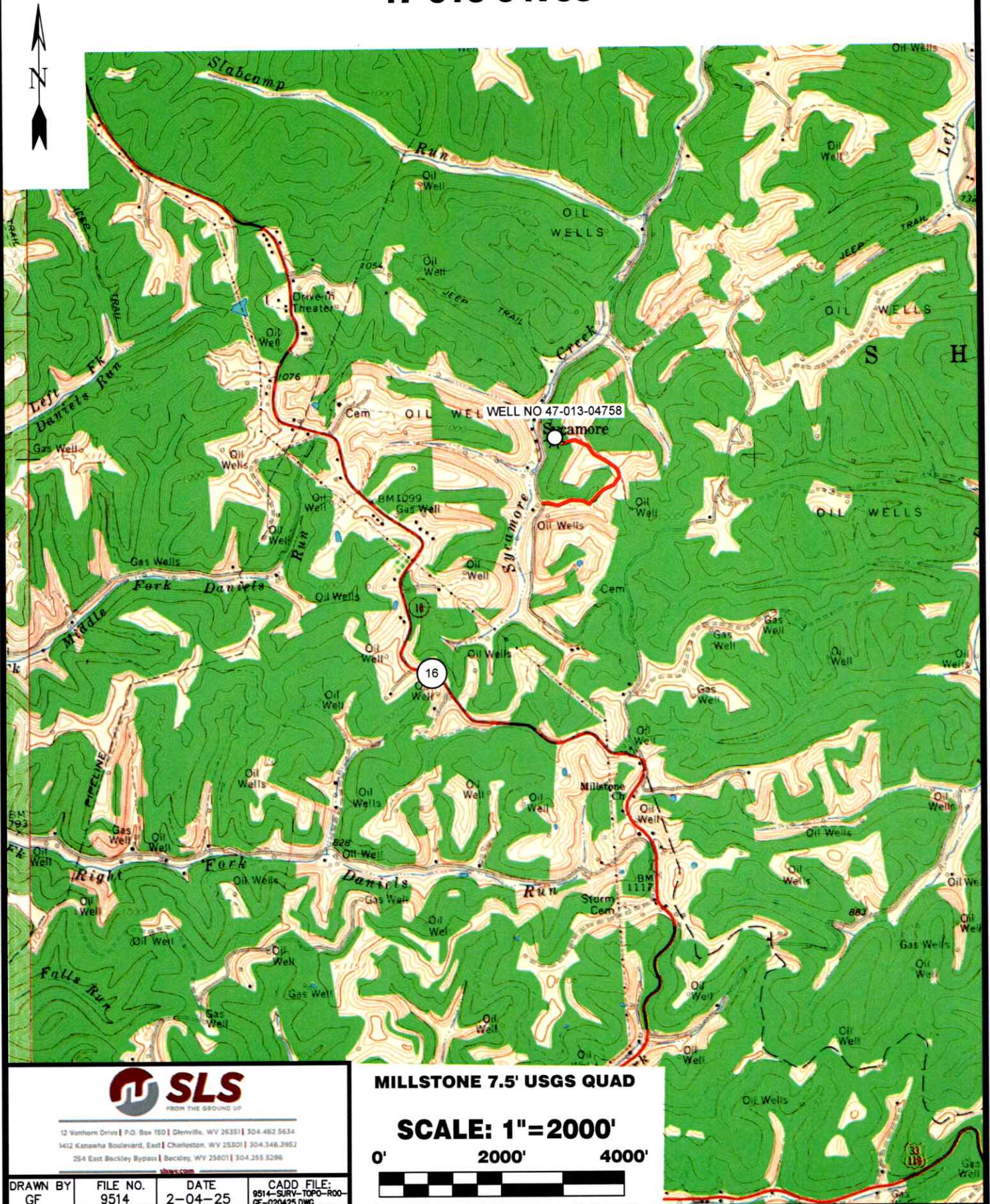
RECEIVED  
Office of Oil and Gas

FEB 21 2025

WV Department of  
Environmental Protection

03/28/2025



**PROUDFOOT #1  
47-013-04758**

03/28/2025



**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.

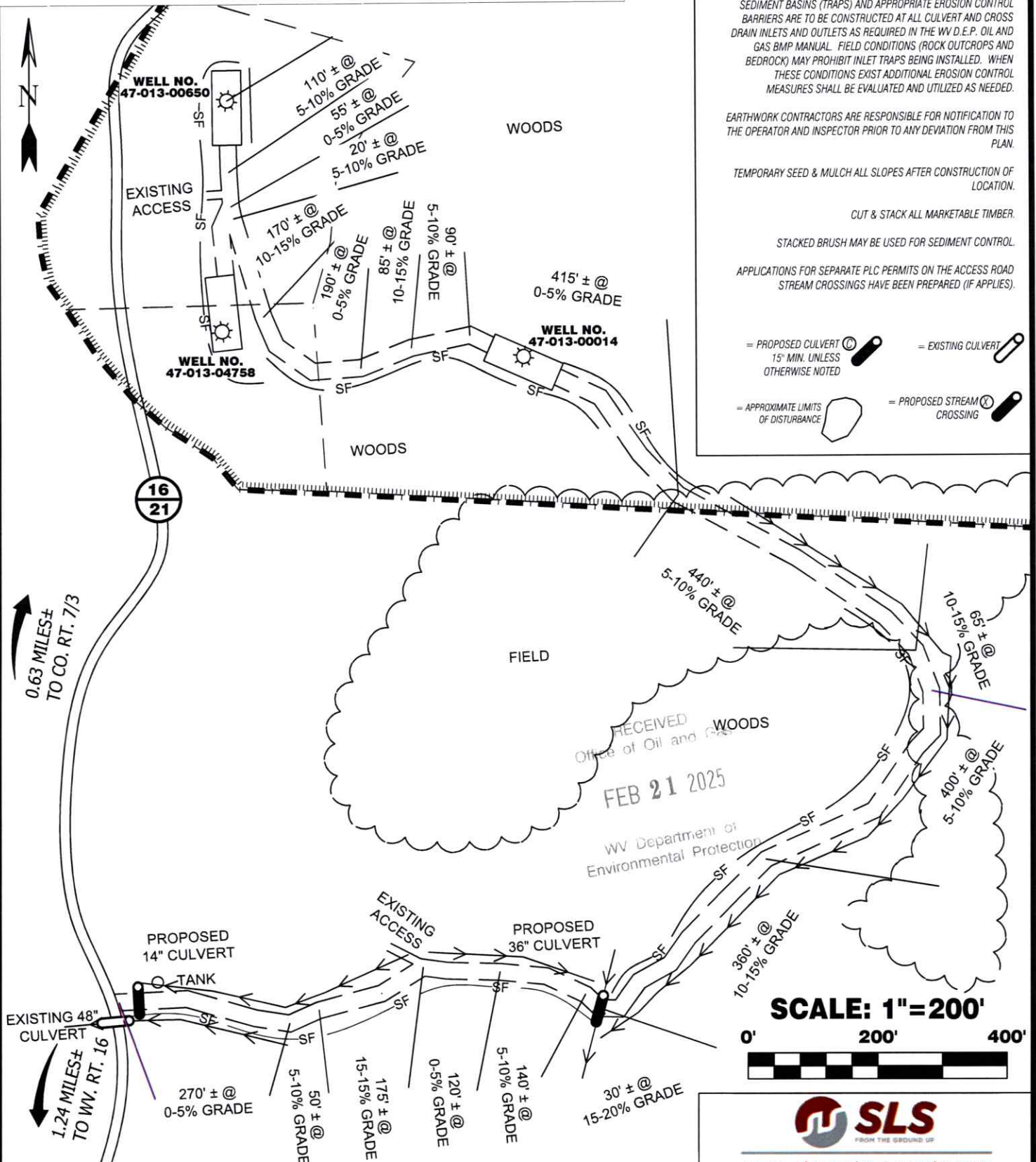
APPLICATIONS FOR SEPARATE PLC PERMITS ON THE ACCESS ROAD STREAM CROSSINGS HAVE BEEN PREPARED (IF APPLIES).

= PROPOSED CULVERT (15' MIN. UNLESS OTHERWISE NOTED)

