



west virginia department of environmental protection

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

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

Thursday, January 5, 2023
WELL WORK PLUGGING PERMIT
Vertical Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for 7
47-085-00206-00-00

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: BALL, FRANK
U.S. WELL NUMBER: 47-085-00206-00-00
Vertical Plugging
Date Issued: 1/5/2023

PERMIT CONDITIONS 4708500206

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.



4708500206

info@slswv.com
www.slswv.com

December 22, 2022

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

Dear Mr. Harmon,

Please find enclosed a permit application to plug API# 47-085-00206 in the Clay District, Ritchie County. It is a part of the multi-well plugging contract for the Orphan and Abandoned Well Program for Region 3. The plugging contractor is Next LVL Energy. The surface owner has signed the waiver and inspector has signed off on the work to be performed. Both are included in this plugging permit application. A copy of the Letter of Intent to Plug and abandoned a well has been enclosed with the mail receipts.

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

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Office of Oil and Gas
DEC 27 2022
WV Department of
Environmental Protection

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

01/06/2023

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 985' Watershed/Tributary of Lost Run of North Fork Hughes River
District Clay County Ritchie Quadrangle Harrisville 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 12/21/22

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4708500206

FORM C-1

NOTICE OF PROPOSED LOCATION OF OIL AND GAS WELL
(REQUIRED BY SECTION 2, CHAPTER 28, ACTS 1925)
WEST VIRGINIA DEPARTMENT OF MINES
OIL AND GAS SECTION

To THE DEPARTMENT OF MINES,
Charleston, W. Va.

Frank Ball
COAL OPERATOR OR COAL OWNER

Richards Farm Oil Co.
NAME OF WELL OPERATOR

Ellenboro, W. Va.
ADDRESS

Cairo, W. Va.
COMPLETE ADDRESS

May 17th 1934
PROPOSED LOCATION

Clay District

Ritchie County

Well No. Seven

Frank Ball Farm

GENERAL NOTES

The undersigned well operator is entitled to drill upon the above named farm or tract of land for oil and gas, having fee title thereto, (or as the case may be) under grant or lease dated Sept 8th, 1930 made by F. R. Ball and Roxie Ball to R. W. Richards and recorded on the 19th day of August, 1931 in the office of the County Clerk for said County in

Book 60, page 47

The enclosed plat was prepared by a competent engineer and shows the proposed location of a well to be drilled for oil and gas by the undersigned well operator on the farm and in the Magisterial District and County above named, determined by survey and courses and distances from two permanent points, or land marks.

The undersigned well operator is informed and believes there are no coal operators operating beds of coal beneath said farm or tract of land on which said well is located, or within 500 feet of the boundaries of the same, who have mapped their workings and filed their maps as required by law, excepting the coal operators or coal owners (if any) above named as addressees.

The above named coal operators or coal owners (if any) are notified that any objections they may desire to make to such proposed location, or which they are required to make by Section 3 of the Act, if the drilling of a well at said proposed location will cause a dangerous condition in or about their respective coal mines, must be received by, or filed with the Department of Mines within ten days from the receipt of a copy of this notice and accompanying plat by said Department. Said coal operators are further notified that forms for use in making such objections will be furnished to them by the Department of Mines promptly on request and that all such objections must set forth as definitely as is reasonably possible the ground or grounds on which such objections are based and indicate the direction and distance the proposed location should be moved to overcome same.

(The next paragraph is to be completed only in Department's copy.)

Copies of this notice and the enclosed plat were mailed by registered mail, or delivered to the above

named coal operators or coal owners at their above shown respective address day before, or on the same day with the mailing or delivery of this copy to the Department of Mines at Charleston, West Virginia.

Very truly yours,

Richard L. ...
WELL OPERATOR

Address of Well Operator

Cairo
CITY OR TOWN
W. Va.
STATE

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Office of Oil and Gas

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WV Department of Environmental Protection

*Section 3. If no such objections be filed, or be found by the department of mines, within said period of ten days from the receipt of said notice and plat by the department of mines, to said proposed location, the department shall forthwith issue to the well operator a drilling permit reciting the filing of such plat, that no objections have been made by the coal operators to the location, or found thereto by the department, and that the same is approved and the well operator authorized to proceed to drill at said location.

