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west virginia department of environmental protection

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Office of Oil and Gas  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304  
(304) 926-0450  
fax: (304) 926-0452

Harold D. Ward, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

Wednesday, May 21, 2025  
WELL WORK PERMIT  
Horizontal 6A / New Drill

MARION NATURAL ENERGY LLC  
707 VIRGINIA ST. EAST, SUITE 1200

CHARLESTON, WV 25301

Re: Permit approval for Upton 9H  
47-049-02584-00-00

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: Upton 9H  
Farm Name: Jerry N & Barbara J Bland  
U.S. WELL NUMBER: 47-049-02584-00-00  
Horizontal 6A New Drill  
Date Issued: 5/21/2025

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## 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

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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. 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. Also, 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.
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.

05/23/2025

WW-6B  
(04/15)

API NO. 47- \_\_\_\_\_  
OPERATOR WELL NO. 9H \_\_\_\_\_  
Well Pad Name: Upton \_\_\_\_\_

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

1) Well Operator: Marion Natural Energy LLC	494531958	Marion	Lincoln	Grant Town
	Operator ID	County	District	Quadrangle

2) Operator's Well Number: 9H Well Pad Name: Upton

3) Farm Name/Surface Owner: Jerry & Barbara Bland Public Road Access: Davy Run Rd

4) Elevation, current ground: 1,380' Elevation, proposed post-construction: 1,372'

5) Well Type (a) Gas ☒ Oil ☒ Underground Storage ☒  
Other ☒

(b) If Gas Shallow ☒ Deep ☒  
Horizontal ☒

6) Existing Pad: Yes or No No

7) Proposed Target Formation(s), Depth(s), Anticipated Thickness and Expected Pressure(s):  
Marcellus, 7,969'-7999', 30', 5200 PSI

8) Proposed Total Vertical Depth: 7,985'

9) Formation at Total Vertical Depth: Marcellus

10) Proposed Total Measured Depth: 9,997'

11) Proposed Horizontal Leg Length: 1,035'

12) Approximate Fresh Water Strata Depths: 950'

13) Method to Determine Fresh Water Depths: Drillers log from offset wells

14) Approximate Saltwater Depths: 1,600, 2,169'

15) Approximate Coal Seam Depths: 200', 712'

16) Approximate Depth to Possible Void (coal mine, karst, other): NA

17) Does Proposed well location contain coal seams directly overlying or adjacent to an active mine? Yes \_\_\_\_\_ No ☒

(a) If Yes, provide Mine Info: Name: \_\_\_\_\_  
Depth: \_\_\_\_\_  
Seam: \_\_\_\_\_  
Owner: \_\_\_\_\_

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WW-6B  
(04/15)API NO. 47- \_\_\_\_\_  
OPERATOR WELL NO. 9H  
Well Pad Name: Upton

18)

CASING AND TUBING PROGRAM

TYPE	Size (in)	New or Used	Grade	Weight per ft. (lb/ft)	FOOTAGE: For Drilling (ft)	INTERVALS: Left in Well (ft)	CEMENT: Fill-up (Cu. Ft.)/CTS
Conductor	24"	New	NA	94.71	100'	100'	CTS
Fresh Water	13-3/8"	New	J-55	54.5	1,080'	1,050'	CTS
Coal					NA	NA	
Intermediate	9-5/8"	New	J-55	36	2,355'	2,325'	CTS
Production	5-1/2"	New	P-110	20	9,997'	9,967'	1,997
Tubing	2-7/8"	New	P-110	6.5	NA	8,500'	NA
Liners							

TYPE	Size (in)	Wellbore Diameter (in)	Wall Thickness (in)	Burst Pressure (psi)	Anticipated Max. Internal Pressure (psi)	Cement Type	Cement Yield (cu. ft./k)
Conductor	24"	32"	.375"	NA	NA	Class A or L	1.19
Fresh Water	13-3/8"	17 1/2"	.380"	2,740	1,600	Class A or L	1.14
Coal							
Intermediate	9-5/8"	12 3/8"	.352"	3,520	2,800	Class A or L	1.13
Production	5-1/2"	8 3/4"	.361"	15,590	11,500	50:50 Poz	1.16
Tubing	2-7/8"	NA	.217"	13,870	NA	NA	NA
Liners							

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Kind:				
Sizes:				
Depths Set:				



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

Utilize auger rig to set cellar & conductor. The conductor will be set with cement to surface. Mobilize drilling rig and drill surface section on air. Run surface (freshwater & coal string) casing to desired depth. The surface casing will not penetrate sea level. Surface casing will be cemented to surface. Drill intermediate section on air. Run intermediate casing to desired depth. Intermediate casing will be cemented to surface. Drill on air the production section to the start of the curve (KOP). The well will be loaded with synthetic oil base drilling mud (SOBM). Finish drilling the production section utilizing MWD surveys and geosteering practices to maintain the wellbore in the Marcellus shale and prevent anti-collision. Production casing will be ran to TD and cement top will be inside the intermediate casing.

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

A cement bond log will determine the top of production casing cement. The production casing will be pressure tested. The hydraulic fracturing equipment will then open the toe sleeves and begin pumping the first stage. The plug-and-perf method will be used for the remaining stages. The max anticipated pressure during frac is 11,200psi and a max rate of 100bpm. Once frac has finished, a drill out rig will drill all the plugs out of the well. Flowback will then be rigged up and flowback of the well will begin until it is ready to be turned in line via casing flow. At a later time during the life of the well, production tubing will be installed based on the wells performance.

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 37.54

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22) Area to be disturbed for well pad only, less access road (acres): 15.37

APR 18 2025

23) Describe centralizer placement for each casing string:

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Surface: shoe track & every 3rd joint to surface  
Intermediate: shoe track & every 3rd joint to surface  
Production: Rigid bow centralizers at shoe track & every joint in the lateral to KOP. Bow springs from KOP to surface every third joint.

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

Surface: Class A or L Cement + Max 3% bwoc Calcium Chloride Fresh Water blend.  
Intermediate: Class A or L Cement + Max 3% bwoc Calcium Chloride + Fresh Water.  
Production: 50:50 Poz (Fly Ash & Class A or L) plus additives such as defoamer, retarder, & fluid loss to meet well specific requirements

25) Proposed borehole conditioning procedures:

Surface & intermediate on air will utilize high volumetric flow rates of air to ensure the wellbore is clean prior to TOH.  
Production section will utilize synthetic oil based drilling mud to properly clean the wellbore. At TD, pump rate and rotation will be maximized and tripping will not begin until shakers flow clean.  
Production casing will be circulated prior to cementing to ensure a prepared wellbore for cement.

\*Note: Attach additional sheets as needed.

