

west virginia department of environmental protection

Office of Oil and Gas 601 57th Street, S.E. Charleston, WV 25304 (304) 926-0450 fax: (304) 926-0452 Jim Justice, Governor Austin Caperton, Cabinet Secretary www.dep.wv.gov

Wednesday, September 20, 2017 WELL WORK PERMIT Horizontal 6A / New Drill

SWN PRODUCTION COMPANY, LLC POST OFFICE BOX 12359

SPRING, TX 773914954

Re: Permit approval for RUSSELL HERVEY BRK 406H 47-009-00218-00-00

This well work permit is evidence of permission granted to perform the specified well work at the location described on the attached pages and located on the attached plat, subject to the provisions of Chapter 22 of the West Virginia Code of 1931, as amended, and all rules and regulations promulgated thereunder, and to any additional specific conditions and provisions outlined in the pages attached hereto. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations, and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Spills or emergency discharges must be promptly reported by the operator to 1-800-642-3074 and to the Oil and Gas Inspector.

Please be advised that form WR-35, Well Operators Report of Well Work is to be submitted to this office within 90 days of completion of permitted well work, as should form WR-34 Discharge Monitoring Report within 30 days of discharge of pits, if applicable. Failure to abide by all statutory and regulatory provisions governing all duties and operations hereunder may result in suspension or revocation of this permit and, in addition, may result in civil and/or criminal penalties being imposed upon the operators.

Per 35 CSR 4-5.2.g this permit will expire in two (2) years from the issue date unless permitted well work is commenced. If there are any questions, please feel free to contact me at (304) 926-0450.

James A. Martin Chief

Operator's Well Number: RUSSELL HERVEY BRK 406H Farm Name: RUSSELL d. HERVEY & LISA K. HERVEY U.S. WELL NUMBER: 47-009-00218-00-00 Horizontal 6A / New Drill Date Issued: 9/20/2017

Promoting a healthy environment.

API Number: 4-00218

PERMIT CONDITIONS

West Virginia Code § 22-6A-8(d) allows the Office of Oil and Gas to place specific conditions upon this permit. Permit conditions have the same effect as law. <u>Failure to adhere to the specified permit</u> conditions may result in enforcement action.

CONDITIONS

- 1. This proposed activity may require permit coverage from the United States Army Corps of Engineers (USACE). Through this permit, you are hereby being advised to consult with USACE regarding this proposed activity.
- 2. If the operator encounters an unanticipated void, or an anticipated void at an unanticipated depth, the operator shall notify the inspector within 24 hours. Modifications to the casing program may be necessary to comply with W. Va. Code § 22-6A-5a (12), which requires drilling to a minimum depth of thirty feet below the bottom of the void, and installing a minimum of twenty (20) feet of casing. Under no circumstance should the operator drill more than one hundred (100) feet below the bottom of the void or install less than twenty (20) feet of casing below the bottom of the void.
- 3. When compacting fills, each lift before compaction shall not be more than 12 inches in height, and the moisture content of the fill material shall be within limits as determined by the Standard Proctor Density test of the actual soils used in specific engineered fill, ASTM D698, Standard Test Method for Laboratory Compaction Characteristics of Soil Using Standard Effort, to achieve 95 % compaction of the optimum density. Each lift shall be tested for compaction, with a minimum of two tests per lift per acre of fill. All test results shall be maintained on site and available for review.
- 4. Operator shall install signage per § 22-6A-8g (6) (B) at all source water locations included in their approved water management plan within 24 hours of water management plan activation.
- 5. Oil and gas water supply wells will be registered with the Office of Oil and Gas and all such wells will be constructed and plugged in accordance with the standards of the Bureau for Public Health set forth in its Legislative rule entitled *Water Well Regulations*, 64 C.S.R. 19. Operator is to contact the Bureau of Public Health regarding permit requirements. In lieu of plugging, the operator may transfer the well to the surface owner upon agreement of the parties. All drinking water wells within fifteen hundred feet of the water supply well shall be flow tested by the operator upon request of the drinking well owner prior to operating the water supply well.
- 6. Pursuant to the requirements pertaining to the sampling of domestic water supply wells/springs the operator shall, no later than thirty (30) days after receipt of analytical data provide a written copy to the Chief and any of the users who may have requested such analyses.
- 7. 24 hours prior to the initiation of the completion process the operator shall notify the Chief or his designee.
- 8. During the completion process the operator shall monitor annular pressures and report any anomaly noticed to the chief or his designee immediately.
- 9. If any explosion or other accident causing loss of life or serious personal injury occurs in or about a well or well work on a well, the well operator or its contractor shall give notice, stating the particulars of the explosion or accident, to the oil and gas inspector and the Chief, within 24 hours of said accident.
- 10. During the casing and cementing process, in the event cement does not return to the surface, the oil and gas inspector shall be notified within 24 hours.

API Number: 9- 00218

PERMIT CONDITIONS

11. The operator shall provide to the Office of Oil and Gas the dates of each of the following within 30 days of their occurrence: completion of construction of the well pad, commencement of drilling, cessation of drilling, completion of any other permitted well work, and completion of the well. Such notice shall be provided by sending an email to DEPOOGNotify@wv.gov.

-

4700900218

WW-6B (10/14) Well Pad Name: Russell Hervey BRK PAD

STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS WELL WORK PERMIT APPLICATION

1) Well Operator: SWN Proc	luction Co., LLC	49447757	Brooke	3- Buffal 620- Steubenville
· · · ·		Operator ID	County	District Quadrangle
2) Operator's Well Number: R	ussell Hervey BR	K 406H Well Pad	d Name: Russ	sell Hervey BRK PAD
3) Farm Name/Surface Owner:	Russell D. Herv	ey Public Roa	d Access: Pie	erce Run Road
4) Elevation, current ground:	1166' El	evation, proposed	post-construct	ion: 1166'
5) Well Type (a) Gas <u>×</u> Other	Oil	Unde	erground Stora	ge
	allow <u>×</u> prizontal ×	Deep		10
6) Existing Pad: Yes or No ye	s			DRO 66.17
7) Proposed Target Formation(Target Formation- Marcellus, Targ		· ·		Pressure(s): ess- 41', Associated Pressure- 3524
8) Proposed Total Vertical Dep	oth: 5968'			
9) Formation at Total Vertical		5		
10) Proposed Total Measured I	Depth: 12951'			
11) Proposed Horizontal Leg L	ength: 6047.44			
12) Approximate Fresh Water	Strata Depths:	249'		
13) Method to Determine Fresh	Water Depths:	from nearby wate	r wells	
14) Approximate Saltwater De	pths: 787' - Ch	ecked WISWN	Geology	U4
15) Approximate Coal Seam D	epths; 254'			
16) Approximate Depth to Post	sible Void (coal m	ine, karst, other):	None that we	are aware of.
17) Does Proposed well location directly overlying or adjacent to		ms Yes	N	5 X
(a) If Yes, provide Mine Info				RECEIVED Office of Oil and Gas
	Depth:			JUN 1 2 2017
	Seam:			WV Department of Environmental Protection
	Owner:			Environmental Protosta

4700900218

API NO. 47- 🛤

OPERATOR WELL NO. Russell Hervey BRK 406H Well Pad Name: Russell Hervey BRK PAD

WW-6B (10/14)

18)

CASING AND TUBING PROGRAM

TYPE	Size (in)	<u>New</u> <u>or</u> <u>Used</u>	<u>Grade</u>	<u>Weight per ft.</u> (lb/ft)	<u>FOOTAGE: For</u> <u>Drilling (ft)</u>	INTERVALS: Left in Well (ft)	<u>CEMENT:</u> <u>Fill-up</u> (Cu. Ft.)/CTS
Conductor	20"	New	H-40	94#	100'	100'	CTS
Fresh Water	13 3/8"	New	H-40	48#	349'	349'	348 sx/CTS
Coal	9 5/8"	New	J-55	36#	1634'	1634'	635 sx/CTS
Intermediate	7"	New	J-55	20#	If Needed	If Needed	If Needed/As Needed
Production	5 1/2"	New	HCP-110	20#	12951'	12951'	lead 959ax tail 1559sw/100" inside interne
Tubing	2 3/8'	New	HCP-110	4.7#	Approx. 5867'	Approx. 5867'	
Liners							

C. \$106.6.17

ТҮРЕ	Size (in)	<u>Wellbore</u> Diameter (in)	<u>Wall</u> <u>Thickness</u> <u>(in)</u>	<u>Burst Pressure</u> (psi)	<u>Max.</u> <u>Associated</u> <u>Surface</u> Pressure (psi)	Cement Type	<u>Cement</u> <u>Yield</u> (cu. ft./k)
Conductor	20"	30"	0.25	2120	81	Class A	1.19/50% Excess
Fresh Water	13 3/8"	17.5"	0.380	2740	633	Class A	1.19/50% Excess
Coal	9 5/8"	12 1/4"	0.395	3950	1768	Class A	1.19/50% Excess
Intermediate	7"	8 3/4"	0.317	4360	3250	Class A	1.20/15% Excess
Production	5 1/2"	8 3/4"	0.361	12360	9500	Class A	1.20/15% Excess
Tubing	2 3/8"	4.778"	0.190				
Liners							

PACKERS

10K Arrowset AS1-X	
5 1/2"	HECEIVED Office of Oil and Gas
	JUN 1 2 2017 WV Department of Environmental Protection

Page 2 of 3 22/2017

19) Describe proposed well work, including the drilling and plugging back of any pilot hole:

Drill and stimulate any potential zones between and including the Benson to Marcellus. **If we should encounter a void place basket above and below void area- balance cement to bottom of void and grout from basket to surface. Run casing not less than 20' below void nor more than 50' below void. (*If freshwater is encountered deeper than anticipated it must be protected, set casing 50' below and cts.)

20) Describe fracturing/stimulating methods in detail, including anticipated max pressure and max rate:

Well will be perforated within the target formation and stimulated with a slurry of water, sand, and chemical additives at a high rate. This will be performed in stages with the plug and perf method along the wellbore until the entire lateral has been stimulated within the target formation. All stage plugs are then drilled out and the well is flowed back to surface. The well is produced through surface facilities consisting of high pressure production unites, vertical separation units, water and oil storage tanks. Max press and anticipated max rate- 9000 lbs @ 80 barrels a minute.

