



1) Date: October 26, 19 82  
 2) Operator's Well No. B-521  
 3) API Well No. 47 001 1867  
 State        County        Permit       

DRILLING CONTRACTOR:

SW JackDrilling Company  
Buckhannon, WV 26201

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

OIL AND GAS WELL PERMIT APPLICATION

- 4) WELL TYPE: A Oil        / Gas X /  
 B (If "Gas", Production XX / Underground storage        / Deep        / Shallow X /)
- 5) LOCATION: Elevation: 1935' Watershed: Little Laurel Creek  
 District: Philippi County: Barbour Quadrangle: Audra 7 1/2 min.
- 6) WELL OPERATOR Berry Energy Consultants & Mgrs 11) DESIGNATED AGENT Berry Energy Consultants  
 Address P.O. Box 5, 11th Floor, Union Nat'l Bank Bldg., Clarksburg, WV 26301 Address SAME  
W. B. Berry
- 7) OIL & GAS ROYALTY OWNER Opal Holbert, et al 12) COAL OPERATOR NONE  
 Address Rt 2 Philippi, WV 26416 Address
- 8) SURFACE OWNER Opal Holbert, et al 13) COAL OWNER(S) WITH DECLARATION ON RECORD:  
 Address Rt. 2 Philippi, WV 26416 Name Josephine Marrara  
 Address Kingwood West Virginia 26537
- 9) FIELD SALE (IF MADE) TO: Name        Address
- 10) OIL & GAS INSPECTOR TO BE NOTIFIED Name Robert Stewart  
 Address P. O. Box 345 Jane Lew, WV 26378
- 14) COAL LESSEE WITH DECLARATION ON RECORD: Name NONE Address
- 15) PROPOSED WORK: Drill X / Drill deeper        / Redrill        / Fracture or stimulate         
 Plug off old formation        / Perforate new formation         
 Other physical change in well (specify)
- 16) GEOLOGICAL TARGET FORMATION, HAVERTY
- 17) Estimated depth of completed well, 5400' feet
- 18) Approximate water strata depths: Fresh, 40' feet; salt, None feet.
- 19) Approximate coal seam depths: 250', 300', 590' Is coal being mined in the area? Yes        / No X

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 DEPT. OF MINES

20) CASING AND TUBING PROGRAM

| CASING OR TUBING TYPE | SPECIFICATIONS |       |                |     |      | FOOTAGE INTERVALS |              | CEMENT FILL-UP OR SACKS (Cubic feet) | PACKERS       |
|-----------------------|----------------|-------|----------------|-----|------|-------------------|--------------|--------------------------------------|---------------|
|                       | Size           | Grade | Weight per ft. | New | Used | For drilling      | Left in well |                                      |               |
| Conductor             | 11 3/4         | API   | 42#            | X   |      | 30'               | 30'          |                                      | Kinds         |
| Fresh water           |                |       |                |     |      |                   |              |                                      |               |
| Coal                  |                |       |                |     |      |                   |              |                                      | Sizes         |
| Intermediate          | 8 5/8          | API   | 24#            | X   |      | 1000'             | 1000'        | To Surface                           |               |
| Production            | 4 1/2          | API   | 10#            | X   |      | 5400'             | 5400'        | 300 Sks.                             | Depths set    |
| Tubing                |                |       |                |     |      |                   |              |                                      |               |
| Liners                |                |       |                |     |      |                   |              |                                      | Perforations: |
|                       |                |       |                |     |      |                   |              |                                      | Top Bottom    |

- 21) EXTRACTION RIGHTS  
 Check and provide one of the following:  
 Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil or gas.  
 The requirement of Code 22-4-1-(c) (1) through (4). (See reverse side for specifics.)
- 22) ROYALTY PROVISIONS  
 Is the right to extract, produce or market the oil or gas based upon a lease or other continuing contract or contracts providing for flat well royalty or any similar provision for compensation to the owner of the oil or gas in place which is not inherently related to the volume of oil or gas so extracted, produced or marketed? Yes  No   
 If the answer above is No, nothing additional is needed. If the answer is Yes, you may use Affidavit Form IV-60.
- 23) Required Copies (See reverse side.)
- 24) Copies of this Permit Application and the enclosed plat and reclamation plan have been mailed by registered mail or delivered by hand to the above named coal operator, coal owner(s), and coal lessee on or before the day of the mailing or delivery of this Permit Application to the Department of Mines at Charleston, West Virginia.

Notary: Mary Ann Coe  
 My Commission Expires April 22, 1991

Signed: W. B. Berry  
 Its: President

OFFICE USE ONLY

Permit number 47-001-1867 **DRILLING PERMIT** Date December 2 19 82

This permit covering the well operator and well location shown below is evidence of permission granted to drill 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. (Refer to No. 10) Prior to the construction of roads, locations and pits for any permitted work.** In addition, the well operator or his contractor shall notify the proper district oil and gas inspector 24 hours before actual permitted work has commenced.)

Permit expires August 2, 1983 unless drilling is commenced prior to that date and prosecuted with due diligence.

|                   |                  |                     |                       |                  |
|-------------------|------------------|---------------------|-----------------------|------------------|
| Bond: <u>CASH</u> | Agent: <u>OK</u> | Plat: <u>      </u> | Casing: <u>      </u> | Fee: <u>5777</u> |
| <u>Deposit</u>    | <u>      </u>    | <u>      </u>       | <u>      </u>         | <u>      </u>    |

T. B. Berry  
 Administrator, Office of Oil and Gas

Line Item Explanation

- 1) Date of Application
- 2) Your well name and number
- 3) To be filled out by office of oil & gas
- 4A) "Oil" means natural crude oil or petroleum and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves underground reservoirs: "Gas" means all natural gas and all other fluid hydrocarbons not defined as oil.
- 4B) "Shallow well" means any well drilled and completed in a formation above the top of the uppermost member of the "Onondaga Group" or a depth less than six thousand feet, whichever is shallower.  
"Deep well" means any well drilled and completed in a formation at or below the top of the uppermost member of the "Onondaga Group" or at a depth less than six thousand feet, whatever is shallower.
- 5) Where well is located
- 6) Before a permit can be issued in a corporation, company partnership, or fictitious name, the name must be registered with the Secretary of State Office
- 7) Use separate sheet if necessary
- 8) Present surface owner at time application is filed.
- 9) Optional
- 11) See Reg. 7.01 relating to code §22-4-1k
- 12) "Coal Operator" means any persons, firm, partnership, partnership association or corporation that proposes to or does operate a coal mine. See Note 24
- 13 & 14) As per §22-4-20; See Note 24
- 15) Work that will be attempted—A separate Form IV-2 shall not be required for fracturing or stimulating a well where fracturing or stimulating is to be part of the work for which a permit is sought and is noted as such on the Form IV-2 filed in connection therewith.
- 16) Anticipated formation for which well will be completed
- 17) Self explanatory
- 18) Depth to deepest freshwater, and shallowest salt water, taken from nearby wells corrected for differences in elevation
- 19) All coal seam depths
- 20) Proposed casing program and cementing refer to Code 22-4-5, 22-4-6, 22-4-7, 22-4-8, 22-4-8a Reg 9.01, 15.01, 15.02, 15.03, 15.04, 25.01, 25.02, 25.03, 25.04
- 21) Code 22-4-11(c) - In lieu of filing the lease or leases or other continuing contract or contracts, the applicant for a permit described herein may file the following:
  - (1) A brief description of the tract of land including the district and county wherein the tract is located;
  - (2) The identification of all parties to all leases or other continuing contractual agreements by which the right to extract, produce or market the oil or gas is claimed;
  - (3) The book and page number wherein each such lease or contract by which the right to extract, produce or market the oil or gas is recorded;
  - (4) A brief description of the royalty provisions of each such lease or contract.
- 22) Code 22-4-11(d) and 22-4-11(e).
- 23) Regulation 7.02 of the Department of Mines provides that the original and four copies of Form IV-2 must be filed with the Department, accompanied by (i) a plat in the form prescribed by Regulation 11, (ii) a bond in one of the forms prescribed by Regulation 12, or in lieu thereof the other security allowed by Code §22-4-2, (iii) Form IV-9, "Reclamation Plan", applicable to the reclamation required by Code §22-4-12b and Regulation 23, (iv) unless previously paid on the same well, the fee required by Code §22-4-12a, and (v) if applicable, the consent required by Code §22-4-8a from the owner of any water well or dwelling within 200 feet of the proposed well.
- 24) **The above named coal operator, coal owner(s), and coal lessee are hereby notified that any objection they wish to make or are required to make by Code §22-4-3 must be filed with the Department of Mines within fifteen (15) days after the receipt of this Application by the Department.**

The following waiver must be completed by the coal operator and by any coal owner or coal lessee who has recorded a declaration under Code 22-4-20, if the permit is to be issued within fifteen (15) days of receipt thereof.

