



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

Wednesday, July 5, 2023
WELL WORK PERMIT
Horizontal 6A / New Drill

NORTHEAST NATURAL ENERGY LLC
707 VIRGINIA STREET EAST
STE 1200
CHARLESTON, WV 25301

Re: Permit approval for PHOENIX 5H
47-061-01940-00-00

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 blue ink signature of James A. Martin, Chief, is written over a blue circular stamp. The signature is cursive and appears to read 'James A. Martin'. The stamp is partially obscured by the signature and is a solid blue color.

James A. Martin
Chief

Operator's Well Number: PHOENIX 5H
Farm Name: CHARLES WENDELL MOORE
U.S. WELL NUMBER: 47-061-01940-00-00
Horizontal 6A New Drill
Date Issued: 7/5/2023

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.

07/07/2023

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

1) Well Operator: Northeast Natural Energy 494498281 Monongalia Battelle Wadestown
Operator ID County District Quadrangle

2) Operator's Well Number: 5H Well Pad Name: Phoenix

3) Farm Name/Surface Owner: Charles Wendell Moore & Frank M. Chisler Public Road Access: Graveyard Hill/Route 15/2

4) Elevation, current ground: 1,538' Elevation, proposed post-construction: 1,503'

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, 8,200', 79', 3600 psi

8) Proposed Total Vertical Depth: 8,200'

9) Formation at Total Vertical Depth: Marcellus

10) Proposed Total Measured Depth: 21,866'

11) Proposed Horizontal Leg Length: 12,920'

12) Approximate Fresh Water Strata Depths: 1,238'

13) Method to Determine Fresh Water Depths: Drillers Log from Offset Wells

14) Approximate Saltwater Depths: 2,222'

15) Approximate Coal Seam Depths: 1,250'

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 active/non-producing No

(a) If Yes, provide Mine Info: Name: Federal #2
Depth: 1,250'
Seam: Pittsburgh
Owner: Phoenix Federal No 2 Mining, LLC

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Gayne Knitowski
Digitally signed by
Gayne Knitowski
Date: 2023.05.26
08:13:23 -04'00'

07/07/2023

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	1,500'	1,470' ✓	CTS
Coal							
Intermediate	9-5/8	New	J-55	36	2,730'	2,700' ✓	CTS
Production	5-1/2	New	P-110	20	21,866'	21,836' ✓	5162
Tubing	2-7/8	New	P-110	6.5	NA	8,500' ✓	NA
Liners							

** Freshwater casing set to 1,470' due to Red Rock formation

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Gayne Knitowski
Date: 2023.05.26
08:13:39 -0400
Gayne Knitowski

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	0.375	NA	NA	Type 1	1.19
Fresh Water	13-3/8	17-1/2	0.380	2,730	500	Class A or L	1.19
Coal							
Intermediate	9-5/8	12-3/8	0.395	3,520	2,800	Class A or L	1.19
Production	5-1/2	8-3/4	0.361	14,360	11,500	50:50 POZ	1.16
Tubing	2-7/8	NA	0.217	13,870	NA	NA	NA
Liners							

PACKERS

Kind:				
Sizes:				
Depths Set:				

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4706101940

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 grouted with cement to surface. Mobilize top hole drilling rig. Drill surface section on air. Run surface (freshwater & coal string) casing to desired depth. The surface section 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). Demobilize top hole rig. Mobilize horizontal drilling rig. 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 90bpm. After frac, the drillout rig will drill all plugs out of the well. Land production tubing at desired depth. Then flowback well until ready to turn in line to production facilities.

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 72.29

22) Area to be disturbed for well pad only, less access road (acres): 31.65

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 other 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 string cement will be a Type 1 + Max 3% bwoc Calcium Chloride Fresh Water blend.
Intermediate string cement will be a Type 1 Cement + Max 3% bwoc Calcium Chloride + Fresh Water.
Production string cement will be (50:50) Poz (Fly Ash):Type I Cement with a gas migration additive.

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.

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*Note: Attach additional sheets as needed.

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WW-9
(4/16)

API Number 47 - 4706101940
Operator's Well No. Phoenix 5H

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Northeast Natural Energy LLC OP Code 494498281

Watershed (HUC 10) Dunkard Creek Quadrangle Wadestown

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

WV Department of Environmental Protection

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Kristen Brooks
Northeast Natural Energy LLC
48 Donley St., Suite 601
Morgantown, WV 26501
My Commission Expires Aug. 10, 2023

Subscribed and sworn before me this 23rd day of May, 2023

Kristen Brooks

Notary Public

My commission expires Aug. 10, 2023

07/07/2023

Northeast Natural Energy LLC

Proposed Revegetation Treatment: Acres Disturbed 72.29 Prevegetation pH 5-7

Lime 2 Tons/acre or to correct to pH 7

Fertilizer type 19-19-19

Fertilizer amount 300 lbs/acre

Mulch 2 Tons/acre

Seed Mixtures

Temporary		Permanent	
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: Gayne Knitowski Digitally signed by Gayne Knitowski
DN: cn=Gayne Knitowski, o=, ou=, email=gnitowski@nne.com