05/23/2025





Upton 9H Area of Review

API Number	Well Name	Well Number	Operator	Latitude (NAD 83)	Longitude (NAD 83)	TMP	TVD	Producing Formation
049-00865	Benrtrice Amos	97	WV Mineral Group LLC	39.546149	-80.20093	11-11-13	2919'	NA

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# Mine Contingency Plan

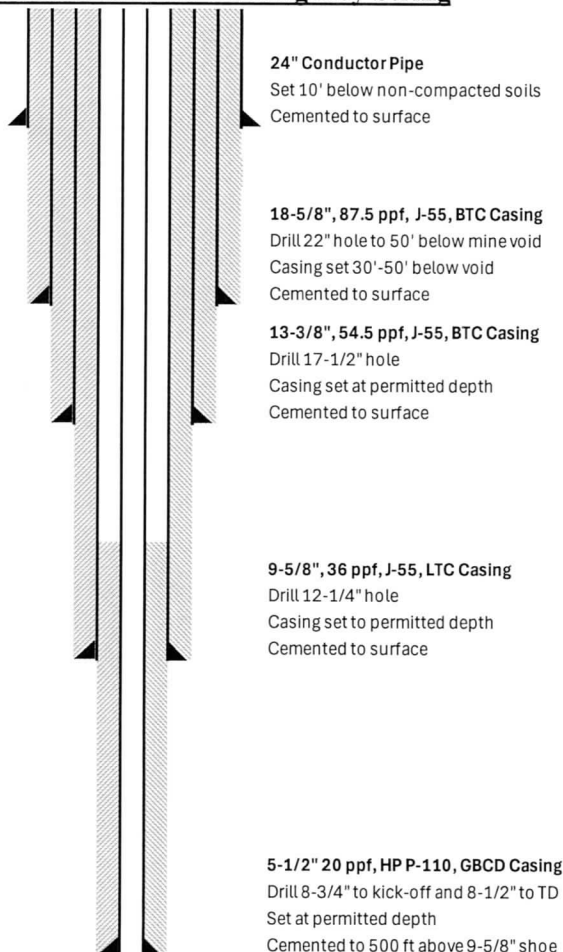
Due to the possibility of encountering an unexpected mine/void, a mine contingency plan has been put in place to cover all areas of our operation. If a mine/void is encountered, any accumulated gases will be diverted away from drilling operations a safe distance through the blooey line and flare system prior to continuing operations.

All casing programs submitted to the state are designed so that a mine contingency string can be run, should a mine/void be encountered while drilling the surface section. This is done by setting 24" conductor pipe to allow for the use of a 22" bit to ream the previously drilled 17-1/2" hole. This allows for 18-5/8" casing to be run through the mine/void, and cement in place without altering the design of the other strings. Should a mine/void be encountered during the surface section, the following steps would be taken:

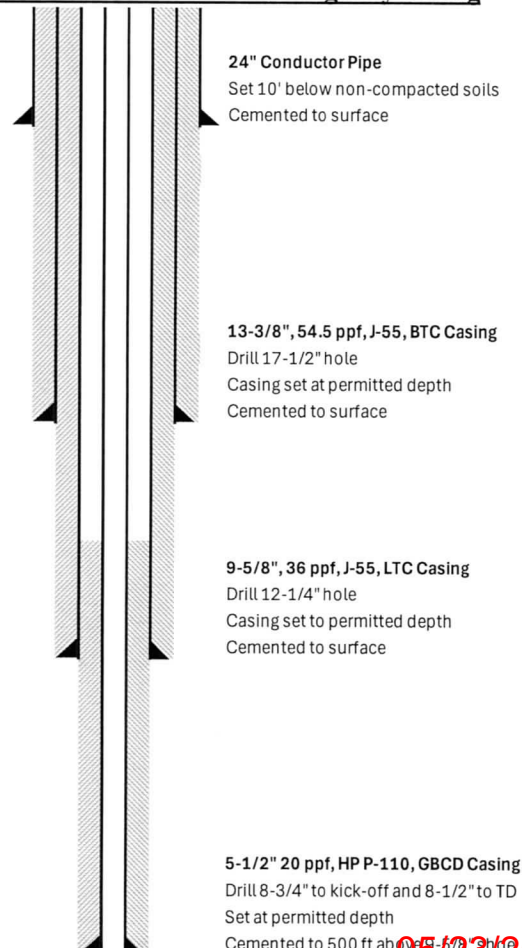
1. Ream/drill 22" hole to 50 ft below the mine/void encountered.
2. Run 18-5/8" casing to 30-50 ft below the base of the void.
  - Cement baskets installed directly above and below the void.
3. Cement section below the void in place via balanced method.
  - 100% excess cement planned.
4. Cement section above the void to surface via top fill techniques.
  - 30% excess cement planned.
5. Wait on cement.
6. Drill 17-1/2" hole to permitted depth.
7. Run 13-3/8" surface casing, cement in place, and continue as permitted.

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**Schematic w/ Mine Contingency String**



**Schematic w/out Mine Contingency String**



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April 16, 2025

Attn: Charles Taylor Brewer, Assistant Chief – Permitting  
WV Department of Environmental Protection  
Office of Oil and Gas  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

Re: Order No. 2022-14

Dear Mr. Brewer,

Marion Natural Energy ("MNE") would like to provide notice that it may use American Petroleum Institute ("API") Class L cement in place of API Class A cement as approved by Order No. 2022-14, attached hereto, on its Upton Pad well construction.

Should you have any questions please contact me at 304-212-0422 or by email at [hmedley@nne-llc.com](mailto:hmedley@nne-llc.com).

Sincerely,

A handwritten signature in cursive script that reads 'Hollie M. Medley'.

Hollie M. Medley  
Regulatory Manager

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Office of Oil and Gas  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
Phone (304) 926-0450

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

**BEFORE THE OFFICE OF OIL AND GAS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STATE OF WEST VIRGINIA**

**IN THE MATTER OF A VARIANCE FROM )  
LEGISLATIVE RULE 35CSR4 )  
SECTION 11.5 AND LEGISLATIVE RULE )  
35CSR8 SECTION 9.2.h.8., )  
RELATING TO THE CEMENTING )  
OF OIL AND GAS WELLS )**

**ORDER NO. 2022-14**

**REPORT OF THE OFFICE**

In response to industry requests, the West Virginia Department of Environmental Protection, Office of Oil and Gas has reviewed the proposed use of American Petroleum Institute (API) Class L cement to be used in place of API Class A cement for well construction.

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**FINDINGS OF FACT**

1. On July 14, 2022, Northeast Natural Energy (NNE) submitted a variance request from Legislative Rule 35CSR8 Section 9.2.h.8., for the use of API Class L cement in place of API Class A cement, relating to the construction of horizontal wells.
2. Laboratory analysis submitted by NNE on July 14, 2022, indicates API Class L cement is comparable to API Class A cement and thereby satisfies the requirements of the West Virginia Code.
3. Contemporaneously, the Chief of the Office of Oil and Gas also chose to consider a variance to Legislative Rule 35CSR4 Section 11.5., for the use of API Class L cement in place of API Class A cement, relating to the construction of vertical wells.

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4. On August 18, 2022, the Office of Oil and Gas provided public notice of acceptance of public comments on the variance consideration. During the 20-day public comment period, no comments were received.

### CONCLUSIONS OF LAW

Pursuant to Article 6 and Article 6A, Chapter 22 of the Code of West Virginia, the Office of Oil and Gas has jurisdiction over the subject matter, and the persons interested therein, and jurisdiction to promulgate the hereinafter prescribed Order.

Pursuant to Legislative Rule 35CSR4, Section 18 and Legislative Rule 35CSR8, Section 14, the Chief of the Office of Oil and Gas may grant a variance from any requirement of these rules.

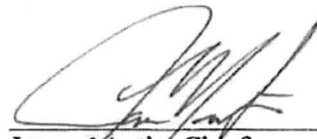
### ORDER

It is ordered that the Class L cement product approved and monogrammed by API is approved for use in place of API Class A cement for well construction subject to the provisions of Legislative Rule 35CSR4 and Legislative Rule 35CSR8.

