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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)

Tuesday, May 30, 2023

WELL WORK PLUGGING PERMIT  
Not Available Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT  
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for 1  
47-085-10452-00-00

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: WENGER RON O TRUST  
U.S. WELL NUMBER: 47-085-10452-00-00  
Not Available Plugging  
Date Issued: 5/30/2023

Promoting a healthy environment.

06/02/2023

# 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

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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.
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.

06/02/2023

1) Date April 28, 2023  
2) Operator's  
Well No. Joseph E. Carle hrs. No. 1  
3) API Well No. 47-085 - 10452

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 976' Watershed Laurel Run of Goose Creek  
District Grant County Ritchie Quadrangle Petroleum 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 Name Isaiah Richards 9) Plugging Contractor  
Address 114 Turkey Lick Road Name Next LVL Energy  
West Union, WV 26456 Address 104 Heliport Loop  
Bridgeport, WV 26330

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

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WV Department of  
Environmental Protection

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

Work order approved by inspector  Date 05/05/2023

06/02/2023

Example

FORM WW-4(B)  
Observe  
File Copy  
(Rev. 9/94)

1) Date 5/18/04  
2) Operator's  
Well No. Goose Creek# 27  
3) API Well No. 47-085-09068P

80460

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

APPLICATION FOR A PERMIT TO PLUG AND ABANDON

- 4) Well Type: -Oil x / Gas \_\_\_\_\_ / Liquid injection \_\_\_\_\_ / Waste disposal \_\_\_\_\_ /  
(If "Gas, Production \_\_\_\_\_ or Underground storage \_\_\_\_\_) Deep \_\_\_\_\_ / Shallow x
- 5) Location: Elevation \_\_\_\_\_ Watershed Laurel Run  
District Grant 2 County Ritchie Quadrangle Petroleum 544
- 6) Well Operator WV DEP Plugging 7) Designated Agent James Martin  
Address 1356 Hansford St. Address Same  
Charleston, WV 25301
- 8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name Steve Mosser Name \_\_\_\_\_  
Address Route 80, Box 3 Address \_\_\_\_\_  
Smithville, WV 26187

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

1. PULL 2 3/8" TUBING, AND RODS FROM THE HOLE.
2. CHECK HOLE T.D. AT @ 350'.
3. RUN 2 3/8" tubing to 350'.
4. GEL HOLE.
5. CEMENT FROM 350' TO 250'.
6. PULL TUBING FROM THE HOLE.
7. FREE POINT, AND CUT 6 5/8" casing at @ 150'.
8. PULL 6 5/8" casing from the hole.
9. RUN 2 3/8" TUBING TO 150'.
10. CEMENT FROM 150' TO Surface.
11. PULL TUBING FROM THE HOLE.
12. ERECT A MONUMENT W/API NUMBER.

RECEIVED  
Office Of Oil and Gas

MAY 9 2023

WV Department of  
Environmental Protection

OFFICE USE ONLY

PLUGGING PERMIT

Permit Number \_\_\_\_\_ Date \_\_\_\_\_, 19\_\_\_\_

This permit covering the well and well location shown below is evidence of permission granted to plug in accordance with the pertinent legal requirements subject to the conditions contained herein and on the reverse hereof. Notification must be given to the District Oil and Gas Inspector 24 Hours before actual permitted work has commenced.

The permitted work is as described in the Notice and Application, plat, subject to any modifications and conditions on the reverse hereof.

Permit expires \_\_\_\_\_ unless plugging is commenced prior to that date and prosecuted with due diligence.

Bond: \_\_\_\_\_ Agent: \_\_\_\_\_ Plat: \_\_\_\_\_ Casing: \_\_\_\_\_ WPCP: \_\_\_\_\_ Other: \_\_\_\_\_

Chief, Office of Oil and Gas  
06/02/2023

Example

]FORM WW-4(B)  
Observe  
File Copy  
(Rev. 9/94)

1) Date 7/30/04  
2) Operator's  
Well No. Goose Creek# 34-80429  
3) API Well No. 47-085 09101P