3

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 28.2

22) Area to	be dist	turbed for	or well	pad	only.	less access	road	(acres)): 10).
~~~	,	00 410			puu	unj,		1044	(aerec)	<i>.</i>	

23) Describe centralizer placement for each casing string:

All casing strings will be ran with a centralizer at a minimum of 1 per every 3 joints of casing.

24) Describe all cement additives associated with each cement type:

See Attachment ***

25) Proposed borehole conditioning procedures:

All boreholes will be conditioned with circulation and rotation for a minimum of one bottoms up and continuing until operator is satisfied with borehole conditions.

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*Note: Attach additional sheets as needed.

9-00218

SWN Production Company, LLC P O Box 12359 Spring, Texas 77391-2359 www.swn.com



May 30, 2017

Ms. Laura Adkins Office of Oil & Gas 601 57th Street Charleston, WV 25304

RE: Proposed New Well Russell Hervey BRK 406H

Dear Ms. Adkins

SWN has reviewed the area of the above mentioned well and discovered no shallow wells within 500' of the lateral. This well is situated on the Hervey's property, in Buffalo District, Brooke County, West Virginia.

If you have any questions or desire additional information, please me at 304-884-1614

Thank you.

Sincerely,

Dee Southall Regulatory Supervisor Southwestern Energy Production Company, LLC PO Box 1300 Jane Lew, WV 26378

> RECEIVED Office of Oil and Gas

JUN 1 2 2017

WV Department of Environmental Protection

The Right People doins the Right Things wisely Investing 92221420 npu underlying Assets, will create Value+⁸

# 9-00128

	Schumberger Cement Additives							
_	Product Name	Product Use	Chemical Name	CAS Number				
Surface	5001	accelerator	calcium chloride	10043-52-4				
Intermediate Surface	5001	accelerator	calcium chloride	10043-52-4				
	D080	dispersant	sodium polynaphthalene sulfonate	9008-63-3				
õ.	D801	retarder	aromatic polymer derivative	propriatary				
Kick Off Plug	D047	antifoam	polypropylene glycol	25322-69-4				
	D167	fluid loss	aliphatic amide polymer	propriatary				
	D154	extender	non-crystalline silica	7631-86-9				
	D400	gas migration	boric acid	10043-35-3				
			polypropylene glycol	25322-69-4				
pag	D046	antifoam	fullers earth (attapulgite)	8031-18-3				
Production-Lead			chrystalline silica	14808-60-7				
tto	D201	retarder	metal oxide	propriatary				
np			sulphonated synthetic polymer	propriatary				
Pro	D202	dispersant	formaldehyde (impurity)	propriatary				
			polypropylene glycol	25322-69-4				
	D046	antifoam	fullers earth (attapulgite)	8031-18-3				
	D167	fluid loss	aliphatic amide polymer	propriatary				
=			sodium polynaphthalene sulfonate	9008-63-3				
Г, с	D065	dispersant	sodium sulfate	7757-82-6				
Production-Tail			chrystalline silica	14808-60-7				
- The second	D201	retarder	metal oxide	propriatary				
L L	D153	anti-settling	chrystalline silica	14808-60-7				

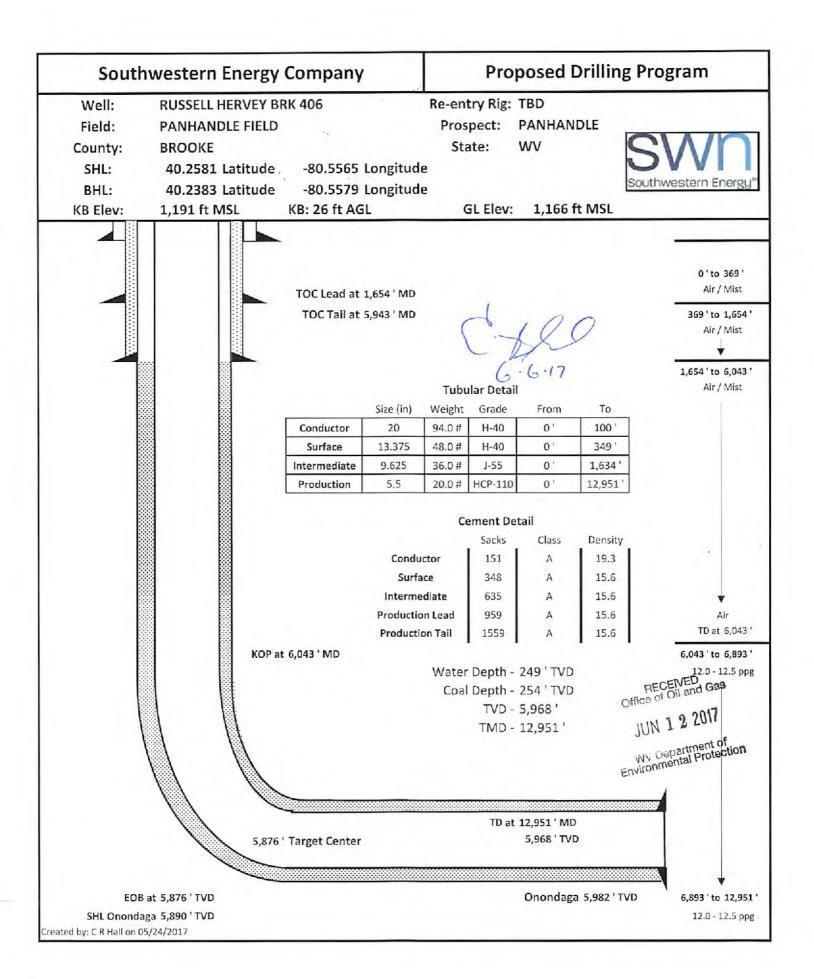
#### Schlumberger Cement Additives

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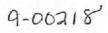
JUN 1 2 2017

WV Department of Environmental Protection





## 09/22/2017



SWN Production Company, LLC P O Box 12359 Spring, Texas 77391-2359 www.swn.com



May 30, 2017

Ms. Laura Adkins Office of Oil & Gas 601 57th Street Charleston, WV 25304

RE: Proposed New Well Russell Hervey BRK 406H

Dear Ms. Adkins

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If you have any questions or desire additional information, please me at 304-884-1614

Thank you.

Sincerely Dee Southall

Regulatory Supervisor Southwestern Energy Production Company, LLC PO Box 1300 Jane Lew, WV 26378

> RECEIVED Office of Oil and Gas

JUN 1 2 2017

WV Department of Environmental Protection



**WW-9** (4/16)

API Number 47 - 09 - 00218 Operator's Well No. Russell Hervey BRK 406H

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

#### FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name SWN Production Company, LLC OP Code 494512924	
Watershed (HUC 10) Buffalo Creek Quadrangle Steubenville	
Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes V. No	
Will a pit be used? Yes No 🗸	
If so, please describe anticipated pit waste:closed loop system in place at this time- cuttings will be taken to a permitted landfill	
Will a synthetic liner be used in the pit? Yes No V If so, what ml.?	
Proposed Disposal Method For Treated Pit Wastes:	
Land Application	
Underground Injection (UIC Permit Number)	
Reuse (at API Number_at next anticipated well, API # will be included with the WR-34/DDMR &/cr permit addendum) Off Site Disposal (Supply form WW-9 for disposal location)	
<ul> <li>Other (Explain flow back fluids will be put in steel tanks and reused or taken to a permitted disposal facility</li> </ul>	
Will closed loop system be used? If so, describe: yes	
Drilling medium anticipated for this well (vertical and horizontal)? Air, freshwater, oil based, etc airdnii to KCP, field deliver. SOBM from KCP to ID	
-If oil based, what type? Synthetic, petroleum, etc. synthetic oil base	
Additives to be used in drilling medium? see attached sheets	
Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. landfill	
-If left in pit and plan to solidify what medium will be used? (cement, lime, sawdust)	
-Landfill or offsite name/permit number? meadow 5WF-1032, SS grading SWF-4902, Northwestern SWF-1025, Short Creek 1034/WV0109517/CID28726, Earthen Limeston 28/25-CID28726	
Arden Landfill 10072, American 02-12954, Country Wide 38390/CID38390, Pine Grove 13688	
Permittee shall provide written notice to the Office of Oil and Gas of any load of drill cuttings or associated waste rejected at any West Virginia solid waste facility. The notice shall be provided within 24 hours of rejection and the permittee shall also disclose where it was properly disposed.	_
I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issue on August 1, 2005, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action. I certify under penalty of law that I have personally examined and am familiar with the information submitted on the application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible f obtaining the information. I believe that the information is true, accurate, and complete. I am aware that there are significan penalties for submitting false information, including the possibility of fine or imprisonment. RECEIVED Office of Oil and Gas	he de dis for
Company Official Signature JUN 1 2 2017	
Company Official (Typed Name) Doo Counter	
Company Official Title Regulatory Supervisor WV Department of Environmental Protection	
anth Man	
Subscribed and sworn before me this 00 day of 400 day o	e of West Virgini
Duttanyk Noody I Notary Public II Sold BRITTANY I SSO2 Old EN	kins Road
My commission expires	

#### Form WW-9

## 9-00218

Operator's Well No. Russell Hervey BRK 406H

### SWN Production Company, LLC

roposed Revegetation Trea	sed Revegetation Treatment: Acres Disturbed 28.2			I
Limeas determined by pH t	test min. 2 Tons/acre or to	correct to pH 10.3		
Fertilizer type 10-	-20-20			
Fertilizer amount_	300	lbs/acre		
Mulch Hay/Stra	w 2.5	Tons/acre		
		Seed Mixtures		
Т	emporary		Perma	nent
Seed Type	lbs/acre		Seed Type	lbs/acre
*See Attachmer	nt			

Attach:

Maps(s) of road, location, pit and proposed area for land application (unless engineered plans including this info have been provided). If water from the pit will be land applied, include dimensions (L x W x D) of the pit, and dimensions (L x W), and area in acreage, of the land application area.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Sl 66.17	
Comments:	
	RECEIVED Office of Oil and Gas
	JUN 1 2 2017
Title: oil and gas inspector	ate: 6-6-17 Environmental Protection
Field Reviewed? ( ) Yes ( ) N	

## **Drilling Mediums**

Synthetic Oil Brine Barite Calcium Chloride Lime Organophilic Bentonite Primary and Secondary Emulsifiers Gilsonite Calcium Carbonate Friction Reducers

> RECEIVED Office of Oil and Gas

JUN 1 2 2017

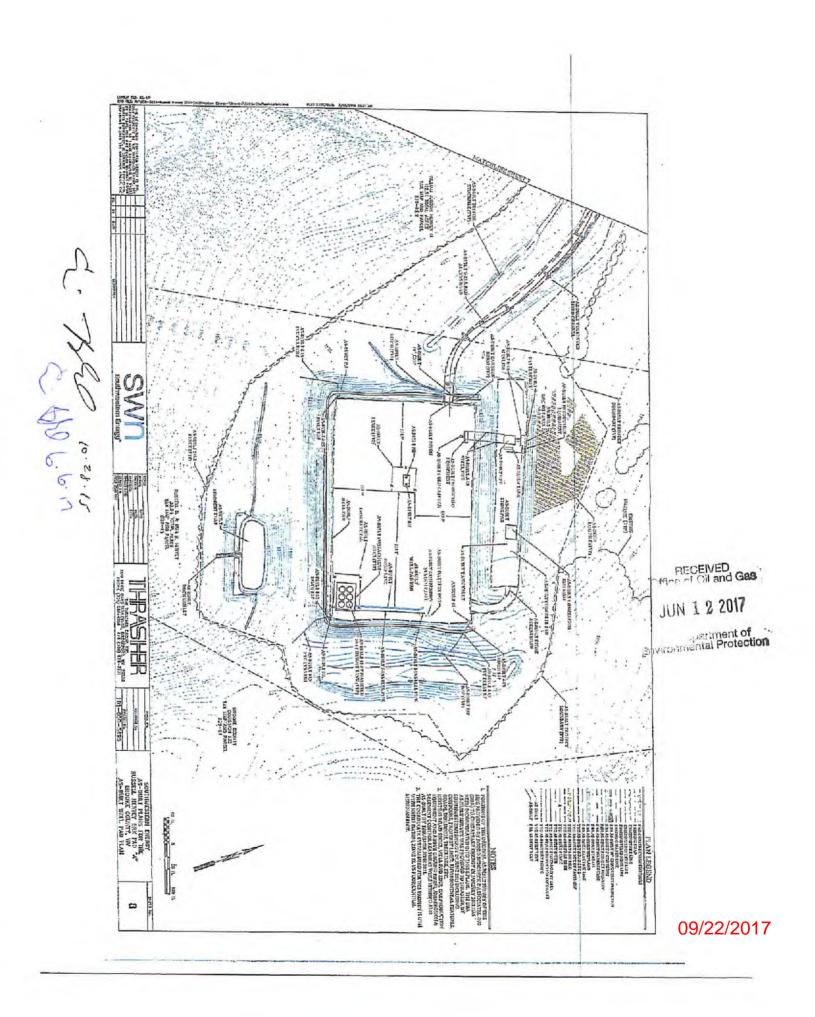
WV Department of Environmental Protection

