

U. S. Department of Labor

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



MAR 23 2005

Mr. Bill Potter
President
Performance Coal Company
P. O. Box 69
Naoma, WV 25140

Dear Mr. Potter:

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-T4

This will acknowledge receipt and approval of the subject permit for extracting coal and the request to mine through gas well No. POC 2A 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 February 21, 2005, which shows the well being plugged in accordance with the approved 101(c) Petition of Modification 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,

/S/ JESSE P. COLE

Jesse P. Cole
District Manager
Coal Mine Safety and Health, District 4

cc: Mt. Hope Field Office
Files/dac

SUPERVISORY ACKNOWLEDGEMENT
BR 3-23-05
Initials Date
2C 3/23/05

U. S. Department of Labor

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



MAR 23 2005

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Sincerely,

A handwritten signature in cursive script that reads "Jesse Cole".

Jesse P. Cole
District Manager
Coal Mine Safety and Health, District 4

FROM :WUMHST

FAX NO. :304 558-1282

Mar. 18 2005 12:26PM P2

FORM OG-16

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

PERMIT NUMBER: BOO-849
DATE: 03/08/2005

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
SEAM: EAGLE
DISTRICT: CROOK
COUNTY: RALEIGH
ADDRESS: P O BOX 69
CITY: NAOMA,
STATE: WV, ZIP: 25140
MINE PERMIT NUMBER: U00304292

PERMISSION IS HEREBY GIVEN:

TO MINE INTO AND THROUGH THE NORTH
RIVER ENERGY CORP.'S PLUGGED GAS WELL NO. POC 2A
LOCATED ON THE WESTERN POCAHONTAS PROPERTIES
LIMITED PARTNERSHIP 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: NORTH RIVER ENERGY CORP.
WELL OPERATOR WELL NUMBER: P O C 2A
MINE OPERATOR WELL NUMBER: P O C 2A

BY:

Way Conway
DIRECTOR - WV MINERS' HEALTH,
SAFETY AND TRAINING

Tom Jenkins
ADMINISTRATOR - WV MINERS' HEALTH,
SAFETY AND TRAINING

CCS:

NORTH RIVER ENERGY CORP.
REGION: 4
M.S.H.A. District Office
H.S. & T. File

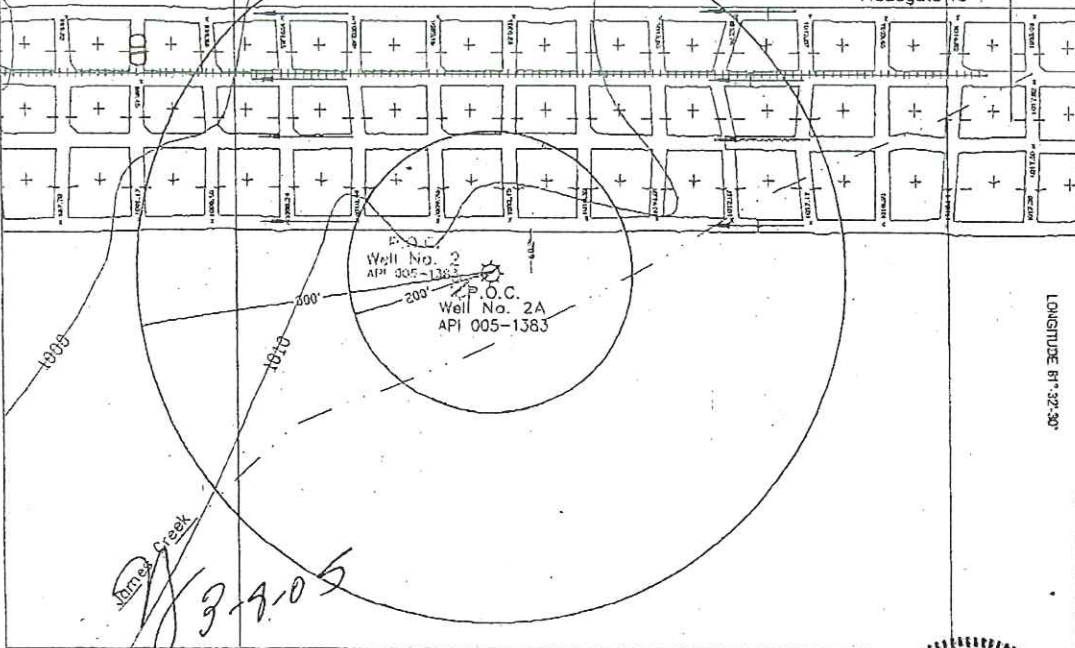
7730

P.O.C. 2A
TOPO MAP LOCATION
API No. 47-005-1383
Surface Elev. 1896.55'
Bot. Coal Elev. ±1010'

LATITUDE 37°35'00"

7.5 MIN. USGS
TOPO MAP LOCATION
WHITESVILLE QUAD.

Headgate 18



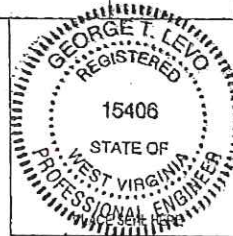
James Creek
3-8-05

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: 7500'

(+) Denotes location of well on United States Topographic Maps



Signed *George T. Levo*
 R.P.E. 15406, L.L.B.

