

*Send  
475 Sharts Road  
Raven, Va 2463*

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R2305K138598-06

**FRAGE**  
**1st Notice**  
**2nd Notice**  
**Return**

*Virginia Division of Gas and Oil  
3405 Mountain Empire Road  
Big Stone Gap, Va 24219*

24219-463405



Pamela Hess  
475 Shortts Road  
Raven, Va 24639  
276.964.6321

September 22, 2021

Virginia Gas and Oil Inspector

Division of Gas and Oil

3405 Mountain Empire Road

Big Stone Gap, 24219

RE: CBM AA36A

To Whom it may concern,

I received your decision denying my objections to the placement of this gas well and am asking the Board to reverse the decision of the director.

As I was informed, there are only two ways a surface owner may object to gas well permits. In the letter I received, the fresh water issue was addressed but there was no mention of the alternate site approved in 2017. Nor was the release of this site to me for an error made by CNX. This alternate site awarded them a right of way across the edge of my property to the site a short distance from the one proposed this year. With this omission of an alternate site approved and available, I feel I must appeal this decision so the issue can be reevaluated before any decision is finalized. The other objections I made are "not determined by DGO" so I may need to seek other avenues or "parties."

I also ask the Director to issue a stay until a final decision is made. Once work is

started, it will be too late and I'll never have a final chance to save the enjoyment and use of my land. I will be irreparably harmed if work is initiated too soon.

I thank you for the chance to express my concerns and issues. I look forward to our next meeting. Maybe I'll be better prepared. I may send, pictures, drone shots, charts, etc in the days to come.

Also, I have not received the minutes and presentations from our previous meeting, I would like to have them as soon as possible so I can prepare for our next meeting.

Thanks for your help with this matter..

Pamela Hess

**VIRGINIA DIVISION OF GAS AND OIL  
NOTICE OF INFORMAL FACT FINDING HEARING**

In regard to Pocahontas Gas LLC

Proposed Permit for New Coalbed/Pipeline

Application 48674 for CBM AA36A W/PL

Located in the Garden District of Buchanan County, Virginia

Docket Number IFFH 1018

In Accordance with §45.1-361.35.H. of the Code of Virginia, the Director of the Division of Gas and Oil has scheduled an Informal Fact Finding Hearing (IFFH) to consider objections received from Pamela Hess, to be affected by the above-named operation(s). The objection by the Surface Owner was received at the office of the Division of Gas and Oil in a timely manner and in accordance with §45.1-361.35. This notice of hearing is being sent to the permit applicant and to all parties with standing to object as prescribed by §45.1-361.30. All parties are entitled to be represented by counsel at the hearing, if desired. Those receiving notice of this proceeding and who did not object to the application are not required to attend.

The objections have been filed by a Surface Owner against the permit applications for Pocahontas Gas LLC for operation CBM AA36A W/PL in accordance with:

**§45.1-361.35. Objections to permits**

B. The only objections to permits or permit modifications that may be raised by Surface Owners are:

2. There are not measures (in addition to the requirement for a well's water-protection string) necessary to protect fresh water-bearing strata.
4. The location of the coalbed methane well or coalbed methane well pipeline would unreasonably infringe on the surface owner's use of the surface. Note: This is only considered grounds to object, if a reasonable alternative site is available within the unit, and granting the objection will not materially impair any right contained in an agreement, valid at the time of the objection, between the surface owner and the operator or their predecessors or successors in interest.

All testimony in this conference must be relevant to objections allowed for and detailed in the Gas and Oil Act in this section.

Date and Location of Conference:

The hearing is scheduled for **Tuesday, August 17, 2021, beginning at 10:00 AM.** The hearing will be held at DMME Big Stone Gap. Contact the Division of Gas and Oil at (276) 415-9700 with any questions.

Specific directions and other important information can be accessed from the Department of Mines, Minerals, and Energy website: <http://www.dmme.virginia.gov/divisiongasoil.shtml>

Informal Fact Finding Hearings are to be conducted according to provisions of the Administrative Processes Act of the Code of Virginia (§2.2-4019). In reaching a decision, the Director may rely upon any public data, field research, documents, and testimony given at the hearings.

This notice was prepared on Friday, July 23, 2021, and will be sent by certified mail, return receipt requested, to every person with standing to object as prescribed by §45.1-361.30.

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James P. Skorupa, Director

Virginia Division of Gas and Oil  
P.O. Drawer 159  
Lebanon, Virginia 24266



**Operations Name:** CBM AA36A W/PL  
**Application Number:** 48674

**APPLICATION FOR A NEW PERMIT, PERMIT MODIFICATION,  
OR TRANSFER OF PERMIT RIGHTS**

**Application Information:**

**Name:** Pocahontas Gas LLC  
**Address:** PO Box 570  
Pounding Mill, VA 24637  
**Telephone Number:** 276-596-5075  
**Designated Agent:** Teresa M. Brown  
**Type of Application:** New  
**Type of Operation:** Coalbed/Pipeline **Gob:** No  
**Horizontal Unit Name:**

**Operator's Bond Information:**

Bond Number	Type	Amount	Institution
CMS233368	SUR	200000.00	RLI Insurance Company

**Article 2 Board Requirements:**

**Field Order:**

Does this application fall under a Field Order established by the Virginia Gas and Oil Board? Yes

Field Name: Oakwood Coalbed Field 1

**Increased Density:**

Is this well an increased density well for the unit? No

**Pooling:**

Is pooling Voluntary? Yes

**Location Exception:**

Is an exception to statewide spacing required by the board? No

**Director Exception:**

Is an exception to field order spacing required by the Director? Yes

Description	File Name
Location Exception	AA36A Location Exception.pdf

Director Approval:

Is location exception due to mining? Yes

**Application Certification:**

I, Beverly Webb representing Pocahontas Gas LLC

certify that all persons required to be notified under Section 45.1-361.30 of the Code of Virginia have been notified. Proof of notice is included as a part of this application. In the case of an application for a Permit, Permit Modification, or an application under 4 VAC 25-150-80, I hereby state that the Applicant named above has the right to conduct operations as set forth in the application and operations plan.

**Title:** Permitting Agent III

**Date:** 6/23/2021



**Operations Name:**     CBM AA36A W/PL  
**Application Number:**  48674

**NOTICE OF APPLICATION FOR A PERMIT OR PERMIT MODIFICATION**

Take Notice of Pocahontas Gas LLC, pursuant to Code of Virginia, Section 45.1-361.29, is filing this Notice and Application of a permit with the Virginia Division of Gas and Oil with respect to an operation on the Commonwealth Coal Company tract of 965 acres, more or less, Timothy Null et al tract of 9 acres, more or less Garden District, BUCHANAN City/County, Virginia.

Attached to this Notice of Application is a copy of the required plat or map, operations plan and other information required by the Director. The operations plan describes the work to be done and meets the requirements of Regulation 4 VAC 25-150-100.

You may have the right to file an objection to the proposed operations within fifteen (15) days from the receipt of this notice pursuant to the Code of Virginia, Section 45.1-361.35. A copy of this Code section is attached for your review. You must describe the specific practices you are objecting to and reference the appropriate part of Section 45.1-361.35 when submitting any objection.

If you wish to object to this permit application, then you may file your objections with the Director of the Division of Gas and Oil, electronically in the Client Services Section of the DGO Data Information System at the following address: <https://www.dmme.virginia.gov/DgoInquiry>. You may also file objections at the address listed below.

Section 45.1-361.35.A "Objections to new or modification permits may be filed with the Director by those having standing as set out in Section 45.1-361.30. Such objections shall be filed within fifteen days of the objecting party's receipt of the notice required by Section 45.1-361.30. Persons objecting to a permit must state the reasons for their objections."

After receipt of a valid objection, an informal conference will be scheduled pursuant to the Code of Virginia Section 45.1-361.35.H.

Section 45.1-361.35.H "The Director shall fix a time and place for an informal fact finding hearing concerning such objections. The hearing shall not be scheduled for less than twenty nor more than thirty days after an objection is filed."

City/County: BUCHANAN		District: Garden	Quadrangle: KEEN MOUNTAIN
Waterway: Levisa Fork		Farm Name: Commonwealth Coal Corporation	
State Plane NAD 83 East / X	State Plane NAD 83 North / Y	Surface Elevation	
10493754.7100	3596799.6700	2765.21	

OBJECTIONS MUST BE FILED WITH

DEPARTMENT OF MINES, MINERALS AND ENERGY  
DIVISION OF GAS AND OIL  
P.O. Drawer 159  
Lebanon, VA 24266  
276-415-9700

**SECTION 45.1-361.35 - OBJECTIONS TO PERMITS; HEARINGS**

A. Objections to new or modification permits may be filed with the Director by those having standing as set out in Section 45.1-361.30. Such objections shall be filed within fifteen days of the objecting party's receipt of the notice required by Section 45.1-361.30. Persons objecting to a permit must state the reasons for their objections.

B. The only objections to permits or permit modifications which may be raised by surface owners are:

1. The operations plan for soil erosion and sediment control is not adequate or effective;
2. Measures in addition to the requirement for a well's water-protection string are necessary to protect fresh water-bearing strata; and
3. The permitted work will constitute a hazard to the safety of any person.
4. Location of the coalbed methane well or coalbed methane well pipeline will unreasonably infringe on the surface owner's use of the surface, provided; however, that a reasonable alternative site is available within the unit, and granting the objection will not materially impair any right contained in an agreement, valid at the time of the objection, between the surface owner and the operator or their predecessors or successors in interest.

C. The only objections to permits or permit modifications which may be raised by royalty owners are whether the proposed well work:

1. Directly impinges upon the royalty owner's gas and oil interests; or
2. Threatens to violate the objecting royalty owner's property or statutory rights aside from his contractual rights; and
3. Would not adequately prevent the escape of the Commonwealth's gas and oil resources or provide for the accurate measurement of gas and oil production and delivery to the first point of sale.

D. Objections to permits or permit modifications may be raised by coal owners or operators pursuant to the provisions of Sections 45.1-361.11 and 45.1-361.12.

E. The only objections to permits or permit modifications which may be raised by mineral owners are those which could be raised by a coal owner under Section 45.1-361.11 provided the mineral owner makes the objection and affirmatively proves that it does in fact apply with equal force to the mineral in question.

F. The only objections to permits or permit modifications which may be raised by gas storage field operators are those in which the gas storage operator affirmatively proves that the proposed well work will adversely affect the operation of his State Corporation Commission certificated gas storage field; however, nothing in this subsection shall be construed to preclude the owner of nonstorage strata from the drilling of wells for the purpose of producing oil or gas from any stratum above or below the storage stratum.

G. The Director shall have no jurisdiction to hear objections with respect to any matter subject to the jurisdiction of the Board as set out in Article 2 (Section 45.1-361.13 et seq.) of this chapter. Such objections shall be referred to the Board in a manner prescribed by the Director.

H. The Director shall fix a time and place for an informal fact finding hearing concerning such objections. The hearing shall not be scheduled for less than twenty nor more than thirty days after the objection is filed. The Director shall prepare a notice of the hearing, stating all objections and by whom made, and send a copy of such notice by certified mail, return receipt requested, at least ten days prior to the hearing date, to the permit applicant and to every person with standing to object as prescribed by Section 45.1-361.30.

I. At the hearing, should the parties fail to come to an agreement, the Director shall proceed to decide the objection pursuant to those provisions of the Administrative Process Act (Section 9-6.14.1 et seq.) relating to informal fact finding hearings.



**Operations Name:**      CBM AA36A W/PL  
**Application Number:**    48674

**PERSONS RECEIVING OFFICIAL NOTICE OF PERMIT APPLICATION OR PERMIT MODIFICATION**

For the purposes of an application for a new permit or permit modification, list such persons by name and address on additional sheets as needed with the title, "Supplemental Sheet for Persons Receiving Official Notice of Permit Application" and indicate the category for each person or group affected.

**Application for Well Work Permit:**

- Surface, coal and mineral owners on the tract to be drilled
- Surface owners of record on tracts where the surface is to be disturbed
- Gas, oil and royalty owners within
  - (1) one-half the distance specified in Section 45.1-361.17
  - (2) one-half the distance to the nearest well completed in the same pool or
  - (3) within the drilling unit established by the Virginia Gas and Oil Board
- Coal operators who have a registered operation plan with the Department for activities located on the tract to be drilled
- All coal operators who have applied for or obtained a mining or prospecting permit with respect to tracts within 500' of the proposed well location
- All coal or mineral owners on tracts located within 500' of the proposed well location
- All Storage Field Operators Within 1250'
- Local Government pursuant to Section 45.1-361.30.E
- Public notice pursuant to Section 45.1-361.30.E, such as an affidavit of publication from the newspaper

**Coalbed Methane Well Applications (In Addition to Above)**

- All coal operators, coal owners or mineral owners within 750 feet of the proposed well location
- All coal operators who have applied for or obtained a mining or prospecting permit with respect to tracts within 750 feet of the proposed well location

**Applications for Pipelines and Facilities**

- All surface owners affected by the proposed operations

**Applications for Ground Disturbing Geophysical Operations**

- Surface owners on tracts where the surface is to be disturbed
- Coal owners, coal operators, and mineral owners on the tract(s) to be drilled
- Coal operators who have registered operations plans with the Department for activities located on the tract to be drilled

**SUPPLEMENTAL SHEET(S) FOR PERSONS RECEIVING OFFICIAL NOTICE OF PERMIT APPLICATION PURSUANT TO SECTION 45.1-361.30**

**APPLICATIONS FOR WELL WORK PERMIT**

A. Surface, coal and mineral owners on the tract to be drilled

Buchanan Mining Company LLC, Kevin Elkins, PO Drawer L, Oakwood, VA 24631  
Commonwealth Coal Corp., , PO Box 1269, Bristol, VA 24203-1269  
Pamela Diane Null Hess, , 475 Shorts Rd, Raven, VA 24639  
Pocahontas Gas LLC, , PO Box 570, Pounding Mill, VA 24637  
RAMACO Res. Land Holdings LLC, c/o George Farley, 250 West Main St. Ste 1800, Lexington, KY 40507  
Timothy Null, , 2516 Sandy Gap Rd, Raven, VA 24639

