



west virginia department of environmental protection

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

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

Friday, January 6, 2023
WELL WORK PLUGGING PERMIT
Vertical Plugging

DIVERSIFIED PRODUCTION LLC
101 MCQUISTON DRIVE

JACKSON CENTER, PA 16133

Re: Permit approval for 3
47-043-00723-00-00

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: 3
Farm Name: SWEETLAND, L. R., ETAL
U.S. WELL NUMBER: 47-043-00723-00-00
Vertical Plugging
Date Issued: 1/6/2023

Promoting a healthy environment.

01/06/2023

PERMIT CONDITIONS 47.04300723

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

CONDITIONS

1. All pits must be lined with a minimum of 20 mil thickness synthetic liner.
2. In the event of an accident or explosion causing loss of life or serious personal injury in or about the well or while working on the well, the well operator or its contractor shall give notice, stating the particulars of the accident or explosion, to the oil and gas inspector and the Chief within twenty-four (24) hours.
3. Well work activities shall not constitute a hazard to the safety of persons.



Brewer, Charles T <charles.t.brewer@wv.gov>

47-043-01960 and 47-043-00723 Plugging Permit Comments

1 message

47 0 4 3 0 0 7 2 3

Brewer, Charles T <charles.t.brewer@wv.gov>
To: James P Kennedy <james.p.kennedy@wv.gov>

Fri, Jan 6, 2023 at 10:19 AM

Mr. Czermer,

The Office of Oil and Gas (OOG) has completed its review of the above referenced plugging permit applications submitted by Diversified Production, LLC. OOG reviewed these applications to ensure compliance with all applicable requirements of Article 6, Chapter 22 of the West Virginia Code and Legislative Rule Title 35, Series 4. Furthermore, comment responses are listed below.

1. That all Federal and WV requirements are met during the plugging of the identified wells and that such laws, rules, regulations, procedures and processes applicable to the plugged wells apply equally to the other well sites located on this property. **As stated above, the plugging permit applications have been reviewed and meet all requirements set forth in Article 6, Chapter 22 of the West Virginia Code and Legislative Rule Title 35, Series 4. Potential issues regarding other wells that may be on the property will be addressed as necessary and specific to those situations. If you have a specific concern, please forward that to our office.**
2. That all gathering pipes and associated equipment are removed from the property and the terrain be returned to its normal state. **All associated equipment will be removed from the surface location of the site. Buried lines may be left in place, but will be purged and capped.**
3. That all access roads provided to access the active wells be maintained to ensure safe passage without damaging other property elements. **All access roads to active wells will be required to be maintained, as they are not impacted by this proposed work.**
4. That she be notified of the completion of the plugging operations and any damage resultant thereof. **OOG will suggest that the operator contact you following the completion of this activity.**

After considering these comments, the OOG has determined that the applications meet the requirements set forth in the above statute and legislative rule. Consequently, the OOG is issuing the permits.

If you have any questions or concerns, please feel free to contact me.

Thanks,

--

Taylor Brewer, B.S., M.S.

Assistant Chief - Permitting

WVDEP Office of Oil and Gas

601 57th Street, SE

Charleston, WV 25304

304-926-0499 ext. 41108

01/06/2023

4704300723

WW-4B
Rev. 2/01

1) Date September 26, 2022
2) Operator's
Well No. Well 3 (809744)
3) API Well No. 47-043 - 00723

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 X or Underground storage) Deep / Shallow X

5) Location: Elevation 980.41 ft Watershed Sycamore Fork of Left Fork of Mud River
District Jefferson County Lincoln Quadrangle Madison NW

6) Well Operator Diversified Production LLC 7) Designated Agent Austin Sutler
Address 414 Summers Street Address P.O. Box 381087
Charleston, WV 25301 Birmingham, AL 35238

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Birmingham, AL 35238
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8) Oil and Gas Inspector to be notified
Name Terry Urban
Address P.O. Box 1207
Clendenin, WV 25045

9) Plugging Contractor
Name Next LVL Energy
Address 1951 Pleasantview Ridge Road
Ravenswood, WV 26164

WV Department of
Environmental Protection
Confidential

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

See Attached

SEE PROG PAGE

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

Work order approved by inspector *Amy W. Miller* Date 10-3-22

01/06/2023

Plugging Prognosis

API #: 4704300723

West Virginia, Lincoln Co.

Lat/Long: 38.16318, -81.95709

Nearest ER: CAMC Memorial Hospital 3200 MacCorkle Ave SE, Charleston, WV 25304

Casing Schedule:

10" @ 20'

8-5/8" @ 255' (cement info unknown)

7" @ 1683' (cement info unknown)

No tbg listed

TD @ 3710'

Completion: Perfs @ 2980'-3710'; 2350'-2370'

Fresh Water: 122'; 310'

Salt Water: 942'; 980'

Gas Shows: 2351'; 3050'; 3350'; 3420'

Oil Shows: None

Coal: 122'-128'

Elevation: 970'

*Well Shot will Try to pull free pipe**Operate to cover with Cement all Oil & Gas Bearing Formation including Salt, Elevation Coal & Fresh water**Aug 10 10:32 AM*

