



west virginia department of environmental protection

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

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

December 03, 2013

WELL WORK PLUGGING PERMIT

Plugging

This permit, API Well Number: 47-9100837, issued to ICG TYGART VALLEY, LLC, 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 all 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. The above named operator will also file, as required in WV Code 22-6-23, an affidavit on form WR-38 by two experienced persons in the operator's employment and the Oil and Gas inspector that the work authorized under this permit was performed and a description given. Failure to abide by all statutory and regulatory provisions governing all duties and operations here under may result in suspensions or revocation of this permit and in addition may result in civil and/or criminal penalties being imposed upon the operator.

This permit will expire in two (2) years from date of issue. If there are any questions, please free to contact me at (304) 926-0499 ext. 1654.

James Martin
Chief

Operator's Well No: FREY NO. 3
Farm Name: AUSTIN, TERRY
API Well Number: 47-9100837
Permit Type: Plugging
Date Issued: 12/03/2013

Promoting a healthy environment.

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.

1) Date September 24, 2013
2) Operator's
Well No. Frey No. 3
3) API Well No. 47-91 - 00837

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 X

5) Location: Elevation 1410 Watershed Three Fork Creek
District Knottsville 06 County Taylor 91 Quadrangle Thornton (638) 638

6) Well Operator ICG Tygart Valley, LLC 7) Designated Agent Charles E. Duckworth
Address 2708 Cranberry Square Address 1200 Tygart Drive
Morgantown, WV 26508 Grafton, WV 26354

8) Oil and Gas Inspector to be notified 9) Plugging Contractor
Name Bryan Harris Name Coastal Drilling East, LLC
Address P.O. Box 157 Address 130 Meadows Ridge Road
Volga, WV 26238 Mt. Morris, PA 15349

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

SEE EXHIBIT NOS. 1 and 2

Received
OCT - 4 2013
Office of Oil and Gas
Dept. 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 Bryan Harris Date 10-2-13

EXHIBIT NO. 1

From the experience and technology developed since 1970 in plugging oil and gas wells for mining through, ICG Tygart Valley, LLC will utilize the following method to plug all future wells.

SOLID PLUG METHOD

- a) If active well: clean out to total depth and plug back according to state regulations to a minimum of 200 feet below lowest minable coal seam.
- b) If abandoned well: clean out to first plug 200 feet below lowest minable coal seam.
- c) Circulate through tubing or drill steel an expanding cement plug from a minimum of 200 feet below minable coal seam to a point 100 feet above minable coal.

Circulate through tubing or drill steel from 100 feet above coal seam to surface.

A monument will be installed with API No. and stating "solid plug".

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OCT - 4 2013

Office of Oil and Gas
WV Dept. of Environmental Protection

EXHIBIT NO. 2

CLEANOUT/PLUGGING PLAN

- **Day 1** - Move to site, rig up, mix mud, drill rathole.
- **Day 2** - Finish drilling rathole, start picking up 2 3/8" drill pipe and cleanout well with a 3 3/4" bit to total depth (T.D.).
- **Day 3** - Continue to pick up 2 3/8" drill pipe and cleanout to T.D. Trip out of the hole (T.O.H) with 2 3/8" drill pipe.
- **Day 4** - Run cement bond log on 4 1/2" casing, (calculations reached from the cement information taken from the report indicate the estimated top of the cement on the outside of the 4 1/2" is 3,191'), perforate/cut 4 1/2" casing every 100' from 5,137' to 3,291'. Total shots needed 120.
- **Day 5** - Trip in hole (T.I.H) with 2 3/8" drill pipe to T.D. Cement hole from 5,239' back to 3,191' with 160 sacks of Class A Cement with a gas blocker additive. Circulate hole, condition mud, T.O.H.
- **Day 6** - T.I.H with 3 3/4" bit to tag top of cement plug. T.O.H, T.I.H with 4 1/2" pressure pipe cutter, cut 4 1/2" casing just above top of bonded casing at 3,185'. Lay down 2 3/8" drill pipe.
- **Day 7** - Continue to lay down 2 3/8" drill pipe. Rig up 4 1/2" casing spear. Hook to 4 1/2" casing at the surface, release slips from wellhead and attempt work 4 1/2" casing free to 3,185'. Lay down 4 1/2" casing.
- **Day 8** - Rig up 7 7/8" bit. Pick up drill collars and drill pipe, start cleaning hole to top of remaining 4 1/2" casing at 3,185'.
- **Day 9** - Continue to clean hole with 7 7/8" bit to top of remaining 4 1/2" casing at 3,185'. Circulate hole. T.O.H with 7 7/8" bit. T.I.H with open ended 3 1/2" drill pipe.
- **Day 10** - Cement hole from 3,191' to within 50' of bottom of 8 5/8" casing at 1,031' with 1,000 gallons of mud flush and 500 sacks of Class A cement with 4% gel. Circulate hole and condition mud. T.O.H Log hole (Caliper, Natural Gamma, Directional and Bond logs). Calculations reached from the cement information taken from the report indicates that the 8 5/8" casing was cemented to surface.
- **Day 11** - T.I.H with 8 5/8" pressure pipe cutter. Cut 8 5/8" casing every 100' from 1,031' to 381' (6 cuts total). T.O.H with 8 5/8" cutter. T.I.H with 8 5/8" section mill. Section mill 30' window in 8 5/8" casing through coal seam.
- **Day 12** - Continue to section mill 8 5/8" casing through coal seam.
- **Day 13** - Finish section milling 8 5/8" casing. T.O.H with 8 5/8" section mill. T.I.H with 7 7/8" bit.
- **Day 14** - Clean hole with 7 7/8" bit to top of cement plug at 1,031'. Circulate hole at 1,031'. T.O.H with 7 7/8" bit. Run caliper log to verify window and cuts in 8 5/8" casing. Lay down drill collars and fishing tools. Prepare to cement hole to surface.

Received
OCT - 4 2013

Office of Oil and Gas
Department of Environmental Protection

EXHIBIT NO. 2

CLEANOUT/PLUGGING PLAN

- **Day 15** – Cement hole from 1,031' to surface using 180 sacks of Class A cement with 4% gel and 120 sacks of Thixotropic cement with green dye. Clean out mud tank. Rig down equipment and prepare to move rig to next site.

Received

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Office of Oil and Gas
WV Dept. of Environmental Protection

Frey # 3

API # 47-091-0837

AFE # 92105

(Not to scale)

Surface

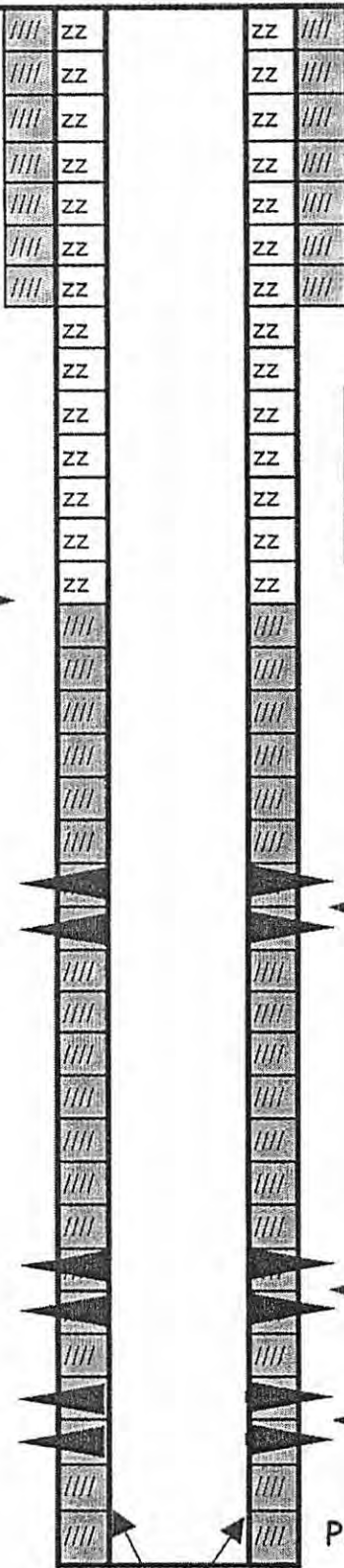
Surface

Top of cement
in 8 5/8"
is Surface.