WAIVER

The undersigned coal operator \_\_\_\_\_ / owner \_\_\_\_\_ / lessee \_\_\_\_\_ / of the coal under this well location has examined this proposed well location. If a mine map exists which covers the area of the well location, the well location has been added to the mine map. 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: \_\_\_\_\_, 19\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_





DATE September 10, 1982

WELL NO. B-521

State of West Virginia

API NO. 47 - 001 - 1867

Department of Mines  
Oil and Gas Division

CONSTRUCTION AND RECLAMATION PLAN

COMPANY NAME Berry Energy Consultants  
Address P.O. Box 5, Clarksburg, WV 26301  
Telephone 622-3450

DESIGNATED AGENT W. B. Berry  
Berry Energy Consultants  
Address P.O. Box 5, Clarksburg, WV 26301  
Telephone 622-3450

LANDOWNER Opal Holbert, et al  
Revegetation to be carried out by S. W. Jack Drilling Company

SOIL CONS. DISTRICT Tygart's Valley  
(Agent)

This plan has been reviewed by Tygart's Valley SCD. All corrections and additions become a part of this plan: 10/30/82

(Date)  
Jean Freeman  
(SCD Agent)

ACCESS ROAD

LOCATION

Structure Open Ditch (A)  
Spacing N/A  
Page Ref. Manual \_\_\_\_\_

Structure Diversion Ditch (1)  
Material Earthen  
Page Ref. Manual 1-10

Structure Cross Drains (B)  
Spacing 90'  
Page Ref. Manual 1-8

Structure Rip Rap (2)  
Material Rock  
Page Ref. Manual \_\_\_\_\_

Structure \_\_\_\_\_ (C)  
Spacing \_\_\_\_\_  
Page Ref. Manual \_\_\_\_\_

Structure \_\_\_\_\_ (3)  
Material \_\_\_\_\_  
Page Ref. Manual \_\_\_\_\_

All structures should be inspected regularly and repaired if necessary. All commercial timber is to be cut and stacked and all brush and small timber to be cut and removed from the site before dirt work begins.

REVEGETATION

Treatment Area I

Treatment Area II

Lime 3 Tons/acre  
or correct to pH 6.5  
Fertilizer 600 lbs/acre  
(10-20-20 or equivalent)  
Mulch 2 Tons/acre  
Seed\* Ky. Tall Fescue 30 lbs/acre  
Dom Rye 10 lbs/acre  
Birdsfoot 10 lbs/acre

Lime 3 Tons/acre  
or correct to pH 6.5  
Fertilizer 600 lbs/acre  
(10-20-20 or equivalent)  
Mulch 2 Tons/acre  
Seed\* Ky. Tall Fescue 30 lbs/acre  
Dom Rye 10 lbs/acre  
Birdsfoot 10 lbs/acre

\*Inoculate all legumes such as vetch, trefoil and clovers with the proper bacterium. Inoculate with 3X recommended amount.

PLAN PREPARED BY Berry Energy Consultants

ADDRESS P. O. Box 5

Clarksburg, Wv 26301

PHONE NO. 622-3450

NOTES: Please request landowners' cooperation to protect new seedling for one growing season. Attach separate sheets as necessary for comments.

STATE OF WEST VIRGINIA, COUNTY OF Barbour To-wit:  
 I, Ray Gene Snider  
 a Notary Public of said State of West Virginia do certify  
 that Clyde Holbert Swidlowev  
 whose name is signed to the writing above bearing date the 17th day of  
June A. D. 1982 has s this day acknowledged the same before me in my said county.  
 Given under my hand this 17th day of June A. D. 1982

Ray Gene Snider  
 My Commission expires 11/5/91

STATE OF WEST VIRGINIA, COUNTY OF Barbour To-wit:  
 I, Ray Gene Snider  
 a Notary Public of said State of West Virginia do certify  
 that Opal Holbert (single) Parkers County and Fager County Cher husband  
 whose names is signed to the writing above bearing date the 17th day of  
June A. D. 1982 has s this day acknowledged the same before me in my said county.  
 Given under my hand this 17th day of June A. D. 1982

Ray Gene Snider  
 My Commission expires 11/5/91

STATE OF WEST VIRGINIA, COUNTY OF Harrison To-wit:  
 I, Robert C. Smith  
 a Notary Public of said State of West Virginia do certify  
 that H. B. Berry  
 whose name is signed to the writing above bearing date the 17th day of  
June A. D. 1982 has s this day acknowledged the same before me in my said county.  
 Given under my hand this 28th day of June A. D. 1982

Robert C. Smith  
 My Commission expires 11-1-83

23-88-8  
 BARBOUR COUNTY, W.V.  
 FILED OR RECORDED

1982 JUL -7 AM 9:19  
 2/15 91 PAGE 520  
 GLENNA G. PROPST, CLERK

FEE PAID \$2.00  
 WITNESS MY HAND. Glenna G. Propst CLERK.

DAYTON LEGAL BLANK CO.  
 GLENNA G. PROPST  
 CLERK BARBOUR COUNTY COURT

STATE OF WEST VIRGINIA, County of Barbour, To-wit:  
 I, Glenna G. Propst, Clerk of the County Commission of said County, do hereby certify that the foregoing writing, with Certificate thereto annexed, was this day produced to me in my office and duly admitted to record.

|           |      |    |                 |                       |                       |                |              |  |                                |                     |                          |
|-----------|------|----|-----------------|-----------------------|-----------------------|----------------|--------------|--|--------------------------------|---------------------|--------------------------|
| No. _____ | FROM | TO | Date _____ 19__ | Tenn. Ten Years _____ | Number of Acres _____ | LOCATION       |              |  | Received for Record _____ 19__ | Recorded _____ 19__ | In Book _____ Page _____ |
|           |      |    |                 |                       |                       | District _____ | County _____ |  |                                |                     |                          |

Oil and Gas Lease

AGREEMENT, made and entered into the 17th day of June 1982 by and

between Opal Holbert (single) Clyde Holbert (widow) Pauline County and Fay D. County (her husband) of Philippi P. O.

County of Barbour and State of West Virginia part in of the first part,

hereinafter called Lessors, whether one or more, and part of the second part, hereinafter called Lessee. WB Berry

WITNESSETH, that the said Lessors for and in consideration of the sum of one hundred forty-six and 00/100 Dollars to them in hand well and truly paid by the said Lessee, the receipt of which is hereby acknowledged, any of the covenants and agreements hereinafter contained on the part of the said Lessee, to be paid, kept, and performed, have granted, devised, leased and let and by these presents do grant, demise, lease and let with covenants of quiet possession, and that they have the sole right so to grant and demise, unto the said Lessee, its successors and assigns, for the purpose of mining and operating for oil and gas, and of building tanks, stations, power plants, water stations and structures thereon to take care of the said products, and of laying pipe lines on, over and across the leased premises and other lands of Lessors, for the purpose of conveying oil, gas, steam or water therein from and to wells and pipe lines on the premises and on adjoining and adjacent farms, and rights of way for road ways over this and other land of Lessors.

this interest believed to be all of all that certain tract of land situate in

Philippi District Barbour County and State of West Virginia, on the waters of Little Laurel bounded as follows:

On the North by lands of Robert Thomson now or formerly

On the East by lands of Delbert Weynor now or formerly

On the South by lands of Delbert Weynor now or formerly

On the West by lands of Lucille Chessie now or formerly

Containing fifty-eight (58) acres, more or less, reserving, however, therefrom all lands within two hundred feet of the resident buildings now on the premises on which no well shall be drilled by either party except by mutual consent.

It is agreed that this lease shall remain in force for the term of 6 months from this date and as long thereafter as oil or gas, or either of them, is produced from the said lands by the said Lessee, its successors and assigns.

In consideration of the premises the said party of the second part, covenants and agrees: 1st-to deliver to the credit of the Lessors, their heirs or assigns, free of cost, in the pipe line to which the Lessee may connect with its wells their

proportionate part of the equal one-eighth (1/8) part of all oil produced

and saved from the leased premises; and second, to pay their proportionate part of one-eighth (1/8) of the value at the well of the gas from each and every gas well drilled on said premises, the products from which is marketed and used off the premises, said gas to be measured at a meter set on the farm.