= EXISTING CULVERT

= APPROXIMATE LIMITS OF DISTURBANCE

= PROPOSED STREAM CROSSING



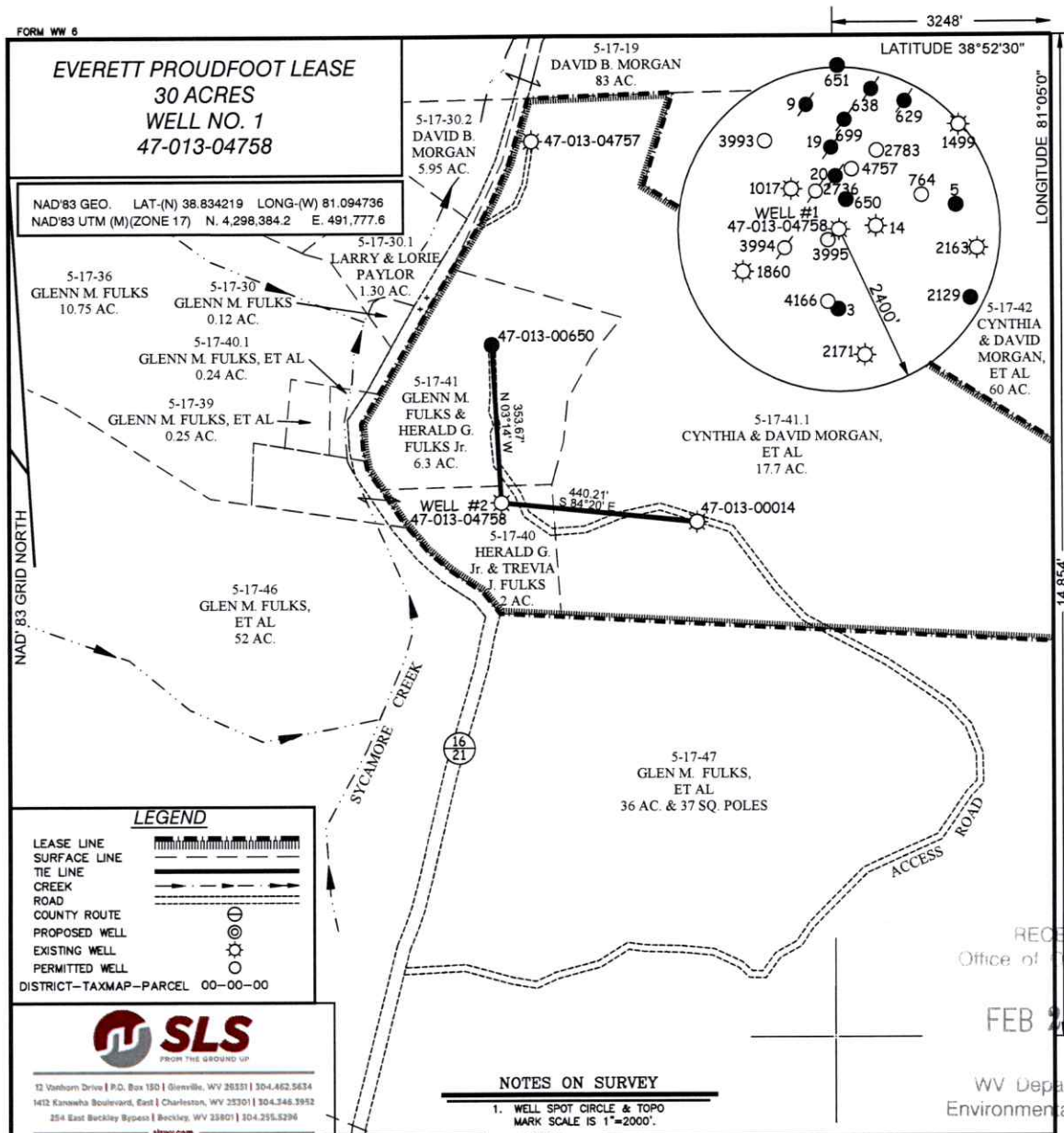
**SCALE: 1"=200'**



12 Vanhorn Drive | P.O. Box 150 | Glenville, WV 26351 | 304.462.5634  
 1612 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.2952  
 254 East Beckley Bypass | Beckley, WV 25801 | 304.253.5296

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

03/28/2025



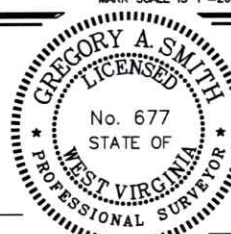
RECEIVED  
Office of Oil and Gas

FEB 21 2025

WV Department of  
Environmental Protection

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 7, 20 25

REVISED, 20

OPERATORS WELL NO. 1

API WELL NO. 47 — 013 — 04758-P

STATE COUNTY PERMIT

MINIMUM DEGREE OF ACCURACY 1/200

FILE NO. 9514-WELL PLAT-47013047580-R00-250207-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



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

LOCATION: ELEVATION 909' WATERSHED SYCAMORE CREEK

DISTRICT SHERMAN COUNTY CALHOUN QUADRANGLE MILLSTONE 7.5'

SURFACE OWNER HERALD Jr. & TREVIA J. FULK ACREAGE 2±

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 UNKNOWN

ESTIMATED DEPTH UNKNOWN

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

ADDRESS 601 57TH STREET ADDRESS 601 57TH STREET

CHARLESTON, WV 25304 (WVDEP) CHARLESTON, WV 25304

03/28/2025



WW-4B

API No. 4701304758  
Farm Name Fulks  
Well No. Calhoun - 04758

### 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: \_\_\_\_\_

RECEIVED  
Office of Oil and Gas  
FEB 21 2025  
By: \_\_\_\_\_  
Its \_\_\_\_\_ WV Department of  
Environmental Protection

03/28/2025

## SURFACE OWNER WAIVER

Operator's Well  
Number

Calhoun - 04758

### 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

RECEIVED  
Office of Oil and Gas  
FEB 21 2025  
WV Department of  
Environmental Protection

**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,

Signature

Date

Name

By

Its

Date

Signature

Date

03/28/2025

11/10/2016

PLUGGING PERMIT CHECKLIST  
4701304758

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

RECEIVED  
Office of Oil and Gas  
FEB 21 2025  
WV Department of  
Environmental Protection

03/28/2025



**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 #:4701304758  
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)

RECEIVED  
Office of Oil and Gas  
FEB 21 2025  
RECEIVED  
Office of Oil and Gas  
FEB 21 2025  
WV Department of  
Environmental Protection

03/28/2025



---

west virginia department of environmental protection

---

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

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

Glenn Fulks  
[gmfulks@yahoo.com](mailto:gmfulks@yahoo.com)  
Herald G. Fulks Jr.  
[tjdeputy92@gmail.com](mailto:tjdeputy92@gmail.com)  
via email transmission

March 21, 2025

Re: Plugging Permit Applications for API #'s 47-013-00650 and 47-013-04758

Mr. Fulks,

The Office of Oil and Gas (OOG) has completed its review of the above referenced permit applications submitted by Next LVL Energy. The Calhoun county oil and gas inspector examined the sites to ensure compliance with all applicable requirements of Chapter 22, Article 6 of the West Virginia Code and Legislative Rule Title 35, Series 4. Also, your comments were sent to the applicant to ensure it was aware of your concerns. The applicant's response is enclosed for your records.

After considering your comments, the applicant's response, and the inspector's findings, the OOG has determined that the applications meet the requirements set forth in the above statute and legislative rule. Consequently, the OOG is issuing the permits today. For your information and convenience, I am including with this letter a copy of the permits as issued.



Please contact Taylor Brewer at (304) 926-0499, extension 41108 if you have questions.

Sincerely,



Taylor Brewer  
Assistant Chief, Permitting  
WV DEP Office of Oil & Gas

Enclosure

Cc: April Lawson, OOG Inspector

03/28/2025



**DIVERSIFIED**  
energy

**Via Email**

**Date: 3/14/2025**

**Subject: Response to Email Dated 2/9/2025 Regarding Access Road and Well Locations**

To whom it may concern,

In response to the email dated February 9, 2025, regarding the access road for the state orphan wells located on Mr. Glenn Fulks Property at 3370 Sycamore Rd., Millstone, WV, we would like to provide the following updates.

Next LVL Energy has been in communication with the surface owner and has agreed to relocate the access road from its original proposed location due to site conditions and safety concerns. The revised route has been included in the permit applications for wells 4701304758, 4701300014, and 4701300650. Additionally, a WVDOH MM-109 permit (03-2025-5920) has been obtained for the access road location.

Next LVL Energy is unaware of any contractual obligation to install 600' of gravel on the access road for the three wells in question. As such, we do not plan to install 600' of stone as requested by the surface owner. Our position is that this installation is not required under the terms of the agreed-upon bid.

To address site access and minimize impacts to the county road, Next LVL Energy will construct a 200' stabilized stone construction entrance with a culvert to serve the plugging locations. This will help prevent tracking dirt and mud onto the county road and comply with the conditions of the DOH MM-109 permit (03-2025-5920 – see attached).

Throughout the plugging and reclamation phase, we will maintain the access road in a condition suitable for the surface owner to use with a truck and trailer, ensuring continued access to the property.

Once the plugging and reclamation of the three - state orphan well locations are complete, the access road will be seeded, mulched, and stabilized. It will remain in place for the surface owner to use as he sees fit. If any damage occurs to the hay field during plugging operations, the affected area will be reclaimed, seeded, and mulched with a high-quality meadow/hay mix to restore it to its original condition.

We hope this addresses your concerns. Please feel free to reach out if you have any further questions or need additional information.

Best regards,

Nick Bumgardner  
Permitting Supervisor  
Diversified Energy - Next LVL Energy

03/28/2025



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

Office of the District Engineer/Manager  
District Three

624 Depot Street • Parkersburg, West Virginia 26101-5127 • (304) 420-4595

Stephen T. Rumbaugh, P.E.  
Secretary of Transportation  
Commissioner of Highways

March 06, 2025

Diversified Production LLC  
104 Heliport Loop Rd  
Bridgeport, West Virginia 26330

Dear Diversified Production LLC:

Permit Number: 03-2025-5920  
Route: County 16/21, Milepost: 1.446  
07 - Calhoun County

Enclosed and approved is your permit application for work at the above-referenced location.

Please contact Christopher Weekley, Permit Supervisor, at 304-865-0144, at least 2 days in advance of the date you plan to begin work so arrangements can be made to inspect the work authorized by the permit. Failure to comply will result in cancellation of your permit.

A copy of this permit is to be available on the job at all times while the work is in progress for inspection by West Virginia Division of Highways personnel.

