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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)

Thursday, December 8, 2022  
 WELL WORK PLUGGING PERMIT  
 Vertical Plugging

DIVERSIFIED PRODUCTION LLC  
 101 MCQUISTON DRIVE

JACKSON CENTER, PA 16133

Re: Permit approval for B-72  
 47-097-01709-00-00

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: HODGES, R. R.  
 U.S. WELL NUMBER: 47-097-01709-00-00  
 Vertical Plugging  
 Date Issued: 12/8/2022

# PERMIT CONDITIONS<sup>47 0 9 7 0 1 7 0 9</sup>

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.

1) Date September 29, 2022  
2) Operator's  
Well No. B-72  
3) API Well No. 47-097 - 01709

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

APPLICATION FOR A PERMIT TO PLUG AND ABANDON

4) Well Type: Oil \_\_\_ / Gas X / Liquid injection \_\_\_ / Waste disposal \_\_\_ /  
(If "Gas, Production X or Underground storage \_\_\_) Deep \_\_\_ / Shallow X

5) Location: Elevation 1669.43 feet Watershed Brush Run of Buckhannon River  
District Warren County Upshur Quadrangle Phiippi

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

8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name Sam Ward Name Next LVL Energy  
Address P.O. Box 2327 Address 1951 Pleasantview Ridge Road  
Buckhannon, WV 26201 Ravenswood, WV 26164

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

See Attached

RECEIVED  
Office of Oil and Gas  
OCT 13 2022  
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 Sam Ward Date 10/13/2022



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AUG 1 1977

STATE OF WEST VIRGINIA  
DEPARTMENT OF MINES  
Oil and Gas Division  
WELL RECORD

OIL & GAS DIVISION  
DEPT. OF MINES

47-097-01709

Rotary  Oil  
Cable \_\_\_\_\_ Gas \_\_\_\_\_  
Recycling \_\_\_\_\_ Comb \_\_\_\_\_  
Water Flood \_\_\_\_\_ Storage \_\_\_\_\_  
Disposal \_\_\_\_\_ (Kind)

Quadrangle Phillippi

Permit No. UPS 1709

Company J & J Enterprises, c/o Berry Energy  
Address 309 Professional Bldg., Clarksburg  
Farm J. J. Hodges Acres 100  
Location (waters) Brush Run  
Well No. B-72 Elev. 1501'  
District Warren County Upshur  
The surface of tract is owned in fee by \_\_\_\_\_  
Same  
Address \_\_\_\_\_  
Mineral rights are owned by \_\_\_\_\_ Same  
Address \_\_\_\_\_  
Drilling Commenced 1/18/77  
Drilling Completed 1/24/77  
Initial open flow 42,000 cu. ft. \_\_\_\_\_ bbls.  
Final production 537,000 cu. ft. per day \_\_\_\_\_ bbls.  
Well open 7 hours hrs. before test 1005 RP. 24 hrs

Casing and Tubing	Used in Drilling	Left in Well	Cement (ft. Sp. Cu. ft. (Sks.))
Size 20 1/2			
Cond. 13-10"	11 3/4	18	18 to surface
9 5/8			
8 5/8	1162	1162	to surface
7			
5 1/2			
4 1/2	4378	4378	to 3525
3			
2			
Liners Used			

Well treatment details:

Attach copy of cementing record.

Water Frac Benson  
4/6/77  
Total fluid 980 bbls.  
60,000 - 20/40 Sand  
500 Gal. RFC Acid

Coal was encountered at Below Feet \_\_\_\_\_ Inches \_\_\_\_\_  
Fresh water 305' Feet \_\_\_\_\_ Salt Water \_\_\_\_\_ Feet \_\_\_\_\_  
Producing Sand Benson 4265-4280 Depth \_\_\_\_\_ to 4415

Formation	Color	Hard or Soft	Top Feet	Bottom Feet	Oil, Gas or Water	* Remarks
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OCT 13 2022

WV Department of  
Environmental Protection

*SDW*  
*10/13/2022*

4709701709

## Plugging Prognosis

API #: 4709701709

West Virginia, Upshur County

Lat/Long: 39.0400203248288, -80.1884595485988

Nearest ER: St. Joseph's Hospital (WVU Medicine) – 1 Amalia Dr., Buckhannon, WV 26201

## Casing Schedule

11-3/4" @ 18' (cemented to surface)

8-5/8" @ 1162' (cemented to surface)

4-1/2" @ 4378' (cemented to 3525' per well report)