The Lessee shall not be required in any event to increase the rate of said gas well payments or said royalty of oil by reason of any royalty or interest in said oil or gas that may have been heretofore sold, reserved or conveyed by Lessors or their predecessor in title or otherwise. And any such outstanding royalty or interest shall first be deducted from the royalties and rentals above provided to be paid or delivered.

It is agreed by the parties hereto that the Lessee, its successors and assigns, shall have the right to use off the farm for such purposes as it may desire, "Casing Head Gas," (being gas produced from wells on the premises), but if said "casing head gas" or any part thereof should be manufactured into gasoline or other by-products by said company, said Lessors shall receive their

proportionate part of one-eighth of the net value at the factory of the gasoline and other by-products so manufactured.

The Lessors may lay a line to any gas well drilled on said land and take gas therefrom free for their own use for heat and light in one dwelling house on said land, out of any surplus gas over and above what Lessee, its successors and assigns, may require to operate the lease, and subject to the use, operation, pumping and right of abandonment of the well by Lessee, its successors and assigns; Lessors are to provide and use economical appliances and to use said gas at their own risk, subject to the reasonable rules and regulations of said Lessee, its successors and assigns, published at such time relating to such use of gas.

Lessee covenants and agrees to locate all wells so as to interfere as little as possible with the cultivated portion of the farm. And it is agreed that the leased premises may be fully and freely used by the Lessors for farming purposes, excepting such parts as are used by the Lessee in operating hereunder, and further, that the said Lessee may drill or not drill on said land, as it may elect, and that the consideration and rentals paid and to be paid constitute adequate compensation for such privileges.

The said Lessee covenants and agrees to pay a rental at the rate of one hundred forty-six and 00/100 (\$145.00) Dollars paid in advance, beginning on June 17, 1982

but not after, a well yielding royalty to the Lessors is drilled on the leased premises, and any rental paid for time beyond the date of completion of a gas well shall be credited upon the first royalty due upon the same and all rentals shall cease after the surrender of the lease as hereinafter provided for. All payments for delay, for gas produced and marketed, for gasoline and other by-products may be made direct to the Lessors or be deposited to their credit, or to the credit of their heirs and assigns,

Clyde Holbert Rt 2 Philippi and Opal Holbert Baughman Town and Pauline County

107 Maple Str. 26416 P. O. Barbour County,

State of West Virginia; such payments may also be made in the same manner to

who is hereby appointed agent for the lessors to receive the same.

As part consideration hereof Lessors agree to pay, and Lessees are authorized to deduct from any royalty payment, the Lessors' proportionate part of all the excise, depletion, privilege and/or production tax levied, assessed or charged on or against the oil and/or gas produced from said premises.

It is agreed that the Lessee is to have the privilege of using free sufficient water and gas from the said premises to run all machinery necessary for drilling and operating thereon and at any time to remove all machinery and fixtures placed on said premises; and further, upon the payment of (\$1.00) One Dollar at any time, by the party of the second part, or by its successors and assigns it or they shall have the right to surrender this lease for cancellation, after which all payments and liabilities thereafter to accrue under and by virtue of its terms shall cease and determine, and this lease become absolutely null and void.

Lessors agree that the recordation of a deed of surrender in the proper county, and the mailing in the postoffice of a check, payable as above provided, for said last mentioned sum and all amount then due hereunder, shall be a full surrender and termination of this lease.

All provisions, of this lease shall be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

In Witness Whereof, the parties of this agreement have hereunto set their hands and seals the day and year first above written.

This being that certain tract of land conveyed thru wills in book 3 at page 293 in book 12 at page 155 in book 5 at page 335 This is to certify that Pauline County will receive 1/2 interest

X Clyde Holbert (Seal) X Opal Holbert (Seal) Pauline County (Seal) Fay D. County (Seal) WB Berry (Seal)

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A10

# Berry Energy Consultants & Managers, Inc.

ELEVENTH FLOOR  
UNION NATIONAL BANK BUILDING  
POST OFFICE BOX 5  
CLARKSBURG, WEST VIRGINIA 26301

November 3, 1982

PHONE: 304/622-3450

W. B. BERRY  
PRESIDENT

WV Department of Mines  
Office of Oil & Gas  
1615 Washington St. E.  
Charleston, WV 25311

RE: Gas Well Permit Application  
Well B-521

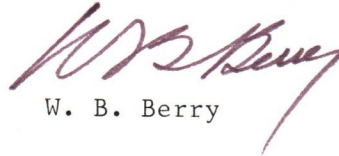
Gentlemen:

Please find attached, Form IV-9, which has been approved by the Tygarts Valley Soil Conservation District, and our IV-2 Form, along with the accompanying well location map representing our application for a drill site permit for our well B-521. Also attached, is our check #5777 in the amount of \$100.00 for the required permit fee.

Also, please find attached, cashier's check # 197318 in the amount of \$2,500.00 which constitutes our bond coverage for the subject proposed well.

Your usual expeditious treatment of this application would be appreciated.

Yours very truly,



W. B. Berry

WBB:mac

Enclosures

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DEPT. OF MINES

A11

# Berry Energy Consultants & Managers, Inc.

ELEVENTH FLOOR  
UNION NATIONAL BANK BUILDING  
POST OFFICE BOX 5  
CLARKSBURG, WEST VIRGINIA 26301

W. B. BERRY  
PRESIDENT

November 3, 1982

PHONE: 304/622-3450

CERTIFIED MAIL

Josephine Marrara  
Kingwood  
West Virginia 26537

RE: Well B-521  
Philippi District  
Barbour COUNTY

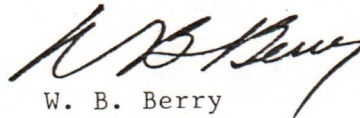
Dear Ms. Marrara:

This Corporation has scheduled the drilling of a Benson test well, identified as well B-521 at a location as indicated by the attached Department of Mines well location map.

As required by state statute, we are obligated to advise you of the proposed well, thus affording you an opportunity to review the location as it relates to your mining activities, if any, and then to subsequently indicate your objection or acceptability of the proposed drill site.

We would particularly appreciate an immediate outline of your objections, if any, as required by the Department of Mines, which under the statute, however, affords you 15 days for reciting a detailed protest.

Yours very truly,

  
W. B. Berry

WBB:mac

Enclosure

cc: WV Department of Mines

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OIL & GAS DIVISION  
DEPT. OF MINES



FOR TREASURY USE ONLY

FOR TREASURY USE ONLY

TREASURY DEPARTMENT  
STATE OF WEST VIRGINIA

DEPOSIT NO. \_\_\_\_\_

CASH NO. \_\_\_\_\_

(Date Received)

NO. 460  
(Agency Use Only)

NAME OF SPENDING AGENCY: Department of Mines-Office of Oil & Gas

PREPARED BY: Charlotte Milam EXT. 2055 DATE PREPARED: December 14, 1982

(SECTION A)

|   | CASH | CHECKS AND/OR MONEY ORDERS | TOTAL |
|---|------|----------------------------|-------|
| In Re: <u>Permit to Drill</u> <u>BAR-1867</u>   |      |                            |       |
| Deposit in trust for: <u>Berry Energy Consultants</u><br><u>P.O. Box 5</u><br><u>Clarksburg, W.Va. 26301</u><br><u>Attn: W.B. Berry</u>   |      |                            |       |
| The sum of \$ 2,500.00 cash deposit in lieu of bond and/or securities to be held in trust by the Treasurer of the State of W.Va., in accordance with Chapter 22, Article 9, Code of W.Va. until a letter is received from the Office of Oil & Gas releasing said deposit. |      | \$ 2,500.00                |       |
| Deposit in form of: <u>Cashiers Ck. # 197318</u><br><u>Dated: 11-4-82</u>   |      |                            |       |
| Drawn on the: <u>Lowndes Bank</u><br><u>One Lowndes Square</u><br><u>Clarksburg, W.vA. 26301</u>  |      |                            |       |
| TOTAL =   |      | \$ 2,500.00                |       |

(SECTION B) REVENUES ONLY

| Account No. | Line Item | Fund No. | Account Totals | Account No. | Line Item | Fund No. | Account Totals |
|-------------|-----------|----------|----------------|-------------|-----------|----------|----------------|
| XXXX-XX     | XXX       | XX       |                | XXXX-XX     | XXX       | XX       |                |
| 8091-16     | 550       | 13       | \$ 2,500.00    |             |           |          |                |

*Bar-1867*  
*12/2*

**197318**

Nov. 4 19 82 69-87  
515

PAY TO THE ORDER OF W. Va. Department of Mines \$ 2500.00

~~Lowndes Bank~~ **\$2,500.00** DOLLARS

AUTHORIZED SIGNATURE  
*Debi Ann Morgan*

**CASHIER'S CHECK**

FROM: Berry Energy Consultants jk

⑈ 197318 ⑈ ⑆ 051500876 ⑆ 000015 ⑈

2 Stage Foam Frac: June 17, 1983

DETAILS OF PERFORATED INTERVALS, FRACTURING OR STIMULATING, PHYSICAL CHANGE, ETC.