Comments: _____

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Title: Inspector

Date: 05/26/2023

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Environmental Protection

Field Reviewed? () Yes () No

07/07/2023



northeast
NATURAL ENERGY

**Phoenix Pad
Site Safety Plan**

May 2023

Gayne
Knitowski

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Gayne Knitowski
Date: 2023.05.26
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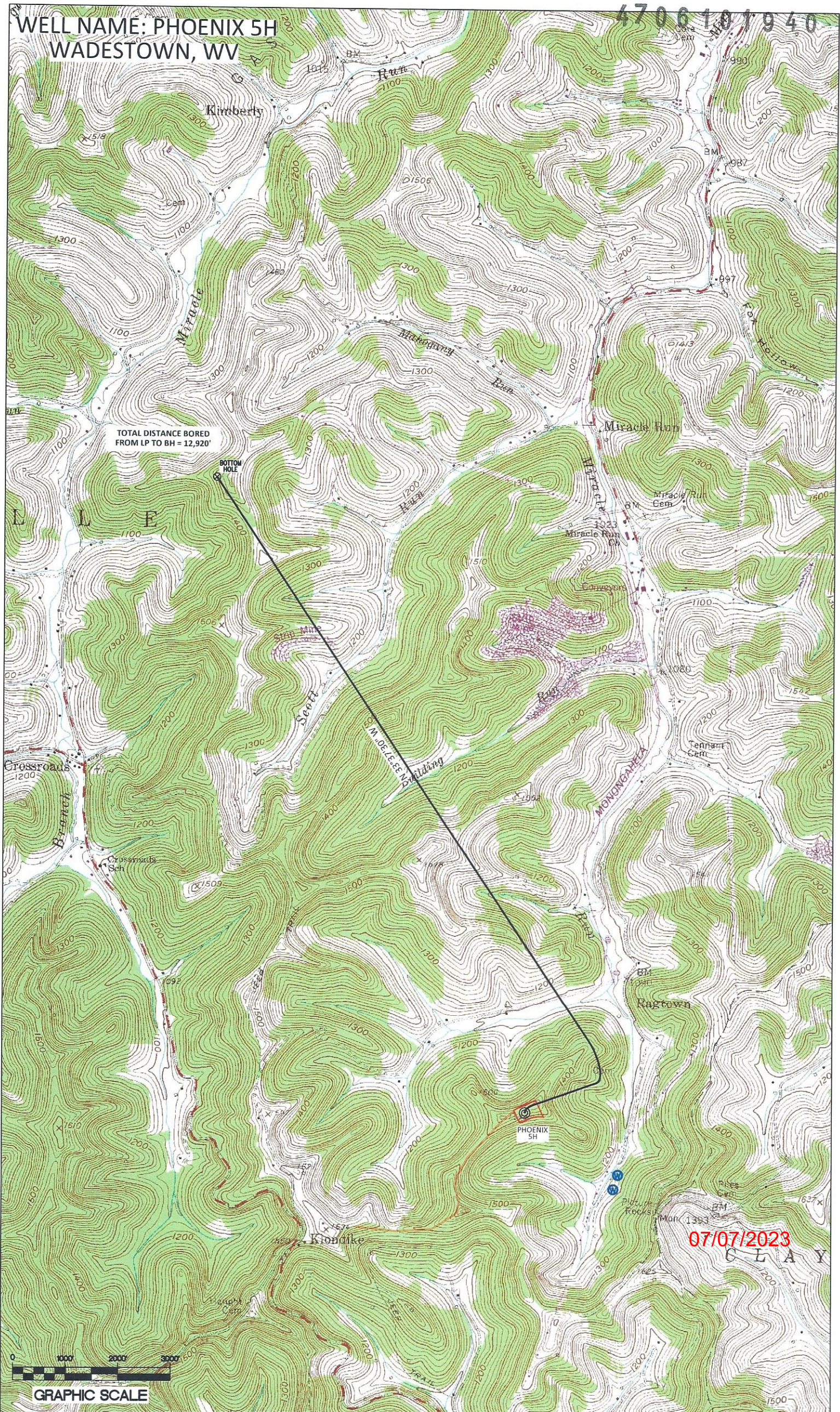


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WELL NAME: PHOENIX 5H
WADESTOWN, WV

4706181940



TOTAL DISTANCE BORED
FROM LP TO BH = 12,920'

