WEST VIRGINIA CODE: §37-7-2

§37-7-2. Waste by co-tenant.

If a tenant in common, joint tenant, or parcener commits waste, he or she is liable to his or her co-tenants, jointly or severally, for damages. The lawful use or development of oil or natural gas and their constituents in compliance with the provisions of §37B-1-1 *et seq*. of this code is not the commission of waste. The lawful mining, extraction, or production of coal in compliance with the provisions of §37B-3-1 *et seq*. of this code is not the commission of waste.

WV Legislature