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west virginia department of environmental protection

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

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

Friday, January 20, 2023

WELL WORK PLUGGING PERMIT  
Vertical Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT  
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for 1  
47-085-02669-00-00

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: 1  
Farm Name: YONDLEY, LEWIS  
U.S. WELL NUMBER: 47-085-02669-00-00  
Vertical Plugging  
Date Issued: 1/20/2023

# PERMIT CONDITIONS<sup>4708502669</sup>

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

## CONDITIONS

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1. 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.



4708502669

info@slsww.com  
www.slsww.com

December 22, 2022

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

Mr. Harmon,

Please find enclosed a permit application to plug API# 47-085-02669 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 Level Energy, operating under the Region 3 contract. The Oil & Gas Inspector has signed off on the work to be performed and the Surface Owner has been mailed a copy with the mail receipts enclosed.

Also enclosed is a copy of the Letter of Intent Form and mail receipts.

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

Thank You,

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

RECEIVED  
Office of Oil and Gas

DEC 27 2022

WV Department of  
Environmental Protection

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 819' Watershed Tributary of Bonds Creek  
District Clay County Ritchie 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 Level 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 12/22/2022

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WV Department of  
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STATE OF WEST VIRGINIA  
DEPARTMENT OF MINES  
OIL AND GAS DIVISION

NOTICE OF PROPOSED LOCATION OF OIL AND GAS WELL

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

APPLICATION TO DRILL DEEPER

None

Hanlon Oil Company

COAL OPERATOR OR COAL OWNER

NAME OF WELL OPERATOR

Sistersville, W. Va.

ADDRESS

COMPLETE ADDRESS

Owners of Minerals rights

Nov. 26, 1962

19

PROPOSED LOCATION

Hanlon Oil Co. 1027/1200 W.I.

Clay

District

James Simmons, <sup>ADOREE</sup> 1/16 Royalty  
Highland, W. Va.

Ritchie

County

S. R. White, <sup>DOWNER OF MINERAL RIGHTS</sup> 1/24 Royalty  
St. Marys, W. Va.

Well No. 1

P. 830'

P. R. Tharp Heirs, 1/25 Roy  
Harrisville, W. Va.

Lewis Yondley

Farm

50 acres

GENTLEMEN:

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 3/7/62 4-14-1903

R. J. Brown, made by George W. Kearns and White & Lulu Weirich, to Hanlon Oil Company, and recorded on the 5<sup>th</sup> day

of December, 1904, in the office of the County Clerk for said County in Book 26, page 337

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 beneath said farm or tract of land on which said well is located, or within 200 feet of the surface of coal mines, 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.

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DEC 27 2022  
WV Department of Environmental Protection

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 said Code, 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,

HANLON OIL COMPANY

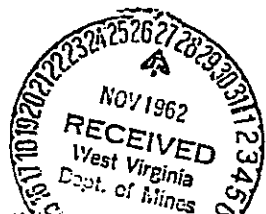
WELL OPERATOR

Address of Well Operator }

Sistersville, W. Va.

CITY OR TOWN

STATE



\*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.

2669-D  
119-D

(R. J. Brown - 1-17-62)



STATE OF WEST VIRGINIA  
DEPARTMENT OF MINES  
OIL AND GAS DIVISION 1964

Quadrangle St. Marys

Permit No. Rit-2669-D

WELL RECORD

Oil or Gas Well Oil  
(KING)

Company Hanlon Oil Company  
Address Sistersville, W. Va.  
Farm Lewis Yondley Acres 50  
Location (waters) \_\_\_\_\_  
Well No. 1 Elev. 830  
District Clay County Ritchie  
The surface of tract is owned in fee by \_\_\_\_\_  
Address \_\_\_\_\_  
Mineral rights are owned by \_\_\_\_\_  
Address \_\_\_\_\_  
Drilling commenced \_\_\_\_\_  
Drilling completed June 18, 1904  
Date Shot \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
With 10, 40, 60, & 90 qts.  
Open Flow /10ths Water in \_\_\_\_\_ Inch  
/10ths Merc. in \_\_\_\_\_ Inch  
Volume \_\_\_\_\_ Cu. Ft.  
Rock Pressure \_\_\_\_\_ lbs. \_\_\_\_\_ hrs.  
Oil 240 bbls., 1st 24 hrs.  
WELL ACIDIZED \_\_\_\_\_  
WELL FRACTURED \_\_\_\_\_