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

APPLICATION FOR A PERMIT TO PLUG AND ABANDON

- 4) Well Type: Oil x / Gas \_\_\_\_\_ / Liquid injection \_\_\_\_\_ / Waste disposal \_\_\_\_\_ /  
(If "Gas, Production \_\_\_\_\_ or Underground storage \_\_\_\_\_) Deep \_\_\_\_\_ / Shallow x
- 5) Location: Elevation \_\_\_\_\_ Watershed Laurel Run  
District Grant 2 County Ritchie Quadrangle Petroleum 544
- 6) Well Operator WV DEP Plugging 7) Designated Agent James Martin  
Address 1356 Hansford St. Address Same  
Charleston, WV 25301
- 8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name Steve Mosser Name \_\_\_\_\_  
Address Route 80, Box 3 Address \_\_\_\_\_  
Smithville, WV 26187

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

1. CHECK HOLE T.D. AT @ 350'.
2. RUN 2 3/8" tubing to 350'.
3. GEL HOLE.
4. CEMENT FROM 350' TO 250'.
5. PULL TUBING FROM THE HOLE.
6. FREE POINT, AND CUT 6 5/8" casing at @ 150'.
7. PULL 6 5/8" casing from the hole.
8. RUN 2 3/8" TUBING TO 150'.
9. CEMENT FROM 150' TO Surface.
10. PULL TUBING FROM THE HOLE.
11. ERECT A MONUMENT W/API NUMBER.

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MAY 9 2003  
AUG 02 2004  
WV Department of  
Environmental Protection  
WV Department of  
Environmental Protection

N 4346297  
E 475391

NOTE: Well has been open for years. If we cannot  
Get to T.D. well will be cleaned out to T.D.

OFFICE USE ONLY

PLUGGING PERMIT

Permit Number \_\_\_\_\_ Date \_\_\_\_\_, 19 \_\_\_\_\_

This permit covering the well and well location shown below is evidence of permission granted to plug in accordance with the pertinent legal requirements subject to the conditions contained herein and on the reverse hereof. Notification must be given to the District Oil and Gas Inspector 24 Hours before actual permitted work has commenced.

The permitted work is as described in the Notice and Application, plat, subject to any modifications and conditions on the reverse hereof.

Permit expires \_\_\_\_\_ unless plugging is commenced prior to that date and prosecuted with due diligence.

Bond: \_\_\_\_\_ Agent: \_\_\_\_\_ Plat: \_\_\_\_\_ Casing: \_\_\_\_\_ WPCP: \_\_\_\_\_ Other: \_\_\_\_\_

06/02/2023

Example

]FORM WW-4(B)  
Observe  
File Copy  
(Rev. 9/94)

1) Date 3/13/04  
2) Operator's  
Well No. Goose Creek # 9  
3) API Well No. 47-085 C9040P

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

APPLICATION FOR A PERMIT TO PLUG AND ABANDON

- 4) Well Type: Oil x / Gas \_\_\_\_\_ / Liquid injection \_\_\_\_\_ / Waste disposal \_\_\_\_\_ /  
(If "Gas, Production \_\_\_\_\_ or Underground storage \_\_\_\_\_) Deep \_\_\_\_\_ / Shallow x
- 5) Location: Elevation \_\_\_\_\_ Watershed Laurel Run  
District Grant County Ritchie Quadrangle Petroleum 544
- 6) Well Operator WV DEP Plugging 7) Designated Agent James Martin  
Address 1356 Hansford St. Address Same  
Charleston, WV 25301
- 8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name Steve Mosser Name \_\_\_\_\_  
Address Route 80, Box 3 Address \_\_\_\_\_  
Smithville, WV 26187

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

- 1. PULL 2 3/8" TUBING, AND RODS FROM THE HOLE.
- 2. CHECK HOLE T.D. AT @ 350'.
- 3. RUN 2 3/8" tubing to 350'.
- 4. GEL HOLE.
- 5. CEMENT FROM 350' TO 250'.
- 6. PULL TUBING FROM THE HOLE.
- 7. FREE POINT, AND CUT 6 5/8" casing at @ 150'.
- 8. PULL 6 5/8" casing from the hole.
- 9. RUN 2 3/8" TUBING TO 150'.
- 10. CEMENT FROM 150' TO Surface.
- 11. PULL TUBING FROM THE HOLE.
- 12. ERECT A MONUMENT W/API NUMBER.

