



---

**west virginia** department of environmental protection

---

Office of Oil and Gas  
601 57th Street SE  
Charleston, WV 25304  
(304) 926-0450  
(304) 926-0452 fax

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
www.dep.wv.gov

November 14, 2013

**WELL WORK PERMIT**

**Horizontal 6A Well**

This permit, API Well Number: 47-4902265, issued to TRANS ENERGY, INC., 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 all 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 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.

In addition to the applicable requirements of this permit, and the statutes and rules governing oil and gas activity in WV, this permit may contain specific conditions which must be followed. Permit conditions are attached to this cover letter.

Per 35CSR-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) 926-0499 ext. 1654.

James Martin  
Chief

Operator's Well No: BATSON 1H  
Farm Name: CUNNINGHAM, ALAN  
**API Well Number: 47-4902265**  
**Permit Type: Horizontal 6A Well**  
Date Issued: 11/14/2013

# 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. Failure to adhere to the specified permit conditions may result in enforcement action.

## CONDITIONS

---

1. This proposed activity may require permit coverage from the United States Army Corps of Engineers (USACOE). Through this permit, you are hereby being advised to consult with USACOE 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 fifty (50) 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. 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.
8. 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.

08/27/2021

49 - 02265 -

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**W.VA. CODE §22-6A - WELL WORK PERMIT APPLICATION**

49 04 374

1) Well Operator: Trans Energy Inc. 494481575 Marion Mannington Glover Gap  
Operator ID County District Quadrangle

2) Operator's Well Number: Batson 1H Well Pad Name: Batson

3 Elevation, current ground: 1387' Elevation, proposed post-construction: 1359'

4) Well Type: (a) Gas  Oil  Other   
(b) If Gas: Shallow  LHC Deep   
Horizontal

5) Existing Pad? Yes or No: No

6) Proposed Target Formation(s), Depth(s), Anticipated Thicknesses and Associated Pressure(s):  
Marcellus Shale - 7200' 60' thick 3000 psi

7) Proposed Total Vertical Depth: 7200'

8) Formation at Total Vertical Depth: Marcellus Shale

9) Proposed Total Measured Depth: 11,700

10) Approximate Fresh Water Strata Depths: Water Wells drilled in the County, information provided by Health Dept..

11) Method to Determine Fresh Water Depth: 50' 150'

12) Approximate Saltwater Depths: 1525'

13) Approximate Coal Seam Depths: 900'

14) Approximate Depth to Possible Void (coal mine, karst, other): Mason-Dixon

15) Does land contain coal seams tributary or adjacent to, active mine? No

16) Describe proposed well work: Drill and Complete horizontal well in the Marcellus Shale. Lateral to be approximately 4,500' in length.  
If Mine void is encounter, please see attached letter

17) Describe fracturing/stimulating methods in detail:  
A water fracture treatment is proposed a mixture of sand and water will be used to stimulate the Marcellus Shale

18) Total area to be disturbed, including roads, stockpile area, pits, etc., (acres): 3.92 acres

19) Area to be disturbed for well pad only, less access road (acres): 3.34 acres

Received  
JUN 6 2013  
WRH  
5-30-13  
Office of Oil and Gas  
WV Dept. of Environmental Protection

WW - 6B  
(1/12)

20)

**CASING AND TUBING PROGRAM**

<b>TYPE</b>	<u>Size</u>	<u>New or Used</u>	<u>Grade</u>	<u>Weight per ft.</u>	<u>FOOTAGE: For Drilling</u>	<u>INTERVALS: Left in Well</u>	<u>CEMENT: Fill -up (Cu. Ft.)</u>
Conductor	20	new	J-55	94	90'	90'	CTS
Fresh Water	13 3/8	new	J-55	54.5	1000'	1000'	CTS
Coal							
Intermediate	9 5/8	new	J-55	36	3000'	3000'	CTS
Production	5 1/2	new	P-110	20		11,700	3,000'
Tubing							
Liners							

LKC  
11/13/13

<b>TYPE</b>	<u>Size</u>	<u>Wellbore Diameter</u>	<u>Wall Thickness</u>	<u>Burst Pressure</u>	<u>Cement Type</u>	<u>Cement Yield</u>
Conductor	20	26	0.438	1530	Type 1	13 cu ft/sk
Fresh Water	13 3/8	17 1/2	0.38	2730	Type 1	1.25 cu ft/sk
Coal						
Intermediate	9 5/8	12 1/2	.352	3520	Type 1	1.26 cu ft/sk
Production	5 1/2	8 3/4	.361	12630	Pos H Class H	1.18 cu ft/sk
Tubing						
Liners						

**PACKERS**

Kind:				
Sizes:				
Depths Set:				

RECEIVED  
Office of Oil and Gas

NOV 13 2013

WV Department of  
Environmental Protection

08/27/2021

49 - 02265 -

21) Describe centralizer placement for each casing string.

Fresh water string - 1 centralizer every 160'

Intermediate string - 1 centralizer every 100' from 3300' to 900'

Production string - 1 centralizer every 80' from TD to above ROP (7000')

22) Describe all cement additives associated with each cement type.

✓ Standard Type 1 cement - retarder and fluid loss (surface and intern)

Type 1 + 2% CaC12 + Y4# Flake - Surface Cement mixed @ 15.6 ppg CaC12, Flake (cellohane flake)

Type 1 + 1% CaC12 + Y4# Flake - Intermediate Cement mixed @ 15.6 ppg

Class H in lateral - retarder and fluid loss and dree water additive

23) Proposed borehole conditioning procedures.

Before cement casing mud will be thinned and all gas will be circulated out of the mud before cementing

\*Note: Attach additional sheets as needed.