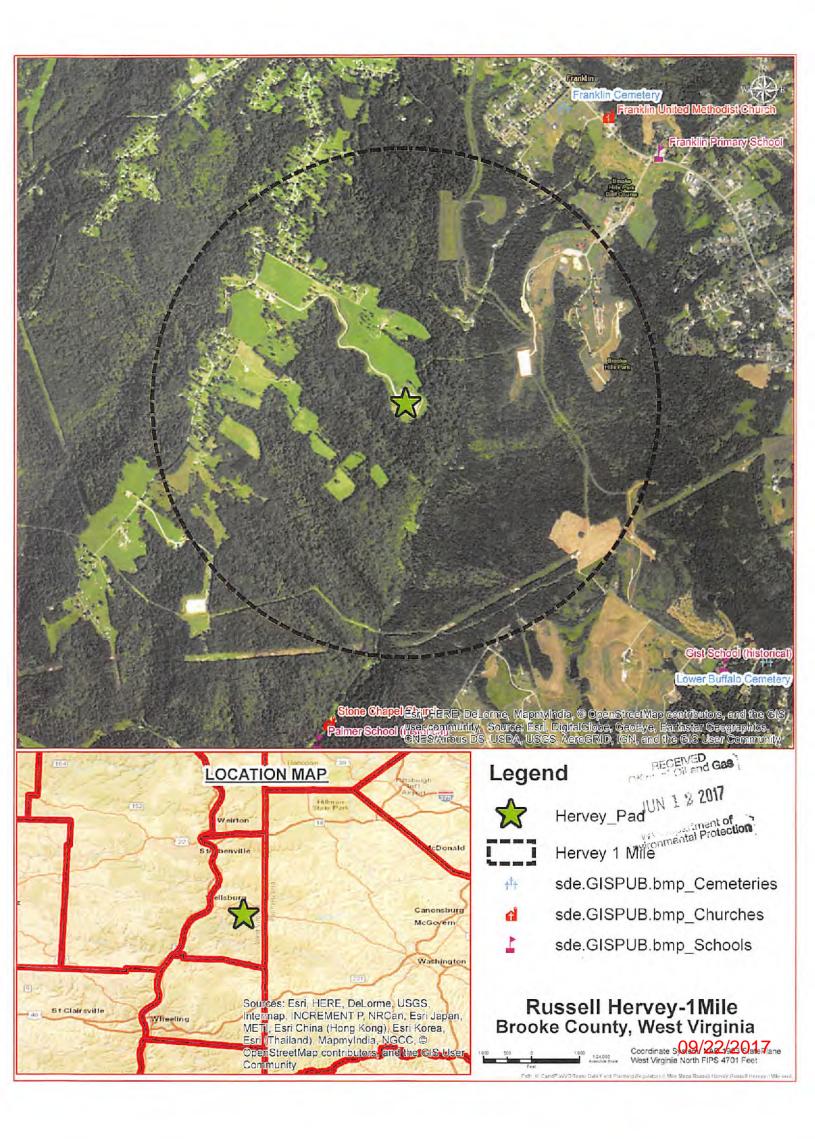
To Order S	eed contact Lyndsi Edd	ly Flippo office 570-996-4271 cell 501-26	9-5451 lyndsi_eddy@swn.com (please allow 7 to 10 d	ays for delivery)	
NON-ORGANIC PROPERTIES			ORGANIC PROPERTIES		
Seed Mixture: ROW Mix	SWN	Supplied	Seed Mixture: SWN Production Organic	Mix SWN Supplied	
Orchardgrass	40%		Organic Timothy	50%	
Timothy	15%		Organic Red or White Clover	50%	
Annual Ryegrass	15%		OR		
Brown Top Millet	5%		Organic Perennial Ryegrass	50%	
Red Top	5%		Organic Red or White Clover	50%	
Medium Red Clover	5%	All legumes are	Apply @ 100lbs per sere	Apply @ 200lbs per a	
White Clover	5%	innoculated at 5x normal	Apply @ 100lbs per acre April 16th- Oct. 14th	Oct. 15th- April 15th	
Birdsfoot Trefoil	5%	rate			
Rough Bluegrass	5%		Organic Fertilizer @ 200lbs per Acre	Pelletized Lime @ 2 Tons p	er Acre
Apply @ 100lbs per acre April 16th- Oct. 14th	0	Apply @ 200lbs per acre let. 15th- April 15th PLUS is per acre of Winter Wheat	WETLANDS (delineated as jurisdict	ional wetlands)	
SOIL AMENDMENTS			Seed Mixture: Wetland Mix	SWN Supplied	
10-20-20 Fertilizer	*,	Apply @ 500lbs per Acre	VA Wild Ryegrass	20% 5	
Pelletized Lime	ł	Apply @ 2 Tons per Acre	Annual Ryegrass	20% 8 60	
	*unless o	therwise dictated by soil test results	Fowl Bluegrass	20% 8 10 100	2
seeding Calculation Information:			Cosmos 'Sensation'	10% 80% 2	UID
1452' of 30' ROW/LOD is One Acre			Redtop	20% 20% 20% 20% 10% 10% 5% 5% 5% 5%	BUIL
871' of 50' ROW/LOD is One Acre			Golden Tickseed	5%	NN
622' of 70' ROW/LOD is One Acre			Maryland Senna	5%	E
			Showy Tickseed	5%	
synopsis:			Fox Sedge	2.5%	
Every 622 linear feet in a 70' ROW/LOD,			Soft Rush	2.5%	
bags of fertilizer and (80) 50lb bags of L	ime (2x seed in wir	nter months + 50lb Winter	Woolgrass	2.5%	
Wheat/ac).			Swamp Verbena	2.5%	
pecial Considerations:			Apply @ 25lbs per acre	Apply @ 50lbs per ac	
andowner Special Considerations including		A CARL AND A	April 16th- Oct. 14th	Oct. 15th-April 15t	h
guidance that is not given here. Discuss the beginning of the project to allow time for sp			NO FERTILIZER OR LIME	INSIDE WETLAND LIMITS	

# MARCELLUS WELL DRILLING PROCEDURES AND WELL SITE SAFETY PLAN

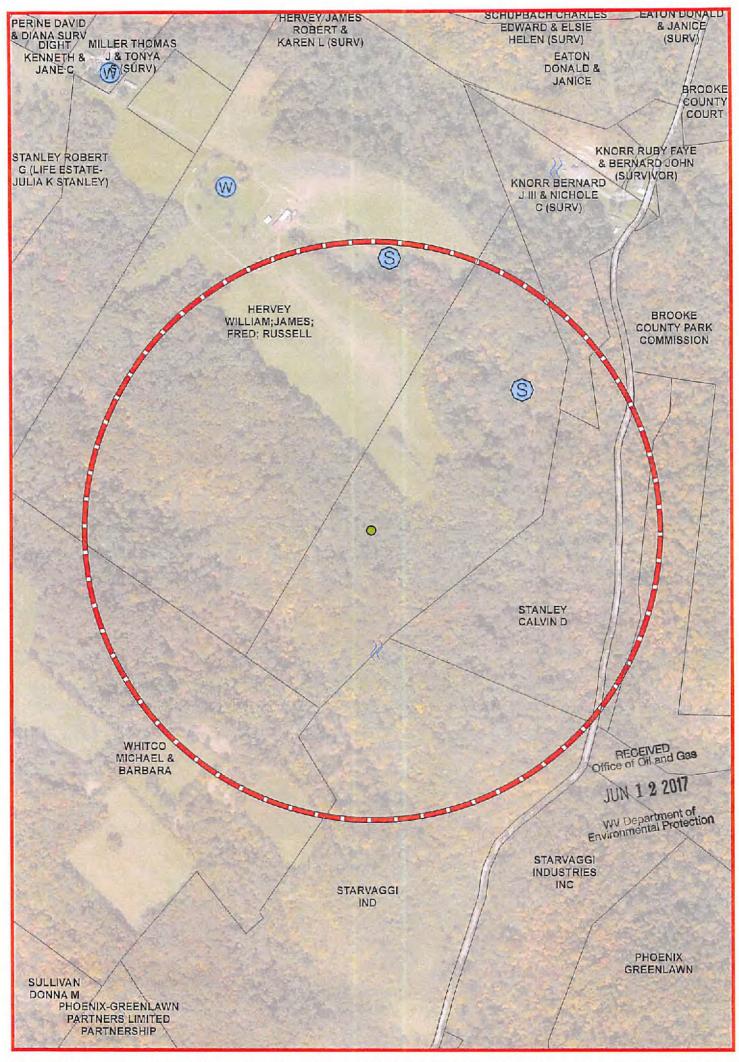
	SWN Production Company
	Production Company, LLC 179 Innovation Drive Lew, West Virginia 26378
WELL NAME: Ste Bu Brooke CO	NO. 47-XXX-XXXXX Russell Hervey BRK 406H eubenville QUAD uffalo DISTRICT DUNTY, WEST VIRGINIA
Submitted by: Dee Southall Title: Regulatory Supervisor	Date: <u>5/30/2017</u> SWN Production Co., LLC
Approved by: Title: 0.1 + G., Engen	_ Date: <u>6.6.17</u>
Approved by:	Date:
Title:	
SWN PRODUCTION COMPANY,	7, LLC Office of Oil and Gas JUN 1 2 2017 WV Department of Environmental Protection

9-00218





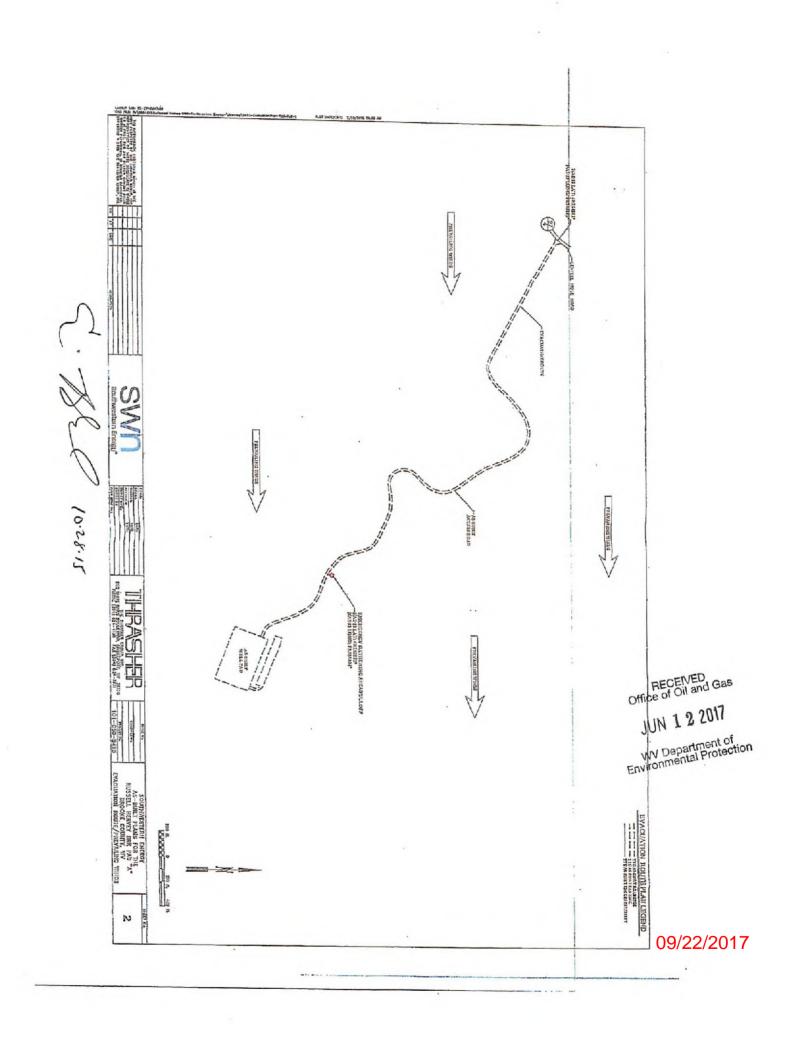
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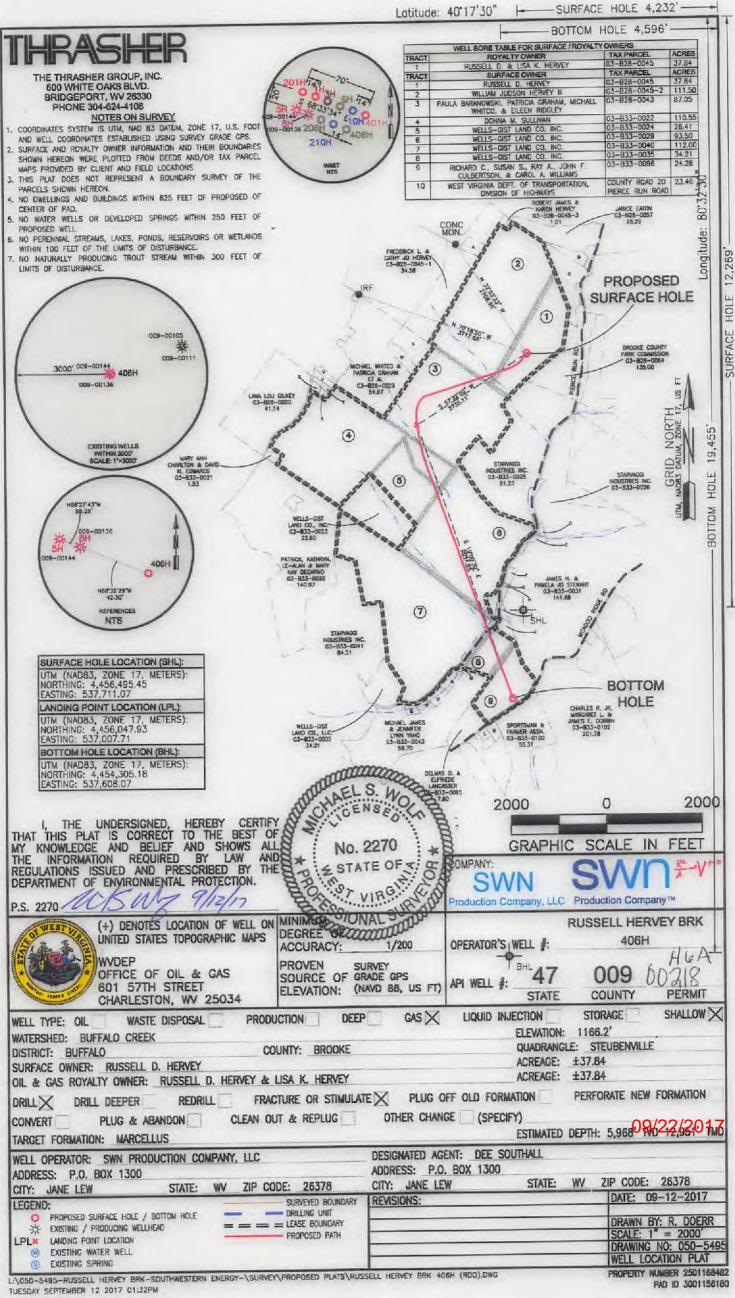


The intent of this map is for general reference only. Information on this map was created using the best available data at the time but is not guaranteed accurate.

Water Purveyor	r Мар	Entration	Well Pad: Russell Herve	ey BRK Pad	County: BROOKE
Map by: speart NAD 1983 BLM Zone 17N ftUS	Date: 6/5/2017	() ~0 () мители () чила грание	Russell Herve 40.258056, -8	ey BRK Coord 30.556929	linates: with s
0 2	50 500	1,000	1,500	2,000 Feet	

9-00218





THE THRASHER GROUP, INC. 600 WHITE OAKS BLVD. BRIDGEPORT, WV 26330 PHONE 304-624-4108

1

TRACT	SURFACE OWNER	TAX PARCEL	ACRES
A	CHARLIE D. & BRITNEY L. FARRIS	03-828-0045-4	3.26
в	BERNARD J. III & NICOLE C. KNORR	03-828-0057-2	3.65
с	BERNARD J. III & NICOLE C. KNORR	03-B28-0059	17.39
D	STELLA MERWICK	03-B33-0027	0.50
E	THEODORE EDWIN & MELISSA AND EATON	03-833-0028	1.75
F	SHARON A. CUNNINGHAM	03-B33-0032	1.06
G	SHARON A. CUNNINGHAM	03-833-0033-1	0.05
н	JANICE F. EATON	03-B33-033	0.21
1	SHARON CUNNINGHAM	03-B33-0030	4.24
J	WELLS-GIST LAND CO., LLC.	03-B33-0034	2.07
к	SCOTT L. EDGELL	03-B33-0099	1.73
L	BRIAN T. & JACINDA D. LONG	03-833-0098	1.00
М	STONE CHAPEL CHURCH	03-B33-0036	0.30
N	JON T. & MARLENA L. SMITH	03-B33-0037	2.00
0	FLYOD HENNIS, LEONA LAROCHE, VELMA MCLAUGHLIN	03-833-0038	2.18
Р	FLYOD HENNIS, LEONA LAROCHE, VELMA MCLAUGHLIN	03-B33-0039	1.10
Q	CHARLES S. SR. & EHTEL F. RUSSELL	03-B33-0042	1.00
R	ALEXANDER L. SR. & DONNA J. DIGHT	03-828-0022	0.67
S	ALEXANDER L. DIGHT SR.	03-B28-0021	0.74
Т			0.66
U	U RYAN S. & CAROLYN A. BOOK		1.60
v	CHARLES L. & MADELINE MCGOWAN	03-828-0026	1.00
W	RANDY & PATRICIA GRAHAM	03-828-0029-1	3.39
x	RANDY R. & PATRICIA J. GRAHAM	03-828-0042	4.59

 COMPANY:
 Swn
 Production Company

 Production Company, LLC
 Production Company
 Production Company

 REVISIONS:
 DATE: 09-12-2017

 SHEET 2 OF 2
 DRAWN BY: R. DOERR

 SCALE: NOT TO SCALE
 DRAWING NO: 050-5495

 WELL LOCATION PLAT
 WELL LOCATION PLAT

 SELL HERVEY BRK 406H (RDD).DWG
 PROPERTY NUMBER 2501168482

9-002

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L:\050-5495-RUSSELL HERVEY BRK-SOUTHWESTERN ENERGY-\SURVEY\PROPOSED PLATS\RUSSELL HERVEY BRK 406H (RDD).DWG TUESDAY SEPTEMBER 12 2017 01:34PM WW-6A1 (5/13)

#### INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE Chapter 22, Article 6A, Section 5(a)(5) IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that –

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Lease Name or				
Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book/Page
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See Attached Exhibit "A"

#### Acknowledgement of Possible Permitting/Approval In Addition to the Office of Oil and Gas

The permit applicant for the proposed well work addressed in this application hereby acknowledges the possibility of the need for permits and/or approvals from local, state, or federal entities in addition to the DEP, Office of Oil and Gas, including but not limited to the following:

- WV Division of Water and Waste Management
- WV Division of Natural Resources WV Division of Highways
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- County Floodplain Coordinator

The applicant further acknowledges that any Office of Oil and Gas permit in no way overrides, replaces, or nullifies the need for other permits/approvals that may be necessary and further affirms that all needed permits/approvals should be acquired from the appropriate authority before the affected activity is initiated.

Well Operator:	Derator: SWN Production Company, L.L.C.			
By:	Dereb Clark			
Its:	Staff Landman			
c	RECEIVED office of Oil and Gas			
	JUN 1 2 2017	Page 1 of		
En	WV Department of vironmental Protection	09/22/2	017	

EXHIBIT "A" Attached to and made a part of the State of West Virginia Oil and Gas Permit Form, WW-6A1, by SWN Production Company, LLC., Operator Russell Hervey BRK 406H Brooke County, West Virginia

	#	ТМР	SURFACE OWNER	DEEDED ACREAGE	LEASE #	LESSOR	LESSEE	ROYALTY	BK/PG
-	1)	03-0B28-0045-0000-0000	Russell D. Hervey	37.84	731890-000	Russell D. Hervey and Lisa K. Hervey, husband and wife	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	17/89 30/480
	2)	03-0828-0045-0002-0000	William Judson Hervey III	111.50	732671-000	William Judson Hervey III and Theresa J.	Chesapeake Appalachia, L.L.C.	18.00%	20/420
		02 0000 00 10 0000 0000				Hervey, husband and wife	SWN Production Company, L.L.C.	16.00%	20/439 30/480
	3)	03-0B28-0043-0000-0000	Paula Baranowski, Patricia Graham, Michael Whitco, and Eileen Ridgely	87.05	Pending	Patricia Graham	SWN Production Company, L.L.C.	16.00%	33/292
					Pending	Michael Whitco	SWN Production Company, L.L.C.	16.00%	33/289
					Pending	Paula Baranowski	SWN Production Company, L.L.C.	16.00%	34/73
					Pending	Eileen Ridgely	SWN Production Company, L.L.C.	16.00%	34/79
	-	03-0833-0022-0000-0000	Donna M. Sullivan	110.55	Pending	Donna M. Sullivan, widowed now single woman		18.00%	33/77
-	5)	03-0B33-0024-0000-0000	Wells-Gist Land, Co., L.L.C.	26.41	729983-000	Phoenix-Greenlawn Partners, Limted Partnership	Great Lakes Energy Partners, L.L.C. Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	12.50%	9/376 10/552
	6)	03-0833-0029-0000-0000	Wells-Gist Land, Co., L.L.C.	93.50	733144-000	Phoenix-Greenlawn Partners, Limted Partnership	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	<u>30/480</u> 24/435 30/480