Intermediate Csg.
8 5/8" @ 865'

4 1/2' annulus:
Top of Cement
1560'

	Cement
	Bridgeplug
	Perforations
	Fluid in annulus



4th Perfs
8(2252' - 2256')
8(2264' - 2268')

Riley perfs:
6(3921' - 3923')
6(4018' - 4020')

Elk perfs:
13(4864' - 4867')

PBTD of 4 1/2" is 4932'

4966' of 4 1/2" Casing (J-55, 10.5#)

Received

OCT - 4 2013

Office of Oil and Gas
WV Dept. of Environmental Protection

WR-35

RECEIVED
NOV 17
Environmental

28-Sep-92
API # 47- 91-00837

State of West Virginia
Division of Environmental Protection
Section of Oil and Gas

Well Operator's Report of Well Work

Farm name: FREY, ALICE R. Operator Well No.: FREY #3

LOCATION: Elevation: 1410.00 Quadrangle: THORNTON

District: KNOTTSVILLE County: TAYLOR
Latitude: 5800 Feet South of 39 Deg. 20Min. 0 Sec.
Longitude 150 Feet West of 79 Deg. 57 Min. 30 Sec.

Company: PETROLEUM DEVELOPMENT COR
P. O. BOX 26
BRIDGEPORT, WV 26330-0026

Agent: ERIC R. STEARNS

Inspector: PHILLIP TRACY
Permit Issued: 09/28/92
Well work Commenced: 10/06/92
Well work Completed: 10/10/92
Verbal Plugging
Permission granted on:
Rotary x Cable _____ Rig
Total Depth (feet) 4991'
Fresh water depths (ft) 472
Salt water depths (ft) n/a
Is coal being mined in area (Y/N)? N
Coal Depths (ft): 96-99; 467-472; 763-765

Casing & Tubing Size	Used in Drilling	Left in Well	Cement Fill Up Cu. Ft.
11 3/4"	22'		
8 5/8"	855'	855'	195 sks
4 1/2"	4956'	4956'	480 sks

OPEN FLOW DATA

Producing formation Elk Pay zone depth (ft) 4864.5-4867.5
 Gas: Initial open flow ns MCF/d Oil: Initial open flow 0 Bbl/d
 Final open flow 146 MCF/d Final open flow 0 Bbl/d
 Time of open flow between initial and final tests 4 Hours
 Static rock Pressure 1000 psig (surface pressure) after 72 Hours

Second producing formation Riley Pay zone depth (ft) 3921-4020
 Gas: Initial open flow _____ MCF/d Oil: Initial open flow _____ Bbl/d
 Final open flow co-mingled 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.

Eric R. Stearns
For: PETROLEUM DEVELOPMENT CORP.

Reviewed TMC
Recorded CH

By: Eric R. Stearns
Date: November 4, 1992

747
0837

Frey #3

STAGE	FORMATION	PERFS	80/100 SKS	20/40 SKS	ACID GAL	N2 (MCF)
1st	Elk	13(4864.5-4867.5)	100	450	500	66
2nd	Riley	12(3921-4020)	100	550	750	75

W E L L L O G

FORMATION	TOP FEET	BOTTOM FEET	REMARKS: FRESH & SALT WATER, COAL, OIL & GAS
KB - GL	0	10	
sand, shale, RR	10	1178	1" stream H2O @ 472'
Little Lime	1178	1191	
sand, shale	1191	1236	Coal 96-99; 467-472
Big Lime	1236	1301	Coal 763-765
sand, shale	1301	1305	
Big Injun	1305	1412	
sand, shale	1412	1519	gas chk @ 1477' No Show
Weir	1519	1556	
sand, shale	1556	1670	
Gantz	1670	1684	
sand, shale	1684	1700	
50 ft	1700	1756	
sand, shale	1756	1762	gas chk @ 1761' Odor
30 ft	1762	1789	
sand, shale	1789	1833	
Gordon	1833	1870	gas chk @ 1854' Odor
sand, shale	1870	2172	
4th	2172	2276	gas chk @ 2105' Odor
sand, shale	2276	2300	gas chk @ 2232' Odor
5th	2300	2334	
sand, shale	2334	2349	
Bayard	2349	2369	
sand, shale	2369	2473	gas chk @ 2416' Odor
Elizabeth	2473	2494	
sand, shale	2494	2672	
Speechly	2672	3117	gas chk @ 2823' No Show
sand, shale	3117	3152	
Balltown	3152	3478	gas chk @ 3227' No Show
sand, shale	3478	3509	
Bradford	3509	3618	gas chk @ 3606' No Show
sand, shale	3618	3896	
Riley	3896	4120	gas chk @ 3947' No Show
sand, shale	4120	4197	gas chk @ 4134' No Show
Benson	4197	4253	gas chk @ 4229' No Show
sand, shale	4253	4377	gas chk @ 4324' No Show
1st Elk	4377	4481	
sand, shale	4481	4584	
2nd Elk	4584	4782	gas chk @ 4760' No Show
sand, shale	4782	4804	
3rd Elk	4804	4925	gas chk @ 4856' No Show
sand, shale	4925	5000	Drillers TD No Show
			DC's Odor
		4991	Logger TD

OCT 08 2013

WELL NAME FREY #3
API NUMBER 47-091-0837
92105

WELL BORE CONDITIONS

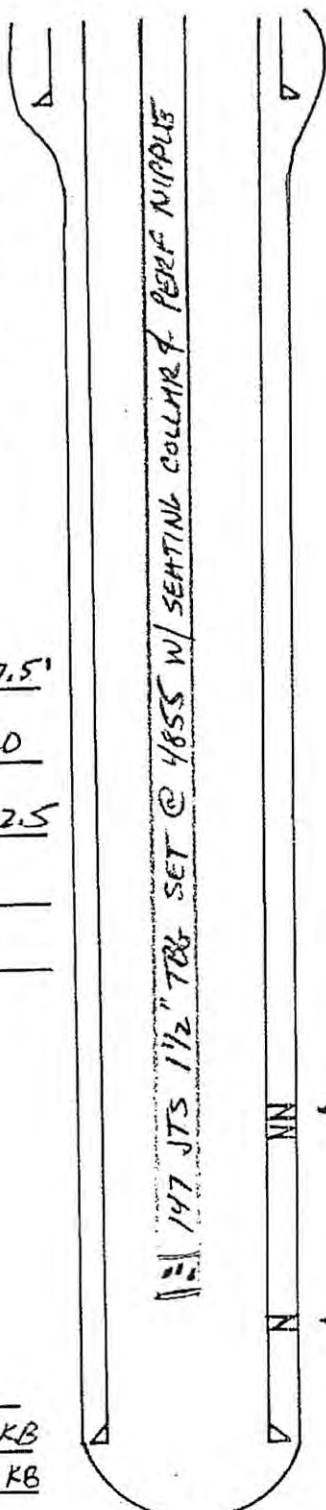
TUBING 1 1/2" at 4855 FT.
PACKER at _____ FT.
CEMENT TOP at 1560 FT.
PLUG at _____ FT.

