

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

AFFIDAVIT OF PLUGGING AND FILLING WELL

AFFIDAVIT SHOULD BE IN TRIPLICATE, one copy mailed to the Department, one copy to be retained by the Well Operator and the third copy (and extra copies if required) should be mailed to each coal operator at their respective addresses.

Farm name: Boone East Development Operator Well No.: NREC - #46

LOCATION: Elevation: 1698.19' Quadrangle: Wharton  
District: Crook County: Boone  
WV. S. P. South N: 345,888.76 E: 1,785,857.41  
N.A.D. 27

Well Type: OIL  GAS

Company: New River Energy Corporation Coal Operator Independence Coal Co.  
315 70<sup>th</sup> Street or Owner HC 78 Box 1800  
Charleston, WV. 25304 Madison, WV. 35130

Agent: Timothy E. Comer Coal Operator Endurance Coal Co.  
or Owner HC 78 Box 497  
Madison, WV. 25130

Permit Issued Date: \_\_\_\_\_

AFFIDAVIT

STATE OF WEST VIRGINIA,  
County of Boone ss:

Tony Roberts and Timothy Comer being first duly sworn according to law depose and say that they are experienced in the work of plugging and filling oil and gas wells and were employed by the above named well operator, and participated in the work of plugging and filling the above well say that said work was commenced on the 24th day of July, 2008, and the well was plugged and filled in the following manner:

TYPE	FROM	TO	PIPE REMOVED	LEFT
RFC cement	180 (53 sks)	105	N/A (open hole)	
Class A	105 (108 sks)	0 (surface)		

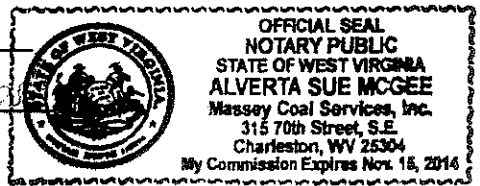
Description of monument: (see note below) and that the work of plugging and filling said well was completed on the 28th day of July, 2008.

And further deponents saith not.

Tony Roberts  
Tony Roberts

Sworn and subscribe before me this 20th day of August, 2008

My commission expires: November 15, 2014  
Alveta Sue McGee  
Notary Public



Affidavit reviewed by the Office of Oil and Gas: Bruce Stillings  
Title: inspector

NOTE: Monument to be erected upon completion of adjacent well (#46-A) API #047-005-02308