



---

west virginia department of environmental protection

---

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, May 8, 2023

WELL WORK PLUGGING PERMIT  
Not Available Plugging

UNKNOWN - DEP PAID PLUGGING CONTRACT  
601 57TH STREET

CHARLESTON, WV 25304

Re: Permit approval for 2  
47-087-04817-00-00

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: MARKS, JUSTIN C ETUX  
U.S. WELL NUMBER: 47-087-04817-00-00  
Not Available Plugging  
Date Issued: 5/8/2023

Promoting a healthy environment.

05/11/2023

## PERMIT CONDITIONS

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

### CONDITIONS

---

1. 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.
2. Well work activities shall not constitute a hazard to the safety of persons.
3. 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.

4708704817

- 1) Date MARCH 23, 202023
- 2) Operator's Well No. \_\_\_\_\_
- 3) API Well No. 47-087 - 04817

**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 872.22 Watershed Poca River  
District Walton County Roane Quadrangle KETTLE

6) Well Operator Unknown\DEP PAID Plugging 7) Designated Agent Jason Harmon  
Address 601 57Th Street Address 601 57th Street  
Charelston WV 25304 Charelston WV 25304

8) Oil and Gas Inspector to be notified Name Joe Taylor 9) Plugging Contractor Name WPS Enviromental LLC  
Address 1478 Claylick Road Address 934 Little Coal River Road  
Ripley WV 25045 Alum Creek WV 25003

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

**Well Plugging work order next Page**

RECEIVED  
Office Of Oil and Gas

MAR 30 2023

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

Work order approved by inspector  Date 3-27-23

05/11/2023

Gior  
Kettle

Walton

Roane

Marks, Justin C Etux 2

47-087-04817



WGS84  
 ±56ft 38.61642, -81.37508  $\Delta$  ft ±40ft 883  $\Delta$  °T ±15 NE21

47 0 87 0 4 8 17

RECEIVED  
Office Of Oil and Gas

MAR 30 2023

WV Department of  
Environmental Protection

*[Signature]*  
 3-27-23

467353,471, 4274279

Free version  
 of GPS  
 Camera 5.5

13Mar23 12:26 Ad-hoc Test  
 643 McKowns Creek, Walton WV 25286, US © 13-Mar-23 12:26:07

05/11/2023



WELL RECORD, FORM 06-10, MUST BE SUBMITTED TO OBTAIN RELEASE OF WELL UNDER BOND.

3/30/67 CEN  
4708704817

STATE OF WEST VIRGINIA  
DEPARTMENT OF MINES  
OIL AND GAS DIVISION

NOTICE OF PROPOSED LOCATION OF OIL AND GAS WELL

To THE DEPARTMENT OF MINES,  
Charleston, W. Va.

COAL OPERATOR OR COAL OWNER

ADDRESS

COAL OPERATOR OR COAL OWNER

ADDRESS

N. C. Hively Heirs et al  
OWNER OF MINERAL RIGHTS

Walton, W. Va.  
ADDRESS

Ripley Oil & Gas Company  
NAME OF WELL OPERATOR

Box 303, Ripley, W. Va. 252 71  
COMPLETE ADDRESS

March 29, 1967  
PROPOSED LOCATION

Walton District

Roane County

Well No. 1-A

N. C. Hively Farm

Elevation 906' Acres 207

GENTLEMEN:

The undersigned well operator is entitled to drill upon the above named farm or tract of land for oil and gas, having fee title thereto, (or as the case may be) under grant or lease dated September 13, 1905, made by Nancy C. Hively & husband, to D. C. Gallaher, and recorded on the \_\_\_\_\_ day of \_\_\_\_\_, in the office of the County Clerk for said County in Book 7, page 194.

The enclosed plat was prepared by a competent engineer and shows the proposed location of a well to be drilled for oil and gas by the undersigned well operator on the farm and in the Magisterial District and County above named, determined by survey and courses and distances from two permanent points, or land marks.

The undersigned well operator is informed and believes there are no coal operators operating beds of coal beneath said farm or tract of land on which said well is located, or within 500 feet of the boundaries of the same, who have mapped their workings and filed their maps as required by law, excepting the coal operators or coal owners (if any) above named as addressees.