PERFORATIONS:

13 HOLES FROM 4864.5' TO 4867.5'
6 " " 4018.5 " 4020
6 " " 3921 " 3922.5
" " " "
" " " "

CASED HOLE TD 4932
LOGGERS TD 4991 KB
DRILLERS TD 5000 KB

NO SCALE



SURFACE CASING

8 5/8" at 865 KB FT.
195 SKS

ZONES STIMULATED STAGE

2
ELK
RILEY

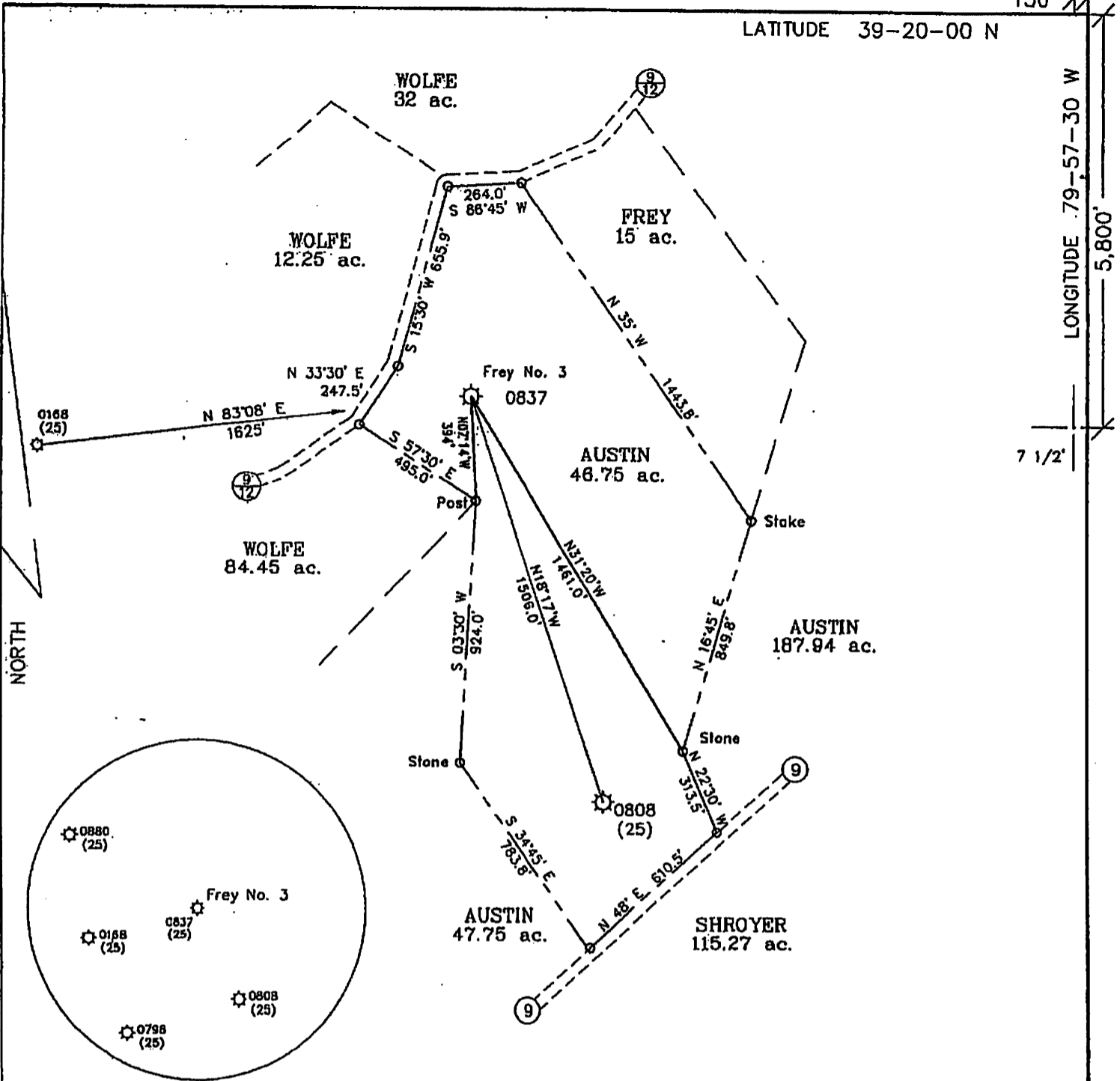
POTENTIAL-ZONES

← 6 (3921 - 22.5)
← 6 (4018.5 - 20)

← 13 (4864.5 - 67.5)

PRODUCTION CASING
10.5 - 4 1/2" at 4966 KB FT.

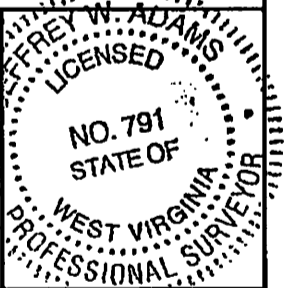
480 SKS: 145 BBLs



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NO. _____
 DRAWING NO. 1
 SCALE 1" = 500'
 MINIMUM DEGREE OF ACCURACY 1 in 200
 PROVEN SOURCE OF ELEVATION Spot elev. 1840' SW of location: elev. 1688'

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) [Signature]
 R.P.E. _____ L.L.S. 791



STATE OF WEST VIRGINIA
 Division of Environmental Protection
 OFFICE OF OIL AND GAS

DATE April 1, 2004
 OPERATOR'S WELL NO. Frey No. 3
 API WELL NO. _____

WELL TYPE: OIL _____ GAS X LIQUID INJECTION _____ WASTE DISPOSAL _____ STATE 47 COUNTY 091 PERMIT 0837 F
 (IF "GAS") PRODUCTION X STORAGE _____ DEEP _____ SHALLOW X

LOCATION: ELEVATION 1410 WATER SHED Rocky Branch of Three Forks Creek
 DISTRICT Knottsville COUNTY Taylor
 QUADRANGLE Thornton 7 1/2'

SURFACE OWNER Edward Austin ACREAGE 46.75 ac.
 OIL & GAS ROYALTY OWNER Alice R. Austin Frey LEASE ACREAGE 46.75 ac.
 LEASE NO. 457800

PROPOSED WORK: DRILL _____ CONVERT _____ DRILL DEEPER _____ REDRILL _____ FRACTURE OR STIMULATE _____ PLUG OFF OLD FORMATION X PERFORATE NEW FORMATION X OTHER PHYSICAL CHANGE IN WELL (SPECIFY) _____

PLUG AND ABANDON _____ CLEAN OUT AND REPLUG _____
 TARGET FORMATION Fourth ESTIMATED DEPTH 2268'
 WELL OPERATOR Petroleum Development Corp. DESIGNATED AGENT Alan Smith
 ADDRESS P.O. Box 26 Bridgeport, WV 26330 ADDRESS P.O. Box 26 Bridgeport, WV 26330

COUNTY NAME TAY
 PERMIT 0837 F

9100837P

WR-35
Rev (5-01)

DATE: December 15, 2004
API #: 47-091-0837F

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

Well Operator's Report of Well Work

Farm name: Frey Operator Well No.: 3

LOCATION: Elevation: 1410' Quadrangle: Thornton

District: Knottsville County: Taylor
Latitude: 5800' Feet South of 39 Deg. 20 Min. 00 Sec.
Longitude 150' Feet West of 79 Deg. 57 Min. 30 Sec.