Dated this, the 13th day of September, 2022.

IN THE NAME OF THE STATE OF WEST VIRGINIA

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

  
James Martin, Chief  
Office of Oil and Gas

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WW-9  
(4/16)API Number 47 - \_\_\_\_\_  
Operator's Well No. Upton 9HSTATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS

## FLUIDS/ CUTTINGS DISPOSAL &amp; RECLAMATION PLAN

Operator Name Marion Natural Energy LLC OP Code 494531958Watershed (HUC 10) Buffalo Creek Quadrange Grant TownDo you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes ☒ No ☐Will a pit be used? Yes ☐ No ☒If so, please describe anticipated pit waste: NAWill a synthetic liner be used in the pit? Yes ☐ No ☐ If so, what ml.? NA

Proposed Disposal Method For Treated Pit Wastes:

- ☐ Land Application
- ☐ Underground Injection ( UIC Permit Number \_\_\_\_\_)
- ☒ Reuse (at API Number unknown at this time, TBD)
- ☐ Off Site Disposal (Supply form WW-9 for disposal location)
- ☐ Other (Explain \_\_\_\_\_)

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-If left in pit and plan to solidify what medium will be used? (cement, lime, sawdust) \_\_\_\_\_

-Landfill or offsite name/permit number? Please See Attachment "A"

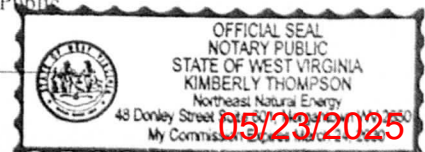
Permittee shall provide written notice to the Office of Oil and Gas of any load of drill cuttings or associated waste rejected at any West Virginia solid waste facility. The notice shall be provided within 24 hours of rejection and the permittee shall also disclose where it was properly disposed.

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT 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 Hollie MedleyCompany Official (Typed Name) Hollie MedleyCompany Official Title Regulatory ManagerSubscribed and sworn before me this 2 day of April, 20 25[Signature]

Notary Public

My commission expires March 24, 2030



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Operator's Well No. Upton 9HMarion Natural Energy LLCProposed Revegetation Treatment: Acres Disturbed 37.54 Prevegetation pH \_\_\_\_\_Lime 2 Tons/acre or to correct to pH 7Fertilizer type 19-19-19Fertilizer amount 300 lbs/acreMulch 2 Tons/acreSeed MixturesTemporaryPermanent

Seed Type	lbs/acre	Seed Type	lbs/acre
Orchard Grass	46	Orchard Grass	46
Red Clover	8	Red Clover	8
Tetraploi Perennial Rye 16		Tetraploid Perennial Rye 16	
Timothy 15 Annual Rye 15		Timothy 15 Annual Rye 15	

## 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: Kenny Willett

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Title: Inspector Date: 4-8-25Field Reviewed? ( ☒ ) Yes ( ☐ ) No

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Attachment A to WW-9

Northeast Natural Energy LLC ("NNE") plans to utilize a closed loop process for its drilling of the well. Return flow from the well will be separated into its liquid and solid form. Liquids will be held in steel tanks and reused in the drilling and completion process or disposed of at an approved facility listed below. Solids removed from the stream will be diverted to steel half-round tanks where they will be solidified on site and taken to disposal as they are accumulated.

The Cuttings will be taken to disposal at one or more of the following disposal/approved waste facilities, unless listed facilities are no longer approved to accept waste at time of disposal:

- Westmoreland Sanitary Landfill (Noble Environmental) – Belle Vernon, PA (Permit # 100277)
- Chestnut Valley Landfill (Nobel Environmental) – McClellandtown, PA (Permit # 100419)
- APEX Environmental, LLC- Amsterdam, OH (Permit # PTI 06-08448)

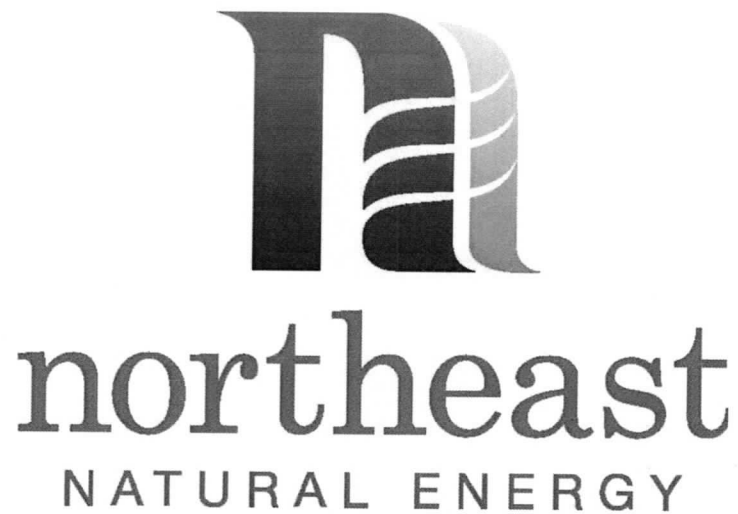
NNE plans to reuse and recycle all flowback fluid and/or reach out to other operators in the area who may be able to reuse and recycle such fluid. However, in the event that reuse is not obtainable the fluid will be disposed of at one, or multiple, of the following disposal/approved waste facilities unless listed facilities are no longer approved to accept waste at time of disposal:

UIC Well Name	Owner/Operator	API No.
K & H Disposal	Tall Grass	47-061-01689
Dennison Disposal Well	Dennison Disposal	34-157-2-5507
Nichols	Select Water	34-167-2-3862
Goff	Select Water	34-119-2-8776
Clearwater 3	Select Water	34-059-2-3986
Bo	Select Water	34-059-2-4473
Shields	Select Water	34-059-2-4445
Redbird #2	Redbird Development, LLC	34-167-2-9731
Redbird #4	Redbird Development, LLC	34-167-2-9767
Mills	Deep Rock Disposal	34-105-2-3619
Dexter City	Deep Rock Disposal	34-121-24037
Ritchie	Deep Rock Disposal	47-085-09721