01/06/2023

MAY 19 1934

WEST VIRGINIA DEPARTMENT OF MINES

OIL AND GAS DIVISION

PRELIMINARY DATA SHEET NO. 1

File No. 206 Well No. 7
Richards Trust Co. Company of Ohio, W. Va.

on the F. R. Ball Farm

containing 44 acres. Location Ellenboro

Clay District, in Pitcher County, West Virginia

The surface of the above tract is owned in fee by F. R. Ball

of Ellenboro, W. Va. address, and the mineral rights are owned by

F. R. Ball of Ellenboro, W. Va.

The oil and gas privileges are held under lease by the above named company, and this well is drilled under permit

No. Per 206 issued by the West Virginia Department of Mines, Oil and Gas Division

May 29 1934

Elevation of surface at top of well _____ Spirit Barometric

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

16 feet 1 3/4 size: Wood conductor.

256 feet 10 in size, csg. _____ feet _____ sized csg.

1040 feet 8 size, csg. _____ feet _____ sized csg.

1461 feet 6 5/8 size, csg. _____ feet _____ sized csg.

_____ packer of _____ size, set at _____

_____ 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) _____

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WV Depart.
Environmental

Completed June 16, 1934

Date _____
Approved Richards Trust Co. Owner.

By J. M. ...

01/06/2023

AUG 23 1934

8/23/34

206
4708500206

Richard L. Campbell
Company
Paris W. Va.
Address

COMPLETION DATA SHEET
No. 2
FORMATION RECORD

Well No. 7

Name	Color	Character	Oil, Gas or Water	Top	Bottom	Thickness	Total Depth	Remarks
<i>Sand</i>				170	183			
<i>Red Rock</i>				200	445			
<i>Shale</i>				605	635			
<i>Red Rock</i>				635	655			
<i>Slate</i>				655	715			
<i>Sand</i>				715	735			
<i>Big Red</i>				735	825			
<i>Shale</i>				825	885			
<i>Lime</i>				885	900			
<i>Slate</i>				900	945			
<i>Red Rock</i>				945	982			
<i>White Slate</i>				982	1015			
<i>Black</i>				1015	1025			
<i>Red Rock</i>				1025	1035			
<i>Lime</i>				1035	1045			
<i>Big Dunquid</i>				1060	1092			
<i>Black Shale</i>				1092	1120			
<i>Red Rock</i>				1120	1140			
<i>Shale</i>				1140	1190			
<i>Gay Sand</i>				1190	1335			
<i>Shale</i>				1335	1400			
<i>Black Shale</i>				1400	1460			
<i>Lime</i>				1460	1480			
<i>Slate</i>				1480	1575			
<i>Sand</i>				1575	1705			
<i>Lime</i>				1705	1815			
<i>Shale</i>				1815	1850			
<i>Super Sand</i>				1850	1969			

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

Salt _____
Fresh water at _____ feet; fresh water at _____ feet.

Well was _____ producing hole.

8/23/34

Completed June 16, 1934
Date

Richard L. Campbell
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.

AUG 23 1934

01/06/2023

PLUGGING PROGNOSIS

West Virginia, Ritchie County
API # 47-085-00206

Casing Schedule

13" @ 16' Wooden Conductor
10" csg @ 256' (no cement data) ... not visible at surface, may not have been left in hole after drilling
8" csg @ 1040' (no cement data) ... not visible at surface, may not have been left in hole after drilling
6-5/8" csg @ 1461' (no cement data)
TD @ 1969'

Completion: oil/gas zone listed from 1949'-1961'

Fresh Water: None Reported

Saltwater: None Reported

Coal: None Reported

Oil Show: 1949'-1961'

Gas Show: 1949'-1961'

Elevation: 962'