The above named coal operators or coal owners (if any) are notified that any objections they may desire to make to such proposed location, or which they are required to make by Section 3 of said Code, if the drilling of a well at said proposed location will cause a dangerous condition in or about their respective coal mines, must be received by, or filed with the Department of Mines within ten\* days from the receipt of a copy of this notice and accompanying plat by said Department. Said coal operators are further notified that forms for use in making such objections will be furnished to them by the Department of Mines promptly on request and that all such objections must set forth as definitely as is reasonably possible the ground or grounds on which such objections are based and indicate the direction and distance the proposed location should be moved to overcome same.

(The next paragraph is to be completed only in Department's copy.)

Copies of this notice and the enclosed plat were mailed by registered mail, or delivered to the above named coal operators or coal owners at their above shown respective address \_\_\_\_\_ day \_\_\_\_\_ before, or on the same day with the mailing or delivery of this copy to the Department of Mines at Charleston, West Virginia.

Very truly yours,

(Sign Name) Merriman S. Laughrey  
WELL OPERATOR

Address of Well Operator } Box 181 STREET

} Ripley CITY OR TOWN

} West Virginia STATE



\*Section 3 . . . . If no such objections be filed or be found by the department of mines, within said period of ten days from the receipt of said notice and plat by the department of mines, to said proposed location, the department shall forthwith issue to the well operator a drilling permit reciting the filing of such plat, that no objections have been made by the coal operators to the location, or found thereto by the department, and that the same is approved and the well operator authorized to proceed to drill at said location.

RECEIVED  
Office Of Oil and Gas  
MAR 30 2023

BLANKET BOND

ROA-1587

PERMIT NUMBER

WV Department of Environmental Protection  
05/11/2023

1587



4708704817

STATE OF WEST VIRGINIA  
DEPARTMENT OF MINES  
OIL AND GAS DIVISION

Rotary   
Spudder   
Cable Tools   
Storage

Quadrangle \_\_\_\_\_

WELL RECORD

Permit No. ROA-1587

Oil or Gas Well Oil  
(KIND)

Company Ripley Oil & Gas Company  
Address Box 303, Ripley, W. Va. 25271  
Farm N. C. Hively Acres 381  
Location (waters) McKown Creek  
Well No. 1-B Elev. 906'  
District Walton County Roane  
The surface of tract is owned in fee by N. C. Hively et al  
Address Walton, W. Va.  
Mineral rights are owned by N. C. Hively et al  
Address Walton, W. Va.  
Drilling commenced 4/1/67  
Drilling completed 5/8/67  
Date Shot \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
With \_\_\_\_\_

Casing and Tubing	Used in Drilling	Left in Well	Packers
Size			Kind of Packer
16			
13 20		X	
10			Size of
8 1/2 645	X		Depth set
6 3/8			
5 3/16			
4 1/2 1921'		X	Perf. top <u>Open hole</u>
3			Perf. bottom <u>frac</u>
2 1921'		X	Perf. top _____
Liners Used			Perf. bottom _____

Open Flow \_\_\_\_\_ /10ths Water in \_\_\_\_\_ Inch  
\_\_\_\_\_ /10ths Merc. in \_\_\_\_\_ Inch  
Volume \_\_\_\_\_ Cu. Ft.  
Rock Pressure Est. 250 lbs. \_\_\_\_\_ hrs.  
Oil 25 bbls., 1st 24 hrs.  
WELL ACIDIZED (DETAILS) \_\_\_\_\_

Attach copy of cementing record.  
CASING CEMENTED 4 1/2" SIZE 1921 No. Ft. 5/4/67 Date  
Amount of cement used (bags) 125 bags  
Name of Service Co. Ready Oil & Gas Cementing  
COAL WAS ENCOUNTERED AT \_\_\_\_\_ FEET \_\_\_\_\_ INCHES  
\_\_\_\_\_ FEET \_\_\_\_\_ INCHES  
\_\_\_\_\_ FEET \_\_\_\_\_ INCHES

WELL FRACTURED (DETAILS) With 600 Bbls. water and 30,000 lb. Sand  
RESULT AFTER TREATMENT (Initial open Flow or bbls.) 25 Bbls. per day  
ROCK PRESSURE AFTER TREATMENT Est. 250 HOURS  
Fresh Water \_\_\_\_\_ Feet \_\_\_\_\_ Salt Water 1425' Feet \_\_\_\_\_  
Producing Sand Injun Depth \_\_\_\_\_