1. Notify Inspector Terry Urban @ 304-549-5915, 48 hrs prior to commencing operations.
2. Check and record pressures on csg/tbg.
3. Check TD w/ wireline and run CBL to check TOC.
4. Run in to depth @ 3710'. Kill well as needed with 6% bentonite gel and fill rat hole. Pump at least 10 bbls gel. Pump 830' C1A/Class L cement plug from **3710' to 2880' (perforations and gas shows plug)**. Tag TOC. Top off as needed.
5. TOOH w/ tbg to 2880'. Pump 6% bentonite gel from 2880' to 2370'.
6. TOOH w/ tbg to 2370'. Pump 120' C1A/Class L cement plug from **2370' to 2250' (perforations and gas shows plug)**.
7. TOOH w/ tbg to 2250'. Pump 6% bentonite gel from 2250' to 1733'.
8. TOOH w/ tbg to 1733'. Pump 100' C1A/Class L cement plug from **1733' to 1633' (7" csg shoe plug)**.
9. TOOH w/ tbg to 1633'. Pump 6% bentonite gel from 1633' to 980'.
10. Run wireline CBL to check 7" TOC. Free point 7" csg. Cut and TOOH. Set 100' C1A/Class L cement plug across csg cut. 50' in/out of cut. **Do not omit any plugs listed below. Perforate as needed.**
11. TOOH w/ tbg to 980'. Pump 138' C1A/Class L cement plug from **980' to 842' (salt water and elevation plug)**.
12. TOOH w/ tbg to 842'. Pump 6% bentonite gel from 842' to 350'.
13. If needed, free point 8-5/8" csg, cut, and TOOH. Plug out from 350'. **Do not omit any plugs listed below. Perforate as needed.**
14. TIH w/ tbg to 354'. Pump 350' C1A/Class L cement plug from **350' to surface (freshwater, coal, 8-5/8" csg shoe and surface plug)**.
15. Reclaim location and well road to WV DEP specifications and erect P&A well monument.

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STATE OF WEST VIRGINIA
DEPARTMENT OF MINES
OIL AND GAS DIVISION

47-043-00723
4704300723

Madison

WELL RECORD

Permit No. LIN-723 Oil or Gas Well GAS (KIND)

Company SPARTAN GAS COMPANY
Address 518 Kan. Valley Bldg., Charleston 1

Farm L.R. Sweetland, et al. Acres _____
Location (waters) Flat Ck., Left Fk., Mud River

Well No. THREE (3) Elev. 970.04 DF
District Jefferson County Lincoln

The surface of tract is owned in fee by L.R. Sweetland, et al
Address Hamlin, W.Va.

Mineral rights are owned by Same
Address _____

Drilling commenced 11-20-46
Drilling completed 4-2-47

Date Shot 4-2-47 From 2980 To 3710 (5M/Gel) Liners Used _____
4-3-47 2350 2370 (350# Det.)

Open Flow 15/10ths Water in _____ 2 Inch _____
/10ths Merc. in _____ Inch _____

Volume 163,000 cu. ft. _____ Cu. Ft. _____

Rock Pressure 152# lbs. _____ hrs. _____

Oil _____ bbls., 1st 24 hrs. _____

Fresh water _____ feet _____ feet _____

Salt water _____ feet _____ feet _____

CASING CEMENTED _____ SIZE _____ No. Ft. _____ Date _____

COAL WAS ENCOUNTERED AT _____ FEET _____ INCHES _____

FEET _____ INCHES _____ FEET _____ INCHES _____

FEET _____ INCHES _____ FEET _____ INCHES _____

| Formation | Color | Hard or Soft | Top | Bottom | Oil, Gas or Water | Depth Found | Remarks |
|----------------------------|-------|--------------|------|--------|-------------------|-------------|-----------------|
| Surface | | | 0 | 2 | | | |
| Sand | | | 2 | 55 | | | |
| Blue Shale | | | 55 | 67 | | | |
| Sand | | | 67 | 122 | Water@ | 122' | |
| Coal | | | 122 | 128 | | | |
| Sand | | | 128 | 153 | | | |
| Slate | | | 153 | 163 | | | |
| Sand | | | 163 | 230 | | | |
| Slate | | | 230 | 300 | | | |
| Sand | | | 300 | 350 | HF@ | 310' | |
| Broken Sand | | | 350 | 450 | | | |
| Slate | | | 450 | 585 | | | |
| Lime Sandy | | | 585 | 603 | | | |
| Slate | | | 603 | 750 | | | |
| Sand | | | 750 | 780 | | | |
| Slate | | | 780 | 868 | | | |
| Salt Sand | | | 868 | 1017 | Water@ | 942' | |
| Slate | | | 1017 | 1020 | " | 980' | |
| Sand | | | 1020 | 1235 | | | |
| Slate | | | 1235 | 1295 | Hole Caving@ | 1255' | |
| Sand | | | 1295 | 1394 | | | |
| Broken Sand | | | 1394 | 1452 | | | |
| Sand | | | 1452 | 1492 | | | |
| Slate | | | 1492 | 1495 | | | |
| Maxton Sand | | | 1495 | 1552 | | | |
| Slate | | | 1552 | 1570 | | | |
| Red Rock | | | 1570 | 1578 | | | |
| Slate | | | 1578 | 1618 | | | |
| Little Lime | | | 1618 | 1654 | | | |
| Pencil Cave | | | 1654 | 1656 | | | |
| Big Lime | | | 1656 | 1667 | SLM@ | 1662' | 7" casing point |
| Break Slate | | | 1667 | 1669 | | | |
| Big Lime | | | 1669 | 1854 | | | |
| Injun Sand | | | 1854 | 1894 | | | |
| Slate & Shells | | | 1894 | 1994 | | | |
| Big Shell | | | 1994 | 2065 | | | |
| Slate | | | 2065 | 2335 | | | |
| Coffee Shale | | | 2335 | 2350 | | | |
| Sand Berea Sand | | | 2350 | 2375 | | | |



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[Handwritten signature]

