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west virginia department of environmental protection

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

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

Monday, August 26, 2024  
WELL WORK PLUGGING PERMIT  
Vertical Plugging

DIVERSIFIED PRODUCTION LLC  
101 MCQUISTON DRIVE

JACKSON CENTER, PA 16133

Re: Permit approval for 5568  
47-061-01480-00-00

This well work permit is evidence of permission granted to perform the specified well work at the location described on the attached pages and located on the attached plat, subject to the provisions of Chapter 22 of the West Virginia Code of 1931, as amended, and all rules and regulations promulgated thereunder, and to any additional specific conditions and provisions outlined in the pages attached hereto. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations, and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Spills or emergency discharges must be promptly reported by the operator to 1-800-642-3074 and to the Oil and Gas Inspector.

Upon completion of the plugging well work, the above named operator will reclaim the site according to the provisions of WV Code 22-6-30. Please be advised that form WR-38, Affidavit of Plugging and Filling Well, is to be submitted to this office within 90 days of completion of permitted well work, as should form WR-34 Discharge Monitoring Report within 30 days of discharge of pits, if applicable. Failure to abide by all statutory and regulatory provisions governing all duties and operations hereunder may result in suspension or revocation of this permit and, in addition, may result in civil and/or criminal penalties being imposed upon the operators.

Per 35 CSR 4-5.2.g this permit will expire in two (2) years from the issue date unless permitted well work is commenced. If there are any questions, please feel free to contact me at (304) 926- 0450.

James A. Martin  
Chief

Operator's Well Number:  
Farm Name: LEEGAN, BRENT W.  
U.S. WELL NUMBER: 47-061-01480-00-00  
Vertical Plugging  
Date Issued: 8/26/2024

## **PERMIT CONDITIONS**

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

### **CONDITIONS**

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1. All pits must be lined with a minimum of 20 mil thickness synthetic liner.
2. In the event of an accident or explosion causing loss of life or serious personal injury in or about the well or while working on the well, the well operator or its contractor shall give notice, stating the particulars of the accident or explosion, to the oil and gas inspector and the Chief within twenty-four (24) hours.
3. Well work activities shall not constitute a hazard to the safety of persons.
4. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing.

1) Date June 13, 2024  
2) Operator's  
Well No. 5568  
3) API Well No. 47-081-01480

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  / Liquid injection  / Waste disposal  /  
(If "Gas, Production  or Underground storage  ) Deep  / Shallow

5) Location: Elevation 1459.11' Watershed Honey Run  
District Satelle County Monongalia Quadrangle Wadestown 7.5'

6) Well Operator Diversified Production, LLC 7) Designated Agent Chris Veazey  
Address 414 Summers Street Address 414 Summers Street  
Charleston, WV 25301 Charleston, WV 25301

8) Oil and Gas Inspector to be notified Name Gayne Knitowski  
Address 21 Enegy Way  
Gormanian, WV 26720  
9) Plugging Contractor Name Next LVL Energy (Diversified Owned)  
Address 104 Helliport Loop Rd  
Bridgeport, WV 25330

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

**See Attached**

RECEIVED  
Office Of Oil and Gas  
JUN 21 2024  
WV Department of  
Environmental Protection

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

Work order approved by inspector Gayne Knitowski, Inspector Date 6-17-2024  
Digitally signed by Gayne Knitowski, Inspector  
Date: 2024.06.17 08:29:25 -0400

08/30/2024

## Plugging Prognosis

API #: 47-061-01480

West Virginia, Monongalia County

Lat/Long – 39.686083, -80.309857

Nearest ER: WHS Greene Emergency Room – 350 Bonar Ave, Waynesburg, PA 15370

## Casing Schedule

13-3/4" (Assuming it's 13-3/8") @ 30' (Sanded In)

9-5/8" @ 1191' (Cemented w/ 500 sks)(CTS Mine string 50 sk balance plug, grout backside, basket @ 1063')

7", 17ppf @ 2211' (Cemented w/ 325 sks "coal broke down")(Grouted back to surface w/ 300 sks)

4-1/2", 11.6ppf @ 3730' (Cemented w/ 165 sks) – ETOC @ 1792' – Assuming 6-1/4" O.H. & 1.28 Yield TD @ 3773'

Completion: 24 Perfs 3471'-3535' – Bayard & 5<sup>th</sup> Sand

22 Perfs 3368'-3378' – 4<sup>th</sup> Sand

20 Perfs 3117'-3159' – 50 Foot

Fresh Water: 130'

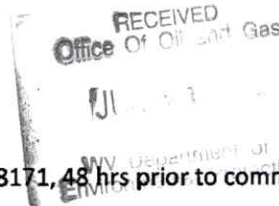
Salt Water: None Listed

Gas Shows: None Listed

Oil Shows: None Listed

Coal: 1961'-1965'