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# **Upton**

## **Site Safety Plan**

*Kenny Willett*

4-8-25

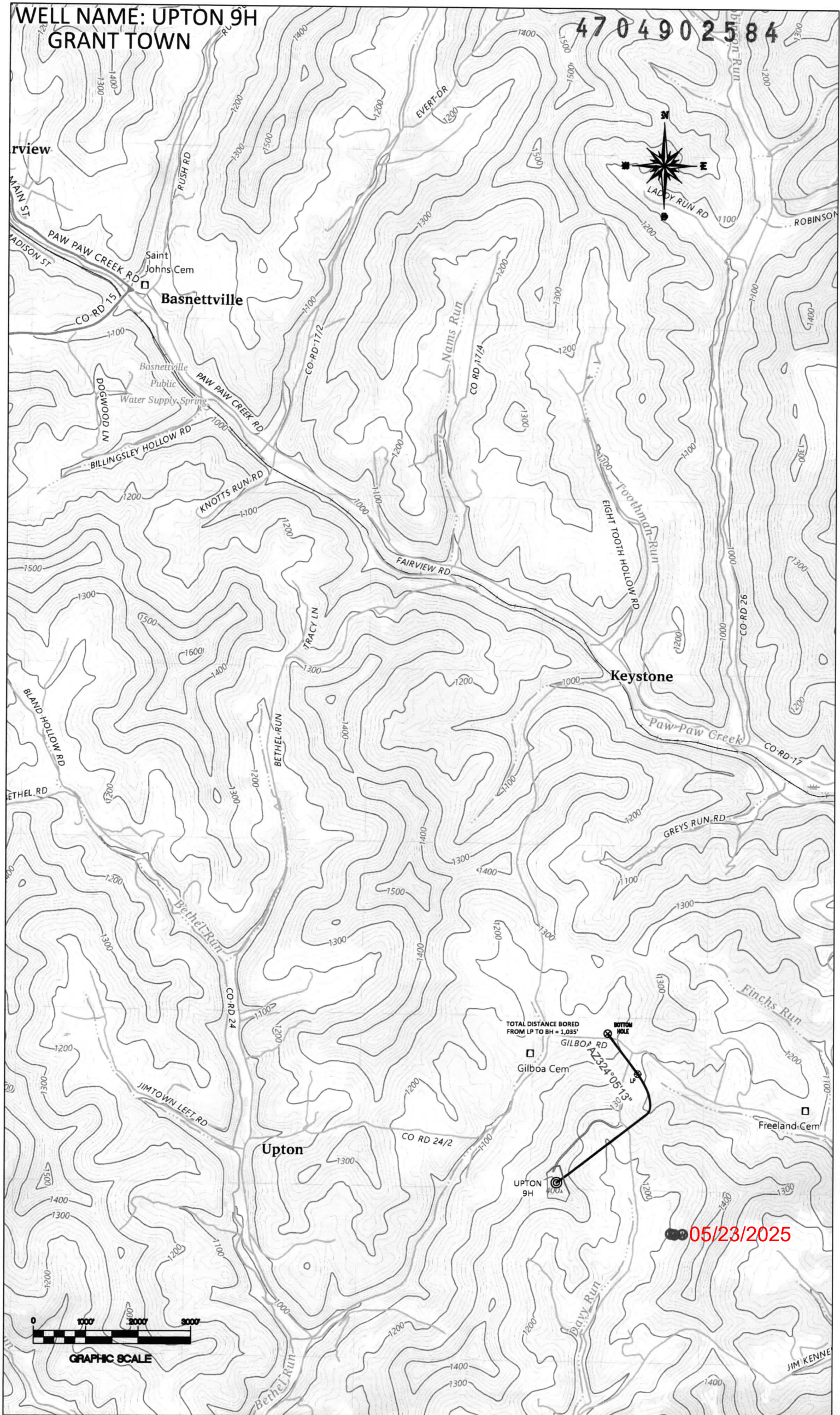
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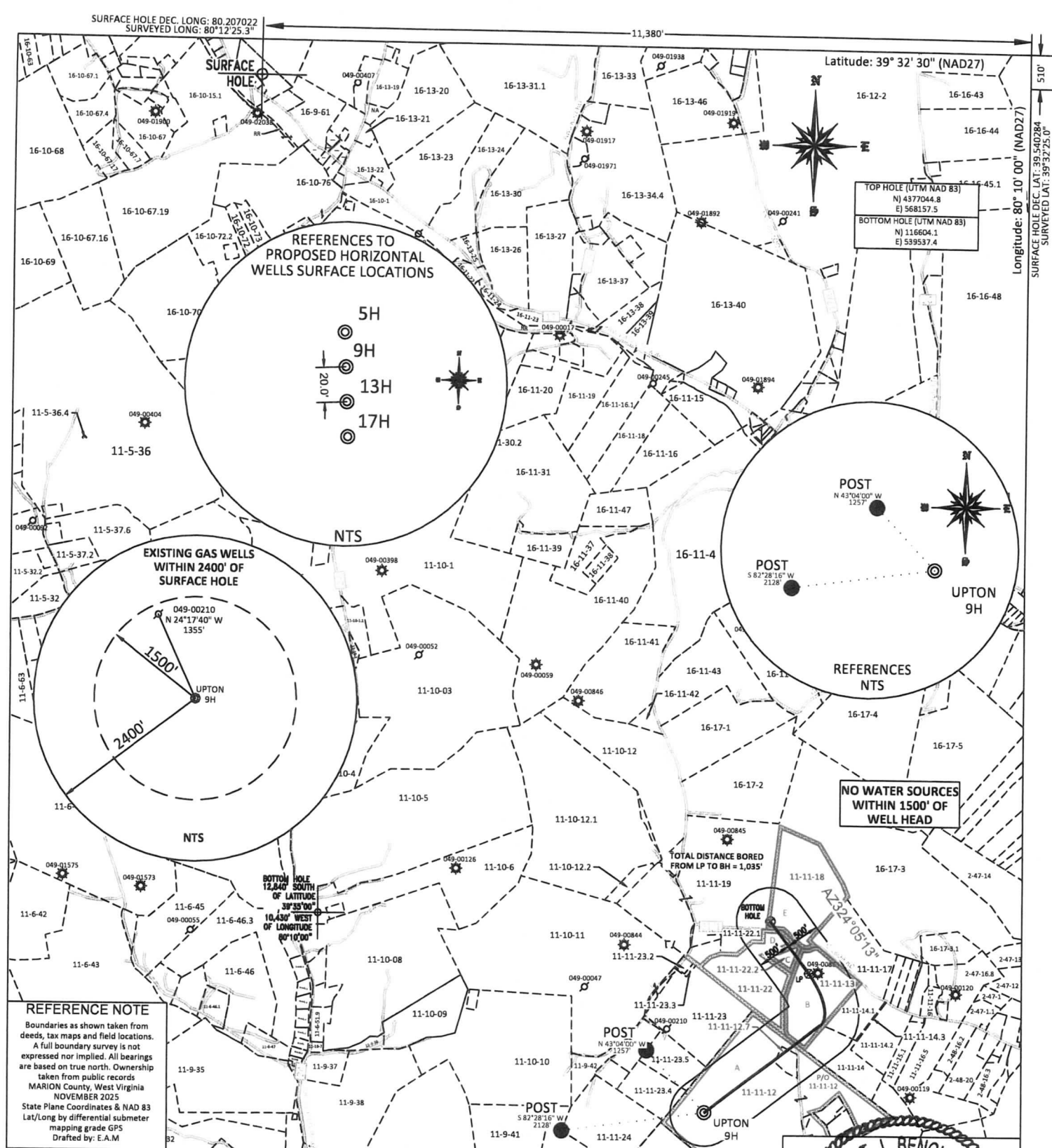
WELL NAME: UPTON 9H  
GRANT TOWN

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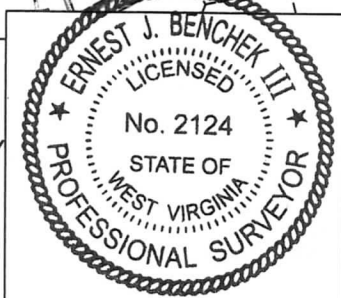




**REFERENCE NOTE**  
Boundaries as shown taken from deeds, tax maps and field locations. A full boundary survey is not expressed nor implied. All bearings are based on true north. Ownership taken from public records MARION County, West Virginia NOVEMBER 2025 State Plane Coordinates & NAD 83 Lat/Long by differential submeter mapping grade GPS Drafted by: E.A.M