**Before digging or otherwise disturbing the earth, call WV811 at 1-800-245-4848.**

Sincerely,

Jared Evans  
Deputy District Engineer

JPE:e  
Enclosures

**West Virginia Department of Transportation**  
**Division of Highways**  
**Right of Way Issued Entry Permit**

PERMIT NO. 03-2025-5920

DOH Reviewer: Electronically Signed by Christopher Weekley on 2/25/2025 DOH Reviewer Title: Oil & Gas Permit Supervisor  
DOH Approver: Electronically Signed by Jared Evans on 3/6/2025 DOH Approver Title: Deputy District Engineer  
PERMIT ISSUE DATE: 3/6/2025

Applicant: Diversified Production LLCAddress: 104 Heliport Loop Rd City: Bridgeport State: West Virginia Zip: 26330Phone Number: 304-545-4848 Email: nbugardner@dgoc.comRoute Type: County Route Number: 16/21 Milepost: 1.446 County: 07 - CalhounLatitude/ Longitude at/along Roadway (in decimal degrees): 38.83123 /-81.09539

Description of Work: To use and upgrade an existing road for access to Well Numbers API 47-013-04758, 47-013-00650 & 47-013-00014 for plugging operations as part of the WV Paid Plugging Contract. All work will comply with WV DOT specifications.

Length of Installation: \_\_\_\_\_ Estimated Construction Duration: 15 working days

DOH Project Number/Name (if applicable): \_\_\_\_\_

Customer Reference Number (if applicable): \_\_\_\_\_

Inspection Fees (must check one):

- ☐ Water Installations (\$0 per foot)  
☐ Sewer Installations (\$0 per foot)  
☐ Aerial Installation (\$0 per day)  
☐ Subsurface Installation (\$0 per day)

- ☐ Small Cell Installations (flat fee - \$0)  
☒ Standard Permit Expenses Fee (\$0)  
☐ Misc Fee (\$0)

DEPOSIT/BOND REQUIRED: **YES**BOND / CHECK RECEIVED: **Bond Received**DATE: **4/18/2024**BOND NUMBER: **SBP150378\_067**DEPOSIT/BOND AMOUNT: **\$1,000,000.00**



## TERMS AND CONDITIONS

1. This permit, between the WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, a statutory corporation, hereinafter called "DIVISION" and APPLICANT, a person, firm or corporation, listed on page one.
2. In consideration of the conditions hereinafter set forth and in accordance with all state and federal laws, including but not limited to, W. Va. Code §17-2E-1 et seq., §17-4-8, §17-16-6, §17-16-9, §31H-1-1 et seq., and any related rules, regulations, policies, manuals, or guidelines, APPLICANT does hereby apply to enter DIVISION's right(s) of way listed on page one, for the purpose listed in Description of Work on page one.
3. APPLICANT shall deposit with DIVISION an official, certified or cashier's check, or executed bond with surety satisfactory to DIVISION to cover any damage and inspection costs DIVISION may sustain by reason of the issuing of this permit, including any expense incurred in restoring said right(s) of way to original condition or the proper repair of any and all damages arising from, related to, or otherwise connected to said entry.
4. APPLICANT agrees to reimburse DIVISION for inspection costs as listed on page one.
5. **APPLICANT shall notify DIVISION at least 48 hours in advance of the date the work will begin. Failure to comply may result in cancellation of this permit.**
6. APPLICANT shall notify DIVISION upon completion of any work authorized under this permit. If APPLICANT's work is anticipated to extend beyond the estimated construction duration indicated on page one, APPLICANT shall notify the DIVISION as soon as possible. Failure to comply may result in additional charges.
7. APPLICANT agrees to protect all users of the road right(s) of way, as well as all employees and equipment of APPLICANT and DIVISION, at all times in accordance with the current Division of Highways manual, ["Manual on Temporary Traffic Control for Streets and Highways"](https://transportation.wv.gov/highways/traffic/Pages/default.aspx) (<https://transportation.wv.gov/highways/traffic/Pages/default.aspx>).
8. APPLICANT agrees to comply with all applicable state and federal laws related to the entry that is the subject of this permit, including but not limited to the requirement to provide DIVISION copies of any NEPA clearance documentation for utility installations along or across the Interstate Highway System and/or controlled-access right(s) of way.
9. The person, firm or corporation to whom a permit is issued agrees to defend, indemnify, and hold the State of West Virginia and DIVISION harmless on account of any damages to persons or property which may arise during the process of the work authorized by this permit or by reason thereof.
10. Applications for permission to perform work within highway right(s) of way shall be made on DIVISION's standard permit form and shall be signed by the authorized representative of the person, firm or corporation applying.
11. The APPLICANT shall give detailed information concerning the nature of the entry and any work to be performed, and the application must include plans sufficient to show the same.
12. Any work authorized under this permit shall be completed on or before one calendar year from the issue date listed on page one, unless otherwise specified or approved by DIVISION.
13. APPLICANT, its agents, successor, heirs or assigns, contractors or any other person, firm or corporation working under APPLICANT's real or apparent authority, shall perform the work in a manner satisfactory to DIVISION. Damage to the right(s) of way resulting at any time from work authorized under this permit shall be repaired by APPLICANT. Unsatisfactory repairs, at the sole discretion of DIVISION, may be corrected by DIVISION or its authorized agent and the cost thereof paid by APPLICANT.
14. DIVISION shall not be liable for any damage or costs incurred by APPLICANT arising from or related to DIVISION's construction or maintenance of DIVISION's facilities.
15. Utility installation(s) shall be in accordance with the current manual, ["Accommodation of Utilities on Highway Right of Way"](https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx) (<https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx>).
16. Driveway construction shall be in accordance with the current manual, ["Rules and Regulations for Constructing Driveways on State Highway Rights-of-Way"](https://transportation.wv.gov/highways/traffic/Pages/default.aspx) (<https://transportation.wv.gov/highways/traffic/Pages/default.aspx>).
17. DIVISION reserves the right to cancel this permit at any time.
18. This permit is issued only insofar as DIVISION has a right to do so. APPLICANT has sole responsibility to secure all necessary rights or permissions for any third-party property interests related to the entry, known or unknown. APPLICANT, by signing on page one, hereby warrants that, to the extent its entry onto DIVISION's right(s) of way involves or affects any other entity's property, real or personal, on or within DIVISION's right(s) of way, that APPLICANT has full legal authorization or the legal right to do so. To the fullest extent permitted by law, APPLICANT agrees to defend, indemnify, and hold harmless DIVISION for damage to any persons or property arising from APPLICANT's breach of this representation and warranty.
19. All attachments are incorporated into this permit. To the extent of any conflict, the terms of this permit shall control.
20. APPLICANT agrees to keep any surface facilities installed pursuant to this permit clear of vegetation for so long as APPLICANT's facilities are located on DIVISION's rights of way. APPLICANT agrees to remove promptly any vegetation in, on, or around such facilities that poses a risk or hazard to the safety of the travelling public.
21. Applicant agrees that this submission is an application, and any final permit issued may include changes required by DIVISION.



**West Virginia Department of Transportation**  
**Division of Highways**  
**Right of Way Entry Permit Application**

PERMIT NO. 03-2025-5920

By signing below, APPLICANT agrees to all terms and conditions (see page 2) associated with this permit to enter upon, under, over, or across the state road right(s) of way of the State of West Virginia.

Applicant: Diversified Production LLC

Address: 104 Heliport Loop Rd City: Bridgeport State: West Virginia Zip: 26330

Phone Number: 304-545-4848 Email: nbumgardner@dgoc.com

Route Type: County Route Number: 16/21 Milepost: 1.446 County: 07 - Calhoun

Latitude/ Longitude at/along Roadway (in decimal degrees): 38.83123 /-81.09539

Description of Work: To use and upgrade an existing road for access to Well Numbers API 47-013-04758, 47-013-00650 & 47-013-00014 for plugging operations as part of the WV Paid Plugging Contract. All work will comply with WV DOT specifications.

Length of Installation: \_\_\_\_\_ Estimated Construction Duration: 15 working days

DOH Project Number/Name (if applicable): \_\_\_\_\_

Customer Reference Number (if applicable): \_\_\_\_\_

Inspection Fees (must check one):

- ☐ Water Installations (\$0 per foot)
- ☐ Sewer Installations (\$0 per foot)
- ☐ Aerial Installation (\$0 per day)
- ☐ Subsurface Installation (\$0 per day)

- ☐ Small Cell Installations (flat fee - \$0)
- ☒ Standard Permit Expenses Fee (\$0)
- ☐ Misc Fee (\$0)

Applicant: Electronically Signed on Applicant Title: Permitting Supervisor  
2/12/2025

