



west virginia department of environmental protection

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

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

Tuesday, October 28, 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 5H-A
47-049-02598-00-00

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.

A handwritten signature in black ink, reading 'Jason Harmon'.

H. Jason Harmon
Acting Chief

Operator's Well Number: Upton 5H-A
Farm Name: Marion Natural Energy
U.S. WELL NUMBER: 47-049-02598-00-00
Horizontal 6A New Drill
Date Issued: 10/28/2025

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 (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.

10/31/2025

WW-6B
(04/15)

4704902598
API NO. 47- _____ - _____
OPERATOR WELL NO. 5H-A
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: 5H-A Well Pad Name: Upton

3) Farm Name/Surface Owner: Marion Natural Energy LLC Public Road Access: Davy Run Rd

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

5) Well Type (a) Gas X Oil NA Underground Storage NA
Other NA
(b) If Gas Shallow X Deep NA
Horizontal X

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: 7,987' (pilot - 8,098')

9) Formation at Total Vertical Depth: Marcellus

10) Proposed Total Measured Depth: 23,568'

11) Proposed Horizontal Leg Length: 14,750'

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 X

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

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[Handwritten Signature] 9-22-25

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WW-6B
(04/15)API NO. 47- _____
OPERATOR WELL NO. 5H-A
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	HP P-110	20	23,568'	23,518'	5,402
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							

PACKERS

Kind:				
Sizes:				
Depths Set:				

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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): 46.49

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22) Area to be disturbed for well pad only, less access road (acres): 24.32

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23) Describe centralizer placement for each casing string:

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.

V. J. [unclear]
Environmental Protection

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.

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UPTON 5H-A EXISTING GAS WELLS SEPTEMBER 12, 2025

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TOTAL DISTANCE BORED
FROM LP TO BH = 14,750'

BOTTOM HOLE

AZ324°05'13"

EXISTING GAS WELLS
WITHIN 2400' OF
SURFACE HOLE

049-00210
N 21°35'13" W
1310'

UPTON
5H-A

NTS

NO WATER SOURCES
WITHIN 1500' OF
WELL HEAD

SCALE: 1" = 2,000'



Upton 5H-A Area of Review

API Number	Well Name	Well Number	Operator	Latitude (NAD 83)	Longitude (NAD 83)	TMP	TVD	Notes
049-00059	David R Jones	1	WV Mineral Group, LLC	39.558474	-80.216002	16-11-40	3160'	Fifth
049-01682	Joseph J & Kelly Jo Potoczny	1	Meadow Ridge Development, LLC	39.565724	-80.225745	11-5-47.1	609'	Unidentified coal
049-01367	Keith Arthur	NA	Invitation Energy, Inc.	39.572975	-80.229869	16-10-70	NA	NA

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Department of Environmental Protection



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September 10, 2025

Attn: Charles Taylor Brewer, Assistant Chief – Permitting
WV Department of Environmental Protection
Office of Oil and Gas
601 57th 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.

Sincerely,

A handwritten signature in blue ink that reads 'Hollie M. Medley'.

Hollie M. Medley
Regulatory Manager

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DEPARTMENT OF ENVIRONMENTAL PROTECTION



west virginia department of environmental protection

Office of Oil and Gas
601 57th 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**

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ORDER NO. 2022-14

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Office of Oil and Gas

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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.

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.

Promoting a healthy environment.

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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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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.

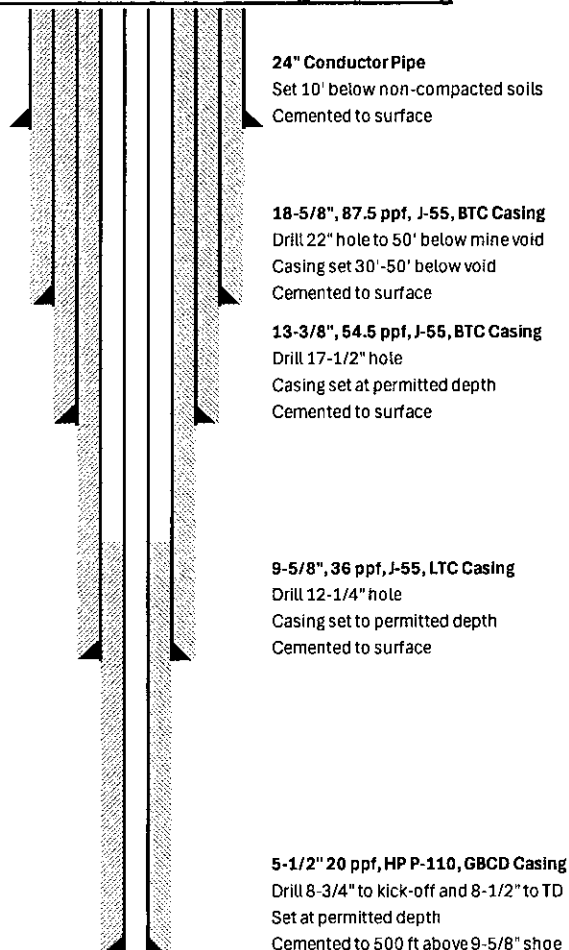
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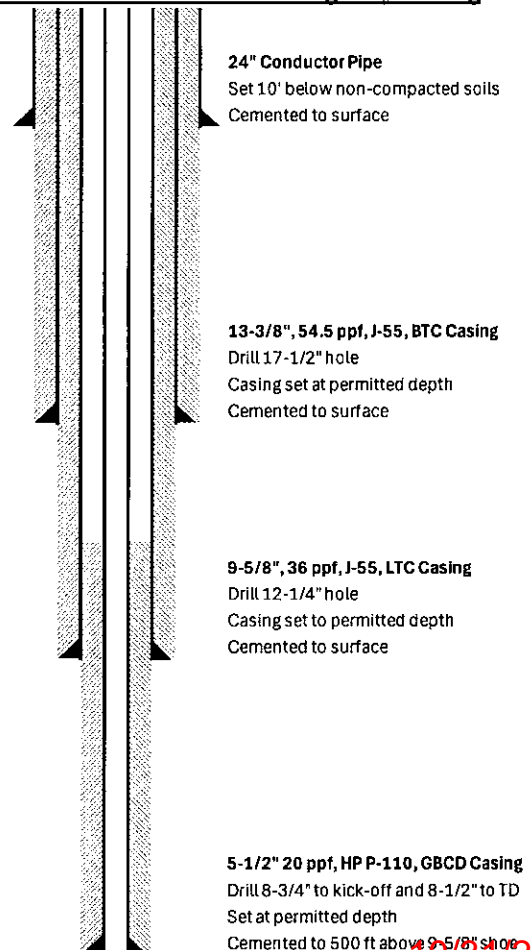
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Schematic w/ Mine Contingency String