Casing and Tubing	Used in Drilling	Left in Well	Packers
Size			Kind of Packer
16			
13			
10			Size of
8 1/4			
6 1/4	1370		Depth set
5 3/16			
3			Perf. top
2			Perf. bottom
Liners Used			Perf. top
			Perf. bottom

CASING CEMENTED \_\_\_\_\_ SIZE \_\_\_\_\_ No. Ft. \_\_\_\_\_ Date \_\_\_\_\_

COAL WAS ENCOUNTERED AT \_\_\_\_\_ FEET \_\_\_\_\_ INCHES  
\_\_\_\_\_ FEET \_\_\_\_\_ INCHES  
\_\_\_\_\_ FEET \_\_\_\_\_ INCHES

RESULT AFTER TREATMENT \_\_\_\_\_

ROCK PRESSURE AFTER TREATMENT \_\_\_\_\_

Fresh Water \_\_\_\_\_ Feet Salt Water \_\_\_\_\_ Feet

Formation	Color	Hard or Soft	Top	Bottom	Oil, Gas or Water	Depth	Remarks
Gas & Oil			1734 ft.				
Pay 12 ft.			1736				
Depth			1754				
DRILLED DEEPER - Jan. 30, 1963. (Completed)							
Injun Sand			1756	1875			"We run a 5-3/16" liner through the keener shot hole, from about 1720 feet to 1780 feet. The liner is still in the hole."  RECEIVED Office of Oil and Gas  DEC 27 2022  WV Department of Environmental Protection
Slate & shells			1875	1975			
Gritty lime			1975	2030			
Slate			2030	2150			
Lime			2150	2200			
Brown Shale			2200	2220			
Slate & shells			2220	2335			
Red rock			2335	2350			
Slate & shells			2350	2450			
Gritty lime			2450	2500			
Slate			2500	2530			
Lime hard			2530	2600			
Slate			2600	2750			
Total Depth				2750			

CONTINUED - OVER -

(over)



Formation	Color	Hard or Soft	Top 14	Bottom	Oil, Gas or Water	Depth Found	Remarks
YONDLEY #1							<p>Plugging to shut off water from lower pay sands.</p> <p>Set permanent bridge depth 1845'  2 sacks of cement &amp; 5 ft. of rock  Filled with 50 ft. of red mud.  2 sacks of cement &amp; 5 ft. of rock.  Set bridge at 1720'  2 sacks of cement &amp; 5' of rock.  Filled with 50 ft. of red mud.  2 sacks of cement &amp; 5' of rock.</p> <p>These plugs will shut off water from Keener &amp; lower sands.</p> <p>Plugging by Clarence Monday &amp; Emory Kelly, Jan. 30, 1963.</p>

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WV Department of  
Environmental Protection

Date March 12, 1963

APPROVED HANLON OIL COMPANY Owner

By \_\_\_\_\_



STATE OF WEST VIRGINIA  
DEPARTMENT OF MINES  
OIL AND GAS DIVISION

Quadrangle St. Marys

WELL RECORD

Permit No. \_\_\_\_\_

Oil or Gas Well \_\_\_\_\_ (KIND)

