

U. S. Department of Labor

Mine Safety and Health Administration
100 Bluestone Road
Mount Hope, WV 25880-1000



OCT 26 2007

Mr. Chris Blanchard
President
Performance Coal Company
P. O. Box 69
Naoma, WV 25140

Dear Mr. Blanchard:

Subject: Approved Gas Well Permit, Section 75.1700, 30 CFR 75,
Upper Big Branch Mine-South, I.D. No. 46-08436,
Performance Coal Company, Montcoal, Raleigh County,
West Virginia, Permit No. 17325-T11

This will acknowledge receipt and approval of the subject permit for extracting coal in the vicinity of gas well No. 955 located on the subject mine property.

The permit is based upon an evaluation of the projected mine plan as shown on Form OG-45 dated October 24, 2007, and is issued in accordance with provisions of Section 75.1700, 30 CFR.

Should you have any questions concerning this matter, please contact William L. Ross at (304) 877-3900/Ext. 142.

Sincerely,

for ROBERT G. HARDMAN

Robert G. Hardman
District Manager
Coal Mine Safety and Health, District 4

cc: Mt. Hope Field Office
Inspector
Field Office Supervisor
Files/dac

SUPERVISORY ACKNOWLEDGEMENT
Initials BR 10/26/07
Date 10/26/07

U. S. Department of Labor

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President
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Sincerely,

A handwritten signature in cursive script, reading "Robert G. Hardman", is positioned above the typed name.

Robert G. Hardman
District Manager
Coal Mine Safety and Health, District 4

17325 T11

4608436

STATE OF WEST VIRGINIA
OFFICE OF MINERS' HEALTH, SAFETY & TRAINING
1615 WASHINGTON ST. EAST
CHARLESTON, WV 25311-2126

PERMIT NUMBER: BOO-1036
DATE: 10/24/2007

P E R M I T
TO EXTEND MINE WORKINGS
WITHIN THE 200 FOOT RADIUS OF OIL OR GAS WELLS

COMPANY: PERFORMANCE COAL CO.
MINE: UBBMC MONTCOAL EAGLE MINE PERMIT NUMBER: U00304292
SEAM: EAGLE
DISTRICT: CROOK
COUNTY: RALEIGH
ADDRESS: PO BOX 69
CITY: NAOMA, STATE: WV, ZIP: 25140

PERMISSION IS HEREBY GIVEN:

TO MINE WITHIN A 200 FOOT RADIUS OF DOMINION
NATURAL RESOURCES WELL NO. 955 ABANDONED GAS WELL
LOCATED ON THE ALBERT H. COLE ET.AL. FARM IN THE
CROOK DISTRICT OF BOONE COUNTY AS SHOWN ON THE
APPROVED ATTACHED MAP.

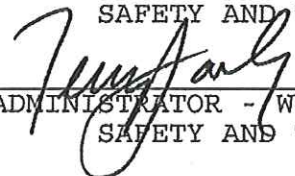
CONTINGENT UPON THE FOLLOWING:

- 1. MINING IS TO PERFORMED STRICTLY IN ACCORDANCE WITH THE MAP APPROVED BY THE DIVISION OF MINE HEALTH, SAFETY AND TRAINING HERETO.
- 2. A COPY OF THE PERMIT SHALL BE KEPT AT THE MINE.
- 3. THE PERMIT IS VOID UPON INSPECTOR'S RECOMMENDATION.
- 4. THE PERMIT IS NON-TRANSFERRABLE.