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APR 05 2004

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MAY 9 2023

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Environmental Protection

WV Department of  
Environmental Protection

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PLUGGING PERMIT

Permit Number \_\_\_\_\_ Date \_\_\_\_\_, 19\_\_\_\_

This permit covering the well and well location shown below is evidence of permission granted to plug in accordance with the pertinent legal requirements subject to the conditions contained herein and on the reverse hereof. Notification must be given to the District Oil and Gas Inspector 24 Hours before actual permitted work has commenced.

The permitted work is as described in the Notice and Application, plat, subject to any modifications and conditions on the reverse hereof.

Permit expires \_\_\_\_\_ unless plugging is commenced prior to that date and prosecuted with due diligence.

Bond: \_\_\_\_\_ Agent: \_\_\_\_\_ Plat: \_\_\_\_\_ Casing: \_\_\_\_\_ WPCP: \_\_\_\_\_ Other: \_\_\_\_\_

Chief Office of Oil and Gas 06/02/2023

PLUGGING PROGNOSIS

West Virginia, Ritchie County  
API # 47-085-10452

Plugging Procedure written based on procedures from offset wells that have been plugged in the past.

**Casing Schedule**

6-5/8" csg @ unknown depth  
2-3/8" tbg and rods @ unknown depth  
TD @ ~350'

1. Notify inspector, Isaiah Richards @ (304) 205-3032, 48 hrs. prior to commencing operations.
2. Pull 2-3/8" tbg and rods from the hole.
3. Check hole TD @ ~350'
4. Run in to depth @ 350'. Kill well as needed with 6% bentonite gel and fill rat hole. Pump at least 10 bbls gel. Pump 100' Class A/Class L cement plug from **350' to 250' (Bottom hole plug)**. Tag TOC. Top off as needed.
5. If possible, free point 6-5/8" csg. Cut and TOOH.
6. TOOH w/ tbg to 250'. Pump 250' Class A/Class L Cement plug from **250' to surface**.
7. Erect monument with API#.
8. Reclaim location and road to WV-DEP specifications.



05/05/2023

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WV Department of  
Environmental Protection

06/02/2023

WW-4A  
Revised 6-07

1) Date: April 28, 2023  
2) Operator's Well Number Joseph E. Carle hrs. No. 1  
3) API Well No.: 47 - 085 - 10452

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

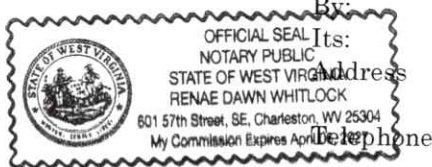
4) Surface Owner(s) to be served:		5) (a) Coal Operator	
(a) Name	<u>Ron O. Wenger, Trust</u>	Name	<u>N/A</u>
Address	<u>4149 Zuercher Rd.</u> <u>Apple Creek, OH 44606</u>	Address	<u></u>
(b) Name	<u></u>	(b) Coal Owner(s) with Declaration	
Address	<u></u>	Name	<u>No Declarations found</u>
		Address	<u></u>
(c) Name	<u></u>	Name	<u></u>
Address	<u></u>	Address	<u></u>
6) Inspector	<u>Isaiah Richards</u>	(c) Coal Lessee with Declaration	
Address	<u>114 Turkey Lick Road</u> <u>West Union, WV 26456</u>	Name	<u>No Declarations found</u>
Telephone	<u>304-205-3032</u>	Address	<u></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  
Address 601 57th Street, SE  
Telephone 304-926-0452

Jason Harmon  
WV Office of Oil & Gas Deputy Chief  
Charleston, WV 25304  
304-926-0452

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Office Of Oil and Gas

MAY 9 2023

WV Department of  
Environmental Protection

Subscribed and sworn before me this 10th day of May 23  
Renae Dawn Whitlock Notary Public  
My Commission Expires April 12, 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).