Schematic w/out Mine Contingency String



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WW-9
(4/16)

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API Number 47 - _____ - _____
Operator's Well No. Upton 5H-A

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Marion Natural Energy LLC OP Code 494531958

Watershed (HUC 10) Buffalo Creek Quadrangle Grant Town

Do 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: NA

Will 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 _____)

Will closed loop system be used? If so, describe: Yes, Please See Attachment "A"

Drilling medium anticipated for this well (vertical and horizontal)? Air, freshwater, oil based, etc. Vertical - Air/ Curve & Horizontal - Oil Based

-If oil based, what type? Synthetic, petroleum, etc. Synthetic Oil Based Mud

Additives to be used in drilling medium? Organophilic Clay Viscosifiers, Lime, Unsaturated Fatty Acids, CaCl, Barite, Emulsifiers, Mica LCM, Water Loss Agents

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. Removed Offsite - Please See Attachment "A"

-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 Medley

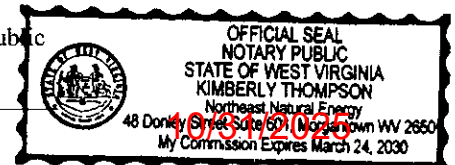
Company Official (Typed Name) Hollie Medley

Company Official Title Regulatory Manager

Subscribed and sworn before me this 19th day of September, 2025

My commission expires March 24, 2030

Notary Public



Marion Natural Energy LLCProposed Revegetation Treatment: Acres Disturbed 46.49 Prevegetation pH _____Lime 2 Tons/acre or to correct to pH 7Fertilizer type 19-19-19Fertilizer amount 300 lbs/acreMulch 2 Tons/acreSeed Mixtures

Temporary		Permanent	
Seed Type	lbs/acre	Seed Type	lbs/acre
Orchard Grass	46	Orchard Grass	46
Red Clover	8	Red Clover	8
Tetraploid 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: _____

Comments: _____

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WV Department of
Environmental ProtectionTitle: [Signature]Date: 9-22-25Field Reviewed? (☒) Yes (☐) No

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Attachment A to WW-9

Marion Natural Energy LLC ("MNE") 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 (Noble Environmental) – McClellandtown, PA (Permit # 100419)
- APEX Environmental, LLC- Amsterdam, OH (Permit # PTI 06-08448)

MNE 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 PAD
Site Safety Plan
September 2025

Robert J. Hitt 9-24-25

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Upton Well Pad

911 Address:

559 Davy Run Road, Fairmont, WV 26554

Lincoln District
Marion County

ACCESS ROAD ENTRANCE

39.543438 Lat, -80.202505 Lon (NAD83)

568525.56 N, 4377388.94 E (NAD 83 UTM)

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DRIVING DIRECTIONS

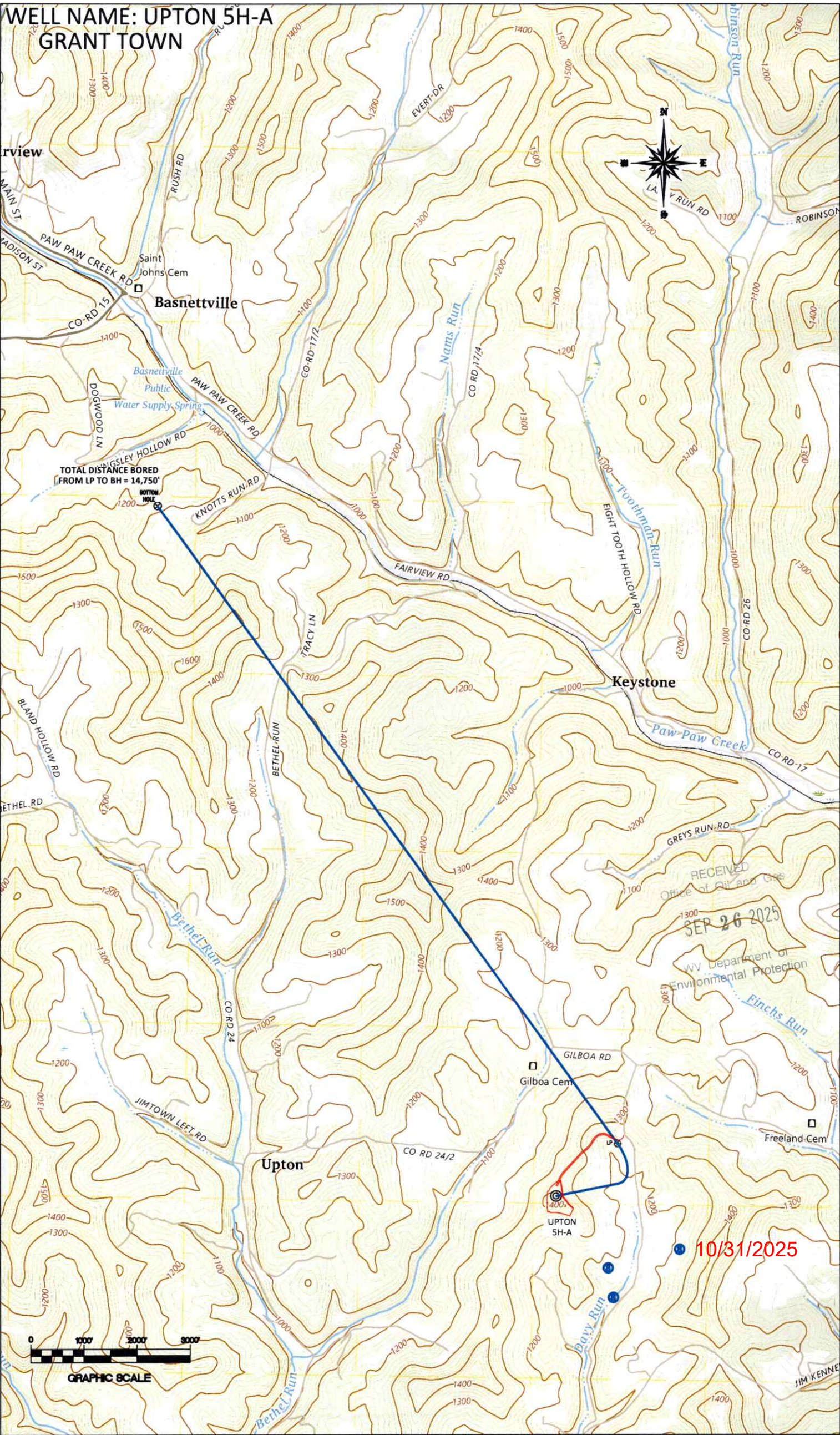
- Starting at Exit 136 on Interstate 79
- Travel north approximately 1 mile on Rt. 273 (Fairmont gateway Connector) to intersection of said Rt. 273 and RT. 310
- Turn left onto Rt. 310 and travel for 0.57 miles to the intersection of said Rt. 310 and Rt. 250
- Turn right onto said Rt. 250 and travel north 1.93 miles to the intersection of said Rt. 250 and Rt. 250/32 (Barrackville Road).
- Turn right on said Rt. 250/32 and travel north for 0.94 miles to the intersection of said Rt. 250/32 and County Rt. 21.
- Continue straight onto County Rt. 21 and travel north 2.92 miles to the intersection of said County Rt. 21 and County Rt. 21/1.
- Turn left onto said Rt. 21/1 and travel west 0.88 miles to the intersection of said Rt. 21/1 and Rt. 250/12.
- Turn left onto said Rt. 250/12 and travel 1,300 feet to well access on the right located @ N 39.5435286, W 80.2026129.

