



---

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)

Monday, July 24, 2023  
WELL WORK PLUGGING PERMIT  
Vertical Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT  
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for 1  
47-073-00554-00-00

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: BENEDUM, M. L.  
U.S. WELL NUMBER: 47-073-00554-00-00  
Vertical Plugging  
Date Issued: 7/24/2023

# PERMIT CONDITIONS

West Virginia Code §22-6-11 allows the Office of Oil and Gas to place specific conditions upon this permit. Permit conditions have the same effect as law. Failure to adhere to the specified permit conditions may result in enforcement action.

## CONDITIONS

---

1. All pits must be lined with a minimum of 20 mil thickness synthetic liner.
2. In the event of an accident or explosion causing loss of life or serious personal injury in or about the well or while working on the well, the well operator or its contractor shall give notice, stating the particulars of the accident or explosion, to the oil and gas inspector and the Chief within twenty-four (24) hours.
3. Well work activities shall not constitute a hazard to the safety of persons.
4. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing.

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WW-4B  
Rev. 2/01

WV Department of  
Environmental Protection

1) Date June 5, 2023  
2) Operator's  
Well No. M.L. Benedum, et al No. 1  
3) API Well No. 47-073 - 00567

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 X / Liquid injection \_\_\_\_ / Waste disposal \_\_\_\_ /  
(If "Gas, Production \_\_\_\_ or Underground storage \_\_\_\_ ) Deep \_\_\_\_ / Shallow X
- 5) Location: Elevation 932' Watershed Mudlick Run of Panther Run  
District Mckim County Pleasants Quadrangle Ellenboro 7.5'
- 6) Well Operator Unknown- WV DEP Paid Plugging Contract 7) Designated Agent Jason Harmon  
Address 601 57th Street, SE Address 601 57th Street, SE  
Charleston, WV 25304 Charleston, WV 25304
- 8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name Isaiah Richards Name Next LVL Energy  
Address 114 Turkey Lick Road Address 104 Heliport Loop  
West Union, WV 26456 Bridgeport, WV 26330

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

See attached Work Procedure

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

Work order approved by inspector



Date

06/14/2023

07/28/2023

SE

S

SW

120

150

180

210

240

☉ 171°S (T) LAT: 39.330756 LON: -81.091380 ±13ft ▲ 949ft



9342

47-085-10458

12 May 2023, 07:26:49

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection



STATE OF WEST VIRGINIA  
DEPARTMENT OF MINES  
OIL AND GAS

Quadrangle St. Marys  
Permit No. 1243-554 **WELL RECORD** Oil or Gas Well Oil & Gas

Company Fairwell Associates  
Address Rt. 1, Box 125, St. Marys, W. Va.  
Farm M.J. Benedum-O. Fleming Acres 115  
Location (waters) Madlick Run  
Well No. 1 Elev. 960'  
District McKin County Fleming

The surface of tract is owned in fee by O. Fleming  
St. Marys, W. Va.

Drilling commenced May 1958  
Drilling completed July 1958

Well 70 quanta Nitro-Glycerin  
Open Flow 15 gpm Water

Volume 0.000 gal  
Rock Pressure 24 psi

WELL ACIDIZED No  
WELL FRACTURED No

RESULT AFTER TREATMENT  
ROCK PRESSURE AFTER TREATMENT

Flow Water 15 gpm  
Flow Gas 0 gpm

Depth	Pressure	Flow	Remarks
1000	1000	0	
950	1000	0	
900	1000	0	
850	1000	0	
800	1000	0	
750	1000	0	
700	1000	0	
650	1000	0	
600	1000	0	
550	1000	0	
500	1000	0	
450	1000	0	
400	1000	0	
350	1000	0	
300	1000	0	
250	1000	0	
200	1000	0	
150	1000	0	
100	1000	0	
50	1000	0	
0	1000	0	