06/02/2023





info@sismw.com  
www.sismw.com

April 28, 2023

Ron O. Wenger, Trust  
4149 Zuercher Rd.  
Apple Creek, OH 44606

To Whom it may concern,

Please find enclosed a Permit Application to plug and abandon a Well for API# 47-085-10452, in Ritchie County, WV, which records from the 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**

06/02/2023

CERTIFIED MAIL



7022 2410 0003 5359 4087  
7022 2410 0003 5359 4087

U.S. Postal Service  
CERTIFIED MAIL

**OFFICIAL USE**

Postage and Fees  
\$ 7.15

Send to:  
Ron O. Wenger, Trust  
4149 Zuercher Rd.  
Apple Creek, OH 44606

Postmark Here

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

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**TO:** RON O. WENGER, TRUST  
4149 ZUERCHER RD.  
APPLE CREEK, OH 44606

7022 2410 0003 5359 4087

06/02/2023



info@slsww.com  
www.slsww.com

April 6, 2023

Ron O. Wegner, Trust  
4149 Zuercher Rd.  
Apple Creek, OH 44606

To Whom it may concern,

Please find enclosed a Notice of Intent to Plug / Replug Abandoned Wells Form for API #47-085-10452, 47-085-90084 & 47-085-10467 in Grant Dist., Ritchie County, WV, Map 27 Parcel 7.2, which records from the 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 water wells or sources within 500 feet of this well please let us know.

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**

06/02/2023



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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)**

Ron O. Wegner, Trust  
4149 Zuercher Rd.  
Apple Creek, OH 44606

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: Grant District, Ritchie County, WV Tax Map 27 Parcel 7.2  
289.56 Acres, Gas Well API #47-085-10452,47-085-90084 & 47-085-10467

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) \_\_\_\_\_

06/02/2023

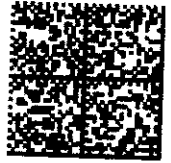


PO Box 150  
GLENVILLE, WV 26351

Ron O. Wegner, Trust  
4149 Zuercher Rd.  
Apple Creek, OH 44606

FIRST-CLASS

US POSTAGE PITNEY BOWES  
ZIP 26351 \$ 008.10<sup>00</sup>  
02 7H  
0001267858 APR 06 2023



**OFFICIAL USE**

**CERTIFIED MAIL**

7022 2410 0003 5359 3905  
7022 2410 0003 5359 3905

7022 2410 0003 5359 3905  
7022 2410 0003 5359 3905

Postmark Here

Certified Mail Fee \$ 4.15

Extra Services & Fees (check box, add fees appropriate)

Return Receipt (hardcopy) \$ 3.35

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$ 60

Total Postage and Fees \$

Sent to Ron O. Wegner, Trust

Street and Apt. No., or PO Box # 4149 Zuercher Rd.

City, State, ZIP+4<sup>®</sup> Apple Creek, OH 44606

PS Form 3800, April 2015 Edition © 2015 USPS® See Reverse for Instructions

06/02/2023



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 )  
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.

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

### CONCLUSIONS OF LAW

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

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

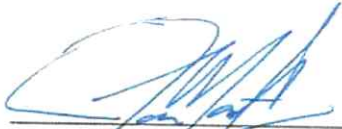
### ORDER

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

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

IN THE NAME OF THE STATE OF WEST VIRGINIA

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

  
James Martin, Chief  
Office of Oil and Gas

RECEIVED  
Office Of Oil and Gas

MAY 9 2023

WV Department of  
Environmental Protection

06/02/2023



WW-9  
(5/16)

API Number 47 - 085 - 10452  
Operator's Well No. Joseph E.  
Carle hrs. No. 1

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) Laurel Run of Goose Creek Quadrangle Petroleum 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

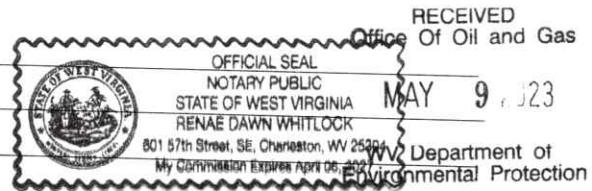
-Landfill or offsite name/permit number? N/A

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 10th day of May, 2023  
Renae Dawn Whitlock Notary Public

My commission expires April 6, 2027

06/02/2023

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


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.