Company Hanlon Oil Company  
 Address Sistersville, W. Va.  
 Farm Lewis Yonley Acres 50  
 Location (waters) \_\_\_\_\_  
 Well No. 1 Elev. 830  
 District Clay County Ritchie  
 The surface of tract is owned in fee by \_\_\_\_\_  
 Address \_\_\_\_\_  
 Mineral rights are owned by \_\_\_\_\_  
 Address \_\_\_\_\_  
 Drilling commenced \_\_\_\_\_  
 Drilling completed June 18, 1904  
 Date Shot \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
 With 10, 40, 60, & 90 qts.  
 Open Flow /10ths Water in \_\_\_\_\_ Inch  
 /10ths Merc. in \_\_\_\_\_ Inch  
 Volume \_\_\_\_\_ Cu. Ft.  
 Rock Pressure \_\_\_\_\_ lbs. \_\_\_\_\_ hrs.  
 Oil 240 bbls., 1st 24 hrs.  
 WELL ACIDIZED \_\_\_\_\_  
 WELL FRACTURED \_\_\_\_\_

Casing and Tubing	Used in Drilling	Left in Well	Packers
Size			Kind of Packer
16			
13			Size of
10			
8 1/4			Depth set
6 3/4	1370		
5 3/16			Perf. top
3			Perf. bottom
2			Perf. top
Liners Used			Perf. bottom

CASING CEMENTED \_\_\_\_\_ SIZE \_\_\_\_\_ No. Ft. \_\_\_\_\_ Date \_\_\_\_\_

COAL WAS ENCOUNTERED AT \_\_\_\_\_ FEET \_\_\_\_\_ INCHES  
 \_\_\_\_\_ FEET \_\_\_\_\_ INCHES  
 \_\_\_\_\_ FEET \_\_\_\_\_ INCHES

RESULT AFTER TREATMENT \_\_\_\_\_

ROCK PRESSURE AFTER TREATMENT \_\_\_\_\_

Fresh Water \_\_\_\_\_ Feet \_\_\_\_\_ Salt Water \_\_\_\_\_ Feet \_\_\_\_\_

Formation	Color	Hard or Soft	Top	Bottom	Oil, Gas or Water	Depth	Remarks
Gas & Oil		1734 ft.					RECEIVED Office of Oil and Gas DEC 27 2022 WV Department of Environmental Protection
Pay 12 ft.		1736 "					
Depth		1754 "					
Loose sand.		Production	240 bbl.	best 24 hrs.			





Formation	Color	Hard or Soft	Top	Bottom	Oil, Gas or Water	Depth Found	Remarks

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DEC 27 2000  
WV Dept.  
Environmental Protection

Date Nov. 26 1962  
APPROVED Humberd Co., Owner  
By J. P. Mayberry  
(Title)



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WV Department of  
Environmental Protection



PLUGGING PROGNOSIS

West Virginia, Ritchie County  
API # 47-085-02669

**Casing Schedule**

6-5/8" csg @ 1370' (no cement data)  
After drill deeper, 5-3/16' liner from 1720'-1780'  
Original TD @ 1754'

Drilled deeper to 2750' and then,  
Plugged back with below procedure:  
Set permanent bridge depth 1845'  
2 sacks of cement & 5ft. of rock  
Filled with 50 ft of red mud  
2 sacks of cement & 5ft of rock  
Set bridge plug at 1720'  
2 sacks of cement & 5' of rock  
Filled with 50 ft of red mud  
2 sacks of cement & 5' of rock.

Assuming well was plugged back to original pay zone of 1734'-1746'

**Completion:** 1734'-1746'

**Fresh Water:** None Reported

**Saltwater:** None Reported

**Coal:** None Reported

**Oil Show:** 1734'-1746'

**Gas Show:** 1734'-1746'

**Elevation:** 830'

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 @ 1746'. 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 **1746' to 1634' (oil/gas show plug)**. Tag TOC. Top off as needed.
4. TOOH w/ tbg to 1634'. Pump 6% bentonite gel from 1634' to 1420'
5. Run CBL to check TOC behind 6-5/8" csg.
6. TIH w/ tbg to 1420'. Pump 100' Class A/Class L Cement plug from **1420' to 1320' (6-5/8" csg shoe plug)**
7. TOOH w/ tbg to 1320'. Pump 6% bentonite gel from 1320' to 830'
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 830'. Pump 100' Class A/Class L Cement plug from **830' to 730' (Elevation plug)**. **change elev. plug to 880'-780'**
10. TOOH w/ tbg to 730'. Pump 6% bentonite gel from 730' to 100'.
11. TOOH w/ tbg to 100'. Pump 100' Class A/Class L Cement plug from **100' to surface (surface plug)**. *SMR* 12/22/22
12. Erect monument with API#, date plugged, & company name.
13. Reclaim location and road to WV-DEP specifications.