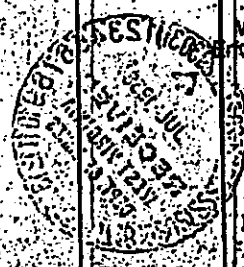


07/28/2023

JUN 16 2023

MW Department of Environmental Protection

Formation	Color	Hard or Soft	Top	Bottom	Oil, Gas or Water	Depth Found	Remarks
clay	red	soft	0	10			
sand	gray	hard	10	75			
lime shells	gray	hard	75	184			
sand	gray	hard	184	217			
shale	gray	soft	217	223			
lime	gray	hard	223	254			
shale	gray	soft	254	277			
sand	white	hard	277	314			
slate	black	soft	314	320			
shale	gray	soft	320	342			
lime-sand	gray	hard	342	395			
slate	black	soft	395	429			
lime	gray	hard	429	440			
slate	black	soft	440	454			
shale	gray	soft	454	486			
slate	black	soft	486	520			
shells	gray	hard	520	553			
lime shells	gray	hard	553	552			
sand	white	hard	552	960			1st Cor Run
lime	gray	hard	960	973			
sand	gray	hard	973	1000			
shale	red	soft	1000	1024			oavy
slate	black	soft	1024	1033			
shale	gray	soft	1033	1050			oavy
slate	black	soft	1050	1058			
sand	gray	hard	1058	1063			
sandy slate	gray	hard	1063	1090			
slate	black	soft	1090	1095			
sand	gray	hard	1095	1105			
sandy slate	gray	hard	1105	1150			
sand	white	hard	1150	1184			
slate	black	soft	1184	1200			
lime	gray	hard	1200	1207			
slate	black	soft	1207	1239			
sand	gray	hard	1239	1253			
slate	gray	soft	1253	1284			
sand	gray	hard	1284	1330			
slate	black	soft	1330	1448			
lime gray	gray	hard	1448	1453			
sand	white	hard	1453	1505			1st. salt sand
slate	black	soft	1505	1531			
sand	gray	hard	1531	1552			2nd. salt
slate	black	soft	1552	1589			
sand	white	hard	1589	1609			3rd salt
slate	black	soft	1609	1647			
sand	gray	hard	1647	1676			
sandy limestone	gray	hard	1676	1685			
sand	gray	hard	1685	1687			
lime	gray	hard	1687	1748			
sand	white	hard	1748	1767			
sand	gray	hard	1767	1873			
sand	blue	hard	1873	1904			
slate	black	soft	1904	1904			



Horseneck

1st Cor Run

oavy

oavy

Runway

1st. salt sand

2nd. salt

3rd salt

Newton

Big Line

Lower

Injun

Squaw

Total depth

1000

1000

Oil of Gas

Oil of Gas

DATE: July 25, 19 58  
 APPROVED: FOWELL ASSOCIATES  
 BY: *Harmon W. Myers* (Title) Partner

07/28/2023

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

PLUGGING PROGNOSIS

West Virginia, Pleasants County  
API # 47-073-000554

**Casing Schedule**

10" @ 10'  
5-3/16" csg @ 1443' (no cement data)  
TD @ 1904'

**Completion:** none listed

**Fresh Water:** None Reported

**Saltwater:** None Reported

**Coal:** None Reported

**Oil Show:** 1749'-1758'

**Gas Show:** 1609'-1615'; 1749'-1758'

**Elevation:** 932'

1. Notify inspector, Isaiah Richards @ (304) 205-3032, 48 hrs. prior to commencing operations.
2. Check wellhead pressure and kill well as needed.
3. Pull tbg and lay down.
4. Run wireline to check TD and 5-3/16" csg TOC/free point. If needed, release packer or free point and cut csg before setting first plug. **Do not omit any plugs listed below. Perforate as needed.**
5. Run in to depth @ 1904'. Kill well as needed with 6% bentonite gel and fill rat hole. Pump at least 10 bbls gel. Pump 511' Class A/Class L cement plug from **1904' to 1393' (Hydrocarbon shows and 5-3/16" plug)**. Tag TOC. Top off as needed.
6. TOO H w/ tbg to 1393'. Pump 6% bentonite gel from 1393' to 982'
7. If still needed, Free point 5-3/16" csg. Cut and TOO H. Set 100' Class A/Class L cement plug across csg cut. 50' in/out of cut. TOO H w/ tbg to top of plug. **Do not omit any plugs listed below. Perforate as needed.**
8. TOO H w/ tbg to 982'. Pump 297' Class A/Class L Cement plug from **982' to 882' (Elevation plug)**
9. TOO H w/ tbg to 882'. Pump 6% bentonite gel from 882' to 100'
10. TOO H w/ tbg to 100'. Pump 100' Class A/Class L Cement plug from **100' to surface (Surface plug)**.
11. Erect monument with API#, date plugged, & company name.
12. Reclaim location and road to WV-DEP specifications.