FILE #: NEE14  
DRAWING #: 4063  
SCALE: PLAT: 1" = 2000'  
TICK MARK: 1" = 2000'  
MINIMUM DEGREE OF ACCURACY: 1/200  
PROVEN SOURCE OF ELEVATION: SUBMETER MAPPING GRADE GPS

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND PRESCRIBED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.  
Signed: [Signature]  
L.L.S. #2124 : Ernest J. Benchek III



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS WVDEP  
OFFICE OF OIL & GAS  
601 57TH STREET  
CHARLESTON, WV 25304  
Well Type: ☐ Oil ☐ Waste Diposal ☐ Production ☐ Deep  
☒ Gas ☐ Liquid Injection ☐ Storage ☒ Shallow  
WATERSHED: BUFFALO CREEK  
COUNTY/DISTRICT: MARION / LINCOLN  
SURFACE OWNER: JERRY N & BARBARA J BLAND  
OIL & GAS ROYALTY OWNER: Benjamin J. Johnson, et al.  
LEASE NUMBERS: \_\_\_\_\_  
DATE: APRIL 1, 2025  
OPERATOR'S WELL #: UPTON 9H  
API WELL #: 47 49 02584  
STATE COUNTY PERMIT  
PROPOSED ELEVATION: 1,372.32'  
QUADRANGLE: GRANT TOWN  
ACREAGE: 106.48 05/23/2025  
ACREAGE: 190.21 +/-  
TARGET FORMATION: MARCELLUS  
WELL OPERATOR: MARION NATURAL ENERGY LLC  
ADDRESS: 707 VIRGINIA STREET EAST, SUITE 1200  
CITY: CHARLESTON STATE: WV ZIP CODE: 25301  
ESTIMATED DEPTH: TVD: 7,985' TMD: 9,997.03'  
DESIGNATED AGENT: L. Brett Loflin  
ADDRESS: 707 VIRGINIA STREET EAST, SUITE 1200  
CITY: CHARLESTON STATE: WV ZIP CODE: 25301

	PROPERTY OWNER INDEX
11-11-12	JERRY N & BARBARA J BLAND
11-11-12.7	DOUGLAS P TOOTHMAN
11-11-13	DAVID SCHOEWE
11-11-22.2	DAVID J & MELISSA M KUCISH
11-11-22	DAVID SCHOEWE
11-11-18	DAVID B & DELAINA S KUCISH

	LEASE INDEX
A	WV-049-106694-002
B	WV-049-106597-001
C	WV-049-106711-001
D	WV-049-106402-001
E	WV-049-106720-001

05/23/2025

FILE #: NEE14

DRAWING #: 4063

SCALE: N/A

DATE: APRIL 1, 2025

OPERATOR’S WELL #: UPTON 9H

API WELL #: 47 49 02584  
STATE COUNTY PERMIT



**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
See Attached				

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WV Department of  
Environmental Protection

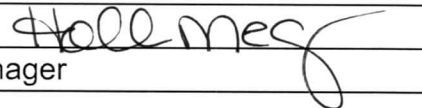
**Acknowledgement of Possible Permitting/Approval  
In Addition to the Office of Oil and Gas**

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: Marion Natural Energy, LLC

By: Hollie Medley 

Its: Regulator Manager

Tract Letter	Lease Number	Grantor, Lessor, Etc.	Grantee, Lessee, Etc.	Royalty	Book	Page
A	WV-049-106694-002	Venable Royalty, Ltd., V14 LP, and JVO, LLC	Marion Natural Energy LLC	12.5% or greater	1371	920
	WV-049-106694-003	Ashley B. Finniss	Marion Natural Energy LLC	12.5% or greater	1369	61
	WV-049-106694-004	Benjamin J. Johnson	Marion Natural Energy LLC	12.5% or greater	1369	726
	WV-049-106694-005	Amber Marie Rush	Marion Natural Energy LLC	12.5% or greater	1369	728
B	WV-049-106597-001	Virginia H. Amos, widow, Beatrice Amos, unmarried, Blanch Amos, unmarried, Edna Amos, unmarried, John Amos and Merriam H. Amos, his wife, and Clyde Amos, single	Owens Bottle Company	12.5% or greater	286	536
	N/A	Owens-Illinois Glass Company	Owens-Illinois, Inc.	Name Change	64	5
	N/A	Owens-Illinois, Inc.	Owens-Illinois Glass Container, Inc.	Assignment	11	584
	N/A	Owens-Illinois Glass Container, Inc.	Noumenon Corporation	Assignment	11	1198
		<b>Noumenon Corporation</b>	<b>Marion Natural Energy LLC</b>	<b>Assignment</b>	<b>1352</b>	<b>988</b>
C	WV-049-106711-001	David Jason Kucish and Melissa M. Kucish	Marion Natural Energy LLC	12.5% or greater	1361	115
D	WV-049-106402-001	David L. Schoewe	Marion Natural Energy LLC	12.5% or greater	1324	24
E	WV-049-106720-001	David B. Kucish and Delaina Kucish	Marion Natural Energy LLC	12.5% or greater	1365	499

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4704902584

March 18, 2025

WV Department of Environmental Protection  
Office of Oil and Gas Management  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

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APR 18 2025  
WV Department of  
Environmental Protection

RE: Upton 9H Short

Dear Permit Reviewer:

Please be advised that Northeast Natural Energy LLC has the right to drill, extract and produce the minerals beneath the following as identified on the included plat:

- Davys Run Road
- Gilboa Road (Route 21/1)

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler C. Murray', is written over a horizontal line.

Tyler Murray  
Landman II

05/23/2025



4704902584

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

Date of Notice Certification: 4-16-2025

API No. 47- \_\_\_\_\_  
Operator's Well No. <sup>9H</sup> \_\_\_\_\_  
Well Pad Name: Upton

**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>568157.5</u>
County:	<u>Marion</u>		Northing:	<u>4377044.8</u>
District:	<u>Lincoln</u>	Public Road Access:		<u>Davy Run Rd</u>
Quadrangle:	<u>Grant Town</u>	Generally used farm name:		<u>Upton</u>
Watershed:	<u>Buffalo Creek</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.

<p>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:</p> <p>*PLEASE CHECK ALL THAT APPLY</p> <p><input type="checkbox"/> 1. NOTICE OF SEISMIC ACTIVITY or <input checked="" type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED</p> <p><input checked="" type="checkbox"/> 2. NOTICE OF ENTRY FOR PLAT SURVEY or <input type="checkbox"/> NO PLAT SURVEY WAS CONDUCTED</p> <p><input checked="" type="checkbox"/> 3. NOTICE OF INTENT TO DRILL or <input type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED or</p> <p style="padding-left: 100px;"><input type="checkbox"/> WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)</p> <p><input checked="" type="checkbox"/> 4. NOTICE OF PLANNED OPERATION</p> <p><input checked="" type="checkbox"/> 5. PUBLIC NOTICE</p> <p><input checked="" type="checkbox"/> 6. NOTICE OF APPLICATION</p>	<p><b>OOG OFFICE USE ONLY</b></p> <p><input type="checkbox"/> RECEIVED/ NOT REQUIRED</p> <p><input checked="" type="checkbox"/> RECEIVED</p> <p><input checked="" type="checkbox"/> RECEIVED/ NOT REQUIRED</p> <p><input checked="" type="checkbox"/> RECEIVED</p> <p><input checked="" type="checkbox"/> RECEIVED</p> <p><input checked="" type="checkbox"/> RECEIVED</p>
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Office of Oil and Gas

**APR 18 2025**

WV Department of  
Environmental Protection

**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.

05/23/2025

4704902584

**Certification of Notice is hereby given:**

THEREFORE, I Hollie Medley, 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: Marion Natural Energy, LLC

By: Hollie Medley Hollie Medley

Its: Regulatory Manager

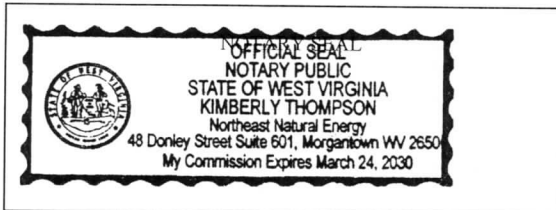
Telephone: 304-414-7060

Address: 707 Virginia St. E., Suite 1200

Charleston, WV 25301

Facsimile:

Email: hmedley@nne-llc.com



Subscribed and sworn before me this 16 day of April, 2025.