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WV Department of  
Environmental Protection

Title: OOG Inspector

Date: 05/05/2023

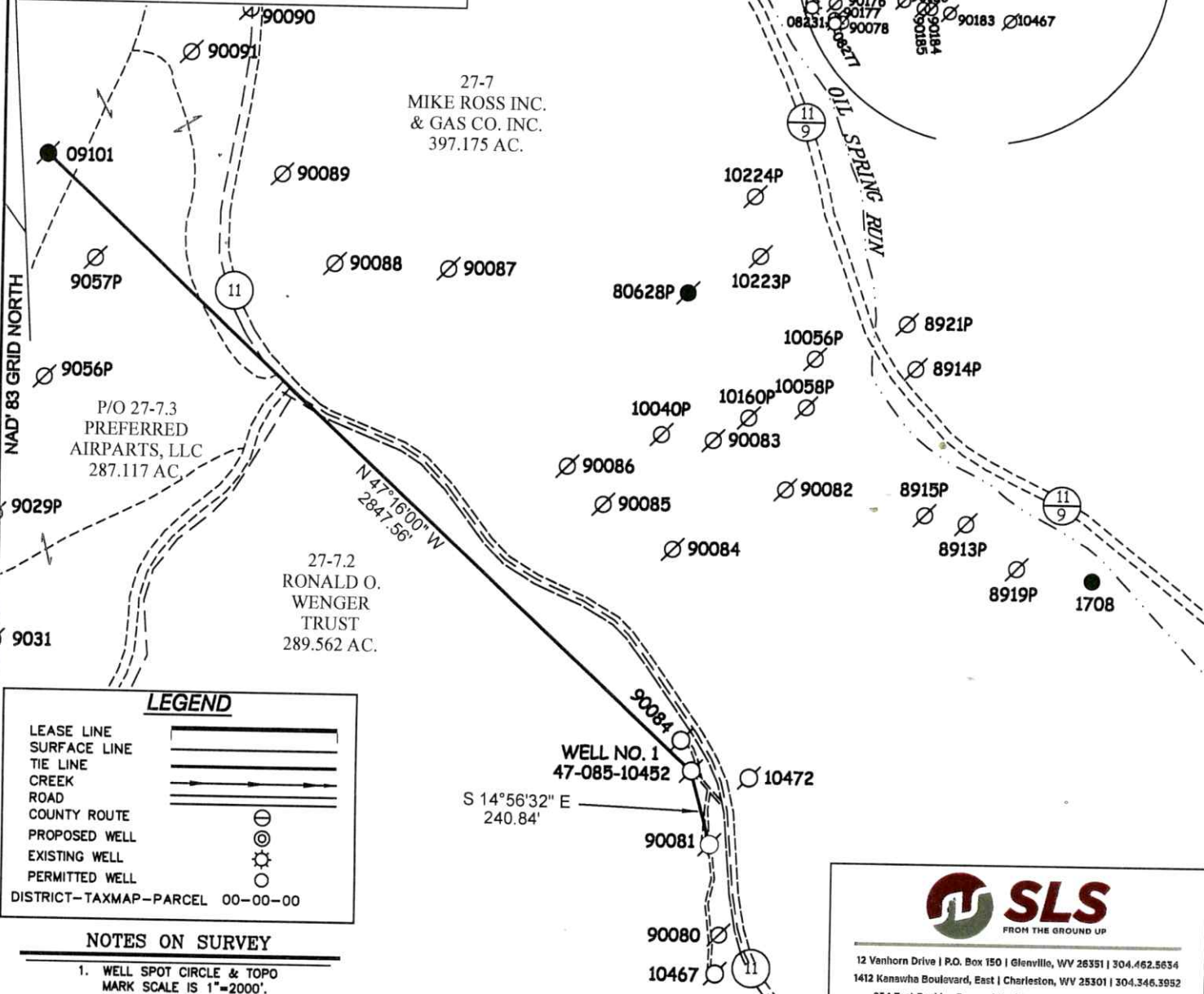
Field Reviewed? ( X ) Yes

( ) No

06/02/2023

JOSEPH E. CARLE HEIRS LEASE  
1348.5 ACRES  
WELL NO. 1  
47-085-10452

NAD'83 GEO. LAT-(N) 39.206398 LONG-(W) 81.277550  
NAD'83 UTM (M)(ZONE 17) N. 4,339,718 E. 476,036



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 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 APRIL 24, 20 23  
 REVISED \_\_\_\_\_, 20 \_\_\_\_  
 OPERATORS WELL NO. 1  
 API WELL NO. 47 - 085 - 10452-P  
 STATE COUNTY PERMIT