B. Surface owners of record on tracts where the surface is to be disturbed

Pamela Diane Null Hess, , 475 Shorts Rd, Raven, VA 24639  
Timothy Null, , 2516 Sandy Gap Rd, Raven, VA 24639

C. Gas, oil and royalty owners within

1. one-half the distance specified in Section 45.1-361.17

N/A

2. one-half the distance to the nearest well completed in the same pool

N/A

3. within the drilling unit established by the Virginia Gas and Oil Board

Buchanan Mining Company LLC, Kevin Elkins, PO Drawer L, Oakwood, VA 24631  
Commonwealth Coal Corp., , PO Box 1269, Bristol, VA 24203-1269  
Pocahontas Gas LLC, , PO Box 570, Pounding Mill, VA 24637  
RAMACO Res. Land Holdings LLC, c/o George Farley, 250 West Main St. Ste 1800, Lexington, KY 40507

D. Coal operators who have a registered operation plan with the Department for activities located on the tract to be drilled

N/A

E. All coal operators who have applied for or obtained a mining or prospecting permit with respect to tracts within 500' of the proposed well location

N/A

F. All coal or mineral owners on tracts located within 500' of the proposed well location

N/A

G. All Storage Field Operators Within 1250'

N/A

H. Local Government pursuant to Section 45.1-361.30.E

Buchanan County Admin., Craig Horn, PO Box 950, Grundy, VA 24614-0950

I. Public notice pursuant to Section 45.1-361.30.E, such as an affidavit of publication from the newspaper  
BDT, , PO Box 1599, Bluefield, WV 24701

### **COALBED METHANE WELL APPLICATION IN ADDITION TO ABOVE**

J. All coal operators, coal owners or mineral owners within 750 feet of the proposed well location

Buchanan Mining Company LLC, Kevin Elkins, PO Drawer L, Oakwood, VA 24631

K. All coal operators who have applied for or obtained a mining or prospecting permit with respect to tracts within 750 feet of the proposed well location

N/A

### **APPLICATIONS FOR PIPELINES AND FACILITIES**

L. All surface owners affected by the proposed operations

Pamela Diane Null Hess, , 475 Shorts Rd, Raven, VA 24639

Timothy Null, , 2516 Sandy Gap Rd, Raven, VA 24639

### **APPLICATIONS FOR GROUND DISTURBING GEOPHYSICAL OPERATIONS**

M. Surface owners on tracts where the surface is to be disturbed

N/A

N. Coal owners, coal operators, and mineral owners on the tract(s) to be drilled

N/A

O. Coal operators who have registered operations plans with the Department for activities located on the tract to be drilled

N/A

**Timothy Null, et al**

as of 6/10/2021

(9.67 Acres - Surface)

<i>Last Name</i>	<i>First Name</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
Hess	Pamela Diane Null	475 Shorts Rd	Raven	VA	24639
Null	Timothy	2516 Sandy Gap Rd	Raven	VA	24639



Commonwealth of Virginia  
Department of Mines, Minerals, and Energy  
Division of Gas and Oil  
P.O. Drawer 159, Lebanon, VA 24266  
Telephone: (276) 415-9700

**NOTICE BY PUBLICATION OF AN APPLICATION FOR A PERMIT**

For purposes of publication requirements under § 45.1-361.30.E., the following format shall be used.

**NOTICE OF APPLICATION  
FOR**

**Operations Name:**       CBM AA36A W/PL  
**Application Number:**   48674

Take Notice that, pursuant to Code of Virginia, Section 45.1-361.30.E. the undersigned operator proposes to file, or has filed, an application for gas and oil operations known as CBM AA36A W/PL with the Department of Mines, Minerals and Energy, Division of Gas and Oil under Code of Virginia, Section 45.1-361.29, with respect to an operation on the Commonwealth Coal Company tract of 965 acres, more or less, Timothy Null et al tract of 9 acres, more or less tract(s) in the Garden District, BUCHANAN City/County, Virginia

The application is on file with the Division of Gas and Oil identifying the proposed location and all work to be performed at the described site. Any inquiries should be directed to the Division of Gas and Oil at 276 415-9700.

Code of Virginia Section 45.1-361.30 identifies persons with rights to file objections to the gas and oil operation. Persons objecting to a permit must state their reasons for objecting within 15 days of the date of receipt of notice. Written objections must be filed with the Director, Department of Mines, Minerals and Energy, Division of Gas and Oil, P. O. Drawer 159, Lebanon, Virginia 24266.

If you wish to object to this permit application, then you may file your objections with the Director of the Division of Gas and Oil, electronically in the Client Services Section of the DGO Data Information System at the following address: <https://www.dmme.virginia.gov/DgoInquiry>. You may also file objections at the address listed above.

Operator:     Pocahontas Gas LLC  
Address:         PO Box 570  
                    Pounding Mill, VA 24637  
Telephone Number:   276-596-5075

PROPERTY LINES SHOWN ON THIS PLAT WERE PROVIDED BY POCAHONTAS GAS LLC AND WERE TAKEN FROM DEED DESCRIPTIONS AND CHAIN OF TITLE OF RECORD IT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. THE CERTIFICATION HEREON CERTIFIES THE LOCATION OF THE PROPOSED WELL ONLY.

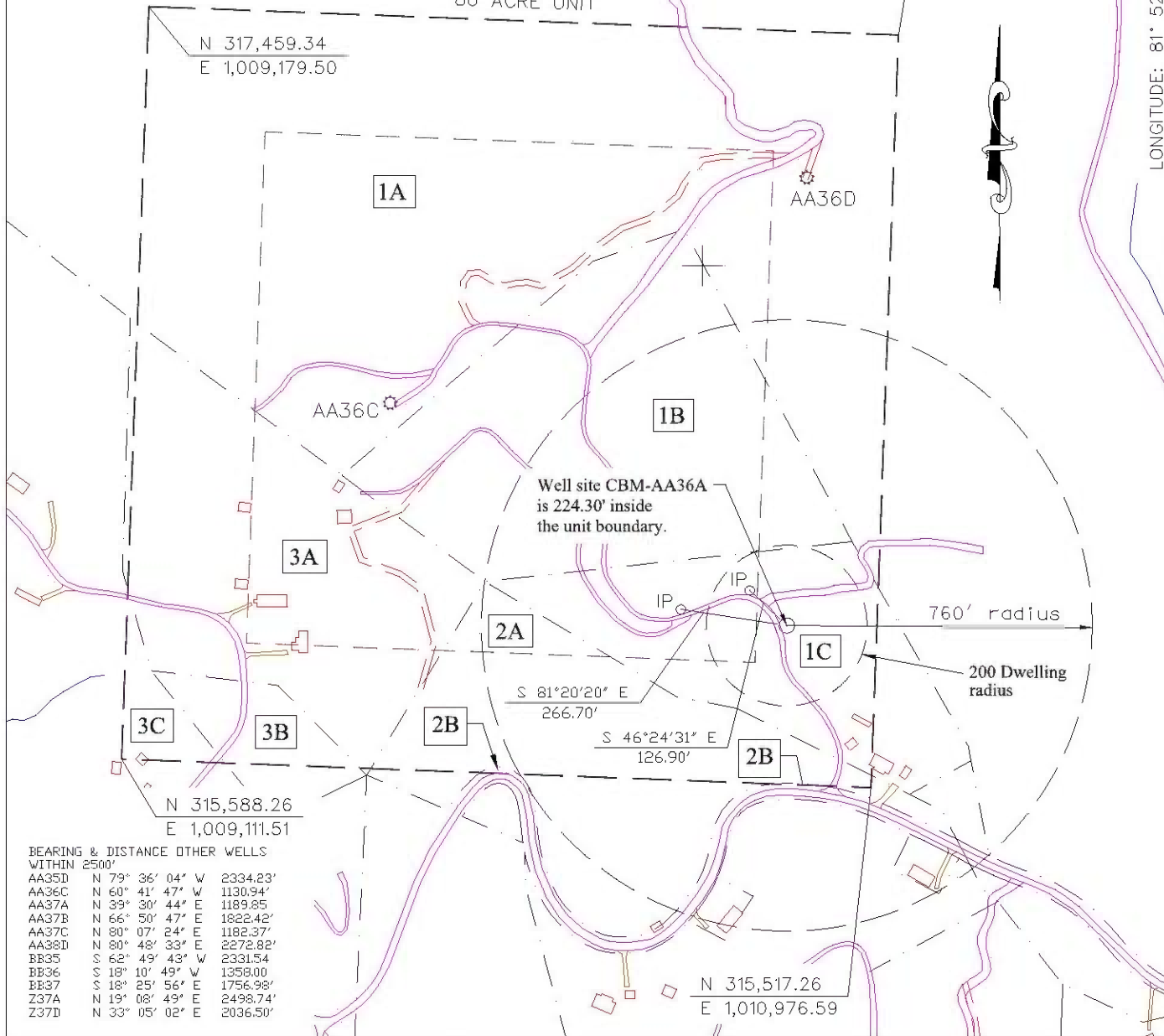
LATITUDE: 37° 10' 00"

N 317,388.43  
E 1,011,044.52

LONGITUDE: 81° 52' 30"

80 ACRE UNIT

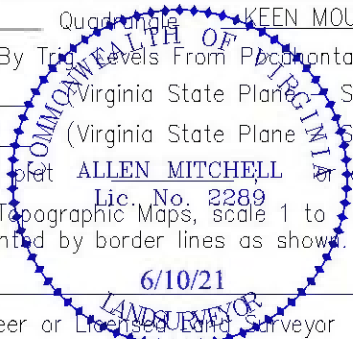
N 317,459.34  
E 1,009,179.50



THE ACTUAL WELL LOCATION WILL BE WITHIN 10 FEET OF THE PROPOSED LOCATION ACCORDING TO 4 VAC 25-150-290 AND 45.1-361.30.

### WELL LOCATION PLAT

Company POCAHONTAS GAS LLC Well Name or Number CBM-AA36A  
 Tract No. COMMONWEALTH COAL CORPORATION (965 ACRES) Scale: 1" = 400'  
 County BUCHANAN District GARDEN Quadrangle KEEN MOUNTAIN Date \_\_\_\_\_  
 Elevation 2765.21' Well Elevation Determined By Top Levels From Pocahontas Gas LLC Benchmarks  
 Well Coordinates N 315,920.42 E 1,010,766.78 (Virginia State Plane South Zone - NAD' 27)  
 Well Coordinates N 3,596,799.67 E 10,493,754.71 (Virginia State Plane South Zone - NAD' 83)  
 This plat is a new plat  ; an updated plat  of ALLEN MITCHELL a final plat



+ Denotes the location of a well on United States Topographic Maps, scale 1 to 24,000, latitude and longitude lines being represented by border lines as shown.

Form DGO-GO-7  
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor (Affix Seal)

**Pocahontas Gas LLC**  
**UNIT AA36**  
**Tract Identifications**

1. Commonwealth Coal Corporation (965 acres) – Mineral  
Buchanan Mining Company LLC – Below Drainage Coal Leased  
RAMACO Resources Land Holdings, LLC – Coal in Tiller and Above Leased  
Pocahontas Gas LLC – Oil, Gas, and CBM Leased  
58.89 Acres 73.6125%
  - 1A. Commonwealth Coal Corporation – Surface
  - 1B. Pamela Hess – Surface
  - 1C. Timothy Null, et al – Surface
  
2. Commonwealth Coal Corporation (1497.62 acres) – Mineral  
Buchanan Mining Company LLC – Below Drainage Coal Leased  
RAMACO Resources Land Holdings, LLC – Coal in Tiller and Above Leased  
Pocahontas Gas LLC – Oil, Gas, and CBM Leased  
6.77 Acres 8.4625%
  - 2A. Danny Horton, et ux – Surface
  - 2B. Commonwealth of Virginia SR 671 - Surface
  
3. Coal Mountain Mining Company, LLP (122 Acres Tract 33) - Minerals  
Buchanan Mining Company LLC – Below Drainage Coal Leased  
RAMACO Resources Land Holdings, LLC – Coal in the Tiller and Above Leased  
Pocahontas Gas LLC – Oil, Gas, and CBM Leased  
14.34 Acres 17.9250%
  - 3A. Ronald Horton, et ux – Surface
  - 3B. Macey Horton, et ux – Surface
  - 3C. Al Horton, et al - Surface

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)



**Operations Name:** CBM AA36A W/PL  
**Application Number:** 48674

**TECHNICAL DATA SHEET FOR PERMIT APPLICATIONS UNDER SECTION 45.1-361.29**

the information is related to the conversion of a VVH to a CBM under 4 VAC 25-150-580.