1. Notify inspector, Sam Ward @ 304-389-7583, 48 hrs. prior to commencing operations.
2. Check wellhead pressure, blow down and kill well as needed and tag TD w/ sand line.
3. Run in to depth @ 1961'. Kill well as needed with 6% bentonite gel and fill rat hole. Pump at least 10 bbls gel. Pump 112' Class A/Class L cement plug from 1961' to 1849' (oil/gas show plug). Tag TOC. Top off as needed.
4. TOOH w/ tbg to 1849'. Pump 6% bentonite gel from 1849' to 1511'
5. Run CBL to check TOC behind 6-5/8" csg.
6. TIH w/ tbg to 1511'. Pump 100' Class A/Class L Cement plug from 1511' to 1411' (6-5/8" csg shoe plug)
7. TOOH w/ tbg to 1411'. Pump 6% bentonite gel from 1411' to 962'
8. Free point 6-5/8" csg. Cut and TOOH. Set 100' Class A/Class L cement plug across csg cut. 50' in/out of cut. TOOH w/ tbg to top of plug. **Do not omit any plugs listed below. Perforate as needed.**
9. TOOH w/ tbg to 1090'. Pump 100' Class A/Class L Cement plug from 1090' to 862' (8" csg shoe and Elevation plug). **If no 8" csg, pump 100' Class A/Class L Cement plug from 962' to 862'.**
10. TOOH w/ tbg to 862'. Pump 6% bentonite gel from 862' to 306'
11. If 8" csg is there, Run CBL to check TOC behind 8" csg. Free point 8" csg. Cut and TOOH. Set 100' Class A/Class L cement plug across csg cut. 50' in/out of cut. TOOH w/ tbg to top of plug. **Do not omit any plugs listed below. Perforate as needed.**
12. If 8" csg is not there, and 10" csg is there, Run CBL to check TOC behind 10" csg. Free point 10
13. If 10" is there, TOOH w/ tbg to 306'. Pump 306' Class A/Class L Cement plug from 306' to surface (10" csg shoe and surface plug). **If no 10" csg, pump 100' Class A/Class L plug from 100' to surface.**
14. Erect monument with API#, date plugged, & company name.
15. Reclaim location and road to WV-DEP specifications.

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01/06/2023

4708500206

WW-4A
Revised 6-07

1) Date: December 12, 2022
2) Operator's Well Number
Frank Ball No. 7

3) API Well No.: 47 - 085 - 00206

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>Charles W. Cunningham</u>	Name <u>N/A</u>
Address <u>P.O. Box 116</u>	Address _____
<u>Ellenboro, WV 26346</u>	_____
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>No Declarations found</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>No Declarations found</u>
<u>West Union, WV 26456</u>	Address _____
Telephone <u>304-205-3032</u>	_____

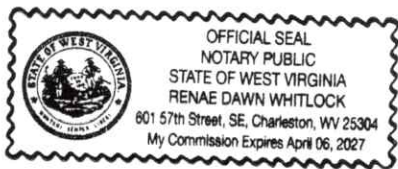
TO THE PERSONS NAMED ABOVE: You should have received this Form and the following documents:

- (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



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Office of Oil and Gas

Subscribed and sworn before me this 3rd day of January 2023
Renae Dawn Whitlock Notary Public
 My Commission Expires 4/6/2027

DEC 27 2022
WV Department of Environmental Protection

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.

01/06/2023

SURFACE OWNER WAIVER

Operator's Well Number

Frank Ball No. 7

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW4-A

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

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

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

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

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

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

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

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

VOLUNTARY STATEMENT OF NO OBJECTION

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

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

FOR EXECUTION BY A NATURAL PERSON ETC.

FOR EXECUTION BY A CORPORATION,

Signature: Charles Cumfer

Date: 12/16/22
Name:
By:
Its:
Date:

Signature

Date: 01/06/2023

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DEC 27 2022
WV Department of Environmental Protection

WW-4B

47 0 8 5 0 0 2 0 6

API No. 47-085-00206
 Farm Name _____
 Well No. Frank Ball No. 7

**INSTRUCTIONS TO COAL OPERATORS
OWNERS AND LESSEE**

The well operator named on the obverse side of WW-4 (B) is about to abandon the well described in the enclosed materials and will commence the work of plugging and abandoning said well on the date the inspector is notified. Which date shall not be less than five days after the day on which this notice and application so mailed is received, or in due course should be received by the Department of Environmental Protection Office of Oil & Gas.

This notice and application is given to you in order that your respective representatives may be present at the plugging and filling of said well. You are further notified that whether you are represented or not the operator will proceed to plug and fill said well in the manner required by Section 24, Article 6, Chapter 22 of the Code and given in detail on obverse side of this application.

NOTE: If you wish this well to be plugged according to 22-6-24(d) then as per Regulation 35CSR4-13.9 you must complete and return to this office on form OB-16 "Request by Coal Operator, Owner, or Lessee for plugging" prior to the issuance of this plugging permit.