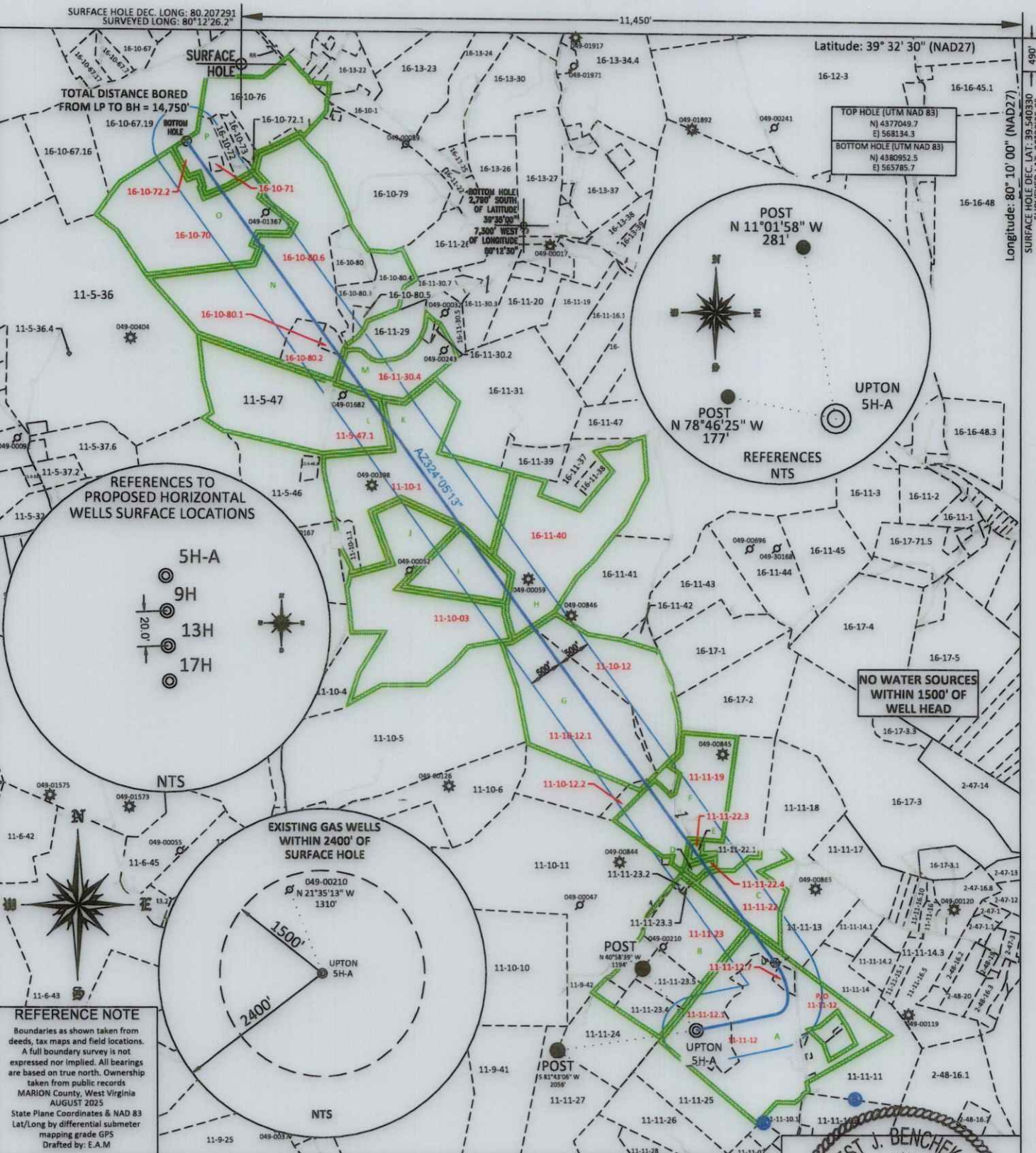
*See Attached Maps

Robert J. Hitt 9-24-25

10/31/2025


WELL NAME: UPTON 5H-A
GRANT TOWN





FILE #: NEE14
DRAWING #: 4062
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.