Company: Petroleum Development Corporation

	Casing & Tubing	Used in drilling	Left in well	Cement fill up Cu. Ft.
Address: <u>103 East Main Street</u>				
<u>Bridgeport, WV 26330</u>				
Agent: <u>Alan H. Smith</u>				
Inspector: <u>Terry Urban</u>				
Date Permit Issued: <u>09/27/04</u>				
Date Well Work Commenced: <u>10/13/04</u>				
Date Well Work Completed: <u>10/15/04</u>				
Verbal Plugging:				
Date Permission granted on:				
Rotary Cable <input checked="" type="checkbox"/> Rig				
Total Depth (feet): <u>5000'</u>				
Fresh Water Depth (ft.): <u>15'/295'/520'</u>				
Salt Water Depth (ft.): <u>none reported</u>				
Is coal being mined in area (N/Y)? <u>N</u>				
Coal Depths (ft.): <u>25'/500'/695'</u>				

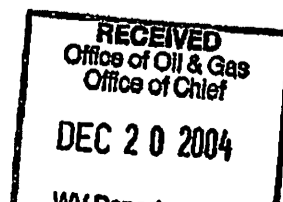
OPEN FLOW DATA

Producing formation 4th Sand Pay zone depth (ft) 2252'-2268'
Gas: Initial open flow _____ MCF/d Oil: Initial open flow _____ Bbl/d
Final open flow 85 MCF/d Final open flow _____ Bbl/d
Time of open flow between initial and final tests _____ Hours
Static rock Pressure 310 psig (surface pressure) after 24 Hours

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 WELL BORE.

Signed: *Alan H. Smith*
By: Alan H. Smith
Date: December 15, 2004



TAY 0837F

Frey #3
47-091-00837-F

Perforated the 4th Sand using 0.39" shots; 8 at 2252'-2256' and 8 at 2264'-2268'.
Set gas release bridge plug at 2280'.

4th Sand formation broke down at 2340 psi using 500 gal 15% HCL. Start 75 bbls of Unigel 19 XL crosslink pad and pump 475 bbls of Unigel 19 XL crosslink treating fluid, 45,800 lbs of 30/50 Ottawa sand, 38 bbls of flush, and 95 MSCF of N2. Stage sand at 1#, 2#, 3#, and 4# ppg. MTP-2907 psi, ATP-2657 psi, Air-20.5 bpm. Shut down, ISIP-1880 psi, 5 min. SIP-1750 psi. Wait 2 hrs. for crosslink gel to break and open to pit through 3/4 " choke until clean-shut in.

Turn in line.

1) Date: September 24, 2013
2) Operator's Well Number
Frey No. 3
3) API Well No.: 47 - 91 - 00837

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>Terry Austin</u>	Name <u>CoalQuest Development, LLC</u>
Address <u>RR 1, Box 260</u>	Address <u>2708 Cranberry Square</u>
<u>Thornton, West Virginia 26440</u>	<u>Morgantown, West Virginia 26508</u>
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name _____
	Address _____
(c) Name _____	Name _____
Address _____	Address _____
6) Inspector <u>Bryan Harris</u>	(c) Coal Lessee with Declaration
Address <u>P.O. Box 157</u>	Name _____
<u>Volga, WV 26238</u>	Address _____
Telephone _____	

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.

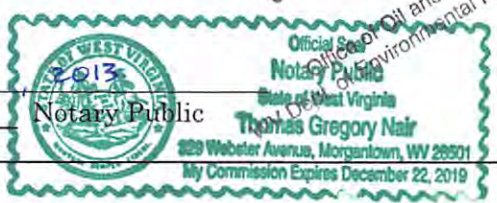
The reason you received these documents is that you have rights regarding the application which are summarized in the instructions on the reverses side. However, you are not required to take any action at all.

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 ICG Tygart Valley, LLC
 By: Charles E. Duckworth
 Its: Designated Agent
 Address 2708 Cranberry Square
Morgantown, West Virginia 26508
 Telephone (304) 594-1616

Received
OCT - 4 2013

Subscribed and sworn before me this 26 day of September
Thomas Gregory Nair
My Commission Expires December 22, 2019



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.

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Office of Oil and Gas

9100837P

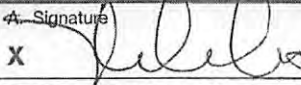
OCT 08 2013

WV Department of
Environmental Protection

7010 2780 0001 6548 3433

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To: TERRY AUSTIN	
Street, Apt. No., or PO Box No. RR 1, Box 240	
City, State, ZIP+4 THEONTON, WV 26440	
PS Form 3800, August 2006 See Reverse for Instructions	

RECEIVED
Office of Oil and Gas

<p>SENDER: COMPLETE THIS SECTION</p> <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p style="margin-left: 40px;">TERRY AUSTIN RR 1, Box 240 THEONTON, WV 26440</p> <p>2. Article Number (Transfer from service label) 7010 2780 0001 6548 3433</p>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) M. Austin C. Date of Delivery 10/8/13</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
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WW-4B

9100837P

API No.	<u>47-91-00837</u>
Farm Name	<u>Alice R. Frey</u>
Well No.	<u>Frey No. 3</u>

**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 X / 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: September 24, 2013

CoalQuest Development LLC


 By: Jan S. Ploetz
 Its Secretary

Received
 OCT - 4 2013
 Office of Oil and Gas
 WV Dept. of Environmental Protection

9100837P

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

CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

Operator Name ICG Tygart Valley, LLC OP Code _____

Watershed Three Fork Creek Quadrangle Thornton (638)

Elevation 1410 County Taylor District Knottsville

Description of anticipated Pit Waste: N/A

Will a synthetic liner be used in the pit? N/A

Proposed Disposal Method For Treated Pit Wastes:

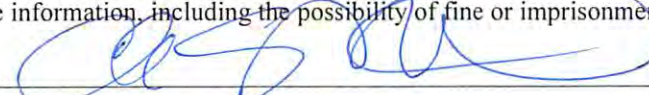
- Land Application
- Underground Injection (UIC Permit Number _____)
- Reuse (at API Number _____)
- Off Site Disposal (Supply form WW-9 for disposal location)
- Other (Explain Tanks - See attached letter)

Proposed Work For Which Pit Will Be Used:

- Drilling
- Workover
- Other (Explain _____)
- Swabbing
- Plugging

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on August 1, 2005, 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 

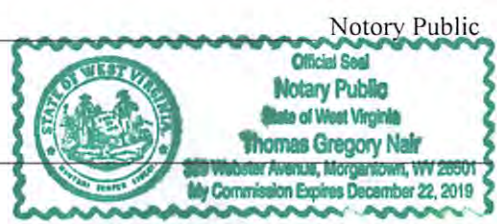
Company Official (Typed Name) Charles E. Duckworth

Company Official Title Designated Agent

Subscribed and sworn before me this 26 day of September, 2013



My commission expires December 22, 2019



LEGEND

- Property Boundary
- Road
- Existing Fence
- Planned Fence
- Stream
- Open Ditch
- Rock
- North
- Buildings
- Water wells
- Drill site