TD @ 4378'

Completion: Producing Sand – Benson 4265'-4280'

Fresh Water: 305'

Salt Water: none listed

Gas Shows: none listed

Oil Shows: none listed

Coal: none listed

Elevation: 1501'

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1. Notify Inspector Sam Ward @ 304-389-7583, 48 hrs prior to commencing operations.
2. Check and record pressures on csg/tbg.
3. Check TD w/ wireline.
4. Run in to 4280'. Kill well as needed with 6% bentonite gel and fill rat hole with gel. Pump at least 10 bbls gel. Pump 115' Class A/Class L cement plug from **4280' to 4165' (Producing sand plug)**. Tag TOC. Top off as needed. ✓
5. TOOH w/ tbg to 4165', Pump 6% bentonite gel from top of plug to 1501'
6. Free point 4-1/2" tbg. Cut and TOOH. Set 100' Class A/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.**
7. TOOH w/ tbg to 1501'. Pump 100' Class A/Class L cement plug from **1501' to 1401' (Elevation plug)**.
8. TOOH w/ tbg to 1401'. Pump 6% bentonite gel from 1401' to 1212'.
9. TOOH w/ tbg to 1212'. Pump 100' Class A/Class L cement plug from **1212' to 1112' (8-5/8" csg plug)**.
10. TOOH w/ tbg to 1112'. Pump 6% bentonite gel from 1112' to 355'.
11. TOOH w/ tbg to 355'. Pump 100' Class A/Class L cement plug from **355' to 255'. (Fresh water plug)**.
12. TOOH w/ tbg to 255'. Pump 6% bentonite gel from 255' to 100'.
13. TOOH w/ tbg to 100'. Pump 330' Class A/Class L cement plug from **100' to Surface. (Surface plug)**.
14. Reclaim location and well road to WV DEP specifications and erect P&A well monument.

SDW  
10/13/2022

12/09/2022

WW-4A  
Revised 6-07

1) Date: September 29, 2022  
2) Operator's Well Number B-72

3) API Well No.: 47 - 097 - 01709

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

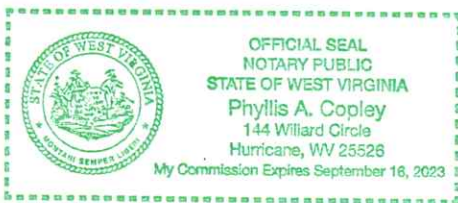
4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name <u>Robin Queen Triplett</u>	Name <u>None</u>
Address <u>1084 Shumaker Road</u>	Address _____
<u>Buckhannon, WV 26201</u>	_____
(b) Name _____	(b) Coal Owner(s) with Declaration
Address _____	Name <u>See Attached List</u>
_____	Address _____
_____	_____
(c) Name _____	Name _____
Address _____	Address _____
_____	_____
6) Inspector <u>Sam Ward</u>	(c) Coal Lessee with Declaration
Address <u>P.O. Box 2327</u>	Name <u>No Declaration</u>
<u>Buckhannon, WV 26201</u>	Address _____
Telephone <u>304-389-7583</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 Diversified Production, LLC  
By: Austin Suller  
Its: Plugging Manager  
Address 414 Summers Street  
Charleston, WV 25301  
Telephone 304-419-2562

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Office of Oil and Gas  
**OCT 13 2022**  
WV Department of  
Environmental Protection

Subscribed and sworn before me this 29th day of September, 2022  
Phyllis A. Copley Notary Public  
My Commission Expires September 16, 2023

**Oil and Gas Privacy Notice**

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

47 0 97 0 17 0 9

**Well B-72**  
**47-097-01709**  
**Coal Owners**

FEW Inc.  
P.O. Drawer L  
Buckhannon, WV 26201

Onondaga Holding Company, LLC  
444 Richardsonville Road  
Creston, WV 25141

Mike Ross Inc.  
P.O. Box 219  
Coalton, WV 26257

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Office of Oil and Gas

**OCT 13 2022**

WV Department of  
Environmental Protection

12/09/2022

4709701709

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Well B-72 47-097-01709-3-USPS

Sent To: FEW Inc.  
 Street: P.O. Drawer L  
 City, State: Buckhannon, WV 26201

PS Form 3800 See Reverse for Instructions

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Well B-72 47-097-01709

Sent To: Robin Queen Triplett  
 Street and Apt: 1084 Shumaker Road  
 City, State, Zip: Buckhannon, WV 26201