06/14/2023

07/28/2023

WW-4A  
Revised 6-07

JUN 16 2023

WV Department of  
Environmental Protection

1) Date: June 5, 2023  
2) Operator's Well Number  
M.L. Benedum, et al No. 1  
3) API Well No.: 47 - 073 - 00554

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

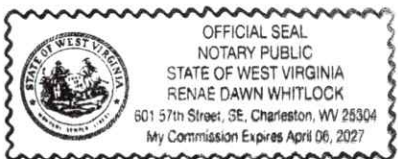
4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name <u>Ollie J. Fleming C/O Elizabeth Lucas</u>	Name <u>N/A</u>
Address <u>2631 Wellington Dr.</u>	Address _____
<u>Sanford, NC 27330</u>	
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>N/A</u>
	Address _____
(c) Name _____	Name _____
Address _____	Address _____
6) Inspector <u>Isaiah Richards</u>	(c) Coal Lessee with Declaration
Address <u>114 Turkey Lick Road</u>	Name <u>N/A</u>
<u>West Union, WV 26456</u>	Address _____
Telephone <u>304-205-3032</u>	

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

- (1) The application to Plug and Abandon a Well on Form WW-4B, which sets out the parties involved in the work and describes the well its and the plugging work order; and
- (2) The plat (surveyor's map) showing the well location on Form WW-6.

The reason you received these documents is that you have rights regarding the application which are summarized in the instructions on the reverses side. However, you are not required to take any action at all.

Take notice that under Chapter 22-6 of the West Virginia Code, the undersigned well operator proposes to file or has filed this Notice and Application and accompanying documents for a permit to plug and abandon a well with the Chief of the Office of Oil and Gas, West Virginia Department of Environmental Protection, with respect to the well at the location described on the attached Application and depicted on the attached Form WW-6. Copies of this Notice, the Application, and the plat have been mailed by registered or certified mail or delivered by hand to the person(s) named above (or by publication in certain circumstances) on or before the day of mailing or delivery to the Chief.



Well Operator Unknown - WVDEP Paid Plugging Contract  
 By: Jason Harmon  
 Its: WV Office of Oil & Gas Deputy Chief  
 Address 601 57th Street, SE  
Charleston, WV 25304  
 Telephone 304-926-0452

Subscribed and sworn before me this 21<sup>st</sup> day of June 23  
Renae Dawn Whitlock Notary Public  
 My Commission Expires April 6, 2027

**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).

07/28/2023





info@slsww.com  
www.slsww.com

January 13, 2023

Ollie J. Fleming C/O Elizabeth Lucas  
2631 Wellington Dr,  
Sanford, NC 27330

RECEIVED  
Office Of Oil and Gas  
JUN 16 2023  
WV Department of  
Environmental Protection

Mr. Fleming,

Please find enclosed a Notice of Intent to Plug / Replug Abandoned Wells Form for API #47-073-00554 in Pleasants County, WV, Map 12 Parcel 5, which records from the Pleasants County Courthouse indicate that you are the surface owner.

The well listed above is proposed to be plugged through the West Virginia DEP Paid Plugging Contract, orphaned and abandoned wells program. SLS Land & Energy Development has been contracted to obtain a plugging permit for this well.

If you have any questions please do not hesitate to contact me.

Jim Mencer  
SLS Land & Development  
Permitting Tech.  
304-462-5634

12 Vanhorn Drive, Glenville, WV 26351  
1412 Kanawha Boulevard East, Charleston, WV 25301  
254 East Beckley Bypass, Beckley, WV 25801  
**304-462-5634**

07/28/2023



---

west virginia department of environmental protection

---

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

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

**NOTICE OF INTENT  
TO PLUG / REPLUG  
ABANDONED WELL(S)**

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

Ollie J. Fleming C/O Elizabeth Lucas  
2631 Wellington Dr,  
Sanford, NC 27330

You are hereby given a twenty-day notice, as required by West Virginia Code, Chapter 22, Article 10, Section 7, that the West Virginia Department of Environmental Protection, Office of Oil and Gas (OOG), intends to enter upon the following described premises where an abandoned well(s) is situated and plug or re-plug such well(s) and reclaim any area disturbed by the plugging or re-plugging. This notice should be construed only as a declared intent to plug such well(s); site-specific considerations or other factors may ultimately prevent the plugging or re-plugging at this time.

Description of premises: McKim Dist., Pleasants County WV, Map 12 Parcel 5  
51.86 Acres, Well API# 47-073-00554

---

The well(s) is considered "abandoned" within the meaning of W. Va. Code § 22-6-19 because it is a dry hole or because it has not been in use for a period of 12 consecutive months and no satisfactory proof of a "bona fide" future use for the well has been demonstrated to the OOG.