-					746187-000	Wells-Gist Land, Co., L.L.C.	SWN Production Company, L.L.C.	18.00%	33/200
	7)	03-0B33-0040-0000-0000	Wells-Gist Land, Co., L.L.C.	112.00	735105-001	Carol Lynn Harms and Loren H. Harms, wife and husband	Chesapeake Appalachia, LL.C. SWN Production Company, LL.C.	18.00%	28/510 30/480
					735106-001	Robert J. Gierke and Rhonda A. Gierke, husband and wife	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	28/771 30/480
					735104-001	Lisa J. Sweeney, a single woman	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	28/505 30/480
					735142-001	Sandra M. Kaplafka and Michael S. Kaplafka, wife and husband	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	28/644 30/480
					735279-001	Ella Marie Kasmarik, a widow appearing herein by and through Lisa M. Brichta, her Agent and Attorney-In-Fact	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	29/69 30/480
					735102-001	Phyllis Anne Wheeler and Jack D. Wheeler, wife and husband	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	28/495 30/480

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				735216-001	Nelson Campbell Nicholls, III and Leslie S. Nicholls, husband and wife	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		11 28/725 30/480
				735217-001	Gertrude Margaret Burns and Robert J. Burns, wife and husband	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		28/730 30/480
				732753-001	Carolyn Kirchner Freeman and Lawrence M. Freeman, wife and husband	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		21/700 30/480
				732753-002	Paul Lakin Smith and Bonnie Smith, husband and wife	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		22/547 30/480
				732753-003	Rita Kay Wineman, fka Rita Kay Cominottie, a widow	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		23/595 30/480
				732753-004	John A. Cominotte, a widower	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		23/600 30/480
				732753-005	Josie Lynn Moran, fka Josie Lynn Smith and William Moran, wife and husband	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		23/605 30/480
				732753-006	Lisa Catlin, fka Lisa Smith and Shawn Catlin wife and husband	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		24/22 30/480
				732753-007	Robert Joseph Smith, single	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		24/27 30/480
				732753-008	Galen Hartman Smith, Jr. and Lucille A. Smith, husband and wife	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		25/357 30/480
-				732753-009	Frank Eugene Cominotti and Marilyn Cominotti, husband and wife	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		25/362 30/480
8)	03-0833-0035-0000-0000	Wells-Gist Land, Co., L.L.C.	34.25	729983-000	Phoenix-Greenlawn Partners, Limted Partnership	Great Lakes Energy Partners, L.L.C. Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	12.50%		9/376 10/552
9)	03-0833-0096-0000-0000	Richard C. Culbertson	24.28	744665-001	Richard C. Culbertson	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%		<u>30/480</u> 29/552 31/288

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	Susan S. Culbertson	744665-002	Susan S. Culbertson	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	30/640 31/288
	Carol A. Williams	744665-003	Carol A. Williams	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	29/589 31/288
	Ray A. Culbertson	744665-004	Ray A. Culbertson	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	30/286 31/288
	John F. Culbertson	744665-005	John F. Culbertson	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	18.00%	29/601 31/288
10) Pierce Run Road	West Virginia Department of Transporation, 23.46 Division of Highways	733069-000	West Virginia Department of Transporation, Division of Highways	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	15.00%	18/723 30/480

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9-00218

SWN Production Company"

SWN Production Company, LLC P O Box 12359 Spring, Texas 77391-2359 www.swn.com

May 15, 2017

Ms. Laura Adkins WV DEP Office of Oil & Gas 601 57th St., SE Charleston, WV 25304

**RE**: SWN's proposed New Well: Russell Hervey BRK 406H in Brooke County, West Virginia, Drilling under Pierce Run Road.

Dear Ms. Adkins:

SWN Production Company, LLC ("SWN") is applying for a drilling permit for the above referenced well. The State of West Virginia has raised some concern as to SWN's right to drill under Pierce Run Road. Please be advised that SWN has leased all mineral owners under said route as it relates to the above-referenced well and unit.

Thank you.

Sincerely,

Derez Clark

Derek Clark Staff Landman SWN Production Company, LLC PO Box 1300 Jane Lew, WV 26378

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JUN 1 2 2017

WV Department of Environmental Protection

The Right People doing the Right Things, wisely investing the cosh flow from our underlying Assets, voi 9:42:42:017

10000 Energy Drive Spring, TX 77389-4954 WW-6AC (1/12)

#### STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS <u>NOTICE CERTIFICATION</u>

Date of Notice Certification:

API No. 47- 6 - 00218 Operator's Well No. Russell Hervey BRK 406H Well Pad Name: Russell Hervey BRK PAD

Notice has been given:

Pursuant to the provisions in West Virginia Code § 22-6A, the Operator has provided the required parties with the Notice Forms listed below for the tract of land as follows:

State:	WV	UTM NAD 83	Easting:	537711.07	
County:	Brooke	01MINAD 83	Northing:	4456495.45	
District:	Buffalo	Public Road Acces	Public Road Access:		
Quadrangle:	Stuebenville	Generally used farm name:		Russell Hervey	
Watershed:	Buffalo Creek				

Pursuant to West Virginia Code § 22-6A-7(b), every permit application filed under this section shall be on a form as may be prescribed by the secretary, shall be verified and shall contain the following information: (14) A certification from the operator that (i) it has provided the owners of the surface described in subdivisions (1), (2) and (4), subsection (b), section ten of this article, the information required by subsections (b) and (c), section sixteen of this article; (ii) that the requirement was deemed satisfied as a result of giving the surface owner notice of entry to survey pursuant to subsection (a), section ten of this article six-a; or (iii) the notice requirements of subsection (b), section sixteen of this article were waived in writing by the surface owner; and Pursuant to West Virginia Code § 22-6A-11(b), the applicant shall tender proof of and certify to the secretary that the notice requirements of section ten of this article by the applicant.

OOG OFFICE USE ONLY
RECEIVED/
RECEIVED
RECEIVED/ NOT REQUIRED
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#### **Required Attachments:**

The Operator shall attach to this Notice Certification Form all Notice Forms and Certifications of Notice that have been provided to the required parties and/or any associated written waivers. For the Public Notice, the operator shall attach a copy of the Class II Legal Advertisement with publication date verification or the associated Affidavit of Publication. The attached Notice Forms and Certifications of Notice shall serve as proof that the required parties have been noticed as required under West Virginia Code § 22-6A. Pursuant to West Virginia Code § 22-6A-11(b), the Certification of Notice to the person may be made by affidavit of personal service, the return receipt card or other postal receipt for certified mailing.

WW-6AC (1/12)

#### Certification of Notice is hereby given:

# THEREFORE, I _______, have read and understand the notice requirements within West Virginia Code § 22-6A. I certify that as required under West Virginia Code § 22-6A. I have served the attached copies of the Notice Forms, identified above, to the required parties through personal service, by registered mail or by any method of delivery that requires a receipt or signature confirmation. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this Notice Certification and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Well Operator:	SWN Production Co., LLC	Address	s: P.O. Box 1300
By:	Dee Southa		Jane Lew, WV 26378