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

300-849
3-8-05

Coal Operator's Well Number P.O.C. 2A

Date: February 21, 20 05

Operator's Well No. P.O.C. 2A

API Well No. 47 - 005 - 1383
State County Farm

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

COAL OPERATOR Performance Coal Company ELEVATIONS: Surface 1896.55
 Address P.O. Box 89 Bottom of Coal ±1010.0
Naoma WV, 25140 Difference ±886.55

MINE Upper Big Branch SECTION Longwall #19 OVERBURDEN SS/SH COAL SEAM Eagle
 ROOF Shale BOTTOM Shale

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

LOCATION: Elevation: 1896.55 Watershed: James Creek of West Fork of Little Coal River
 District: Crook County: Boone Quadrangle: Whitesville
 Farm: Propertea Limited Partnership Tract: 2357 acres (Lease No. 20)

STATUS: Active Abandoned Drilling
 Date completed or abandoned, November 7, 19 97

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



Date: October 27, 2004
Operator's
Well No. POC 2A
API Well No. 47 - 005 - 1393
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 / Gas X / Liquid Injection / Waste disposal /
(If "Gas", Production X / Underground storage / Deep / Shallow /

LOCATION: Elevation: 1896.55' Watershed: Jamga Creek of West Fork of Little Coal River

District: Crook County: Boone Quadrangle Whitesville

WELL OPERATOR: North River Energy Corp DESIGNATED AGENT Tim Comer
Address P. O. Box 1867 Address P. O. Box 1867
Charleston, WV 25327 Charleston, WV 25327

The undersigned coal operator hereby petitions for leave to do the following:
 Mine within 200 feet of said well.

X 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 of Physical Change" and the Form WR-38, "Affidavit of Plugging and Filling Well", to show that the well has been properly plugged in a manner to permit the safe mining through of 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.

Handwritten: 3-8-05

Performance Coal Company
Coal Operator

By George T. Levo
Its Mining Engineer

STATE OF West Virginia,
COUNTY OF Raleigh, TO WIT:

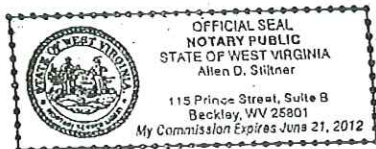
George T. Levo being first duly sworn, deposes and says that he is Mining Engineer of the coal operator named above; that he is familiar with the facts set out both in the petition and on the accompanying maps and plans; and that the same are true.

George T. Levo

Subscribed and sworn to before me this February 21, 2005.

My commission expires JUNE 21, 2012

Allen D. Stiltner
Notary Public



02-22-05 16:09 NEW RIVER ENERGY

WR-30
07-Oct-97



API # 47- 5-01383-7

STATE OF WEST VIRGINIA
DIVISION OF ENVIRONMENTAL PROTECTION
SECTION OF OIL AND GAS

AFFIDAVIT OF PLUGGING AND FILLING WELL

AFFIDAVIT SHOULD BE IN TRIPPLICATE, one copy mailed to the Division, one copy to be retained by the Well Operator and the third copy (and extra copies if required) should be mailed to each coal operator at their respective addresses.

Farm name: WESTERN POCAHONTAS CORP. Operator Well No.: EUNICE 2-A

LOCATION: Elevation: 1,852.00 Quadrangle: WHITESVILLE
District: CROOK County: BOONE
Latitude: 700 Feet South of 37 Deg. 55 Min. 0 Sec.
Longitude 7500 Feet West of 81 Deg. 32 Min. 30 Sec.