Elevation: 1468'



1. Notify Inspector Gayne Knitowski @ 304-546-8171, 48 hrs prior to commencing operations.
2. Check and record pressures on csg/tbg.
3. Verify is 9-5/8" & 7" csg have CTS.
4. Check TD w/ sandline/tbg.
5. Pump Gel between each plug.
6. Run in to 3763'. Kill well as needed with 6% bentonite gel and fill rat hole with gel. Pump at least 10 bbls gel. <sup>714'</sup>
7. TOOH w/ tbg to 3555'. Pump ~~495'~~ <sup>714'</sup> Class L cement plug from ~~3555'~~ <sup>714'</sup> to 3059' (Completion Plug – Bayard, 5<sup>th</sup> Sand, 4<sup>th</sup> Sand & 50 Foot). Tag TOC. Top off as needed. Do not omit any plugs listed below. Perforate as needed. <sup>TD 3773' OK</sup>
8. Free point 4-1/2" csg. Compare free point to where Elevation 7" Shoe (if not cemented over) & Coal Plugs need to be set in following steps. Cut and TOOH. Set 100' Class L cement plug across csg cut. 50' in/out of cut. TOOH w/ tbg to top of plug. Do not omit any plugs listed below. Perforate as needed.
9. TOOH w/ tbg to 2015'. Pump 104' Expanding Class L cement plug from 2015' to 1911' (Coal Plug). Tag TOC. Top off as needed. Do not omit any plugs listed below. Perforate as needed.
10. TOOH w/ tbg to 1518'. Pump 100' Class L cement plug from 1518' to 1418' (Elevation Plug). Tag TOC. Top off as needed. Do not omit any plugs listed below. Perforate as

Gayne  
Knitowski,  
Inspector

Digitally signed by  
Gayne Knitowski,  
Inspector  
Date: 2024.06.17  
09:27:05 -04'00'

08/30/2024

**needed. If operationally feasible can combine with the 4-1/2" csg cut plug, 7" Shoe, Elevation & Coal Plug. If combined whole plug needs to be Expanding Class L cement.**

11. TOOH w/ tbg to 180'. Pump 180' Class L cement plug from 180' to Surface (Fresh Water & Surface Plug.) Tag TOC. Top off as needed. **Perforate as needed.**
12. Reclaim location and well road to WV DEP specifications and erect P&A well monument.

Digitally signed by Gayne Knitowski, Inspector  
Date: 2024.06.17 09:27:37 -04'00'

Gayne Knitowski,  
Inspector

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Office Of Surface Gas  
JUN 17 2024  
WV Department of Environmental Protection

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WR-35  
Rev (5-01)

DATE: 01/06/2004  
API #: 47 ~~061~~ 01480  
061-01480

State of West Virginia  
Department of Environmental Protection  
Office of Oil and Gas

*MP*

Well Operator's Report of Well Work

Farm name: Leegan, Brent W. Operator Well No.: 5568

LOCATION: Elevation: 1468' Quadrangle: Wadestown 7.5

District: Battelle County: Monongalia  
Latitude: 8,150 Feet South of 39 Deg. 42 Min. 30 Sec.  
Longitude 5,200 Feet West of 80 Deg. 17 Min. 30 Sec.

Company: Dominion Exploration & Production, Inc

	Casing & Tubing	Used in drilling	Left in well	Cement fill up Cu. Ft.
Address: P O Box 1248 Jane Lew, WV 26378				
Agent: Rodney J. Biggs				
Inspector: Terry Urban				
Date Permit Issued: 09/10/2003				
Date Well Work Commenced: 10/31/2003	13 3/4"	30'	30'	Sand In
Date Well Work Completed: 11/14/2003				
Verbal Plugging N/A	9 5/8"	1191'	1191'	500 sks
Date Permission granted on: N/A				
Rotary X Cable Rlg	7"	2211'	2211'	625 sks
Total Depth (feet): 3773'				
Fresh Water Depth (ft.): 130'	4 1/2"	3730'	3730'	165 sks
Salt Water Depth (ft.): N/A				
Is coal being mined in area (N/Y)? Y				
Coal Depths (ft.): 1961'				

OPEN FLOW DATA

Producing formation Bayard/5<sup>th</sup> Sand Pay zone depth (ft) 3471-3535  
4<sup>th</sup> Sand 3368-3378'  
 Gas: Initial open flow 50' MCF/d Oil: Initial open flow 0 Bbl/d 3117-3159'  
 Final open flow 133 MCF/d Final open flow 0 Bbl/d  
 Time of open flow between initial and final tests 12 Hours  
 Static rock Pressure 525 psig (surface pressure) after 12 Hours