Its:	Regulatory Supervisor	Facsimi	le: 304-471-2497
Telephone:	832-796-1610	Email:	Dee_Southall@swn.com
	NOT AIR MAS SAAL ic, State of West Virginia , TANY R WOODY 302 Old Elkins Road Buckhannon, WV 26201 amission expires November 27, 2022	Subscribed and Bittiany My Commission	sworn before me this <u>30th</u> day of <u>May 2011</u> . R <u>Woody</u> Wotary Public n Expires <u>MDP</u> 22

#### **Oil and Gas Privacy Notice:**

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

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JUN 1 2 2017

WV Department of Environmental Protection



WW-6A (9-13)

#### STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS <u>NOTICE OF APPLICATION</u>

Notice Time Requirement: notice shall be provided no later than the filing date of permit application.

Date of Notice:	pli	Date Permit Application Filed:	6	12	17
Notice of:	1		-1		

$\checkmark$	PERMIT FOR ANY	CERTIFICATE OF APPROVAL FOR THE
	WELL WORK	CONSTRUCTION OF AN IMPOUNDMENT OR PIT

Delivery method pursuant to West Virginia Code § 22-6A-10(b)

PERSONAL	$\checkmark$	REGISTERED	METHOD OF DELIVERY THAT REQUIRES A
SERVICE		MAIL	RECEIPT OR SIGNATURE CONFIRMATION

Pursuant to W. Va. Code § 22-6A-10(b) no later than the filing date of the application, the applicant for a permit for any well work or for a certificate of approval for the construction of an impoundment or pit as required by this article shall deliver, by personal service or by registered mail or by any method of delivery that requires a receipt or signature confirmation, copies of the application, the erosion and sediment control plan required by section seven of this article, and the well plat to each of the following persons: (1) The owners of record of the surface of the tract on which the well is or is proposed to be located; (2) The owners of record of the surface tract or tracts overlying the oil and gas leasehold being developed by the proposed well work, if the surface tract is to be used for roads or other land disturbance as described in the crosion and sediment control plan submitted pursuant to subsection (c), section seven of this article; (3) The coal owner, operator or lessee, in the event the tract of land on which the well proposed to be drilled is located [sic] is known to be underlain by one or more coal scams; (4) The owners of record of the surface tract or tracts overlying the oil and gas leasehold being developed by the proposed well work, if the surface tract is to be used for the placement, construction, enlargement, alteration, repair, removal or abandonment of any impoundment or pit as described in section nine of this article; (5) Any surface owner or water purveyor who is known to the applicant to have a water well, spring or water supply source located within one thousand five hundred feet of the center of the well pad which is used to provide water for consumption by humans or domestic animals; and (6) The operator of any natural gas storage field within which the proposed well work activity is to take place. (c)(1) If more than three tenants in common or other co-owners of interests described in subsection (b) of this section hold interests in the lands, the applicant may serve the documents required upon the person described in the records of the sheriff required to be maintained pursuant to section eight, article one, chapter eleven-a of this code. (2) Notwithstanding any provision of this article to the contrary, notice to a lien holder is not notice to a landowner, unless the lien holder is the landowner. W. Va. Code R. § 35-8-5.7.a requires, in part, that the operator shall also provide the Well Site Safety Plan ("WSSP") to the surface owner and any water purveyor or surface owner subject to notice and water testing as provided in section 15 of this rule.

Application Notice WSSP Notice E&S Plan Notice Well Plat Notice is hereby provided to:

☑ SURFACE OWNER(s)	COAL OWNER OR LESSEE
Name: Russell D. Hervey	Name: Starvaggi Industries
Address: 200 Carol Road	Address: 401 Pennsylvania Ave
Wellsburg, WV 26070	Weirton, WV 26062
Name:	COAL OPERATOR
Address:	Name: RECEIVED
	Name: RECEIVED Address:Office of Oil and Gas
□ SURFACE OWNER(s) (Road and/or Other Disturbance)	
Name:	☑ SURFACE OWNER OF WATER WELL JUN 1 2 2017
Address:	AND/OD WATED DUDVEVOD(-)
	AND/OR WATER PORVEYOR(S) Name: See Attachment #1 Address: Environmental Protection
Name:	Address: Environmentar rea
Address:	
	OPERATOR OF ANY NATURAL GAS STORAGE FIELD
□ SURFACE OWNER(s) (Impoundments or Pits)	Name:
Name:	Address:
Address:	
	*Please attach additional forms if necessary

Attachment # 9-008

## Russell Hervey BRK Pad - Water Purveyors w/in 1500' Sources

Landowner Russell D Hervey William Judson Hervey

Address 200 Carol Road, Wellsburg WV 26070 1 spring 1030 Washington Pike, Wellsburg WV 26070 1 spring 🖌

> RECEIVED Office of Oil and Gas

JUN 1 2 2017

WV Department of Environmental Protection

09/22/2017

WW-6A (8-13) API NO. 47-9 - 000000 OPERATOR WELL NO. Russel Hervey BRK 4004 Well Pad Name: Russell Hervey BRK PAD

#### Notice is hereby given:

Pursuant to West Virginia Code § 22-6A-10(b), notice is hereby given that the undersigned well operator has applied for a permit for well work or for a certificate of approval for the construction of an impoundment or pit.

#### This Notice Shall Include:

Pursuant to W. Va. Code § 22-6A-10(b), this notice shall include: (1) copies of the application; (2) the erosion and sediment control plan required by section seven of this article; and (3) the well plat.

Pursuant to W. Va. Code § 22-6A-10(f), this notice shall include; (1) a statement of the time limits for filing written comments; (2) who may file written comments; (3) the name and address of the secretary for the purpose of filing the comments and obtaining additional information; and (4) a statement that the persons may request, at the time of submitting written comments, notice of the permit decision and a list of persons qualified to test water.

Pursuant to W. Va. Code R. § 35-8-5.7.a, the operator shall provide the Well Site Safety Plan to the surface owner and any water purveyor or surface owner subject to notice and water testing as provided in section 15 of this rule.

Pursuant to W. Va. Code R. § 35-8-15.2.c, this notice shall: (1) contain a statement of the surface owner's and water purveyor's right to request sampling and analysis; (2) advise the surface owner and water purveyor of the rebuttable presumption for contamination or deprivation of a fresh water source or supply; advise the surface owner and water purveyor that refusal to allow the operator to conduct a pre-drilling water well test constitutes a method to rebut the presumption of liability; (3) advise the surface owner and water purveyor of his or her independent right to sample and analyze any water supply at his or her own expense; advise the surface owner and water purveyor whether or not the operator will utilize an independent laboratory to analyze any sample; and (4) advise the surface owner and or water purveyor that he or she can obtain from the Chief a list of water testing laboratories in the subject area capable of and qualified to test water supplies in accordance with standard acceptable methods.

Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57th Street, SE. Charleston, WV 25304 (304-926-0450) or by visiting <u>www.dep.wv.gov/oil-and-gas/pages/default.aspx</u>.