[Signature]

Notary Public

My Commission Expires March 24, 2030

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

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05/23/2025



WW-6A  
(9-13)

API NO. 47-**4704902584**  
OPERATOR WELL NO. <sup>9H</sup>  
Well Pad Name: Upton

**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:** 4/3/25 **Date Permit Application Filed:** 4/17/25

**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. 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)

Name: Jerry N Bland & Barbara J Bland

Address: 100 Avondale Rd

Fairmont, WV 26554

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☒ SURFACE OWNER(s) (Road and/or Other Disturbance)

Name: George Miller

Address: 567 Gilboa Rd.

Fairmont, WV 26554

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ SURFACE OWNER(s) (Impoundments or Pits)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☒ COAL OWNER OR LESSEE

Name: Tusc Land, LLC

Address: PO Box 31

New Philadelphia, OH 44663

☐ COAL OPERATOR

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☒ SURFACE OWNER OF WATER WELL AND/OR WATER PURVEYOR(s)

Name: Charles F Snoderly

Address: 478 Davys Run Rd

Fairmont, WV 26554

☐ OPERATOR OF ANY NATURAL GAS STORAGE FIELD

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\*Please attach additional forms if necessary

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05/23/2025



**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 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 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

05/23/2025



WW-6A  
(8-13)

4704902584  
API NO. 47- -  
OPERATOR WELL NO. 9H  
Well Pad Name: Upton

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  
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.**

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APR 18 2025  
WV Department of  
Environmental Protection

05/23/2025

**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.

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  
(8-13)

API NO. 47- **4704902584**  
OPERATOR WELL NO. <sup>9H</sup>  
Well Pad Name: Upton

**Notice is hereby given by:**

Well Operator: Marion Natural Energy LLC

Telephone: 304-414-7060

Email: hmedley@nne-llc.com

Address: 707 Virginia St. E., Suite 1200

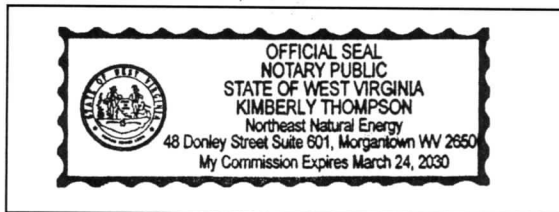
Charleston, WV 25301

Facsimile: \_\_\_\_\_

**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 of your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

*Hall me*



Subscribed and sworn before me this 2 day of April, 2025.

*Kimberly Thompson* Notary Public

My Commission Expires March 24, 2030




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47 04902584



UPTON WATER EXHIBIT  
APRIL 15, 2025  
SCALE - (1" = 1800')

1.  S 66°44'08" E 2398'
2.  S 67°07'54" E 2471'
3.  S 68°32'20" E 2610'

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Water Well Spreadsheet - UPTON										
	Water Source	LAT	LON	TM-P	Owner	Address	City	State	Zip	Distance From Center of Wells
1	SPRING	39.537729	-80.199074	11-11-11	CHARLES F SNODERLY	478 DAVYS RUN RD	FAIRMONT	WV	26554	2,398'
2	WELL	39.537694	-80.198811	11-11-11	CHARLES F SNODERLY	478 DAVYS RUN RD	FAIRMONT	WV	26554	2,471'
3	WELL	39.537712	-80.198272	11-11-11	CHARLES F SNODERLY	478 DAVYS RUN RD	FAIRMONT	WV	26554	2,610'

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4704902584



WW-6A3  
(1/12)

4704902584  
Operator Well No. Upton Pad

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF ENTRY FOR PLAT SURVEY**

**Notice Time Requirement:** Notice shall be provided at least **SEVEN (7)** days but no more than **FORTY-FIVE (45)** days prior to entry

**Date of Notice:** 6/2/2023 **Date of Planned Entry:** 6/12/2023

**Delivery method pursuant to West Virginia Code § 22-6A-10a**

☐ PERSONAL SERVICE      ☒ REGISTERED MAIL      ☐ METHOD OF DELIVERY THAT REQUIRES A RECEIPT OR SIGNATURE CONFIRMATION

Pursuant to West Virginia Code § 22-6A-10(a), Prior to filing a permit application, the operator shall provide notice of planned entry on to the surface tract to conduct any plat surveys required pursuant to this article. Such notice shall be provided at least seven days but no more than forty-five days prior to such entry to: (1) The surface owner of such tract; (2) to any owner or lessee of coal seams beneath such tract that has filed a declaration pursuant to section thirty-six, article six, chapter twenty-two of this code; and (3) any owner of minerals underlying such tract in the county tax records. The notice shall include a statement that copies of the state Erosion and Sediment Control Manual and the statutes and rules related to oil and gas exploration and production may be obtained from the Secretary, which statement shall include contact information, including the address for a web page on the Secretary's web site, to enable the surface owner to obtain copies from the secretary.

**Notice is hereby provided to:**

☒ SURFACE OWNER(s)

Name: See attached

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ COAL OWNER OR LESSEE

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ MINERAL OWNER(s)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\*please attach additional forms if necessary

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WV Department of  
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**Notice is hereby given:**

Pursuant to West Virginia Code § 22-6A-10(a), notice is hereby given that the undersigned well operator is planning entry to conduct a plat survey on the tract of land as follows:

State: West Virginia  
County: Marion  
District: Lincoln  
Quadrangle: Grant Town

Approx. Latitude & Longitude: 39.5403056, -80.2068278  
Public Road Access: Davy Run Rd.  
Watershed: Buffalo Creek  
Generally used farm name: Upton

Copies of the state Erosion and Sediment Control Manual and the statutes and rules related to oil and gas exploration and production 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). Copies of such documents or additional information related to horizontal drilling may be obtained from the Secretary by visiting [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

**Notice is hereby given by:**

Well Operator: Northeast Natural Energy  
Telephone: 304-414-7060  
Email: hmedley@nne-llc.com

Address: 48 Donley St., Suite 601  
Morgantown, WV 26501  
Facsimile: \_\_\_\_\_

**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).

05/23/2025

4704902584

**Upton Pad WW-6A3 Attachment**

Surface Owners

Jerry N. & Barbara J. Bland  
45 Cory Rd.  
Fairmont, WV 26554

James E. Hayes  
162 Tamarack Lane  
Fairmont, WV 26555

Donna G & Gerald. Herdman  
255 Sunday Dr.  
Fairmont, WV 26556

Jack Pipner  
143 Sunday Dr.  
Fairmont, WV 26557

Lewis E Kincaid (Life 957-206)  
79 Sunday Dr.  
Fairmont, WV 26558

David J & Melissa M. Kucish  
371 Gilboa Rd.  
Fairmont, WV 26559

David Schoewe & Janice Amos  
7450 Pine Vista Dr.  
Brighton, MI 48116

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**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF INTENT TO DRILL**