1st Stage, 3rd Elk; 80,000#, 20/40, 284 Bbls. H<sub>2</sub>O, 1150 Bbls. Foam, 1,022,400 SCF, N<sub>2</sub>

2nd Stage, Benson; 80,000#, 20/40, 366 Bbls. H<sub>2</sub>O, 1032 Bbls. Foam, 1,115,400 SCF, N<sub>2</sub>

PERFORATIONS: 3rd Elk; 4279 - 4543 - 13 Holes

Benson; 3623 - 3906 - 11 Holes

WELL LOG

| FORMATION          | COLOR | HARD OR SOFT | TOP FEET | BOTTOM FEET | REMARKS   |
|--------------------|-------|--------------|----------|-------------|---|
|                    |       |              |          |             | Including indication of all fresh and salt water, coal, oil and gas |
| Clay               |       |              | 0        | 3           |   |
| Sandy Shale        |       |              | 3        | 8           |   |
| Shale              |       |              | 8        | 20          |   |
| Sand & Shale       |       |              | 20       | 25          |   |
| Sand               |       |              | 25       | 30          |   |
| Sand & Shale       |       |              | 30       | 77          |   |
| White Sand         |       |              | 77       | 105         | Water @ 80' 3/4" Stream   |
| Gray Sand          |       |              | 105      | 152         |   |
| Black Shale        |       |              | 152      | 158         |   |
| Sand               |       |              | 158      | 193         |   |
| Black Shale        |       |              | 193      | 197         |   |
| Sand               |       |              | 197      | 220         |   |
| Black Shale        |       |              | 220      | 228         |   |
| Sandy Shale        |       |              | 228      | 236         |   |
| Sand               |       |              | 236      | 484         |   |
| Black Shale        |       |              | 484      | 487         |   |
| Sand               |       |              | 487      | 527         |   |
| Sand & Shale       |       |              | 527      | 730         |   |
| Shale & Red Rock   |       |              | 730      | 797         |   |
| Sand               |       |              | 797      | 927         |   |
| Sandy Shale        |       |              | 927      | 940         |   |
| Sand & Sandy Shale |       |              | 940      | 1017        |   |
| Red Rock & Shale   |       |              | 1017     | 1022        |   |
| Sand               |       |              | 1022     | 1044        |   |
| Shale & Red Rock   |       |              | 1044     | 1099        |   |
| Sand & Lime        |       |              | 1099     | 1112        |   |
| Shale              |       |              | 1112     | 1148        |   |
| Lime               |       |              | 1148     | 1153        |   |
| Shale              |       |              | 1153     | 1158        |   |
| Big Lime & Injun   |       |              | 1158     | 1384        |   |
| Sand & Shale       |       |              | 1384     | 1535        |   |
| Sandy Shale        |       |              | 1535     | 1610        | Gas Ck @ 1544' - 4/10, 1" w/water                                   |
| Shale              |       |              | 1610     | 1912        |   |
| Sandy              |       |              | 1912     | 2192        |   |
| Shale              |       |              | 2192     | 2250        |   |
| Sand               |       |              | 2250     | 2255        |   |
| Shale              |       |              | 2255     | 2390        |   |
| 5th Sand           |       |              | 2390     | 2400        |   |
| Sandy Shale        |       |              | 2400     | 2575        | Gas Ck @ 2665' - 4/10, 1" w/water                                   |

(CONTINUED)  
(Attach separate sheets as necessary)

Well Operator \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

*See Next Sheet*

Note: Regulation 2.02(i) provides as follows:  
"The term 'log' or 'well log' shall mean a systematic detailed geological record of all formations, including coal, encountered in the drilling of a well."



IV-35  
(Rev 8-81)

RECEIVED

OCT 26 1983

OIL & GAS DIVISION  
DEPT. OF MINES

State of West Virginia  
Department of Mines  
Oil and Gas Division

Date May 24, 1983  
Operator's B-521  
Well No. \_\_\_\_\_  
Farm Opal Holbert, et al  
API No. 47 - 001 - 1867

WELL OPERATOR'S REPORT  
OF

DRILLING, FRACTURING AND/OR STIMULATING, OR PHYSICAL CHANGE

WELL TYPE: Oil \_\_\_ / Gas x / Liquid Injection \_\_\_ / Waste Disposal \_\_\_ /  
(If "Gas," Production x / Underground Storage \_\_\_ / Deep \_\_\_ / Shallow x /)

LOCATION: Elevation: 1935' Watershed Little Laurel Creek  
District: Philippi County Barbour Quadrangle Audra 7 1/2 min.

COMPANY Berry Energy Consultants & Mgrs.  
ADDRESS P.O. Box 5, 11th Fl. Union Nat'l Bank Bldg  
Clarksburg, W. Va. 26301  
DESIGNATED AGENT W.B. Berry % Berry Energy  
ADDRESS Same  
SURFACE OWNER Opal Holbert, et al  
ADDRESS Rt. 2, Philippi, W. Va. 26416  
MINERAL RIGHTS OWNER Opal Holbert, et al  
ADDRESS SAME  
OIL AND GAS INSPECTOR FOR THIS WORK Robert  
Stewart P.O. Box 345  
ADDRESS Jane Lew, Wva. 26378

PERMIT ISSUED December 2, 1982  
DRILLING COMMENCED 12-17-82  
DRILLING COMPLETED 12-23-82

IF APPLICABLE: PLUGGING OF DRY HOLE ON  
CONTINUOUS PROGRESSION FROM DRILLING OR  
REWORKING. VERBAL PERMISSION OBTAINED  
ON \_\_\_\_\_

| Casing & Tubing                                  | Used in Drilling | Left in Well   | Cement fill up Cu. ft.           |
|--|------------------|----------------|----------------------------------|
| Size <u>11-3/4</u><br><del>20 1/2</del><br>Cond. | <u>25'</u>       | <u>Pulled</u>  |                                  |
| <u>13-10"</u>                                    |                  |                |                                  |
| <u>9 5/8</u>                                     |                  |                |                                  |
| <u>8 5/8</u>                                     | <u>1007.35</u>   | <u>1007.35</u> | <u>To Surface</u>                |
| <u>7</u>   |                  |                |                                  |
| <u>5 1/2</u>                                     |                  |                |                                  |
| <u>4 1/2</u>                                     | <u>4602</u>      | <u>4602</u>    | <u>300 Sks.</u>                  |
| <u>3</u>   |                  |                | <u>50/50 POZ</u>                 |
| <u>2</u>   |                  |                | <u>CEMENT TOP</u><br><u>3100</u> |
| Liners used                                      |                  |                |                                  |

GEOLOGICAL TARGET FORMATION Haverty Depth 5400' feet  
Depth of completed well 5400' feet Rotary x / Cable Tools \_\_\_\_\_  
Water strata depth: Fresh 40' feet; Salt None feet  
Coal seam depths: No Coal Seams Is coal being mined in the area? No

OPEN FLOW DATA  
Producing formation THIRD ELK Benson Pay zone depth 4279-4543  
3623-3906 feet  
Gas: Initial open flow 21.06 Mcf/d Oil: Initial open flow N/A Bbl/d  
Final open flow 390,000 Mcf/d Final open flow N/A Bbl/d  
Time of open flow between initial and final tests 4 hours  
Static rock pressure 1500# psig (surface measurement) after 14 <sup>DAYS</sup> hours shut in  
(If applicable due to multiple completion--)  
Second producing formation \_\_\_\_\_ Pay zone depth \_\_\_\_\_ feet  
Gas: Initial open flow \_\_\_\_\_ Mcf/d Oil: Initial open flow \_\_\_\_\_ Bbl/d  
Final open flow \_\_\_\_\_ Mcf/d Oil: Final open flow \_\_\_\_\_ Bbl/d  
Time of open flow between initial and final tests \_\_\_\_\_ hours  
Static rock pressure \_\_\_\_\_ psig (surface measurement) after \_\_\_\_\_ hours shut in

(Continue on reverse side)

BAR. 1867

DETAILS OF PERFORATED INTERVALS, FRACTURING OR STIMULATING, PHYSICAL CHANGE, ETC.