#### Well Location Restrictions

Pursuant to W. Va. Code § 22-6A-12, Wells may not be drilled within two hundred fifty feet measured horizontally from any existing water well or developed spring used for human or domestic animal consumption. The center of well pads may not be located within six hundred twenty-five feet of an occupied dwelling structure, or a building two thousand five hundred square feet or larger used to house or shelter dairy cattle or poultry husbandry. This limitation is applicable to those wells, developed springs, dwellings or agricultural buildings that existed on the date a notice to the surface owner of planned entry for surveying or staking as provided in section ten of this article or a notice of intent to drill a horizontal well as provided in subsection (b), section sixteen of this article was provided, whichever occurs first, and to any dwelling under construction prior to that date. This limitation may be waived by written consent of the surface owner transmitted to the department and recorded in the real property records maintained by the clerk of the county commission for the county in which such property is located. Furthermore, the well operator may be granted a variance by the secretary from these distance restrictions upon submission of a plan which identifies the sufficient measures, facilities or practices to be employed during well site construction, drilling and operations. The variance, if granted, shall include terms and conditions the department requires to ensure the safety and protection of affected persons and property. The terms and conditions may include insurance, bonding and indemnification, as well as technical requirements. (b) No well pad may be prepared or well drilled within one hundred feet measured horizontally from any perennial stream, natural or artificial lake, pond or reservoir, or a wetland, or within three hundred feet of a naturally reproducing trout stream. No well pad may be located within one thousand feet of a surface or ground water intake of a public water supply. The distance from the public water supply as identified by the department shall be measured as follows: (1) For a surface water intake on a lake or reservoir, the distance shall be measured from the boundary of the lake or reservoir. (2) For a surface water intake on a flowing stream, the distance shall be measured from a semicircular radius extending upstream of the surface water intake. (3) For a groundwater source, the distance shall be measured from the wellhead or spring. The department may, in its discretion, waive these distance restrictions upon submission of a plan identifying sufficient measures, facilities or practices to be employed during well site construction, drilling and operations to protect the waters of the state. A waiver, if granted, shall impose any permit conditions as the secretary considers necessary. (c) Notwithstanding the foregoing provisions of this section, nothing contained in this section prevents an operator from conducting the activities permitted or authorized by a Clean Water Act Section 404 permit or other approval from the United States Army Corps of Engineers within any waters of the state or within the restricted areas referenced in this section. (d) The well location restrictions set forth in this section shall not apply to any well on a multiple well pad if at least one of the wells was permitted prior to the effective date of this article. (e) The secretary shall, by December 31, 2012, report to the Legislature on the noise, light, dust and volatile organic compounds generated by the drilling of horizontal wells as they relate to the well location restrictions regarding occupied dwelling structures pursuant to this section. Upon a finding, if any, by the secretary that the well location restrictions regarding occupied dwelling structures are inadequate or otherwise require alteration to address the items WW-6A (8-13)



examined in the study required by this subsection, the secretary shall have the authority to propose for promulgation legislative rules establishing guidelines and procedures regarding reasonable levels of noise, light, dust and volatile organic compounds relating to drilling horizontal wells, including reasonable means of mitigating such factors, if necessary.

#### Water Well Testing:

Pursuant to West Virginia Code § 22-6A-10(d), notification shall be made, with respect to surface landowners identified in subsection (b) or water purveyors identified in subdivision (5), subsection (b) of this section, of the opportunity for testing their water well. The operator shall provide an analysis to such surface landowner or water purveyor at their request.

#### Water Testing Laboratories:

Pursuant to West Virginia Code § 22-6A-10(i), persons entitled to notice pursuant to subsection (b) of this section may contact the department to ascertain the names and locations of water testing laboratories in the subject area capable and qualified to test water supplies in accordance with standard accepted methods. In compiling that list of names the department shall consult with the state Bureau for Public Health and local health departments. A surface owner and water purveyor has an independent right to sample and analyze any water supply at his or her own expense. The laboratory utilized by the operator shall be approved by the agency as being certified and capable of performing sample analyses in accordance with this section.

#### Rebuttable Presumption for Contamination or Deprivation of a Fresh Water Source or Supply:

W. Va. Code § 22-6A-18 requires that (b) unless rebutted by one of the defenses established in subsection (c) of this section, in any action for contamination or deprivation of a fresh water source or supply within one thousand five hundred feet of the center of the well pad for horizontal well, there is a rebuttable presumption that the drilling and the oil or gas well or either was the proximate cause of the contamination or deprivation of the fresh water source or supply. (c) In order to rebut the presumption of liability established in subsection (b) of this section, the operator must prove by a preponderance of the evidence one of the following defenses: (1) The pollution existed prior to the drilling or alteration activity as determined by a predrilling or prealteration water well test. (2) The landowner or water purveyor refused to allow the operator access to the property to conduct a predrilling or prealteration water well test. (3) The water supply is not within one thousand five hundred feet of the well. (4) The pollution occurred more than six months after completion of drilling or alteration activities. (5) The pollution occurred as the result of some cause other than the drilling or alteration activity. (d) Any operator electing to preserve its defenses under subdivision (1), subsection (c) of this section shall retain the services of an independent certified laboratory to conduct the predrilling or prealteration water well test. A copy of the results of the test shall be submitted to the department and the surface owner or water purveyor in a manner prescribed by the secretary. (e) Any operator shall replace the water supply of an owner of interest in real property who obtains all or part of that owner's supply of water for domestic, agricultural, industrial or other legitimate use from an underground or surface source with a comparable water supply where the secretary determines that the water supply has been affected by contamination, diminution or interruption proximately caused by the oil or gas operation, unless waived in writing by that owner. (f) The secretary may order the operator conducting the oil or gas operation to: (1) Provide an emergency drinking water supply within twenty-four hours; (2) Provide temporary water supply within seventy-two hours; (3) Within thirty days begin activities to establish a permanent water supply or submit a proposal to the secretary outlining the measures and timetables to be used in establishing a permanent supply. The total time in providing a permanent water supply may not exceed two years. If the operator demonstrates that providing a permanent replacement water supply cannot be completed within two years, the secretary may extend the time frame on case-by-case basis; and (4) Pay all reasonable costs incurred by the real property owner in securing a water supply. (g) A person as described in subsection (b) of this section aggrieved under the provisions of subsections (b), (e) or (f) of this section may seek relief in court... (i) Notwithstanding the denial of the operator of responsibility for the damage to the real property owner's water supply or the status of any appeal on determination of liability for the damage to the real property owner's water supply, the operator may not discontinue providing the required water service until authorized to do so by the secretary or a court of competent jurisdiction.