WAIVER

The undersigned coal operator ____/ owner ____/ lessee ____/ of the coal under this well location has examined this proposed plugging work order. The undersigned has no objection to the work proposed to be done at this location, provided, the well operator has complied with all applicable requirements of the West Virginia Code and the governing regulations.

Date: _____

By: _____

Its _____

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Office of Oil and Gas

DEC 27 2022

WV Department of
Environmental Protection

01/06/2023



4708500206

info@slsww.com
www.slsww.com

December 13, 2022

Charles W. Cunningham
P.O. Box 116
Ellenboro, WV 26346

Mr. Cunningham,

Please find enclosed a Permit Application to plug and abandon a Well for API# 47-085-00206, in Clay District, Ritchie County, WV which records in Ritchie County Courthouse indicate that you are the surface owners.

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

01/06/2023

CERTIFIED MAIL



7021 2720 0001 6303 6871
7021 2720 0001 6303 6871

4708500206

FIRST CLASS



US POSTAGE
ZIP 26351 02 7H
0001267858 \$ 009.17⁰
DEC 13 2022

U.S. Postal Service
CERTIFIED MAIL RECEIPT
OFFICIAL USE

POSTAGE PAID BY ADDRESSEE
ZIP CODE 26351
POSTAGE WILL BE PAID BY ADDRESSEE
FIRST CLASS PERMIT NO. 1000
GLENVILLE, WV

TO: CHARLES W. CUNNINGHAM
P.O. BOX 116
ELLENBORO, WV 26346

FROM: SMITH LAND SURVEYING, INC.
12 VANHORN DRIVE
PO BOX 150
GLENVILLE, WV 26351

POSTAGE AND FEE PAID BY ADDRESSEE
FIRST CLASS PERMIT NO. 1000
GLENVILLE, WV

POSTAGE WILL BE PAID BY ADDRESSEE
FIRST CLASS PERMIT NO. 1000
GLENVILLE, WV

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

TO: CHARLES W. CUNNINGHAM
P.O. BOX 116
ELLENBORO, WV 26346

SENDER COMPLETE THIS SECTION

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

1. Article Addressed to:
CHARLES W. CUNNINGHAM
P.O. BOX 116
ELLENBORO, WV 26346

2. Article Number (Transfer from service label)
7021 2720 0001 6303 6871

9590 9402 4307 8190 3804 96

PS Form 3811, July 2015 PSN 7530-02-000-9083 Domestic Return Receipt

ADDRESSEE COMPLETE THIS SECTION OR DELIVERY POINT

A. Signature
 Agent
 Addressee

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

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

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Insured Mail Restricted Delivery (over \$500)

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

01/06/2023



4708500206

west virginia department of environmental protection

Office of Oil and Gas
601 57th 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)**

Charles W. Cunningham
P.O. Box 116
Ellenboro, WV 26346

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: Clay District, Ritchie County, WV, Map 28 Parcel 30
11 Acres, Gas Well API #47-085-00206

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).

West Virginia
Office of Oil and Gas
DEC 27 2022
WV Department of
Environmental Protection

4708500206



PO Box 150
GLENVILLE, WV 26351

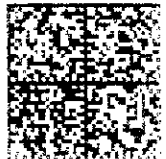
CERTIFIED MAIL



7021 2720 0001 6303 6338

CHARLES W. CUNNINGHAM
P.O. BOX 116
ELLENBORO, WV 26246

FIRST-CLASS



ZIP 26351
02 7H
0001267858

US POSTAGE and METALS SERVICE

RECEIVED
Office of Oil and Gas

DEC 27 2022

WV Department of
Environmental Protection

NOV 0 2022
\$ 004.570

01/06/2023

SENDER: COMPLETE THIS SECTION

6 Complete items 1, 2, and 3.

0 Print your name and address on the reverse so that we can return the card to you.

0 Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

CHARLES W. CUNNINGHAM
P.O. BOX 116
ELLENBORO, WV 26246

9590 9402 4307 8190 3809 46



2. Article Number (Transfer from service label)

121 2720 0001 6303 6338

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Charles Cunningham*

Agent
 Addressee

B. Received by (Printed Name)

Charles Cunningham

C. Date of Delivery

11-7-22

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

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



4708500206

west virginia department of environmental protection

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

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

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

**IN THE MATTER OF A VARIANCE FROM)
LEGISLATIVE RULE 35CSR4) ORDER NO. 2022-13
SECTION 14.1. AND LEGISLATIVE RULE)
35CSR8 SECTION 20.1,)
RELATING TO THE CEMENTING)
OF OIL AND GAS WELLS)**

REPORT OF THE OFFICE

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

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FINDINGS OF FACT

WV Department of
Environmental Protection

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.