Applicant Printed Name: Nick Bumgardner Date: 2/12/2025

DEPOSIT/BOND REQUIRED: **YES**

BOND ON FILE: **YES**

DATE: **4/18/2024**

BOND NUMBER: **SBP150378\_067**

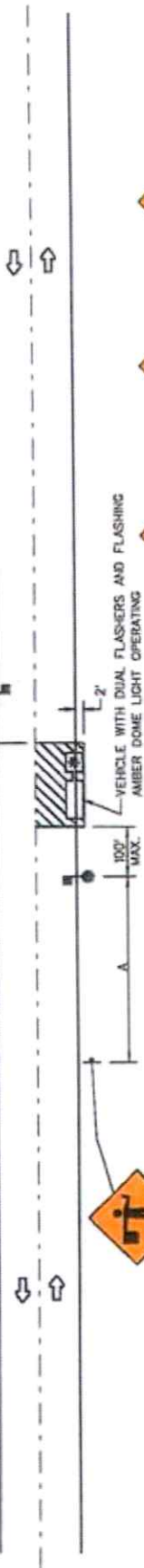
DEPOSIT/BOND AMOUNT: **\$1,000,000.00**

## TERMS AND CONDITIONS

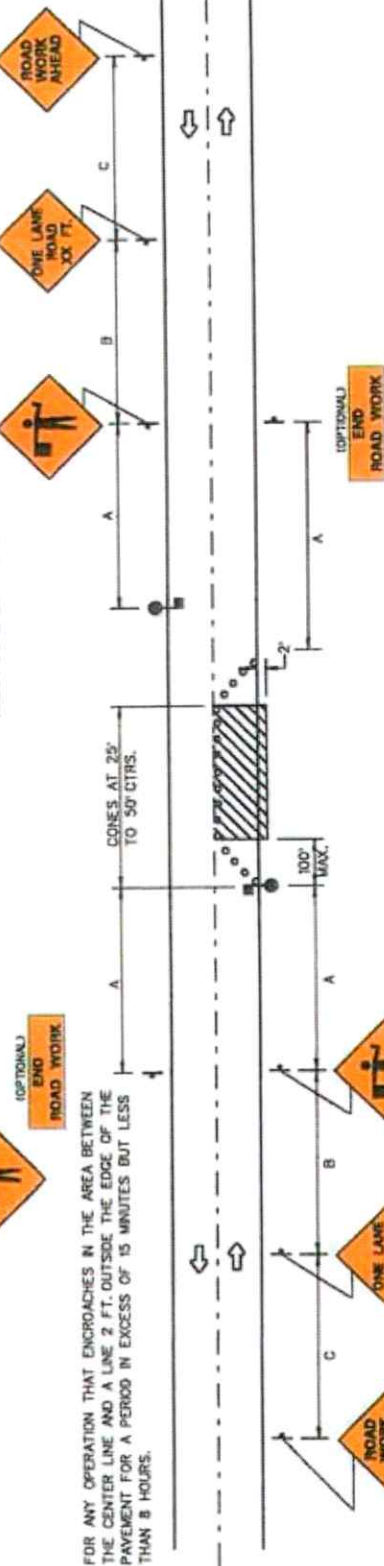
1. This permit, between the WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, a statutory corporation, hereinafter called "DIVISION" and APPLICANT, a person, firm or corporation, listed on page one.
2. In consideration of the conditions hereinafter set forth and in accordance with all state and federal laws, including but not limited to, W. Va. Code §17-2E-1 et seq., §17-4-8, §17-16-6, §17-16-9, §31H-1-1 et seq., and any related rules, regulations, policies, manuals, or guidelines, APPLICANT does hereby apply to enter DIVISION's right(s) of way listed on page one, for the purpose listed in Description of Work on page one.
3. APPLICANT shall deposit with DIVISION an official, certified or cashier's check, or executed bond with surety satisfactory to DIVISION to cover any damage and inspection costs DIVISION may sustain by reason of the issuing of this permit, including any expense incurred in restoring said right(s) of way to original condition or the proper repair of any and all damages arising from, related to, or otherwise connected to said entry.
4. APPLICANT agrees to reimburse DIVISION for inspection costs as listed on page one.
5. **APPLICANT shall notify DIVISION at least 48 hours in advance of the date the work will begin. Failure to comply may result in cancellation of this permit.**
6. APPLICANT shall notify DIVISION upon completion of any work authorized under this permit. If APPLICANT's work is anticipated to extend beyond the estimated construction duration indicated on page one, APPLICANT shall notify the DIVISION as soon as possible. Failure to comply may result in additional charges.
7. APPLICANT agrees to protect all users of the road right(s) of way, as well as all employees and equipment of APPLICANT and DIVISION, at all times in accordance with the current Division of Highways manual, ["Manual on Temporary Traffic Control for Streets and Highways"](https://transportation.wv.gov/highways/traffic/Pages/default.aspx) (<https://transportation.wv.gov/highways/traffic/Pages/default.aspx>).
8. APPLICANT agrees to comply with all applicable state and federal laws related to the entry that is the subject of this permit, including but not limited to the requirement to provide DIVISION copies of any NEPA clearance documentation for utility installations along or across the Interstate Highway System and/or controlled-access right(s) of way.
9. The person, firm or corporation to whom a permit is issued agrees to defend, indemnify, and hold the State of West Virginia and DIVISION harmless on account of any damages to persons or property which may arise during the process of the work authorized by this permit or by reason thereof.
10. Applications for permission to perform work within highway right(s) of way shall be made on DIVISION's standard permit form and shall be signed by the authorized representative of the person, firm or corporation applying.
11. The APPLICANT shall give detailed information concerning the nature of the entry and any work to be performed, and the application must include plans sufficient to show the same.
12. Any work authorized under this permit shall be completed on or before one calendar year from the issue date listed on page one, unless otherwise specified or approved by DIVISION.
13. APPLICANT, its agents, successor, heirs or assigns, contractors or any other person, firm or corporation working under APPLICANT's real or apparent authority, shall perform the work in a manner satisfactory to DIVISION. Damage to the right(s) of way resulting at any time from work authorized under this permit shall be repaired by APPLICANT. Unsatisfactory repairs, at the sole discretion of DIVISION, may be corrected by DIVISION or its authorized agent and the cost thereof paid by APPLICANT.
14. DIVISION shall not be liable for any damage or costs incurred by APPLICANT arising from or related to DIVISION's construction or maintenance of DIVISION's facilities.
15. Utility installation(s) shall be in accordance with the current manual, ["Accommodation of Utilities on Highway Right of Way"](https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx) (<https://transportation.wv.gov/highways/right-of-way/Pages/Utility-Publications.aspx>).
16. Driveway construction shall be in accordance with the current manual, ["Rules and Regulations for Constructing Driveways on State Highway Rights-of-Way"](https://transportation.wv.gov/highways/traffic/Pages/default.aspx) (<https://transportation.wv.gov/highways/traffic/Pages/default.aspx>).
17. DIVISION reserves the right to cancel this permit at any time.
18. This permit is issued only insofar as DIVISION has a right to do so. APPLICANT has sole responsibility to secure all necessary rights or permissions for any third-party property interests related to the entry, known or unknown. APPLICANT, by signing on page one, hereby warrants that, to the extent its entry onto DIVISION's right(s) of way involves or affects any other entity's property, real or personal, on or within DIVISION's right(s) of way, that APPLICANT has full legal authorization or the legal right to do so. To the fullest extent permitted by law, APPLICANT agrees to defend, indemnify, and hold harmless DIVISION for damage to any persons or property arising from APPLICANT's breach of this representation and warranty.
19. All attachments are incorporated into this permit. To the extent of any conflict, the terms of this permit shall control.
20. APPLICANT agrees to keep any surface facilities installed pursuant to this permit clear of vegetation for so long as APPLICANT's facilities are located on DIVISION's rights of way. APPLICANT agrees to remove promptly any vegetation in, on, or around such facilities that poses a risk or hazard to the safety of the travelling public.
21. Applicant agrees that this submission is an application, and any final permit issued may include changes required by DIVISION.



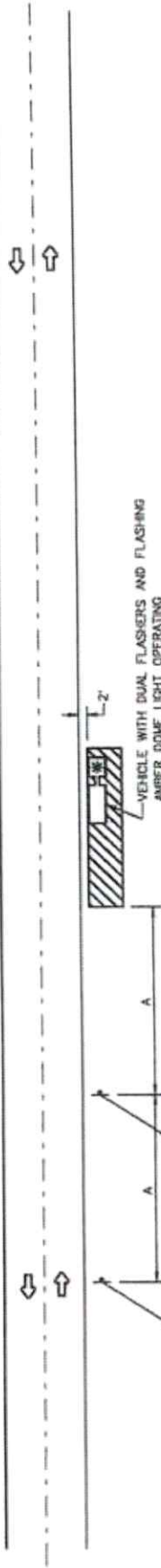
A. FOR ANY OPERATION THAT ENDOUCHES IN THE AREA BETWEEN THE CENTER LINE AND A LINE 2 FT. OUTSIDE THE EDGE OF THE PAVEMENT FOR A PERIOD OF LESS THAN 15 MINUTES.



B. FOR ANY OPERATION THAT ENDOUCHES IN THE AREA BETWEEN THE CENTER LINE AND A LINE 2 FT. OUTSIDE THE EDGE OF THE PAVEMENT FOR A PERIOD IN EXCESS OF 15 MINUTES BUT LESS THAN 8 HOURS.



C. FOR ANY OPERATION THAT IS MORE THAN 2 FT. OUTSIDE THE EDGE OF THE PAVEMENT FOR A PERIOD OF LESS THAN 60 MINUTES.



## SYMBOLS

WORK AREA.

SIGN

SIGN ON PORTABLE OR PERMANENT SUPPORT.

FLAGGER WITH PAZOLE.

CONES

## GENERAL NOTES

- CONSTRUCTION OPERATIONS SHALL BE CONFINED TO ONE TRAFFIC LANE, LEAVING THE OPPOSITE LANE OPEN TO TRAFFIC, AT LEAST 500 FT. OF BOTH TRAFFIC LANES SHALL BE AVAILABLE FOR TRAFFIC MOVEMENT AT INTERVALS NOT GREATER THAN 1,000 FT. A COMPLETE TRAFFIC CONTROL PLAN MUST BE APPROVED FOR ANY PROJECT EXPECTING TO EXCEED 1,000 FT. IN LENGTH INCLUDING BOTH TAPER AND WORK AREAS.
- FOR LOW-VOLUME SITUATIONS WITH SHORT WORK ZONES ON STRAIGHT ROADWAYS WHERE THE FLAGGER IS VISIBLE TO ROAD USERS APPROACHING FROM BOTH DIRECTIONS, A SINGLE FLAGGER, POSITIONED TO BE VISIBLE TO ROAD USERS APPROACHING FROM BOTH DIRECTIONS, MAY BE USED.
- FLASHING WARNING LIGHTS AND/OR FLAGS MAY BE USED TO CALL ATTENTION TO THE ADVANCE WARNING SIGNS.
- THE FLAGGERS SHALL BE IN SIGHT OF EACH OTHER OR IN DIRECT COMMUNICATION AT ALL TIMES.
- ALL SIGNS ARE TO BE REMOVED AT COMPLETION OF THE DAY'S OPERATIONS.
- FOR MULTILANE DIVIDED ROADWAYS THE ADVANCE WARNING SIGNS FOR TRAFFIC APPROACHING FROM THE OPPOSITE DIRECTION MAY BE OMITTED IF APPROVED BY THE ENGINEER.