PAGE 2  
CONTINUED

WELL NO: B-521

PERMIT NO: 47-001-1867

WELL LOG

| FORMATION   | COLOR | HARD OR SOFT | TOP FEET | BOTTOM FEET | REMARKS   |
|-------------|-------|--------------|----------|-------------|---|
|             |       |              |          |             | Including indication of all fractures and salt water, coal, oil and gas |
| Bayard      |       |              | 2575     | 2590        |   |
| Sandy Shale |       |              | 2590     | 3570        | Gas Ck @ 4558' - 4/10, 1" Fm w/H <sub>2</sub> O                         |
| Sand        |       |              | 3570     | 3595        |   |
| Sandy Shale |       |              | 3595     | 3898        |   |
| Brown Sand  |       |              | 3898     | 3914        |   |
| Benson      |       |              | 3914     | 3920        |   |
| Sand        |       |              | 3920     | 4082        |   |
| Sandy Shale |       |              | 4082     | 4092        |   |
| Sand        |       |              | 4092     | 4120        |   |
| First Elk   |       |              | 4120     | 4170        |   |
| Sand        |       |              | 4170     | 4200        |   |
| Sandy Shale |       |              | 4200     | 4285        |   |
| Second Elk  |       |              | 4285     | 4300        |   |
| Sandy Shale |       |              | 4300     | 4477        |   |
| Sand        |       |              | 4477     | 4488        |   |
| Sandy Shale |       |              | 4488     | 4500        |   |
| Third Elk   |       |              | 4500     | 4560        | Gas Ck @ 4585', 2/10, 1" Fm w/H <sub>2</sub> O                          |
| Sandy Shale |       |              | 4560     | 4859        |   |
| Sand        |       |              | 4859     | 4904        |   |
| Fourth Elk  |       |              | 4904     | 4955        | Gas Ck @ 4999', 4/10 1" Fm W/H <sub>2</sub> O                           |
| Sandy Shale |       |              | 4955     | 5114        |   |
| Haverty     |       |              | 5114     | 5164        |   |
| Shale       |       |              | 5164     | 5400 TD     |   |

(Attach separate sheets as necessary)

J & J Enterprise Inc. %

Berry Energy Consultants & Mgrs.  
Well Operator

By: W. J. Berry, Operator

Date: 10/19/83

Note: Regulation 2.02(i) provides as follows:  
"The term 'log' or 'well log' shall mean a systematic detailed geological record of all formations, including coal, encountered in the drilling of a well."

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

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DEC 20 1982

OIL AND GAS DIVISION  
WV DEPARTMENT OF MINES

INSPECTOR'S WELL REPORT

Permit No. 001-1867

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

Company BERRY ENERGY  
 Address CLARKSBURG  
 Farm OPAL HOLBERT  
 Well No. B-521  
 District PHILIPPI County BARBOUR  
 Drilling commenced 12-17-82  
 Drilling completed \_\_\_\_\_ Total depth \_\_\_\_\_  
 Date shot \_\_\_\_\_ Depth of shot \_\_\_\_\_  
 Initial open flow \_\_\_\_\_ /10ths Water in \_\_\_\_\_ Inch  
 Open flow after tubing \_\_\_\_\_ /10ths Merc. in \_\_\_\_\_ Inch  
 Volume \_\_\_\_\_ Cu. Ft.  
 Rock pressure \_\_\_\_\_ lbs. \_\_\_\_\_ hrs.  
 Oil \_\_\_\_\_ bbls., 1st 24 hrs.  
 Fresh water \_\_\_\_\_ feet \_\_\_\_\_ feet  
 Salt water \_\_\_\_\_ feet \_\_\_\_\_ feet

| 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 5/8             |                  |              |                |
| 5 3/16            |                  |              | Perf. top      |
| 3                 |                  |              | Perf. bottom   |
| 2                 |                  |              | Perf. top      |
| Liners Used       |                  |              | Perf. bottom   |

CASING CEMENTED \_\_\_\_\_ SIZE \_\_\_\_\_ No. FT. \_\_\_\_\_ Date \_\_\_\_\_  
 NAME OF SERVICE COMPANY \_\_\_\_\_  
 COAL WAS ENCOUNTERED AT \_\_\_\_\_ FEET \_\_\_\_\_ INCHES  
 \_\_\_\_\_ FEET \_\_\_\_\_ INCHES FEET \_\_\_\_\_ INCHES  
 \_\_\_\_\_ FEET \_\_\_\_\_ INCHES FEET \_\_\_\_\_ INCHES

Drillers' Names S. W. JACK RIG - 15

Remarks:  
move RIG SPD

12-17-82  
DATE

Robert Stewart  
DISTRICT WELL INSPECTOR



STATE OF WEST VIRGINIA  
 DEPARTMENT OF ~~MINES~~ *ENGY*  
 OIL AND GAS DIVISION  
FINAL INSPECTION REQUEST  
INSPECTOR'S COMPLIANCE REPORT

**RECEIVED**  
 AUG 13 1985

DIVISION OF OIL & GAS  
 DEPARTMENT OF ENERGY

Permit No. 001-1867 County BARBOUR  
 Company BERRY ENGY Farm HOLBERT  
 Inspector DONALD ELLIS Well No. B-521  
 Date 8-8-85

| RULE  | DESCRIPTION                               | IN COMPLIANCE |    |
|-------|---|---------------|----|
|       |   | Yes           | No |
| 23.06 | Notification Prior to starting Work       | —             | —  |
| 25.04 | Prepared before Drilling to prevent waste | —             | —  |
| 25.03 | High-Pressure Drilling                    | —             | —  |
| 16.01 | Required Permits at wellsite              | —             | —  |
| 15.03 | Adequate Fresh Water Casing               | —             | —  |
| 15.02 | Adequate Coal Casing                      | —             | —  |
| 15.01 | Adequate Production Casing                | —             | —  |
| 15.04 | Adequate Cement Strength                  | —             | —  |
| 23.02 | Maintained Access Roads                   | ✓             | —  |
| 25.01 | Necessary Equipment to prevent Waste      | ✓             | —  |
| 23.03 | Reclaimed Drilling Site                   | ✓             | —  |
| 23.04 | Reclaimed Drilling Pits                   | ✓             | —  |
| 23.05 | No surface or underground Pollution       | ✓             | —  |
| 7.03  | Identification Markings                   | ✓             | —  |

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I have inspected the above well and (HAVE/HAVE NOT) found it to be in compliance with all of the rules and regulations of the Office of Oil and Gas Department of Mines of the State of West Virginia.

SIGNED: *Donald Ellis*  
 DATE: 8-8-85

RECEIVED  
AUG 18 1982

DEPARTMENT OF ENERGY  
DIVISION OF OIL & GAS

BARBARA  
HOLBERT  
B-221

601-1867  
BRADLEY  
DONALD CLAY  
8-8-82

17777777

*[Signature]*  
8-8-82





STATE OF WEST VIRGINIA  
DEPARTMENT OF ENERGY  
DIVISION OF OIL AND GAS  
1615 Washington Street, East  
Charleston, West Virginia 25311  
Telephone: 348-3500

ARCH A. MOORE, JR.  
Governor

August 22, 1985

Berry Energy Consultants & Managers, Inc.  
P. O. Box 5  
Clarksburg, West Virginia 26301

In Re: Permit No: 47-001-1867  
Farm: Opal Holbert et al  
Well No: B-521  
District: Philippi  
County: Barbour  
Issued: 12-02-82

Gentlemen:

The FINAL INSPECTION REPORT for the above captioned well has been received in this office. Only the column checked below applies:

The well designated by the above captioned permit number has been released XXXXX under your Blanket Bond.

Please return the enclosed cancelled single bond which covered the well designated by the above permit number to the surety company who executed said bond in your behalf, in order that they may give you credit on their records.

Your well record was received and reclamation requirements approved. In accordance with Chapter 22B, Article 1, Section 26, the above captioned well will remain under bond coverage for life of the well.