Received

JUN 6 2013

Office of Oil and Gas  
WV Dept. of Environmental Protection

08/27/2021

49 - 02265 -

**WELLBORE SCHEMATIC**

Well Name: **Batson 1H**

County: **Marion County**

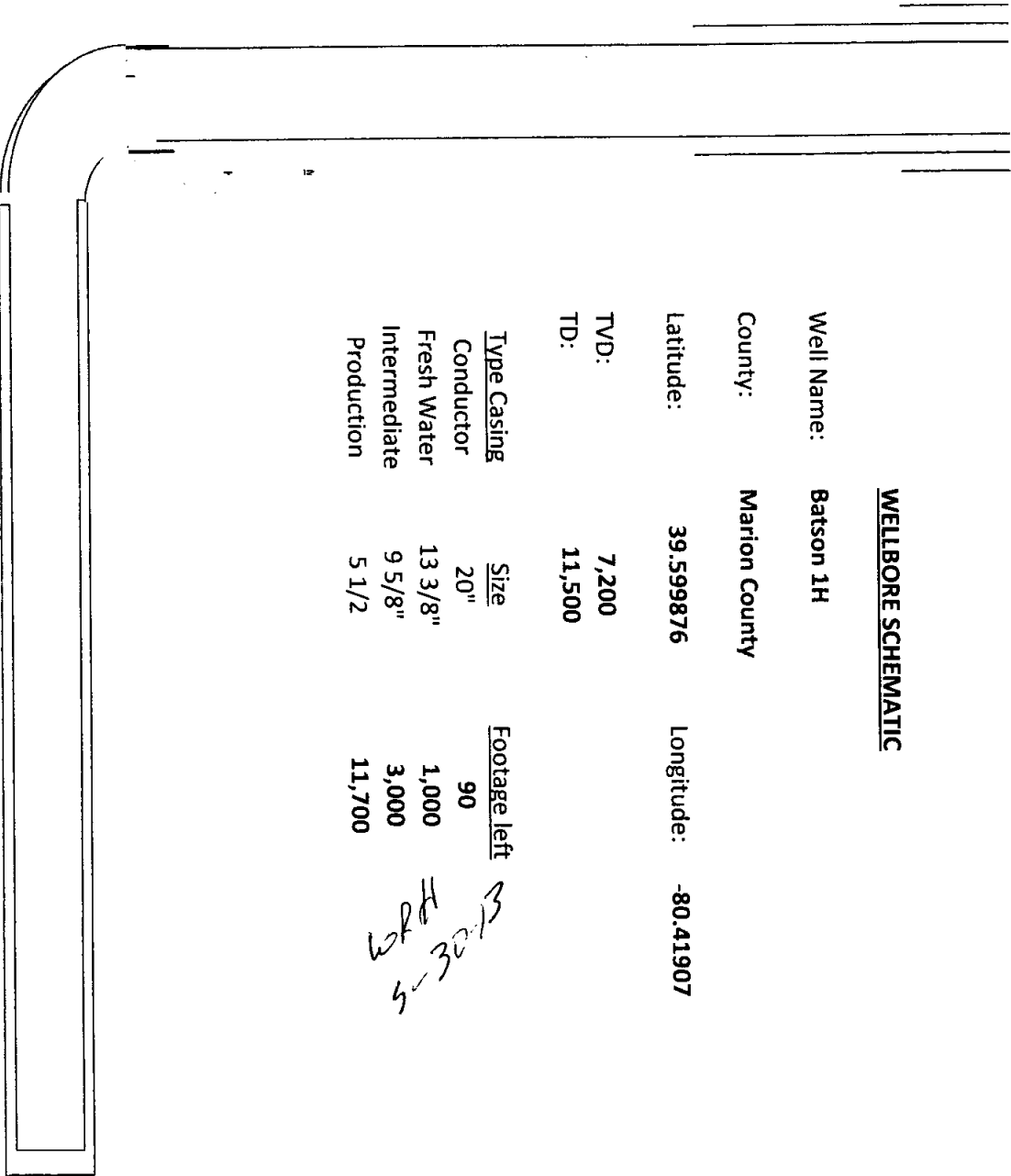
Latitude: **39.599876** Longitude: **-80.41907**

TVD: **7,200**

TD: **11,500**

Type Casing	Size	Footage left
Conductor	20"	90
Fresh Water	13 3/8"	1,000
Intermediate	9 5/8"	3,000
Production	5 1/2"	11,700

*WRH  
5-30-13*



**Received**

JUN 6 2013

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

CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

Operator Name Trans Energy Inc. OP Code 494481575

Watershed State Road Fork Quadrangle Glover Gap

Elevation 1387' County Marion District Mannington

Description of anticipated Pit Waste: N/A

Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes  No

Will a synthetic liner be used in the pit?  No Pit  If so, what mil.? N/A

- Proposed Disposal Method For Treated Pit Wastes:
- Land Application
  - Underground Injection ( UIC Permit Number \_\_\_\_\_ )
  - Reuse (at API Number \_\_\_\_\_ )
  - Off Site Disposal (Supply form WW-9 for disposal location)
  - Other (Explain All frac fluids will be flowed back into storage containers and Buckeye Water Service Company will haul to an approved water disposal facilities)

Drilling medium anticipated for this well? Air, freshwater, oil based, etc. Freshwater mud until reaching Marcellus then synthetic

-If oil based, what type? Synthetic, petroleum, etc. synthetic

Additives to be used? See attached

Will closed loop system be used?  Yes

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. All cuttings will be hauled to approved landfill

-If left in pit and plan to solidify what medium will be used? Cement, lime, No Pit

-Landfill or offsite name/permit number? Short Creek Landfill SWF-1034

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued 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 this application form and all attachments thereto 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 or imprisonment.

Company Official Signature \_\_\_\_\_

Company Official (Typed Name) Leslie Gearhart 

Company Official Title VP- Opeartions

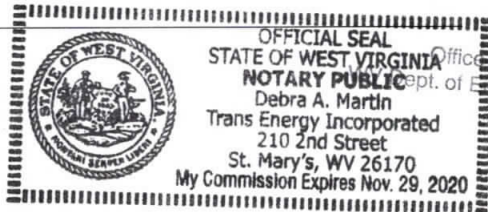
Subscribed and sworn before me this 14th day of April, 2013

Debra A Martin  Notary Public 

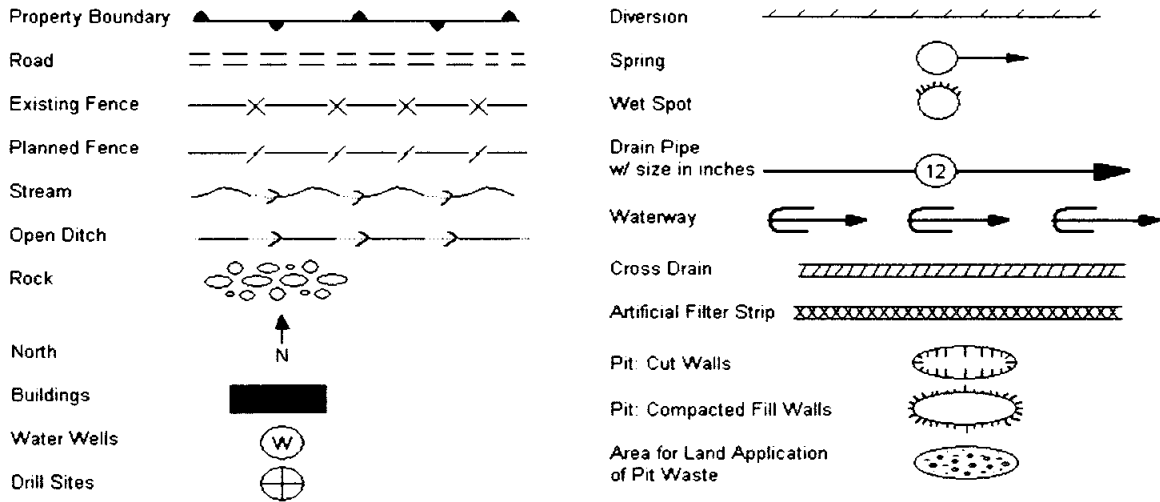
My commission expires 11/29/2020

**Received**

JUN 6 2013



08/27/2021



Proposed Revegetation Treatment: Acres Disturbed 13.92 Prevegetation pH \_\_\_\_\_