## SUGGESTED ADVANCE WARNING SIGN SPACING

ROAD TYPE	A	B	C
URBAN LOW SPEED*	100	100	100
URBAN HIGH SPEED*	350	350	350
RURAL	500	500	500
EXPRESSWAY/FREEWAY	1,000	1,500	2,640

## TYPICAL APPLICATIONS

PATCHING PAVEMENT.  
FIELD SURVEY.  
CLEANING UP DEBRIS ON PAVEMENT.  
CROSSWALK PAINTING.

## CASE A6

TWO-LANE, TWO-WAY TRAFFIC  
SHORT-TERM OPERATIONS  
DAYTIME ONLY

\*SPEED CATEGORY TO BE DETERMINED BY WY DOH

03/28/2025

# FEDERAL HIGHWAY ADMINISTRATION (FHWA)

## SUMMARY OF

## PILOT/ESCORT VEHICLE OPERATORS BEST PRACTICES GUIDELINES

### I. PRE-TRIP PLANNING

- ✓ Route review
- ✓ Pilot/Escort vehicle operator and equipment checklist

### II. PRE-TRIP SAFETY MEETING

- ✓ Review load limitations
- ✓ Test communication equipment
- ✓ Coordinate with local law enforcement

### III. LOAD MOVEMENT

- ✓ Know the load, and know the law
- ✓ Position vehicles in compliance with regulations and permit requirements

### IV. TRAFFIC CONTROL

- ✓ Develop and follow a traffic control plan
- ✓ Use proper equipment
- ✓ Follow defensive flagging guidelines

### V. SPECIAL CHALLENGES

- ✓ Railroad Crossings
- ✓ Tall loads, overhead obstructions
- ✓ Steerable Trailers/Tillerman Operations

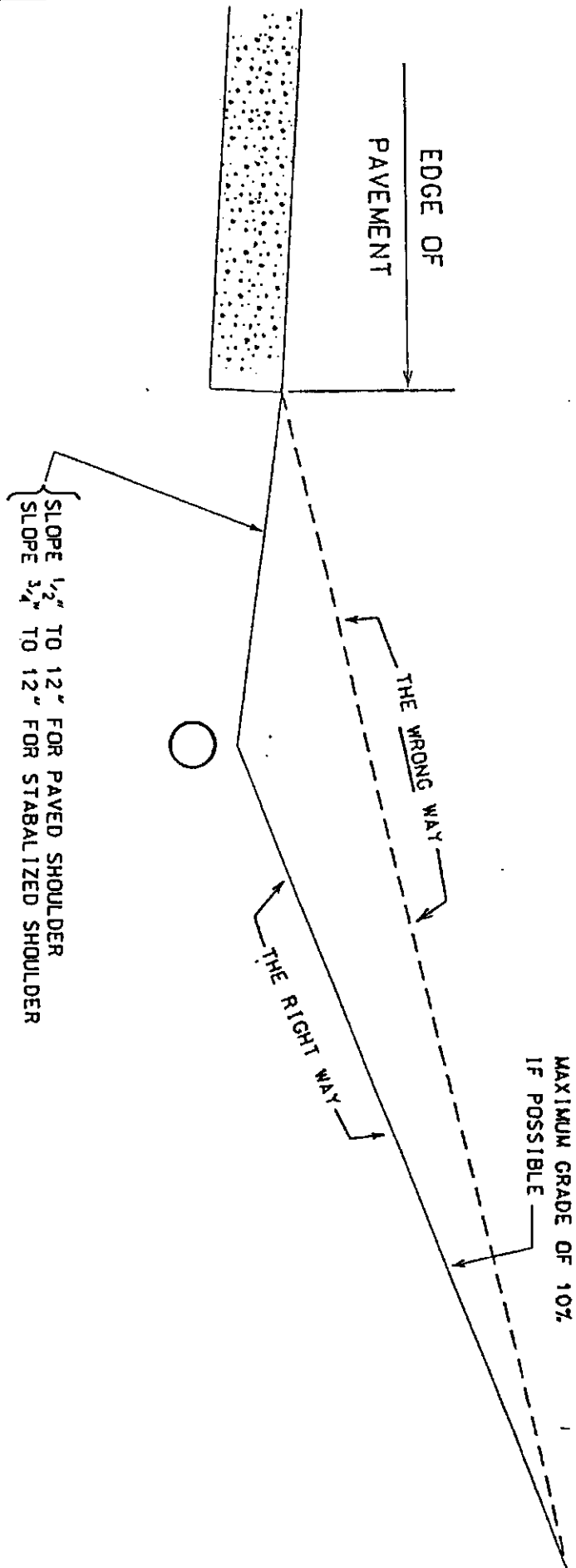
### VI. EMERGENCY PROCEDURES

- ✓ Injury issues

### VII. POST-TRIP ACTIVITIES

- ✓ Turn off warning lights, remove OVERSIZE LOAD signage
- ✓ Review/evaluate procedure

APPROACH TO SIDE ROAD WITH STEEP GRADE--WATER MUST NOT BE PERMITTED TO DRAIN ONTO THE ROADWAY. IMPROPER CONSTRUCTION MAY RESULT IN THE D.O.H. REQUIRING APPLICANT TO REMOVE THE APPROACH.



FROM THE STANDPOINT OF SAFETY AND UTILITY THE APPROACH TO A SIDE ROAD WITH A STEEP GRADE SHOULD BE CONSTRUCTED AND MAINTAINED AS NOTED "THE RIGHT WAY" ABOVE. FAILURE TO MAINTAIN THE PROPER SLOPE AND WIDTH OF SHOULDER AT SUCH SIDE ROAD APPROACHES IS A COMMON FAULT. DESERVING OF CAREFUL CONSIDERATION.

AN IMPROPERLY MAINTAINED APPROACH GRADE CREATES A TRAFFIC HAZARD AND A BAD DRAINAGE CONDITION.





WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

Office of the District  
Engineer/Manager District Three  
624 Depot Street · Parkersburg, West  
Virginia 26101 · (304) 420-4595

**Permit Conditions & Requirements**

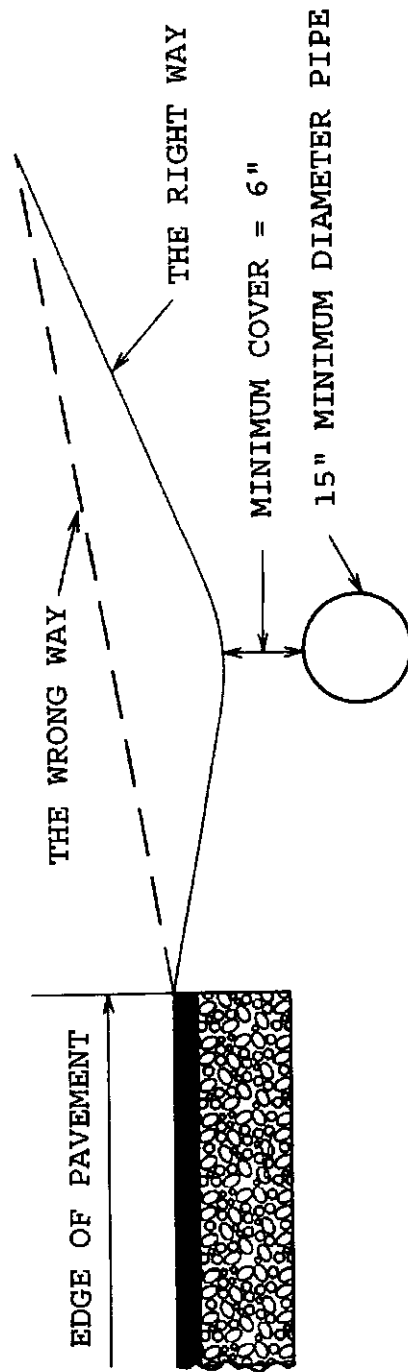
1. Applicant shall ensure the driveway is constructed in accordance with the WVDOH Driveway Manual. The surfacing is specifically addressed on pages 20 and 21 under Section 8.4.6.
2. Prior to permit expiration, applicant must remove this temporary access and return DOH right-of-way to original or better condition; OR the property owner must submit a separate application to obtain a permanent permit.
3. If required, applicant must utilize appropriate traffic control during any use of the access. Failure to provide traffic control will void this permit and bond.
4. At no time may the operation encroach on DOH right-of-way. Specifically, no loading, parking, or staging operations may be conducted on the traveled way or within DOH right-of-way.
5. Vehicles accessing the site are not permitted to stop in DOH right of way or back into the traveled way for any reason.
6. Applicant is responsible for immediate removal of mud and debris from the roadway caused by any entity involved with the drilling operations.
7. Applicant must notify the Permits Office/Oil & Gas Coordinator at (304) 865-0144 when drilling operations cease due to abandoning a well. If the driveway will no longer be used, the driveway must be removed, and ditch line restored to original or better condition, including the removal of pipe. The property owner must place the approach in their name for the driveway to remain. Note that bonds will not be released until every approach issued to your company has been removed or placed in the property owner's name.
8. Applicant shall ensure the driveway is constructed in accordance with the WVDOH Driveway Manual and that sight lines are always free from vegetation or other obstructions during use of the driveway.