12/22/2022

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WV Department of  
Environmental Protection

WW-4A  
Revised 6-07

1) Date: December 9, 2022  
2) Operator's Well Number  
Lewis Yondley No. 1

3) API Well No.: 47 - 085 - 02669

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

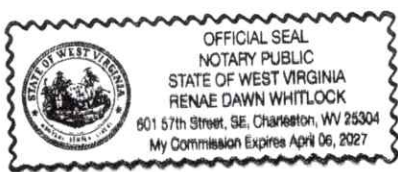
4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name <u>Elbert L. Testerman, Sr., et al</u>	Name <u>N/A</u>
Address <u>586 Savannah Ln.</u>	Address _____
<u>Harrisville, WV 26362</u>	_____
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>No Declarations found</u>
_____	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](mailto:depprivacyoffier@wv.gov).



info@slsww.com  
www.slsww.com

December 9, 2022

Mr. Elbert L. Testerman  
586 Savannah Ln.  
Harrisville, WV 26362

Mr. Testerman,

Please find enclosed a Permit Application to plug and abandon a Well for API# 47-085-02669, in Clay District, Ritchie County, WV, which records in Ritchie 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 highlighted in yellow 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

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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**

CERTIFIED MAIL



7021 2720 0001 6303 6857  
7021 2720 0001 6303 6857

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Postage: **3.16**

Local postage and fees: **9.41**

Postmark: Here

Elbert L. Testerman  
586 Savannah Ln.  
Harrisville, WV 26362

FIRST CLASS



US POSTAGE WITH METRE BOWES

ZIP 26361  
02 74  
0001267858 DEC 12 2022

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

TO: ELBERT L. TESTERMAN  
586 SAVANNAH LN.  
HARRISVILLE, WV 26362

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Office of Oil and Gas

DEC 27 2022

WV Department of  
Environmental Protection

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:

ELBERT L. TESTERMAN  
586 SAVANNAH LN.  
HARRISVILLE, WV 26362



9590 9402 4307 8190 3805 19

2. Article Number (Transfer from service label)

7021 2720 0001 6303 6857

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
 Adult 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<sup>®</sup>  
 Certified Mail Restricted Delivery  
 Collect on Delivery  
 Collect on Delivery Restricted Delivery  
 Insured Mail  
 Insured Mail Restricted Delivery (over \$500)

Priority Mail Express<sup>®</sup>  
 Registered Mail<sup>SM</sup>  
 Registered Mail Restricted Delivery  
 Return Receipt for Merchandise  
 Signature Confirmation<sup>SM</sup>  
 Signature Confirmation Restricted Delivery

Domestic Return Receipt



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west virginia department of environmental protection

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Office of Oil and Gas  
601 57<sup>th</sup> Street  
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  
DEC 27 2022  
WV Department of  
Environmental Protection

Elbert L. Testerman, Sr., Et Al  
586 Savannah Ln.  
Harrisville, WV 26362

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 17 Parcel 4  
50 Acres, Gas Well API #47-085-02669

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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).



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PS Form 3800, April 2015 PSN 7530-02-000-9017 See Reverse for Instructions



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2022 0222 1000 3034 9049



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west virginia department of environmental protection

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

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

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

**IN THE MATTER OF A VARIANCE FROM )  
LEGISLATIVE RULE 35CSR4 )  
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.

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**FINDINGS OF FACT**

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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.