Well Type: OIL _____ GAS X

Company: Peake Energy, Inc.
P. O. Box 8
Ravenswood, WV 26164

Coal Operator Bethlehem Mines Corp.
or Owner P. O. Box 750
Dunbar, WV 25064

Agent: Thomas S. Liberatore

Coal Operator Western Pocahontas Corp.
or Owner P. O. Box 2827
Huntington, WV 25727

Permit Issued: 10/07/97

AFFIDAVIT

Handwritten: 10-9-05

STATE OF WEST VIRGINIA,
County of Boone

SS:

Jon Ullom and Mike Wine being first duly sworn according to law depose and say that they are experienced in the work of plugging and filling oil and gas wells and were employed by the above named well operator, and participated in the work of plugging and filling the above well, and Richard Campbell Oil and Gas Inspector representing the Director, say that said work was commenced on the 5th day of November, 1997, and that the well was plugged and filled in the following manner:

	TO	PIPE REMOVED	LEFT
Solid mech brdg plug	3380'	3370'	
6% Gel	3370'	2737'	4-1/2" CSG-2737'
Thixotropic Cement	2737'	2537'	
6% Gel	2537'	2085'	7" - 2012'
Class A Cement	2085'	1985'	
6% Gel	1985'	1050'	9-5/8" - 779'
Solid mech brdg plug	1050'	1048'	
Thixotropic Cement	1048'	650'	
Class A Cement	650'	Surface	

Description of monument: Pea Coal Corp.
and that the work of plugging and filling said well was completed on the 7th day of November, 1997.
And further deponents saith not.

Sworn and subscribe before me this 22nd day of DECEMBER, 1997.
My commission expires: March 27, 2001

Michael Ullom
Jon Ullom
Notary Public

Oil and Gas Inspector: _____



Massey Coal Services, Inc.

PI	PLUGGING 005-1303	JOB NO.	DATE
	EUNICE 2-A (ABDULING WELL)	BY	T. COMER
	FOR	DWG. NO.	

Handwritten signature
 9-105
 310

EAGLE 833-838

SPOT CLASS A PLUG
810 - 816 GALS

179 BOTTOM OF 9 5/8" (CTS)

SPOT 200' MIXOTROPIC PLUG
810 - 1050

PERFORATE 15HT/10' 1040 - 800

SET CIBP @ 1050

2012 BOTTOM OF 7" (CTS)

SPOT 100' MIXOTROPIC PLUG
2122 - 2022

SPOT 200' MIXOTROPIC PLUG
2800 - 2600

CUT 7" @ 2800 ±
2800 TOP OF CEMENT, 7"

DUMP 2 BX CAL-SEAL ON CIBP
SET CIBP @ 3380 ±

WEIR 3410 - 3430

3502 BOTTOM OF 4 1/2"

3500 T.D.

ID=3049261046

P02/03

02-22-05 16:09 NEW RIVER ENERGY



March 26, 1998

Tim Greene
Division of Environmental Protection
#10 McJunkin Road
Nitro, WV 25143-2506

Dear Tim,

Please find enclosed plugging affidavits for the following wells:

<u>Well Name</u>	<u>Number</u>	<u>API</u>
Eunice	8A	5-01436-P ✓
Eunice	7A	5-01522-P
Eunice	3A	5-01420-P
Eunice	2A	5-01383-P
*Eunice	2AA	5-01383-P

**Eunice 2AA was the original Eunice 2A which was plugged on 09/21/82, after casing was lost in the 6 1/2 hole. The drilling rig was skidded and a new hole was drilled. The original "2AA" was re-plugged to 1135' to satisfy coal operator who had purchased the well.*

Please call me at our Ravenswood Office with any questions.

Sincerely,

Jon Ullom
Drilling Supervisor

cc: Richard Campbell

Enclosures

JAU/pld

jonlc/pld

New River Energy Corporation



TO: Mike Milam
FROM: Tim Comer *TEL*
DATE: February 25, 2003
SUBJECT: WELL 047-005-01383 (Eunice #2 - Peake)

Per our earlier discussion today, this is the wellsite with two wellbores. During drilling, Peake lost a string of 4 1/2" downhole, plugged back, skidded the drill rig over and drilled a new well.

I plugged these on Peake's permit in 1997, using Arrow Well Services. Both bores were plugged to 101-C specs. The "abandoned" well was the one furthest downstream, and the "producing" well was upstream.

I am enclosing copies of my design sketches and the deviation surveys for both bores, and the WR-38 for the "producing" well. I think that, because Peake was the permittee, no WR-38 was filed for the "abandoned" well. However, Mike Wine, who supervised the work for Arrow and signed the WR-38, now manages GasSearch's service rigs and does work for us.

The "abandoned" well was plugged as shown on the design sketch. If you need any further documentation (i.e., a WR-38 for the other bore), give me a call.

Cc: Allen Pettey

FORM IV-35
(REVERSE)

DETAILS OF PERFORATED INTERVALS, FRACTURING OR STIMULATING, PHYSICAL CHANGE, ETC.

Perforated Weir 3410-19 (21 holes) and 3427-30 (12 holes).