Lime 2 Tons/acre or to correct to pH 6.5

Fertilizer (10-20-20 or equivalent) 600 lbs/acre (500 lbs minimum)

Mulch 90 Bales Tons/acre

Seed Mixtures

Seed Type	Area I	lbs/acre	Seed Type	Area II	lbs/acre
Meadow Mix		100	Meadow Mix		100
Oats or Rye		50	Oats or Rye		50

Attach:  
Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: *William Handrup*

Comments: \_\_\_\_\_

Title: Environmental Inspector

Date: 5-30-13

Field Reviewed?  Yes  No

Received

Office of Oil and Gas  
WV Dept. of Environmental Protection  
08/27/2013



49 - 02865 -  
WRH  
5-30-13

05/23/2013

---

---

---

# TRANS ENERGY INC.

---

---

---

Received  
WELL SITE SAFETY PLAN  
Batson 1H, 2H

JUN 6 2013

Office of Oil and Gas  
WV Dept. of Environmental Protection

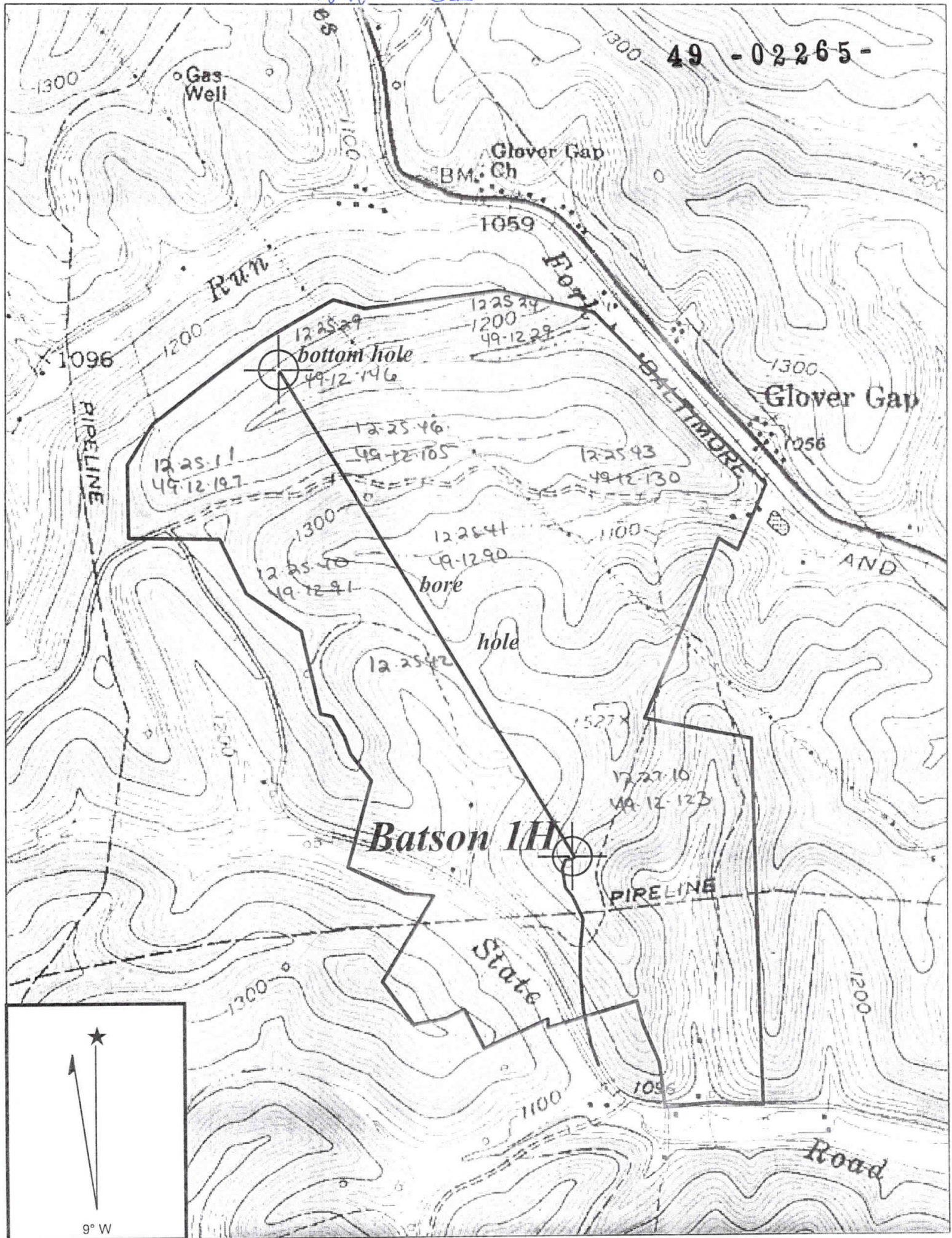
08/27/2021

## Table of Contents

I.	SITING STANDARDS .....	2
II.	SAFETY STANDARDS .....	2
	A. Safety Forms.....	2
	B. Safety Information .....	3
III.	WELLBORE CASING AND CEMENTING PLAN .....	4
IV.	WELL CONTROL AND BLOW-OUT PREVENTER (BOP).....	4
V.	WELL FLARING OPERATIONS .....	4
VI.	WELL KILLING .....	5
VII.	HYDROGEN SULFIDE GAS.....	5
VIII.	EVACUATION AND NOTIFICATION PROCEDURES.....	6
IX.	MAPS.....	8
	A. WELL LOCATION MAP .....	8
	B. WELL PAD LAYOUT MAPS .....	9
	1. EXAMPLE RIG AND TRAILER LAYOUT (NOT TO SCALE) .....	9
	2. SURFACE LOCATION LAYOUT.....	10
	C. WELL LOCATION TOPOGRAPHY MAP .....	11
APPENDIX A	SaFETY FORMS.....	A
APPENDIX B	CASING AND CEMENTING PROGRAM .....	B
APPENDIX C	BLOW OUT PREVENTOR EQUIPMENT WELL HEAD ASSEMBLY FLARE LINE SYSTEM .....	C
APPENDIX D	DRILLING FLUIDS PROGRAM.....	D
APPENDIX E	GAS TESTING EQUIPMENT.....	E

WW - 281

49 - 02265 -



Copyright (C) 1997, Maptech, Inc.