PERMIT CANCELLED - NEVER DRILLED

Very truly yours,

Theodore M. Streit

TMS/ nw

FERC-121

| <p>1.0 API well number:<br/>(If not available, leave blank. 14 digits.)</p>   | <p style="font-size: 1.2em;">47 - 001 - 1867</p>  |                      |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
|---|---|----------------------|---|-------------------------------|---|-------------------------------|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-----|------------------------|--|--|--|--|
| <p>2.0 Type of determination being sought<br/>(Use the codes found on the front of this form.)</p>                                | <p style="font-size: 1.2em;">103</p> <p>Section of NGPA</p>   | <p>Category Code</p> |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>3.0 Depth of the deepest completion location: (Only needed if sections 103 or 107 in 2.0 above.)</p>                           | <p>_____ feet</p>   |                      |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>4.0 Name, address and code number of applicant: (35 letters per line maximum. If code number not available, leave blank.)</p>  | <p>Berry Energy Consultants &amp; Mgr's., Inc.</p> <p>Name _____ Seller Code _____</p> <p>P. O. Box 5</p> <p>Street _____</p> <p>Clarksburg, WV 26301</p> <p>City _____ State _____ Zip Code _____</p>  |                      |   | <p>_____</p>                  |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>5.0 Location of this well: [Complete (a) or (b).]<br/>(a) For onshore wells (35 letters maximum for field name.)</p>           | <p>Little Laurel Creek - Philippi District</p> <p>Field Name _____</p> <p>Barbour _____ WV _____</p> <p>County _____ State _____</p>  |                      |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>(b) For OCS wells:</p>   | <p>N/A</p> <p>Area Name _____ Block Number _____</p> <p style="text-align: center;">Date of Lease:</p> <table style="margin: auto; border: none;"> <tr> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> </tr> <tr> <td style="border: none;">Mo.</td> <td style="border: none;">Day</td> <td style="border: none;">Yr.</td> <td colspan="5" style="border: none;">OCS Lease Number _____</td> </tr> </table>  |                      |   |                               |   |                               |   |              |              |              |              |              | Mo.          | Day          | Yr. | OCS Lease Number _____ |  |  |  |  |
|   |   |                      |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| Mo.   | Day   | Yr.                  | OCS Lease Number _____                      |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>(c) Name and identification number of this well: (35 letters and digits maximum.)</p>  | <p>B-521</p>  |                      |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>(d) If code 4 or 5 in 2.0 above, name of the reservoir: (35 letters maximum.)</p>  | <p>N/A</p>  |                      |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>6.0 (a) Name and code number of the purchaser: (35 letters and digits maximum. If code number not available, leave blank.)</p> | <p>CNG Dev</p> <p>Name _____ Buyer Code _____</p>   |                      |   | <p>_____</p>                  |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>(b) Date of the contract:</p>  | <table style="margin: auto; border: none;"> <tr> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> <td style="border: none;"> </td> </tr> <tr> <td style="border: none;">Mo.</td> <td style="border: none;">Day</td> <td style="border: none;">Yr.</td> <td colspan="5" style="border: none;"></td> </tr> </table>   |                      |   |                               |   |                               |   |              |              |              |              |              | Mo.          | Day          | Yr. |                        |  |  |  |  |
|   |   |                      |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| Mo.   | Day   | Yr.                  |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>(c) Estimated annual production:</p>   | <p>_____ MMcf.</p>  |                      |   |                               |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>7.0 Contract price:<br/>(As of filing date. Complete to 3 decimal places.)</p>   | <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:25%;"></th> <th style="width:25%;">(a) Base Price (\$/MMBTU)</th> <th style="width:25%;">(b) Tax</th> <th style="width:25%;">(c) All Other Prices [Indicate (+) or (-).]</th> <th style="width:25%;">(d) Total of (a), (b) and (c)</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <p>8.0 Maximum lawful rate<br/>(As of filing date. Complete to 3 decimal places.)</p> </td> <td style="text-align: center; vertical-align: top;"> <p>_____</p> </td> <td style="text-align: center; vertical-align: top;"> <p>_____</p> </td> <td style="text-align: center; vertical-align: top;"> <p>_____</p> </td> <td style="text-align: center; vertical-align: top;"> <p>_____</p> </td> </tr> </tbody> </table> |                      | (a) Base Price (\$/MMBTU)                   | (b) Tax                       | (c) All Other Prices [Indicate (+) or (-).] | (d) Total of (a), (b) and (c) | <p>8.0 Maximum lawful rate<br/>(As of filing date. Complete to 3 decimal places.)</p> | <p>_____</p> | <p>_____</p> | <p>_____</p> | <p>_____</p> | <p>_____</p> | <p>_____</p> | <p>_____</p> |     |                        |  |  |  |  |
|   | (a) Base Price (\$/MMBTU)   | (b) Tax              | (c) All Other Prices [Indicate (+) or (-).] | (d) Total of (a), (b) and (c) |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |
| <p>8.0 Maximum lawful rate<br/>(As of filing date. Complete to 3 decimal places.)</p>   | <p>_____</p>  | <p>_____</p>         | <p>_____</p>                                | <p>_____</p>                  |   |                               |   |              |              |              |              |              |              |              |     |                        |  |  |  |  |

| 9.0 Person responsible for this application | W. B. Berry \_\_\_\_\_ President  Name \_\_\_\_\_ Title \_\_\_\_\_  *W B Berry*  Signature \_\_\_\_\_  October 3, 1984 \_\_\_\_\_  Date Application is Completed \_\_\_\_\_ Phone Number \_\_\_\_\_ | | | |
| |  |  | |--|--| | <p>Agency Use Only</p> <p>Date Received by Juris. Agency</p> <p style="font-size: 1.5em; font-weight: bold;">OCT - 9 1984</p> <p>Date Received by FERC</p> |  | |--|--| |  | | | |

**U.S. DEPARTMENT OF ENERGY**  
Federal Energy Regulatory Commission  
Washington, D.C. 20426

**APPLICATION FOR DETERMINATION OF THE MAXIMUM LAWFUL  
PRICE UNDER THE NATURAL GAS POLICY ACT (NGPA)**  
(Sections 102, 103, 107 and 108)

**PLEASE READ BEFORE COMPLETING THIS FORM:**

General Instructions:

Complete this form if you are applying for price classification under sections 102, 103, 107 or 108 of the NGPA. A separate application is required for each well. If any reservoir qualifies for a category which differs from the category applicable to the producing well, separate applications must be made for the producing well and the reservoir. Complete each appropriate item on the reverse side of this page. The code numbers used in items 4.0 and 6.0 can be obtained from the Buyer/Seller Code Book. If there is more than one purchaser or contract, identify the additional information in the space below. Enter any additional remarks in the space below.

Submit the completed application to the appropriate Jurisdictional Agency as listed in title 18 of the CFR, part 270.103. If there are any questions, call (202) 275-4539.

Specific Instructions for Item 2.0, Type of Determination:

| <u>Section of NGPA</u> | <u>Category Code</u> | <u>Description</u>                        |
|------------------------|----------------------|---|
| 102                    | 1                    | New OCS Lease                             |
| 102                    | 2                    | New onshore well (2.5 mile test)          |
| 102                    | 3                    | New onshore well (1,000 feet deeper test) |
| 102                    | 4                    | New onshore reservoir                     |
| 102                    | 5                    | New reservoir on old OCS Lease            |
| 103                    | -                    | New onshore production well               |
| 107                    | -                    | High cost natural gas                     |
| 108                    | -                    | Stripper well                             |

Other Purchasers/Contracts:

| <u>Contract Date</u><br>(Mo. Day Yr.) | <u>Purchaser</u> | <u>Buyer Code</u> |
|---------------------------------------|------------------|-------------------|
| _____                                 | _____            | _____             |
| _____                                 | _____            | _____             |
| _____                                 | _____            | _____             |

Remarks:

FORM IV-48WC  
(02-84)

STATE OF WEST VIRGINIA

DEPARTMENT OF MINES, OIL AND GAS DIVISION

OCT 31 1984

COVER SHEET, STATE APPLICATION FOR WELL CLASSIFICATION

Date: October 3, 1984

AGENCY USE ONLY

Applicant's Name: Berry Energy Consultants & Mgr's., Inc.

WELL DETERMINATION FILE NUMBER

Address: P. O. Box 5

841009-103-001-1867

Clarksburg, WV 26301

Use Above File Number on all  
Communications Relating to This Well

Gas Purchaser Contract No. \_\_\_\_\_

Date of Contract \_\_\_\_\_  
(Month, day and year)

Designated Agent: W. B. Berry

First Purchaser: CNG Development Corp.