\*Commingled

Second producing formation \_\_\_\_\_ Pay zone depth (ft) \_\_\_\_\_  
 Gas: Initial open flow \_\_\_\_\_ MCF/d Oil: Initial open flow \_\_\_\_\_ Bbl/d  
 Final open flow \_\_\_\_\_ MCF/d Final open flow \_\_\_\_\_ Bbl/d  
 Time of open flow between initial and final tests \_\_\_\_\_ Hours  
 Static rock Pressure \_\_\_\_\_ psig (surface pressure) after \_\_\_\_\_ Hours

NOTE: ON BACK OF THIS FORM PUT THE FOLLOWING: 1). DETAILS OF PERFORATED INTERVALS, FRACTURING OR STIMULATING, PHYSICAL CHANGE, ETC. 2). THE WELL LOG WHICH IS A SYSTEMATIC DETAILED GEOLOGICAL RECORD OF ALL FORMATIONS, INCLUDING COAL ENCOUNTERED BY THE WELLBORE.

Signed: *Rod Biggs*  
By: Rodney J. Biggs  
Date: 1/8/03

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WV Department of Environmental Protection

*NR*  
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**WELL 5568**

**11/14/2003** PERFED AND FRACED AS FOLLOWS:

BAYARD/5TH SAND, 3471 - 3535', 24 HOLES, BD 2919#, AVG RATE 20 BPM, AVG PRESS 3064#, 385 BBLS, TOT SAND

25,200#, ISIP 2650#

4TH SAND, 3368 - 3378', 22 HOLES, BD 3067#, AVG RATE 20 BPM, AVG PRESS 3010#, 290 BBLS, TOT SAND 15,200#

ISIP 2510#

50', 3117 - 3159', 20 HOLES, BD 4700#, AVG RATE 15 BPM, AVG PRESS 3425#, 295 BBLS, TOT SAND 15,000#,

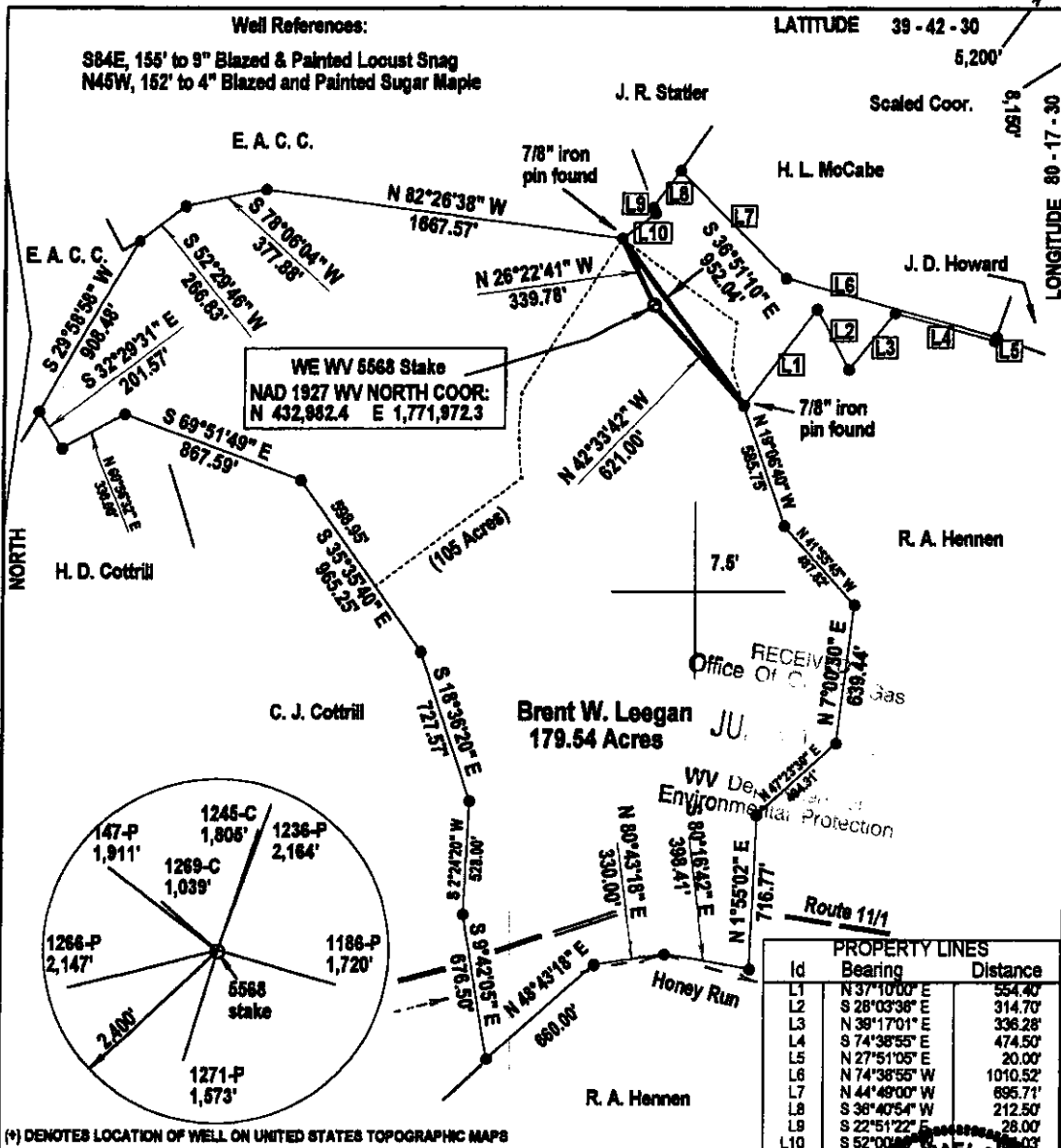
ISIP 3010#

Clay	0	10
Sand & Shale	10	285
Sand	285	290
Sand & Shale	290	842
RR & Shale	842	854
Sand & Shale	854	1392
RR & Shale	1392	1757
Sand	1757	1854
Sand & Shale	1854	1961
Coal	1961	1965
Sand & Shale	1965	2015
RR & Shale	2015	2022
Sand & Shale	2022	2414

**FORMATION TOPS**

Big Lime	2417	2480
Keener	2486	2532
Greenbrier Injun	2547	2603
Pocono Injun	2611	2687
50 Foot Sand	3109	3160
30 Foot Sand	3220	3267
4 <sup>th</sup> Sand	3359	3381
5 <sup>th</sup> Sand	3459	3501
Bayard	3531	3537
Lower Byard	3573	3581
LTD		3766'

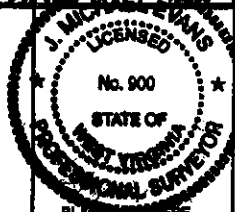
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FILE NUMBER: \_\_\_\_\_  
 DRAWING NUMBER: \_\_\_\_\_  
 SCALE: 1" = 660 feet  
 MINIMUM DEGREE OF ACCURACY: 1 in 2500  
 PROVEN SOURCE OF ELEVATION: GPS Survey

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 ENERGY.

(SIGNED) *J. Michael Evans*  
 J. Michael Evans, PS 900



STATE OF WEST VIRGINIA  
 DIVISION OF ENVIRONMENTAL PROTECTION  
 OFFICE OF OIL AND GAS  
 #10 McJUNKIN ROAD  