BOTTOM HOLE

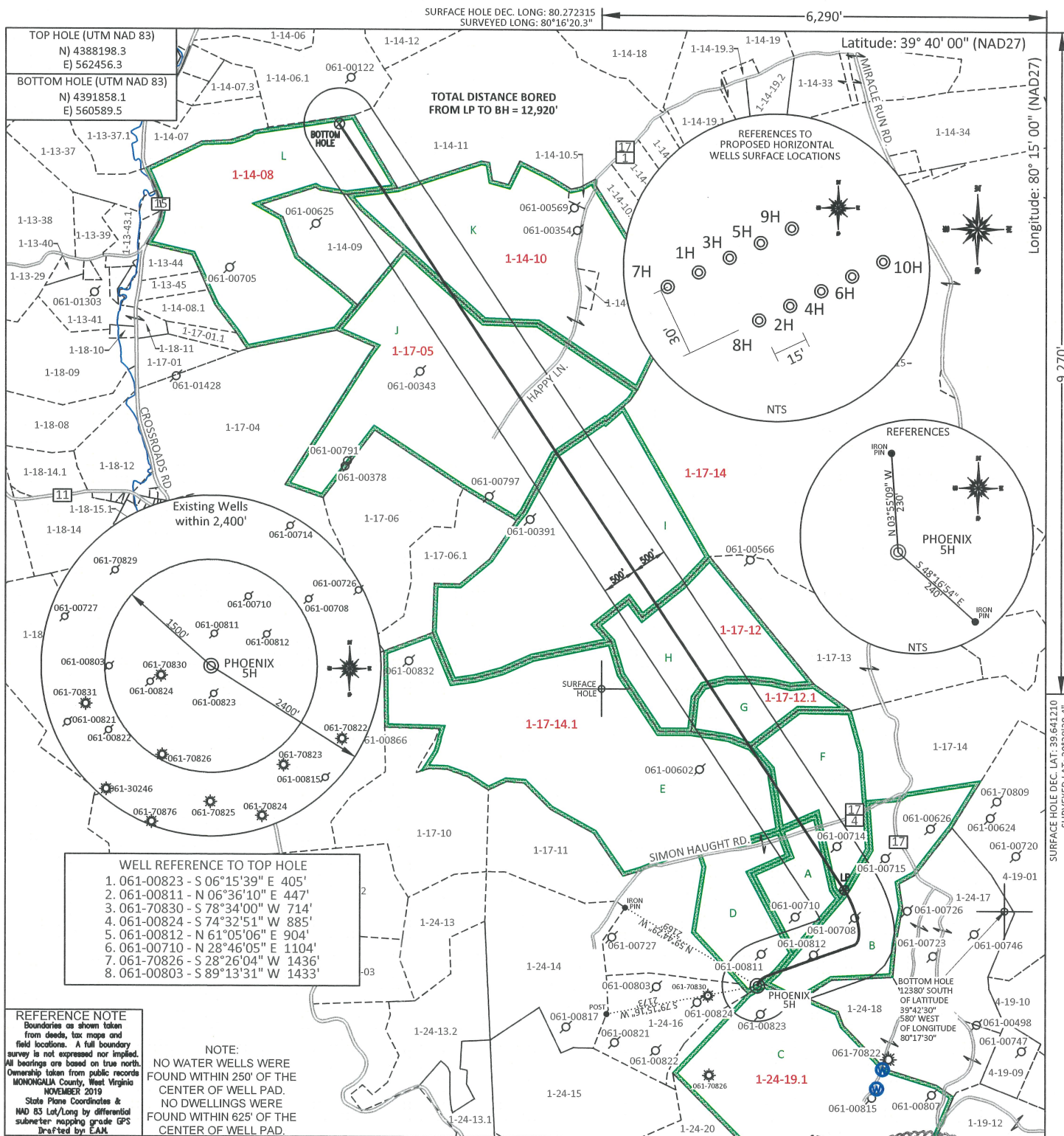
PHOENIX 5H

07/07/2023

CLAY



GRAPHIC SCALE



WELL REFERENCE TO TOP HOLE


- 061-00823 - S 06°15'39" E 405'
- 061-00811 - N 06°36'10" E 447'
- 061-70830 - S 78°34'00" W 714'
- 061-00824 - S 74°32'51" W 885'
- 061-00812 - N 61°05'06" E 904'
- 061-00710 - N 28°46'05" E 1104'
- 061-70826 - S 28°26'04" W 1436'
- 061-00803 - S 89°13'31" W 1433'

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 MONONGALIA County, West Virginia NOVEMBER 2019
 State Plane Coordinates & NAD 83 Lat/Long by differential submeter mapping grade GPS drafted by EAM

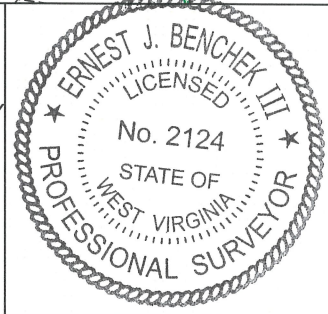
NOTE:
 NO WATER WELLS WERE FOUND WITHIN 250' OF THE CENTER OF WELL PAD.
 NO DWELLINGS WERE FOUND WITHIN 625' OF THE CENTER OF WELL PAD.

FILE #: NNE16
 DRAWING #: 3031
 SCALE: PLAT: 1" = 2000'
TICK: 1" = 2000'
 MINIMUM DEGREE OF ACCURACY: 1/200
 PROVEN SOURCE OF ELEVATION: SUBMETER MAPPING GRADE GPS

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



(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS
WVDEP
OFFICE OF OIL & GAS
 601 57TH STREET
 CHARLESTON, WV 25304

DATE: JULY 5, 2023
 OPERATOR'S WELL #: PHOENIX 5H
 API WELL #: 47 61 01940
 STATE COUNTY PERMIT
 CURRENT ELEVATION: 1,538'
 PROPOSED ELEVATION: 1,503.50'

Well Type: Oil Waste Dipsal Production Deep
 Gas Liquid Injection Storage Shallow