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:** 4-3-25 **Date Permit Application Filed:** 4-17-25

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

☐ HAND DELIVERY ☒ CERTIFIED MAIL  
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: Jerry N Bland & Barbara J Bland  
Address: 100 Avondale Rd.  
Fairmont, WV 26554

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**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:

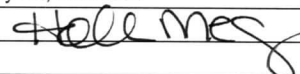
State: <u>West Virginia</u>	UTM NAD 83 Easting: <u>568157.5</u>
County: <u>Marion</u>	Norththing: <u>4377044.8</u>
District: <u>Lincoln</u>	Public Road Access: <u>Davy Run Rd</u>
Quadrangle: <u>Grant Town</u>	Generally used farm name: <u>Upton</u>
Watershed: <u>Buffalo Creek</u>	

**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 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).

**Notice is hereby given by:**

Well Operator: Marion Natural Energy, LLC  
Address: 707 Virginia St. E, Suite 1200  
Charleston, WV 25301  
Telephone: 304-414-7060  
Email: hmedley@nne-llc.com  
Facsimile: \_\_\_\_\_

Authorized Representative: Hollie Medley, Regulatory Manager  
Address: 48 Donley St., Suite 601  
Morgantown, WV 26501  
Telephone:   
Email: hmedley@nne-llc.com  
Facsimile: \_\_\_\_\_

**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 of your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).

Office of Oil and Gas  
Department of Environmental Protection  
APR 18 2025

05/23/2025



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

**4704902584**

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

**Date of Notice:** 4-3-25 **Date Permit Application Filed:** 4-17-25

**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: Jerry N Bland & Barbara J Bland

Address: 100 Avondale Rd.

Fairmont, WV 26554

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**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:	<u>West Virginia</u>	UTM NAD 83	Easting:	<u>568157.5</u>
County:	<u>Marion</u>		Northing:	<u>4377044.8</u>
District:	<u>Lincoln</u>	Public Road Access:	<u>Davy Run Rd</u>	
Quadrangle:	<u>Grant Town</u>	Generally used farm name:	<u>Upton</u>	
Watershed:	<u>Buffalo Creek</u>			

**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: Marion Natural Energy, LLC

Telephone: 304-414-7060

Email: hmedley@nne-llc.com

Address: 707 Virginia St. E., Suite 1200

Charleston, WV 25301

Facsimile: \_\_\_\_\_

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APR 18 2025  
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**4704902584**

**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:** 4-3-25 **Date Permit Application Filed:** 4-17-25

**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: George Miller  
Address: 567 Gilboa Rd  
Fairmont, WV 26554

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**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:	<u>West Virginia</u>	UTM NAD 83	Easting:	<u>568157.5</u>
County:	<u>Marion</u>		Northing:	<u>4377044.8</u>
District:	<u>Lincoln</u>	Public Road Access:	<u>Davy Run Rd</u>	
Quadrangle:	<u>Grant Town</u>	Generally used farm name:	<u>Upton</u>	
Watershed:	<u>Buffalo Creek</u>			

**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:	<u>Marion Natural Energy, LLC</u>	Address:	<u>707 Virginia St. E., Suite 1200</u>
Telephone:	<u>304-414-7060</u>		<u>Charleston, WV 25301</u>
Email:	<u>hmedley@mne-llc.com</u>	Facsimile:	_____

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**05/23/2025**





47 0 4 9 0 2 5 8 4

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

Office of the District Engineer/Manager  
District Four

Post Office Box 4220 · Clarksburg, West Virginia 26302 · (304) 842-1500

Alanna J. Keller, P.E.  
Deputy Secretary of Transportation  
Deputy Commissioner of Highways

Jimmy Wriston, P. E.  
Secretary of Transportation  
Commissioner of Highways

November 22, 2024

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 Upton Well Pad, Marion County  
Upton 5H Well Site Upton 9H Well Site Upton 13H Well Site Upton 17H Well Site

Dear Mr. Martin,

This well site will be accessed from a DOH permit #04-2024-2554 which has been issued to Marion Natural Energy LLC for access to the State Road for a well site located off Marion County Route 250/12 SLS MP 2.611.

This operator is in compliance with §22-6A-20 of the WV Code. Operator has signed a STATEWIDE 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 March 6, 2023. This letter is valid for permitting purposes for one year from the date of this letter.

Very Truly Yours,

Lacy D. Pratt  
Central Office O&G Coordinator

Cc: Kristen Brooks  
Marion Natural Energy LLC  
OM, D-4  
File

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WV Department of  
Environmental Protection



## Planned Additives to be used in Fracturing Stimulations

Trade Name	Purpose	Ingredients	Cemical Abstract Service Numner (CAS#)
Water	Carrier	Water	7732-18-5
HCl, 7.5%	Acidizing	Hydrochloric Acid Water	7647-01-0 7732-18-5
Sand (100 Mesh Proppant)	Proppant	Crystalline Silica (quartz)	14808-60-7
Sand (40-70 Mesh Proppant)	Proppant	Crystalline Silica (quartz)	14808-60-7
StimStream FR 9800	Friction Reducer	Acrylamide-Chloride Salt of Trimethylammonio-Ethyl Acrylate Copolymer Alkanes, C12-26-Branched and Linear Water Ethoxylated Alcohols (C12-16)	69418-26-4 90622-53-0 7732-18-5 68551-12-2
Clearal 268A	Biocide	Water Glutaraldehyde Quarternary Ammonium Compounds Didecyl dimethyl ammonium chloride Ethanol	7732-18-5 111-30-8 68424-85-1 7173-51-5 64-17-5
StimStream SC 405	Scale Inhibitor	AA/Maleic Anhydride Copolymer AA/ATBS Copolymer	9003-04-7 9003-05-8
Acid Pack Pro	Acid Inhibitor	Methanol Pyridnium, 1-(phenylmethyl)-,ethyl methyl derivs., chlorides Ethanoic Acid Ethoxylated Alcohols Proprietary Proprietary 2-ethylhexanol Ethoxylated Nonylphenos	67-56-1 68909-18-2 64-19-7 68131-39-5 Proprietary Proprietary 104-76-7 127087-87-0

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 Environmental Protection  
 APR 18 2025