GLOVER GAP QUADRANGLE

WRH  
5-30-13

SCALE 1" = 1000'

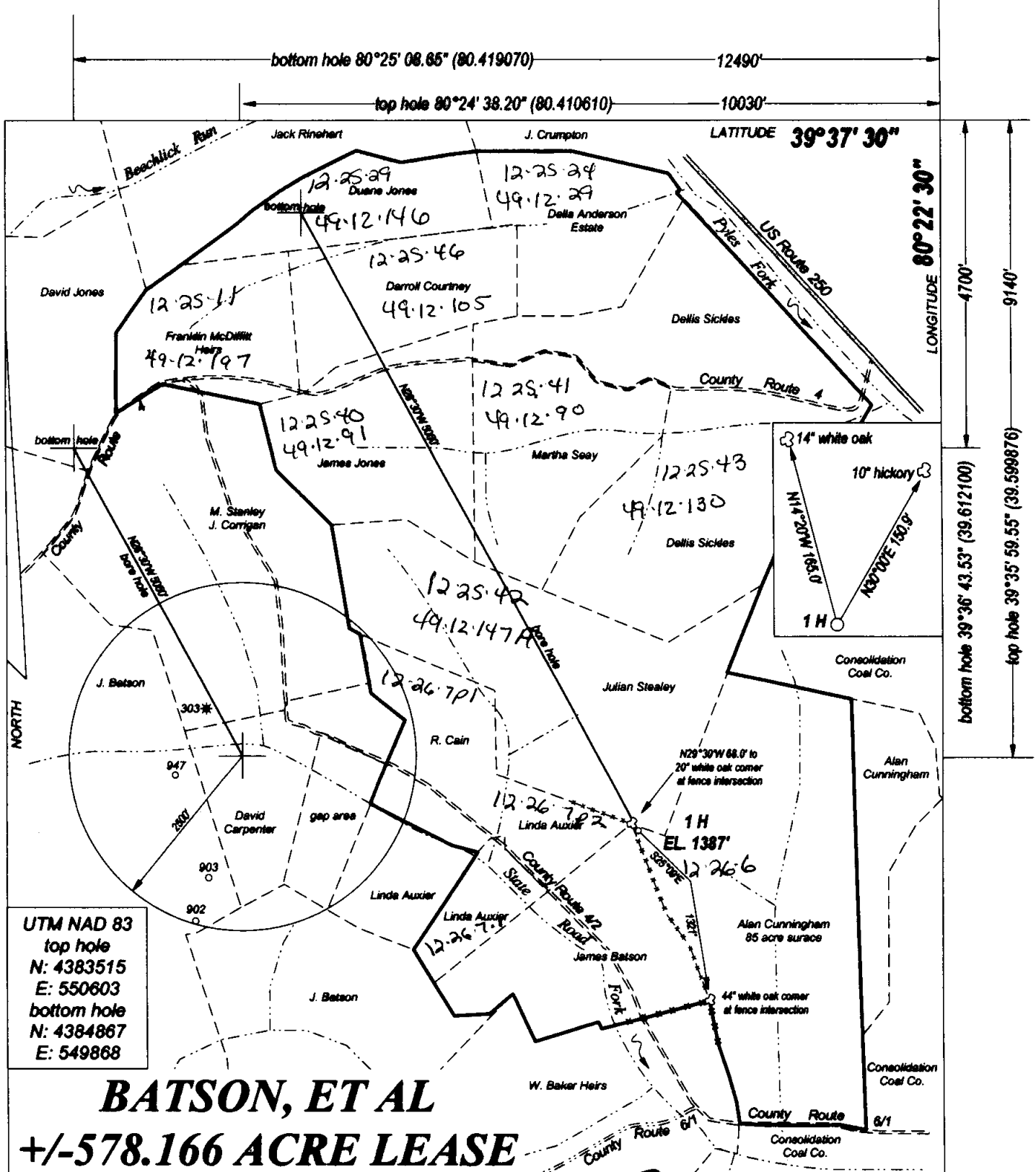
**TRANS ENERGY, INC.**

08/27/2021

WELL: BATSON 1H  
BATSON, ET AL +/- 578.166 ACRE LEASE

MANNINGTON DISTRICT    MARION COUNTY    WEST VIRGINIA



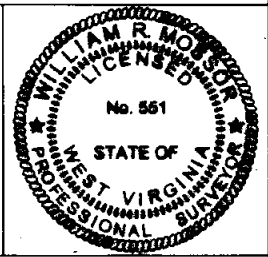


UTM NAD 83  
 top hole  
 N: 4383515  
 E: 550603  
 bottom hole  
 N: 4384867  
 E: 549868

**BATSON, ET AL**  
**+/-578.166 ACRE LEASE**

FILE NO. \_\_\_\_\_  
 DRAWING NO. \_\_\_\_\_  
 SCALE 1" = 1000'  
 MINIMUM DEGREE OF ACCURACY 1:200  
 PROVEN SOURCE OF ELEVATION GPS  
 OBSERVATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND PREScribed BY THE DEPARTMENT OF ENERGY  
 (SIGNATURE)  
 PROFESSIONAL SURVEYOR: 551



**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENERGY**  
**DIVISION OF OIL AND GAS**

DATE APRIL 1ST, 2013  
 OPERATORS WELL NO. BATSON 1H

**API 47 - 049 - 02265 H6A**  
 STATE COUNTY PERMIT

WELL TYPE: OIL XX GAS XX LIQUID INJECTION \_\_\_\_\_ WASTE DISPOSAL \_\_\_\_\_  
 (IF GAS) PRODUCTION XX STORAGE \_\_\_\_\_ DEEP \_\_\_\_\_ SHALLOW XX

LOCATION: ELEVATION 1387 WATER SHED \_\_\_\_\_ STATE ROAD FORK \_\_\_\_\_  
 DISTRICT MANNINGTON COUNTY MARION QUADRANGLE GLOVER GAP

SURFACE OWNER ALAN CUNNINGHAM ACREAGE 85  
 OIL & GAS ROYALTY BATSON, ET AL LEASE AC. +/- 578.166

PROPOSED WORK: DRILL XX CONVERT \_\_\_\_\_ DRILL DEEPER \_\_\_\_\_ REDRILL \_\_\_\_\_  
 FRACTURE OR STIMULATE \_\_\_\_\_ PLUG OFF OLD FORMATION \_\_\_\_\_  
 PERFORATE NEW FORMATION \_\_\_\_\_  
 OTHER PHYSICAL CHANGE IN WELL \_\_\_\_\_  
 PLUG AND ABANDON \_\_\_\_\_ CLEAN OUT AND REPLUG \_\_\_\_\_

TARGET FORMATION MARCELLUS SHALE ESTIMATED DEPTH 7200'