WATERSHED: DUNKARD CREEK

COUNTY/DISTRICT: MONONGALIA / BATTELLE QUADRANGLE: WADESTOWN
 SURFACE OWNER: CHARLES WENDELL MOORE & FRANK M. CHISLER ACREAGE: 466.30 +/-
 OIL & GAS ROYALTY OWNER: Pat L. Park, et al ACREAGE: 1,474.07/07/2023
 LEASE NUMBERS: _____

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 ESTIMATED DEPTH: TVD: 8,200' TMD: 21,866'
 WELL OPERATOR: NORTHEAST NATURAL ENERGY LLC DESIGNATED AGENT: JOHN ADAMS
 ADDRESS: 707 VIRGINIA STREET EAST, SUITE 1200 ADDRESS: 707 VIRGINIA STREET EAST, SUITE 1200
 CITY: CHARLESTON STATE: WV ZIP CODE: 25301 CITY: CHARLESTON STATE: WV ZIP CODE: 25301

PROPERTY OWNER INDEX	
1-14-08	KING FAMILY TRUST
1-14-10	MICHAEL A & ANITA K BRAGG (LIFE-GEORGE H FOLEY)
1-17-05	KENT A. & SHIRLEY A. LEONHARDT
1-17-12	PHOENIX ENERGY RESOURCES, LLC
1-17-12.1	NANCY MOORE & CATHERINE ANN MOORE
1-17-14	PHOENIX ENERGY RESOURCES, LLC
1-17-14.1	FRANK M. CHISLER
1-24-19.1	CHARLES WENDELL MOORE

LEASE INDEX			
A	WV-061-004079-002	G	WV-061-004281-002
B	WV-061-003767-004	H	WV-061-004290-001
C	WV-061-004463-001	I	WV-061-004937-006
D	WV-061-004076-010	J	WV-061-005790-003
E	WV-061-004433-001	K	WV-061-004505-001
F	WV-061-004433-001	L	WV-061-004874-001

07/07/2023

FILE #: NEE14

DRAWING #: 3031

SCALE: N/A

DATE: JULY 5, 2023

OPERATOR'S WELL #: PHOENIX 5H

API WELL #: 47 61 01940
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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Office of Oil and Gas
JUN 2 2023
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: Northeast Natural Energy, LLC
 By: Hollie Medley *Hollie Medley*
 Its: Regulatory Manager

Tract	Lease Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book	Page
A	WV-061-004079-002	Gordon E. Park	Northeast Natural Energy, LLC	12.5% or Greater	1727	563
A	WV-061-004079-003	Paulette Park	Northeast Natural Energy, LLC	12.5% or Greater	1728	723
A	WV-061-004446-001	John Nichols	Northeast Natural Energy, LLC	12.5% or Greater	1581	357
A	WV-061-004446-002	Richard Nichols	Northeast Natural Energy, LLC	12.5% or Greater	1581	359
A	WV-061-004446-003	Harold Tinker	Northeast Natural Energy, LLC	12.5% or Greater	1581	362
A	WV-061-004079-001	Wandugam, Inc.	Northeast Natural Energy, LLC	12.5% or Greater	1727	325
A	WV-061-003767-004	Phoenix Energy Resources, LLC	Northeast Natural Energy, LLC	12.5% or Greater	1564	86
B	WV-061-003767-004	ERP Federal Mining Complex, LLC	Northeast Natural Energy, LLC	12.5% or Greater	1564	86
C	WV-061-004463-001	Patricia A. Haught	Northeast Natural Energy LLC	12.5% or Greater	1585	207
C	WV-061-004463-006	Regina Sue White	Northeast Natural Energy LLC	12.5% or Greater	1589	799
C	WV-061-004463-014	Belva York	Northeast Natural Energy LLC	12.5% or Greater	1589	833
C	WV-061-004463-010	Gary K. Moore and Janice Moore	Northeast Natural Energy LLC	12.5% or Greater	1589	829
C	WV-061-004463-012	Eric R. Moore and Connie L. Moore	Northeast Natural Energy LLC	12.5% or Greater	1589	809
C	WV-061-004463-009	Karen Breedlove	Northeast Natural Energy LLC	12.5% or Greater	1589	805
C	WV-061-004463-007	Kathy Sue Breedlove	Northeast Natural Energy LLC	12.5% or Greater	1589	801
C	WV-061-004463-021	Robert C. Moore	Northeast Natural Energy LLC	12.5% or Greater	1591	288
C	WV-061-004463-008	William K. Moore	Northeast Natural Energy LLC	12.5% or Greater	1589	803
C	WV-061-004463-011	Shirley Foster	Northeast Natural Energy LLC	12.5% or Greater	1589	807
C	WV-061-004463-013	Jackie Cotter	Northeast Natural Energy LLC	12.5% or Greater	1589	831
C	WV-061-004463-015	Ronald J. Haught	Northeast Natural Energy LLC	12.5% or Greater	1590	343
C	WV-061-004463-004	David M. Haught	Northeast Natural Energy LLC	12.5% or Greater	1588	434
C	WV-061-004463-017	Stanley L. Haught	Northeast Natural Energy LLC	12.5% or Greater	1591	280
C	WV-061-004463-003	Warren P. Haught	Northeast Natural Energy LLC	12.5% or Greater	1588	432
C	WV-061-004463-005	Connie S. Leary	Northeast Natural Energy LLC	12.5% or Greater	1588	436
C	WV-061-004463-016	Robert N. Tennant	Northeast Natural Energy LLC	12.5% or Greater	1590	345
C	WV-061-004463-018	Louella K. Woods, a/k/a Louella Tennant	Northeast Natural Energy LLC	12.5% or Greater	1591	282
C	WV-061-004463-020	Belletta Kasha Haught	Northeast Natural Energy LLC	12.5% or Greater	1591	286
C	WV-061-004463-019	Dale Haught	Northeast Natural Energy LLC	12.5% or Greater	1591	284
C	WV-061-004463-022	Patricia L. Haught	Northeast Natural Energy LLC	12.5% or Greater	1591	543
C	WV-061-004463-024	Lena R. Hendershot	Northeast Natural Energy LLC	12.5% or Greater	1602	29
C	WV-061-005188-001	Robert K. Tennant	Northeast Natural Energy LLC	12.5% or Greater	1621	770
D	WV-061-004076-010	Elizabeth C. Kiser	Northeast Natural Energy, LLC	12.5% or Greater	1565	197
D	WV-061-004076-007	John Roy Post	Northeast Natural Energy, LLC	12.5% or Greater	1566	176
D	WV-061-004076-012	Robert Lee Post	Northeast Natural Energy, LLC	12.5% or Greater	1565	191
D	WV-061-004076-002	Martha Susan Post	Northeast Natural Energy, LLC	12.5% or Greater	1562	745
D	WV-061-004076-005	Mara Post Nichols	Northeast Natural Energy, LLC	12.5% or Greater	1566	533
D	WV-061-004076-009	Joshua Post	Northeast Natural Energy, LLC	12.5% or Greater	1565	193
D	WV-061-004076-011	Jennifer Clare Bottomi	Northeast Natural Energy, LLC	12.5% or Greater	1565	588
D	WV-061-004076-013	Tori Birch	Northeast Natural Energy, LLC	12.5% or Greater	1568	509
D	WV-061-004076-006	Seth Pirmann	Northeast Natural Energy, LLC	12.5% or Greater	1563	188