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

CONCLUSIONS OF LAW

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

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

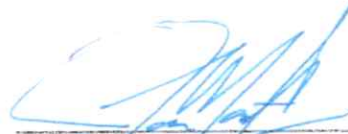
ORDER

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

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

IN THE NAME OF THE STATE OF WEST VIRGINIA

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



James Martin, Chief
Office of Oil and Gas

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**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) Tributary of Lost Run of North Fork Hughes River Quadrangle Harrisville 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

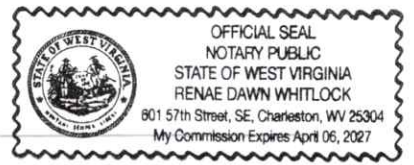
Company Official Title Deputy Chief

Subscribed and sworn before me this 3rd day of January, 2023

Renae Dawn Whitlock Notary Public

My commission expires 4/6/2027

IMR 12/21/2022



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01/06/2023

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

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:  12/21/2022

Comments: No pit will be used.

Title: OOG Inspector Date: _____

Field Reviewed? () Yes () No

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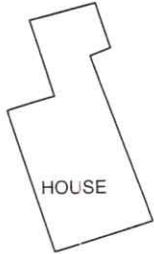
DEC 27 2022

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Environmental Protection

FRANK BALL LEASE 47-085-00206



RESIDENTIAL DRIVEWAY



HOUSE

0 - -5% GRADE
15 FEET ±

-10 - -15% GRADE
80 FEET ±

API# 47-085-00089

EXISTING DOH
CULVERT



END OF EXISTING
DRIVEWAY

API# 47-085-00142-P

0 - -5% GRADE
225 FEET ±

47-085-00206
WELL NO. 7

RIP-RAP

30.0' ±

DIVERSION DITCH

RIP-RAP

SEDIMENT TRAP

SEDIMENT BARRIER

API# 47-085-00205



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.

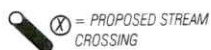
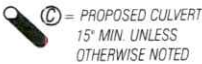
EARTHWORK CONTRACTORS ARE RESPONSIBLE FOR NOTIFICATION TO THE OPERATOR AND INSPECTOR PRIOR TO ANY DEVIATION FROM THIS PLAN.

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).



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DEC 27 2022
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Environmental Protection



12 Vanhorn Drive | P.O. Box 150 | Glenville, WV 26251 | 304.462.5634
1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.3952
254 East Beckley Bypass | Beckley, WV 25801 | 304.255.5296