If you are a surface owner of the above described premises, be advised that surface owners have the right to repair of any damage or disturbance resulting from the well plugging or to compensation for (1) the reasonable cost of repairing or replacing any water well, (2) the reasonable value of any crops destroyed, damaged or prevented from reaching market, (3) the reasonable cost of repair to personal property up to the value of the replacement value of personal property of like age, wear and quality, (4) lost income or expenses incurred, and (5) reasonable costs to reclaim or repair real property, including roads. Additionally, the surface owners have the potential right to take any casing, equipment or other salvage not claimed in this notice. Please be advised that it is the intent of the OOG to take all casing, equipment, and other salvage from the subject well(s).

Please contact the OOG at 304-926-0450 if you have any questions regarding this notice.

Date Issued: \_\_\_\_\_ Date Served: \_\_\_\_\_

Name of person served \_\_\_\_\_

Service Address; \_\_\_\_\_

Certified Mail Receipt No. (if applicable) \_\_\_\_\_

Name of Person Making Personal Service (if applicable) \_\_\_\_\_

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

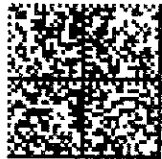
WV Department of  
Environmental Protection

07/28/2023



PO Box 150  
GLENNVILLE, WV 26351

FIRST-CLASS



US POSTAGE IMPRINTNEY BOWES

ZIP 26351 \$ 007.82<sup>0</sup>  
02 7H  
0001267858 JAN 13 2023

OLLIE J. FLEMING  
2631 WELLINGTON DR,  
SANFORD, NC 27330

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

7022 2410 0003 5359 3080

7022 2410 0003 5359 3080

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

**CERTIFIED MAIL**

U.S. Postal Service<sup>SM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee	\$ 4.00
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 3.25
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ .57
<b>Total Postage and Fees</b>	<b>\$ 7.82</b>

Sent To  
Ollie J. Fleming  
Street and Apt. No. or PO Box No.  
2631 Wellington Dr  
City, State, ZIP+4<sup>®</sup>  
Sanford, NC 27330

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

07/28/2023

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

7022 2410 0003 5359 3080

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7022 2410 0003 5359 3080

7022 2410 0003 5359 3080

PS Form 3800, April 2015 (PSN 7530-02-000-9053)

Sent to  
Office, Fleming  
Sheet and Apt. No., or PO Box No.  
7531 Wellington Dr  
City, State, ZIP+4<sup>®</sup>  
Sanford, NC 27330

Total Postage and Fees  
\$ 7.82

Certified Mail Fee \$ 4.00  
Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$ 3.25  
 Return Receipt (electronic) \$  
 Certified Mail Restricted Delivery \$  
 Adult Signature Required \$  
 Adult Signature Restricted Delivery \$

Postmark Here

**U.S. Postal Service**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only  
For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

**SENDER: COMPLETE THIS SECTION**

- 1. Complete items 1 through 3.
- 2. Print your name and address on the reverse so that we can return the card to you.
- 3. Attach this card to the back of the mail piece, or on the front if space permits.

1. Article Addressed to:

OLLIE J. FLEMING  
C/O ELIZABETH LUCAS  
2631 WELLINGTON DR,  
SANFORD NC 27330



959019402 753109380765

2. Article Number (Transfer from Services Label)

**COMPLETE THIS SECTION ON DELIVERY**

Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

Service Type  
 Adult Signature  
 Adult Signature Restricted Delivery  
 Certified Mail  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery  
 Registered Mail  
 Registered Mail Express®  
 Registered Mail  
 Registered Mail Restricted Delivery  
 Signature Confirmation™  
 Signature Confirmation Restricted Delivery

PS Form 3811, JULY 2020 PSN 7530-02-000-9053

Domestic Return Receipt

07/28/2023



info@slsww.com  
www.slsww.com

June 5, 2023

Ollie J. Fleming, C/O Elizabeth Lucas  
2631 Wellington Dr.  
Sanford, NC 27330

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

Mrs. Lucas,

Please find enclosed a Permit Application to plug and abandon for Well API# 47-073-00554, in Pleasants County, WV which records from the County Courthouse indicate that you are the surface owner. Through the West Virginia DEP Paid Plugging Contract, orphaned and abandoned wells have been proposed to be plugged. I have included an extra Surface owner signature form for you to sign if you approve of the proposed work, please sign and send it back to SLS Land & Energy Development in the self addressed envelope provided for you. The Permit Application is yours to keep for your records. If you have any questions please do not hesitate to contact me.