Geological Target Formation: Pocahontas  
 Estimated Depth of Completed Well : 2560.0

**GEOLOGICAL DATA (ESTIMATE)**

Predict:

Description	FileName
Predict	AA36A PREDICT.pdf
Schematic	AA36A Schematic.pdf

Consent to Stimulate:

Description	FileName
CTS	AA36A CTS Signed.pdf

**Proposed Casing and Tubing Program**

	Size	Depth	Cement Details
Conductor	13 3/8	0-30	Cemented to Surface
Surface/Water Prot. Casing	9 5/8	350	Cemented to Surface
Coal Protection Casing	4 1/2	2500	Cemented to Surface
Other Casing	7	550	Cemented to Surface
Other Casing			
Other Casing			
Production Casing	4 1/2	2500	Cemented to Surface
Tubing	2 3/8	2560	

Centralizer Plan:

Description	FileName
Centralizer Plan	AA36A Centralizer Plan.pdf

Request a variance to the Cement Bond Log requirement for the water protection casing string:

Yes  No

Description	FileName
Cement Bond Log	1 Cement Bond Log Plan.pdf

PREDICT

HOLE:		ESTIMATED	ESTIMATED	ESTIMATED
AA36A		EASTING	NORTHING	ELEVATION
	NAD 27	1010766.78	315920.42	2765.21
	NAD 83	10493754	3596799.67	2765.21

SEAM	DEPTH FROM (FT)	DEPTH TO (FT)	ELEVATION (TOSE)	THICKNESS (FT)
----	-----	-----	-----	-----
TOPO	0	0	2765.21	0
KN1	217.4	218.9	2547.81	1.5
KN2	236.05	237.04	2529.16	0.99
AL1	358.52	358.92	2406.69	0.4
AL2	373.02	373.67	2392.19	0.65
**RA2	493.12	495.12	2272.09	2
RA3	508.52	509.32	2256.69	0.8
JB1	632.72	634.12	2132.49	1.4
JB3	686.62	688.82	2078.59	2.2
TI	783.52	784.12	1981.69	0.6
*GC2	1186.22	1188.02	1578.99	1.8
*SE1	1245.52	1246.42	1519.69	0.9
*SE2	1281.72	1283.12	1483.49	1.4
*LS1	1325.52	1327.62	1439.69	2.1
*UH1	1366.22	1367.52	1398.99	1.3
*UH2	1442.02	1443.32	1323.19	1.3
*UH3	1444.62	1446.12	1320.59	1.5
*MH1	1495.92	1497.52	1269.29	1.6
*MH2	1559.32	1560.22	1205.89	0.9
*P11	1609.82	1612.02	1155.39	2.2
*P10	1632.02	1632.92	1133.19	0.9
*P91	1773.92	1775.32	991.29	1.4
*P92	1779.62	1780.62	985.59	1
*P93	1798.62	1799.52	966.59	0.9
*P81	1828.12	1829.02	937.09	0.9
*P72	1938.22	1939.52	826.99	1.3
*P62	2062.92	2064.52	702.29	1.6
*P51	2107.62	2108.42	657.59	0.8
*P41	2159.52	2160.62	605.69	1.1
*P3	2245.02	2248.82	520.19	3.8
*P31	2263.82	2265.02	501.39	1.2
*P32	2265.52	2267.52	499.69	2
*P33	2267.82	2268.92	497.39	1.1
*P34	2270.52	2271.52	494.69	1

*P01	2369.47	2369.82	395.74	0.35
*SJ1	2459.67	2460.32	305.54	0.65
RG				

\* Coal seam subject to coalbed methane production.

\*\* Mined out.

Estimated cutoff elevation: 1820' above sea level, based on valley floor estimate of 2320' above sea level.

Once drilled, any coal seam, named or omitted, that lies below the cutoff elevation is subject to coalbed methane stimulation and production.

Coal seams to be stimulated were adjusted due to topography.

3:56pm                    4/14/21

Target Stimulation  
ATTACHMENT DGO-GO-9(B)

Pocahontas Gas LLC proposes to install a 4 1/2" fresh water/coal protection casing and production casing. The Pocahontas No. 3 Seam may be stimulated with a fluid carrier and proppant process through the 4 1/2" casing. 4 1/2" fiberglass casing may or may not be set through the P-3 seam, therefore determining whether the P-3 seam is to be fraced open hole or through casing perforations. All 4 1/2" casing set above the P-3 seam shall be made of steel. Dependent upon the production from the primary target seam(s), the production casing may be perforated and the remaining target seams may be stimulated to increase production.





Commonwealth of Virginia  
Department of Mines, Minerals, and Energy  
Division of Gas and Oil  
P.O. Drawer 159, Lebanon, VA 24266  
Telephone: (276) 415-9700

---

**Operations Name:**      CBM AA36A W/PL

**TECHNICAL DATA SHEET FOR PERMIT MODIFICATION TO PLUG OR  
REPLUG**

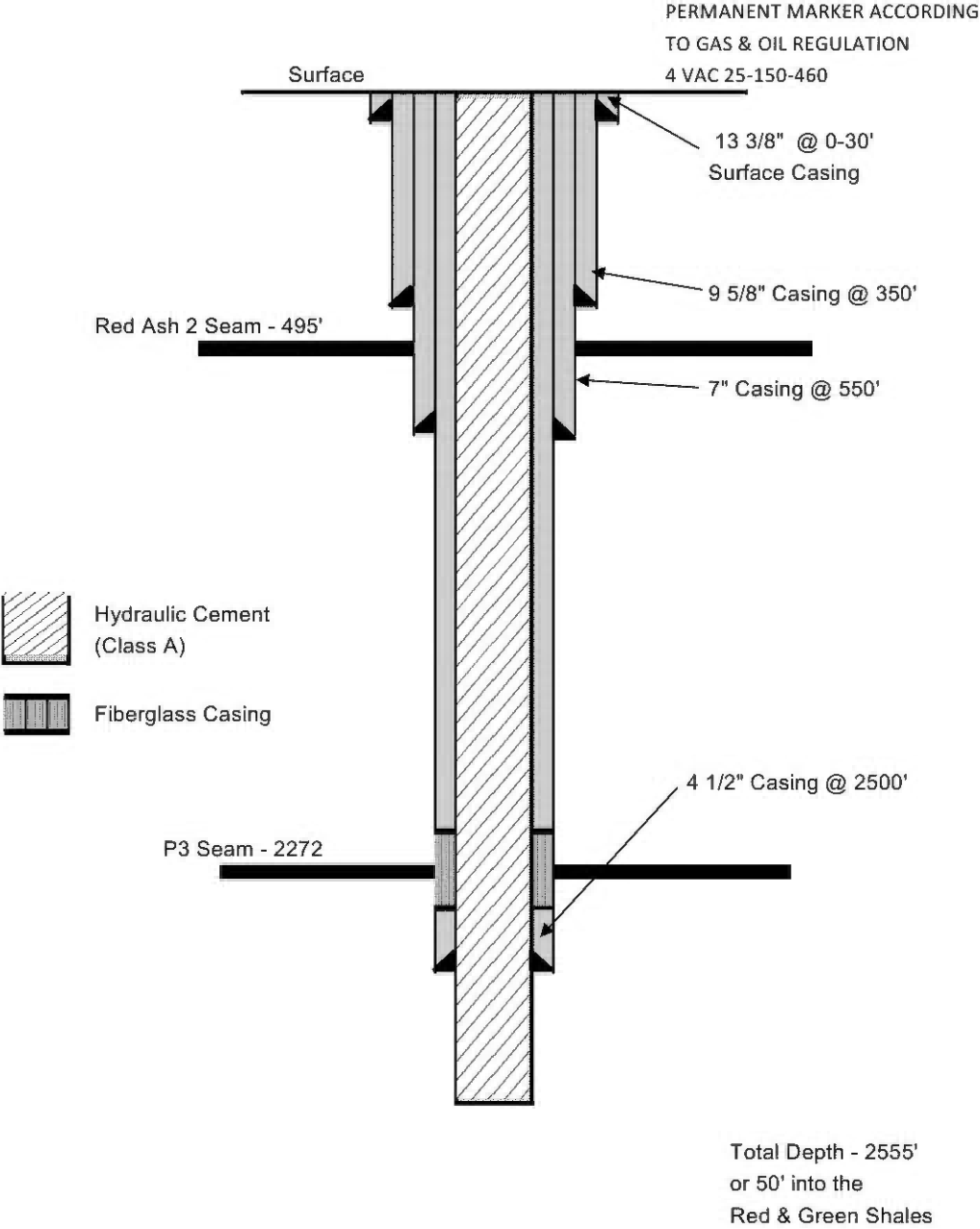
Under Code of Virginia, Section 45.1-361.34, the proposed plugging work is for the purpose listed below:

Abandonment of the well or corehole by the operator

The date when the plugging or re-plugging is proposed to be commenced

Pocahontas Gas LLC  
CBM AA36A

PROPOSED PLUGGING AND ABANDONMENT SCHEMATIC



6/23/2021



**Operations Name:** CBM AA36A W/PL  
**Application Number:** 48674

**OPERATIONS PLAN**

**PRE-DEVELOPMENT SITE CONDITIONS:**

I certify that the application complies with all local land use ordinances:  Yes  No

**Existing Land Use:** Forest, Mining

**Set-back variance requested:**  Yes  No

**Located on DMLR permit(s):**  Yes  No

**Active underground mining located within**  500'  200' of proposed well location or  No Mining

**Is the topography different from that depicted on the attached topographic map(s):**  Yes  No

**Groundwater Baseline Sampling, Analysis and Monitoring Plan:**

- Yes (Sampling plan attached and MPIDs are established)
- Not required (No Groundwater found within one quarter mile of proposed well or corehole)
- Not required (Other, documented in plan)

Description	FileName
-------------	----------

**Provide a statement of the acres to be disturbed to the nearest 1/10 of an acre subject to this application:**

2.27

## CONSTRUCTION PLANS

- Not less than 1" - 400' topographic map depicting all existing and proposed access roads to be upgraded or constructed. Anticipated culvert sizes, locations, and the approximate final road grades shall be shown on the proposed roads. Adjoining state and county maintained roads and previously permitted roads which will be used in conjunction with the proposed roads shall be labeled for reference purposes.
- Not less than 1" - 50' site map with cross section(s) indicating the elevations before and after construction, the drilling pad size, the location of all drainage and erosion/sediment control structures, topsoil stockpiles and pits.
- Not less than 1" - 600' topographic map showing the total length of the proposed pipelines with notations of the pipeline diameter. This map shall show the location of all proposed drips, tanks and associated facilities (if applicable) and shall indicate where the pipe is to be buried or on the surface. The anticipated grades after construction for the ground disturbing sections of the pipeline rights-of-way shall also be shown on the map or an associated section profiles.
- Identify on attached maps any adjacent land, man-made or public safety features which would be at risk because of proposed operations as Red Zone(s) as required by 45 VAC 25-150-100(B).
- No Red Zone Identified

Description	FileName
No Red Zone Required	5 No Red Zone Required.pdf
Exhibit 1	AA36A EXHIBIT 1-Model.pdf
Exhibit 1A	AA36A Exhibit 1A.pdf
Exhibit 2	AA36A EXHIBIT 2-Model.pdf
Exhibit 3	AA36A EXHIBIT 3-Model.pdf

## WORK PLANS

Stimulation plan attached:  Yes  Does Not Apply (GOB)  Does Not Apply

Description	FileName
Target	2 TARGET(Frac).pdf

Analysis of mud medium/drilling medium/oil based fluid medium attached:  Yes  Does not apply

Description	FileName
QD-7	2 QD-7 Safety Data Sheet.pdf

SPCC Plan Required by EPA:  Yes  Does not apply

Description	FileName
SPCC	3 SPCC Noah Horn Tier 1Final.pdf

Emergency response plan attached:  Yes  Does not apply

Description	FileName
ERP	POCAHONTASGAS_SPRP_ERP 2020.pdf

**Pit Identification:**

Pit Name	Date Added	Date Removed
Pit		
Alt Pit		

**Wellbore Identification:**

Wellbore Identifier	Date Added

**PROVIDE INFORMATION OR ATTACHEMENTS PERTAINING TO SITE SPECIFIC INFORMATION THAT IS NOT ADDRESSED ABOVE**

Description	FileName
Produced Fluids	0 Disposal of Produced Fluids Revised 6-8-2021.pdf
No Objections	3 No Objection Letter BM-Coronado-10-8-2019.pdf
Mine Plats	AA36A Jawbone Seam.pdf
Mine Plats	AA36A Lower Banner Seam.pdf
Mine Plats	AA36A Red Ash Seam.pdf

Directions to site: Access for this proposed site from nearest community of Shorts Gap off Rte. 671 is over approximately 580 ft of existing road included in CBM-AA36C and various other permit applications to reach the site. The new segments of access road will require one (1) new culvert as shown in Exhibits 1, 2, and 3.



**BUCHANAN MINERALS** LLC

**Buchanan Minerals, LLC**  
P.O. Drawer L  
Oakwood, VA 24631

Date: October 8, 2019

Division of Gas and Oil  
135 Highland Drive  
Lebanon, VA 24266

To whom it may concern:

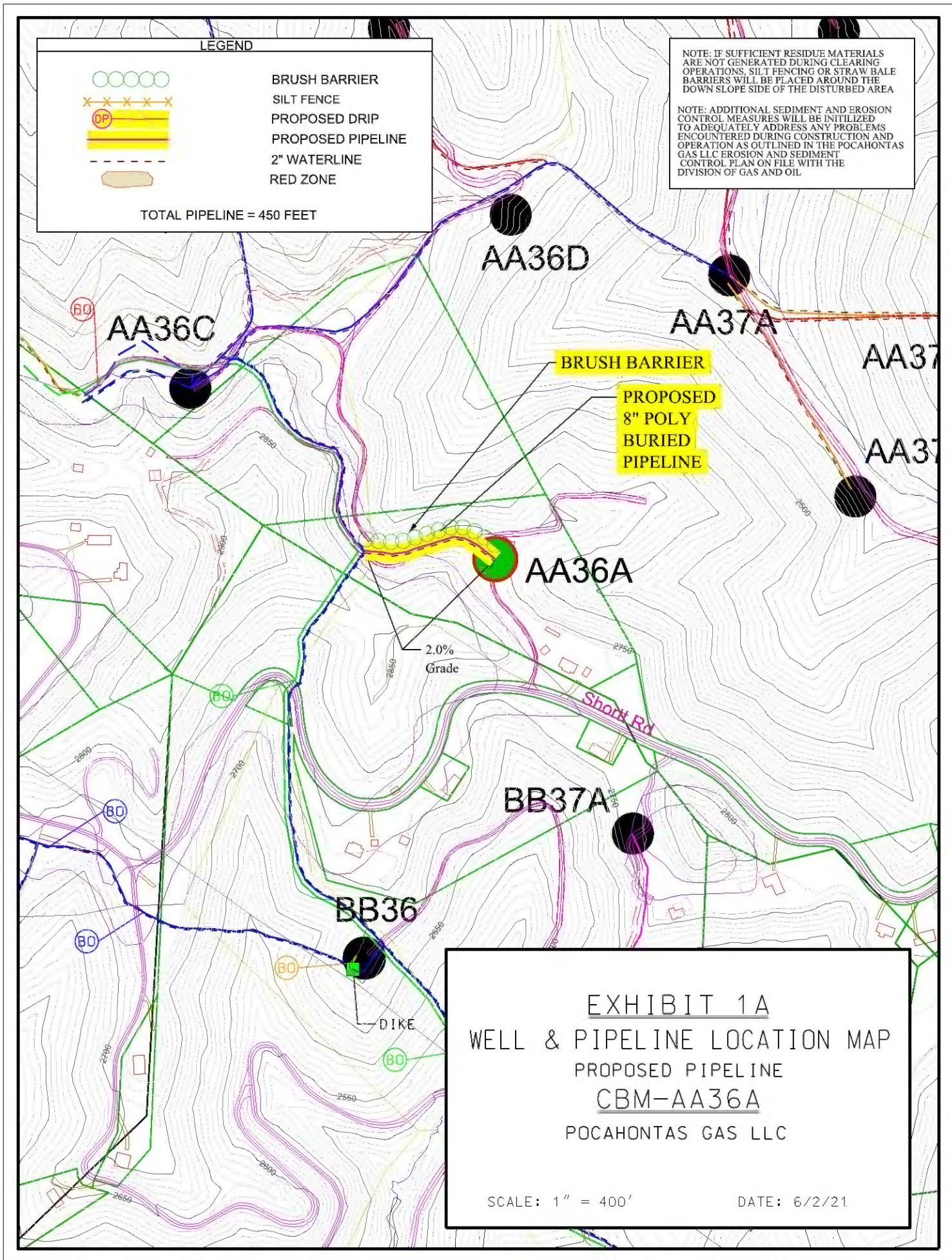
Please be advised that Buchanan Minerals LLC by a certain Mining, Management and Administrative Services Agreement dated March 31, 2016 has the ability to operate and manage assets related to property held by Coronado IV LLC. Buchanan Minerals LLC has no objection to wells drilled or proposed to be drilled by Pocahontas Gas LLC (formerly CNX Gas Company LLC) deviating more than one degree from vertical.