WELL OPERATOR: DOMINION NATURAL RESOURCES
WELL OPERATOR WELL NUMBER: 955
MINE OPERATOR WELL NUMBER: 955

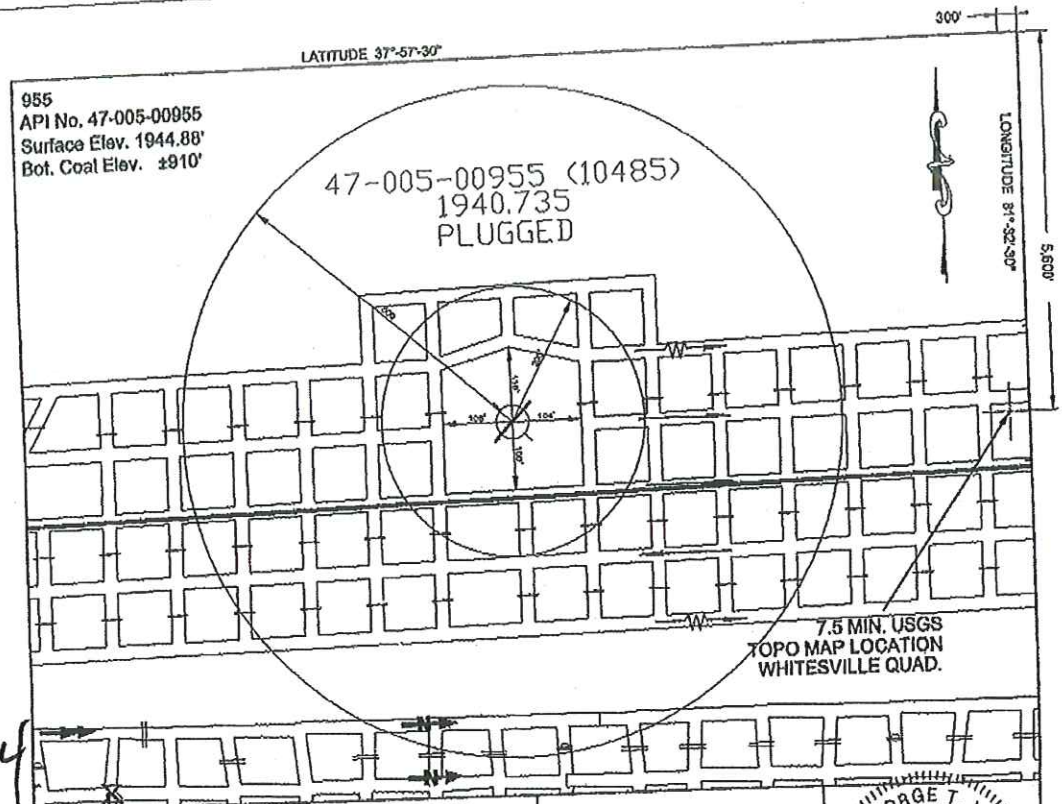
Ronald L. Wooten

BY: _____
DIRECTOR - WV MINERS' HEALTH,
SAFETY AND TRAINING



ADMINISTRATOR - WV MINERS' HEALTH,
SAFETY AND TRAINING

CCS:
DOMINION NATURAL RESOURCES
REGION: 4
M.S.H.A. District Office
H.S. & T. File

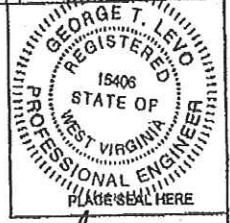


Handwritten: 10-24-04

LEGEND

	PROJECTED ROOMS AND ENTRIES
	PROJECTED EXTRactions
	NO SECOND MINING
	ROOMS AND ENTRIES
	PILLAR EXTRactions
	TRACK
	BELT HEAD AND TAIL
	INTAKE AIR
	RETURN AIR
	MAIN FAN

File No. _____
 Drawing No. _____
 Scale 1"=200'
 Minimum degree of accuracy, 1: 10000'
 (*) Denotes location of well on United States Topographic Maps



Signed *George T. Levo*
 R.P.E. 15406 L.S. _____

FORM OG-45 (REVERSE) (08-78)

Handwritten: 600-1036
10-24-04

Coal Operator's Well Number **955**

Date: October 24, 20 07
 Operator's Well No. **955**
 API Well No. 47 - 005 - 00955
State County Petrol

NOTICE BY COAL OPERATOR OF INTENTION TO EXTEND MINE WORKING WITHIN 200 FEET OF WELL

COAL OPERATOR Performance Coal Company ELEVATIONS: Surface 1944.88'
 Address P.O. Box 69 Bottom of Coal ±910'
Naoma, WV 25140 Difference ±1034.88

MINE Upper Big Branch SECTION Unit 2 OVERBURDEN SS/Shale COAL SEAM Eagle
 RQOF Shale BOTTOM Shale