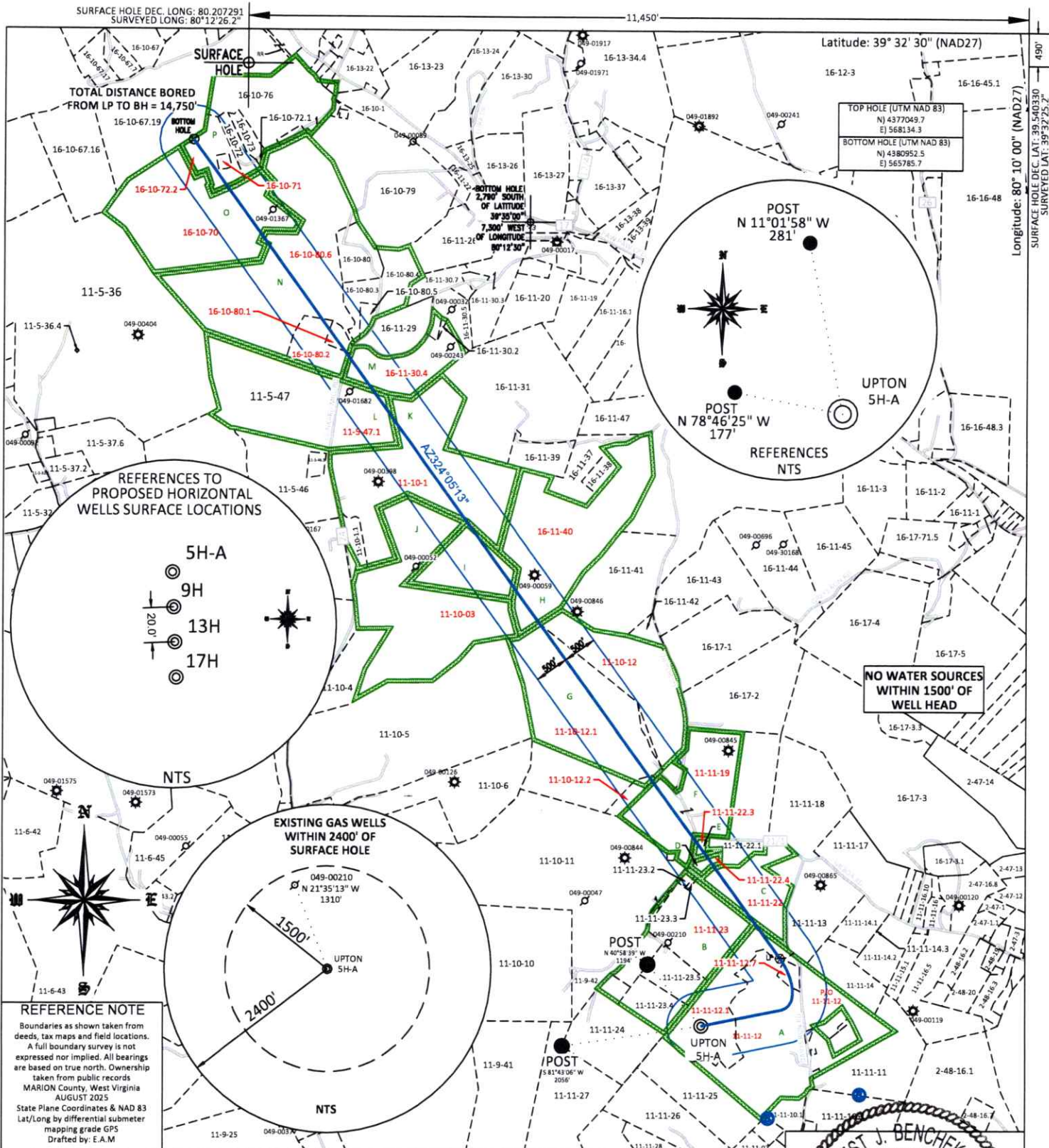
Signed: 
L.L.S. #2124 : Ernest J. Benchek III

ERNEST J. BENCHEK III
LICENSED
No. 2124
STATE OF
WEST VIRGINIA
PROFESSIONAL SURVEYOR

(+) 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: MARION NATURAL ENERGY LLC
OIL & GAS ROYALTY OWNER: Benjamin J. Johnson, et al.
LEASE NUMBERS:

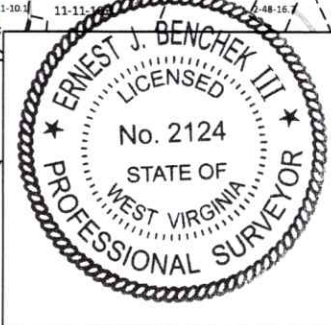
DATE: SEPTEMBER 12, 2025
OPERATOR'S WELL #: UPTON 5H-A
API WELL #: 47 49 02598
STATE COUNTY PERMIT
PROPOSED
ELEVATION: 1,372.32'
QUADRANGLE: GRANT TOWN
ACREAGE: 106.48 +/-
ACREAGE: 1003.80 +/-

DRILL ☒ CONVERT ☐ DRILL DEEPER ☐ REDRILL ☐ FRACTURE OR STIMULATE ☒
PLUG OFF FORMATION ☐ PERFORATE NEW FORMATION ☐ PLUG & ABANDON ☐
CLEAN OUT & REPLUG ☐ OTHER CHANGE ☐ (SPECIFY):
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: PILOT TVD: 8,098' TVD: 7,987' TMD: 23,568'
DESIGNATED AGENT: L. Brett Loflin
ADDRESS: 707 VIRGINIA STREET EAST, SUITE 1200
CITY: CHARLESTON STATE: WV ZIP CODE: 25301



FILE #: NEE14
DRAWING #: 4062
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



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WVDEP
OFFICE OF OIL & GAS
601 57TH STREET
CHARLESTON, WV 25304
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CLEAN OUT & REPLUG ☐ OTHER CHANGE ☐ (SPECIFY):

	PROPERTY OWNER INDEX
11-11-12.1	MARION NATURAL ENERGY LLC
11-11-12	JERRY N & BARBARA J BLAND
11-11-12.7	DOUGLAS P TOOTHMAN
11-11-23	LEWIS E KINCAID (LIFE 957-206)
11-11-22	DAVID SCHOEWE
11-11-22.4	JASON T TENNANT
11-11-22.3	DAVID B & DELAINA KUCISH
11-11-19	DAVID B & DELAINA S KUCISH
11-10-12.2	KENNETH C & LINDA A HEBERT
11-10-12.1	GEORGE Q & DANA D MILLER
11-10-12	DAVID B & DELAINA S KUCISH
11-10-3	DEVORAH & JAY PITZER GRUNOW
16-11-40	DAVID B & DELAINA S KUCISH
11-10-1	RICHARD L & JEANETT V GARRISON
11-5-47.1	RICHARD L & JEANETT V GARRISON
16-11-30.4	CARLA W FORD (TOD 1202-69)
16-10-80.2	RICKY D & LULU MCKINNEY
16-10-80.1	RICKY D & LULU MCKINNEY
16-10-80.6	DONNA GLASPELL
16-10-70	KEITH ARTHUR (1/2 INT) & KRYSTAL D THARP & KELLY
16-10-71	LEWIS G ARTHUR
16-10-72.2	KEITH A & DIANA K ARTHUR

LEASE INDEX			
A	WV-049-106694-002	I	WV-049-106378-002
B	WV-049-106387-002	J	WV-049-106378-002
C	WV-049-106402-001	K	WV-049-6045539-006
D	WV-049-106748-001	L	WV-049-106666-001
E	WV-049-106720-001	M	WV-049-106691-001
F	WV-049-106598-001	N	WV-049-104533-000
G	WV-049-106768-002	O	WV-049-604510-005
H	WV-049-106599-001	P	WV-049-106352-002

RECEIVED
Office of Oil and Gas
SEP 26 2025
WV Department of
Environmental Protection

10/31/2025

FILE #: NEE14	DATE: SEPTEMBER 12, 2025
DRAWING #: 4062	OPERATOR'S WELL #: UPTON 5H-A
SCALE: N/A	API WELL #: 47 49 D2598 STATE COUNTY PERMIT