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Tract	Lease Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book	Page
D	WV-061-004076-008	Stacy Pirmann	Northeast Natural Energy, LLC	12.5% or Greater	1565	195
D	WV-061-004076-001	Sadie Pirmann Werley	Northeast Natural Energy, LLC	12.5% or Greater	1562	743
D	WV-061-004076-004	Jamie Lyn Pirmann	Northeast Natural Energy, LLC	12.5% or Greater	1562	741
D	WV-061-004076-003	Addisville Reformed Church	Northeast Natural Energy, LLC	12.5% or Greater	1562	747
E	WV-061-004433-001	Rebecca P. Foley	Northeast Natural Energy, LLC	12.5% or Greater	1580	135
E	WV-061-004769-001	John William Jones	Northeast Natural Energy, LLC	12.5% or Greater	1606	497
E	WV-061-004446-001	John D. Nichols	Northeast Natural Energy, LLC	12.5% or Greater	1581	357
E	WV-061-004446-002	Richard E. Nichols	Northeast Natural Energy, LLC	12.5% or Greater	1581	359
E	WV-061-004078-004	Gordon Park	Northeast Natural Energy, LLC	12.5% or Greater	1727	562
E	WV-061-004078-001	Wandugam, Inc.	Northeast Natural Energy, LLC	12.5% or Greater	1727	324
E	WV-061-004078-003	Paulette Park	Northeast Natural Energy, LLC	12.5% or Greater	1728	721
E	WV-061-004078-005	Gordon R. Parker	Northeast Natural Energy, LLC	12.5% or Greater	1728	722
E	WV-061-004078-002	Larry C. Parker	Northeast Natural Energy, LLC	12.5% or Greater	1563	184
E	WV-061-004446-003	Harold Tinker	Northeast Natural Energy, LLC	12.5% or Greater	1581	362
F	WV-061-004433-001	Rebecca P. Foley	Northeast Natural Energy, LLC	12.5% or Greater	1580	135
F	WV-061-004769-001	Shirley A. Jones	Northeast Natural Energy, LLC	12.5% or Greater	1606	497
F	WV-061-004446-001	John D. Nichols	Northeast Natural Energy, LLC	12.5% or Greater	1581	357
F	WV-061-004446-002	Richard E. Nichols	Northeast Natural Energy, LLC	12.5% or Greater	1581	359
F	WV-061-004070-005	Gordon Park	Northeast Natural Energy, LLC	12.5% or Greater	1727	561
F	WV-061-004070-003	Pat L. Park	Northeast Natural Energy, LLC	12.5% or Greater	1727	322
F	WV-061-004070-004	Paulette Park	Northeast Natural Energy, LLC	12.5% or Greater	1727	560
F	WV-061-004070-002	Gordon R. Parker	Northeast Natural Energy, LLC	12.5% or Greater	1727	275
F	WV-061-004070-001	Larry C. Parker	Northeast Natural Energy, LLC	12.5% or Greater	1566	170
F	WV-061-004446-003	Harold Tinker	Northeast Natural Energy, LLC	12.5% or Greater	1581	362
G	WV-061-004281-002	George A. Phillips Limited Partnership	Northeast Natural Energy, LLC	12.5% or Greater	1572	222
G	WV-061-004281-001	Catherine Ann Moore	Northeast Natural Energy, LLC	12.5% or Greater	1572	220
H	WV-061-004290-001	Mary Jo Broomall	Northeast Natural Energy, LLC	12.5% or Greater	1574	409
I	WV-061-004937-006	Catch My Drift, LLC	Northeast Natural Energy, LLC	12.5% or Greater	1635	393
I	WV-061-004937-002	Lowell F. Thomas	Northeast Natural Energy, LLC	12.5% or Greater	1637	238
I	WV-061-004937-001	Phyllis J. Thomas	Northeast Natural Energy, LLC	12.5% or Greater	1614	573
I	WV-061-004937-003	Cynthia L. Leeper	Northeast Natural Energy, LLC	12.5% or Greater	1614	53
J	WV-061-005790-003	Deborah Josephine Jarrell	Northeast Natural Energy, LLC	12.5% or Greater	1762	676
J	WV-061-005790-001	Piney Holdings Inc.	Northeast Natural Energy, LLC	12.5% or Greater	1760	662
J	WV-061-005790-004	Donna Yergovich Nuzum	Northeast Natural Energy, LLC	12.5% or Greater	1762	678
J	WV-061-005790-006	Steven N. Yergovich Jr.	Northeast Natural Energy, LLC	12.5% or Greater	1762	682
J	WV-061-005790-005	Richard E. Shriver	Northeast Natural Energy, LLC	12.5% or Greater	1762	680
J	WV-061-005790-002	Melissa D. Hunt	Northeast Natural Energy, LLC	12.5% or Greater	1762	674
K	WV-061-004505-001	Cary Devore	Northeast Natural Energy, LLC	12.5% or Greater	1588	581
K	WV-061-004505-004	Jeffrey R. Devore	Northeast Natural Energy, LLC	12.5% or Greater	1588	590
K	WV-061-004505-009	Rex Devore	Northeast Natural Energy, LLC	12.5% or Greater	1589	216
K	WV-061-004505-004	Wendell Devore	Northeast Natural Energy, LLC	12.5% or Greater	1588	590
K	WV-061-004505-011	Ruby Garza	Northeast Natural Energy, LLC	12.5% or Greater	1589	821