Jim Mencer  
SLS Land & Development  
Permitting Tech.  
304-462-5634

12 Vanhorn Drive, Glenville, WV 26351  
1412 Kanawha Boulevard East, Charleston, WV 25301  
254 East Beckley Bypass, Beckley, WV 25801  
**304-462-5634**

07/28/2023

CERTIFIED MAIL



7022 2410 0003 5359 4476  
7022 2410 0003 5359 4476

US POSTAGE  
FIRST CLASS  
\$ 009.72  
JUN 02 2023

U.S. Postal Service<sup>SM</sup>  
CERTIFIED MAIL<sup>®</sup> RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Article Number (from Service Label and PSN)  
4476

Article Description (from Service Label and PSN)  
Certified Mail Restricted Delivery

Postage and Fees  
9.27

Total Postage and Fees  
9.27

Postmark Here

PS Form 3811, April 2013 PSN 7530-02-000-9053 See Reverse for Instructions

**SMITH LAND SURVEYING, INC.**  
12 Vanhorn Drive  
PO Box 150  
Glennville, WV 26351

---

**TO:** OLLIE J. FLEMING  
C/O ELIZABETH LUCAS  
2631 WELLINGTON DR.  
SANFORD, NC 27330

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p>OLLIE J. FLEMING C/O ELIZABETH LUCAS 2631 WELLINGTON DR. SANFORD, NC 27330</p> <p>2. Article Number (Transfer from service label) 9590 9402 7774 2152 3738 53 7022 2410 0003 5359 4476</p>	<p>A. Signature <b>X</b> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input type="checkbox"/> Certified Mail<sup>®</sup>  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Insured Mail  <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express<sup>®</sup>  <input type="checkbox"/> Registered Mail<sup>SM</sup>  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Signature Confirmation<sup>SM</sup>  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt

RECEIVED  
Office Of Oil and Gas  
JUN 16 2023  
WV Department of  
Environmental Protection

07/28/2023

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection



---

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**

**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.

07/28/2023



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

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection



James Martin, Chief  
Office of Oil and Gas

07/28/2023

WW-9  
(5/16)

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

API Number 47- 073 - 00554 -  
Operator's Well No. M.L. Benedum, et al No.1

WV Department of  
Environmental Protection

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Unknown - WV DEP Paid Plugging Contract OP Code \_\_\_\_\_

Watershed (HUC 10) Mudlick Run of Panther Run Quadrangle Ellenboro 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: \_\_\_\_\_

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 #25-774 )
- \_\_\_\_\_ 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. Offsite

-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.

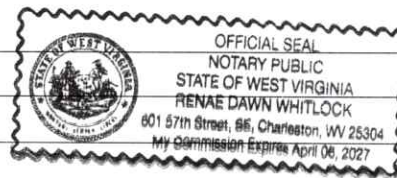
I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on April 1, 2016, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations 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 21st day of June, 2023

Renae Dawn Whitlock Notary Public

My commission expires April 6, 2027

07/28/2023

Proposed Revegetation Treatment: Acres Disturbed Less than an acre Prevegetation pH \_\_\_\_\_

Lime 3 Tons/acre or to correct to pH 6.0

Fertilizer type 20-20-20

Fertilizer amount 500 lbs/acre

Mulch 2-3 Tons/acre

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

Seed Mixtures

**Temporary**


**Permanent**

Seed Type	lbs/acre	Seed Type	lbs/acre
		Fescue	30
		Clover	3
		Contractor Mix	10

Attach:

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

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: 

Comments: No pit will be used.

Title: OOG Inspector Date: 06/14/2023

Field Reviewed? ( ) Yes (  ) No

07/28/2023

RECEIVED  
Office Of Oil and Gas

**WELL NO. 1**  
**47-073-00554**

JUN 16 2023

WV Department of  
Environmental Protection



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  
sllwv.com

PETROLEUM 7.5' USGS QUAD

**SCALE: 1"=2000'**

0'      2000'      4000'



DRAWN BY GF	FILE NO. 9342	DATE 5-30-23	CADD FILE: 9342-SURV-TDPO-R00- GF-053023.DWG
----------------	------------------	-----------------	--