4704902584

704902584

OPERATOR: Marion Natural Energy, LLC WELL NO: 9H

PAD NAME: Upton

REVIEWED BY: Hollie Medley SIGNATURE: Hollie Medley

## WELL RESTRICTIONS CHECKLIST

### HORIZONTAL 6A WELL

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Environmental Protection

#### Well Restrictions

- ☒ At Least 100 Feet from Pad and LOD (including any E&S Control Feature) to any Perennial Stream, Lake, Pond, Reservoir or Wetland; OR  
☐ DEP Waiver and Permit Conditions
- ☒ At Least 300 Feet from Pad and LOD (including any E&S Control Feature) to any Naturally Producing Trout Stream; OR  
☐ DEP Waiver and Permit Conditions
- ☒ At Least 1000 Feet from Pad and LOD (including any E&S Control Feature) to any Groundwater Intake or Public Water Supply; OR  
☐ DEP Waiver and Permit Conditions
- ☒ At Least 250 Feet from an Existing Water Well or Developed Spring to Well Being Drilled; OR  
☐ Surface Owner Waiver and Recorded with County Clerk, OR  
☐ DEP Variance and Permit Conditions
- ☒ At Least 625 Feet from an Occupied Dwelling Structure to Center of the Pad; OR  
☐ Surface Owner Waiver and Recorded with County Clerk, OR  
☐ DEP Variance and Permit Conditions
- ☒ At Least 625 Feet from Agricultural Buildings Larger than 2500 Square Feet to the Center of the Pad; OR  
☐ Surface Owner Waiver and Recorded with County Clerk, OR  
☐ DEP Variance and Permit Conditions

05/23/2025



TWO WORKING DAYS PRIOR TO EXCAVATION, THE  
CONTRACTOR MUST CONTACT THE WV ONE CALL  
SYSTEM, INC., 1-800-245-4848  
(WV ONE CALL TICKET #2317412674)

### OWNER

MARION NATURAL ENERGY LLC  
707 VIRGINIA STREET EAST, SUITE 1200,  
CHARLESTON, WV 25301



# UPTON WELL PAD LINCOLN DISTRICT, MARION COUNTY, WV OCTOBER 2024

## SHEET INDEX

1. TITLE SHEET
- 2-3. EVACUATION ROUTE/PREVAILING WIND
4. E&S CONTROL LAYOUT OVERVIEW
- 5-13. E&S CONTROL LAYOUT
14. E&S CONTROL AND SITE PLAN OVERVIEW
- 15-23. E&S CONTROL AND SITE PLAN
- 24-25. PROFILES
- 26-30. ACCESS ROAD #1 CROSS-SECTIONS
31. DAVY RUN ROAD & ACCESS ROAD #1 CROSS-SECTIONS
32. DAVY RUN ROAD & GILBOA ROAD CROSS-SECTIONS
33. GILBOA ROAD CROSS-SECTIONS
- 34-37. DETAILS
38. DETAILS & STREAM CROSSING PROFILES
39. RECLAMATION PLAN OVERVIEW
- 40-48. RECLAMATION PLAN

TOTAL DISTURBED AREA: 37.54 AC.  
ACCESS ROAD #1 DISTURBED AREA: 6.50 AC.  
WELL PAD DISTURBED AREA: 15.37 AC.  
AST PAD DISTURBED AREA: 5.02 AC.  
COUNTY ROAD RIGHT-OF-WAY AREA: 4.16 AC.  
COUNTY ROAD DISTURBED AREA: 1.68 AC.  
NO TREE CLEARING AREA: 4.81 AC.

PERMITTED PROJECT BOUNDARY : 37.44 ACRES  
PERMITTED PROJECT BOUNDARY REDUCTION : -1.43 ACRES  
ADDITIONAL PROJECT BOUNDARY : 1.53 ACRES  
TOTAL : 37.54 ACRES

PROPERTY OWNER DISTURBANCE -  
PERMITTED PROJECT BOUNDARY - 31.85 ACRES  
GEORGE MILLER (TAX MAP AND PARCEL NUMBER 11-11-22) 0.04 AC.  
JERRY N BLAND & BARBARA J BLAND (TAX MAP AND PARCEL NUMBER 11-11-12) 30.22 AC.  
GEORGE MILLER (TAX MAP AND PARCEL NUMBER 11-11-13) 1.47 AC.  
GEORGE MILLER (TAX MAP AND PARCEL NUMBER 11-11-17) 0.12 AC.

PROPERTY OWNER DISTURBANCE -  
ADDITIONAL PROJECT BOUNDARY - 1.53 ACRES.  
JERRY N BLAND & BARBARA J BLAND (TAX MAP AND PARCEL NUMBER 11-11-12) 1.49 AC.  
JOSHUA R & BETHANY D SYPOLT (TAX MAP AND PARCEL NUMBER 2-48-16) 0.04 AC.

*Kenny Willett*

4/14/25

IN ACCORDANCE WITH WV 35 CSR 8  
THE FOLLOWING EROSION & SEDIMENT CONTROL PLAN HAS BEEN  
DESIGNED IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES  
ESTABLISHED BY THE CHIEF AND PROVIDED IN THE OFFICE'S EROSION  
AND SEDIMENT CONTROL FIELD MANUAL. A GENERAL CONSTRUCTION  
SEQUENCE, DESCRIPTION OF STABILIZATION METHODS, AND DETAILS  
SPECIFICATIONS FOR EROSION & SEDIMENT BEST MANAGEMENT  
PRACTICES HAVE BEEN INCLUDED IN THE PROVIDED DETAIL SHEETS.

REVISIONS		
NO.	DATE	DESCRIPTION
1	3/3/2025	PULL OFF ADDED & WELL PAD MOVED

## TITLE SHEET

UPTON WELL PAD  
LINCOLN DISTRICT, MARION COUNTY,  
WEST VIRGINIA

## SHEET

1  
OF  
48

PLANS PREPARED BY:

**BOORD BENCHEK & ASSOC., INC.**  
ENGINEERING, SURVEYING, CONSTRUCTION AND MINING SERVICES  
SOUTHPOINTE, PA 15317 PHONE: 724-746-1055



ANDREW BENCHEK  
P.E.

DATE

## COORDINATES

SITE ENTRANCE (BEGIN PROJECT)  
(NAD 83)

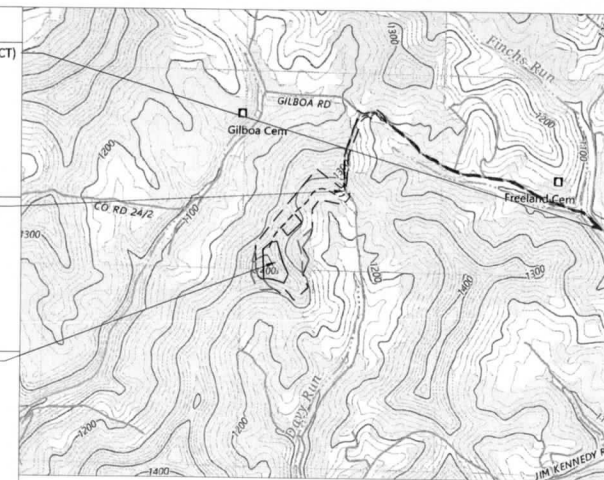
LAT: 39° 32' 31.54"  
LON: -80° 11' 15.06"  
LAT: 39.54209°  
LON: -80.18751°  
(NAD 27)  
LAT: 39° 32' 31.24"  
LON: -80° 11' 15.77"

WELL PAD ACCESS ROAD

(NAD 83)  
LAT: 39° 32' 36.38"  
LON: -80° 12' 09.02"  
LAT: 39.54343°  
LON: -80.20250°  
(NAD 27)  
LAT: 39° 32' 36.08"  
LON: -80° 12' 09.73"

CENTER OF WELLS

(NAD 83)  
LAT: 39° 32' 24.66"  
LON: -80° 12' 24.75"  
LAT: 39.54018°  
LON: -80.20688°  
(NAD 27)  
LAT: 39° 32' 25.06"  
LON: -80° 12' 24.85"



SCALE BAR: 1"=1000'  
0' 1000' 2000' 3000'