MINIMUM DEGREE OF ACCURACY 1 / 200 FILE NO. 9402-SURV-4708510452-MRH-R00-230424.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

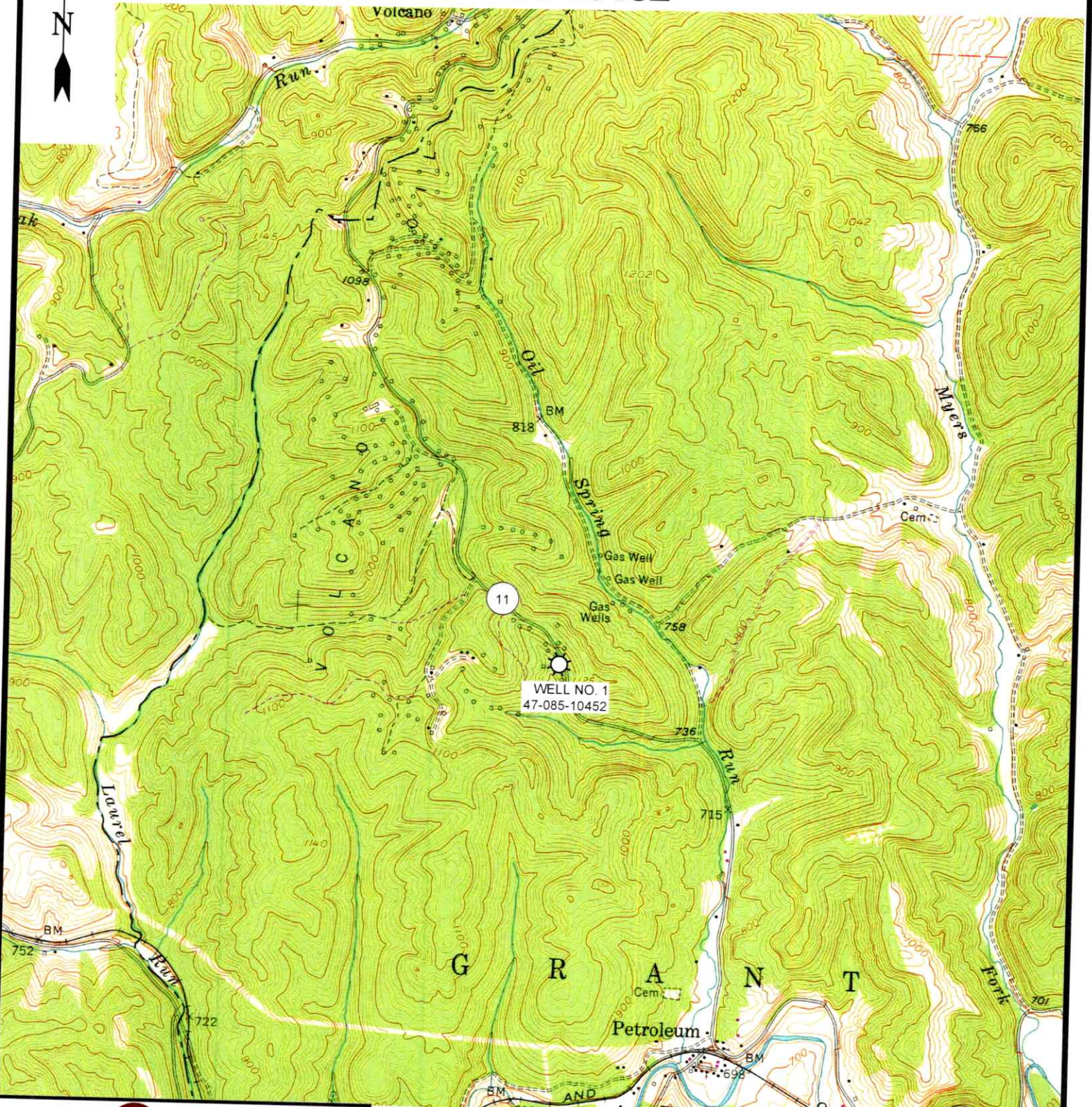


WELL TYPE: OIL  GAS  LIQUID INJECTION \_\_\_\_\_ WASTE DISPOSAL \_\_\_\_\_ IF "GAS" PRODUCTION \_\_\_\_\_ STORAGE \_\_\_\_\_ DEEP \_\_\_\_\_ SHALLOW

LOCATION:  
 ELEVATION 978' WATERSHED LAUREL RUN OF GOOSE CREEK  
 DISTRICT GRANT COUNTY RITCHIE QUADRANGLE PETROLEUM 7.5'  
 SURFACE OWNER RONALD OWEN WENGER TRUST ACREAGE 289.562±  
 ROYALTY OWNER JOSEPH E. CARLE HEIRS, ET AL ACREAGE 1348.56  
 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 UNKNOWN  
 ESTIMATED DEPTH UNKNOWN

WELL OPERATOR UNKNOWN WVDEP PAID PLUGGING CONTRACT DESIGNATED AGENT JASON HARMON, WVDEP  
 ADDRESS 801 57TH STREET ADDRESS 801 57TH STREET  
CHARLESTON, WV 25304 (WVDEP) CHARLESTON, WV 25304

**WELL NO. 1  
47-085-10452**



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

slwv.com

**PETROLEUM 7.5' USGS QUAD**

**SCALE: 1"=2000'**

0'      2000'      4000'



DRAWN BY GF	FILE NO. 9402	DATE 4-25-23	CADD FILE: 9402-SURV-TOPO-ROO- GF-042523.DWG
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06/02/2023

# JOSEPH E. CARLE HEIRS LEASE WELL NO. 1 47-085-10452



**WELL NO. 1  
47-085-10452**

WOODS

SEDIMENT BARRIER

EX. LOG ROAD

140 FEET ± @  
0.5% GRADE

TO WELL  
47-085-90081

0.36 MILES ±  
TO CO. RT. 11/8

1.53 MILES ± TO  
CO. RT. 11/9

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"=50'**



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slewy.com

06/02/2023

DRAWN BY GF	FILE NO. 9402	DATE 4-25-23	CADD FILE: 9402-SURV-REC-R00- GF-042523.DWG
----------------	------------------	-----------------	---------------------------------------------------

E SE S  
90 120 150 180 210

☉ 151°SE (T) LAT: 39.206421 LON: -81.277550 ±19ft ▲ 972ft

47-085-10452



47-085-0452

#9402  
14 Apr 2023, 10:25:29

Operator's Well  
Number