#### Written Comment:

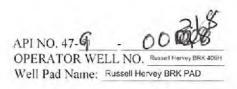
Pursuant to West Virginia Code § 22-6A-11(a), all persons described in subsection (b), section ten of this article may file written comments with the secretary as to the location or construction of the applicant's proposed well work within thirty days after the application is filed with the secretary. All persons described in West Virginia Code § 22-6A-10(b) may file written comments as to the location or construction of the applicant's proposed well work to the Secretary at: Chief, Office of Oil and Gas

Chief, Office of Oil and Gas Department of Environmental Protection 601 57th St. SE Charleston, WV 25304 (304) 926-0450

JUN **1 2 2017** WV Department of Environmental Protection

Such persons may request, at the time of submitting written comments, notice of the permit decision and a list of persons qualified to test water. NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.

WW-6A (8-13)



#### Time Limits and Methods for Filing Comments.

The law requires these materials to be served on or before the date the operator files its Application. You have **THIRTY (30) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

Pursuant to West Virginia Code § 22-6A-11(c)(2), Any objections of the affected coal operators and coal seam owners and lessees shall be addressed through the processes and procedures that exist under sections fifteen, seventeen and forty, article six of this chapter, as applicable and as incorporated into this article by section five of this article. The written comments filed by the parties entitled to notice under subdivisions (1), (2), (4), (5) and (6), subsection (b), section ten of this article shall be considered by the secretary in the permit issuance process, but the parties are not entitled to participate in the processes and proceedings that exist under sections fifteen, seventeen or forty, article six of this chapter, as applicable and as incorporated into this article by section five of this article.

#### Comment Requirements

Your comments must be in writing and include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

Disclaimer: All comments received will be placed on our web site http://www.dep.wv.gov/oil-and-gas/Horizontal-

<u>Permits/Pages/default.aspx</u> and the applicant will automatically be forwarded an email notice that such comments have been submitted. The applicant will be expected to provide a response to comments submitted by any surface owner, water purveyor or natural gas storage operator noticed within the application.

#### Permit Denial or Condition

The Chief has the power to deny or condition a well work permit. Pursuant to West Virginia Code § 22-6A-8(d), the permit may not be issued or be conditioned, including conditions with respect to the location of the well and access roads prior to issuance if the director determines that:

- (1) The proposed well work will constitute a hazard to the safety of persons;
- (2) The plan for soil erosion and sediment control is not adequate or effective;
- (3) Damage would occur to publicly owned lands or resources; or
- (4) The proposed well work fails to protect fresh water sources or supplies.

A permit may also be denied under West Virginia Code § 22-6A-7(k), the secretary shall deny the issuance of a permit if the secretary determines that the applicant has committed a substantial violation of a previously issued permit for a horizontal well, including the applicable erosion and sediment control plan associated with the previously issued permit, or a substantial violation of one or more of the rules promulgated under this article, and in each instance has failed to abate or seek review of the violation within the time prescribed by the secretary pursuant to the provisions of subdivisions (1) and (2), subsection (a), section five of this article and the rules promulgated hereunder, which time may not be unreasonable.

Pursuant to West Virginia Code § 22-6A-10(g), any person entitled to submit written comments to the secretary pursuant to subsection (a), section eleven of this article, shall also be entitled to receive from the secretary a copy of the permit as issued or a copy of the order modifying or denying the permit if the person requests receipt of them as a part of the written comments submitted concerning the permit application. Such persons may request, at the time of submitting written comments, notice of the permit decision and a list of persons qualified to test water.

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WW-6A	API NO. 47-9 DO 10000
(8-13)	OPERATOR WELL NO. RUSSEII Hervey BRK 406H Well Pad Name: RUSSEII Hervey BRK PAD
Notice is hereby given by:	Address D.O. Rev 1200
Well Operator: SWN Production Co., LLC Telephone: 832-796-1610	Address: P.O. Box 1300 Jane Lew, WV 26378
Email: Dee_Southall@swn.com	Facsimile: 304-471-2497

#### **Oil and Gas Privacy Notice:**

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

OFF/CIAL SEAL Notary Public, State of West Virginia BRITTANY R WOODY 3302 Oid Elkins Road Buckhannon, WV 26201 My commission expires November 27, 2022	Subscribed and sworn before me this 30th day of May 2011 BUTTON & MODU Notary Publi My Commission Expires UTTOD
3302 Old Elkins Road Buckhannon, WV 26201 My commission expires November 27, 2022	Buttlany & Noody Notary Publi

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WV Department of Environmental Protection

09/22/2017

#### STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS <u>NOTICE OF INTENT TO DRILL</u>

Pursuant to W. Va. Code § 22-6A-16(b), the Notice of Intent to Drill is only required if the notice requirements of W. Va. Code § 22-6A-10(a) have NOT been met or if the Notice of Intent to Drill requirement has NOT been waived in writing by the surface owner.

Notice Time Requirement: Notice shall be provided at least TEN (10) days prior to filing a/permit application. Date of Notice: 05/24/2017 Date Permit Application Filed:

Delivery method pursuant to West Virginia Code § 22-6A-16(b)

HAND	CERTIFIED MAIL
DELIVERY	RETURN RECEIPT REQUESTED

Pursuant to W. Va. Code § 22-6A-16(b), at least ten days prior to filing a permit application, an operator shall, by certified mail return receipt requested or hand delivery, give the surface owner notice of its intent to enter upon the surface owner's land for the purpose of drilling a horizontal well: *Provided*, That notice given pursuant to subsection (a), section ten of this article satisfies the requirements of this subsection as of the date the notice was provided to the surface owner: *Provided*, *however*, That the notice requirements of this subsection may be waived in writing by the surface owner. The notice, if required, shall include the name, address, telephone number, and if available, facsimile number and electronic mail address of the operator and the operator's authorized representative.

#### Notice is hereby provided to the SURFACE OWNER(s):

Name: Russell D Hervey	Name:
Address: 200 Carol Rd	Address:
Wellsburg, WV 26070	

#### Notice is hereby given:

Pursuant to West Virginia Code § 22-6A-16(b), notice is hereby given that the undersigned well operator has an intent to enter upon the surface owner's land for the purpose of drilling a horizontal well on the tract of land as follows:

State:	West Virginia	UTM NAD 83	Easting:	537,711.07	Office of Oil and Gas
County:	Brooke	UTMINAD 83	Northing:	4,456,495.45	
District:	Buffalo	Public Road Acc	ess:	Pierce Run Rd	JUN 1 2 2017
Quadrangle:	Steubenville	Generally used f	arm name:	Russell Hervey BRK	the inconstruent of
Watershed:	Buffalo Creek				WV Department of Environmental Protection