07/07/2023

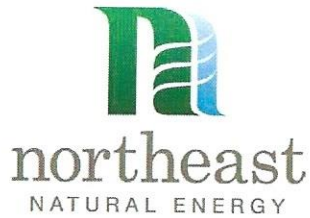
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Tract	Lease Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book	Page
K	WV-061-004770-001	Ridgetop Ten LLC (Karen L. Haught)	Northeast Natural Energy, LLC	12.5% or Greater	1622	282
K	WV-061-004505-002	Bernice Houser	Northeast Natural Energy, LLC	12.5% or Greater	1588	583
K	WV-061-004482-001	Drema Lemley Howard	Northeast Natural Energy, LLC	12.5% or Greater	1589	206
K	WV-061-004505-003	Blanche "Jackie" Lindsey	Northeast Natural Energy, LLC	12.5% or Greater	1588	588
K	WV-061-004505-005	Louise Maiers	Northeast Natural Energy, LLC	12.5% or Greater	1588	592
L	WV-061-004874-001	King Family Trust	Northeast Natural Energy, LLC	12.5% or Greater	1612	90

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4706101940



May 24, 2023

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

RE: Phoenix 5H

Dear Permit Reviewer:

Please be advised that Northeast Natural Energy LLC has the right to drill, extract and produce the minerals beneath Simon Haught Road and Happy Lane as identified on the included plat.

Sincerely,

Charles Dornetto

Charles Dornetto
Manager Land Acquisitions

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Northeast Natural Energy LLC · 707 Virginia Street East, Suite 1200 · Charleston, WV 25301

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WW-PN
(11-18-2015)

**Horizontal Natural Gas Well Work Permit
Application Notice By Publication**

Notice is hereby given:

Pursuant to West Virginia Code 22-6A-10(e) prior to filing an application for a permit for a horizontal well the applicant shall publish in the county in which the well is located or is proposed to be located a Class II legal advertisement.

Paper: The Dominion Post

Public Notice Date: May 19th and 26th, 2023

The following applicant intends to apply for a horizontal natural well work permit which disturbs three acres or more of surface excluding pipelines, gathering lines and roads **or** utilizes more than two hundred ten thousand gallons of water in any thirty day period.

Applicant: Northeast Natural Energy **Well Number:** 1H, 3H, 5H, 7H, 9H

Address: 707 Virginia St. E., Suite 1200
Charleston, WV 25301

Business Conducted: Natural gas production.

Location –

State:	<u>West Virginia</u>	County:	<u>Monongalia</u>
District:	<u>Battelle</u>	Quadrangle:	<u>Wadestown</u>
UTM Coordinate NAD83 Northing:	<u>1H - 4388194.2; 3H - 4388196.3; 5H - 4388198.3; 7H - 4388192.2; 9H - 4388200.3</u>		
UTM coordinate NAD83 Easting:	<u>1H - 562448.1; 3H - 562452.2; 5H - 562456.3; 7H - 562444.0; 9H - 562460.4</u>		
Watershed:	<u>Dunkard Creek</u>		

Coordinate Conversion:

To convert the coordinates above into longitude and latitude, visit: http://tagis.dep.wv.gov/convert/llutm_conus.php

Electronic notification:

To receive an email when applications have been received or issued by the Office of Oil and Gas, visit <http://www.dep.wv.gov/insidedep/Pages/DEPMailingLists.aspx> to sign up.