07/28/2023

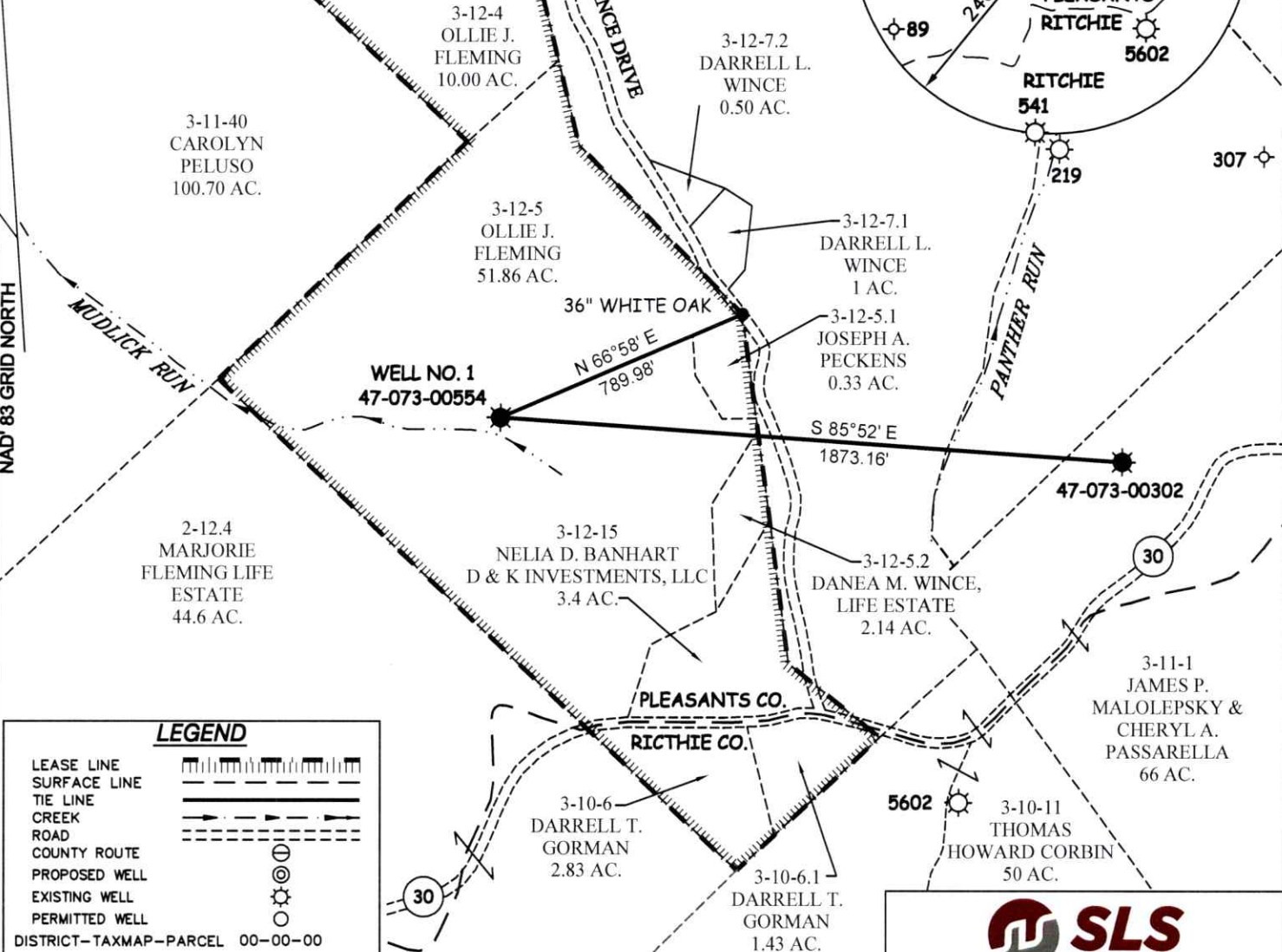
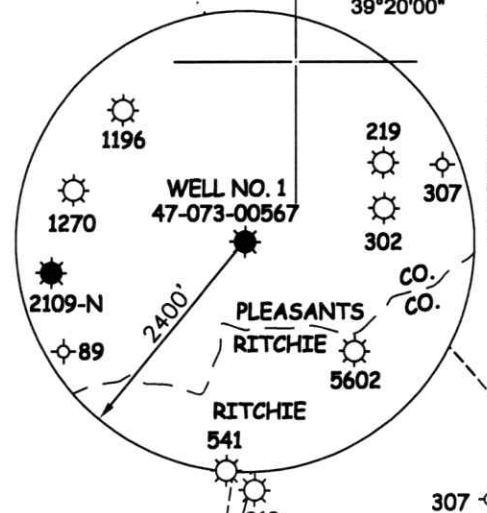
M.L. BENEDUM, ET AL LEASE  
115 ACRES  
WELL NO. 1  
47-073-00554

RECEIVED  
Office Of Oil and Gas  
JUN 16 2023  
3-12-7  
WV Department of  
Environmental Protection  
WINCENOTE  
86.05 AC.