- Diversion
- Spring
- Wet Spot
- Drain Pipe with size in inches
- Waterway
- Cross Drain
- Artificial Filter Strip
- Pit: cut walls
- Pit: compacted fill walls
- Area for Land Application of Pit Waste

Proposed Revegetation Treatment: Acres Disturbed 1.50/2.0 Prevegetation pH _____
 Lime 3 Tons/acre or to correct to pH 6.5
 Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)
 Mulch Hay Bales Tons/acre

Seed Mixtures

Area I		Area II	
Seed Type	lbs/acre	Seed Type	lbs/acre
Orchard Grass	12	Orchard Grass	12
Landino Clover	3	Landino Clover	3
Timothy	10	Timothy	10

Attach: Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.
 See attached

Plan Approved by: Duane Harris

Comments: _____

Title: Oil + Gas Inspector Date: 10-2-13

Field Reviewed? Yes No

Received
 OCT - 4 2013
 Office of Oil and Gas
 WV Dept. of Environmental Protection



ICG TYGART VALLEY, LLC

2708 Cranberry Square, Morgantown, West Virginia 26508

September 24, 2013

WV Department of Environmental Protection
Office of Oil and Gas
601 – 57th Street, S.E.
Charleston, West Virginia 25304

To Whom It May Concern:

As per the WV Department of Environmental Protection, Office of Oil and Gas request, ICG Tygart Valley, LLC, submits the following procedures utilizing pit waste.

Upon submitting a well work application (without a general permit for Oil and Gas Pit Waste Discharge Application), ICG Tygart Valley, LLC, will construct no pits, but instead will use mud tanks to contain all drilling muds.

Once the well is completed, that material (minus the cave material) will be trucked to the next well to be plugged or to DEP impoundment facilities O-2017-06.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Charles E. Duckworth'. The signature is fluid and cursive.

Charles E. Duckworth
Designated Agent

Received
OCT - 4 2013
Office of Oil and Gas
WV Dept. of Environmental Protection

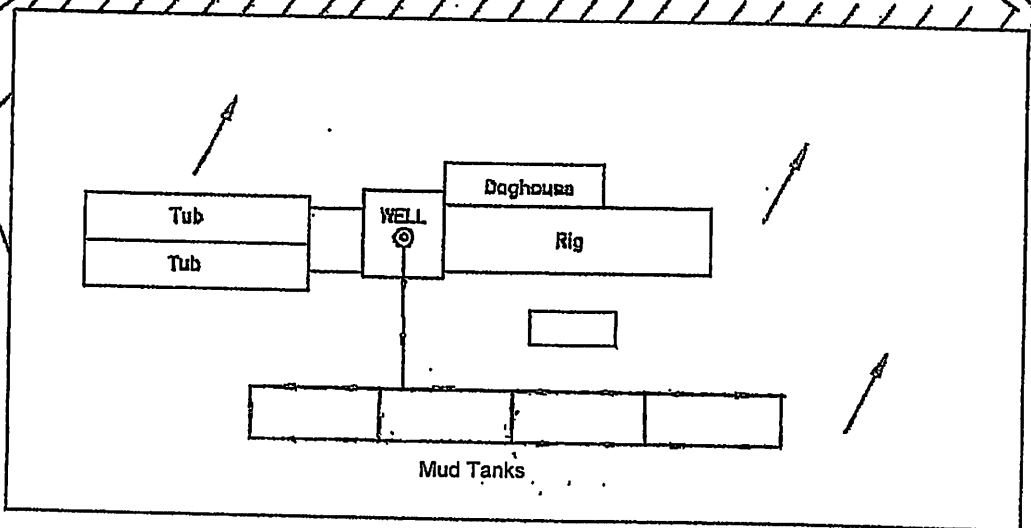
ICG TYGART VALLEY, LLC

Typical Drawing
Of Well Plugging Site
Plan

Diversion Ditch (as Needed)

CUT

Cut Mulched if Slope
Less than 1 to 1



Sediment
Catch Basin

Sediment
Catch Basin

Mud Tanks

Compacted and Layed

FILL

Original Ground Keywayed

Buyer Hani
10-2-13

Silt Fence

Hay Bales

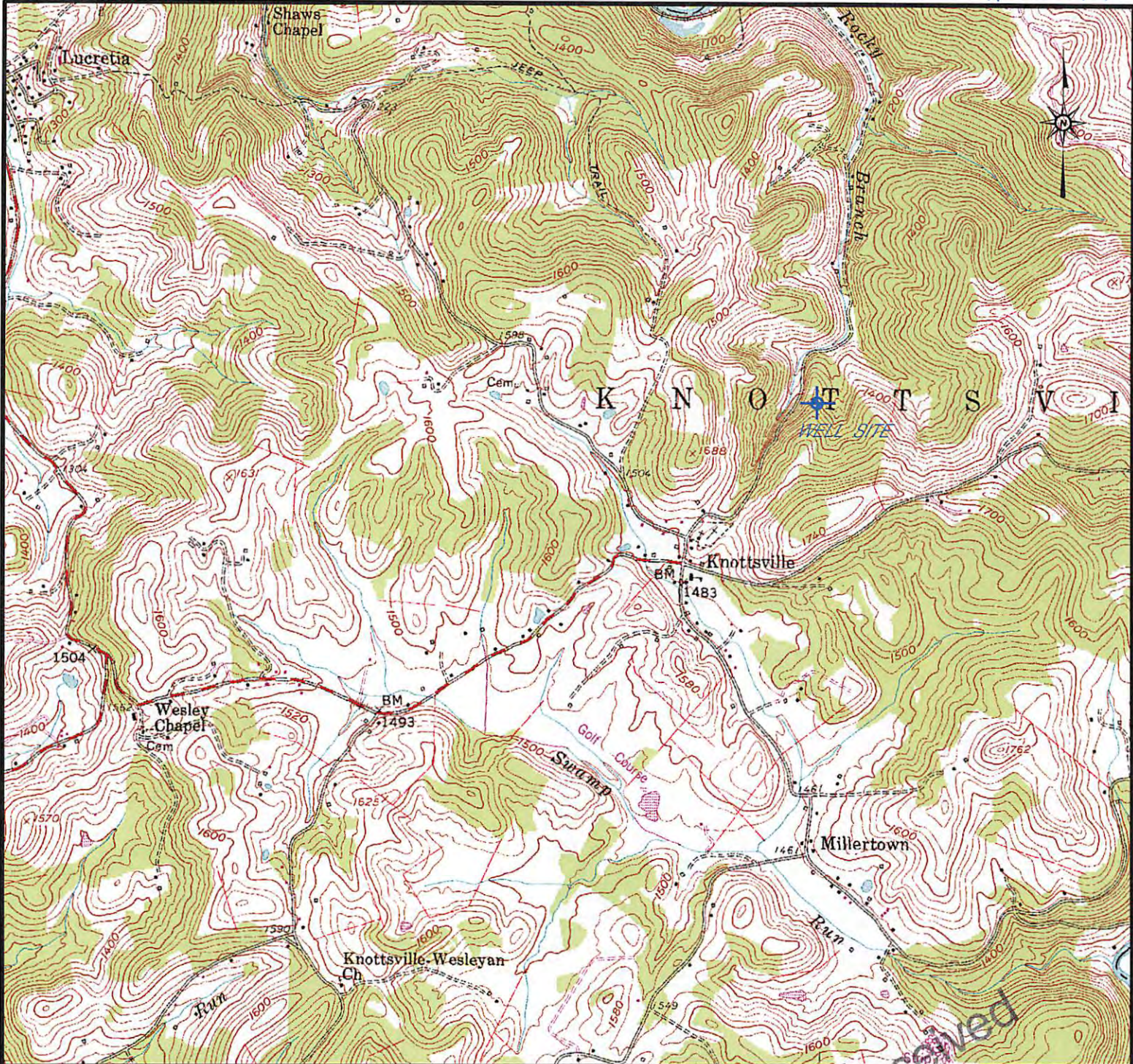
or
Sediment Fence

Received

OCT - 4 2013

Office of Oil and Gas
WV Dept. of Environmental Protection

Q100837P



LATITUDE: 39-19-02 N
 LONGITUDE: 79-57-32 W
 NEAREST WATERCOURSE: Rocky Branch of Three Forks Creek
 NEAREST TOWN: Knottsville