 NITRO, WV 26143-2506  
 FORM WW-6

LAND SURVEYING SERVICES  
 21 CEDAR LANE, BRIDGEPORT, WV 26330  
 PHONE: 304-842-2018 OR 842-5782

DATE: August 12, 2003  
 OPERATORS WELL NO.: 5568  
 API WELL NO. \_\_\_\_\_

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

LOCATION: ELEVATION 1468' WATERSHED Honey Run  
 DISTRICT Battelle COUNTY Monongalia

QUADRANGLE Wadestown 7.5' LEASE NUMBER \_\_\_\_\_

SURFACE OWNER Brent W. Leegan ACREAGE 179.54  
 OIL & GAS ROYALTY OWNER Brent W. Leegan LEASE ACREAGE 179.54

PROPOSED WORK: DRILL  CONVERT \_\_\_ DRILL DEEPER \_\_\_ REDRILL \_\_\_ FRACTURE OR STIMULATE \_\_\_ PLUG OFF OLD FORMATION \_\_\_  
 PERFORATE NEW FORMATION \_\_\_ OTHER PHYSICAL CHANGE (SPECIFY) \_\_\_\_\_

TARGET FORMATION Bayard ESTIMATED DEPTH 3750'

WELL OPERATOR Dominion Exploration & Production, Inc. DESIGNATED AGENT Rodney J. Biggs  
 ADDRESS P. O. Box 1248, Jane Lew, WV 26378 ADDRESS P. O. Box 1248, Jane Lew, WV 26378

08/30/2024



1) Date: 6/13/2024  
2) Operator's Well Number 5568  
3) API Well No.: 47 - 061 - 01480

**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>Brent W. Legan</u>	Name <u>Phoenix Federal No. 2 Mining, LLC</u>
Address <u>195 Honey Run Rd.</u>	Address <u>863 Quail Valley Dr.</u>
<u>Fairview, WV 26570</u>	<u>Princeton, WV 24740</u>
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>Phoenix Energy Resources, LLC</u>
	Address <u>863 Quail Valley Dr.</u>
	<u>Princeton, WV 24740</u>
(c) Name _____	Name _____
Address _____	Address _____
6) Inspector <u>Gayne Knitowski</u>	(c) Coal Lessee with Declaration
Address <u>21 Eneyg Way</u>	Name _____
<u>Gormanian, WV 26720</u>	Address _____
Telephone <u>(304) 546-8171</u>	

Office Of Oil And Gas  
JUN 21 2024  
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: Chris Veazey  
 Its: Director of Administration  
 Address 414 Summers Street  
Charleston, WV 25301  
 Telephone 304-590-7707

Subscribed and sworn before me this 13 day of June, 2024  
Jeffrey Bush Notary Public  
My Commission Expires September 28, 2028

**Oil and Gas Privacy Notice**

The Office of Oil and Gas processes your personal information, such as name, address and phone number, as a part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact DEP's Chief Privacy Officer at [depprivacyoffier@wv.gov](mailto:depprivacyoffier@wv.gov).