Formation	Color	Hard or Soft	Top	Bottom	Oil, Gas or Water	Depth	Remarks
Clay			00	35			
Sand			35	160			
Slate			160	180			
Sand			180	240			
Slate			240	250			
Red rock & slate			250	645			
Lime shell			645	652			
Slate			652	700			
Sand			700	753			
Slate, shells			753	840			
Sand			840	972			
Slate, shells			972	1378			
Salt sand			1378	1751			
Little lime			1751	1777			
Big lime			1777	1916			
Injun Sand			1916	1964			
Black lime			1964	1971			
Total Depth			1971				



RECEIVED  
Office Of Oil and Gas  
MAR 30 2023  
WV Department of Environmental Protection

05/11/2023

4708704817

Proposed Work Plan

47-087-04817

1. Notify the State Inspector within 24 hours of plugging commencement.
2. Run down and check total distance approximately 1971 +/- feet.
3. Free point and recover all free tubing and casing.
4. Set 6% gel between all plugs.
5. Set 100' cement from total distance to 1800+/- feet.
6. Set 100' cement plug across casing cut.
7. Set 100' cement plug 920' to 820' to elevation plug.
8. Set 100' cement plug 695' to 595' 8-1/4" casing plug.
9. Set 100' cement plug 100' to surface.

  
3-27-23

RECEIVED  
Office Of Oil and Gas

MAR 30 2023

WV Department of  
Environmental Protection

05/11/2023

4708704817

WW-4A  
Revised 6-07

1) Date: MARCH 23, 2023  
2) Operator's Well Number

3) API Well No.: 47 - 087 - 04817

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

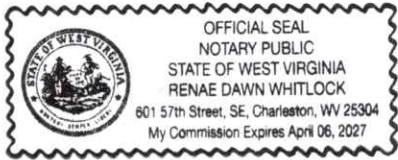
4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name <u>JUSTIN C. MARKS</u>	Name <u>NA</u>
Address <u>609 McKown Creek</u>	Address _____
<u>Walton WV 25286</u>	_____
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>NA</u>
_____	Address _____
(c) Name _____	Name _____
Address _____	Address _____
_____	_____
6) Inspector <u>Joe Taylor</u>	(c) Coal Lessee with Declaration
Address <u>1478 Clay Lick Road</u>	Name <u>NA</u>
<u>Ripley WV 25271</u>	Address _____
Telephone <u>304-380-7469</u>	_____

**TO THE PERSONS NAMED ABOVE: You should have received this Form and the following documents:**

- (1) The application to Plug and Abandon a Well on Form WW-4B, which sets out the parties involved in the work and describes the well its and the plugging work order; and
- (2) The plat (surveyor's map) showing the well location on Form WW-6.

The reason you received these documents is that you have rights regarding the application which are summarized in the instructions on the reverses side. However, you are not required to take any action at all.

Take notice that under Chapter 22-6 of the West Virginia Code, the undersigned well operator proposes to file or has filed this Notice and Application and accompanying documents for a permit to plug and abandon a well with the Chief of the Office of Oil and Gas, West Virginia Department of Environmental Protection, with respect to the well at the location described on the attached Application and depicted on the attached Form WW-6. Copies of this Notice, the Application, and the plat have been mailed by registered or certified mail or delivered by hand to the person(s) named above (or by publication in certain circumstances) on or before the day of mailing or delivery to the Chief.



Well Operator Unknown\DEP PAID Plugging Contract  
 By: [Signature]  
 Its: \_\_\_\_\_  
 Address 601 57th Street  
Charelston WV 25304  
 Telephone \_\_\_\_\_

RECEIVED  
 Office Of Oil and Gas  
 MAR 30 2023  
 WV Department of  
 Environmental Protection

Subscribed and sworn before me this 3rd day of April 2023  
Renae Dawn Whitlock Notary Public  
 My Commission Expires April 06, 2027

**Oil and Gas Privacy Notice**

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

05/11/2023



4708704817

Surface Owner Notification

47-087-04817

7022 0410 0000 3508 9333

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)™.

Walton, NV 25286

**OFFICIAL USE**

Certified Mail Fee \$4.15

Extra Services & Fees (check box, add fee in appropriate column)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ 0.00
<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00
<input type="checkbox"/> Adult Signature Required	\$ 0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00

Postage \$4.14

Total Postage and Fees \$8.29

Sent To Justin Marks

Street and Apt. No., or PO Box No. 609 Mickaun Creek

City, State, ZIP+4® Walton, NV 25286

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here  
APR - 6 2023  
SOUTHBRIDGE STATION, WV  
04/06/2023  
25309

05/11/2023

4708704817

Please contact the OOG at 304-926-0450 if you have any questions regarding this notice.