WW-6A1
(5/13)

Operator's Well No. Upton 5H-A

**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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Office of Oil and Gas

SEP 26 2025

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: Regulatory Manager

SEP 26 2025

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WW-6A1

WV Department of
Environmental Protection

Operators Well No. Upton 5H-A

Tract	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
B	WV-049-106387-002	Darrell R. Richards	Marion Natural Energy LLC	12.5% or greater	1327	705
	WV-049-106387-001	David E. Bowyer	Marion Natural Energy LLC	12.5% or greater	1327	699
	WV-049-106823-003	Michael David Fox	Marion Natural Energy LLC	12.5% or greater	1375	897
	WV-049-106823-002	Kenneth Straub	Marion Natural Energy LLC	12.5% or greater	1375	985
	WV-049-106823-001	Kevin Andrew Straub	Marion Natural Energy LLC	12.5% or greater	1375	983
C	WV-049-106402-001	David L. Schoewe	Marion Natural Energy LLC	12.5% or greater	1324	24
D	WV-049-106748-001	Jason T. Tennant	Marion Natural Energy LLC	12.5% or greater	1367	262
E	WV-049-106720-001	David B. Kucish and Delaina Kucish, JTROS	Marion Natural Energy LLC	12.5% or greater	1365	499
F	WV-049-106598-001	WV Minerals Inc.	Marion Natural Energy LLC	12.5% or greater	1360	332
	WV-049-006598-001	Sandra Lee Michael	Marion Natural Energy LLC	12.5% or greater	1351	533
	WV-049-106598-001	Steven Kirk Michael	Marion Natural Energy LLC	12.5% or greater	1351	539
	WV-049-106360-005	Elizabeth Michael	Marion Natural Energy LLC	12.5% or greater	1351	537
	WV-049-106598-001	Andrea LeMasters	Marion Natural Energy LLC	12.5% or greater	1351	535
	WV-049-106360-009	Thomas T. Piatt	Marion Natural Energy LLC	12.5% or greater	1355	724
	WV-049-106598-002	MNE Properties (interest of Charles L. Hart)	Marion Natural Energy LLC	12.5% or greater	1353	11
	WV-049-107204-001	Jennifer Aquila	Marion Natural Energy LLC	12.5% or greater	OGCC Order	
	WV-049-107204-002	Travis LeMasters	Marion Natural Energy LLC	12.5% or greater	OGCC Order	
	WV-049-107204-003	Jamie LeMasters	Marion Natural Energy LLC	12.5% or greater	OGCC Order	
	WV-049-107204-004	Lisabell Minnie Lough	Marion Natural Energy LLC	12.5% or greater	OGCC Order	
	WV-049-107204-005	Neil Kennedy	Marion Natural Energy LLC	12.5% or greater	OGCC Order	
	WV-049-106768-002	H3 LLC	Marion Natural Energy LLC	12.5% or greater	1369	41
G	WV-049-106767-001	Black Gold Group LTD	Marion Natural Energy LLC	12.5% or greater	1381	211
	WV-049-106767-002	John S. Youst, deceased	Marion Natural Energy LLC	12.5% or greater	1378	902
	WV-049-106767-003	Frances Carol Mulcare	Marion Natural Energy LLC	12.5% or greater	1389	189
	WV-049-106599-001	Davis R. Jones	A.J. Arnett	12.5% or greater	146	321
*See Jones Leasehold chain attached						
I	WV-049-106378-002	Devorah Grunow	Marion Natural Energy LLC	12.5% or greater	1323	368
	WV-049-106378-001	Jay Pitzer	Marion Natural Energy LLC	12.5% or greater	1322	345
	WV-049-107202-001	Richard L. Cain	Marion Natural Energy LLC	12.5% or greater	OGCC Order	
J	WV-049-106378-002	Devorah Grunow	Marion Natural Energy LLC	12.5% or greater	1323	368
	WV-049-106378-001	Jay Pitzer	Marion Natural Energy LLC	12.5% or greater	1322	345
	WV-049-106612-001	Karen Sue Gajdos	Marion Natural Energy LLC	12.5% or greater	1348	630
K	WV-049-6045539-006	Richard L. Garrison	Marion Natural Energy LLC	12.5% or greater	1344	186
L	WV-049-106666-001	Stephen M. Larry and Maria K. Larry	Marion Natural Energy LLC	12.5% or greater	1359	283
M	WV-049-106691-001	Piney Holdings Inc.	Marion Natural Energy LLC	12.5% or greater	1369	724
	WV-049-107203-001	Carla W. Ford	Marion Natural Energy LLC	12.5% or greater	OGCC Order	
N	WV-049-104533-000	Donna Jean Glaspell, a/k/a Donna J. Glaspell, a/k/a Donna Snyder and Manuel Earl Glaspell	Northeast Natural Energy LLC	12.5% or greater	1212	1055

4704902598

		Northeast Natural Energy LLC	Marion Natural Energy LLC	Deed Book	1330	525
O	WV-049-604510-005	Keith Allen Arthur	Marion Natural Energy LLC	12.5% or greater	1355	738
	WV-049-104510-006	Krystal D. Tharp	Marion Natural Energy LLC	12.5% or greater	1355	740
	WV-049-104510-004	Kelly Arthur Wright	Marion Natural Energy LLC	12.5% or greater	1355	736
P	WV-049-106352-002	Fielding H. Yost III	Marion Natural Energy LLC	12.5% or greater	1355	730

H		Davis R. Jones and M.M. Jones, his wife	A.J. Arnett	12.5% or greater	146	321
		A.J. Arnett	J.H. McDermott	Assignment	220	261
		Joseph H. McDermott	The Wheeling Natural Gas Company	Assignment	210	416
		The Wheeling Natural Gas Company	Manufacturers Light & Heat Company	Assignment	217	235
		The Manufacturers Light & Heat Company	M.J. Owens	Assignment	220	275
		M.J. Owens	The Owens Bottle Machine Company	Assignment	220	296
		The Owens Bottle Machine Company	Owens Bottle Company	Name Change	NA	NA
		Owens Bottle Company	Owens-Illinois Glass Company	Name Change	NA	NA
		Owens-Illinois Glass Company	Noumenon Corporation	Assignment	11	1198
	WV-049-106599-001	Noumenon Corporation	Marion Natural Energy LLC	Assignment	1352	1022

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Office of Oil and Gas
SEP 26 2025
West Virginia Department of Environmental Protection



4704902598

May 15, 2025

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

RE: Upton 5H-A

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:

- Dunkard Mill Rd (Route 24)
- Gilboa Road (Route 21/1)

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Office of Oil and Gas

SEP 26 2025

WV Department of
Environmental Protection

Sincerely,

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

Tyler Murray
Landman II

10/31/2025

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

Date of Notice Certification: 09/16/2025

API No. 47- _____

Operator's Well No. 5H-A

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>568134.3</u>
County: <u>Marion</u>		Northing: <u>4377049.7</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.