LATITUDE  
39°20'00"

LONGITUDE 81°05'00"

NAD'83 GEO. LAT-(N) 39.330744 LONG-(W) 81.091419  
NAD'83 UTM (M) N. 4,353,485 E. 492,121



**LEGEND**

- LEASE LINE [Symbol]
- SURFACE LINE [Symbol]
- TIE LINE [Symbol]
- CREEK [Symbol]
- ROAD [Symbol]
- COUNTY ROUTE [Symbol]
- PROPOSED WELL [Symbol]
- EXISTING WELL [Symbol]
- PERMITTED WELL [Symbol]
- DISTRICT-TAXMAP-PARCEL 00-00-00 [Symbol]

**NOTES ON SURVEY**  
1. WELL SPOT CIRCLE & TOPO MARK SCALE IS 1"=2000'.

**SLS**  
FROM THE GROUND UP

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  
slswv.com

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 MAY 24, 20 23

REVISED \_\_\_\_\_, 20 \_\_\_\_\_

OPERATORS WELL NO. 1

API WELL NO. 47 - 073 - 00554-P

STATE COUNTY PERMIT

MINIMUM DEGREE OF ACCURACY 1 / 200 FILE NO. 9342-SURV-4707300554-MT-R00-230524.dwg

HORIZONTAL & VERTICAL CONTROL DETERMINED BY DGPS (SUBMETER MAPPING GRADE TIE TO CORS NETWORK) SCALE 1" = 500'

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 932' WATERSHED MUDLICK RUN OF PANTHER RUN

DISTRICT McKIM COUNTY PLEASANTS QUADRANGLE ELENBORO 7.5'

SURFACE OWNER OLLIE J. FLEMING, ET AL. ACREAGE 51.86±

ROYALTY OWNER OLLIE J. FLEMING, ET AL. ACREAGE 115±

PROPOSED WORK: 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 1904'

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

ADDRESS 601 57TH STREET ADDRESS 601 57TH STREET

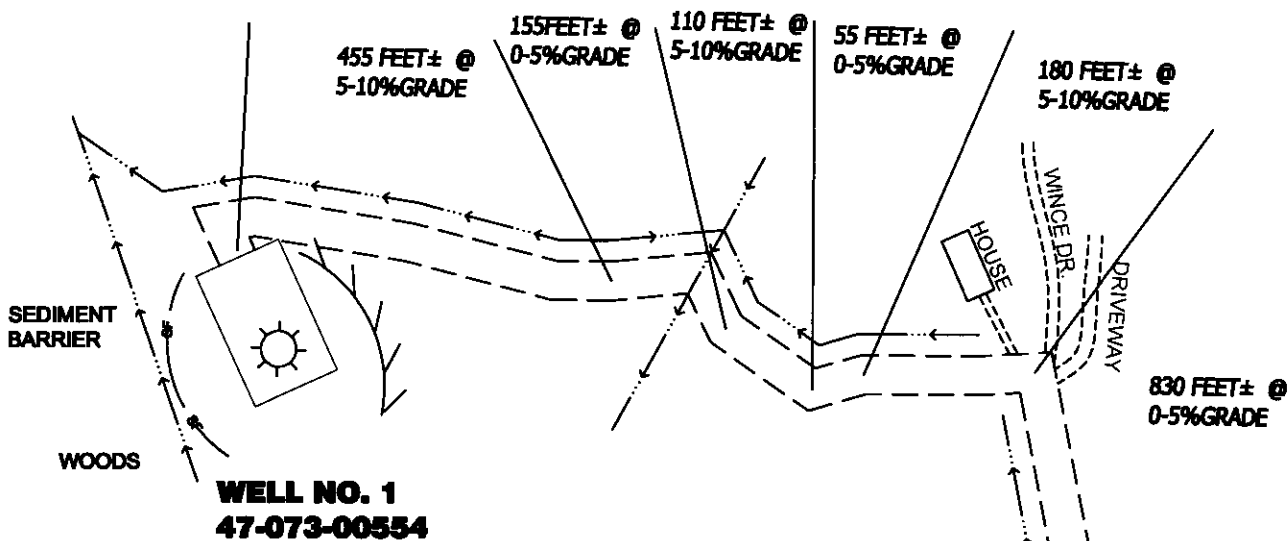
CHARLESTON, WV 25304 (WVDEP) CHARLESTON, WV 25304

COUNTY NAME PERMIT

# M.L. BENEDUM ET AL LEASE

## WELL NO 1

### 47-073-00554



RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

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.