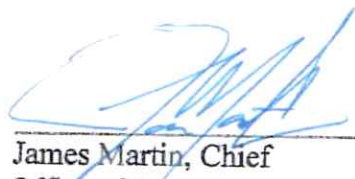
### ORDER

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 Bonds Creek 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 3rd day of January, 2023

Rena Dawn Whitlock Notary Public

My commission expires 4/6/2027

IMR 12/22/22



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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:  12/22/2022

Comments: No pit will be used.

Title: OOG Inspector Date: 12/22/2022

Field Reviewed? () Yes () No

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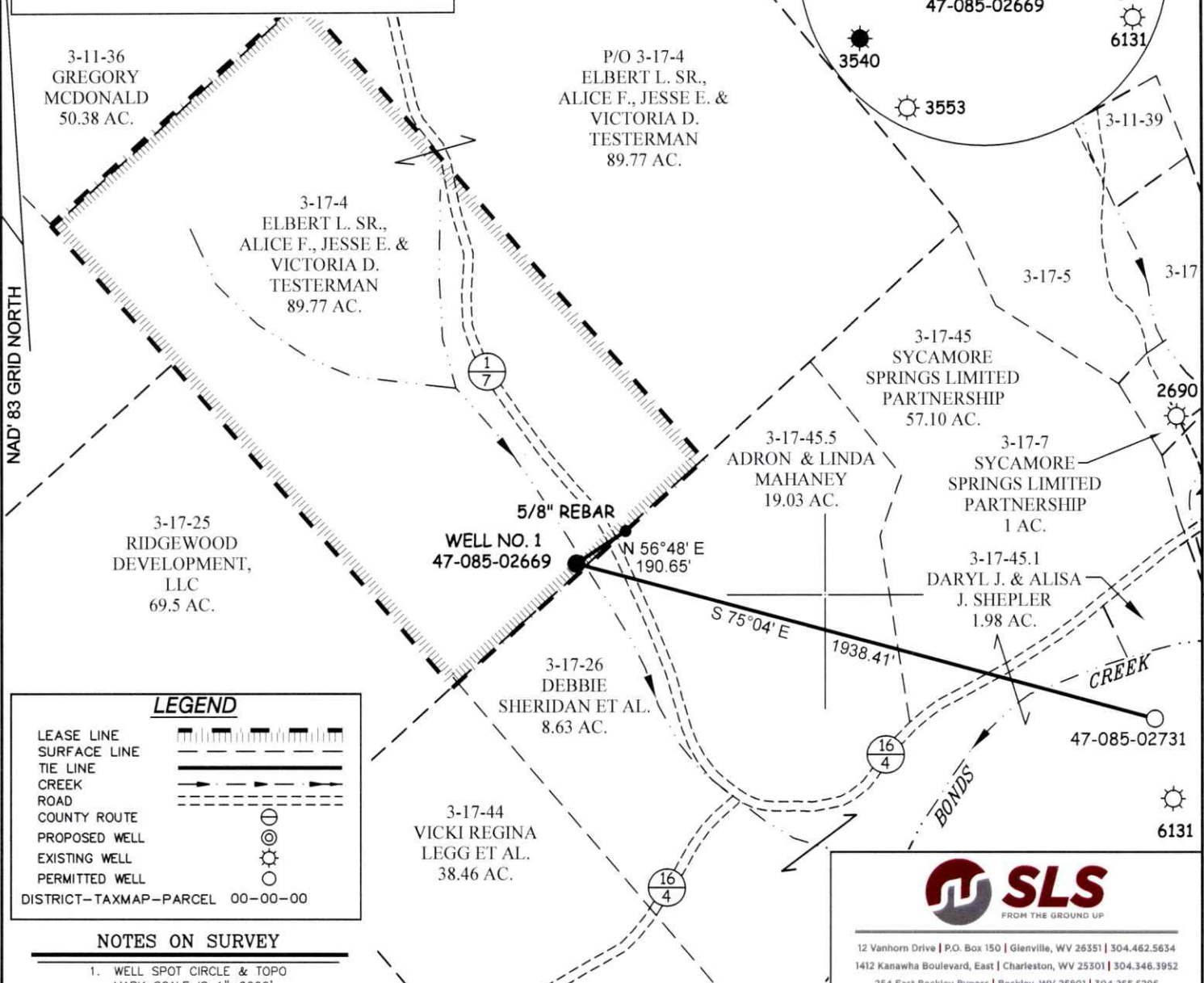
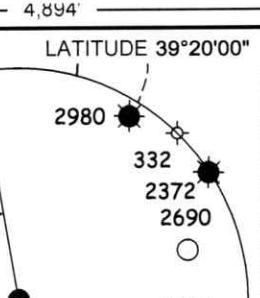
DEC 27 2022