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

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.

10/31/2025

4704902598

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

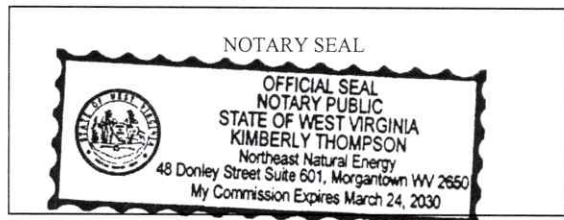
Telephone: 304-414-7060

Address: 707 Virginia St. E., Suite 1200

Charleston, WV 25301

Facsimile: _____

Email: hmedley@nne-llc.com



Subscribed and sworn before me this 25th day of September, 2025

Kimberly Thompson 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 depprivacyofficer@wv.gov.

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Office of Oil and Gas

SEP 26 2025

WV Department of
Environmental Protection

10/31/2025

WW-6A
(9-13)

4704902598
API NO. 47- _____
OPERATOR WELL NO. 5H-A
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: 9/16/2025 **Date Permit Application Filed:** 9/26/2025

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: Marion Natural Energy LLC
Address: 707 Virginia St, E, Suite 1200
Charleston, WV 25301

Name: _____
Address: _____

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

Name: George Miller
Address: 567 Gilboa Rd.
Fairmont, WV 26554
Name: Jerry N Bland & Barbara J Bland
Address: 357 Davys Run Rd
Fairmont, WV 26554

☐ 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: _____
Department of Environmental Protection

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

Name: See attached
Address: _____

☐ OPERATOR OF ANY NATURAL GAS STORAGE FIELD

Name: _____
Address: _____

*Please attach additional forms if necessary

10/31/2025

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 57th Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting 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

10/31/2025

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 57th St. SE
Charleston, WV 25304
(304) 926-0450

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Office of Oil and Gas

SEP 26 2005

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.**

10/31/2025

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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SEP 26 2025

WV Department of
Environmental Protection

10/31/2025

WW-6A
(8-13)

API NO. 47- _____
OPERATOR WELL NO. 5H-A
Well Pad Name: Upton

4704902598

Notice is hereby given by:

Well Operator: Marion Natural Energy LLC

Telephone: 304-414-7060

Email: hmedley@nne-llc.com

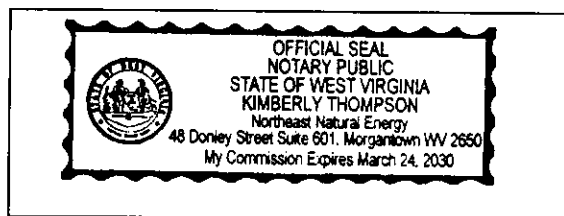
Address: 707 Virginia St. E., Suite 1200

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 or your personal information, please contact DEP's Chief Privacy Officer at depprivacyofficer@wv.gov.



Subscribed and sworn before me this 16th day of September 2025.

[Signature] Notary Public

My Commission Expires March 24, 2030

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SEP 26 2025

Office of Environmental Protection

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4704902598

WW-6A Attachment

Surface Owner Of Water Well And/Or Water Purveyor

Charles F Snoderly
478 Davys Run Rd
Fairmont, WV 26554

Gerald D & Danielle Snoderly
445 Davys Run Rd
Fairmont, WV 26554

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Department of
Environmental Protection

10/31/2025

Water Well Spreadsheet - UPTON										
Source #	Water Source	LAT	LON	TM-P	Owner	Address	City	State	Zip	Distance From Center of Wells
1	SPRING	39.5376926	-80.1988245	11-11-11	CHARLES F SNODERLY	478 DAVYS RUN RD	FAIRMONT	WV	26554	2,517'
2	SPRING	39.5367184	-80.2035758	11-11-7.5	GERALD D & DANIELLE SNODERLY	445 DAVYS RUN RD	FAIRMONT	WV	26554	1,617'
3	SPRING	39.5352059	-80.2032284	11-11-7	GERALD D & DANIELLE SNODERLY	445 DAVYS RUN RD	FAIRMONT	WV	26554	2,126'

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 Office of the
 State Auditor
 SEP 26 2011
 IN DEL.
 UPTON, WV

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WW-6A3
(1/12)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: 8/12/2023 Date of Planned Entry: 8/12/2023

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 Brosion 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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 Office of Oil and Gas

SEP 26 2023

WV DEP - DEPT. OF ENVIRONMENTAL PROTECTION

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: 39.5403956, -80.2060278
 Public Road Access: Davy Run Rd.
 Watershed: Buffalo Creek
 Generally used farm name: Upton

Copies of the state Brosion 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 57th 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.

Notice is hereby given by:

Well Operator: Northeast Natural Energy
 Telephone: 304-414-7000
 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.

10/31/2025

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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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Department of
Environmental Protection

10/31/2025

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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: 09/16/2025

Date Permit Application Filed: 09/26/2025

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: 357 Davys Run Rd

Fairmont, WV 26554

Name: George Miller

Address: 567 Gilboa Rd

Fairmont, WV 26554

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Office of Oil and Gas

SEP 26 2025

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:	568134.3
County:	Marion		Northing:	4377049.7
District:	Lincoln	Public Road Access:		Davy Run Rd
Quadrangle:	Grant Town	Generally used farm name:		Upton
Watershed:	Buffalo Creek			

This Notice Shall Include:

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

Well Operator: 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 or your personal information, please contact DEP's Chief Privacy Officer at depprivacyofficer@wv.gov.

10/31/2025

4704902598

WW-6AW
(1-12)API NO. 47- _____
OPERATOR WELL NO. 5H-A, 9H, 13H, 17H
Well Pad Name: Upton

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
VOLUNTARY STATEMENT OF NO OBJECTION

Instructions to Persons Named on Page WW-6A

The well operator named on page WW-6A is applying for a permit from the State of West Virginia to conduct oil or gas well work. Well work permits are valid for twenty-four (24) months. Please contact the listed well operator and the Office of Oil and Gas if you do not own any interest in the listed surface tract.

Comment and Waiver Provisions

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.