01/06/2023

47-043-00723

| Formation | Color | Hard or Soft | Top | Bottom | Oil, Gas or Water | Depth Found | Remarks |
|----------------|-------|--------------|------|--------|------------------------------|-------------|---------|
| Slate & Shells | | | 2375 | 3025 | | | |
| Gray Shale | | | 3025 | 3300 | | | |
| Dark Shale | | | 3300 | 3340 | | | |
| Gray Shale | | | 3340 | 3400 | | | |
| Brown Shale | | | 3400 | 3490 | | | |
| Gray Shale | | | 3490 | 3510 | | | |
| Brown Shale | | | 3510 | 3703 | | | |
| Gray Shale | | | 3703 | 3710 | | | |
| TOTAL DEPTH | | | | 3710 | | | |
| | | | | | GAS FAYS - | 2351' | 60,000 |
| | | | | | | 3050' | |
| | | | | | | 3350' | |
| | | | | | | 3420' | |
| | | | | | Gauge before shot - | 57,000 | |
| | | | | | " 20 hours after last shot - | 163,000 | |

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Date 9 July, 1947

APPROVED SPARTAN GAS COMPANY, Owner

By *William O. Febrall*, PRESIDENT
(Title)

01/06/2023

1701300707
4704300723

WW-4A
Revised 6-07

1) Date: September 26, 2022
2) Operator's Well Number
3 (809744)

3) API Well No.: 47 - 043 - 00723

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>See Attached List</u> ✓ | Name <u>None</u> ✓ |
| Address _____ | Address _____ |
| (b) Name _____ | (b) Coal Owner(s) with Declaration |
| Address _____ | Name _____ |
| (c) Name _____ | Address _____ ✓ |
| Address _____ | Name _____ |
| Address _____ | Address _____ |
| 6) Inspector <u>Terry Urban</u> | (c) Coal Lessee with Declaration |
| Address <u>P.O. Box 1207</u> | Name <u>No Declaration</u> |
| <u>Clendenin, WV 25045</u> | Address _____ |
| Telephone <u>304-549-5915</u> | Address _____ |

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SEP 29 2022
WV Department of
Environmental Protection

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 Diversified Production, LLC
 By: Austin Suttler
 Its: Plugging Manager
 Address 414 Summers Street
Charleston, WV 25301
 Telephone 304-419-2562

Subscribed and sworn before me this 27th day of September, 2022
Phyllis A. Copley Notary Public
 My Commission Expires September 16, 2023

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.

01/06/2023

Surface Owners:

Well 3 (809744) 47-043-00723 /
Ann Allen Czerner, Trustee
3504 Kings Cross Road
Alexandria, Virginia 22303

Well 3 (809744) 47-043-00723 ✓
James A. & Sherolyn S. Rymal
18690 Highwood Preserve Parkway
Tampa, Florida 33647

Well 3 (809744) 47-043-00723 ✓
Joseph H. Rymal
18690 Highwood Preserve Parkway
Tampa, Florida 33647

Well 3 (809744) 47-043-00723 ✓
Calvert-Lee Investments
The Calvert Company
5609 N. Classen Blvd, Suite 100
Oklahoma City, OK 73118

Well 3 (809744) 47-043-00723 ✓
HKCWVA, LLC
2726 Bissonnette Street, Suite 240
Houston, Texas 77005

Coal Owners

Well 3 (809744) 47-043-00723 /
Ann Allen Czerner, Trustee
3504 Kings Cross Road
Alexandria, Virginia 22303

Well 3 (809744) 47-043-00723 /
James A. & Sherolyn S. Rymal
18690 Highwood Preserve Parkway
Tampa, Florida 33647

Well 3 (809744) 47-043-00723 /
Joseph H. Rymal
18690 Highwood Preserve Parkway
Tampa, Florida 33647

Well 3 (809744) 47-043-00723 /
Calvert-Lee Investments
The Calvert Company
5609 N. Classen Blvd, Suite 100 /
Oklahoma City, OK 73118 /

Well 3 (809744) 47-043-00723 /
HKCWVA, LLC
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Well 3 (809744) 47-043-00723
 Calvert-Lee Investments
 The Calvert Company
 5609 N. Classen Blvd, Suite 100
 Oklahoma City, OK 73118

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Well 3 (809744) 47-043-00723
 James A. & Sherolyn S. Rymal
 18690 Highwood Preserve Parkway
 Tampa, Florida 33647

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Well 3 (809744) 47-043-00723
 Ann Allen Czerner, Trustee
 3504 Kings Cross Road
 Alexandria, Virginia 22303

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Well 3 (809744) 47-043-00723
 Joseph H. Rymal
 18690 Highwood Preserve Parkway
 Tampa, Florida 33647

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Well 3 (809744) 47-043-00723
 HKCWVA, LLC
 2726 Bissonnette Street, Suite 240
 Houston, Texas 77005

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 SEP 28 2022

01/06/2023



To Whom it May Concern,

Attached is an amendment that has been submitted to Chief of the office of oil and gas of the West Virginia Department of Environmental Protection. The subject well is listed within the letter to the Chief.

Thank You.