08/30/2024

Diversified Gas & Oil Corporation  
Permitting Department  
414 SUMMERS STREET  
2ND. FLOOR  
CHARLESTON WV 25301

Office of Oil and Gas  
Department of Environmental Protection

USPS CERTIFIED MAIL™



9407 1362 0855 1262 1868 37



BRENT W LEGAN  
195 HONEY RUN RD  
FAIRVIEW WV 26570-6045

US POSTAGE AND FEES PAID  
2024-06-13  
25301  
C4000004  
Retail  
4.0 OZ/FLAT



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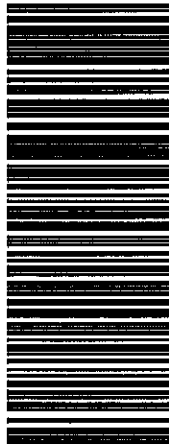


08/30/2024

Diversified Gas & Oil Corporation  
Permitting Department  
414 SUMMERS STREET  
2ND. FLOOR  
CHARLESTON WV 25301

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PHOENIX ENERGY RESOURCES LLC  
863 QUAIL VALLEY DR  
PRINCETON WV 24740-4162

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C4000004  
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0901000010726



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Diversified Gas & Oil Corporation  
Permitting Department  
414 SUMMERS STREET  
2ND FLOOR  
CHARLESTON WV 25301

**USPS CERTIFIED MAIL™**



9407 1362 0855 1262 2168 55



PHOENIX FEDERAL MINING LLC  
863 QUAIL VALLEY DR  
PRINCETON WV 24740-4162

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U.S. DEPARTMENT OF  
Environmental Protection

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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) Honey Run Quadrangle Wadestown 7.5'

Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes  No   
Will a pit be used? Yes  No

If so, please describe anticipated pit waste: Production 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 2D03902327 002 )
- Reuse (at API Number \_\_\_\_\_)
- Off Site Disposal (Supply form WW-9 for disposal location)
- Other (Explain \_\_\_\_\_)

Will closed loop system be used? If so, describe: N/A

Drilling medium anticipated for this well (vertical and horizontal)? Air, freshwater, oil based, etc. N/A

-If oil based, what type? Synthetic, petroleum, etc. N/A

Additives to be used in drilling medium? N/A

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. N/A

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

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

Permittee shall provide written notice to the Office of Oil and Gas of any load of drill cuttings or associated waste rejected at any West Virginia solid waste facility. The notice shall be provided within 24 hours of rejection and the permittee shall also disclose where it was properly disposed.

RECEIVED  
Office Of Oil and Gas

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 [Signature]  
Company Official (Typed Name) Chris Veazey  
Company Official Title Director of Administration



Subscribed and sworn before me this 13 day of June, 2024

[Signature] Notary Public

My commission expires September 28, 2028

Proposed Revegetation Treatment: Acres Disturbed +/- 1 ac. Prevegetation pH N/A

Lime 3 Tons/acre or to correct to pH 6.5

Fertilizer type 10-20-20 or Equivalent

Fertilizer amount 500 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, D) of the pit, and dimensions (L, W), and area in acres, of the land application area.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Gayne Knitowski, Inspector Digitally signed by Gayne Knitowski, Inspector  
Date: 2024.06.17 09:28:39  
+0500

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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JUN 21 2024

WV Department of  
Environmental Protection

Title: Inspector Date: 6-17-2024

Field Reviewed? (  ) Yes (  ) No



**DIVERSIFIED**  
energy

Date: 6/13/2024

James Martin  
Office of Oil and Gas  
601 57<sup>th</sup> 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:

API Number 4706101480 Well Name 5568

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

Sincerely,

Diversified Energy Permitting Department

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JUN 21 2024  
WV Department of  
Environmental Protection



west virginia department of environmental protection

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

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

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

**IN THE MATTER OF A VARIANCE FROM )  
LEGISLATIVE RULE 35CSR4 ) ORDER NO. 2022-13  
SECTION 14.1. AND LEGISLATIVE RULE )  
35CSR8 SECTION 20.1, )  
RELATING TO THE CEMENTING )  
OF OIL AND GAS WELLS )**

**REPORT OF THE OFFICE**

In response to industry requests, the West Virginia Department of Environmental Protection, Office of Oil and Gas has reviewed the proposed use of American Petroleum Institute (API) Class L cement to be used in place of API Class A cement for well plugging.