WVDOH Driveway Manual:

<https://transportation.wv.gov/highways/engineering/Manuals/Traffic/Driveway.pdf>

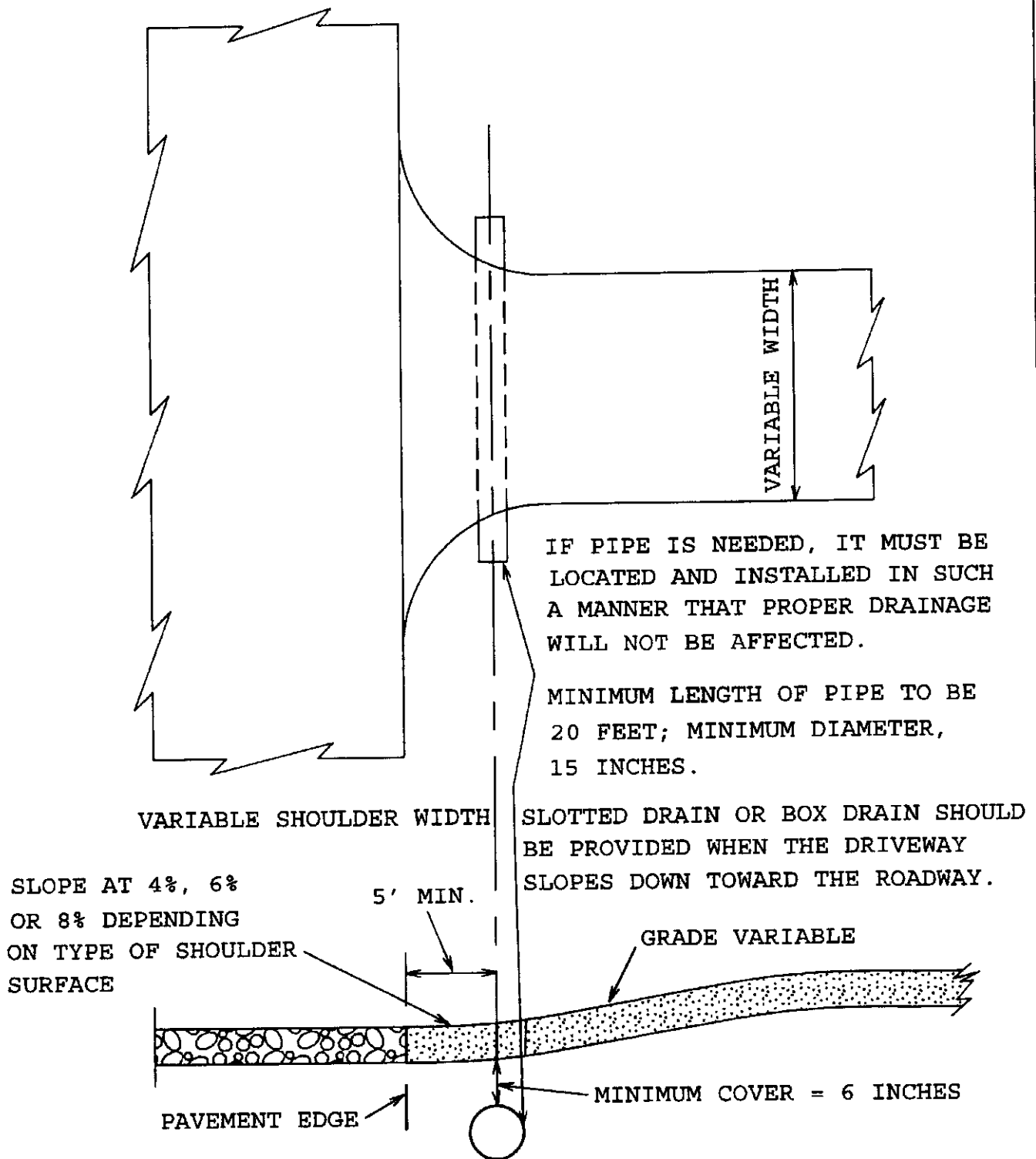
**Failure to comply with any condition or requirement will void this permit.**

03/28/2025



## PIPE INSTALLATION FOR SIDE ROAD APPROACH WITH STEEP GRADE

FIGURE 17



## PIPE INSTALLATION FOR SIDE ROAD OR PRIVATE ENTRANCE APPROACH

FIGURE 18

Dist. Permit No \_\_\_\_\_  
 Authorization No \_\_\_\_\_  
 Received Dt \_\_\_\_\_

## OIL and GAS DATA INFORMATION SHEET

APPLICANT

Company Name	<u>Diversified Production, LLC.</u>			
Address	<u>414 Summers Street</u>			
City	<u>Charleston</u>	State	<u>WV</u>	Zip <u>25301</u>
Permit Contact Person	<u>Nick Bumgardner</u>	Telephone	<u>304-545-4848</u>	Fax <u>304-545-4848</u>
Email	<u>nbumgardner@dgoc.com</u>			
24/7 Road Maint. Contact	<u>Kurt Wagoner</u>	Telephone	<u>304-516-2294</u>	Cell <u>                    </u>
24/7 Backup Contact	<u>Kevin Cook</u>	Telephone	<u>681-280-3271</u>	Cell <u>                    </u>

### PERMIT INFORMATION

Route Number	<u>CR 16/21</u>	Road Local Name	<u>Sycamore-L. Fork</u>	GPS	Lat.	<u>38.831231</u>
				(DD.ddddd)		
Mile Post	<u>1.446</u>	County	<u>Calhoun</u>		Long.	<u>-81.095392</u>
				(-DD.ddddd)		
Location Description	On Rte. # <u>16/21</u> being <u>1.24</u> miles <u>N</u> of Jct. of Rte. # <u>CR16</u> and Rte. # <u>16/21</u>					
	(N S E W)					

Description of Work To use and upgrade an existing road for access to Well Numbers  
API 47-013-04758, 47-013-00650 & 47-013-00014 for plugging operations as part of the  
WV Paid Plugging Contract. All work will comply with WV DOT specifications.

## PROJECT DETAILS

Project Name	<u>Proudfoot Lease</u>	Project Description	<u>Well Plugging</u>	GPS	Lat.	<u>38.834219</u>
Operation will require hauling >= 5,000 barrels of liquids on roadways				<u>No</u> (Yes or No)	Long.	<u>81.094736</u>
Additional info	<u>This access site will be for 3 well plugging procedures</u>					

(Please note any additional Projects using the same permit for access)

**HAULING ROUTE(S)** From Interstate, US or WV Route (Attach Map)

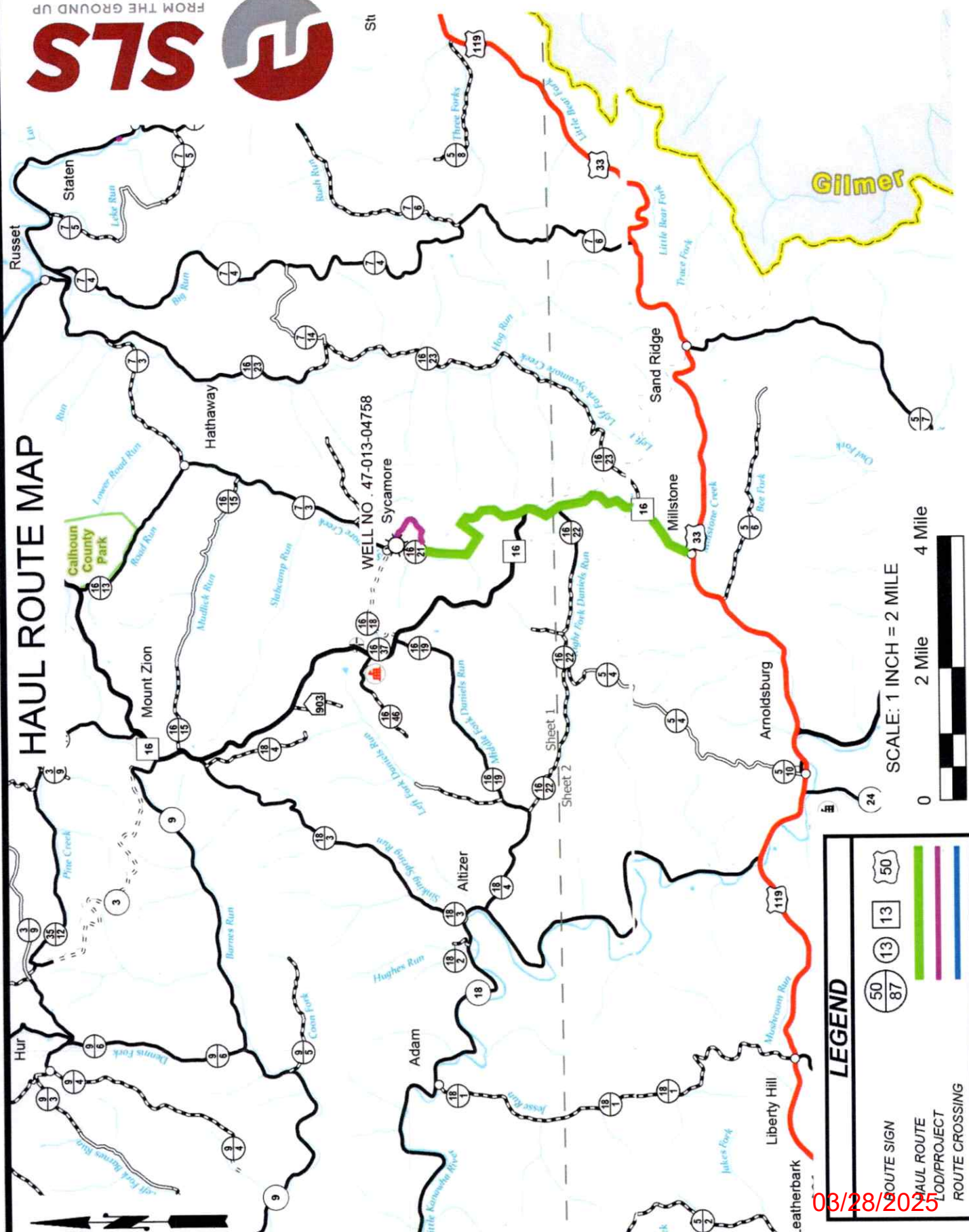
[illegible]