Address: P. O. Box 5

Address: P. O. Box 15746

Clarksburg, WV 26301

(Street or P.O. Box)

Pittsburgh, PA 15244

(City) (State) (Zip Code)

FERC Seller Code \_\_\_\_\_

FERC Buyer Code \_\_\_\_\_

NAME AND TITLE OF PERSON TO WHOM QUESTIONS CONCERNING THIS APPLICATION SHALL  
BE ADDRESSED:

Name: W. B. Berry

President

(Print)

(Title)

Signature: *W B Berry*

Address: P. O. Box 5

(Street or P.O. Box)

Clarksburg, WV 26301

(City) (State) (Zip Code)

Telephone: (304) 622-3450

(Area Code) (Phone Number)

(Certificate of Proof of Service to Purchaser)

NGPA Category Applied For

NGPA SECTION/SUBSECTION

102 New Natural Gas

- 102-2 2.5 Mile Test
- 102-3 1000 Foot Deeper Test
- 102-4 New Onshore Reservoir

108 Stripper Well Natural Gas

- 108- Stripper Well
- 108-1 Seasonally Affected
- 108-2 Enhanced Recovery
- 108-3 Temporary Pressure Buildup

103 New Onshore Production Well

103 New Onshore Production Well

107 High Cost Natural Gas

- 107-0 Deep (more than 15,000 feet)
- 107-1 Geopressured Brine
- 107-2 Coal Seams
- 107-3 Devonian Shale
- 107-5 Production enhancement
- 107-6 New Tight Formation
- 107-7 Recompletion Tight Formation

AGENCY USE ONLY

**QUALIFIED**

RECEIVED

OCT - 9 1984

OIL & GAS DIV.  
DEPT. OF MINES

Date Received

Determination Date

Date October 3 1984

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

Operator's Well No B-521  
API Well No 47 - 001 - 1867  
State County Permit

WELL CLASSIFICATION FORM  
NEW ONSHORE PRODUCTION WELL

NGPA Section 103

DESIGNATED AGENT W. B. Berry  
ADDRESS P. O. Box 5  
Clarksburg, WV 26301

WELL OPERATOR Berry Energy Consultants & Mgr's.  
ADDRESS P. O. Box 5  
Clarksburg, WV 26301

LOCATION: Elevation 1935'  
Watershed Little Laurel Creek  
Dist. Philippi County Barbour Quad. Audra 7 1/2'

GAS PURCHASER CNG Development Corp.  
ADDRESS P. O. Box 15746  
Pittsburgh, PA 152441

Gas Purchase Contract No. \_\_\_\_\_  
Meter Chart Code \_\_\_\_\_  
Date of Contract \_\_\_\_\_

Date surface drilling was begun: December 17, 1982

Indicate the bottom hole pressure of the well and explain how this was calculated:

|      |      |       |     |                |
|------|------|-------|-----|----------------|
| PW   | G    | L     | S   | Bottom to +458 |
| 1500 | .610 | 4400' | .80 | 551            |

$$551 \times \frac{1}{1500} \times 53.35 = \frac{29391}{1500} = .000340 \times .610 \times 440 \times .80 = .073$$

$$1500 \times 2.72 \times .073 = 1500 \times 1.07 = 1605$$

AFFIDAVIT

I, W. B. Berry, having been first sworn according to law state that surface drilling of the well for which this determination is sought was begun on or after February 19, 1977, the well satisfies applicable state or federal well spacing requirements and the well is not within a proration unit, in existence at the time surface drilling began, which was applicable to the reservoir from which gas is or will be produced and which applied to any other well producing gas in commercial quantities or on which surface drilling began on or after February 19, 1977, and which was capable of producing gas in commercial quantities. I state, further, that I have concluded, to the best of my information, knowledge and belief, that the well for which this determination is sought is a new onshore production well and that I am not aware of any information not described in the application which is inconsistent with this conclusion.

STATE OF WEST VIRGINIA,  
COUNTY OF Harrison, TO WIT:

I, Mary Ann Cowger, a Notary Public in and for the state and county aforesaid, do certify that W. B. Berry, whose name is signed to the writing above, bearing date the 3rd day of October, 1984, has acknowledged the same before me, in my county aforesaid. Given under my hand and official seal this 5th day of October, 1984. My term of office expires on the 22nd day of April, 1991.

[NOTARIAL SEAL]

01



STATE OF WEST VIRGINIA  
SHALLOW GAS WELL REVIEW BOARD  
CHARLESTON 25305

BEFORE THE SHALLOW GAS WELL REVIEW BOARD  
OF THE STATE OF WEST VIRGINIA

IN THE MATTER OF THE OBJECTION OF )  
JOSEPHINE MARRARA, COAL OWNER, TO )  
THE DRILLING OF A GAS WELL BY ) CAUSE NO. 36  
BERRY ENERGY CONSULTANTS & MANAGERS, )  
INC., ON LITTLE LAUREL CREEK IN ) ORDER NO. 1  
PHILIPPI DISTRICT, BARBOUR COUNTY, )  
WEST VIRGINIA. )

REPORT OF THE BOARD

This matter was called for pre-hearing conference by the Shallow Gas Well Review Board on December 1, 1982, at 10:00 a.m. in the Capitol Conference Center Lounge, Capitol Complex, Charleston, West Virginia, on the objection of Josephine Marrara, coal owner, to the drilling of a gas well by Berry Energy Consultants & Managers, Inc., on Little Laurel Creek in Philippi District, Barbour County, West Virginia.

No one appeared at the conference on behalf of Josephine Marrara. Failure to appear is presumed to signify no desire to pursue the objection.

The Board, therefore, Orders the Administrator to issue a permit to Berry Energy Consultants & Managers, Inc., for the drilling of a well on the Opal Halbert et al Farm, Philippi District, Barbour County, West Virginia.

Dated this 1st day of December, 1982, at Charleston, West Virginia.

IN THE NAME OF THE STATE OF WEST VIRGINIA:

SHALLOW GAS WELL REVIEW BOARD  
OF THE STATE OF WEST VIRGINIA

By: Thomas E. Huzzey  
Thomas E. Huzzey, Chairman

By: Theodore M. Streit  
Theodore M. Streit, Member

By: \_\_\_\_\_  
Leonard J. Timms, Member

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

OBJECTION UNDER CODE § 22-4-3, CODE § 22-4-3a OR CODE § 22-4-3b  
TO PROPOSED PERMITTED WORK

WELL TYPE: Oil 1 / Gas \_\_\_\_\_ / Liquid Injection \_\_\_\_\_ / Waste Disposal \_\_\_\_\_ /  
(If "Gas", Production \_\_\_\_\_ / Underground storage \_\_\_\_\_ / Deep \_\_\_\_\_ / Shallow \_\_\_\_\_ /)

LOCATION: Elevation: \_\_\_\_\_ Watershed: \_\_\_\_\_  
District: \_\_\_\_\_ County: \_\_\_\_\_ Quadrangle: \_\_\_\_\_

WELL OPERATOR \_\_\_\_\_

DESIGNATED AGENT \_\_\_\_\_

Address \_\_\_\_\_

INFORMATION MEMO STATE OF WEST VIRGINIA WV-20

TO: Ms. Marrara Date: 11-12-82 Time: \_\_\_\_\_

OBJECTING COAL OPERATOR, OWNER OR LESSEE:

FROM: Luis Guipkins/Office of Oil & Gas Of: \_\_\_\_\_

Name \_\_\_\_\_

TELEPHONE Number: \_\_\_\_\_ Received By: \_\_\_\_\_

Address \_\_\_\_\_

- PLEASE CALL
- WILL CALL AGAIN
- RETURNING YOUR CALL
- CALLED TO SEE YOU

APPOINTMENT With: \_\_\_\_\_ Time: \_\_\_\_\_

Lessee of coal at the above well location under dated \_\_\_\_\_, 19\_\_\_\_, to the under-

- PLEASE:
- COMMENT
  - NOTE
  - SEE ME
  - INVESTIGATE
  - TAKE NECESSARY ACTION
  - EXPLAIN
  - APPROVE
  - SIGN
  - REVISE
  - PREPARE REPLY FOR MY SIGNATURE
  - REPLY DIRECTLY
  - ROUTE TO: \_\_\_\_\_

REMARKS/MESSAGES:

*Re: Objections to Berry Energy Proposed Well # B-521*

*This form must be completed & returned to this office*

orded: ]

of the Clerk of the County Commission of \_\_\_\_\_ at page \_\_\_\_\_.

otherwise been informed of:

application (Form IV-2), dated \_\_\_\_\_, 19\_\_\_\_.