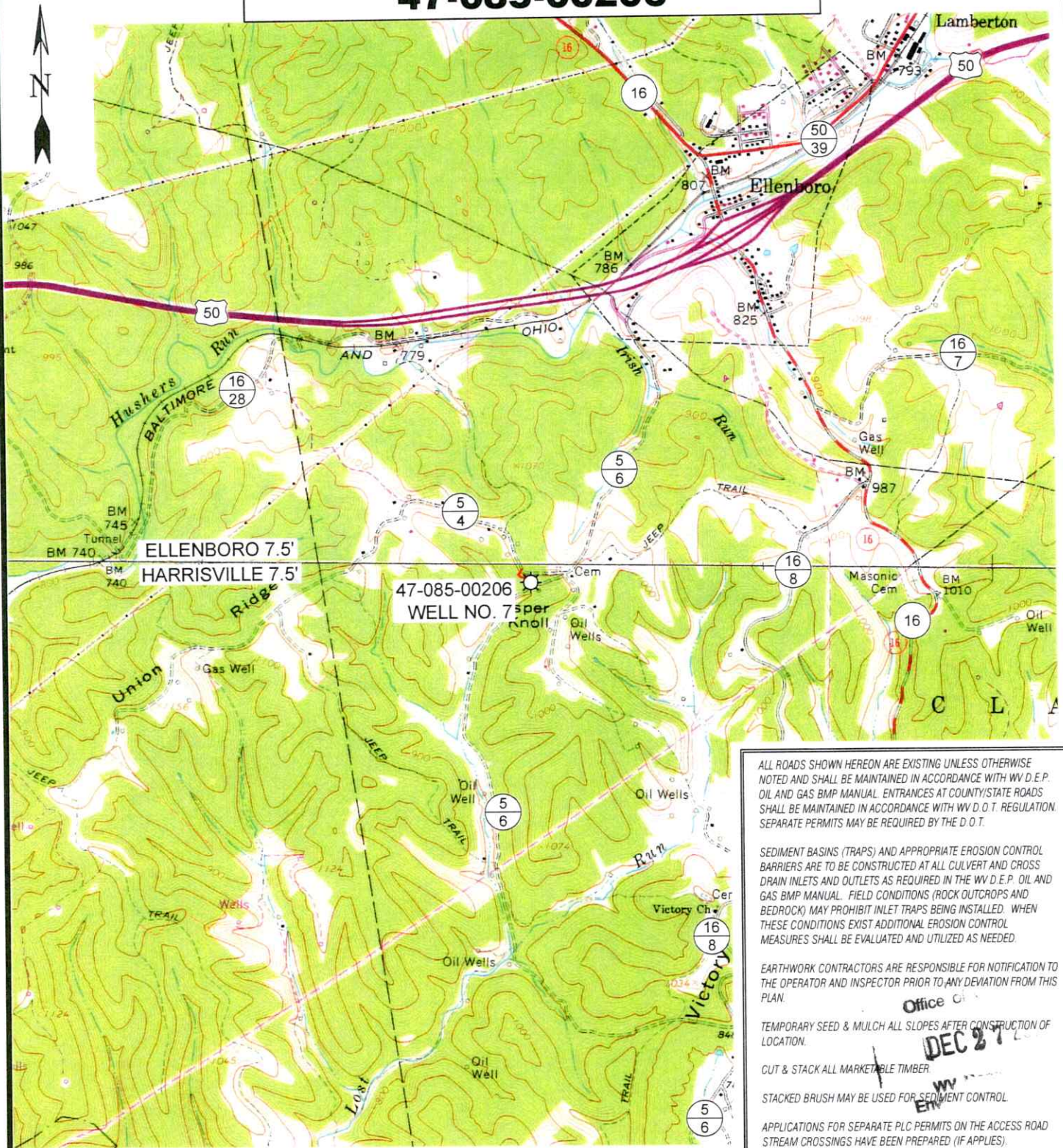
SCALE: 1"=50'



01/06/2023

DRAWN BY JDR	FILE NO. 9301	DATE 12-12-22	CADD FILE: 9301-SURV-REC-R00- JDR-221209.DWG
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FRANK BALL LEASE 47-085-00206



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.

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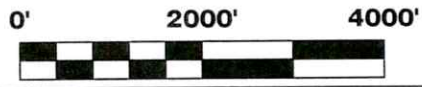
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Office
DEC 27
WV
ENR



12 Vanhorn Drive | P.O. Box 150 | Glenview, WV 26351 | 304.462.5654
1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.3952
254 East Beckley Bypass | Beckley, WV 25801 | 304.255.5296
slsw.com

SCALE: 1"=2000'



**TOPO SECTION OF HARRISVILLE, WV
7.5' TOPO QUADRANGLE**

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

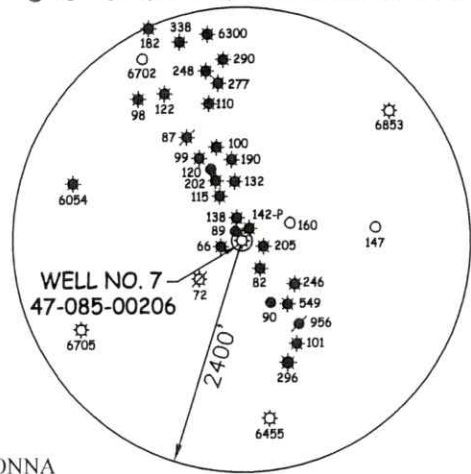
DRAWN BY JDR	FILE NO. 9301	DATE 12-12-22	CADD FILE: 9301-SURV-REC-000-JDR-221212.DWG
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**FRANK BALL LEASE
44 ACRES
WELL NO. 7
47-085-00206**