Pocahontas Gas LLC will provide a deviation survey to Buchanan Minerals, LLC at the above address upon the written request.

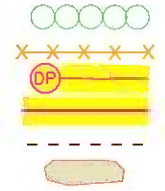
BY: Brett Holbrook

**Brett Holbrook**  
Vice President  
Buchanan Minerals, LLC  
PO Drawer L  
Oakwood, VA 24631  
(276) 498-6922  
[brett.holbrook@Coronadous.com](mailto:brett.holbrook@Coronadous.com)

Witness: Ken Elrod



**LEGEND**



BRUSH BARRIER  
 SILT FENCE  
 PROPOSED DRIP  
 PROPOSED PIPELINE  
 2" WATERLINE  
 RED ZONE

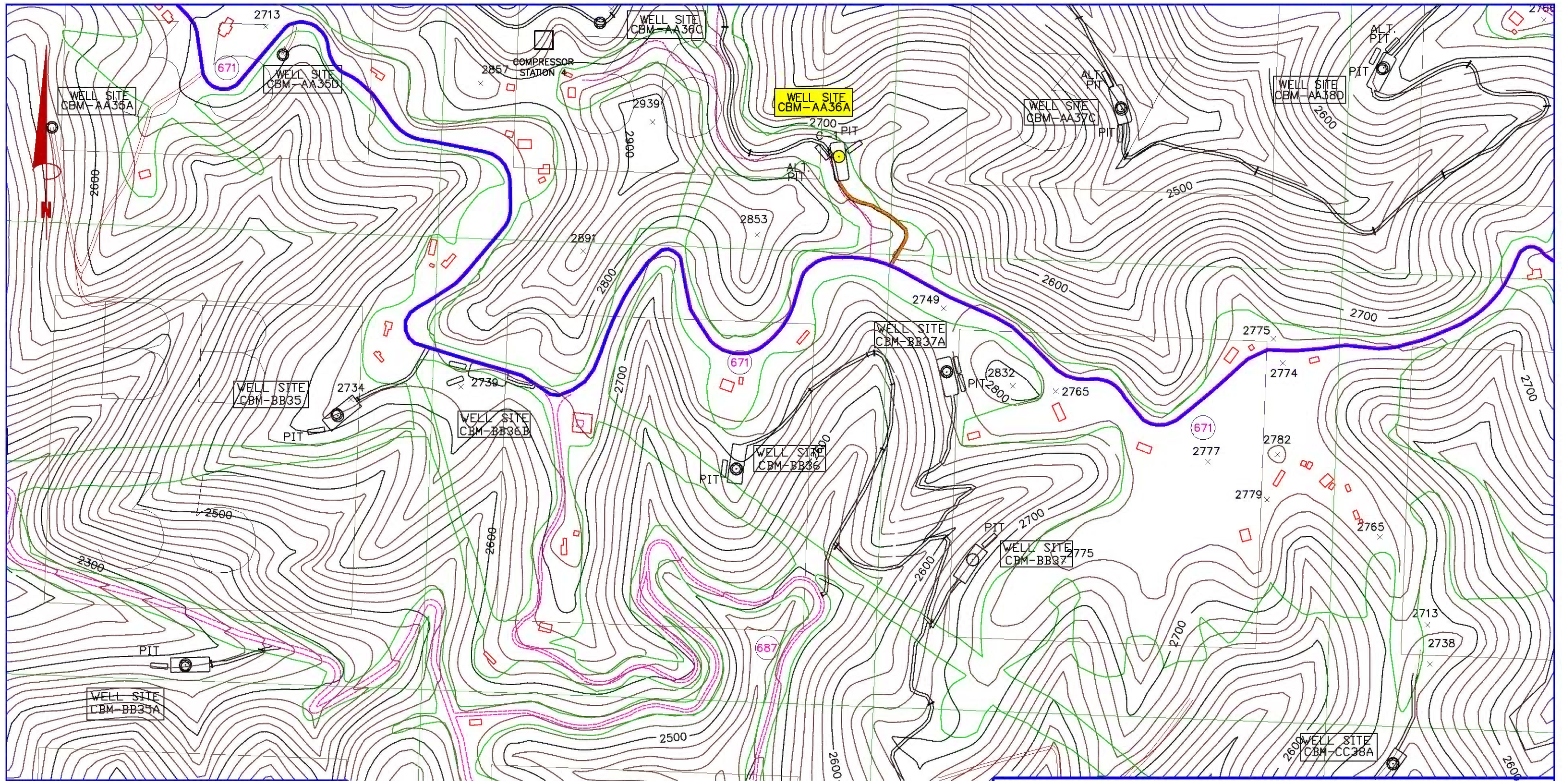
TOTAL PIPELINE = 450 FEET

NOTE: IF SUFFICIENT RESIDUE MATERIALS ARE NOT GENERATED DURING CLEARING OPERATIONS, SILT FENCING OR STRAW BALE BARRIERS WILL BE PLACED AROUND THE DOWN SLOPE SIDE OF THE DISTURBED AREA

NOTE: ADDITIONAL SEDIMENT AND EROSION CONTROL MEASURES WILL BE INITIALIZED TO ADEQUATELY ADDRESS ANY PROBLEMS ENCOUNTERED DURING CONSTRUCTION AND OPERATION AS OUTLINED IN THE POCAHONTAS GAS LLC EROSION AND SEDIMENT CONTROL PLAN ON FILE WITH THE DIVISION OF GAS AND OIL

**EXHIBIT 1A**  
**WELL & PIPELINE LOCATION MAP**  
 PROPOSED PIPELINE  
 CBM-AA36A  
 POCAHONTAS GAS LLC

SCALE: 1" = 400'  
 DATE: 6/2/21



**LEGEND**

- STATE ROAD
- COUNTY ROAD
- EXISTING ROAD
- NEW ROAD
- CULVERT
- C-1 CULVERT NUMBER
- WELL BORE
- NEW ROAD SEGMENT
- SILT FENCE AND OR
- BRUSH BARRIERS

**NOTE:**  
 STRAW BALES SHALL BE INSTALLED & MAINTAINED AT THE INLET AND OUTLET OF ALL CULVERTS AND AT ALL DRAINAGE WINDOWS UNTIL THE DISTURBED AREA IS STABILIZED.  
 NOTE: SILT TO BE CONTROLLED BY BRUSH BARRIERS AND/OR SILT FENCE, ETC.  
 STRAW BALES TO BE PLACED AT INLET/OUTLET END OF ALL CULVERTS AND DRAINAGE WINDOWS.

ACCESS ROAD LOCATION FROM HANDHELD GPS BY POCAHONTAS GAS LLC.

NEW ROAD INFORMATION  
 LENGTH % GRADE  
 NO NEW ROAD NECESSARY

LAT: 37° 09' 08.30798"  
 LONG: 81° 53' 41.42071"

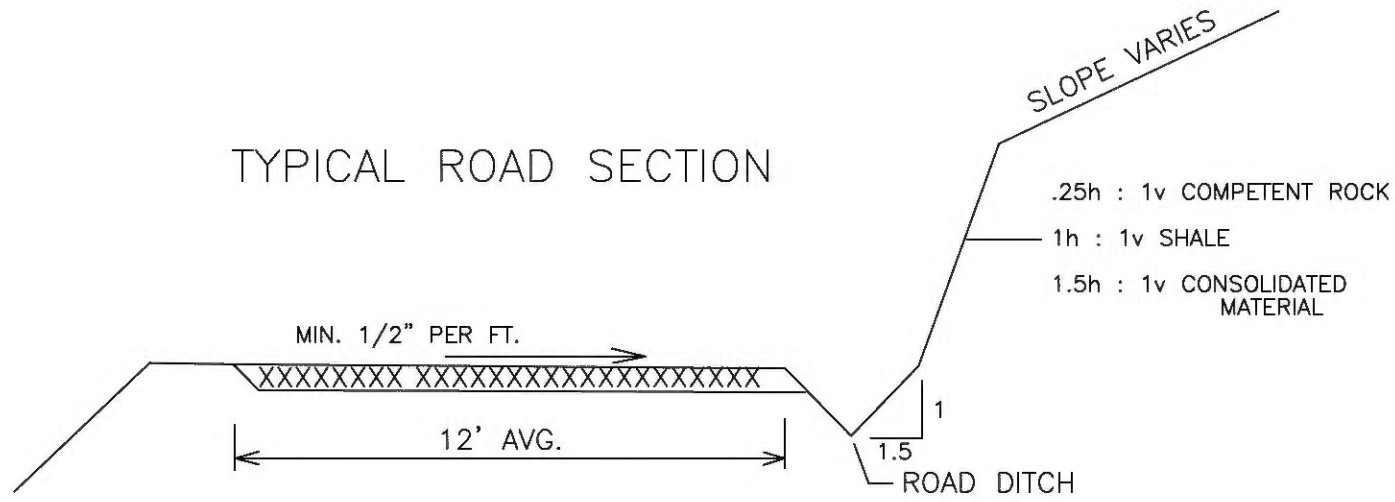
**LOCATION MAP**  
 WELL NO. CBM-AA36A

SCALE: 1" = 400'	POCAHONTAS GAS LLC PO BOX 570 POUNDRING MILL, VA. 24637	DRAWN BY: DC FILE: AA36A EXHIBIT 1
------------------	---	---------------------------------------

D. R. PRICE ENGINEERING & LAND SURVEYING, INC., PC  
 P. O. BOX 1270, HONAKER, VA 24260  
 PHONE: (276) 991-9100 FAX: (276) 991-9103

**EXHIBIT 1**

### TYPICAL ROAD SECTION

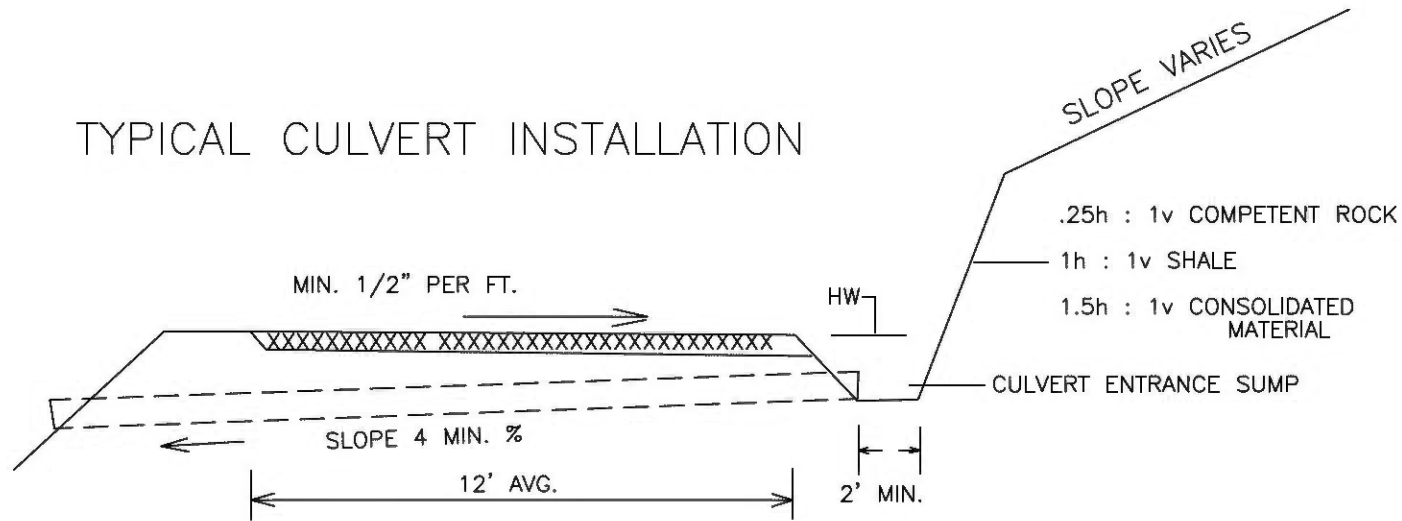


NOTE: SLOPE AND DEPTH OF ALL ROAD DITCHES SHALL BE SUFFICIENT TO HANDLE ANTICIPATED RUNOFF.