03/28/2025



PROJ. NO: 9514	DATE: 2/4/2025	SURV DATE: 1/16/2025	DWG NAME: 9514 HAUL ROUTE MAP 20250204-GF
----------------	----------------	----------------------	---

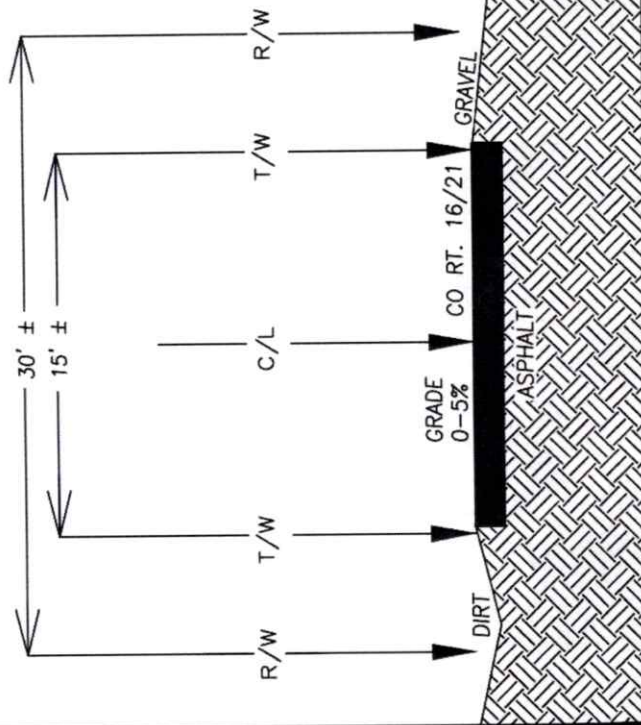
12 Vanhorn Drive | P.O. Box 150 | Glenville, WV 26351 | 304.462.5634  
1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.3952  
254 East Beckley Bypass | Beckley, WV 25801 | 304.255.5296  
SISWV.COM



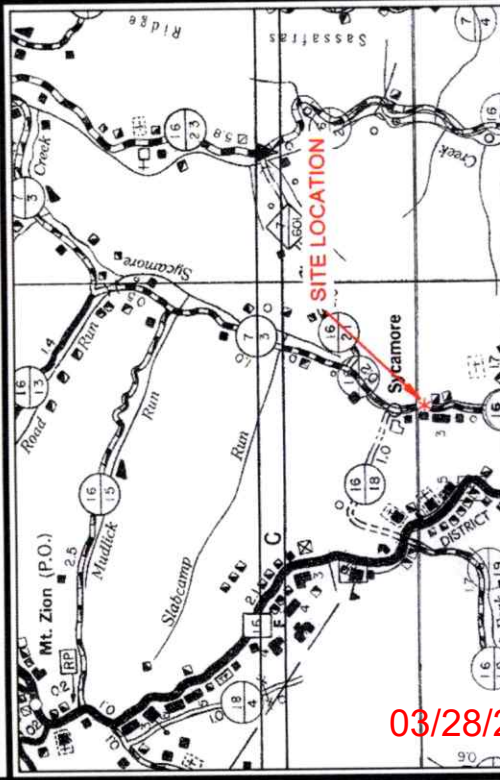
LEGEND	
	ROUTE SIGN
	HAUL ROUTE
	LOD/PROJECT
	ROUTE CROSSING

03/28/2025

# APPROACH PROFILE (VIEW NORTH)



VICINITY MAP  
SCALE: 1-INCH = 1-MILE



03/28/2025

PREPARED FOR:  
DIVERSIFIED PRODUCTION, LLC  
414 SUMMERS STREET  
CHARLESTON, WV 25301

CADD FILE  
9514RDAP  
GF: 1/23/2025  
FIELD REVIEW  
J.G.S.  
WELL NUMBERS  
47-013-00014  
47-013-00650  
47-013-04758  
DATE  
1/23/2025

PLAT OF PROPOSED ROAD APPROACH.  
LOCATED ON CO. RT. 16/21 AT 1.24± MILES NORTH  
OF JUNCTION CO. RT. 16  
IN SHERMAN DISTRICT, CALHOUN COUNTY, WEST  
VIRGINIA.

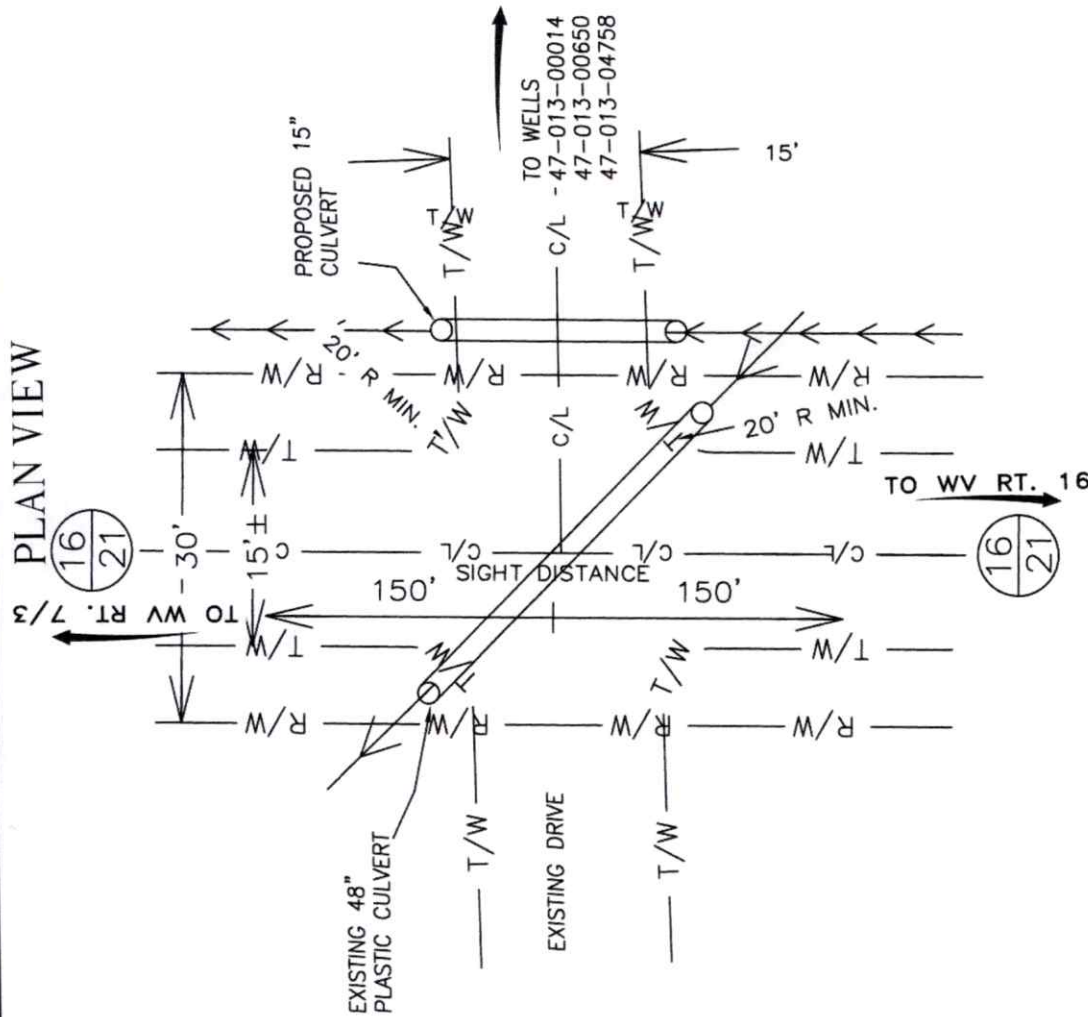
PREPARED BY



13 Vaphorn Drive | P.O. Box 150 | Glenville, WV 25301 | 304.482.5634  
1402 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.3952  
254 East Beckley Bypass | Beckley, WV 25801 | 304.235.3296  
slsinc.com

DATE: 03/28/25

## PLAN VIEW



### NOTES

ALL SPECIFICATIONS AS SET FORTH IN THE  
MANUAL ON RULES AND REGULATIONS FOR  
CONSTRUCTING DRIVEWAYS ON STATE  
HIGHWAY RIGHTS OF WAY WILL BE  
OBSERVED.  
DRAWINGS NOT TO SCALE.