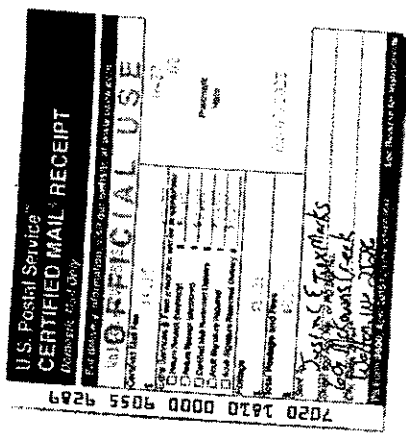
Date Issued: 02/09/23 Date Served: 02/09/23

Name of person served Justin C ETUX Marks

Service Address: 609 McKowns Creek Walton, WV 25286

Certified Mail Receipt No. (if applicable) 7020 1810 0000 9055 5289 / 9590 5402 7673 2122 9993 20

Name of Person Making Personal Service (if applicable)



West Virginia Department of Environmental Protection

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

Office of Oil and Gas  
601 5<sup>th</sup> Street  
Charleston, WV 25304  
(304) 926-0450  
Fax: (304) 926-0452

**NOTICE OF INTENT  
TO PLUG / REPLUG  
ABANDONED WELL(S)**

Justin C ETUX Marks  
609 McKowns Creek  
Walton, WV 25286

You are hereby given a twenty-day notice, as required by West Virginia Code, Chapter 22, Article 10, Section 7, that the West Virginia Department of Environmental Protection, Office of Oil and Gas (OOG), intends to enter upon the following described premises where an abandoned well(s) is situated and plug or re-plug such well(s) and reclaim any area disturbed by the plugging or re-plugging. This notice should be construed only as a declared intent to plug such well(s); site-specific considerations or other factors may ultimately prevent the plugging or re-plugging at this time.

Description of premises: Parcel ID 44-09-0015-0024-0000 comprising 41.26 acres located in Walton District of Roane County.

The well(s) is considered "abandoned" within the meaning of W. Va. Code § 22-6-10 because it is a dry hole or because it has not been in use for a period of 12 consecutive months and no satisfactory proof of a "bona fide" future use for the well has been demonstrated to the OOG.

If you are a surface owner of the above described premises, be advised that surface owners have the right to repair of any damage or disturbance resulting from the well plugging or to compensation for (1) the reasonable cost of repairing or replacing any water well, (2) the reasonable value of any crops destroyed, damaged or prevented from reaching market, (3) the reasonable cost of repair to personal property up to the value of the replacement value of personal property of like age, wear and quality, (4) lost income or expenses incurred, and (5) reasonable costs to reclaim or repair real property, including roads. Additionally, the surface owners have the potential right to take any casing, equipment or other salvage not claimed in this notice. Please be advised that it is the intent of the OOG to take all casing, equipment, and other salvage from the subject well(s).

Promoting a healthy environment.  
RECEIVED  
Office of Oil and Gas  
MAR 30 2023  
WV Department of Environmental Protection  
05/11/2023




---

 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**

<b>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</b>	) ) ) ) ) ) )	<b>ORDER NO. 2022-13</b>
---	---------------------------------	--------------------------

**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.

05/11/2023

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

4708704817

WW-4B

API No. 47-087-04817  
Farm Name MARKS  
Well No.

**INSTRUCTIONS TO COAL OPERATORS  
OWNERS AND LESSEE**

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

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

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

**WAIVER**

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

Date: MARCH 23, 2023

No coal owner lease or operator

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

Its \_\_\_\_\_

RECEIVED  
Office Of Oil and Gas  
MAR 30 2023  
WV Department of  
Environmental Protection

05/11/2023

4708704817

WW-9  
(5/16)

API Number 47 - 087 04817  
Operator's Well No. \_\_\_\_\_

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

Operator Name Unknown\DEP PAID Plugging Contract OP Code \_\_\_\_\_

Watershed (HUC 10) Poca River Quadrangle KETTLE

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

Will a pit be used? Yes  No

If so, please describe anticipated pit waste: \_\_\_\_\_

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

Proposed Disposal Method For Treated Pit Wastes:

- Land Application (if selected provide a completed form WW-9-GPP)
- Underground Injection ( UIC Permit Number \_\_\_\_\_ )
- 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: NA

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

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

Additives to be used in drilling medium? NA

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. NA

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

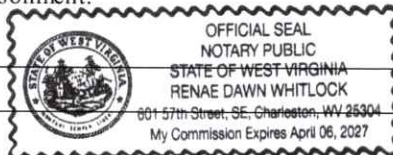
-Landfill or offsite name/permit number? NA

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

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on April 1, 2016, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature Jason Harmon  
Company Official (Typed Name) Jason Harmon  
Company Official Title Deputy Chief



Subscribed and sworn before me this 3rd day of April, 20 23  
Renae Dawn Whitlock Notary Public  
My commission expires April 6, 2027

RECEIVED  
Office Of Oil and Gas  
MAR 30 2023  
WV Department of Environmental Protection  
05/11/2023  
3-29-23

Proposed Revegetation Treatment: Acres Disturbed 0.5 Prevegetation pH Unknown

Lime 2-3 Tons/acre or to correct to pH 6.0

Fertilizer type 10-10-20

Fertilizer amount 400 lbs/acre

Mulch 2 Tons/acre

Seed Mixtures

Temporary		Permanent	
Seed Type	lbs/acre	Seed Type	lbs/acre
NA		FESCUE	40
		LADINO CLOVER	5
		CONTRACTORS MIX	20

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: Joe Taylor

Comments: SEDIMENT CONTROL IN AT ALL TIMES

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Title: OCG Inspector Date: 3-27-23

Field Reviewed?  Yes  No

RECEIVED  
 Office Of Oil and Gas  
 MAR 30 2023  
 WV Department of  
 Environmental Protection  
 05/11/2023

4708704817

WW-9- GPP  
Rev. 5/16

Page 1 of 2  
API Number 47 - 087 04817  
Operator's Well No. \_\_\_\_\_

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

Operator Name: Unknown\DEP PAID Plugging Contract  
Watershed (HUC 10): Poca River Quad: KETTLE  
Farm Name: MARKS

1. List the procedures used for the treatment and discharge of fluids. Include a list of all operations that could contaminate the groundwater.

NA

2. Describe procedures and equipment used to protect groundwater quality from the list of potential contaminant sources above.

NA

3. List the closest water body, distance to closest water body, and distance from closest Well Head Protection Area to the discharge area.

McKown Creek

4. Summarize all activities at your facility that are already regulated for groundwater protection.

NA

5. Discuss any existing groundwater quality data for your facility or an adjacent property.

RECEIVED  
Office Of Oil and Gas

MAR 30 2023

WV Department of  
Environmental Protection

05/11/2023



NA

6. Provide a statement that no waste material will be used for deicing or fill material on the property.

No Material will be used.

7. Describe the groundwater protection instruction and training to be provided to the employees. Job procedures shall provide direction on how to prevent groundwater contamination.

NA

8. Provide provisions and frequency for inspections of all GPP elements and equipment.

NA

Signature: \_\_\_\_\_

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

RECEIVED  
Office Of Oil and Gas

MAR 30 2023

WV Department of  
Environmental Protection

05/11/2023

WW-7  
8-30-06



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

API: 47-087-60195 WELL NO.: \_\_\_\_\_

FARM NAME: MARKS

RESPONSIBLE PARTY NAME: \_\_\_\_\_

COUNTY: ROANE DISTRICT: WALTON

QUADRANGLE: KETTLE

SURFACE OWNER: JUSTIN MARKS

ROYALTY OWNER: \_\_\_\_\_

UTM GPS NORTHING: 4274279.941

UTM GPS EASTING: 467353.471 GPS ELEVATION: 267.38

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:

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

Survey grade GPS  : Post Processed Differential \_\_\_\_\_

Real-Time Differential

Mapping Grade GPS \_\_\_\_\_ : Post Processed Differential \_\_\_\_\_

Real-Time Differential \_\_\_\_\_

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.