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Environmental Protection

**LEWIS YONDLEY LEASE  
50 ACRES  
WELL NO. 1  
47-085-02669**

(UTM(M) ZONE 17 NORTH)

NAD'83 GEO. LAT.(N) 39.249540 LONG.(W) 81.066466  
NAD'83 UTM (M) N. 4,344,471 E. 494,265



NAD'83 GRID NORTH

LONGITUDE 81°02'30"

COUNTY NAME  
PERMIT

**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**

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

12 Vanhorn Drive | P.O. Box 150 | Glenville, WV 26551 | 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. 849 Gregory A. Smith

**GREGORY A. SMITH**  
LICENSED  
No. 677  
STATE OF WEST VIRGINIA  
PROFESSIONAL SURVEYOR

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS.  
DATE DECEMBER 7, 2022  
REVISED \_\_\_\_\_, 20\_\_\_\_  
OPERATORS WELL NO. 1  
API WELL NO. 47 - 085 - 02669-P  
STATE COUNTY PERMIT

MINIMUM DEGREE OF ACCURACY 1 / 2500 FILE NO. 9298-SURV-08502669-PLAT-R00-MT-221208.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

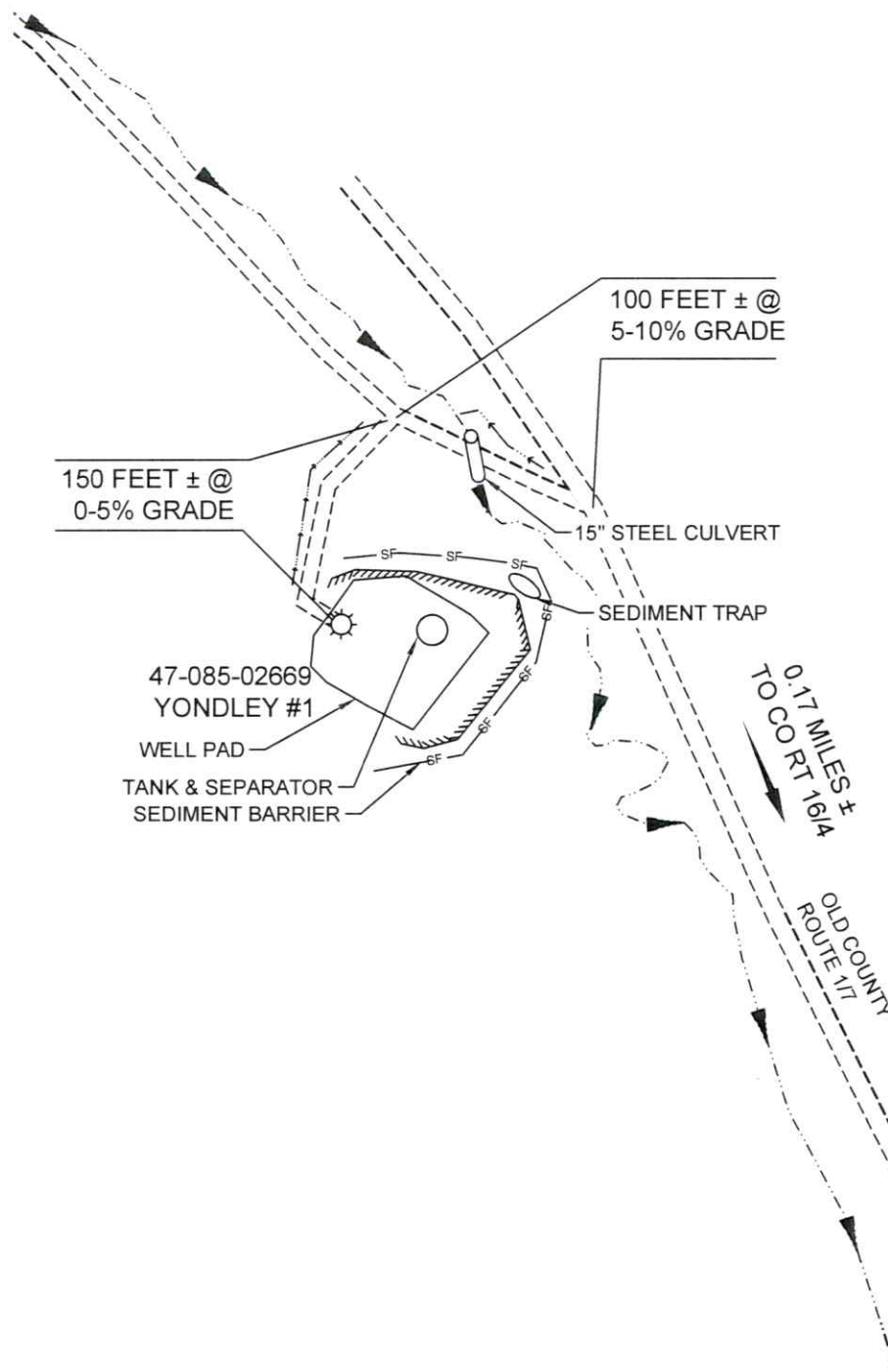
**WELL TYPE:** OIL \_\_\_\_\_ GAS X LIQUID INJECTION \_\_\_\_\_ WASTE DISPOSAL \_\_\_\_\_ IF "GAS" PRODUCTION \_\_\_\_\_ STORAGE \_\_\_\_\_ DEEP \_\_\_\_\_ SHALLOW X