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Office of Oil and Gas  
AUG 27 2024  
WV Department of  
Environmental Protection

**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.

08/30/2024



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

### CONCLUSIONS OF LAW

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

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

### ORDER

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

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

IN THE NAME OF THE STATE OF WEST VIRGINIA

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



James Martin, Chief  
Office of Oil and Gas

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JUN 21 2024

WV Department of  
Environmental Protection

08/30/2024



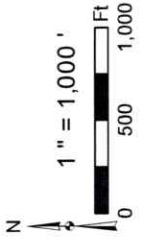
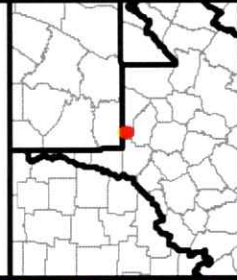
Diversified Gas & Oil Corporation  
 100 Diversified Way  
 Pikeville KY, 41051

47-061-01480

Plugging Map

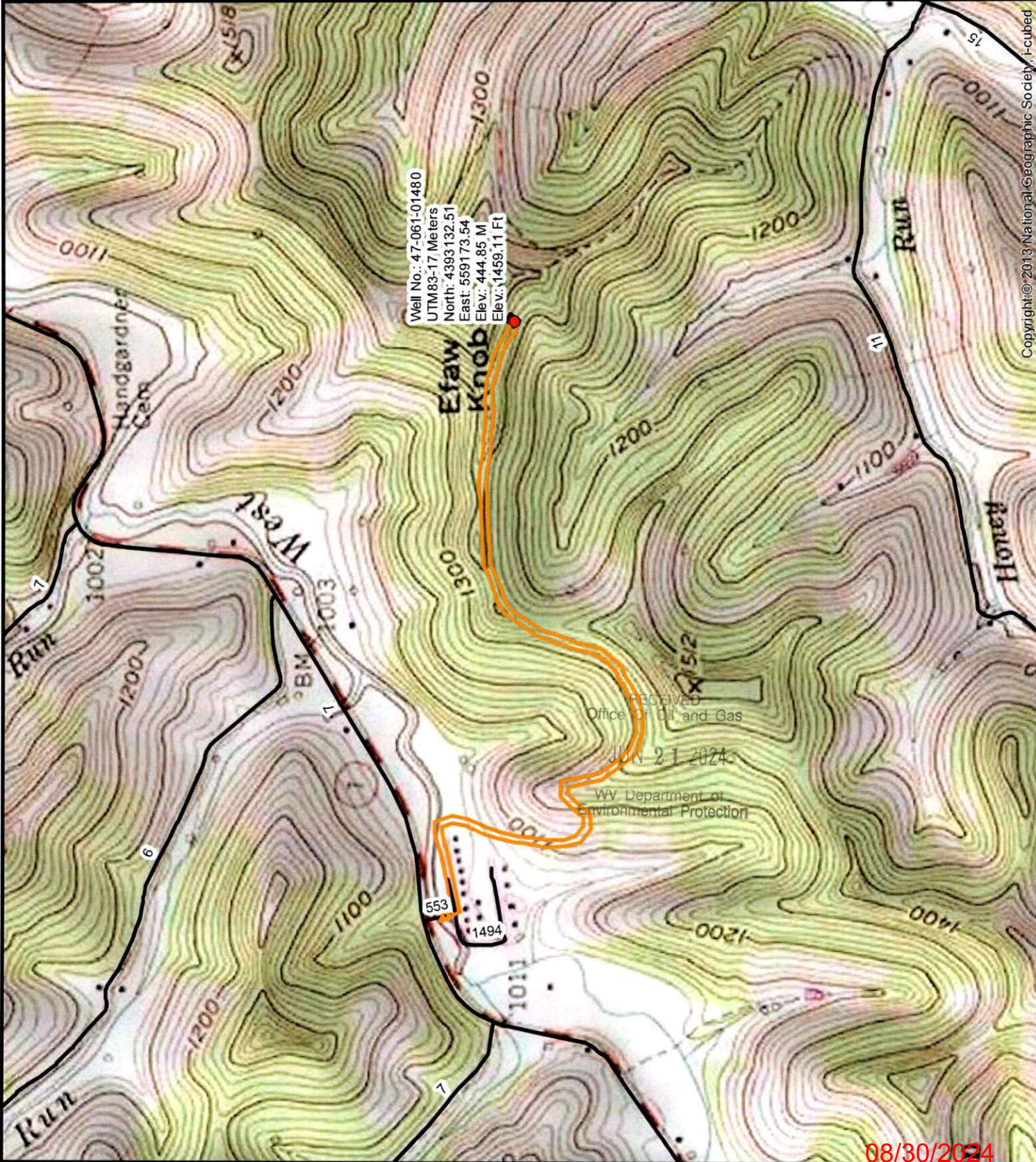
**Legend**

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



Well No.: 47-061-01480  
 UTM 83-17 Meters  
 North: 4393132.51  
 East: 559173.54  
 Elev.: 444.85 M  
 Elev.: 1459.11 Ft