#### This Notice Shall Include:

Pursuant to West Virginia Code § 22-6A-16(b), this notice shall include the name, address, telephone number, and if available, facsimile number and electronic mail address of the operator and the operator's authorized representative. Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57th Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting <u>www.dep.wv.gov/oil-and-gas/pages/default.aspx</u>.

#### Notice is hereby given by:

Well Operator: SWN Production Company, LLC		Authorized Representative:	Mike Yates	
Address:	PO Box 1300, 179 Innovation Drive	Address:	PO Box 1300, 179 Innovation Drive	
	Jane Lew, WV 26378		Jane Lew, WV 26378	
Telephone:	304-517-6603	Telephone:	304-517-6603	
Email:	Michael_Yates@SWN.com	Email:	Michael_Yates@SWN.com	
Facsimile:	304-884-1691	Facsimile:	304-884-1691	

#### Oil and Gas Privacy Notice:

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

WW-6A5 (1/12)

#### STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS NOTICE OF PLANNED OPERATION

Notice Time Requirement: notice shall be provided no later than the filing date of permit application. Date of Notice: ^{05/24/2017} Date Permit Application Filed:

Delivery method pursuant to West Virginia Code § 22-6A-16(c)

CERTIFIED MAIL	

RETURN RECEIPT REQUESTED

HAND DELIVERY

Pursuant to W. Va. Code § 22-6A-16(c), no later than the date for filing the permit application, an operator shall, by certified mail return receipt requested or hand delivery, give the surface owner whose land will be used for the drilling of a horizontal well notice of the planned operation. The notice required by this subsection shall include: (1) A copy of this code section; (2) The information required to be provided by subsection (b), section ten of this article to a surface owner whose land will be used in conjunction with the drilling of a horizontal well; and (3) A proposed surface use and compensation agreement containing an offer of compensation for damages to the surface affected by oil and gas operations to the extent the damages are compensable under article six-b of this chapter. (d) The notices required by this section shall be given to the surface owner at the address listed in the records of the sheriff at the time of notice.

#### Notice is hereby provided to the SURFACE OWNER(s)

(at the address listed in the recor	ds of the sheriff at the time	e of notice):	
Name: Russell D Hervey	/	Name:	
Address: 200 Carol Rd	V	Address:	
Wellsburg, WV 26070			

#### Notice is hereby given:

Pursuant to West Virginia Code § 22-6A-16(c), notice is hereby given that the undersigned well operator has developed a planned operation on the surface owner's land for the purpose of drilling a horizontal well on the tract of land as follows:

State:	West Virginia	UTM NAD 83 Easting:	537,711.07
County:	Brocke	Northing:	4.456,495.45
District:	Buffalo	Public Road Access:	Pierce Run Rd
Quadrangle:	Steubenville	Generally used farm name:	Russell Hervey BRK
Watershed:	Buffalo Creek		

#### This Notice Shall Include:

Pursuant to West Virginia Code § 22-6A-16(c), this notice shall include: (1)A copy of this code section; (2) The information required to be provided by W. Va. Code § 22-6A-10(b) to a surface owner whose land will be used in conjunction with the drilling of a horizontal well; and (3) A proposed surface use and compensation agreement containing an offer of compensation for damages to the surface affected by oil and gas operations to the extent the damages are compensable under article six-b of this chapter. Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57th Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting www.dep.wv.gov/oil-and-gas/pages/default.aspx.

Well Operator:	SWN Production Company, LLC	Address:	PO Box 1300, 179 Innovation Drive	
Telephone:	304-517-6603		Jane Lew, WV 26378	
Email:	Michael_Yates@SWN.com	Facsimile:	304-884-1691	

#### **Oil and Gas Privacy Notice:**

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

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WV Department of Environmen 09/22/2017

4-0021X



#### WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

## **Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110 Charleston, West Virginia 25305-0430 • (304) 558-3505

Jim Justice Governor

Thomas J. Smith, P. E. Secretary of Transportation/ Commissioner of Highways

#### May 24, 2017

James A. Martin, Chief Office of Oil and Gas Department of Environmental Protection 601 57th Street, SE Charleston, WV 25304

Subject: DOH Permit for the Russell Hervey Pad, Brooke County

Russell Hervey BRK 406H

47-009-00218

Dear Mr. Martin,

The West Virginia Division of Highways has transferred Permit #06-2012-0308 for the subject site to Southwestern Energy for access to the State Road for the well site located off of Brooke County Route 27/4 SLS.

The operator has signed an OIL AND GAS ROAD MAINTENANCE BONDING AGREEMENT and provided the required Bond. This operator is currently in compliance with the DOH OIL AND GAS POLICY dated January 3, 2012.

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Very Truly Yours,

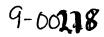
Dacy K. Clayton

Gary K. Clayton, P.E. Regional Maintenance Engineer Central Office Oil &Gas Coordinator

Cc: Brittany Woody Southwestern Energy CH, OM, D-6 File animent of Nai Protection

# 9-00218

Product Name	Product Use	Chemical Name	CAS Number
		Hydrogen Peroxide	7722-84-1
EC6734A (Champion Technologies)	Biocide	Acetic Acid	64-19-7
		Peroxyacetic Acid	79-21-0
GYPTRON T-390 (Champion		Methanol	67-56-1
Technologies)	Scale Inhibitor	Nonylphenol Ethoxylate	Proprietary
		Glutaraldehyde	111-30-8
Bactron K-139 (Champion	Diasida	Quaternary Ammonium Compounds, Benzyl-C12-	C0424 0F 4
Technologies)	Biocide	16-Alkyldimethyl, Chlorides	68424-85-1
		Ethanol	64-17-5
Bactron K-219 (Champion	Biocide	Methanol	67-56-1
Technologies)		Quaternary Ammonium Compounds, Benzyl-C12-	68424-85-1
		16-Alkyldimethyl, Chlorides	08424-85-1
		Methanol	67-56-1
A264 (Schlumberger)	Corrosion	Aliphatic Acids	Proprietary
A204 (Schlumberger)	Inhibitor	Prop-2-yn-1-ol	107-19-7
		Aliphatic Alcohols, Ethoxylated #1	Proprietary
	Disside	Water	7732-18-5
Myacide GA 25 (Schlumberger)	Biocide	Glutaral	111-30-8
		Trisodium Ortho Phosphate	7601-54-9
Scale Inhibitor B317 (Schlumberger)	Scale Inhibitor	Ethane-1,2-diol	107-21-1
H215 (Schlumberger)	Hydrochloric Acid	Hydrochloric Acid	7647-01-0
J218 (Schlumberger)	Breaker	Diammonium Peroxidisulphate	7727-54-0
EB-Clean* J475 (Schlumberger)	Breaker	Diammonium Peroxidisulphate	7727-54-0
Water Gelling Agent J580 (Schlumberger)	Gel	Carbohydrate Polymer	Proprietary
Friction Reducer J609W	Friction	Ammonium Sulfate	7783-20-2
(Schlumberger)	Reducer	Urea	57-13-6
Crosslinker IC10 (s. t	Crosslinker	Potassium Hydroxide	1310-58-3
Crosslinker J610 (Schlumberger)	Crosslinker	Aliphatic Polyol RECEIVED	^s Proprietary
Iron Stabilizer L58 (Schlumberger)	Iron Stabilizer	Potassium Hydroxide Aliphatic Polyol RECEIVED Office of Oil and Ga Sodium Erythorbate	6381-77-7
40/70-Mesh Sand S012 (Schlumberger)	Sand	Crystalline Silica Crystalline Silica WV Dopartment Crystalline Silica Environmental Prote	14808-60-7
Sand S100 (Schlumberger)	Sand	Crystalline Silica Environmental Prote	14808-60-7
EC6486A (Nalco Champion)	Scale Inhibitor	Amine Triphosphate	Proprietary
		Ethylene Glycol	107-21-1
SSA-2 (Halliburton)	Sand	Crystalline Silica	14808-60-7
FR-76 (Halliburton)	Friction	Inorganic salt	64742-47-8
	Reducer	Hydrotreated light petroleum distillate	
LCA-1 (Halliburton)		Hydrotreated light petroleum distillate	Proprietary
SP BREAKER (Halliburton)	Breaker	Sodium Persulfate	7775-27-1



Product Name	Product Use	Chemical Name	CAS Number
HAI-150E (Halliburton)		Methanol	
	Corrosion Inhibitor	Aliphatic Acids	NA
		Prop-2-yn-1-ol	
		Aliphatic Alcohols, Ethoxylated #1	
Diesel Fuel (Halliburton)		Diesel Fuel	68476-34-6
Hydrochloric Acid 10-30% (Halliburton)		Hydrochloric Acid	7647-01-0
WG-36 Gelling Agent (Halliburton)	Gel	Polysaccharide	9000-30-0
BC-140C (Halliburton)	Crosslinker		NA

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