**LOCATION:**  
ELEVATION 819' WATERSHED TRIBUTARY OF BONDS CREEK  
DISTRICT CLAY COUNTY RITCHIE QUADRANGLE ELLENBORO 7.5'  
SURFACE OWNER ELBERT R., SR., ALICE F., JESSE & VICTORIA D. TESTERMAN ACREAGE 89.77±  
ROYALTY OWNER LEWIS YONDLEY HEIRS OR ASSIGNS ACREAGE 50±  
LEASE NO. \_\_\_\_\_

**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 KEENER  
ESTIMATED DEPTH 2750'

**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

# LEWIS YONDLEY LEASE 47-085-02669



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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).

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

**SCALE: 1" = 100'**

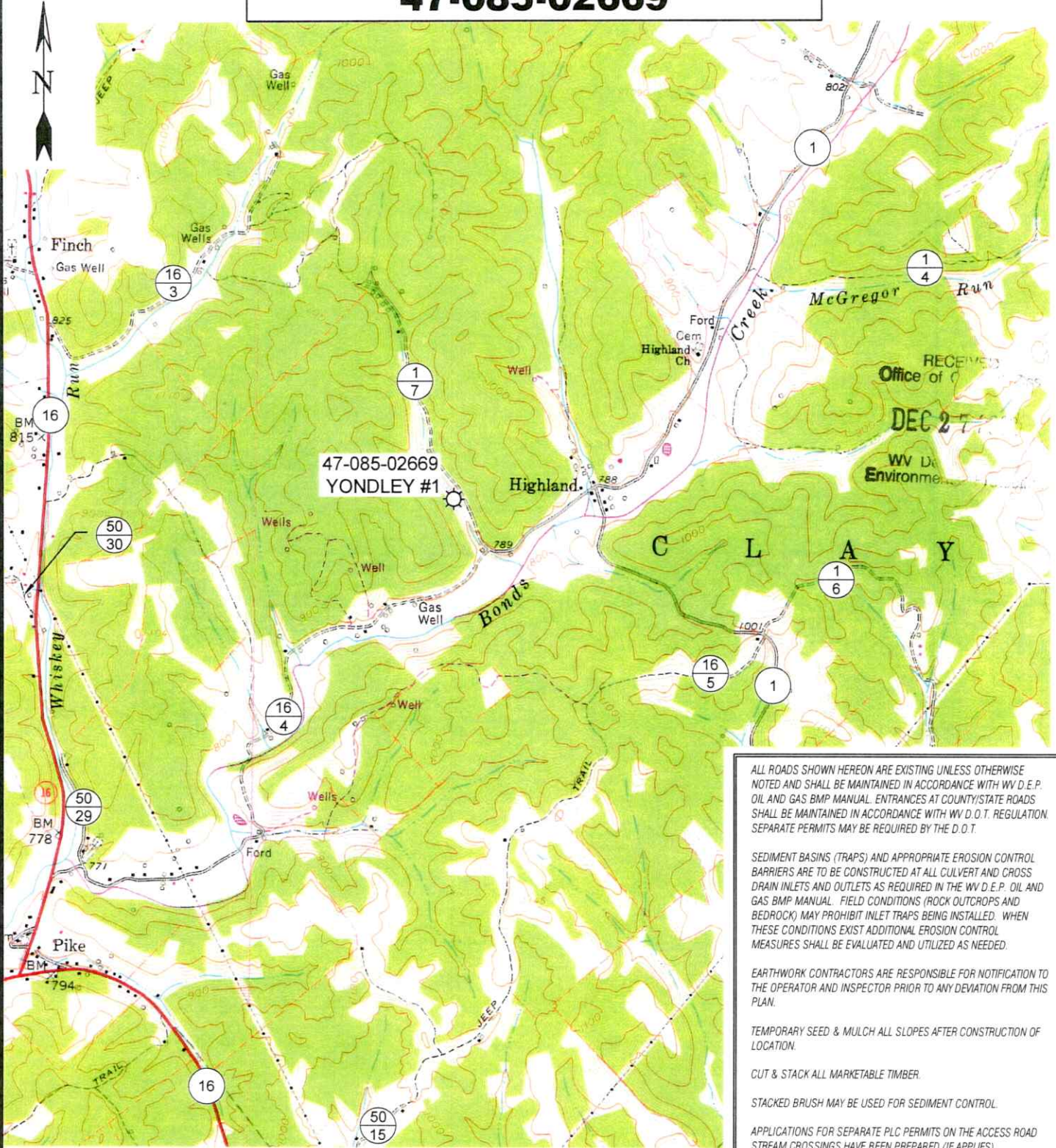


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1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.346.3952  
254 East Beckley Bypass | Beckley, WV 25801 | 304.255.5296

DRAWN BY JDR	FILE NO. 9298	DATE 12-08-22	CADD FILE: 9298-SURV-REC-R00- JDR-221209.DWG
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# LEWIS YONDLEY LEASE 47-085-02669



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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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"=2000'**



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



12 Vanhorn Drive | P.O. Box 150 | Glenville, WV 26031 | 304.462.5654  
 1412 Kanawha Boulevard, East | Charleston, WV 25301 | 304.546.3952  
 254 East Beckley Bypass | Beckley, WV 25801 | 304.255.5296

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

DRAWN BY JDR	FILE NO. 9298	DATE 12-08-22	CADD FILE: 9298-SURV-REC-000- JDR-221209.DWG
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Kennedy, James P <james.p.kennedy@wv.gov>

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## Plugging permits issued 4708502669 4708502731

1 message

---

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

Fri, Jan 20, 2023 at 2:06 PM

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


To whom it may concern, plugging permits have been issued for 4708502669 4708502731.


James Kennedy


WVDEP OOG


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### 4 attachments

 **4708502731.pdf**  
4254K

 **IR-8 4708502731.pdf**  
120K

 **IR-8 4708502669.pdf**  
120K

 **4708502669.pdf**  
3877K