(UTM(M) ZONE 17 NORTH)
NAD'83 GEO. LAT-(N) 39.249357 LONG-(W) 81.065820
NAD'83 UTM (M) N. 4,344,451 E. 494,321

6,840' 4708500206 LATITUDE 39°15'00"

LONGITUDE 81°02'30"



NAD'83 GRID NORTH

P/O 3-28-30.1
CHARLES W.
CUNNINGHAM
P/O 11 AC.

3-28-30.2
JACOB PAUL & DONNA
JEAN GRIFFITH
24 AC.

3-28-30
CHARLES W.
CUNNINGHAM
33 AC.

3-28-30.1
CHARLES W.
CUNNINGHAM
P/O 11 AC.

3-28-40.1
CHARLES W. &
CHARLENE
CUNNINGHAM
2.5 AC.

WELL NO. 7
47-085-00206

3-28-31.1
JACOB & DONNA
GRIFFITH
5 AC.

3-28-31.2
JACOB & DONNA
GRIFFITH
LOT

LEGEND

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

NOTES ON SURVEY

- WELL SPOT CIRCLE & TOPO MARK SCALE IS 1"=2000'.

12 Ventnor Drive | P.O. Box 150 | Glenville, WV 26031 | 304.462.5634
1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.3952
254 East Beckley Bypass | Beckley, WV 25801 | 304.255.5296
slsvv.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. 849 *Gregory A. Smith*



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS.
DATE DECEMBER 8, 20 22
REVISED _____, 20 ____
OPERATORS WELL NO. 7
API WELL NO. 47 - 085 - 00206-P
STATE COUNTY PERMIT

MINIMUM DEGREE OF ACCURACY 1 / 2500 FILE NO. 9301-SURV-WELL-08500206-MT-R00-221209.dwg
HORIZONTAL & VERTICAL SCALE 1" = 100'
CONTROL DETERMINED BY DGPS (SUBMETER MAPPING GRADE TIE TO CORS NETWORK)

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

WELL TYPE: OIL _____ LIQUID WASTE IF
GAS X INJECTION _____ DISPOSAL _____ "GAS" PRODUCTION _____ STORAGE _____ DEEP _____ SHALLOW X

LOCATION:
ELEVATION 985' WATERSHED TRIBUTARY OF LOST RUN OF NORTH FORK HUGHES RIVER
DISTRICT CLAY COUNTY RITCHIE QUADRANGLE HARRISVILLE 7.5'

SURFACE OWNER CHARLES W. CUNNINGHAM ACREAGE 11±
ROYALTY OWNER ANDREW WIGNER HEIRS OR ASSIGNS ACREAGE 44±

PROPOSED WORK:
DRILL _____ CONVERT _____ DRILL DEEPER _____ REDRILL _____ FRACTURE OR STIMULATE _____ PLUG OFF OLD FORMATION _____ PERFORATE NEW FORMATION _____ PLUG AND ABANDON X CLEAN OUT AND REPLUG _____ OTHER _____
PHYSICAL CHANGE IN WELL (SPECIFY) _____ TARGET FORMATION INJUN
ESTIMATED DEPTH 1969'

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

01/06/2023

COUNTY NO. PERMIT



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

plugging permits issued 4701700134 4701700501 4708500206 4708502961

1 message

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

Thu, Jan 5, 2023 at 11:27 AM


To: Isaiah M Richards <isaiah.m.richards@wv.gov>, dsponaug@assessor.com, Henry J Harmon <henry.j.harmon@wv.gov>, Austin Sutler <asutler@dgoc.com>, Phyllis Copley <pcopley@dgoc.com>, amossor@wvassessor.com


To whom it may concern, plugging permits have been issued for 4701700134 4701700501 4708500206 4708502961.


James Kennedy


WVDEP OOG


8 attachments


 **IR-8 4701700501.pdf**
120K

 **4701700501.pdf**
3948K


 **IR-8 4708502961.pdf**
120K

 **IR-8 4708500206.pdf**
120K

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 **IR-8 4701700134.pdf**
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01/06/2023