Waste Disposal Well Permit Application (Form IV-3),

11\_\_\_\_ / Convert\_\_\_\_ / Fracture or stimulate\_\_\_\_ /

osed permitted work on the grounds specified below:

detail, using the reverse

Indicate in detail the

eliminate each objection.)

- AND:
- FILE
  - RETURN

Name of Coal Operator, Owner or Lessee \_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

Kingwood, W.Va. 26537  
November 8, 1982

RECEIVED

NOV 10 1982

W. VA. OIL & GAS  
CONSERVATION COMMISSION

Berry Energy Consultants & Managers, Inc.  
Union National Bank Building  
P. O. Box 5  
Clarksburg, W.Va. 26301

Attention Mr. W.B. Berry

Subject: Well B-521  
Phillippi District  
Barbour County

Dear Sir,

We are hereby strongly protesting the drilling of subject gas well for the following reasons:

1. Errors and /or illegible information on the application provided by the operator to us. Coal ownership not shown correctly on the application.
2. Apparently the well will penetrate three coal seams.
3. There are numerous other wells in the vicinity producing very little if any, gas.
4. Each well requires the protection of from one to six and four-tenths acres of coal which cannot be mined, resulting in a waste of coal resources, as well as a tremendous hazard in mining surrounding coal.
5. No effort has been made to compensate us for this loss in coal or damages resulting in additional mining costs.

Yours truly,

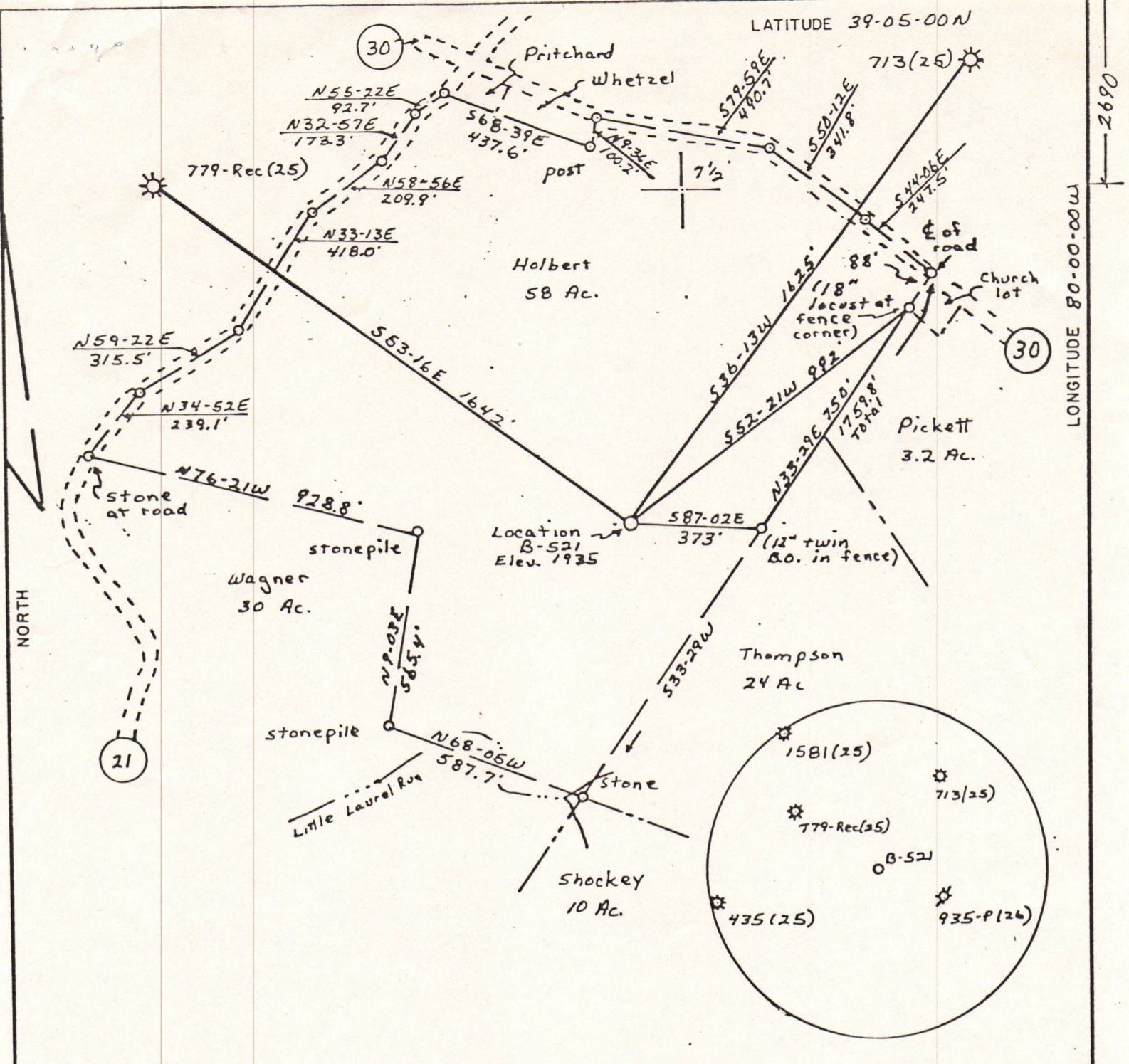
DOMENICK MARRARA SR HEIRS

BY *Angeline Marrara*

Copy to Robert Stewart , Oil & Gas Inspector  
W.Va. Oil & Gas Conservation Commission

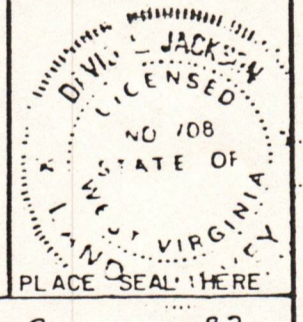
Phone 304-329-1191  
304-329-1121  
304-329-1677





FILE NO. \_\_\_\_\_  
 DRAWING NO. \_\_\_\_\_  
 SCALE 1" = 400'  
 MINIMUM DEGREE OF ACCURACY 1 in 200  
 PROVEN SOURCE OF ELEVATION Road intersection 1350' NW of location: El. 2020

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 DEPARTMENT OF MINES.  
 (SIGNED) David L Jackson  
 R.P.E. \_\_\_\_\_ L.L.S. 708



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS  
 FORM IV-6 (8-78)



Department of Mines  
 Oil & Gas Division

DATE August 2, 1982  
 OPERATOR'S WELL NO. B-521  
 API WELL NO. 47  
 STATE COUNTY PERMIT

WELL TYPE: OIL \_\_\_ GAS X LIQUID INJECTION \_\_\_ WASTE DISPOSAL \_\_\_  
 (IF "GAS", PRODUCTION X STORAGE \_\_\_ DEEP \_\_\_ SHALLOW X)  
 LOCATION: ELEVATION 1935 WATER SHED Little Laurel Creek  
 DISTRICT Philippi COUNTY Barbour  
 QUADRANGLE Audra 7 1/2 min  
 SURFACE OWNER Elza Holbert heirs ACREAGE 58  
 OIL & GAS ROYALTY OWNER Opal Holbert et al LEASE ACREAGE 68  
 LEASE NO. 2354  
 PROPOSED WORK: DRILL X CONVERT \_\_\_ DRILL DEEPER \_\_\_ REDRILL \_\_\_ FRACTURE OR STIMULATE \_\_\_ PLUG OFF OLD FORMATION \_\_\_ PERFORATE NEW FORMATION \_\_\_ OTHER PHYSICAL CHANGE IN WELL (SPECIFY) \_\_\_\_\_

PLUG AND ABANDON \_\_\_ CLEAN OUT AND REPLUG \_\_\_  
 TARGET FORMATION Haverty ESTIMATED DEPTH 5400  
 WELL OPERATOR BERRY ENERGY CONSULTANTS, INC DESIGNATED AGENT Berry Energy Consultants & Mark, Inc  
 ADDRESS P.O. Box 5, 11th Fl. Univ. Nat. Bldg. Bldg. 4th Floor, Union National Bank Bldg  
CLARKSBURG, WV 26301 P.O. Box 5, Clarksburg, WV 26301