**Efaw Knob**



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Diversified Gas & Oil Corporation  
100 Diversified Way  
Pikeville KY, 41051

47-061-01480

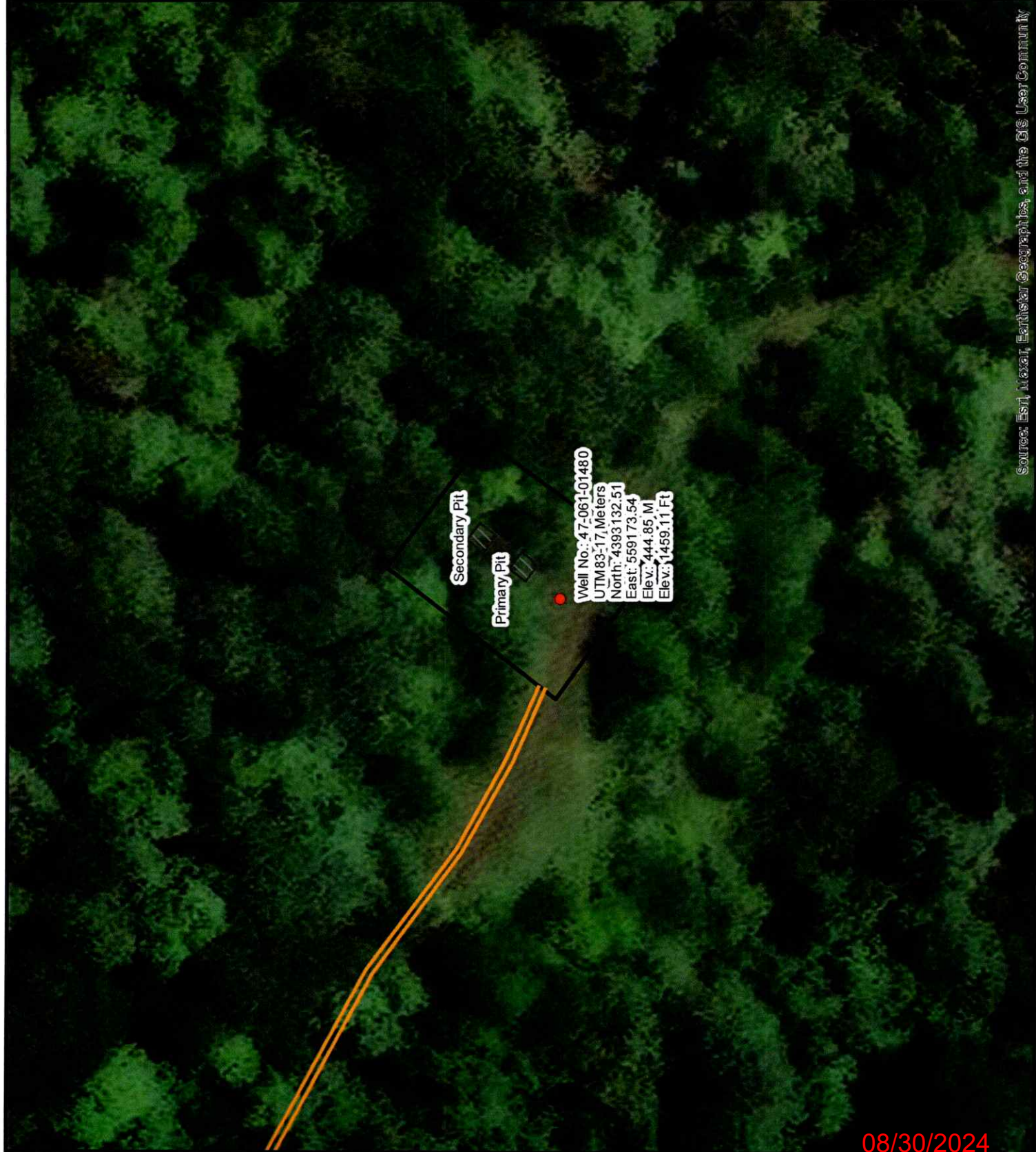
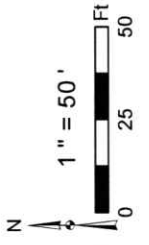
Plugging Map

### Legend

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



Environment



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

08/30/2024

WW-7  
8-30-06



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

API: 4706101480 WELL NO.: 5568

FARM NAME: Leegan, Brent W.