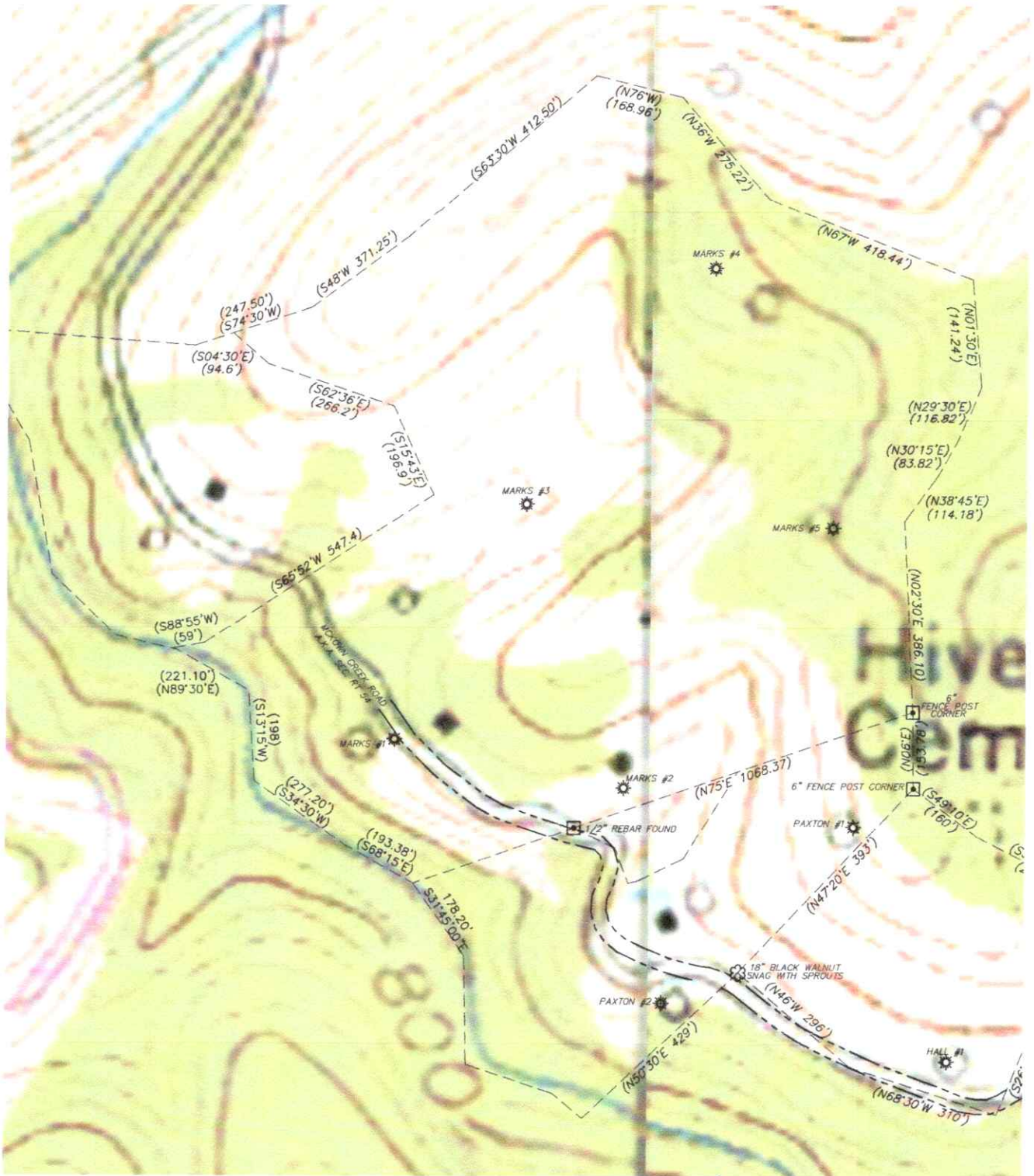
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

05/11/2023

4708704817



*[Handwritten signature]*  
3-27-73

RECEIVED  
Office Of Oil and Gas

MAR 30 2023

WV Department of  
Environmental Protection

05/11/2023

81°22'29.999" (81.375°)

11905'

Latitude: 38°37'30"

Longitude: 81°20'00"  
38°36'59.163" (38.616°)

UTM NAD83  
N: 4274279.941  
E: 467353.471

North

TOPO  
LOC

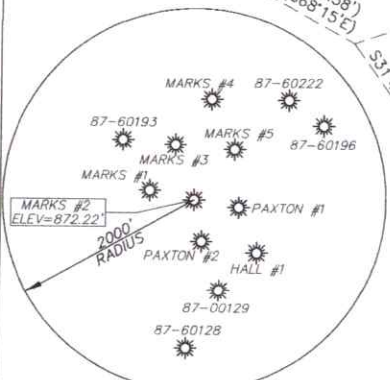
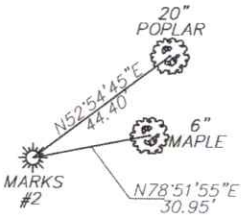
JUSTIN MARKS &  
HOLLI N. MARKS  
TM 15 PAR. 24  
D.B. 602/421