### CULVERT SCHEDULE

CULVERT I.D. NO.	Q (CFS)	Ø (IN)	MIN. HW (FT.) REQUIRED
C-1	15.21	18	2.88

### TYPICAL CULVERT INSTALLATION



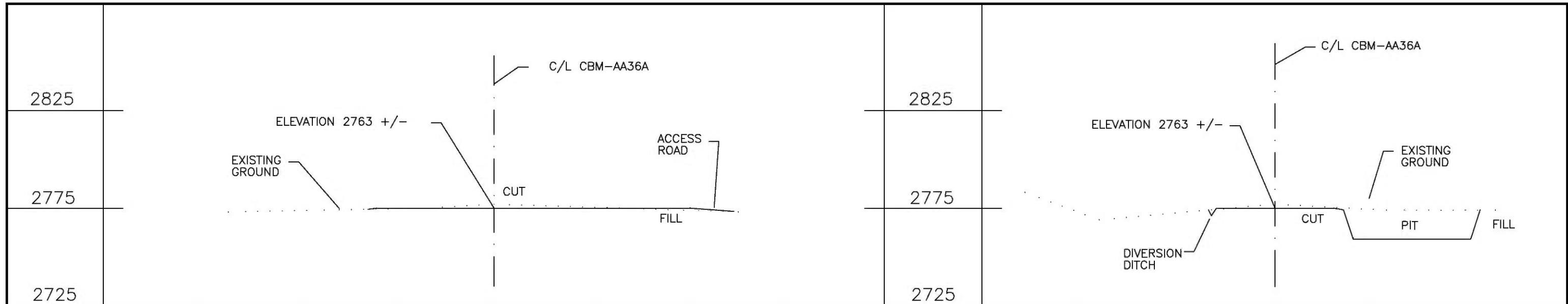
NOTES: STRAW BALES TO BE PLACED AT ENTRANCE AND OUTLET OF ALL CULVERTS UNTIL AREA IS STABILIZED. EROSION & SEDIMENT CONTROL WILL BE HANDLED BY WINDROW BRUSH OR SILT FENCING.

### ROAD & CULVERT DETAILS WELL CBM-AA36A

SCALE: NTS	POCAHONTAS GAS LLC PO BOX 570 POUNDRING MILL, VA. 24637	DRAWN BY: DC
DATE: 4-9-21		FILE: AA36A EXHIBIT 2

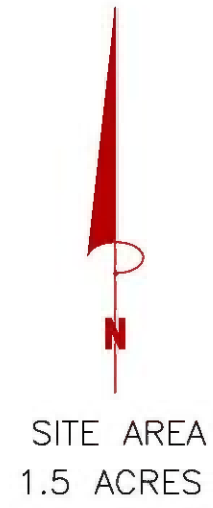
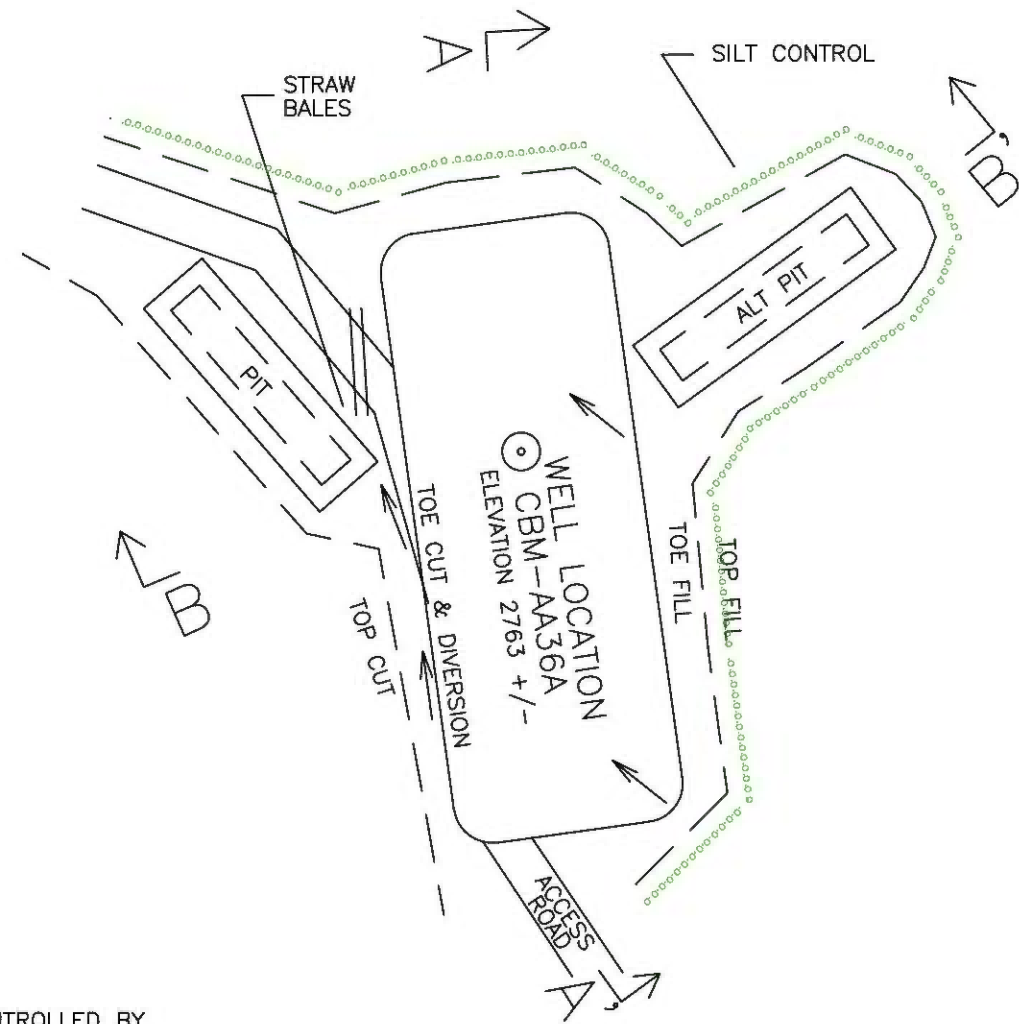
D.R. PRICE ENGINEERING & LAND SURVEYING INC. P.C.  
P.O. BOX 1270, HONAKER, VA. 24260  
PHONE: (276) 991-9100 FAX: (276) 991-9103

EXHIBIT 2



SECTION A -- A'

SECTION B -- B'



NOTE: SILT TO BE CONTROLLED BY BRUSH WINDROWS AND/OR SILT FENCE, ETC.

SITE PLAN

SITE PLAN & X-SECTIONS WELL NO. CBM-AA36A		
SCALE: 1" = 50'	POCAHONTAS GAS LLC PO BOX 570 POUNDRING MILL, VA. 24637	DRAWN BY: DC FILE: AA36A EXHIBIT 3
DATE: 4-5-21		
D.R. PRICE ENGINEERING & LAND SURVEYING INC., PC P.O. BOX 1270, HONAKER, VA. 24260 PHONE: (276) 991-9100 FAX: (276) 991-9103		EXHIBIT 3

7019 0700 0001 6437 9813

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Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.  
Pounding Mill, VA 24637  
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Certified Mail Fee \$3.75 1219 07

- Extra Services & Fees (check box, add fee) \$0.00
- Return Receipt (hardcopy) \$1.95
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$4.00

Postage \$0.58

12/07/2021

CNX Gas \$6.18  
ATTN: Beverly Webb  
PO Box 570  
Pounding Mill, VA 24637  
Notice of Hearing IFFH 1018

See Reverse for Instructions

7019 0700 0001 6437 9806

U.S. Postal Service™  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.  
Raven, VA 24639  
**OFFICIAL USE**

Certified Mail Fee \$3.75 1219 07

- Extra Services & Fees (check box, add fee) \$0.00
- Return Receipt (hardcopy) \$1.95
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$4.00

Postage \$0.58

12/07/2021

Pamela Hess  
475 Shortts Road  
Raven, VA 24639  
Notice of Board Hearing IFFH 1018

See Reverse for Instructions

7019 0700 0001 6437 9820

U.S. Postal Service™  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.  
Charleston, WV 25301  
**OFFICIAL USE**

Certified Mail Fee \$3.75 1219 07

- Extra Services & Fees (check box, add fee) \$0.00
- Return Receipt (hardcopy) \$1.95
- Return Receipt (electronic) \$0.00
- Certified Mail Restricted Delivery \$0.00
- Adult Signature Required \$0.00
- Adult Signature Restricted Delivery \$4.00

Postage \$0.58

12/07/2021

Hilliard & Swartz Law Offices  
ATTN: Mark Swartz  
122 Capital Street, Ste. 201  
Charleston, WV 25301  
Notice of Hearing IFFH 1018

See Reverse for Instructions



December 14, 2021

Dear Sarah Gilmer:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**7019 0700 0001 6437 9813.**

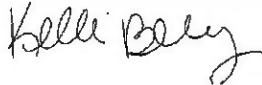
### Item Details

<b>Status:</b>	Delivered, Individual Picked Up at Post Office
<b>Status Date / Time:</b>	December 13, 2021, 11:39 am
<b>Location:</b>	POUNDRING MILL, VA 24637
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic

### Shipment Details

<b>Weight:</b>	1.0oz
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### Recipient Signature

Signature of Recipient:	
Address of Recipient:	PO BOX 570

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004



December 14, 2021

Dear Sarah Gilmer:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**7019 0700 0001 6437 9806.**

**Item Details**

**Status:** Delivered, Left with Individual  
**Status Date / Time:** December 11, 2021, 9:16 am  
**Location:** RAVEN, VA 24639  
**Postal Product:** First-Class Mail®  
**Extra Services:** Certified Mail™  
Return Receipt Electronic

**Shipment Details**

**Weight:** 1.0oz

**Recipient Signature**

Signature of Recipient:	SK C 19
Address of Recipient:	HSC67 475

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004



December 14, 2021

Dear Sarah Gilmer:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**7019 0700 0001 6437 9820.**

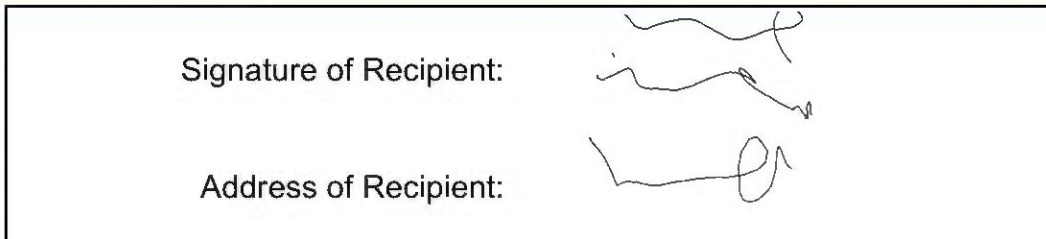
**Item Details**

<b>Status:</b>	Delivered, Left with Individual
<b>Status Date / Time:</b>	December 13, 2021, 2:04 pm
<b>Location:</b>	CHARLESTON, WV 25301
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic

**Shipment Details**

<b>Weight:</b>	1.0oz
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**Recipient Signature**



Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004

Virginia Division of Gas and Oil

3405 Mountain Empire Road  
Big Stone Gap, VA 24219

Telephone: (276) 415-9700  
Fax: (276) 523-8121

James P. Skorupa  
-Director, Gas and Oil



By Decision of the Director in

**Informal Fact Finding Conference 1018**

**Pamela Hess**

**vs.**

**Pocahontas Gas LLC**

**Permit Application for Gas and Oil operations:**

**Coalbed/Pipeline Operations CBM AA36A W/PL, Application 48674**

## **Background**

**Coalbed/Pipeline operations CBM AA36A W/PL, Application 48674, Pocahontas Gas LLC** was received at the Virginia Division of Gas and Oil (DGO) on 6/25/2021. The evidence regarding the application and objections filed support the fact that the objections were timely and appropriate under Virginia statute.

The objections filed by **Pamela Hess** against the permit application **#48674** were in accordance with objections provided by law under §45.1-361.35.

### **§45.1-361.35. Objections to permits; hearing**

- B. The only objections to permits or permit modifications that may be raised by Surface Owners are:
2. There are not measures (in addition to the requirement for a well's water-protection string) necessary to protect fresh water-bearing strata.
  4. The location of the coalbed methane well or coalbed methane well pipeline would unreasonably infringe on the surface owner's use of the surface. Note: This is only considered grounds to object, if a reasonable alternative site is available within the unit, and granting the objection will not materially impair any right contained in an agreement, valid at the time of the objection, between the surface owner and the operator or their predecessors or successors in interest.

---

## **Hearing Date and Place**

IFFH 1018 was convened on Tuesday, August 17, 2021 at 10:00 AM, at DMME Big Stone Gap. All parties with standing to object to Permit Application #48674 were notified of the time and place by United States Postal Service, certified mail, return receipt requested.

## **I. TESTIMONY BY THE APPLICANT**

The applicant presented testimony by way of exhibits containing evidence of well location, drainage of surface water, water analysis results, property lines and mining projections. Pocahontas Gas testifies that application number 48647 is in compliance with all state and local regulations and necessary for mine safety.

## **I. TESTIMONY BY THE SURFACE OWNER**

Pamela Hess as a Surface Landowner filed an objection to Permit Application # 48647 for CBM AA36A located in Buchanan County that has been submitted by Pocahontas Gas, LLC. The summary of the landowner's objections are: (1) the location of the well is too close to her home, a mobile home she owns on the property, and a road, (2) the well will affect her spring and pond located on her property, (3) located on flat land and deprives her of its use, (4) extra truck traffic, (5) noise (6) devaluation of her property, (7) royalty payments for use of the property, and (8) promised a gate by CNX to restrict access.

## **DECISION OF THE DIRECTOR**

After thorough research and consideration:

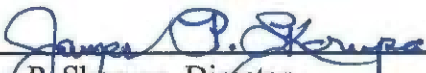
The parties in this IFFH presented testimony and documentation. The laws and regulations are clear in this matter that Pamela Hess has standing as provided standing as Surface Owner as provided for in Section 45.1-361.30 of the Virginia Gas and Oil Act. Truck traffic, noise, devaluation of her property, royalty payments, and being deprived of the use of her land are issues or concerns that are not included in the laws and regulations for Gas and determined by other parties and by not DGO. Permit application # 48647 does meet the requirements specified in: 4VAC25-150-560 CCBM Well application; 4VAC25-150- 600 setback requirement from inhabited buildings: 4VAC-150-610 Casing requirements to protect water string; and according to mine projections. The application meets regulatory requirements for issuance.