Pursuant to West Virginia Code § 22-6A-8(b) No permit may be issued less than thirty days after the filing date of the application for any well work except plugging or replugging; and no permit for plugging or replugging may be issued less than five days after the filing date of the application except a permit for plugging or replugging a dry hole: *Provided*, That if the applicant certifies that all persons entitled to notice of the application under the provisions of subsection (b), section ten of this article have been served in person or by certified mail, return receipt requested, with a copy of the well work application, including the erosion and sediment control plan, if required, and the well plat, and further files written statements of no objection by all such persons, the secretary may issue the well work permit at any time.

VOLUNTARY STATEMENT OF NO OBJECTION

I, _____, hereby state that I have read the Instructions to Persons Named on Page WW-6A and the associated provisions listed above, and that I have received copies of a Notice of Application, an Application for a Well Work Permit on Form WW-6A and attachments consisting of pages one (1) through _____, including the erosion and sediment control plan, if required, and the well plat, all for proposed well work on the tract of land as follows:

State: _____	West Virginia	UTM NAD 83	Easting: _____	See attached
County: _____	Marion		Northing: _____	
District: _____	Lincoln	Public Road Access: _____		Davy Run Rd
Quadrangle: _____	Grant Town	Generally used farm name: _____		Upton
Watershed: _____	Buffalo Creek			

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

*Please check the box that applies

- ☒ SURFACE OWNER
- ☐ SURFACE OWNER (Road and/or Other Disturbance)
- ☐ SURFACE OWNER (Impoundments/Pits)
- ☐ COAL OWNER OR LESSEE
- ☐ COAL OPERATOR
- ☐ WATER PURVEYOR
- ☐ OPERATOR OF ANY NATURAL GAS STORAGE FIELD

FOR EXECUTION BY A NATURAL PERSON

Signature: _____
 Print Name: _____
 Date: _____

FOR EXECUTION BY A CORPORATION, ETC.

Company: _____ RECEIVED
 By: _____ Office of Oil and Gas
 Its: _____
 Signature: _____ SEP 26 2025
 Date: _____

Department of
Environmental Protection

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.

10/31/2025

STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS
VOLUNTARY STATEMENT OF NO OBJECTION

Instructions to Persons Named on Page WW-6A

The well operator named on page WW-6A is applying for a permit from the State of West Virginia to conduct oil or gas well work. Well work permits are valid for twenty-four (24) months. Please contact the listed well operator and the Office of Oil and Gas if you do not own any interest in the listed surface tract.

Comment and Waiver Provisions

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.

Pursuant to West Virginia Code § 22-6A-8(b) No permit may be issued less than thirty days after the filing date of the application for any well work except plugging or replugging; and no permit for plugging or replugging may be issued less than five days after the filing date of the application except a permit for plugging or replugging a dry hole: *Provided*, That if the applicant certifies that all persons entitled to notice of the application under the provisions of subsection (b), section ten of this article have been served in person or by certified mail, return receipt requested, with a copy of the well work application, including the erosion and sediment control plan, if required, and the well plat, and further files written statements of no objection by all such persons, the secretary may issue the well work permit at any time.

VOLUNTARY STATEMENT OF NO OBJECTION

I, Hollie Medley, hereby state that I have read the Instructions to Persons Named on Page WW-6A and the associated provisions listed above, and that I have received copies of a Notice of Application, an Application for a Well Work Permit on Form WW-6A and attachments consisting of pages one (1) through ⁵⁴, including the erosion and sediment control plan, if required, and the well plat, all for proposed well work on the tract of land as follows:

State:	<u>West Virginia</u>	UTM NAD 83 Easting:	<u>568134.3</u>
County:	<u>Marion</u>	Northing:	<u>4377049.7</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>		

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

*Please check the box that applies

- ☒ SURFACE OWNER
- ☐ SURFACE OWNER (Road and/or Other Disturbance)
- ☐ SURFACE OWNER (Impoundments/Pits)
- ☐ COAL OWNER OR LESSEE
- ☐ COAL OPERATOR
- ☐ WATER PURVEYOR
- ☐ OPERATOR OF ANY NATURAL GAS STORAGE FIELD

FOR EXECUTION BY A NATURAL PERSON

Signature: _____
Print Name: _____
Date: _____

FOR EXECUTION BY A CORPORATION, ETC.

Company: Marion Natural Energy LLC
By: Hollie Medley
Its: Regulatory Manager

Signature: Hollie Medley
Date: 10/24/2025

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.

10/31/2025

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Upton WW-6AW Attachment		
Well Name	UTM NAD83 Easting	UTM NAD83 Northing
Upton 5H-A	568134.3	4377049.7
Upton 9H	568134.7	4377043.6
Upton 13H	568135.0	4377037.5
Upton 17H	568135.3	4377031.5

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Office of Oil and Gas

SEP 26 2025

Received and
Acknowledged

10/31/2025



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**WEST VIRGINIA
DEPARTMENT OF TRANSPORTATION**

1900 Kanawha Boulevard East • Building Five • Room 109
Charleston, West Virginia 25305-0440 • (304) 558-0444

Michael J. DeMers
Deputy Secretary of Transportation

Stephen T. Rumbaugh, P.E.
Secretary of Transportation
Commissioner of Highways

May 7, 2025

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

**Subject: DOH Permit for the Upton Well Pad, Marion County
Upton 5H-A 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

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Office of Oil and Gas

SEP 26 2025

WV Department of
Environmental Protection

Cc: Becky Zachwieja
Marion Natural Energy LLC
OM, D-4
File

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 Pyridinium, 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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Department of
Environmental Protection

OPERATOR: Marion Natural Energy, LLC WELL NO: 5H-A

PAD NAME: Upton

REVIEWED BY: Hollie Medley SIGNATURE: Hollie Medley

WELL RESTRICTIONS CHECKLIST

HORIZONTAL 6A WELL

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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

10/31/2025



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 V
MAJO
LINCOLN DISTRICT, M
SEPTEMBER