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Street and
Joseph H. Rymal
18690 Highwood Preserve Parkway

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Street and
Calvert-Lee Investments
The Calvert Company
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City, State, ZIP+4®
Oklahoma City, OK 73118

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Street and
HKCWVA, LLC
2726 Bissonnette Street, Suite 240

City, State, ZIP+4®
Houston, Texas 77005

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Well 3 (809744) 47-043-00723
 James A. & Sherolyn S. Rymal
 18690 Highwood Preserve Parkway
 Tampa, Florida 33647

7022 2410 0001 3247 0243

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Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

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City, St

PS Form 3800, April 2013 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here
 OCT 04 2022
 HAMLIN POST OFFICE
 HAMLIN WV
 25501-USPS

Well 3 (809744) 47-043-00723
 Ann Allen Czerner, Trustee
 3504 Kings Cross Road
 Alexandria, Virginia 22303

01/06/2023



DIVERSIFIED
energy

47 0 4 3 0 0 7 2 3

10/4/2022

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

Mr. Martin,

Due to our cement provider, LaFarge Holcem, discontinuing the manufacturing of Class A cement, DGOC will be utilizing Class L cement to plug the following well:

47-043-00723 J A Halley 1

Attached is the approved variance order for use of Class L cement.

Sincerely,

Austin Sutler
Asset Retirement Manager



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.

Promoting a healthy environment.

01/06/2023

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

4704300723

WW-9
(5/16)

API No. 043 00723
Operator's Well No. Well 3 (809744)

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS
FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Diversified Production LLC OP Code 494524121

Watershed (HUC 10) Sycamore Fork of Left Fork of Mud River Quadrangle Madison NW

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: Produced fluid and cement returns

Will a synthetic liner be used in the pit? Yes No If so, what ml.? 20

Proposed Disposal Method For Treated Pit Wastes:

- Land Application (if selected provide a completed form WW-9-GPP)
- Underground Injection (UIC Permit Number _____)
- Reuse (at API Number _____)
- Off Site Disposal (Supply form WW-9 for disposal location)
- Other (Explain All fluid recovered will be hauled to a Diversified Tank Battery and disposed of properly)

Will closed loop system be used? If so, describe: _____

Drilling medium anticipated for this well (vertical and horizontal)? Air, freshwater, oil based, etc. RECEIVED
Office of Oil and Gas

-If oil based, what type? Synthetic, petroleum, etc. _____

Additives to be used in drilling medium? _____ OCT 06 2022

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. WV Department of
Environmental Protection

-If left in pit and plan to solidify what medium will be used? (cement, lime, sawdust) _____

-Landfill or offsite name/permit number? _____

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.

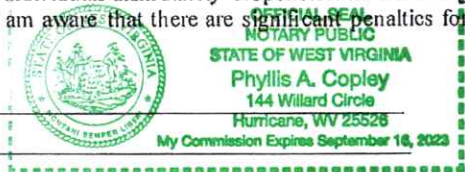
I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on April 1, 2016, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations 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 Austin Suttler

Company Official (Typed Name) Austin Suttler

Company Official Title Plugging Manager



Subscribed and sworn before me this 27th day of September, 2022

Phyllis A. Copley Notary Public

My commission expires September 16, 2023

Proposed Revegetation Treatment: Acres Disturbed 1 +/- Prevegetation pH

Lime 3 Tons/acre or to correct to pH 6.5

Fertilizer type 10-20-20 or equivalent

Fertilizer amount lbs/acre

Mulch 2 Tons/acre

Seed Mixtures

| Temporary | | Permanent | |
|------------|----------|---------------|----------|
| Seed Type | lbs/acre | Seed Type | lbs/acre |
| Red Fescue | 40 | Red Fescue | 15 |
| Alsike | 5 | Alsike Clover | 5 |
| Annual Rye | 15 | | |

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), and area in acres, of the land application area.

Photocopied section of involved 7.5' topographic sheet.

RECEIVED Office of Oil and Gas

OCT 06 2022

WV Department of Environmental Protection

Plan Approved by: [Signature]

Comments: [Blank lines for handwritten notes]

Title: Inspector McCas

Date: 10.3.22

Field Reviewed? () Yes () No

WW-7
8-30-06

4704300723



West Virginia Department of Environmental Protection
Office of Oil and Gas
WELL LOCATION FORM: GPS

API: 4704300723 WELL NO.: 3

FARM NAME: J A HALLEY 1

RESPONSIBLE PARTY NAME: Diversified Production LLC

COUNTY: Lincoln DISTRICT: Jefferson

QUADRANGLE: Madison NW

SURFACE OWNER: Ann Allen Czerner/ James A. & Sherolyn S. Rymal etal

ROYALTY OWNER: Calvert Investment/Ann Allen Czerner/JP Morgan Chase

UTM GPS NORTHING: 4224516.21

UTM GPS EASTING: 416076.02 GPS ELEVATION: 980.41

RECEIVED
Office of Oil and Gas

OCT 06 2022

The Responsible Party named above has chosen to submit GPS coordinates in lieu of preparing a new well location plat for a plugging permit or assigned API number on the above well. The Office of Oil and Gas will not accept GPS coordinates that do not meet the following requirements:

- Datum: NAD 1983, Zone: 17 North, Coordinate Units: meters, Altitude: height above mean sea level (MSL) – meters.
- Accuracy to Datum – 3.05 meters
- Data Collection Method:

Survey grade GPS _____: Post Processed Differential _____


Real-Time Differential _____

Mapping Grade GPS X: Post Processed Differential X

Real-Time Differential _____

- Letter size copy of the topography map showing the well location.**

I the undersigned, hereby certify this data 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 Office of Oil and Gas.