Joseph E. Carle hrs. 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 or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation...".

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**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 **06/02/2023**

WW-4B

API No.	<u>47-085-10452</u>
Farm Name	<u>Joseph E. Carle hrs.</u>
Well No.	<u>1</u>

**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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MAY 9 2023

WV Department of  
Environmental Protection

06/02/2023





info@slswv.com  
www.slswv.com

May 8, 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

Dear Mr. Harmon,

Please find enclosed a permit application to plug API# 47-085-10452 in Grant 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 Inspector has signed off on the work to be performed. The surface owner has also signed the waiver and is included in Permit Application, Surface Owners Application and mail receipts has been included along with notice of intent form and 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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WV Department of  
Environmental Protection

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1412 Kanawha Boulevard East, Charleston, WV 25301  
254 East Beckley Bypass, Beckley, WV 25801  
**304-462-5634**

06/02/2023



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

---

## plugging permits issued 4708510456 08510493 08510461 08510452

---

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

Tue, May 30, 2023 at 10:46 AM

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


To whom it may concern, plugging permits have been issued for 4708510456 08510493 08510461 08510452.


James Kennedy


WVDEP OOG


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### 4 attachments

 **4708510452.pdf**  
3330K

 **4708510493.pdf**  
3384K

 **4708510456.pdf**  
4014K

 **4708510461.pdf**  
3853K

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