OPERATOR'S WELL NO. Frey
 API WELL NO. No. 3
47 - 091 - 00837
 STATE COUNTY PERMIT

WELL TYPE: OIL GAS LIQUID INJECTION WASTE DISPOSAL
 (IF "GAS") PRODUCTION STORAGE DEEP SHALLOW
 LOCATION 1410 WATERSHED Rocky Branch of Three Forks Creek
 DISTRICT Knottsville COUNTY Taylor
 QUADRANGLE Thornton 7 1/2"
 SURFACE OWNER: Edward Austin ACREAGE 46.75
 OIL & GAS ROYALTY OWNER: Alice R. Austin Frey LEASE ACREAGE 46.75
 LEASE NO. 457800

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

PLUG AND ABANDON CLEAN OUT AND REPLUG
 TARGET FORMATION Fourth ESTIMATED DEPTH 2268'
 WELL OPERATOR ICG Tygart Valley, LLC DESIGNATED AGENT Charles E. Duckworth
 ADDRESS 2708 Cranberry Square, Morgantown, WV 26508 ADDRESS 1200 Tygart Drive, Grafton, WV 26508

Received
 OCT - 4 2013
 Office of Environmental Protection
 W. Dept. of Environmental Protection

REVISED BY:	DATE:	API WELL NO. 47-091-00837 Frey No. 3	
		ICG TYGART VALLEY, LLC	
		DRAWN BY: <u>Tom Allen</u>	SCALE: <u>1" = 2000'</u>
		DIRECTORY: <u>DWGTYGTG #1</u> <u>WV OIL & GAS PERMIT MAPS</u>	DATE ORIGINATED: <u>JUNE 2013</u>
		DRAWING NO.: <u>47-091-00837</u> <u>Frey #3.dgn</u>	PLOTTING SCALES

PREPARED BY:



Appalachia - Northern Region
 2708 Cranberry Square, Morgantown, WV 26508
 Phone: 304-594-1616 Fax: 304-594-3708



West Virginia Department of Environmental Protection
Office of Oil and Gas

WELL LOCATION FORM: GPS

API: 47-091-0837 WELL NO.: Frey No. 3

FARM NAME: Alice R. Frey

RESPONSIBLE PARTY NAME: ICG Tygart Valley, LLC

COUNTY: Taylor DISTRICT: Knottsville

QUADRANGLE: Thornton

SURFACE OWNER: Terry Austin

ROYALTY OWNER: Edward L. Austin

UTM GPS NORTHING: 4352518.78

UTM GPS EASTING: 589763.13 GPS ELEVATION: 1415.64

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:

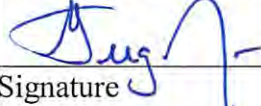
1. Datum: NAD 1983, Zone: 17 North, Coordinate Units: meters, Altitude: height above mean sea level (MSL) – meters.
2. Accuracy to Datum – 3.05 meters
3. Data Collection Method:

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	<u>Attorney-in-fact</u> Title	<u>September 24, 2013</u> Date
--	----------------------------------	-----------------------------------

Received
OCT - 4 2013
Office of Oil and Gas
Dept. of Environmental Protection

POWER OF ATTORNEY
ICG TYGART VALLEY, LLC
TO
GREG NAIR

Dated: January 1, 2013

Expires: December 31, 2013

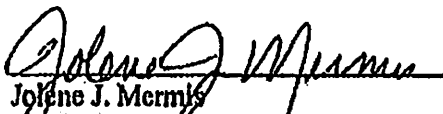
KNOW ALL MEN BY THESE PRESENTS: That ICG Tygart Valley, LLC, a limited liability company organized and existing under the laws of the State of Delaware (the "Company"), acting by and through James E. Florezak, its duly authorized Vice President and Treasurer, has and does hereby appoint Greg Nair its true and lawful Attorney-in-Fact with power and authority, for and on behalf, and in the name of the Company, during the period specified above, and subject to the restrictions and limitations set forth in this Power of Attorney to execute and deliver in the ordinary and regular course of the Company's business, applications for mining, environmental, safety and health permits, permit transfers, or permit bond releases or bond adjustments, amendments, supplements or modifications to such permits, certificates or other instruments directly related to such amendments, supplements or modifications, monthly production reports, air quality, water quality or other environmental reports, quarterly discharge monitoring reports and any other like or similar reports required to be filed with any local, state or federal governmental agency.

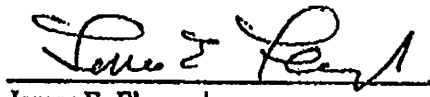
The Attorney herein appointed shall be authorized to act pursuant to this Power from the date hereof only so long as such Attorney shall remain an employee of Arch Coal, Inc. or any subsidiary thereof, or until December 31, 2013, or until such earlier time as this instrument has been revoked, annulled, rescinded or set aside by an instrument of revocation filed with the Secretary of the Company, whichever first occurs.

IN WITNESS WHEREOF, the Company has caused this Power of Attorney to be executed on its behalf, and its seal to be hereunto affixed and attested as of the day and year first above written, by the undersigned, James E. Florezak, duly authorized Vice President and Treasurer of the Company, and Jolene J. Mermis, duly elected Assistant Secretary of the Company.

Attest:

ICG TYGART VALLEY, LLC


Jolene J. Mermis
Assistant Secretary of the Company


James E. Florezak
Vice President and Treasurer

Received

OCT - 4 2013

Office of Oil and Gas
WV Dept. of Environmental Protection

Nottingham, Justin E

From: Terry Austin <info@frontierfest.com>
Sent: Monday, October 07, 2013 11:48 AM
To: Nottingham, Justin E
Subject: API #47-91-00837 - Frey No.3
Attachments: 001.jpg; 002.jpg

The roadway leading to Frey #3 well never had a complete right of way to the well, just the last 1/3 of the road to the well had a right a way.

The front 2/3 of the road is a right of way I built in Oct of 1978 as a driveway to my house. You will find attached a copy of the permit that was given by the state to my Aunt, that I filed in her name because she was the land owner. You will also find attached a copy of my deed plate that shows my right of way thru Alice Frey property by the surveyor on Nov 1, 1978. I used and maintained that road several years before a gas well was in place. I have not given anyone written permission to cross my right of way. Access to this well over or across my right of way is to stop as of Oct 7, 2013 at 9:00am until arrangements can be made.

--

Terry Austin

Rt 1 Box 260

Thornton, WV 26440

(304)265-5748

CELL 304-672-6129

Go Mountaineers!