Based on testimony and the permit application, it is, therefore, the decision of the Director to deny objections to permit Application 48674 for operations CBM AA36A W/PL. The Permit Application for operations CBM AA36A W/PL will be assessed and issued under standard Division of Gas and Oil permit procedures.

## **Right of Appeal**

**Any person with standing under §45.1-361.30 who is aggrieved by this decision of the Director may appeal the decision to the Virginia Gas and Oil Board by filing a petition with the Board within ten days following the decision (§45.1-361.36). No petition or appeal may raise any matter other than matters raised by the Director or which the petitioner put in issue either by application or by objections, proposals, or claims made and specified in writing at the informal fact finding conference.**

Signed Thursday, September 16, 2021

  
James P. Skorupa, Director  
Virginia Division of Gas and Oil

Audio of the IFFH Hearing was e-mailed out to the Board Members on 1-5-22.

# POCAHONTAS GAS LLC

PO Box 570  
Pounding Mill, VA 24637  
Phone: 276-596-5137

June 2, 2021

Mr. Phil Skorupa, Director  
Department of Mines, Minerals and Energy  
Division of Gas and Oil  
135 Highlands Drive  
Lebanon, VA 24266

## **Re: CBM Well Application AA36A**

Dear Mr. Skorupa;

Pocahontas Gas LLC is requesting a unit location exception for the above referenced proposed well. The proposed well is strategically placed to de-gas the Buchanan Mining Company, 6 South Panel development headings, in the Pocahontas 3 Seam. This well is necessary for the safety of the underground mining personnel. This will be the third CBM well in the drilling unit. The proposed well is approximately 75 feet outside of the drilling window. Fiberglass casing will be installed across the Pocahontas 3 Seam to facilitate mining. A borehole directional survey will be conducted prior to the completion of the well.

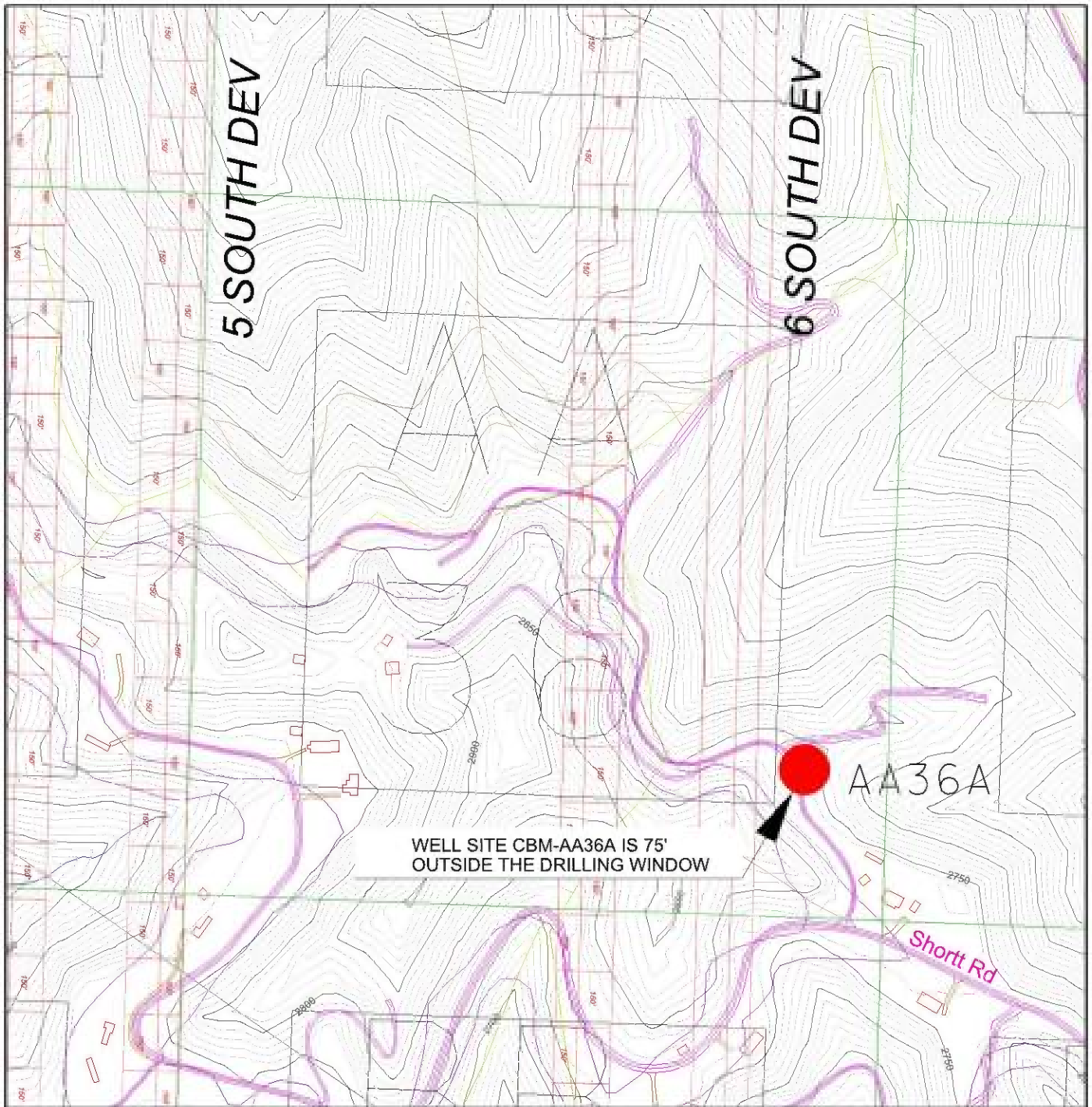
Therefore, based on these conditions, we hereby request a drilling unit location exception be granted for this well; for the prevention of waste of the natural resource, to protect correlative rights of the gas owners, and maximize the recovery of gas reserves beneath the unit. (see attached exhibit).

Sincerely,

*Bob Staton*

Bob Staton, M.S., P.G.  
Permitting Agent III

Cc: Sherri Scott, file AA36A



## LOCATION EXCEPTION EXHIBIT WELL NO. CBM-AA36A

SCALE: 1" = 400'

DATE: 6-2-2021

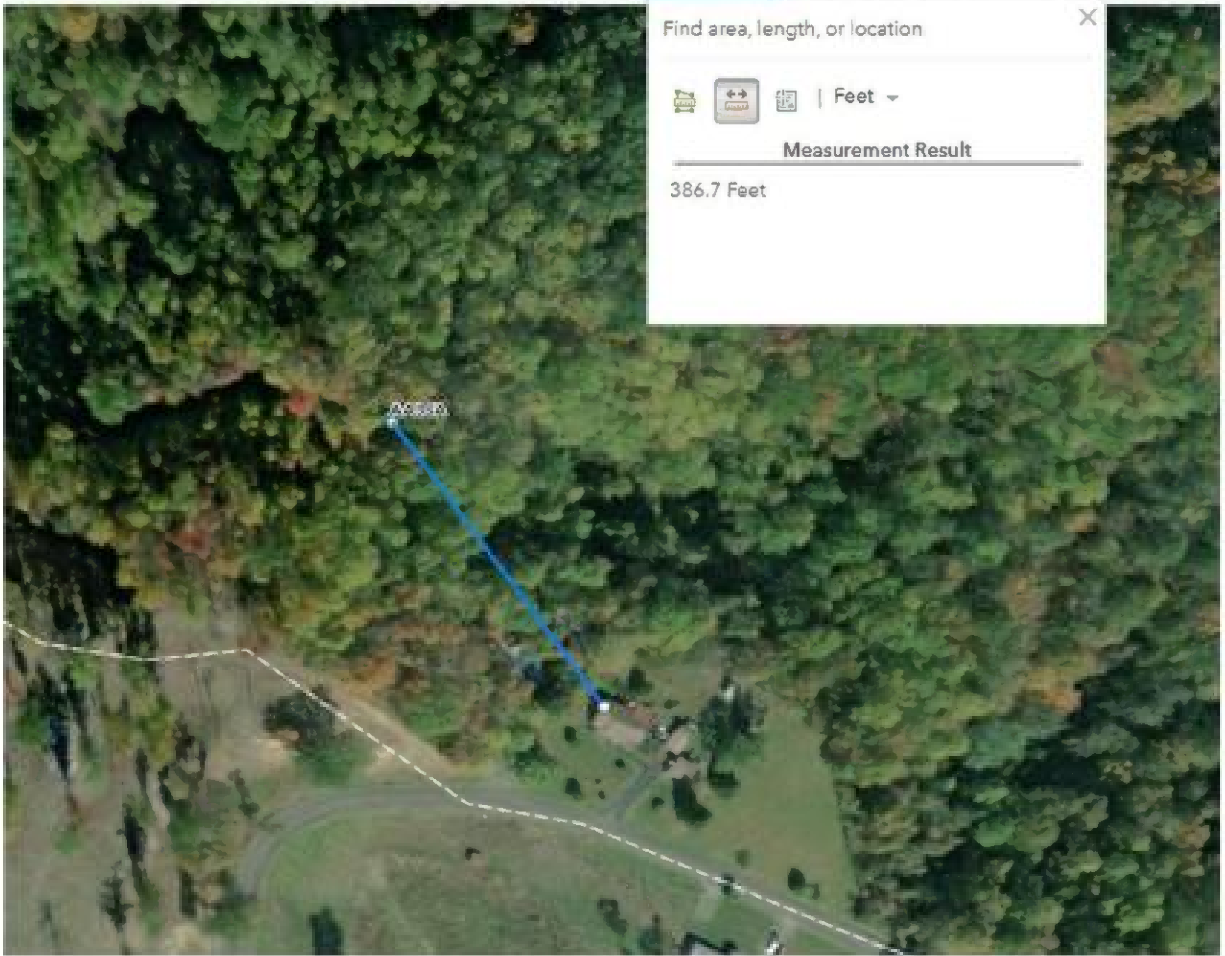
POCAHONTAS GAS LLC  
P.O. BOX 570  
POUNDING MILL, VA 24637

DRAWN BY: PSD

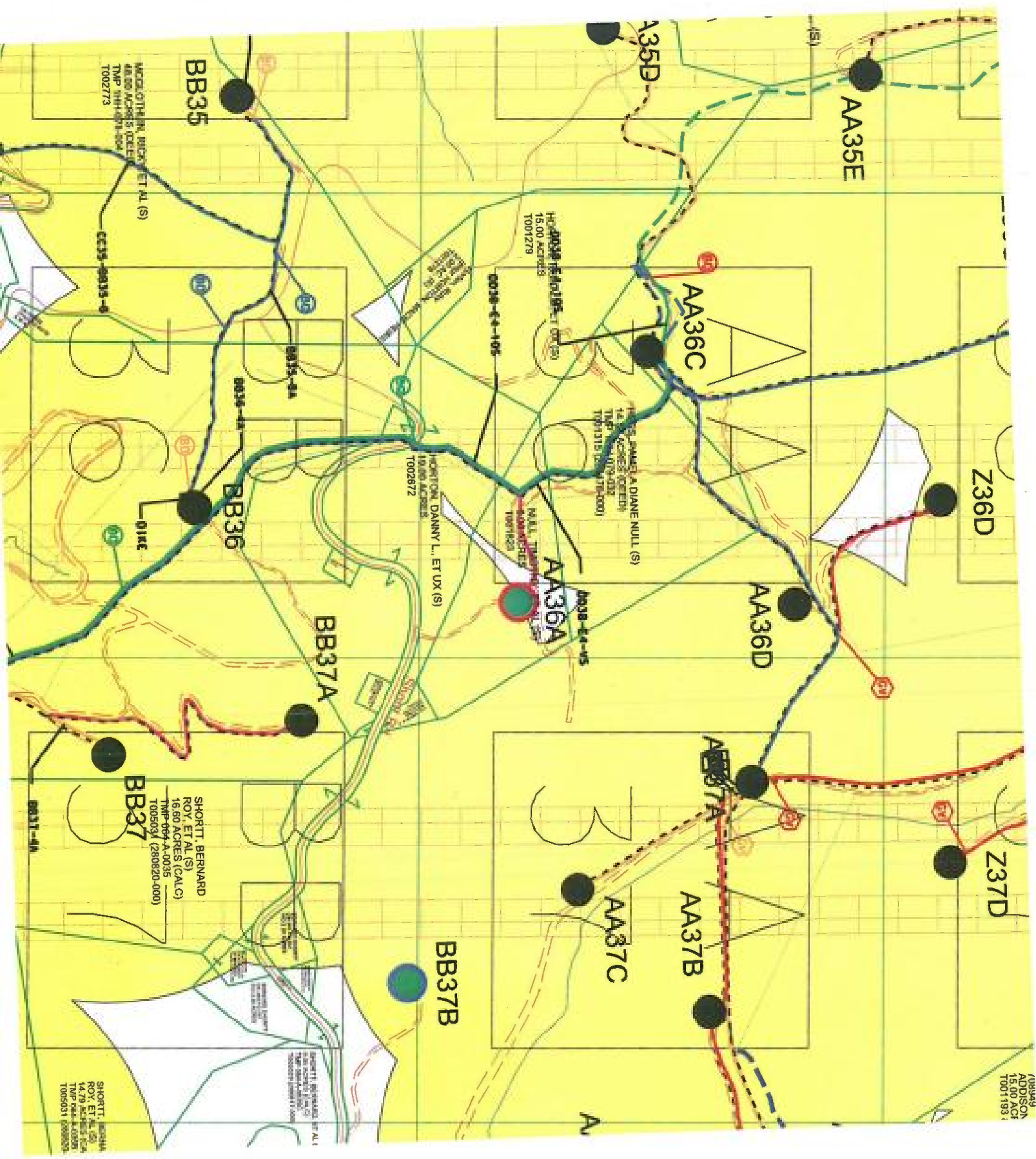
FILE: LOC-EXCEPTION-AA36A



CORONADO  
BUCHANAN NO. 1 MINE 6 SOUTH PANEL - P3 SEAM



**DRAINAGE MAP**



1/10/94  
ADDISON  
15.00 ACRES  
T001193

WICKLOTHAM, RICHARD ET AL (S)  
48.00 ACRES (DEED)  
TWP 1114-01-004  
T002773

HODGSON, DANNY L. ET UX (S)  
15.00 ACRES  
T001279

HARRIS, JAMES & DIANE NULL (S)  
14.00 ACRES (DEED)  
TWP 1114-01-002  
T001315 (DEED T001000)

HODGSON, DANNY L. ET UX (S)  
10.00 ACRES  
T002872

SHORTT, BERNARD  
ROY ET AL (S)  
16.50 ACRES (CALC)  
TWP 094 A-0035  
T005051 (280820-000)

SHORTT, BERNARD  
ROY ET AL (S)  
16.50 ACRES (CALC)  
TWP 094 A-0035  
T005051 (280820-000)



ENVIRONMENTAL MONITORING, INCORPORATED

ENVIRONMENTAL CONSULTANTS ▲ ANALYTICAL LABORATORIES

P.O. BOX 1190 ▲ NORTON, VIRGINIA 24273 ▲ 276/679-6544

July 14, 2021

Ms. Beverly Webb

Pocahontas Gas LLC  
P.O. Box 570  
Pounding Mill, VA 24637

RE: CBM-AA36A  
EMI Project 743.6724

Dear Ms. Webb:

On June 24, 2021 Environmental Monitoring, Inc. conducted a groundwater inventory in an area surrounding proposed well CBM-AA36A. This inventory consisted of collecting samples from the nearest groundwater source and domestic water supplies within a 1320' radius of the proposed well.