Digitally signed by Austin Suttler
Date: 2022.07.20 12:37:46
-04'00'
Signature

Plugging Manager
Title

7/20/2022
Date

01/06/2023



DIVERSIFIED
energy
100 Diversified Way
Pikeville KY, 41051

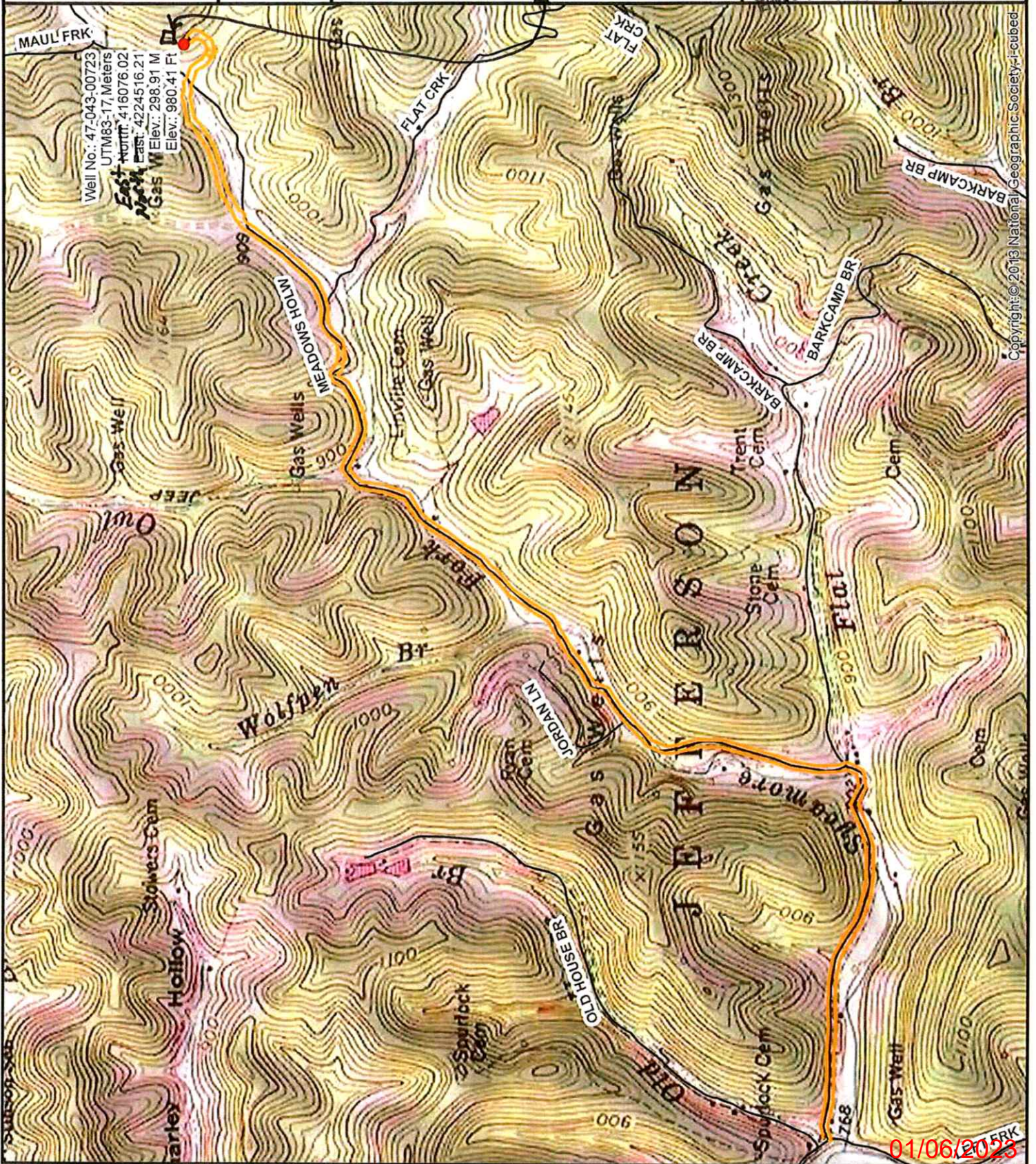
47-043-00723

Plugging Map

Legend

- Well
- Access Road
- ▨ Pits
- Pad
- Public Roads

1 Pit
10' W
20' L
8' D
285 lb



Copyright © 2013 National Geographic Society. E-cubed



Brewer, Charles T <charles.t.brewer@wv.gov>

RE: WV DEP Contact

1 message

Fred Czerner <Fred@czerners.com>
To: "Brewer, Charles T" <charles.t.brewer@wv.gov>
Cc: Ann Czerner <ann@czerners.com>

Sat, Oct 15, 2022 at 10:54 PM

Comments Received

Mr. Brewer,

My apologies for the delay. Our roofing and insulation project has taken far more of my time than I expected in my worst estimates.

First, in answer to your question, the API numbers for the wells scheduled to be plugged are:

Well number 2 (802435), API No. 47-043-01960

Well number 3 (809744), API No. 47-043-00723

As listed in the attached documentation from Diversified Production, LLC, the two wells being plugged are two of six wells on the property owned by Ms. Ann A. Czerner and four other entities.

Since the owners live in Virginia, Florida, and Oklahoma, there has been little communication between them. Consequently, Ms. Czerner is forwarding this information to you in the hope that you will be able to ensure that Diversified Production, LLC adheres to all applicable Federal and WV laws, policies, and procedures in the execution of the plugging operation. (Note: upon checking with one other owner by phone today, I learned that at least two of the owners have not received packages from Diversified. They are quite concerned.)

Ms. Czerner does not object to the planned plugging, but she would like to have the operation fully and completely executed per the laws of US code and West Virginia law and policy.