Fracd using 15,000# 80/100 sand and 45,000# 20/50 sand; 1,000 gal. 15% acid; 50 gal. F-75; 850# J-266; 44# J-218. Breakdown pressure 2100#, average treating pressure 500#, instant shut in pressure 200#, hydraulic horsepower 307, average rate 25 BPM. Used 3 1/2# of sand per gallon.

WELL LOG

FORMATION	COLOR	HARD OR SOFT	TOP FEET	BOTTOM FEET	REMARKS
					Including indication of all fresh and salt water, coal, oil and gas
Sandstone & Shale			0	693	Hole wet at 2600'
Open mine and broken formation			693	713	
Shaley sand			713	800	
Sandy shale			800	1033	
Shale			1033	1454	
Sandstone			1454	1783	
Shale			1783	1802	
Sand			1802	2018	
Shale			2018	2038	
Sand			2038	2128	
Sandy shale			2128	2217	
Shale			2217	2276	
Sand			2276	2300	
Sandy shale			2300	2403	
Lime			2403	2436	
Shale			2436	2469	
Sand & shale			2469	2550	
Sand			2550	2636	
Sand & shale			2636	2840	
Sand			2840	2901	
Shale			2901	2921	
Big Lime			2921	3248	Gas checks:
Sand & shale			3248	3409	2905 N/S
Weir			3409	3438	3364 24 MCFD
Sand & shale			3438	T. D.	3489 33 MCFD

DTD 3560
LTD 3550

(Attach separate sheets as necessary)

Peake Operating Company
Well Operator
By: David B. Melin
Date: Jan 31, 1983

Note: Regulation 2.02(i) provides as follows:
"The term 'log' or 'well log' shall mean a systematic detailed geological record of all formations, including coal, encountered in the drilling of a well."

IV-35
Rev 8-81)

FEB 1 1983

**OIL & GAS DIVISION
DEPT. OF MINES**



**State of West Virginia
Department of Mines
Oil and Gas Division**

Date JAN 31 1983
Operator's Well No. 2-A
Farm Eunice
API No. 005 - 1383
2nd Hole--Driller dropped 4 1/2" pipe down 1st hole.

**WELL OPERATOR'S REPORT
OF
DRILLING, FRACTURING AND/OR STIMULATING, OR PHYSICAL CHANGE**

WELL TYPE: Oil / Gas x / Liquid Injection / Waste Disposal /
(If "Gas," Production x / Underground Storage / Deep / Shallow x /)
LOCATION: Elevation: 1852' Watershed James Creek of West Fork
District: Crook County Boone Quadrangle Whitesville 7 1/2'

COMPANY Peake Operating Company
ADDRESS Suite 423 Charleston National Plaza
Charleston, West Virginia 25301
DESIGNATED AGENT Floyd B. Wilcox
ADDRESS Suite 423 Charleston National Plaza
Charleston, WV 25301
SURFACE OWNER Western Pocahontas Corporation
ADDRESS P.O. Box 2827, Huntington, WV 25727
MINERAL RIGHTS OWNER Western Pocahontas Corp.
ADDRESS P.O. Box 2827, Huntington, WV 25727
OIL AND GAS INSPECTOR FOR THIS WORK Arthur
St. Clair ADDRESS Brenton, W. Va.
PERMIT ISSUED April 10, 1982

Casing & Tubing	Used in Drilling	Left in Well	Cement fill up Cu. ft.
Size 20-16 Cord.			
13-10"			
9 5/8	779'	779'	
8 5/8			
7	2012'	2012'	
5 1/2			
4 1/2		3502'	
3			
2			
Liners used			

DRILLING COMMENCED September 25, 1982
DRILLING COMPLETED October 11, 1982
IF APPLICABLE: PLUGGING OF DRY HOLE ON CONTINUOUS PROGRESSION FROM DRILLING OR REWORKING. VERBAL PERMISSION OBTAINED ON

GEOLOGICAL TARGET FORMATION Weir Depth 3409-3438 feet
Depth of completed well 3560 feet Rotary x / Cable Tools
Water strata depth: Fresh feet; Salt feet
Coal seam depths: Is coal being mined in the area? No

OPEN FLOW DATA
Producing formation Weir Pay zone depth 3410-19 feet
Gas: Initial open flow 11 Mcf/d Oil: Initial open flow 3427-30 Bbl/d
Final open flow 1,750 Mcf/d Final open flow Bbl/d
Time of open flow between initial and final tests 5 1/2 hours
Static rock pressure 800 psig (surface measurement) after hours shut in
(If applicable due to multiple completion--)
Second producing formation Pay zone depth feet
Gas: Initial open flow Mcf/d Oil: Initial open flow Bbl/d
Final open flow Mcf/d Oil: Final open flow Bbl/d
Time of open flow between initial and final tests hours
Static rock pressure psig (surface measurement) after hours shut in

Boone 1383