This water supply inventory was performed by Brandon Baker of EMI. The nearest groundwater found on the date was a domestic spring located 240' north east of proposed location. Structures shown within 1320' radius utilize public water, no longer exist or is a building. The certificate of analysis is included for your review.

Should you have questions concerning this project, please feel free to contact me at 888-2EMILAB.

Respectfully submitted,

Environmental Monitoring, Inc.

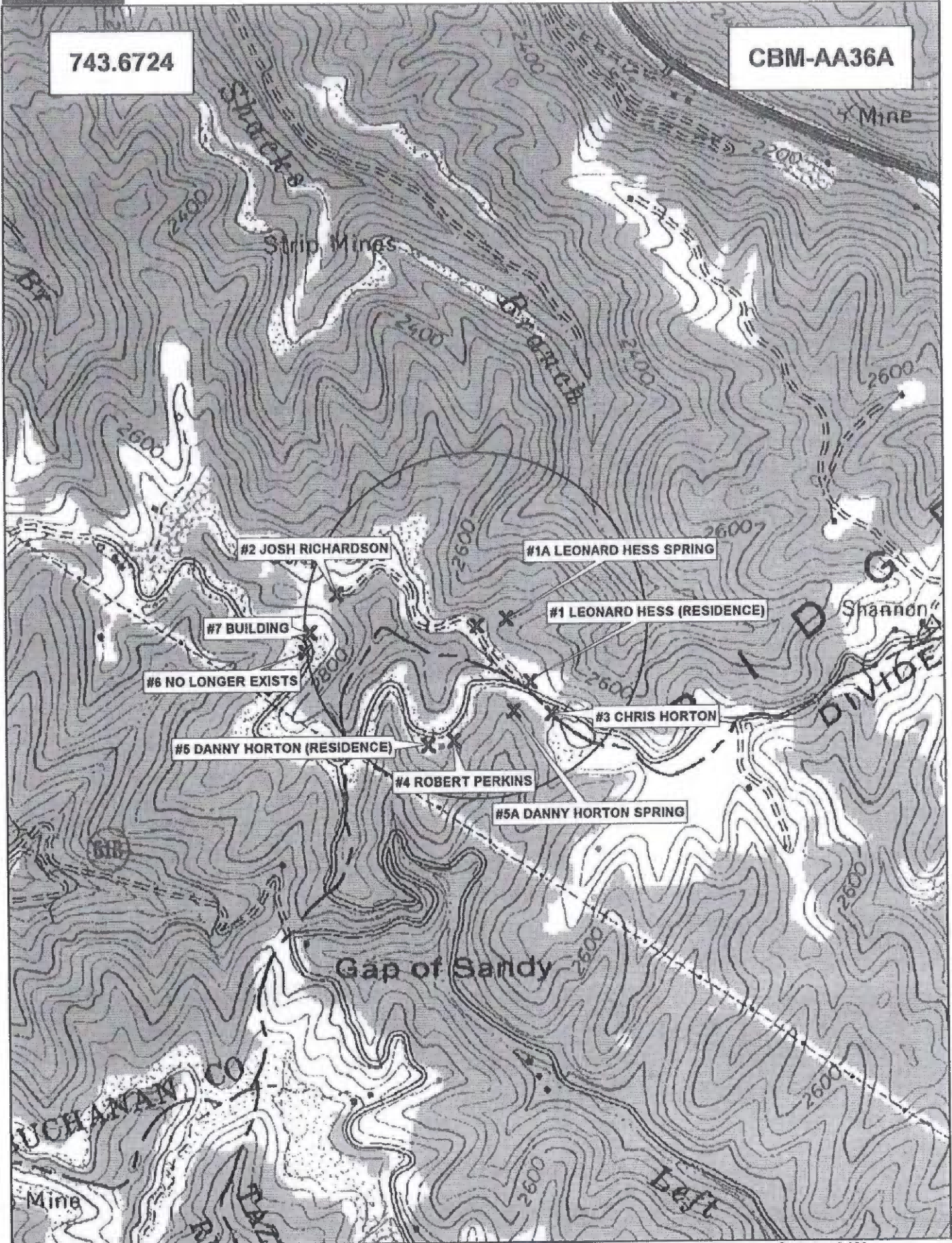
A handwritten signature in black ink, appearing to read "Steve Williams", is written over a large, light-colored circular scribble or stamp.

Steve Williams  
Project Manager

attachments

743.6724

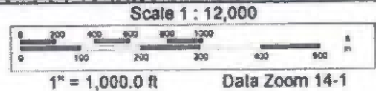
CBM-AA36A



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www.delorme.com



**OIL AND GAS GROUNDWATER SURVEY**  
**ENVIRONMENTAL MONITORING, INC.**  
 5730 INDUSTRIAL PARK ROAD, NORTON, VA 24273  
 888-2EMILAB

DATE: 6.24.21  
 PROJ. #: 743.6724  
 WELL #: CBM-AA36A  
 SAMPLED BY: B. BAKER

MAP ID NO.	MPID NO.	DESCRIPTION	WELL TOTAL DEPTH	G.P.M. SPRING	DISTANCE & DIRECTION FROM PROPOSED WELL	COMMENTS
1	-	LEONARD HESS (RESIDENCE)	-	-	590' S.E.	SEE 1A (ALSO UTILIZES PSA)
1A	0010709	LEONARD HESS SPRING	-	0.50	240' N.E.	SAMPLED
2	-	JOSH RICHARDSON	-	-	1110' N.W.	PUBLIC WATER ONLY
3	-	CHRIS HORTON	-	-	890' S.E.	PUBLIC WATER ONLY
4	-	ROBERT PERKINS	-	-	900' S.W.	PUBLIC WATER ONLY
5	-	DANNY HORTON (RESIDENCE)	-	-	990' S.W.	SEE 5A (ALSO UTILIZES PSA)
5A	0010708	DANNY HORTON SPRING	-	POND	710' S.W.	SAMPLED
6	-	NO LONGER EXISTS	-	-	1320' S.W.	NO SAMPLE
7	-	BUILDING	-	-	1280' W.	NO SAMPLE

ADDITIONAL COMMENTS: Memorandums are placed at locations with no one home or no answer explaining the reason of the visit.

**\*\*NOTE\*\* MPID# 0010708 – SAMPLED PONDAGE. THE POND IS FED UNDERNEATH AND IS NO VISIBLE FLOW PER LAND OWNER**



Pre Drill	<input checked="" type="checkbox"/>
Post Drill	<input type="checkbox"/>

**SITE VISIT FORM**

Visit Date: 6-24-21 Map ID # 1 + 1A Proj. # 743.6429 Gas Well ID CBM-AA36A  
 Name: Leonard Hess Contact Time: \_\_\_\_\_  
 Address: 475 Shortts Rd. Present at Interview: yes  
Raven, VA 24639  
 Phone: 276-964-6321 Owner: same

WATER SOURCE: Public water in residence Distance from residence: \_\_\_\_\_ Direction from residence: \_\_\_\_\_  
 LOCATION: MPID # DO 10709 Distance from proposed gas well: \_\_\_\_\_ Direction from proposed gas well: \_\_\_\_\_  
Residence = 37.15102  
-81.89349  
2,671

Elevation \_\_\_\_\_ GPS (LL27/dec. deg.): Lat. \_\_\_\_\_ Long. \_\_\_\_\_  
Spring water used as backup source + outdoor use

WATER WELL INFORMATION METHANE READING: \_\_\_\_\_ % LEL, LOCATION: \_\_\_\_\_

Drilled or Hand Dug \_\_\_\_\_ Total Depth: \_\_\_\_\_ Year Drilled: \_\_\_\_\_

Static Water Level \_\_\_\_\_ How Measured: \_\_\_\_\_ Casing material and length \_\_\_\_\_

Where is the well (well house, outside, buried, etc) \_\_\_\_\_ Is well vented: \_\_\_\_\_

Describe well cap (ex. expandable plug): \_\_\_\_\_ Type of pump \_\_\_\_\_

Who Drilled: \_\_\_\_\_ Drillers log available from owner? \_\_\_\_\_

Permission to ask drilling company for copy of drill log? \_\_\_\_\_

Signature for copy of drill log: \_\_\_\_\_

Type of Filter: \_\_\_\_\_ Model #: \_\_\_\_\_ Year Installed: \_\_\_\_\_

Sample Location (s) (outside tap, kitchen, aerator removed, pre-filter, etc): \_\_\_\_\_

**SPRINGS**

Flow Rate: 0.50 How Measured: observed Protected (explain how?) yes - Spring box  
 Treatment on Spring (explain): NONE Sample Location: below spring box. pipe NOT  
overflow  
Flowing

**QUALITY INFORMATION**

OWNER/ History of Well (describe low flow times/plenty of water/well dry, etc) never gone dry / has  
 USER COMMENTS: Spring Well Water use (consumption/agricultural/household)? Backup source / outside use low  
 Taste (describe) good Odor (describe) NONE  
 Stains (describe) NONE Tested before/when? 5/2017  
 Does owner have additional water source (describe) yes - Public water in residence

Additional owner/user comments: Send copy of lab results

Field technician observations/comments: \_\_\_\_\_

Person Conducting Interview: Brandon Baker Interviewers Signature: [Signature]

Owner/User Signature: \_\_\_\_\_



**ENVIRONMENTAL MONITORING, INCORPORATED**  
 ENVIRONMENTAL CONSULTANTS ▲ ANALYTICAL LABORATORIES  
 5730 INDUSTRIAL PARK RD. ▲ NORTON, VIRGINIA 24273 ▲ 276/679-6544

**Certificate of Analysis**

Page: 1 of 2

Client Name: POCAHONTAS GAS LLC  
 Address: 1000 CONSOL ENERGY  
 CANONSBURG, PA 15317

Report Date: 07/13/2021

Lab Sample No.: **1871712**

Client No.: 743

EMI Project No.: 6724

Date Received: 06/24/2021

Date Collected: 06/24/2021

Time Collected: 1100

Sample Matrix: AQ

Collected By: BAKER, BRANDON

EMI No. 52565  
 Sample Identification: 743.6724 Leonard Hess Spring (MPID 0010709)

Site Description: CBM-AA36A (FRAC)

Flow if Available (GPM): 0.5    Depth if Available (Ft):    Temp if Available (C): 17.0    Analysis Package Code: VBGI    Type of Sample: Grab

**Case Narrative:**    The analysis of EMI sample number 1871712 was obtained under standard operating conditions unless otherwise indicated. For QA Flag descriptions see attachment.

**Summary of Analytical Results**

Method Parameter	Sample Result	Units	MDL	RL	Date Analyzed	Time Analyzed	Analyst
<b>EPA 1664 A 1999</b>							
Hexane Extractable Material-SPE	BDL	mg/l	2.80	5.00	6/29/2021	1000	THR
<b>EPA 200.7 Rev 4.4 1994</b>							
Calcium, Total	6.07	mg/l	0.063	0.500	6/25/2021	1351	AWM
Iron, Total	1.51	mg/l	0.0080	0.050	6/25/2021	1728	AWM
Magnesium, Total	4.36	mg/l	0.050	0.500	6/25/2021	1351	AWM
Manganese, Total	0.314	mg/l	0.0050	0.050	6/25/2021	1728	AWM
Sodium, Total	2.02	mg/l	0.074	0.500	6/25/2021	1351	AWM
<b>EPA 300.0 Rev 2.1 1993</b>							
Chloride	1.43 J	mg/l	0.762	5.00	6/29/2021	1830	THR
Sulfate	10.6	mg/l	1.28	5.00	6/29/2021	1830	THR
<b>Field Observation</b>							
Bubbles (Not NELAP)	0				6/24/2021	1100	FLD
Effervescence (Not NELAP)	0				6/24/2021	1100	FLD
Odor (Not NELAP)	0				6/24/2021	1100	FLD
Sediment (Not NELAP)	0				6/24/2021	1100	FLD
Water Color (Not NELAP)	0				6/24/2021	1100	FLD
<b>SM 2310B-2011</b>							
Acidity to pH 8.3	BDL	mg/l CaCO3	4.00	4.00	6/25/2021	1347	THR
<b>SM 2320B-4c-2011</b>							
Alkalinity	24.1	mg/l CaCO3	4.00	4.00	6/25/2021	1110	THR
<b>SM 2340 B-2011</b>							



**ENVIRONMENTAL MONITORING, INCORPORATED**  
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**Certificate of Analysis**

07/13/2021 Page: 2 of 2

EMI No. 52565  
 Sample Identification: 743.6724 Leonard Hess Spring (MPID 0010709)

Lab Sample No.: **1871712**

**Summary of Analytical Results**  
**Summary of Analytical Results - Continued**

Method Parameter	Sample Result	Units	MDL	RL	Date Analyzed	Time Analyzed	Analyst
<b>SM 2340 B-2011</b> Hardness, Total (by Calculation)	33.1	mg/l CaCO <sub>3</sub>	0.363	1.00	6/25/2021	1414	AWM
<b>SM 2510B-2011</b> Conductivity	84.0	umhos/cm	10.0	10.0	6/28/2021	1418	JLW
<b>SM 2540 C-2011</b> Total Dissolved Solids	50.0	mg/l	1.00	1.00	6/25/2021	1228	THR
<b>SM 2540 D-2011</b> Total Suspended Solids	10.1	mg/l	1.00	1.00	6/28/2021	1222	MLS
<b>SM 4500-H+B-2011</b> pH (Not NELAP)	5.80	STD			6/24/2021	1100	FLD
<b>SM 9223 B-2004-Collert</b> Coliform, Total	POS	Pos/Neg			6/24/2021	1615	RSV

END OF EMI SAMPLE NUMBER 1871712 CERTIFICATE

To the best of our knowledge and belief, the collection, preservation, and analysis of all parameters represented by this report have been determined to comply the requirements as specified in 40 CFR, Part 136 unless indicated otherwise. This report may not be reproduced except in full, without the written approval of the laboratory.