Since becoming one-quarter owner of the surface and mineral rights including six gas wells on the property, on 29 August 2004 upon the death of her mother, Mary E. Allen, 2113 Wiltshire Boulevard, Huntington, WV 25701, Ms. Czerner has repeatedly been told by previous operators – specifically Chesapeake Energy – that the wells, associated infrastructure, and the land were maintained per Federal and West Virginia mandates. Due to her location in Virginia and the remote nature of the land, Ms. Czerner has infrequently visited the property. Her husband, Fred H. Czerner, and son, Mark Czerner have visited more frequently.

Ms. Czerner's understanding from the lease and through discussions and reading is that the property around and supporting a well that is permanently plugged will be restored to its natural contour, including the removal of all gathering pipelines that served only the wells being plugged. Thus her request is that WVDEP ensure that compliance with WVDEP regulations, policies, and procedures apply to all gas wells on the property, not just the two being plugged.

The attachments to this email include all documentation Ms. Czerner has received from Diversified Production, LLC. These documents include the specific packages for each well as well as the amendment for a variance to the cementing of each well.

01/06/2023

4704300723

As noted above, there are six wells on the property. Wells two and three are the targets for the plugging operation. The specifics of the wells follow:

| Operator Number | API Long | STATUS | Location Lat Long | Location UTM | Production (MCF/Day) | Drilled |
|-----------------|------------|-----------|----------------------------------|-----------------------------------|----------------------|-----------|
| 802237 | 4704301959 | Active | Lat. 38.1607797 Lon. -81.9725795 | 0.0E, 0.0N UTM17 NAD83 | 5.3 | 26-Sep-12 |
| 802435 | 4704301960 | Active | Lat. 38.1728 Lon. -81.9685 | 0.0E, 0.0N UTM17 NAD83 | 0 | 2-Sep-26 |
| 809744 | 4704300723 | Abandoned | Lat. 38.1639238 Lon. -81.9585004 | 418173.4E, 4224328.7N UTM17 NAD83 | 0 | 20-Nov-46 |
| 823723 | 4704303037 | Abandoned | Lat. 38.17709 Lon. -81.97546 | 414624.2E, 4225927.0N UTM17 NAD83 | 9 | 21-Jul-99 |
| 823724 | 4704303038 | Active | Lat. 38.16383 Lon. -81.97877 | 415620.0E, 4224447.0N UTM17 NAD83 | 32 | 10-Jul-99 |
| 823725 | 4704303039 | Active | Lat. 38.17197 Lon. -81.97458 | 414673.0E, 4225342.1N UTM17 NAD83 | 30 | 22-Jun-89 |

Note: the three wells listed as drilled in 1999 were originally drilled in the same time period as the other three wells. I believe the 1999 dates refer to maintenance work on the wells, which may have altered them in some way, but should not constitute initial drilling dates.

In summary, Ms. Czerner requests:

1. That all Federal and WV requirements are met during the plugging of the identified wells and that such laws, rules, regulations, procedures and processes applicable to the plugged wells apply equally to the other well sites located on this property.
2. That all gathering pipes and associated equipment are removed from the property and the terrain be returned to its normal state.
3. That all access roads provided to access the active wells be maintained to ensure safe passage without damaging other property elements
4. That she be notified of the completion of the plugging operations and any damage resultant thereof.

NOTICE: Ms. Czerner is acting on her own behalf and is not representing other owners or companies involved in ownership of shares other than her 25 percent undivided interest in the affected property.

By the way, is there any detrimental significance to the fact that Diversified referred to the owners as "Coal Owners," when the product is natural gas?

Thank you for looking into this matter. Ann and I really appreciate your involvement.

I look forward to learning your analysis.

Please call or email me with questions or comments.

01/06/2023

4704300723

10/19/22, 2:52 PM

State of West Virginia Mail - RE: WV DEP Contact

Here is the link for the Drop Box attachments: <https://www.dropbox.com/t/3u55L0e8f3dkpwwv>

The documents were too large for my Xfinity account to handle. For your convenience, I did not assign a password.

Very respectfully yours,

Ann & Fred Czerner

Fred@Czerners.com or Ann@Czerners.com

M: 703-909-9001 (Fred Preferred)

M: 703-909-9002 (Ann Preferred)

H: 703-329-0098

F: 703-329-0099

NOTICE: This message is for the designated recipient only and may contain privileged or confidential information. If you have received it in error, please notify Fred Czerner immediately and delete the original. Disclosing, copying, distributing or taking any action in reliance on the contents of this e-mail by other than the designated recipient is prohibited.

From: Brewer, Charles T <charles.t.brewer@wv.gov>
Sent: Thursday, October 13, 2022 10:15 AM
To: Fred Czerner <Fred@czerners.com>
Subject: Re: WV DEP Contact

Fred,

What are the API numbers associated with the wells in question here?

Thanks,

Taylor

On Fri, Oct 7, 2022 at 9:25 AM Fred Czerner <Fred@czerners.com> wrote:

Mr. Brewer,

Sir:

01/06/2023

4704300723

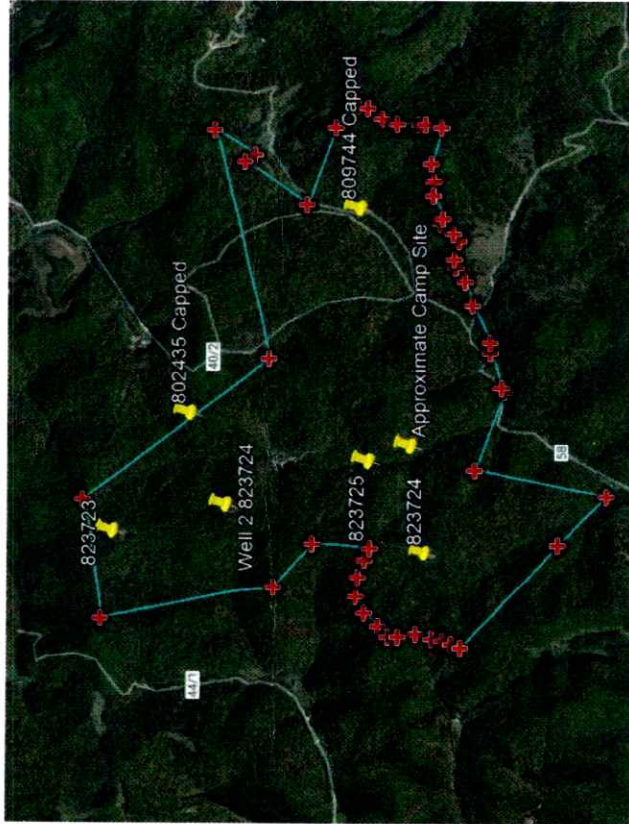
Thank you for speaking with me yesterday.

I will have the documentation we discussed in an email to you this weekend. I had already scheduled a work crew at my house today.

So, I won't be able to assemble the maps, pictures, and commentary until tomorrow.

BTW, for the record, this 827-acre property has four owners, each with approximately a 25 percent undivided share. Ann and I have not spoken with representatives from The Calvert Company, Oklahoma City, OK (holders of the residual Sweetwater assets), James Rymal, or Joseph Rymal, et al regarding this situation.

Here's a Google Earth depiction:



The wells in question are 802435 and 809744, identified as "Capped."

Parcel ID: 22-05-0008-0012-0000

Respectfully yours,

Fred Czerner

01/06/2023

4704300723

Fred@Czerners.com

M: 703-909-9001 (Preferred)

H: 703-329-0098

F: 703-329-0099

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From: Brewer, Charles T <charles.t.brewer@wv.gov>
Sent: Thursday, October 6, 2022 11:44 AM
To: fred@czerners.com
Subject: WV DEP Contact

Fred,

Good speaking with you. Please send your comments regarding the plugging application you received to me when you get a chance.

Taylor

--

Taylor Brewer, B.S., M.S.

Assistant Chief - Permitting

WVDEP Office of Oil and Gas

601 57th Street, SE

Charleston, WV 25304

304-926-0499 ext. 41108

0170672023

Taylor Brewer, B.S., M.S.

Assistant Chief - Permitting

WVDEP Office of Oil and Gas

47 0 4 3 0 0 7 2 3

10/19/22, 2:52 PM

601 57th Street, SE

Charleston, WV 25304

304-926-0499 ext. 41108

State of West Virginia Mail - RE: WV DEP Contact

4704300723

01/06/2023



Brewer, Charles T <charles.t.brewer@wv.gov>

RE: WV DEP Contact

1 message

Fred Czerner <Fred@czerners.com>
To: "Brewer, Charles T" <charles.t.brewer@wv.gov>
Cc: Ann Czerner <ann@czerners.com>

Fri, Oct 7, 2022 at 9:25 AM

Comments Received.

*4704300723
4704301960*

Mr. Brewer,

Sir:

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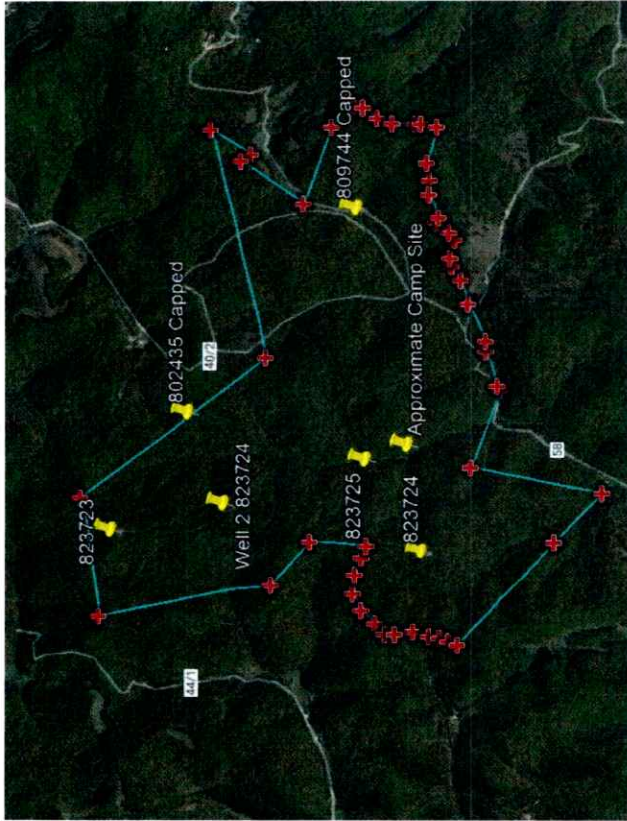
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4704300723

01/06/2023



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Parcel ID: 22-05-0008-0012-0000

Respectfully yours,

Fred Czerner

Fred@Czerners.com

M: 703-909-9001 (Preferred)

H: 703-329-0098

F: 703-329-0099

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10/06/2023

4704300723

10/13/22, 11:25 AM

State of West Virginia Mail - RE: WV DEP Contact

From: Brewer, Charles T <charles.t.brewer@wv.gov>
Sent: Thursday, October 6, 2022 11:44 AM
To: fred@czerners.com
Subject: WV DEP Contact

Fred,

Good speaking with you. Please send your comments regarding the plugging application you received to me when you get a chance.

Taylor

--

Taylor Brewer, B.S., M.S.