RICHARD NEWHOUSE  
TM 15 PAR. 24.2  
D.B. 438/21

SHIRKEY PAXTON SR.  
TM 15 PAR. 24.1  
D.B. 373/703

PHYLLIS HALL  
TM 15 PAR. 25.1  
D.B. 340/182

WELL REFERENCES

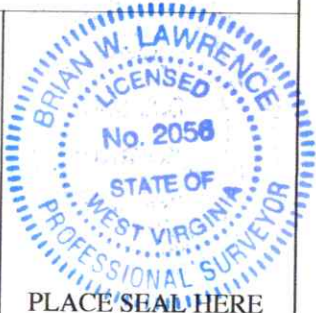


SCALE:  
1"=50'

FILE # 23R-018\_MARKS #2  
 DRAWING # MARKS #2  
 SCALE 1"=300'  
 MINIMUM DEGREE OF ACCURACY 1 / 200  
 PROVEN SOURCE OF ELEVATION SURVEY GRADE G.P.S.

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 ENVIRONMENTAL PROTECTION.

Signed: Brian W. Lawrence  
BRIAN W. LAWRENCE  
R.P.E.: \_\_\_\_\_ L.L.S.: 2056



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS WVDEP  
OFFICE OF OIL & GAS  
601 57TH STREET  
CHARLESTON, WV 25304



DATE: 03/23/2023  
OPERATORS WELL #: \_\_\_\_\_  
API WELL # 47 087 04817  
STATE COUNTY PERMIT

Well Type:  Oil  Waste Disposal  Production  Deep  
 Gas  Liquid Injection  Storage  Shallow

WATERSHED McKOWN CREEK OF THE POCA RIVER ELEVATION: 872.22'

COUNTY/DISTRICT ROANE/WALTON QUADRANGLE: CLIO 7.5'

SURFACE OWNER JUSTIN C. MARKS & HOLLI N. MARKS ACREAGE 41.26

OIL & GAS ROYALTY OWNER: UNKNOWN ACREAGE 41.26

DRILL  CONVERT  DRILL DEEPER  REDRILL  FRACTURE OR STIMULATE   
PLUG OFF OLD FORMATION  PERFORATE NEW FORMATION  PLUG & ABANDON   
CLEAN OUT & REPLUG  OTHER CHANGE  (SPECIFY): \_\_\_\_\_

05/11/2023

TARGET FORMATION: BLACK LIME ESTIMATED DEPTH: 1971 +/-

WELL OPERATOR UNKNOWN/DEP PLUGGING CONTRACT DESIGNATED AGENT JASON HARMON  
Address 601 57TH STREET SOUTHEAST Address 601 57TH STREET SOUTHEAST  
City CHARLESTON State WV Zip Code 25304 City CHARLESTON State WV Zip Code 25304

**SURFACE OWNER WAIVER**

4708704817

Operator's Well  
Number

47-087-04817

**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.

RECEIVED  
Office Of Oil and Gas  
FOR EXECUTION BY A CORPORATION,  
MAR 30 2023

_____	Date _____	Name _____	_____
Signature		By _____	_____
		Its _____	_____
			WV Department of Environmental Protection Date _____

Signature \_\_\_\_\_ Date **05/11/2023**



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

---

## plugging permit issued 4708704817 04818 04820

1 message

---

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

Mon, May 8, 2023 at 3:11 PM

To: Henry J Harmon <henry.j.harmon@wv.gov>, Joseph D Taylor <joseph.d.taylor@wv.gov>, ewestfall@wvassessor.com, operations.wpsenvr@outlook.com


To whom it may concern, plugging permits have been issued for 4708704817 04818 04820.


James Kennedy


WVDEP OOG


---


### 6 attachments


 **ir-8 4708704820.pdf**  
120K

 **4708704818.pdf**  
3332K

 **4708704817.pdf**  
3550K

 **ir-8 4708704818.pdf**  
120K

 **ir-8 4708704817.pdf**  
120K

 **4708704820.pdf**  
3529K

05/11/2023