WELL TYPE: Oil / Gas _____ / Liquid Injection _____ / Waste Disposal _____
 (If "Gas", Production _____ / Underground storage _____ / Deep _____ / Shallow _____)

LOCATION: Elevation: 1944.88' Watershed: Unnamed Tributary of Elk Run
 District: Crook County: Boone Quadrangle: Whitesville
 Farm: Albert H. Cole ET. AL. Tract: 3149 acres (Lease No. 68059)

STATUS: Active _____ / Abandoned / Drilling _____
 Date completed or abandoned, August 1, 19 63

AMOUNT OF CASING IN WELL 13 - 3/8" (22'), 9 - 5/8" (383'), 7" (1782')

FORM-OG-45
(Obverse)
[Rev. 7-85]

Date: October 24, 2007
Operator's
Well No. 955
API Well No. 47 - 005 - 00955
State County Permit

STATE OF WEST VIRGINIA
DEPARTMENT OF ENERGY, DIVISION OF MINES AND MINERALS

COAL OPERATOR'S PETITION TO OPERATE
WITHIN 200 FEET OR TO MINE THROUGH A WELL

WELL TYPE: Oil X/ Gas / Liquid Injection / Waste Disposal /
(If Gas, Production / Underground / Storage / Deep / Shallow)

LOCATION: Elevation: 1944.88' Watershed: Unnamed Tributary of Big Coal River

District: Crook County: Boone Quadrangle: Whitesville

WELL OPERATOR: Dominion Natural Resources DESIGNATED AGENT: Mr. Joe Garrett
Address 445 West Main Street Address 445 West Main Street
Clarksburg, WV 26301 Clarksburg, WV 26301

The undersigned coal operator hereby petitions for leave to do the following:

X Mine within 200 feet of said well.

 Mine through said well when the same is properly plugged.

On the reverse side hereof is a copy of the map and plan of the undersigned coal operator showing its projected mine workings within 500 feet of said well.

The undersigned coal operator hereby represents that it will file updated or new maps and plans with the Department every six months, until mining within 500 feet of the well has ceased or until the well has been mined through.

Prior to the actual mining through of said well, the undersigned coal operator will submit the Form WR-35, Well Operator's Report of Drilling, Fracturing and/or Stimulating, or Physical Change, Affidavit of Plugging and Filling Well, and the Form WR-38, to show that the well has been properly plugged in a manner to permit the safe mining through the well.

Copies of this petition and enclosed maps and plans have been sent by registered mail to the well operator, as required by Code 22A-2-75.

WJ 10-24-04

Performance Coal Company
Coal Operator
By George T. Levo
Its Mining Engineer

STATE OF West Virginia,

COUNTY OF Raleigh, TO WIT:

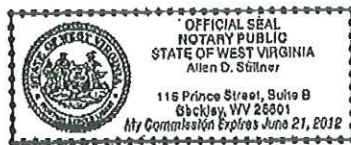
I GEORGE T. LEVO, being first duly sworn, deposes and says that he is Mining Engineer of the coal operator named above; that he is familiar with the facts set out both in the petition and on the accompanying maps and plans; and that the same are true.

George T. Levo

Subscribed and sworn to before me this October 24, 2007.

My commission expires June 21, 2012

Allen D. Stillner
Notary Public





Performance Coal Company

P.O. Box 69

Naoma, WV 25140

October 24, 2007

Mr. Robert G. Hardman
District Manager
Mine Safety and Health Administration
100 Bluestone Road
Mt. Hope, WV 25880-1000

Mr. Terry Farley
WVMHS&T
1615 Washington Street East
Charleston, WV 25311-2126

RE: Performance Coal Company – Mine Within 200' of Gas Well 10485
Upper Big Branch Mine-South
Federal I.D. 46-08436
State I.D. U-3042-92

Dear Sirs:

Please find enclosed the necessary forms to mine in proximity of Gas well no. 47-005-00955. Previous approval was given for this mine by but the mining projections have since changed. MSHA approval no. from the previously submitted projections around this well is: 17325-T10. WVOMHST approval no. is BOO-1036.

If you have any questions, or require further information, please call me at (304) 854-1761.

Respectfully Submitted

Performance Coal Co.
George T. Levo
Mining Engineer