Assistant Chief - Permitting

WVDEP Office of Oil and Gas

601 57th Street, SE

Charleston, WV 25304

304-926-0499 ext. 41108

4704300723

01/06/2023



Brewer, Charles T <charles.t.brewer@wv.gov>

KMZ File for Google Earth Czermer Owl Creek Property

1 message

Fred Czermer <Fred@czermers.com>
To: "Brewer, Charles T" <charles.t.brewer@wv.gov>
Cc: Ann Czermer <ann@czermers.com>

Sun, Oct 9, 2022 at 9:24 AM

Mr. Brewer,

Sir:

I've attached the KMZ file for the property. This KMZ was derived from an Excel file containing the lat long points generated by the survey company. On the points that I've specifically checked, the accuracy has been within 30 feet compared to readings from a WAAS-enabled GPS receiver and the WV Property Viewer using points such as a building and road intersections that appear on both Google Earth and the WV Property Viewer.

I am still working to collect additional materials.

Parcel History

| Tax Year | Class | Owner | Owner Address | Book/Page | Legal Description | Land | Building | Total |
|----------|-------|--------------------------------|--|-----------|---|-----------|----------|-----------|
| 2022 | 3 | CO THE CALVERT COMPANY | 5609 N CLASSEN BLVD SUITE 100, OKLAHOMA CITY, OK 73118 | 0347/0232 | FEE02.0000% INT IN 1/4 OF 827 BY SURVEY (MB6,PAGE 60) | \$2,583 | \$0 | \$2,583 |
| 2022 | 3 | CO CALVERT-LEE INVESTMENTS LLC | 5609 N CLASSEN BLVD , STE 100, OKLAHOMA CITY, OK 73118 | 0347/0232 | FEE (51.2025% INT OF1/4 OF 827.20 AC FLAT CK (MB8,PAGE46) | \$65,967 | \$0 | \$65,967 |
| 2022 | 3 | RYMAL JAMES A & SHEROLYN S | 6579 WINDMILL DR, COLLEGE GROVE, TN 37046 | 0405/0381 | FEE 1/4 OF 827.20 AC FLAT CK BY SURVEY (MB8,PAGE 46) | \$128,850 | \$0 | \$128,850 |
| 2022 | 3 | CO HKCWVA, LLC | 2726 BISSONNETT ST STE 240 BOX 214, HOUSTON, TX 77005 | 0350/0294 | FEE 46.7975% INT IN 1/4 OF 827 BY SURVEY (MB6,PAGE 60) | \$60,300 | \$0 | \$60,300 |

4704300723

01/06/2023

10/13/22, 11:25 AM

State of West Virginia Mail - KMZ File for Google Earth Czermer Owl Creek Property

| | | | | | | | | |
|------|---|---------------------------|---|-----------|---|-----------|-----|-----------|
| 2022 | 3 | RYMAL JOSEPH H | 18690 HIGHWOOD PRESERVE PKWY, TAMPA, FL 33647 | 0405/0381 | FEE 1/4 OF 827.20 AC FLAT CK BY SURVEY (MB 8,PAGE 46) | \$128,850 | \$0 | \$128,850 |
| 2022 | 3 | CZERNER ANN ALLEN TRUSTEE | 3504 KINGS CROSS RD, ALEXANDRIA, VA 22303 | 0397/0492 | FEE 1/4 OF 827.20 AC FLAT CK BY SURVEY (MB8,PAGE46) | \$128,850 | \$0 | \$128,850 |

The brief history is that the two Rymal brothers "owned" 1/2 of the property through the James A. Holley trust. Ann Czermer and the Calvert Company, Oklahoma City, OK, each owned 1/2 of the remaining 1/2, e.g., 1/4 of the total.

The Calvert Company owned the residual of the Sweetwater oil, gas, and residential properties. Ann received her 1/4 through inheritance from her grandfather, Robert H. Armstrong, who initially owned the entire property at that time surveyed as 1,035 acres. Armstrong and Holley constructed a trust that included this property as well as commercial holdings in Huntington, WV. Mr. Armstrong retained a 1/4 share of the property in his personal estate, which later transferred to Ann.

Since the Rymals live in Florida, James near Orlando and Joseph in Tampa, and Calvert in OK, Ann and I are the nearest owners and are the only present-day owners who have ever visited the property.

Of note, the Calvert share recently split into three plots stemming from a settlement of an internal family squabble. As you might think, management of this property is non-existent; although Ann and I have won one lawsuit re illegal trespass, and we're trying to find an additional income source as the gas extraction volume is diminishing more rapidly based on royalty income.

All of the ownership shares are of the undivided whole.

Respectfully yours,

Fred Czermer

Fred@Czerners.com

M: 703-909-9001 (Preferred)


H: 703-329-0098

F: 703-329-0099

01/06/2023

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47 0 4 3 0 0 7 2 3

 Earth Point Excel To KML Owl Creek.kmz
3K

4704300723

01/06/2023



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

plugging permits issued 4704300723 4704301960

1 message

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

Fri, Jan 6, 2023 at 10:45 AM


To: Austin Sutler <asutler@dgoc.com>, Phyllis Copley <pcopley@dgoc.com>, Brian Warden <brian.warden@wv.gov>, guybrowning@lincolncountywv.org


To whom it may concern plugging permits have been issued for 4704300723 4704301960.


James Kennedy


WVDEP OOG

4 attachments

 **4704300723.pdf**
4375K

 **4704301960.pdf**
4247K

 **IR-8 4704301960.pdf**
120K

 **IR-8 4704300723.pdf**
120K

01/06/2023