Reviewing Applications:

Copies of the proposed permit application may be reviewed at the WV Department of Environmental Protection headquarters, located at 601 57th Street, SE Charleston, WV 25304 (304-926-0450). Full copies or scans of the proposed permit application will cost \$15, whether mailed or obtained at DEP headquarters. Copies may be requested by calling the office or by sending an email to DEP.comments@wv.gov.

Submitting Comments:

Comments may be submitted online at <https://apps.dep.wv.gov/oog/comments/comments.cfm>, or by letter to Permit Review, Office of Oil and Gas, 601 57th Street, SE Charleston, WV 25304. Please reference the county, well number, and operator when using this option.

Regardless of format for comment submissions, they must be received no later than thirty days after the permit application is received by the Office of Oil and Gas.

For information related to horizontal drilling visit: www.dep.wv.gov/oil-and-gas/pages/default.aspx

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

Date of Notice Certification: 05/23/2023

API No. 47- -
Operator's Well No. 5H
Well Pad Name: Phoenix

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>562456.3</u>
County: <u>Monongalia</u>		Northing: <u>4388198.3</u>
District: <u>Battelle</u>	Public Road Access: <u>Graveyard Hill/Route 15/2</u>	
Quadrangle: <u>Wadestown</u>	Generally used farm name: <u>Phoenix</u>	
Watershed: <u>Dunkard 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		OOG OFFICE USE ONLY
<input type="checkbox"/> 1. NOTICE OF SEISMIC ACTIVITY or <input checked="" type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED		<input type="checkbox"/> RECEIVED/ NOT REQUIRED
<input checked="" type="checkbox"/> 2. NOTICE OF ENTRY FOR PLAT SURVEY or <input type="checkbox"/> NO PLAT SURVEY WAS CONDUCTED		<input type="checkbox"/> RECEIVED
<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 <input type="checkbox"/> WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)		<input type="checkbox"/> RECEIVED/ NOT REQUIRED
<input checked="" type="checkbox"/> 4. NOTICE OF PLANNED OPERATION	RECEIVED Office of Oil and Gas	<input type="checkbox"/> RECEIVED
<input checked="" type="checkbox"/> 5. PUBLIC NOTICE	JUN 2 2023	<input type="checkbox"/> RECEIVED
<input checked="" type="checkbox"/> 6. NOTICE OF APPLICATION	WV Department of Environmental Protection	<input type="checkbox"/> 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.

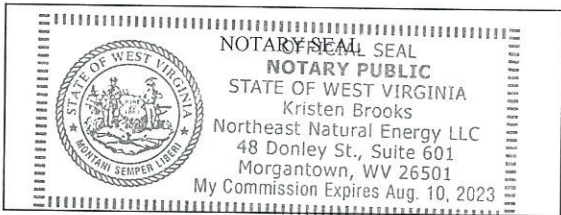
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Certification of Notice is hereby given:

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:	<u>Northeast Natural Energy, LLC</u>	Address:	<u>707 Virginia St. E., Suite 1200</u>
By:	<u>Hollie Medley</u>		<u>Charleston, WV 25301</u>
Its:	<u>Regulatory Manager</u>	Facsimile:	<u>304-241-5972</u>
Telephone:	<u>304-241-5752</u>	Email:	<u>hmedley@nne-llc.com</u>

Hollie Medley



Subscribed and sworn before me this 23rd day of May, 2023.

Kristen Brooks Notary Public

My Commission Expires Aug. 10, 2023

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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**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: 5/15/23 Date Permit Application Filed: 5/25/23

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: see attached
Address: _____

Name: _____
Address: _____

SURFACE OWNER(s) (Road and/or Other Disturbance)
Name: see attached
Address: _____

Name: _____
Address: _____

SURFACE OWNER(s) (Impoundments or Pits)
Name: _____
Address: _____

COAL OWNER OR LESSEE
Name: see attached
Address: _____

COAL OPERATOR
Name: _____
Address: _____

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

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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 Oil and Gas 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

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07/07/2023

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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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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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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Notice is hereby given by:

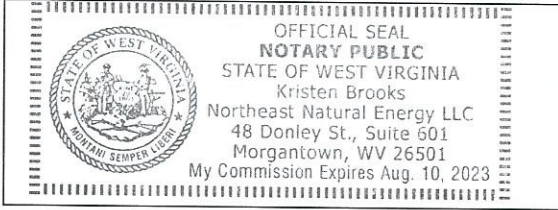
Well Operator: Northeast Natural Energy LLC
Telephone: 304-241-5752
Email: hmedley@nne-llc.com

Address: 707 Virginia St. E., Suite 1200
Charleston, WV 25301
Facsimile: 304-241-5972

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.