ACCESS ROAD WAS FLAGGED IN  
ORANGE MARKING RIBBON WITH WELL  
AND COMPANY NAME IDENTIFIED.  
APPLY 100 FEET OF 8-INCH COMPACTED  
STONE ON AREA.

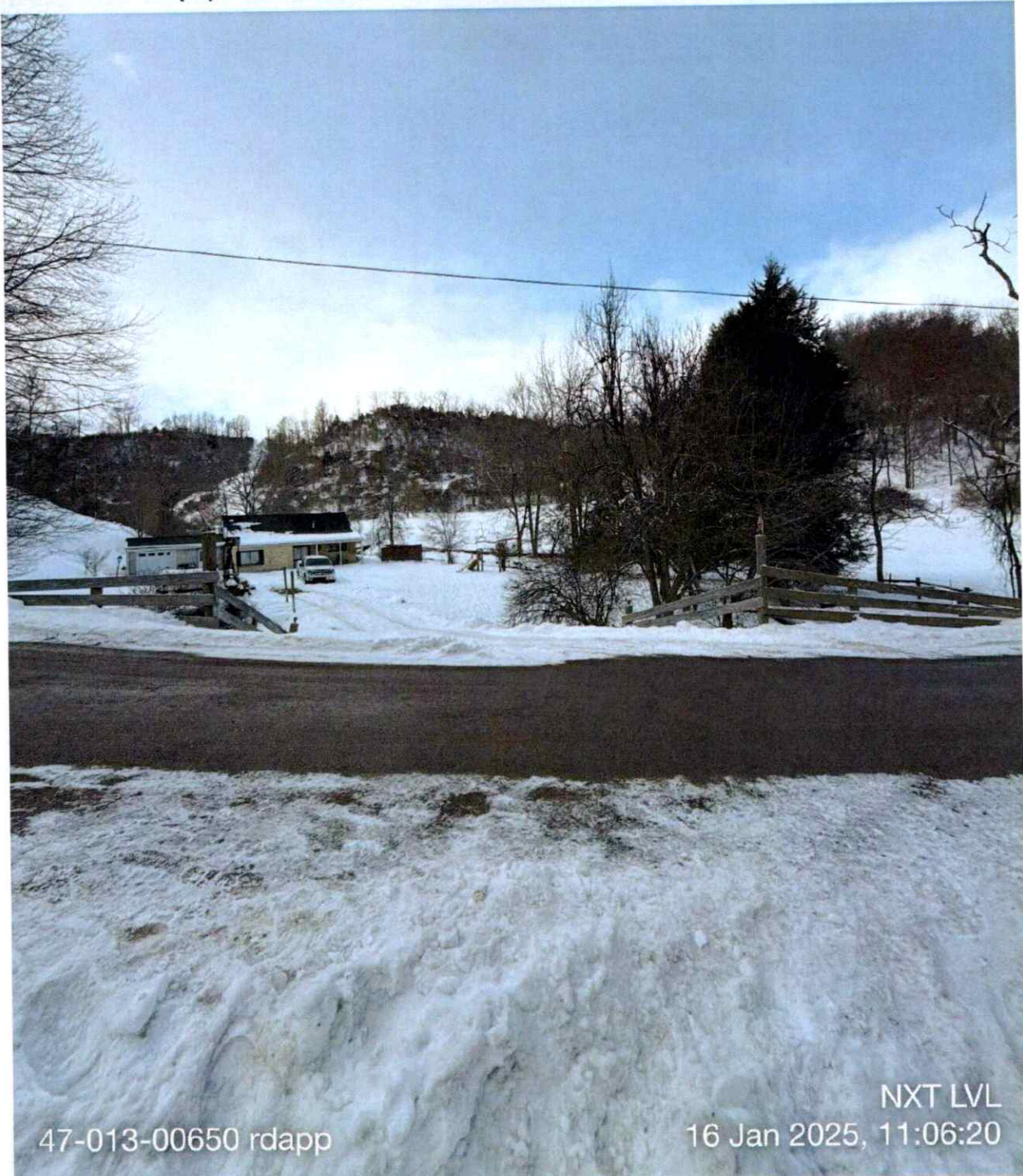
### LEGEND

C/L  
R/W  
T/W  
CENTERLINE OF ROAD  
RIGHT-OF-WAY  
TRAVELED WAY  
DRAIN/STREAM



47-013-00650, 47-013-04758 & 47-013-00014 Wells

Adjacent View from Site



47-013-00650 rdapp

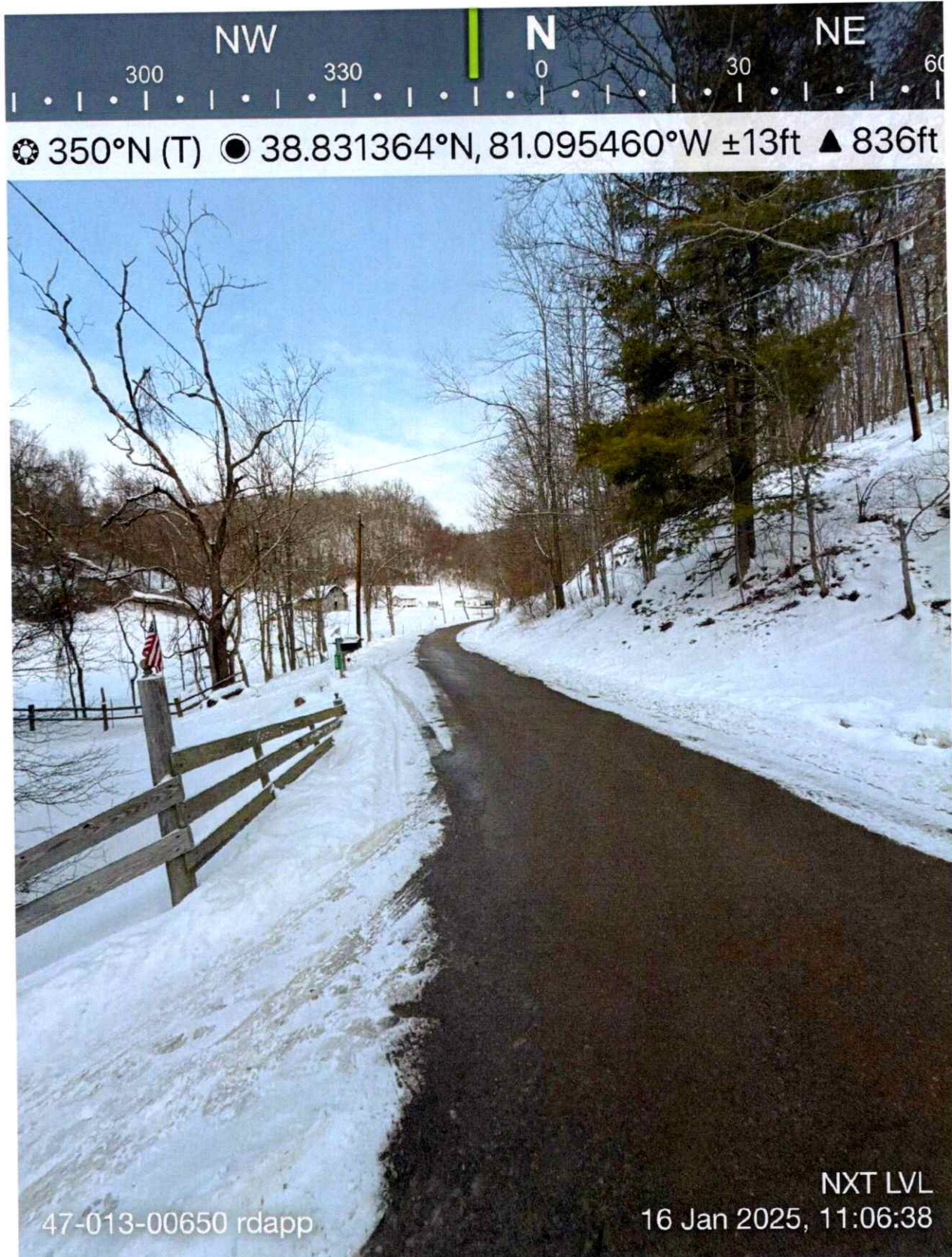
NXT LVL  
16 Jan 2025, 11:06:20

03/28/2025



47-013-04758, 47-013-00650 & 47-013-00014 Wells

North View, Site Distance 150 ft.



03/28/2025



47-013-04758, 47-013-00650 & 47-013-00014 Wells

South View, Site Distance 150 ft.



03/28/2025



47-013-04758, 47-013-00650 & 47-013-00014 Wells

Site View



☀ 68°E (T) ● 38.831355°N, 81.095467°W ±13ft ▲ 836ft



47-013-00650 rdapp

NXT LVL  
16 Jan 2025, 11:06:35

03/28/2025





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

---

## plugging permits issued 4701304758 01300650

1 message

---

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

Fri, Mar 21, 2025 at 3:37 PM

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

To whom it may concern, plugging permits have been issued for 4701304758 01300650.

James Kennedy

WVDEP OOG

---

### 2 attachments

 **4701304758.pdf**  
6456K

 **4701300650.pdf**  
6256K

03/28/2025



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

---

## plugging permits issued 4701304758 01300650

1 message

---

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

Fri, Mar 21, 2025 at 3:39 PM

To: "gmfulks@yahoo.com" <gmfulks@yahoo.com>, "tjdeputy92@gmail.com" <tjdeputy92@gmail.com>

To whom it may concern, plugging permits have been issued for 4701304758 01300650.


James Kennedy

WVDEP OOG

---

### 2 attachments

 **4701300650.pdf**  
6256K

 **4701304758.pdf**  
6456K

03/28/2025