VA Laboratory ID#: 460038  
 WV Laboratory ID#: 105  
 KY Laboratory ID#: 98012  
 EPA Laboratory ID#: VA00010

The release of this report is authorized by: \_\_\_\_\_

**R. J. Porter**  
 Technical Director

# Client Sample Results

Client: Environmental Monitoring, Inc.  
Project/Site: Environmental Monitoring

Job ID: 400-205361-1

Client Sample ID: 1871712 LEONARD HESS SPRING

Lab Sample ID: 400-205361-1

Date Collected: 06/24/21 11:00

Matrix: Water

Date Received: 06/30/21 12:40

Method: RSK-175 - Dissolved Gases (GC)									
Analyte	Result	Qualifier	RL	MDL	Unit	D	Prepared	Analyzed	Dil Fac
Ethane	ND		0.00100	0.000750	mg/L			07/06/21 13:01	1
Methane	0.00438		0.00100	0.000500	mg/L			07/06/21 13:01	1
Propane	ND		0.00500	0.00170	mg/L			07/06/21 13:01	1

Eurofins TestAmerica, Pensacola

AA36A

HESS, PAMELA DIANE NULL (S)  
14.54 ACRES (DEED)

AA36A

NULL, TIMOTHY, ET AL (S)  
9.00 ACRES

Google Earth



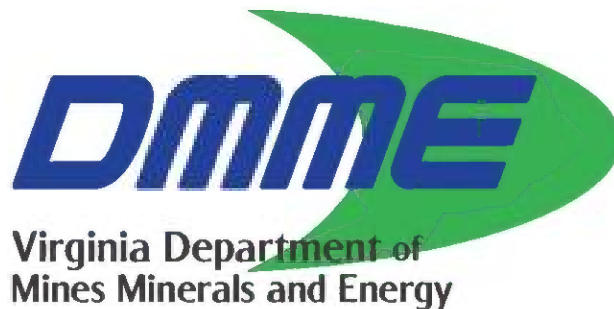
800 ft

Virginia Division of Gas and Oil

3405 Mountain Empire Road  
Big Stone Gap, VA 24219

Telephone: (276) 415-9700  
Fax: (276) 523-8121

James P. Skorupa  
-Director, Gas and Oil



By Decision of the Director in

**Informal Fact Finding Conference 1018**

**Pamela Hess**

**vs.**

**Pocahontas Gas LLC**

**Permit Application for Gas and Oil operations:**

**Coalbed/Pipeline Operations CBM AA36A W/PL, Application 48674**

## **Background**

**Coalbed/Pipeline operations CBM AA36A W/PL, Application 48674, Pocahontas Gas LLC** was received at the Virginia Division of Gas and Oil (DGO) on 6/25/2021. The evidence regarding the application and objections filed support the fact that the objections were timely and appropriate under Virginia statute.

The objections filed by **Pamela Hess** against the permit application **#48674** were in accordance with objections provided by law under §45.1-361.35.

### **§45.1-361.35. Objections to permits; hearing**

- B. The only objections to permits or permit modifications that may be raised by Surface Owners are:
2. There are not measures (in addition to the requirement for a well's water-protection string) necessary to protect fresh water-bearing strata.
  4. The location of the coalbed methane well or coalbed methane well pipeline would unreasonably infringe on the surface owner's use of the surface. Note: This is only considered grounds to object, if a reasonable alternative site is available within the unit, and granting the objection will not materially impair any right contained in an agreement, valid at the time of the objection, between the surface owner and the operator or their predecessors or successors in interest.

---

## **Hearing Date and Place**

IFFH 1018 was convened on Tuesday, August 17, 2021 at 10:00 AM, at DMME Big Stone Gap. All parties with standing to object to Permit Application #48674 were notified of the time and place by United States Postal Service, certified mail, return receipt requested.

## **I. TESTIMONY BY THE APPLICANT**

The applicant presented testimony by way of exhibits containing evidence of well location, drainage of surface water, water analysis results, property lines and mining projections. Pocahontas Gas testifies that application number 48647 is in compliance with all state and local regulations and necessary for mine safety.

## **I. TESTIMONY BY THE SURFACE OWNER**

Pamela Hess as a Surface Landowner filed an objection to Permit Application # 48647 for CBM AA36A located in Buchanan County that has been submitted by Pocahontas Gas, LLC. The summary of the landowner's objections are: (1) the location of the well is too close to her home, a mobile home she owns on the property, and a road, (2) the well will affect her spring and pond located on her property, (3) located on flat land and deprives her of its use, (4) extra truck traffic, (5) noise (6) devaluation of her property, (7) royalty payments for use of the property, and (8) promised a gate by CNX to restrict access.

## **DECISION OF THE DIRECTOR**

After thorough research and consideration:

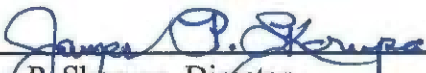
The parties in this IFFH presented testimony and documentation. The laws and regulations are clear in this matter that Pamela Hess has standing as provided standing as Surface Owner as provided for in Section 45.1-361.30 of the Virginia Gas and Oil Act. Truck traffic, noise, devaluation of her property, royalty payments, and being deprived of the use of her land are issues or concerns that are not included in the laws and regulations for Gas and determined by other parties and by not DGO. Permit application # 48647 does meet the requirements specified in: 4VAC25-150-560 CCBM Well application; 4VAC25-150- 600 setback requirement from inhabited buildings: 4VAC-150-610 Casing requirements to protect water string; and according to mine projections. The application meets regulatory requirements for issuance.

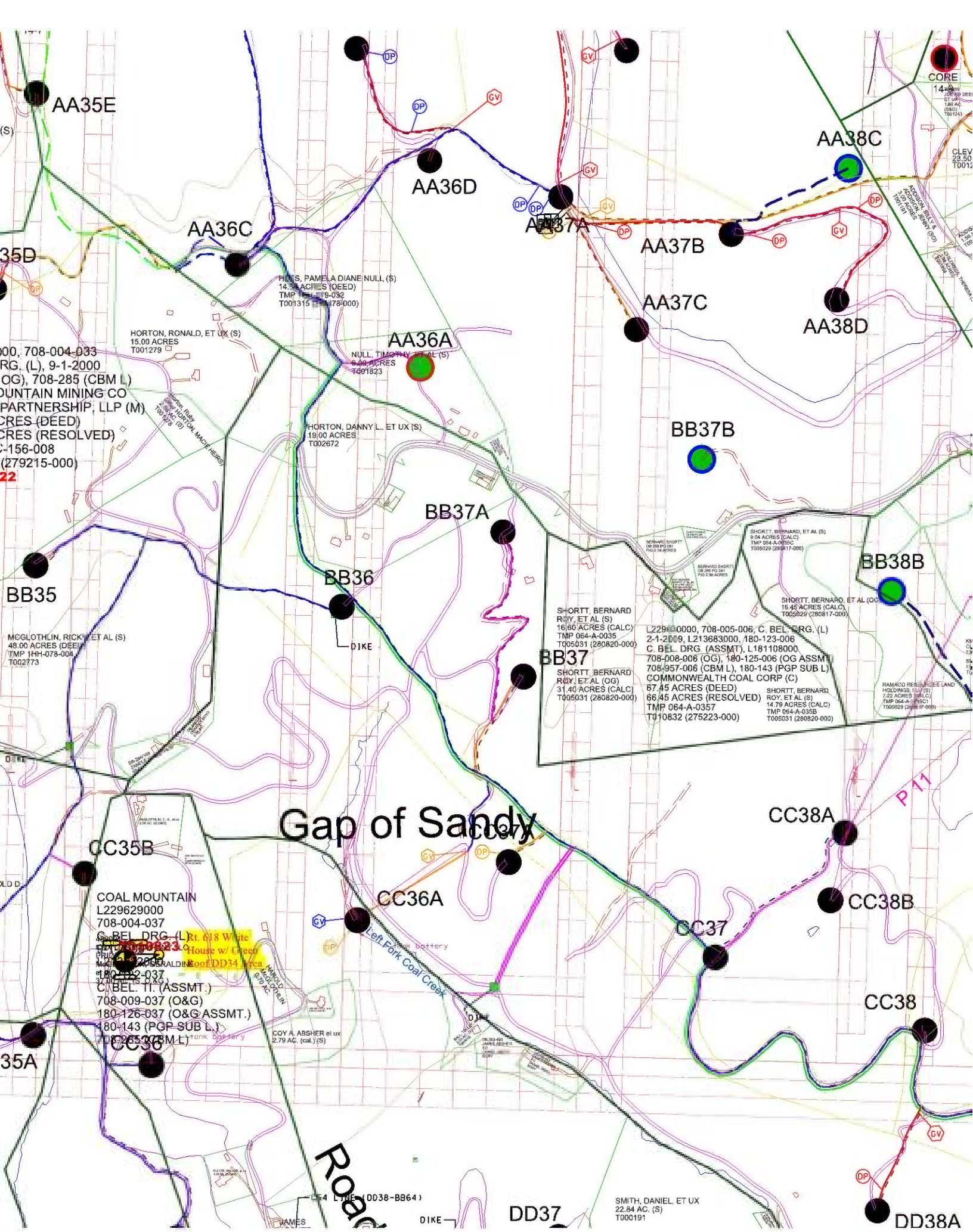
Based on testimony and the permit application, it is, therefore, the decision of the Director to deny objections to permit Application 48674 for operations CBM AA36A W/PL. The Permit Application for operations CBM AA36A W/PL will be assessed and issued under standard Division of Gas and Oil permit procedures.

## **Right of Appeal**

**Any person with standing under §45.1-361.30 who is aggrieved by this decision of the Director may appeal the decision to the Virginia Gas and Oil Board by filing a petition with the Board within ten days following the decision (§45.1-361.36). No petition or appeal may raise any matter other than matters raised by the Director or which the petitioner put in issue either by application or by objections, proposals, or claims made and specified in writing at the informal fact finding conference.**

Signed Thursday, September 16, 2021

  
James P. Skorupa, Director  
Virginia Division of Gas and Oil



Pamela Hess  
475 Shortts Road  
Raven, VA 24639  
276.964.6321

June 28, 2021

Virginia Gas and Oil Inspector  
Division of Gas and Oil,  
3405 Mountain Empire Rd  
Big Stone Gap, VA 24219

RE: CBM AA36A

To whom it may concern,

I have received notification of a proposed gas well to be placed on my land. I am filing a letter of opposition to the placement of this gas well since it will be directly above my spring box and a pond. In past years, my neighbors had to rely on clean water to be hauled to their homes because gas wells had diminished or totally eliminated their water supplies. Records will show that I never had to have water delivered to my home and my spring was basically the only one left flowing. Also, during the past seasons, my pond was the only source of water for the wildlife in this area. I have maintained the forest on my property for more than 50 years and want to keep it maintained as a habitat for wildlife. I own approximately 23 acres in Buchanan County with only one small, usable piece of flat land

remaining. The area for this well is on that flat parcel consisting of approximately 1/4+ acres. Also, of concern to me and anyone I may try to sell this land to, it is about 300 feet from my bedroom. Not only will the pumping noise of the well disturb me tremendously, it will also greatly reduce the resale value of my property.

This parcel of land was bartered back from CNX because of one of their errors in logging a right of way across the wrong place on my property. CNX gave me a release for this parcel for the damage they caused. The release is recorded in Grundy, VA. If they secure this parcel, not only did I lose some desired timber but will be forced to surrender this land for nothing. It would appear to be a win-win for the gas company.

As stated in my objections above, this well will greatly interfere and reduce my enjoyment and use of my land. I met with the DMMA over this same parcel a few years back. With the attorney fees I paid then, it seems like this will be a recurring expensive practice from the gas company. It was agreed at that time that the gas company would build a road across the edge of this parcel and put the same gas well on their property. I thought it had all been settled. That proposal would be bad for me, but not nearly as damaging as a well within 10 feet of my road and 300 feet from my bedroom. I really don't know why we are back debating this issue.

I greatly appreciate your concern in this matter. If you need to speak with me concerning this matter, please call 276-9646321.

Sincerely,

*Pamela Hess*  
Pamela Hess,

Leonard Hess

*Leonard Hess*

Heer  
4775 Shonto Rd  
Raven, VA 24639

Virginia Gas & Oil Inspector  
Division 2 Gas and Oil  
3405 Mountain Empire Road  
Big Stone Gap, VA 24219

24219-463405



CHARLESTON WV 250  
30 JUN 2021 PM 4 L