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3. E&S CONTROL A
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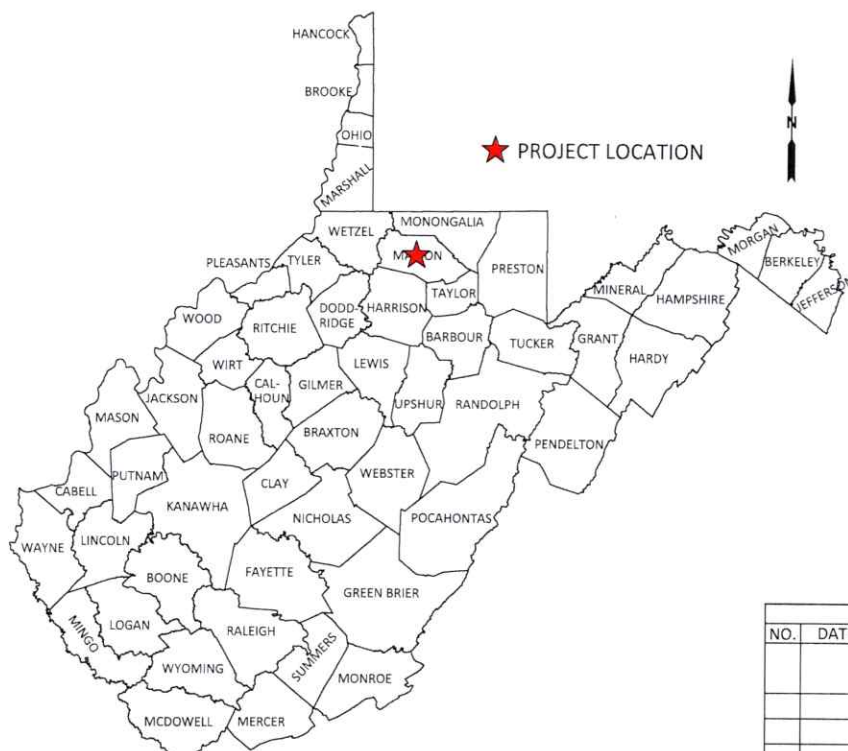
TOTAL DISTURB
ACCESS ROAD #1 DIS
WELL PAD DISTUR
AST PAD DISTUR
COUNTY ROAD RIGH
COUNTY ROAD DIST
NO TREE CLEAR

PERMITTED PROJECT BOUNDARY : 37.54 ACRES
ADDITIONAL PROJECT BOUNDARY : 8.95 ACRES
TOTAL : 46.49 ACRES

PROPERTY OWNER DISTURBANCE -
PERMITTED PROJECT BOUNDARY - 37.54 ACR
GEORGE MILLER (TAX MAP AND PARCEL NUMBER 11-11-22) 0.
MARION NATURAL ENERGY (TAX MAP AND PARCEL NUMBER 11-11-17) 1.
GEORGE MILLER (TAX MAP AND PARCEL NUMBER 11-11-13) 1.
GEORGE MILLER (TAX MAP AND PARCEL NUMBER 11-11-17) 0.

PROPERTY OWNER DISTURBANCE -
ADDITIONAL PROJECT BOUNDARY - 8.95 ACR
JERRY N BLAND & BARBARA J BLAND (TAX MAP AND PARCEL NUMBER 11-11-17) 1.

IN ACCORDANCE WITH WV 35 CSR 8
THE FOLLOWING EROSION & SEDIMENT CONTROL PLAN
DESIGNED IN ACCORDANCE WITH BEST MANAGEMENT P
ESTABLISHED BY THE CHIEF AND PROVIDED IN THE OFFIC
AND SEDIMENT CONTROL FIELD MANUAL. A GENERAL C
SEQUENCE, DESCRIPTION OF STABILIZATION METHODS,
SPECIFICATIONS FOR EROSION & SEDIMENT BEST MANA
PRACTICES HAVE BEEN INCLUDED IN THE PROVIDED DET



REVISIONS		
NO.	DATE	DESCRIPTION

TITLE S

UPTON WELL PAD
LINCOLN DISTRICT, M
WEST VIR

10/31/2025

WELL PAD

MOD

ARION COUNTY, WV

ER 2025

INDEX
SHEET
PLAN OVERVIEW (PHASE 1)
SITE PLAN (PHASE 1)
PLAN OVERVIEW (PHASE 2)
SITE PLAN (PHASE 2)

AREA: 46.49 AC.
BED AREA: 6.50 AC.
AREA: 24.32 AC.
AREA: 5.02 AC.
WAY AREA: 4.16 AC.
ED AREA: 1.68 AC.
AREA: 4.81 AC.

BBM 9-22-25

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)

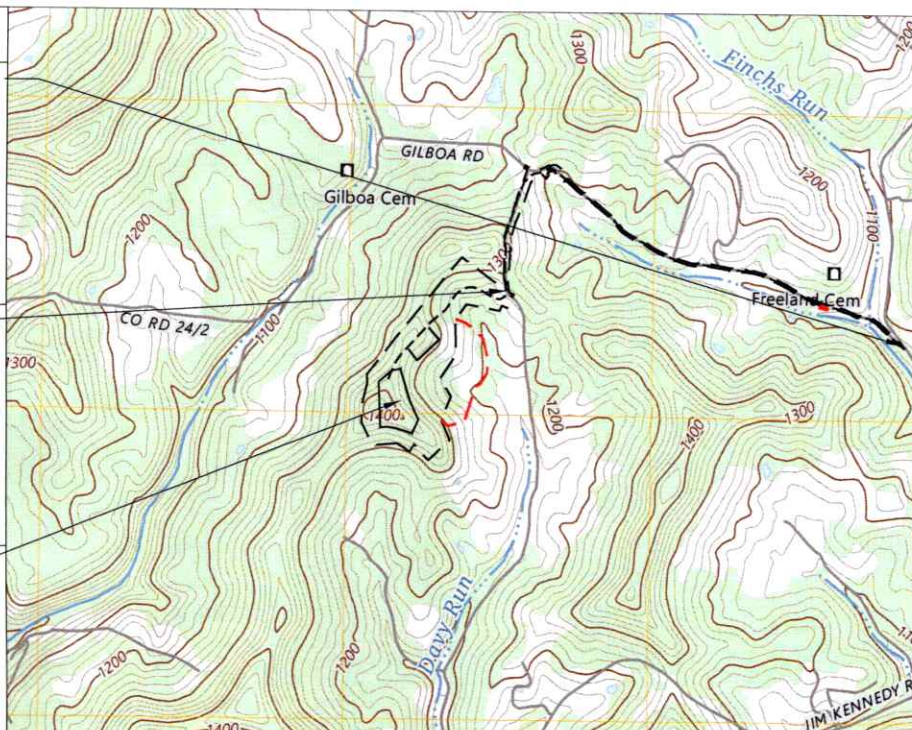
LAT: 39° 32' 31.54"
LON: -80° 11' 15.06"
LAT: 39.54209°
LON: -80.18751°
(NAD 27)
LAT: 39° 32' 31.24"
LON: -80° 11' 15.77"

WELL PAD ACCESS ROAD
(NAD 83)

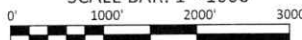
LAT: 39° 32' 36.38"
LON: -80° 12' 09.02"
LAT: 39.54343°
LON: -80.20250°
(NAD 27)
LAT: 39° 32' 36.08"
LON: -80° 12' 09.73"

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'



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OR MOD
ON COUNTY,
A

SHEET

1
OF
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10/31/2025