WELL OPERATOR TRANS ENERGY, INC. DESIGNATED AGENT LOREN BAGLEY  
 ADDRESS P. O. BOX 383 ADDRESS P. O. BOX 383  
ST. MARYS, WV 26170 ST. MARYS, WV 26170

FORM WVV - 6

COUNTY NAME \_\_\_\_\_  
 PERMIT \_\_\_\_\_

08/27/2021

49 - 02265 -

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
NOTICE CERTIFICATION

Date of Notice Certification: \_\_\_\_\_

API No. 47- 49 - 02265  
Operator's Well No. Batson 1H  
Well Pad Name: Batson

**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:	<u>West Virginia</u>	UTM NAD 83	Easting:	<u>550603</u>
County:	<u>Marion</u>		Northing:	<u>4383515</u>
District:	<u>Mannington</u>	Public Road Access:	<u>Co Rd 4/2</u>	
Quadrangle:	<u>Glover Gap</u>	Generally used farm name:	<u>Batson</u>	
Watershed:	<u>State Road Fork</u>			

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 have been completed by the applicant.

Pursuant to West Virginia Code § 22-6A, the Operator has attached proof to this Notice Certification that the Operator has properly served the required parties with the following:

\*PLEASE CHECK ALL THAT APPLY

- 1. NOTICE OF SEISMIC ACTIVITY or  NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED
- 2. NOTICE OF ENTRY FOR PLAT SURVEY or  NO PLAT SURVEY WAS CONDUCTED
- 3. NOTICE OF INTENT TO DRILL or  NOTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED or  WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)
- 4. NOTICE OF PLANNED OPERATION
- 5. PUBLIC NOTICE
- 6. NOTICE OF APPLICATION

sent  
6/5/13

**OOG OFFICE USE ONLY**

- RECEIVED/ NOT REQUIRED
- RECEIVED
- RECEIVED/ NOT REQUIRED
- RECEIVED
- RECEIVED
- RECEIVED

**Required Attachments:**

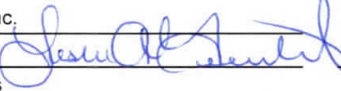
The Operator shall attach to this Notice Certification Form all Notice Forms and Certifications of Notice that have been provided to the required parties and/or any associated written waivers. For the Public Notice, the operator shall attach a copy of the Class II Legal Advertisement with publication 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.

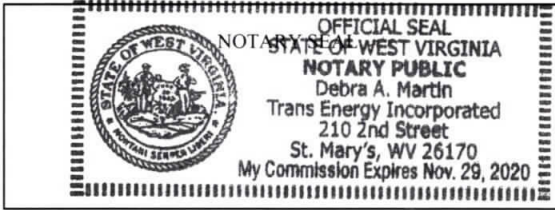
JUN 6 2013

**Certification of Notice is hereby given:**

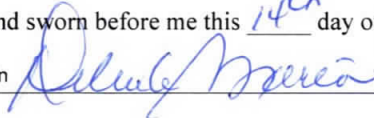
49 - 02265 -

THEREFORE, I Leslie Gearhart, 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:	<u>Trans Energy Inc.</u>	Address:	<u>210 Second Street, P O Box 393</u>
By:	<u>Leslie Gearhart</u> 		<u>St. Marys, WV 26170</u>
Its:	<u>VP - Operations</u>	Facsimile:	<u>304-684-3658</u>
Telephone:	<u>306-684-7053</u>	Email:	<u>lesliegearhart@transenergyinc.com &amp; debbiemartin@transenergyinc.com</u>



Subscribed and sworn before me this 14<sup>th</sup> day of May 2013.

Debra A. Martin  Notary Public

My Commission Expires 11/29/2020

**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 [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

Received

JUN 6 2013

Office of Oil and Gas  
WV Dept. of Environmental Protection

08/27/2021

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
NOTICE OF APPLICATION

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

**Date of Notice:** 6/5/2013 **Date Permit Application Filed:** 6/5/2013

Notice of:

- PERMIT FOR ANY WELL WORK
- CERTIFICATE OF APPROVAL FOR THE CONSTRUCTION OF AN IMPOUNDMENT OR PIT

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

- PERSONAL SERVICE
- REGISTERED MAIL
- METHOD OF DELIVERY THAT REQUIRES A 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 erosion 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 seams; (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.

**Notice is hereby provided to:**

- SURFACE OWNER(s) ✓  
Name: Alan Cunningham  
Address: 104 Joy Way  
Fairmont, WV 26554  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_
- SURFACE OWNER(s) (Road and/or Other Disturbance)  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_
- SURFACE OWNER(s) (Impoundments/Pits)  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

- COAL OWNER OR LESSEE ✓  
Name: Consolid/Leatherwood Inc. c/o Doug Puglin CNX  
Address: 1000 Consol Drive  
Cannonsburg, PA 15317
- COAL OPERATOR  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_
- WATER PURVEYOR(s)  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_
- OPERATOR OF ANY NATURAL GAS STORAGE FIELD  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Received

JUN 6 2013

Office of Oil and Gas

WV Dept. of Environmental Protection  
\*Please attach additional forms if necessary

08/27/2021



49 - 02265 -

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature  <input checked="" type="checkbox"/> <i>Alana Cunningham</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <input checked="" type="checkbox"/> <i>Alana Cunningham</i> C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p style="text-align: center;">ALAN CUNNINGHAM            104 JOY WAY            FAIRMONT, WV 26554</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number: 7010 1670 0001 5695 3201          (Transfer from service label)</p>			
PS Form 3811, February 2004		Domestic Return Receipt	
		102565-02-M-1540	

**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)  
 For delivery information visit our website at www.usps.com.

Postage	\$5.75	0687
Certified Fee	\$3.10	06
Return Receipt Fee (Endorsement Required)	\$2.55	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$11.40	06/05/2013

ALAN CUNNINGHAM  
 104 JOY WAY  
 FAIRMONT, WV 26554

For instructions

**U.S. Postal Service<sup>TM</sup> CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)  
 For delivery information visit our website at www.usps.com.