RESPONSIBLE PARTY NAME: Diversified Production, LLC

COUNTY: Monongalia DISTRICT: Batelle

QUADRANGLE: Wadestown 7.5'

SURFACE OWNER: Brent W. Legan

ROYALTY OWNER: Brent W. Legan

UTM GPS NORTHING: 4393132.51

UTM GPS EASTING: 559173.54 GPS ELEVATION: 1459.11'

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, <sup>Altitude:</sup> 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 \_\_\_\_

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4. **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.

Signature

Chris Veazey - Director of Administration  
Title

6/13/24  
Date

08/30/2024



**SURFACE OWNER WAIVER**

Operator's Well  
Number

4706101480

**INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW4-A**

The well operator named on page WW-4A is applying for a permit from the State to plug and abandon a well. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

**NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.  
WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:**

Chief, Office of Oil and Gas  
Department of Environmental Protection  
601 57<sup>th</sup> St. SE  
Charleston, WV 25304  
(304) 926-0450

**Time Limits and methods for filing comments.** The law requires these materials to be served on or before the date the operator files his Application. You have **FIVE (5) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

**Comments must be in writing.** Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective.
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation...".

**If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.**

**VOLUNTARY STATEMENT OF NO OBJECTION**

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application For A Permit To Plug And Abandon on Forms WW-4A and WW-4B, and a survey plat.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON  
ETC.

FOR EXECUTION BY A CORPORATION,

_____	Date _____	Name _____
Signature		By _____
		Its _____
		Date _____

Signature \_\_\_\_\_ Date **08/30/2024**

WW-4B

API No. 4706101480  
Farm Name Leegan, Brent W.  
Well No. 5568

**INSTRUCTIONS TO COAL OPERATORS  
OWNERS AND LESSEE**

The well operator named on the obverse side of WW-4 (B) is about to abandon the well described in the enclosed materials and will commence the work of plugging and abandoning said well on the date the inspector is notified. Which date shall not be less then five days after the day on which this notice and application so mailed is received, or in due course should be received by the Department of Environmental Protection Office of Oil & Gas.

This notice and application is given to you in order that your respective representatives may be present at the plugging and filling of said well. You are further notified that whether you are represented or not the operator will proceed to plug and fill said well in the manner required by Section 24, Article 6, Chapter 22 of the Code and given in detail on obverse side of this application.

NOTE: If you wish this well to be plugged according to 22-6-24(d) then as per Regulation 35CSR4-13.9 you must complete and return to this office on form OB-16 "Request by Coal Operator, Owner, or Lessee for plugging" prior to the issuance of this plugging permit.

**WAIVER**

The undersigned coal operator  / owner  / lessee  / of the coal under this well location has examined this proposed plugging work order. The undersigned has no objection to the work proposed to be done at this location, provided, the well operator has complied with all applicable requirements of the West Virginia Code and the governing regulations.

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

By: \_\_\_\_\_  
Its \_\_\_\_\_  
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11/10/2016

PLUGGING PERMIT CHECKLIST  
4706101480

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WV Department of  
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Plugging Permit

- WW-4B
- WW-4B signed by inspector
- WW-4A
  
- SURFACE OWNER WAIVER or PROOF THAT APPLICATION WAS SENT BY REGISTERED OR CERTIFIED MAIL
- COAL OWNER/COAL OPERATOR/COAL LESSEE WAIVERS or PROOF THAT APPLICATION WAS SENT BY REGISTERED OR CERTIFIED MAIL
- WW-9 PAGE 1 (NOTARIZED)
- WW-9 PAGE 2 with attached drawing of road, location, pit and proposed area for land application
- WW-9 GPP PAGE 1 and 2 if well effluent will be land applied**
- RECENT MYLAR PLAT OR WW-7
- WELL RECORDS/COMPLETION REPORT
- TOPOGRAPHIC MAP OF WELL, SHOWING PIT IF PIT IS USED
- MUST HAVE VALID BOND IN OPERATOR'S NAME**
- CHECK FOR \$100 IF PIT IS USED**

08/30/2024





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

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## plugging permits issued 4706101480 01485 01329

1 message

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

Mon, Aug 26, 2024 at 10:11 AM

To: Nicholas Bumgardner <nbumgardner@dgoc.com>, Chris Veazey <CVeazey@dgoc.com>, Gayne J Knitowski <gayne.j.knitowski@wv.gov>, mmusick@assessor.org


To whom it may concern, plugging permits have been issued for 4706101480 01485 01329.


James Kennedy


WVDEP OOG

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### 3 attachments

 **4706101485.pdf**  
2476K

 **4706101480.pdf**  
2534K

 **4706101329.pdf**  
2525K

08/30/2024