Holl mecy



Subscribed and sworn before me this 15th day of May, 2023

Kristen Brooks Notary Public

My Commission Expires Aug. 10, 2023

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: 5/21/20 **Date of Planned Entry:** 5/28/20

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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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: <u>West Virginia</u>	Approx. Latitude & Longitude: <u>39.641344, -80.271934</u>
County: <u>Monongalia</u>	Public Road Access: <u>CR 15</u>
District: <u>Battelle</u>	Watershed: <u>Dunkard Creek</u>
Quadrangle: <u>Wadestown</u>	Generally used farm name: <u>Phoenix</u>

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 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: 304-414-7060
Email: _____

Address: _____
707 Virginia St. E, Suite 1200 Charleston, WV 25301
Facsimile: 304-241-5972

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.

07/07/2023

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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: 05/15/2023 **Date Permit Application Filed:** 05/25/2023

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: See Attached
Address: _____

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>562456.3</u>
County:	<u>Monongalia</u>		Northing:	<u>4388198.3</u>
District:	<u>Battelle</u>	Public Road Access:	<u>Graveyard Hill/Route 15/2</u>	
Quadrangle:	<u>Wadestown</u>	Generally used farm name:	<u>Phoenix</u>	
Watershed:	<u>Dunkard 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 57th Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting www.dep.wv.gov/oil-and-gas/pages/default.aspx.

Notice is hereby given by:

Well Operator: Northeast Natural Energy
Address: 707 Virginia St. E., Suite 1200
Charleston, WV 25301
Telephone: 304-414-7060
Email: _____
Facsimile: 304-414-7061

Authorized Representative: Hollie Medley, Regulatory Manager
Address: 48 Donley St., Suite 601
Morgantown, WV 26501
Telephone: 304-241-5752
Email: hmedley@nne-llc.com
Facsimile: 304-241-5972

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

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

Date of Notice: 05/15/2023 **Date Permit Application Filed:** 05/25/2023

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

CERTIFIED MAIL HAND
RETURN RECEIPT REQUESTED 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: See Attached Name: _____
Address: _____ 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: West Virginia UTMNAD 83 Easting: 562456.3
County: Monongalia Northing: 4388198.3
District: Battelle Public Road Access: Graveyard Hill/Route 15/2
Quadrangle: Wadestown Generally used farm name: Phoenix
Watershed: Dunkard 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: Northeast Natural Energy Address: 707 Virginia St. E, Suite 1600
Telephone: 304-414-7060 Charleston, WV 25301
Email: hmedley@nne-llc.com Facsimile: 304-414-7061

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.

07/07/2023



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

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

Gregory L. Bailey, P.E.
 Interim
 State Highway Engineer

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

May 24, 2023

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 Phoenix Pad, Monongalia County
 Phoenix 5H Well Site

Dear Mr. Martin,

This well site will be accessed from a DOH permit #04-2020-0564 which has been issued to Northeast Natural Energy for access to the State Road for a well site located off Monongalia County Route 15/2 SLS MP 0.058.

This operator is in compliance with §22-6A-20 of the WV Code. Operator has signed a DISTRICT WIDE OIL AND GAS ROAD MAINTENANCE BONDING AGREEMENT and provided the required Bond. This operator is currently in compliance with the DOH OIL AND GAS POLICY revised March 06, 2023. This letter is valid for permitting purposes for one year from the date of this letter.

Very Truly Yours,

Gary K. Clayton, P.E.
 Regional Operations Engineer
 Central Office O&G Coordinator

Cc: Kristen Brooks
 Northeast Natural Energy
 CH, OM, D-4
 File

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Planned Additives To Be Used In Fracturing Stimulations

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Trade Name	Purpose	Ingredients	Chemical Abstract Service Number (CAS#)
Water	Carrier	Water	7732-18-5
HCl, 10.1-15%	Acidizing	Hydrochloric Acid Water	7647-01-0 7732-18-5
Alpha 1427	Bioocide	Alkyl Dimethyl Benzyl Ammonium Chloride (C12-16) Ethanol Glutaraldehyde Quaternary Ammonium Chloride Water	68424-85-1 64-17-5 111-30-8 7173-51-5 7732-18-5
Enzyme G-NE	Breaker	Hemicellulase Enzyme Concentrate Water	9025-56-3 7732-18-5
Cl-14	Corrosion Inhibitor	Fatty Acids Methanol Olefin Polyoxyalkylenes Propargyl Alcohol	NA 67-56-1 NA NA 107-19-7
GW-3LDF	Gelling Agent	Guar Gum Petroleum Distillate Blend	9000-30-0 CBI
FRW-18	Friction Reducer	Hydrotreated Light Distillate	64742-47-8
Ferrotrol 300L	Iron Control	Citric Acid	77-92-9
Sand, White, 40/70	Proppant	Crystalline Silica (Quartz)	14808-60-7
Sand, White, 100 mesh	Proppant	Crystalline Silica (Quartz)	14808-60-7
Scaletrol 720	Scale Inhibitor	Diethylene Glycol	111-46-6

07/07/2023

OPERATOR: Northeast Natural Energy WELL NO: 5H

PAD NAME: Phoenix

REVIEWED BY: Hollie Medley SIGNATURE: Hollie Medley

WELL RESTRICTIONS CHECKLIST

HORIZONTAL 6A WELL

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

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