Postage	\$5.75	0687
Certified Fee	\$3.10	06
Return Receipt Fee (Endorsement Required)	\$2.55	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$11.40	06/05/2013

CONSOL/LEATHERWOOD INC.  
 C/O DOUG PUGLIN CNX  
 1000 CONSOL DRIVE  
 CANNONSBURG, PA 15317

For instructions

Received  
 JUN 12 2013  
 Office of Oil and Gas  
 WV Dept. of Environmental Protection

08/27/2021



49 - 02265 -

7010 1670 0001 5695 3218

**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**FAIRMONT WV 26554**

**OFFICIAL USE**

Postage	\$	\$5.75
Certified Fee		\$3.10
Return Receipt Fee (Endorsement Required)		\$2.55
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$11.40



ALAN CUNNINGHAM  
104 JOY WAY  
FAIRMONT, WV 26554

For instructions

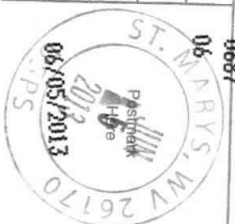
**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**CANNONSBURG PA 15317**

**OFFICIAL USE**

Postage	\$	\$5.75
Certified Fee		\$3.10
Return Receipt Fee (Endorsement Required)		\$2.55
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$11.40



CONSOL/LEATHERWOOD INC.  
C/O DOUG PUGLIN CNX  
1000 CONSOL DRIVE  
CANNONSBURG, PA 15317

For instructions

Received

JUN 6 2013

Office of Oil and Gas  
WV Dept. of Environmental Protection

08/27/2021

WW-6A  
(5-12)**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 also 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.

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

**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.

**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.

**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 wellpad 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 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.

**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  
Department of Environmental Protection  
601 57<sup>th</sup> St. SE  
Charleston, WV 25304  
(304) 926-0450

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.**

**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-Permits/Pages/default.aspx> 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.

Received

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.

Office of Oil and Gas  
WV Dept. of Environmental Protection

08/27/2021

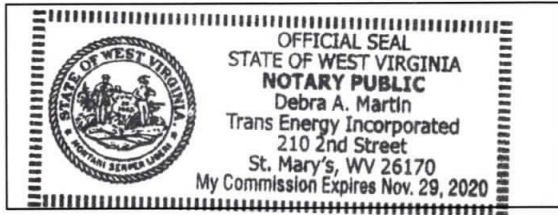
Pursuant to West Virginia Code § 22-6A-10(g), any person entitled to submit written comments to the secretary pursuant to subsection (a), section eleven of this article, shall also be entitled to receive from the secretary a copy of the permit as issued or a copy of the order modifying or denying the 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.

Notice is hereby given by: *Debra A. Martin*  
Well Operator: Trans Energy Inc.  
Telephone: 306-684-7053  
Email: lesliegearhart@transenergyinc.com & debbiemartin@transenergyinc.com

Address: 210 Second Street, P O Box 393  
St. Marys, WV 26170  
Facsimile: 304-684-3658

**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 [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).



Notary Seal

Subscribed and sworn before me this 14<sup>th</sup> day of May 2013.  
*Debra A. Martin* Notary Public  
My Commission Expires November 29, 2020

Received

JUN 6 2013

Office of Oil and Gas  
WV Dept. of Environmental Protection

**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:** 6/5/2013 **Date Permit Application Filed:** 6/5/2013

**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 records of the sheriff at the time of notice):

Name: Alan Cunningham      Name: \_\_\_\_\_  
Address: 104 Joy Way      Address: \_\_\_\_\_  
Fairmont, WV 26554      \_\_\_\_\_

**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: 550803  
County: Marion      Northing: 4383515  
District: Mannington      Public Road Access: Co Rd 4/2  
Quadrangle: Glover Gap      Generally used farm name: Batson  
Watershed: State Road Fork

**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 57<sup>th</sup> Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

Well Operator: Trans Energy Inc.      Address: 210 Second Street, P O Box 393  
Telephone: 304-684-7053      St. Marys, WV 26170  
Email: lesliegearhart@transenergyinc.com & debblemartin@transenergyinc.com      Facsimile: 304-684-3658

**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 [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

**Received**  
JUN 12 2013  
Office of Oil and Gas  
WV Dept. of Environmental Protection

08/27/2021







49 - 02265 -

49-02265

6/6

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
**Division of Highways**

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

Earl Ray Tomblin  
Governor

Paul A. Mattox, Jr., P. E.  
Secretary of Transportation/  
Commissioner of Highways

May 17, 2013

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

Subject: DOH Permit for the Batson Pad, Marion County  
Batson 1H Well site

Dear Dr. Martin,

This well site will be accessed from Permit 04-3013-0355 requested by Trans Energy, Inc. for access to the State Road for a well site located off of Marion County Route 4/2 SLS. A DOH permit to enter upon State Right of Way for a commercial driveway is being processed for approval.

The operator has signed a DISTRICT WIDE 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.

Very Truly Yours,

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

Cc: Leslie Gearhart  
P.O. Box 393  
St. Marys, WV 26170  
TransEnergy, Inc.  
CH, CHH, OM, D-4  
File

Received

MAY 22 2013

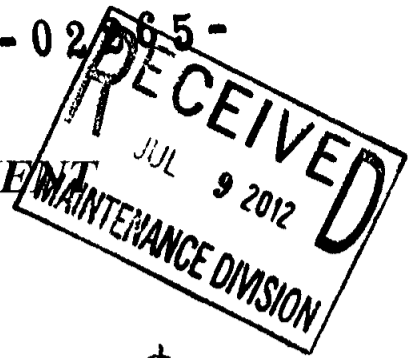
Office of Oil and Gas  
WV Dept. of Environmental Protection

08/27/2021



49 - 02565 -

**OIL AND GAS ROAD  
DISTRICT WIDE BONDING AGREEMENT  
For DOH District 4**



THIS AGREEMENT, executed in duplicate, made and entered into this 21<sup>st</sup> day of June, 2012, by and between the **WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS**, hereinafter called "DEPARTMENT," and Trans Energy Inc., \_\_\_\_\_ company, hereinafter called "COMPANY."

**WITNESSETH:**

**WHEREAS**, Company has horizontal gas well drilling operations in certain areas of West Virginia; and

**WHEREAS**, the Department believes that the frequent and repetitive use of certain sections of highways in the State by Company, its contractors, agents, independent contractors or suppliers of drilling materials or drilling equipment, and employees contributes to increased wear and tear to public roads in the state road system in the State, including local roads ("State Owned Roads"); and,

**WHEREAS**, the Department and Company have entered into this Agreement to satisfy the requirements of the Department's policy entitled "Oil & Gas Road Policy" dated January 3, 2012, as issued by Paul A. Mattox, Jr., Secretary of Transportation / Commissioner of Highways, and any subsequent related policies, hereinafter called "Policy", a copy of which is made a part of this Bonding Agreement and is identified as Attachment 1.

**NOW, THEREFORE**, for and in consideration of the mutual agreements hereinafter set forth, the parties agree as follows:

**I.** For purposes of this Bonding Agreement, "Project Transportation Usage" of the Company shall be understood to mean use of one or more State Owned Roads for the delivery and removal of drilling materials and drilling equipment at the site or location of one or more of Company's horizontal gas well pad locations. To the extent reasonably practical, prior to commencing use of a State Owned Road for Project Transportation Usage after January 1, 2011, the Company shall submit to the Department a section or sections of current official WVDOH County Highway maps identifying the exact location of the proposed project and the State Owned Roads that the Company will utilize for the Project Transportation Usage.