-----Original Message-----

From: McLaughlin, Jeffrey W [<mailto:Jeffrey.W.McLaughlin@wv.gov>]
Sent: Tuesday, October 08, 2013 9:32 AM
To: Duckworth, Charles
Cc: Nottingham, Justin E
Subject: FW: API #47-91-00837 - Frey No.3

Chuck,

We have received comments from the surface owner pertaining to the above-referenced plugging permit application. I am forwarding his letter to you along with attachments. Could you respond to his comments? Please send your response to me and I will forward them on to Mr. Austin. You may respond by email.

Regards,

Jeffrey W. McLaughlin
WV DEP, Office of Oil and Gas

-----Original Message-----

From: Nottingham, Justin E
Sent: Monday, October 07, 2013 2:38 PM
To: McLaughlin, Jeffrey W
Subject: FW: API #47-91-00837 - Frey No.3

-----Original Message-----

From: Terry Austin [<mailto:info@frontierfest.com>]
Sent: Monday, October 07, 2013 11:48 AM
To: Nottingham, Justin E
Subject: API #47-91-00837 - Frey No.3

The roadway leading to Frey #3 well never had a complete right of way to the well, just the last 1/3 of the road to the well had a right a way.

The front 2/3 of the road is a right of way I built in Oct of 1978 as a driveway to my house. You will find attached a copy of the permit that was given by the state to my Aunt, that I filed in her name because she was the land owner. You will also find attached a copy of my deed plate that shows my right of way thru Alice Frey property by the surveyor on Nov 1, 1978. I used and maintained that road several years before a gas well was in place. I have not given anyone written permission to cross my right of way. Access to this well over or across my right of way is to stop as of Oct 7, 2013 at 9:00am until arrangements can be made.

--
Terry Austin

Rt 1 Box 260

Thornton, WV 26440

McLaughlin, Jeffrey W

From: Duckworth, Charles <CDuckworth@archcoal.com>
Sent: Monday, November 04, 2013 11:31 AM
To: McLaughlin, Jeffrey W
Cc: Nottingham, Justin E; info@frontierfest.com
Subject: RE: API #47-91-00837 - Frey No.3

Mr. McLaughlin,

Please accept this response to the below copied comments provided by the surface owner to WV Oil & Gas, regarding our application for a plugging permit for our well 47-091-00837. I've copied the comments from your email of October 08, 2013.

The roadway leading to Frey #3 well never had a complete right of way to the well, just the last 1/3 of the road to the well had a right a way.