PS Form 3800 See Reverse for Instructions

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Well B-72 47-097-01709

Sent To: Mike Ross Inc.  
 Street and Apt: P.O. Box 219  
 City, State: Coalton, WV 26257

PS Form 3800 See Reverse for Instructions

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Well B-72 47-097-01709

Sent To: Onondaga Holding Company, LLC  
 Street and Apt: 444 Richardsonville Road  
 City, State: Creston, WV 25141

PS Form 3800 See Reverse for Instructions

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 Office of Oil and Gas  
 SEP 30 2022  
 WV Department of  
 Environmental Protection

12/09/2022



WW-9  
(5/16)

API No. 47 097 01709  
Operator's Well No. Well B-72

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) Brush Run of Buckhannon River Quadrangle Philippi

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

Will a pit be used? Yes  No

If so, please describe anticipated pit waste: Produced fluid and cement returns

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

Proposed Disposal Method For Treated Pit Wastes:

- Land Application (if selected provide a completed form WW-9-GPP)
- Undergound Injection ( UIC Permit Number 2D08300792002)
- Reuse (at API Number \_\_\_\_\_)
- Off Site Disposal (Supply form WW-9 for disposal location)
- Other (Explain \_\_\_\_\_)

*SDW*  
*10/3/2022*

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

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

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

Additives to be used in drilling medium? \_\_\_\_\_

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

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

-Landfill or offsite name/permit number? \_\_\_\_\_

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OCT 13 2022  
WV Department of  
Environmental Protection

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

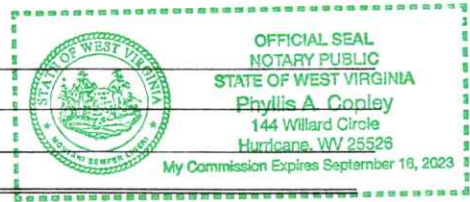
I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on April 1, 2016, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations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

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

Company Official Signature *Austin Suttler*

Company Official (Typed Name) Austin Suttler

Company Official Title Plugging Manager



Subscribed and sworn before me this 29th day of September, 2022

*Phyllis A. Copley* Notary Public

My commission expires September 16, 2023

12/09/2022

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

Lime 3 Tons/acre or to correct to pH 6.5

Fertilizer type 10-20-20 or equivalent

Fertilizer amount lbs/acre

Mulch 2 Tons/acre

Seed Mixtures

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

Attach:

Maps(s) of road, location, pit and proposed area for land application (unless engineered plans including this info have been provided). If water from the pit will be land applied, provide water volume, include dimensions (L, W, 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: [Signature]

RECEIVED Office of Oil and Gas

Comments:

OCT 13 2022

WV Department of Environmental Protection

Title: COG Inspector Date: 10/13/2022

Field Reviewed? ( ) Yes (X) No



4709701709



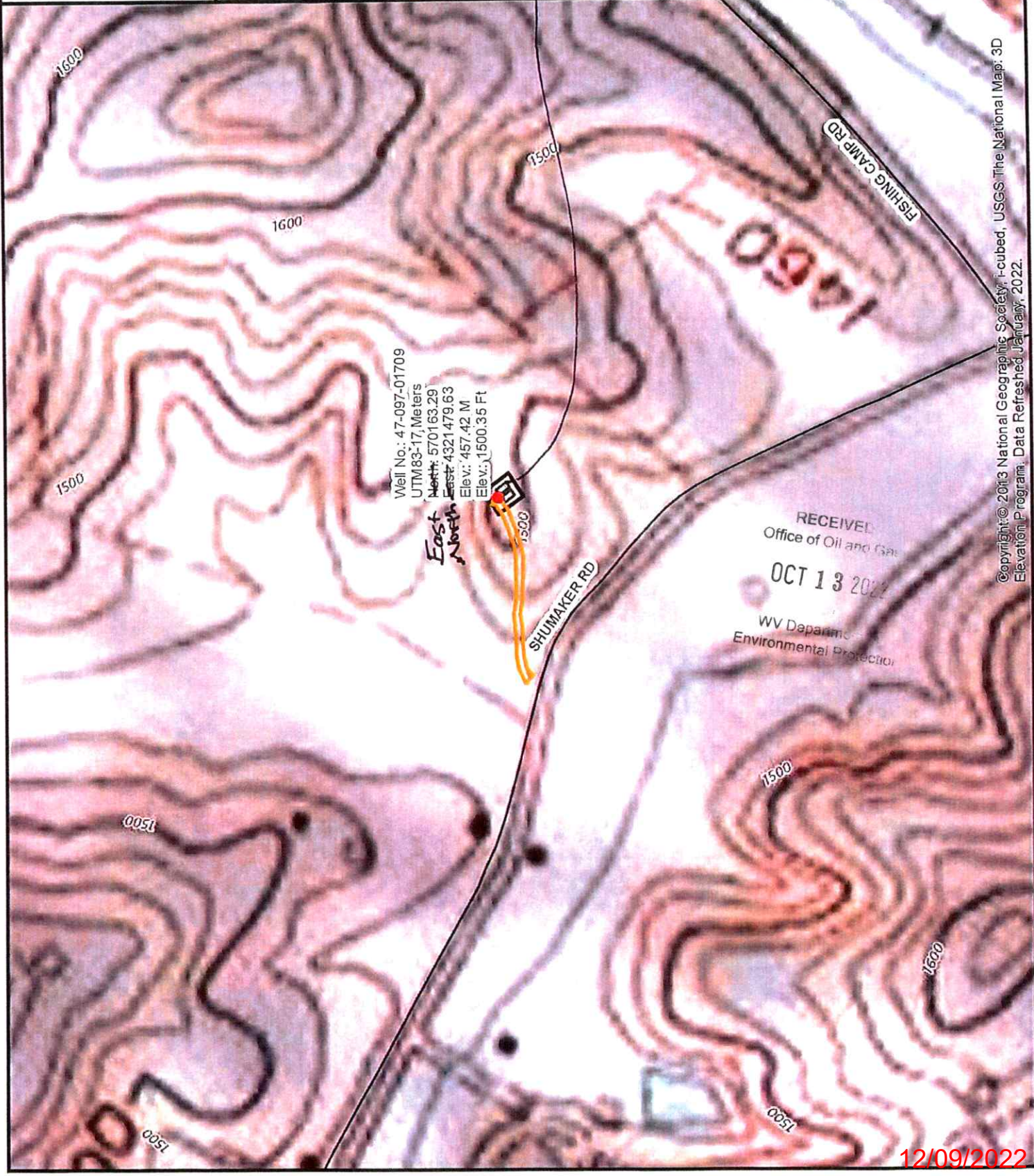
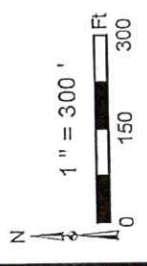
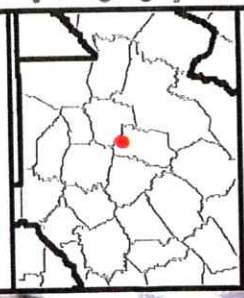
**DIVERSIFIED ENERGY**  
100 Diversified Way  
Pikeville KY, 41051

47-097-01709  
Plugging Map

**Legend**

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

→ 1 Pit  
 10' W  
 20' L  
 8' D  
 285 bbl



Copyright © 2013 National Geographic Society, i-cubed, USGS The National Map: 3D Elevation Program, Data Refreshed January, 2022.

12/09/2022



To Whom it May Concern,

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

Thank You.

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Mike Ross Inc.  
P.O. Box 219  
Coalton, WV 26257

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1084 Shumaker Road  
Buckhannon, WV 26201

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PS Form 3800, April 2019 PSN 7500-02-000-9047

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P.O. Drawer L  
Buckhannon, WV 26201

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PS Form 3800, April 2019 PSN 7500-02-000-9047

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Well B-72 47-097-01709  
Onondaga Holding Company, LLC  
444 Richardsonville Road  
Creston, WV 25141

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OCT 05 2022  
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PS Form 3800, April 2019 PSN 7500-02-000-9047



**DIVERSIFIED**  
energy

47 0 97 0 17 09

10/5/2022

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:

47-097-01709          Hodges B-72 150321

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

Sincerely,

Austin Sutler  
Asset Retirement Manager



4709701709

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.

**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.

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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





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

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## plugging permits issued 4709701322 09701709 09700093 09700772

1 message

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

Thu, Dec 8, 2022 at 2:46 PM

To: Samuel D Ward <samuel.d.ward@wv.gov>, Phyllis Copley <pcopley@dgoc.com>, Austin Sutler <asutler@dgoc.com>, dwzickefoose@upshurcounty.org


To whom it may concern plugging permits have been issued for 4709701322 09701709 09700093 09700772.


James Kennedy


WVDEP OOG


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