**II.** Company and Department shall within 14 days of the Company's submittal, agree to a list of these sections of State Owned Roads, hereinafter called "Project Roads List", to be utilized for each of Company's projects, identified by route number and milepost; at a time to be mutually agreed to by the parties prior to initial commencement of Project Transportation Usage of a particular State Owned Road on a Project Roads List, the Company and Department will jointly review the condition of the roads and bridges on the Project Roads List. The Department will document the road type and surface condition and general right-of-way width of each section of road on the Project Road List. Either party may supplement this documentation with photographs, video or other evidence of the present condition of the road surface, shoulders, ditches, culverts, bridges or other structures or appurtenances of roads on the Project Road List, as well as approaches to the roads, utility facilities located within or along the right-of-way, or any other condition, including third-party activities, that may affect the duties and responsibilities of the parties under this Agreement. A copy of any such documentation shall be made and provided to the other party within ten business days after the joint review of the roads on the Project Roads List.

**III.** Department shall issue a Project Agreement or Project Permit, as appropriate, to Company to use State Owned Roads and may include any minor or major improvements

required of Company prior to, during or after Project with the assignment of responsibilities of both parties prior to, during and after the operator has completed well fracturing..

IV. In the Project Agreement/Project Permit, the Department shall not require the use of State Owned Roads other than the roads proposed by Company unless the Department has safety concerns as to the Company's proposed roads. A failure to agree on roads that may otherwise be lawfully used for a particular Project Transportation Usage shall result in the designation of the State Owned Roads proposed by Company, with milepost determinations as designated by Department. This Agreement shall only cover portions of State Owned Roads designated on the Project Roads List.

V. For the duration of Company's Project Transportation Usage of the Stated Owned Roads on the Project Roads List, whether by the Company, its contractors (while working on behalf of Company), agents, independent contractors or suppliers of drilling materials or drilling equipment, or employees, the Company agrees to pay for all reasonable maintenance and repair costs incurred by the Department to repair areas of the State Owned Roads included in the Project Roads List that were directly damaged by Company's Project Transportation Usage, as determined to be reasonably necessary and appropriate by the Department. The Department shall keep a record of all labor performed by Department employees and contractors for such maintenance and repairs and shall send an invoice for the same to Company.

VI. Company shall be responsible for the cost of all maintenance and repairs reasonably necessary to put the existing roadways, bridges and appurtenances on the Project Roads List utilized for the Project Transportation Usage in the condition that existed immediately prior to the Project Transportation Usage. Company shall not be required to pay for maintenance or repairs to put any areas of such roadways, bridges and appurtenances on the Project Roads List in a condition better than the condition that existed immediately prior to the Project Transportation Usage. Company shall also not be required to pay for maintenance or repairs to any areas of these roadways, bridges or appurtenances on the Project Roads List that are not actually utilized for the Project Transportation Usage or for damage not caused by Project Transportation Usage.

VII. Company shall notify the Department in writing of Company's final completion of Project Transportation Usage for particular roadways, bridges and appurtenances on the Project Roads List. Within fourteen days after its receipt of written notification of the completion of the Project Transportation Usage for all roads on a Project Roads List, the Department will review the condition of the roadways, bridges and appurtenances on the Project Roads List actually utilized for the Project Transportation Usage and advise Company of any final repairs reasonably necessary to leave these roads, bridges and appurtenances in a condition reasonably deemed by Department to be equal to their condition prior to commencement of Project Transportation Usage; and, upon completion of all such final repairs by or on behalf of Company and acceptance by Department, the Company shall be released from all further liability for maintenance or repairs to roads, bridges, or appurtenances on said Project Roads List. Any maintenance or repair work under the Project Agreement/Project Permit for roads, bridges or appurtenances on the Project Roads List may be performed by a contractor directly chosen by the Company as approved by the Department, the Department's workforce, or a private contractor hired by the Department through the public bid process in accordance with state law, all of which work shall be subject to the standards and specifications of the Department.

VIII. In order to ensure performance of Company's performance and payment obligations under this Bonding Agreement, the Company shall post a corporate surety bond, hereinafter called "**Master Bond**", with the Department named as the beneficiary, which form of bond shall be subject to the consent of the Department, not to be unreasonably withheld. The amount and form of the bond shall be in accordance with the Policy as set forth above. However, the amount of the Master Bond does not limit the amount of claims that may be made by the Department against the Company under this Bonding Agreement. The Company shall provide the Master Bond to the Department within one (1) month after the execution of this Bonding Agreement. The Master Bond shall secure the good faith performance of all payment obligations of Company under the terms of this Bonding Agreement respecting the roads, bridges and appurtenances on the Project Roads List for each Project Transportation Usage undertaken by the Company, and shall remain in effect until termination of this Agreement. Company shall not be obligated to provide any other bonds, sureties, or other guarantees of performance to the

Department for Company's use of State Owned Roads, except as required in this Agreement.

**IX.** Company shall maintain Commercial General Liability Insurance in the amount of two million dollars, with a minimum coverage of one million dollars per occurrence, for personal injury or death to persons, or for property damage, resulting from Company's Project Transportation Usage and shall present evidence of such insurance to Department upon request.

**X.** Company's usage of State Owned Roads under the Project Agreement/Project Permit shall comply with all applicable Federal, State and local laws and regulations including, but not limited to, to the extent applicable, the National Environmental Policy Act, Section 404 of the Clean Water Act, Section 106 of the National Historic Preservation Act, Rare, Threatened and Endangered Species Act, Section 401 Water Quality Certification, and hazardous waste requirements. Further, upon reasonable written request of Department, Company shall furnish Department with acceptable documentation of such compliance which is in the possession of the Company.

**XI.** Company shall defend, indemnify and hold Department harmless from and against any and all losses, damage, and liability, and from all claims for damages on account of or by reason of bodily injury, including death, which may be sustained, or claimed to be sustained, by any person or persons, including employees of Department, and from and against any and all claims, losses or liabilities for damages to property, arising out of the negligent or willful acts or omissions of Company, its agents, independent contractors and suppliers of drilling materials or drilling equipment, employees and contractors, in the performance of all Project Transportation Usage activities undertaken pursuant to this Agreement (collectively, "claims"). The Company shall not be responsible to indemnify, defend or hold harmless Department for any claims caused by the negligent or willful acts or omissions of the Department or its agents, employees and contractors or third parties not performing work at the direction of Company or delivering drilling equipment or drilling materials, including water, for use by or for company.

**XII.** If a provision of this Agreement is or becomes illegal, invalid or unenforceable in any jurisdiction, that shall not affect the validity or enforceability of any other provision of this Agreement; or the validity or enforceability in other jurisdictions of that or any other provision of this Agreement.