The front 2/3 of the road is a right of way I built in Oct of 1978 as a driveway to my house. You will find attached a copy of the permit that was given by the state to my Aunt, that I filed in her name because she was the land owner. You will also find attached a copy of my deed plate that shows my right of way thru Alice Frey property by the surveyor on Nov 1, 1978. I used and maintained that road several years before a gas well was in place. I have not given anyone written permission to cross my right of way. Access to this well over or across my right of way is to stop as of Oct 7, 2013 at 9:00am until arrangements can be made.

~~~~~  
\* Mr. and Mrs. Austin and I met a couple of times, and I have had other phone conversations with Mr. Austin to discuss both the access issue and other concerns regards to plugging the well and to their free consumer status regards to the existing gas well.

While our company does not necessarily concur with having less than complete access to perform routine or other duties to the existing well, as provided in the lease that our company also acquired from the previous well operator - it was and is our company's position and interest to listen to and address concerns of the applicable surface owner. To that end we have made a proposal to the parties that I believed resolved concerns they have, and we as have defined several tasks we need to accomplish jointly, they have consented for our company and our contractors to have access on the existing route to the well location to accomplish those tasks and for our stated purposes of plugging the gas well.

I have copied M/M Austin in this email for transparency, as I committed to during our first discussion.

Please advise if there are other concerns, and as to when our application could expect to be reviewed and approved.

Thanks, CHUCK

Chuck Duckworth  
Gas Well & Property Manager  
Arch Coal, Inc. - Leer Mining Complex  
1200 Tygart Drive  
Grafton, WV 26354

(304) 552-8783 cell  
(304) 265-9704 Leer office

(304)265-5748

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**\*\*\*Email Disclaimer:** The information contained in this e-mail, and in any accompanying documents, may constitute confidential and/or legally privileged information. The information is intended only for use by the designated recipient. If you are not the intended recipient (or responsible for delivery of the message to the intended recipient), you are hereby notified that any dissemination, distribution, copying, or other use of, or taking of any action in reliance on this e-mail is strictly prohibited. If you have received this e-mail communication in error, please notify the sender immediately and delete the message from your system.

A100837P

**McLaughlin, Jeffrey W**

---

**From:** McLaughlin, Jeffrey W  
**Sent:** Monday, December 02, 2013 2:52 PM  
**To:** info@frontierfest.com  
**Cc:** cduckworth@archcoal.com  
**Subject:** API 47-091-00837 Plugging Permit (Frey No. 3)

Mr. Austin,

I appreciate the call back confirming that you received my communication about ICG Tygart Valley, LLC's response to your comments. I am proceeding with the issuance of the above-referenced plugging permit. It is good to know that both parties have come to an agreement. You will receive a copy of the plugging permit when it is issued.

PLEASE PROVIDE THE API # AND THE WELL NAME IN THE SUBJECT OF ANY EMAIL INQUIRY YOU MAKE.

Regards,

Jeff McLaughlin, WV DEP  
Office of Oil & Gas  
Phone 304-926-0499 ext. 1614



9100837P

WEST VIRGINIA DEPARTMENT OF HIGHWAYS

OFFICE OF THE DISTRICT ENGINEER  
FOURTH DISTRICT  
Clarksburg, West Virginia  
26301

JOHN D. ROCKEFELLER IV  
GOVERNOR

CHARLES L. MILLER  
COMMISSIONER

October 16, 1978

Alice R. Frey  
Rt. 1, Box 476  
Grafton, W. Va.

Dear Sir:

Please be advised that your permit, number 04-78-0690

for work in Taylor County has been approved.

Before commencing the work authorized by this permit it will be necessary for you to stop at the County Headquarters at Grafton, W. Va. pick up the approved permit and notify the personnel there of the starting date of the proposed construction.

Very truly yours,

*J. Darrell Bowen*

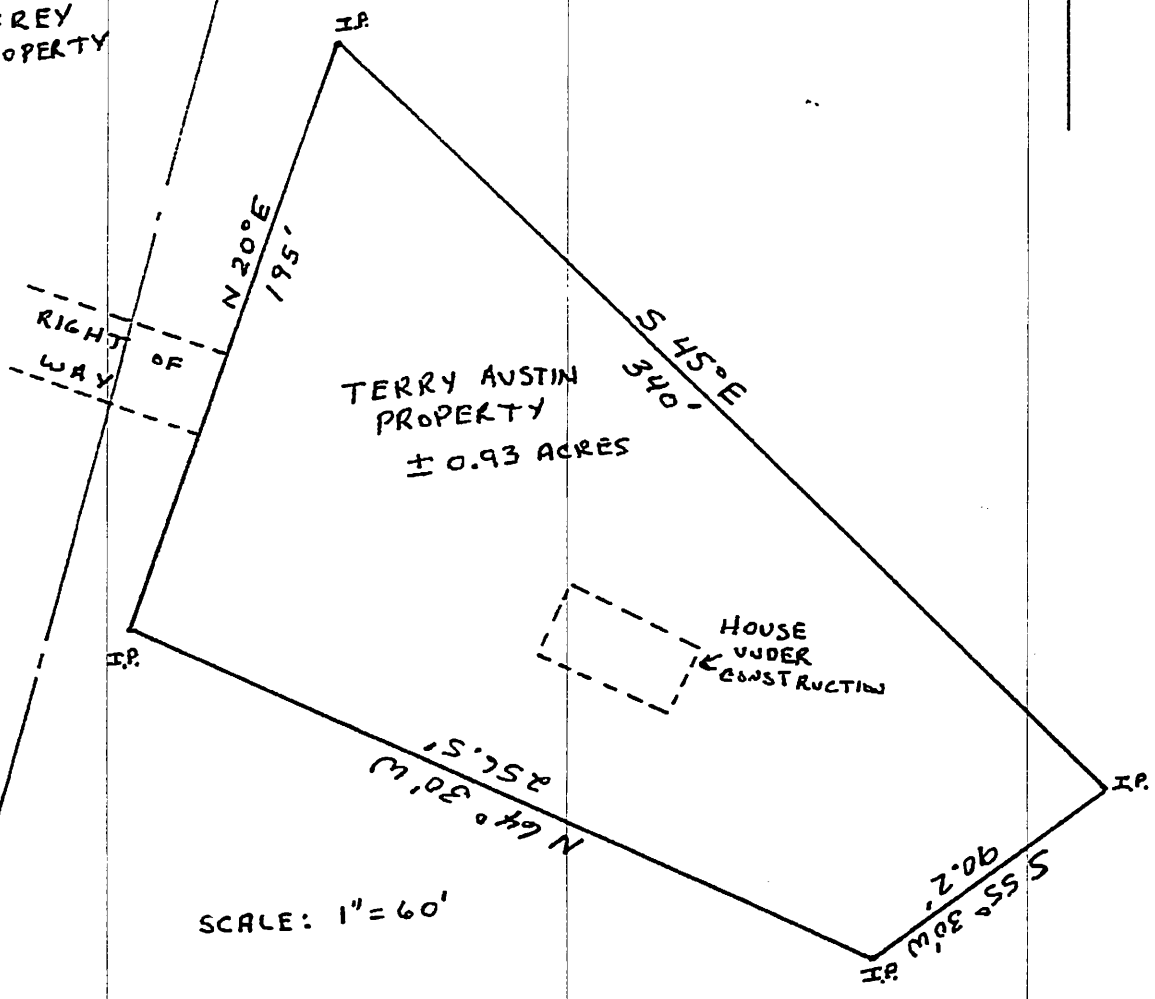
J. Darrell Bowen  
Asst. District Engineer

JDB/ rac

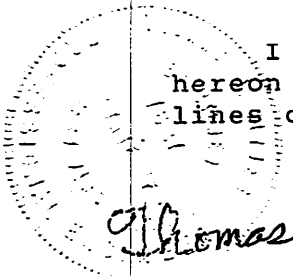
cc: Permit Dept.  
County

ALICE AUSTIN  
FREY  
PROPERTY

NEIL AUSTIN  
PROPERTY



SCALE: 1" = 60'



I hereby certify that I have made a survey of the property hereon shown and that all buildings are within the property lines on the lot described.

*Thomas Bradley Barnes*

Thomas Bradley Barnes  
Civil Engineer  
Registered, West Virginia 7687

Property of Terry Austin  
Talyor Co.

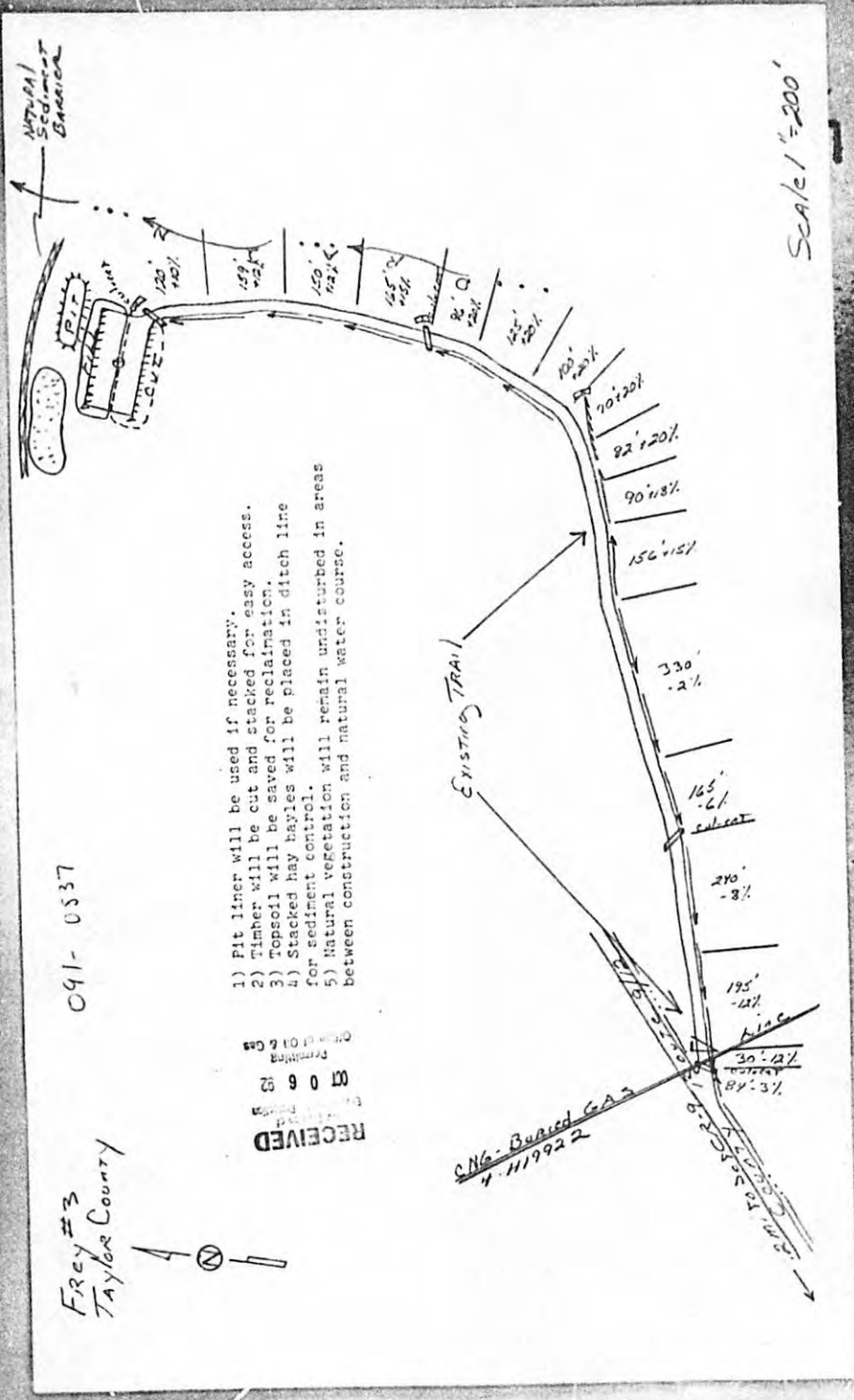
Date: Nov. 1, 1978





002247

002248

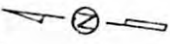


091-0537

- 1) Pit liner will be used if necessary.
- 2) Timber will be cut and stacked for easy access.
- 3) Topsoil will be saved for reclamation.
- 4) Stacked hay bales will be placed in ditch line for sediment control.
- 5) Natural vegetation will remain undisturbed in areas between construction and natural water course.

RECEIVED  
 Taylor County  
 01 0 6 92  
 Planning  
 091-0537

Frey #3  
 Taylor County



CNG-BURIED GAS  
 4-119922