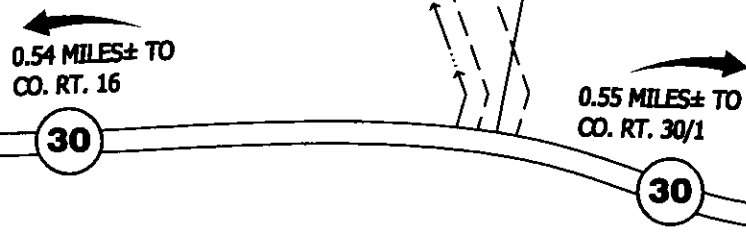
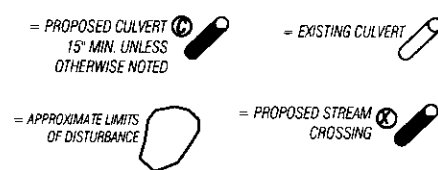
EARTHWORK CONTRACTORS ARE RESPONSIBLE FOR NOTIFICATION TO THE OPERATOR AND INSPECTOR PRIOR TO ANY DEVIATION FROM THIS PLAN.

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).



SCALE: 1"=200'



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

CADD FILE: 8342-SURV-REC-ROD- GF-083023.DWG	DATE 5-30-23	FILE NO. 9342	DRAWN BY GF
---	-----------------	------------------	----------------

07/28/2023

WW-4B

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

API No. 47-073-00554  
Farm Name M.L. Benedum, et al  
Well No. No. 1

**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 \_\_\_\_\_

07/28/2023

JUN 16 2023

WV Department of  
Environmental Protection

Operator's Well  
Number

M.L. Benedum, et al No. 1

**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

**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  
**07/28/2023**





info@sldswv.com  
www.sldswv.com

June 15, 2023

Jason Harmon, Deputy Director  
WV Department of Environmental Protection  
Office of Oil & Gas  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304-2345

RECEIVED  
Office Of Oil and Gas

JUN 16 2023

WV Department of  
Environmental Protection

Dear Mr. Harmon,

Please find enclosed a permit application to plug API# 47-073-00554 in McKim District, Pleasants County, WV. It is a part of the multi-well plugging contract for the Orphan and Abandoned Well Program for Region 1. The plugging contractor is Next Level Energy, operating under the Region 1 contract. The Inspector has signed off on the work to be performed. The surface owner has been mailed Letter of Intent Form and a copy of Plugging Permit Application, certified mail receipts are attached.

If you have any questions or comments please do not hesitate to contact me.

Jim Mencer  
Permitting Technician  
SLS Land & Energy Development  
304-462-5634

12 Vanhorn Drive, Glenville, WV 26351  
1412 Kanawha Boulevard East, Charleston, WV 25301  
254 East Beckley Bypass, Beckley, WV 25801  
**304-462-5634**

07/28/2023



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

---

**plugging permits issued 4707300302 07300554 07301274**

2 messages

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

Mon, Jul 24, 2023 at 9:37 AM




To: Henry J Harmon &lt;henry.j.harmon@wv.gov&gt;, Chris Veazey &lt;CVeazey@dgoc.com&gt;, Austin Sutler &lt;asutler@nextlvenergy.com&gt;, Isaiah M Richards &lt;isaiah.m.richards@wv.gov&gt;, vgorrell@assessor.state.wv.us

To whom it may concern, plugging permits have been issued for 4707300302 07300554 07301274.

James Kennedy

WVDEP OOG

---

**3 attachments** **4707300554.pdf**  
3717K **4707301274.pdf**  
3464K **4707300302.pdf**  
3743K

---

**Chris Veazey** <CVeazey@dgoc.com>

Mon, Jul 24, 2023 at 9:41 AM

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

Thank you, James. I'm back in the office. If you need anything, please let me know.

**Chris Veazey****Permitting Supervisor**[cveazey@dgoc.com](mailto:cveazey@dgoc.com)**304-590-7707 (mobile)**

[Quoted text hidden]

**07/28/2023**