**XIII.** Department shall give Company a minimum of thirty days written notice of default under the terms of this Bonding Agreement and the opportunity to cure this default during such thirty-day period. If a default is not cured to the satisfaction of Department, or provision acceptable to Department is not made for a cure, Department may then elect to terminate this Bonding Agreement in whole or in part, and may in addition exercise its rights under the Master Bond or seek any other lawful relief available. Company may terminate this Bonding Agreement upon thirty days written notice to Department for any reason. In the event Company terminates this Agreement for any reason, it shall be liable for the repair and maintenance costs set forth above for prior Project Transportation Usage.

**XIV.** Nothing herein shall be construed to mean that Company shall have any jurisdiction or control over any public roads in the state road system.

**XV.** Company, its contractors, agents, employees and suppliers shall at all times be subject to applicable provisions of state and federal law, including without limitation laws requiring operation of vehicles in accordance with legal size and weight restrictions and posted weight limits. Oversize/overweight permits for vehicle or loads not otherwise conforming with law must be obtained in accordance with law; Department agrees to work in good faith with Company to review and grant (where authorized by law) such permits in a timely manner upon request by Company.

**XVI.** This Bonding Agreement shall be construed and enforced in accordance with the laws of the State of West Virginia, as they may be amended.

**XVII.** This Bonding Agreement shall be binding upon the successors and assigns of each party hereto.

Received  
6 2013  
08/27/2021  
WV Dept. of Environmental Protection

IN WITNESS WHEREOF, the parties hereto have caused this Bonding Agreement to be executed by their duly authorized officers effective as of the date first above written.

WEST VIRGINIA DEPARTMENT OF  
TRANSPORTATION,  
DIVISION OF HIGHWAYS

Doreen Baria  
Witness - Executive Secretary

By: Mamie Murphy  
State Highway Engineer

Trans Energy Inc

John L. Furnis  
Witness

By: Leslie Albrecht  
Title: VP - Operations

(To be executed in duplicate)

APPROVED AS TO FORM THIS  
20 DAY OF July 20 12  
[Signature]  
ATTORNEY LEGAL DIVISION  
WEST VIRGINIA DIVISION  
OF HIGHWAYS

Received

08/27/2021

JUL 26 2012

Office of Oil and Gas  
West Virginia Department of Environmental Protection

## Attachment V - Planned Additives to be used in Fracturing or Stimulations

Product Name	Product Use	Chemical Name	CAS Number
ALPHA 1427	Biocide	Didecyl Dimethyl Ammonium Chloride	007173-51-1
		Ethanol	000064-17-5
		Glutaraldehyde (Pentanedio)	000111-30-8
		Quaternary Ammonium Compound	068424-85-1
		Water	007732-18-5
BF-7L	Buffer	Potassium Carbonate	000584-08-7
ClayCare	Clay Stabilizer	Choline Chloride	000067-48-1
		Water	007732-18-5
Enzyme G-1	Breaker	No Hazardous Components	NONE
ENZYME G-NE	Breaker	No Hazardous Components	NONE
FRW-18	Friction Reducer	Petroleum Distillate Hydrotreated Light	064742-47-8
GW-3LDF	Gel	Petroleum Distillate Blend	N/A-014
		Polysaccharide Blend	N/A-021
SCALETROL 720	Scale Inhibitor	Diethylene Glycol	000111-46-6
		Ethylene Glycol	000107-21-1
XLW-32	Crosslinker	Boric Acid	010043-35-3
		Methanol (Methyl Alcohol)	000067-56-1
APB01 (AMMONIUM PERSULFATE BREAKER)	Breaker	Ammonium Persulfate	007727-54-0
B05 (LOW PH BUFFER)	Buffer	Acetic acid	000064-19-7
BXL03 Borate XL Delayed High Temp	Crosslinker	No Hazardous Components	NONE
FRW-200	Friction Reducer	No Hazardous Components	NONE
HVG01 (TURQUOISE-1 BULK)	Gelling Agent	Petroleum Distillate Hydrotreated Light	064742-47-8
KCLS-4	Clay Stabilizer	No Hazardous Components	NONE
LTB-1	Breaker	Ammonium Persulfate	N/A
		Ethanol	000064-17-5

Received

JUN 6 2013

Office of Oil and Gas  
WV Dept. of Environmental Protection

08/27/2021

EC6110A	Biocide	Glutaraldehyde (Pentanediol)	000111-30-8
		Quaternary Ammonium Compounds	N/A-063
EC6629A	Biocide	No Hazardous Components	NONE
WBK-133 OXIDIZER	Breaker	Ammonium Persulfate	007727-54-0
WBK-134	Breaker	Ammonium Persulfate	007727-54-0
		Crystalline Silica (Quartz Sand, Silicon Dioxide)	014808-60-7
WCS-631LC	Clay Stabilizer	Proprietary Non Hazardous Salt	N/A-229
		Water	007732-18-5
WFR-55LA	Friction Reducer	No Hazardous Components	NONE
WGA-15L	Gel	Petroleum Distillate Hydrotreated Light	064742-47-8
WPB-584-L	Buffer	Potassium Carbonate	000584-08-7
		Potassium Hydroxide	001310-58-3
WXL-101LE	Crosslinker	No Hazardous Components	NONE
WXL-101LM	Crosslinker	Petroleum Distillate Hydrotreated Light	064742-47-8
WXL-105L	Crosslinker	Water	007732-18-5
		Ethylene Glycol	000107-21-1
		Boric Acid	010043-35-3
		Ethanolamine	000141-43-5
B244 Green-Cide 25G	Biocide	Glutaraldehyde	111-30-8
L071 Temporary Clay Stabilizer	Clay Stabilizer	Cholinium Chloride	67-48-1
Breaker J218	Breaker	Diammonium Peroxidisulphate	7727-54-0
EB-Clean* J475 Breaker		Diammonium Peroxidisulphate	7727-54-0
Friction Reducer B315	Friction Reducer	Distillates (petroleum), Hydrotreated light Aliphatic Alcohol Glycol Ether	64742-47-8 Proprietary
Friction Reducer J609		Ammonium Sulfate	7783-20-2
Water Gelling Agent J580	Gel	Carbohydrate Polymer	Proprietary
Scale Inhibitor B317	Scale Inhibitor	Trisodium ortho phosphate Ethane-1, 2-diol	7601-54-9 107-21-1
Borate Crosslinker J532	Crosslinker	Aliphatic polyol Sodium tetraborate decahydrate	Proprietary 1303-96-4
Crosslinker J610		Aliphatic polyol Potassium hydroxide	Proprietary 1310-58-3

Received

JUN 6 2013

Office of Oil and Gas  
WV Dept. of Environmental Protection

08/27/2021