



 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

Austin Caperton, Cabinet Secretary
www.dep.wv.gov

Friday, September 21, 2018
 WELL WORK PERMIT
 Horizontal 6A / New Drill

JAY-BEE OIL & GAS, INC.
 1720 RT. 22 E

UNION, NJ 070830000

Re: Permit approval for P5N3
 47-073-02586-00-00

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

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

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

James A. Martin
 Chief

Operator's Well Number: P5N3
 Farm Name: BB LAND LLC
 U.S. WELL NUMBER: 47-073-02586-00-00
 Horizontal 6A New Drill
 Date Issued: 9/21/2018

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. 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.

PERMIT CONDITIONS

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

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

1) Well Operator: Jay-Bee Oil & Gas, Inc. 24610 Pleasants Union Ben's Run 7.5'
Operator ID County District Quadrangle

2) Operator's Well Number: P5N3 Well Pad Name: P5

3) Farm Name/Surface Owner: Jay Bee Oil and Gas, Inc. Public Road Access: Arvilla Road

4) Elevation, current ground: 896.1 Elevation, proposed post-construction: 868.1

5) Well Type (a) Gas X Oil _____ Underground Storage _____
Other _____

(b) If Gas Shallow X Deep _____
Horizontal X _____

6) Existing Pad: Yes or No No

7) Proposed Target Formation(s), Depth(s), Anticipated Thickness and Expected Pressure(s):
Marcellus, Target Depth 5700', 41-60' thick, 3500# pressure

8) Proposed Total Vertical Depth: 5,900'

9) Formation at Total Vertical Depth: Marcellus

10) Proposed Total Measured Depth: 20,773'

11) Proposed Horizontal Leg Length: 13,558'

12) Approximate Fresh Water Strata Depths: 127'

13) Method to Determine Fresh Water Depths: API 47-073-00798 Freshwater, 47-073-00636 Saltwater, 47-073-00099 Coal

14) Approximate Saltwater Depths: 1,756.1'

15) Approximate Coal Seam Depths: 456.1-461.1'

16) Approximate Depth to Possible Void (coal mine, karst, other): N/A

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: _____

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 | 16 | New | J55 | 40 | 30' | 30' | 8.22 CTS |
| Fresh Water | 11 3/4 | New | J55 | 32 | 300' | 300' | 142.25 CTS |
| Coal | | | | | | | |
| Intermediate | 8 5/8 | New | J55 | 24 | 1,800' | 1,800' | 458 CTS |
| Production | 5 1/2 | New | P110 | 17 | 20,773' | 20,773' | 3425.8 CF1000 from surface |
| Tubing | N/A | | | | | | |
| Liners | N/A | | | | | | |

DMH 7-3-18 *gcb 7/3/2018*

| 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 | 16 | 17 1/2 | .495 | 3,000# | 50 | Class A | 1.19 |
| Fresh Water | 11 3/4 | 15 | .333 | 1,500# | 1,000 | Class A | 1.26 |
| Coal | | | | | | | |
| Intermediate | 8 5/8 | 11 | .264 | 2,950# | 1,500 | Class A | 1.45 |
| Production | 5 1/2 | 7 7/8 | .304 | 15,000# | 2,500 | Type 1 Cement | 1.34 |
| Tubing | N/A | | | | | | |
| Liners | N/A | | | | | | |

PACKERS

| | | | | |
|-------------|-----|--|--|--|
| Kind: | N/A | | | |
| Sizes: | N/A | | | |
| Depths Set: | N/A | | | |

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

Drill and Stimulate a new Horizontal Well. Using a top hole rig, we will drill top hole to kick off point by drilling the conductor, freshwater and intermediate holes. Using a directional rig we will drill the production holes.

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

300-350' per stage 8,500bbls of water, 150,000-400,000lbs of sand, friction reducer, 1# per gallon, scale inhibitor and bacteria prevention 1/4# per gallon 2000 gallons 15% vol acid. 77bpm @ 6500# pressure.

DMH
7-7-18
GCB
7/3/2018

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 21.6

22) Area to be disturbed for well pad only, less access road (acres): 10.67

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23) Describe centralizer placement for each casing string:

Vertical - Every 500' Bow Centralizer, and 50' from top of ground. Horizontal every 42' Spiral Centralizer, Curve - Every 84' Spiral Centralizer.

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

15" hole for the 11 3/4 fresh water case, Class A Cement, 2% Calcium Chloride, 1/4# flake.
11" hole for the 8 5/8 intermediate base, Class A Cement, 2% Calcium Chloride
7 7/8" hole for the 5 1/2 production case, Type1 Cement, Fly Ash, Barite, Finetol 300L, R-3 Celio Flake, Sugar, CD-32, FL-62

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25) Proposed borehole conditioning procedures:

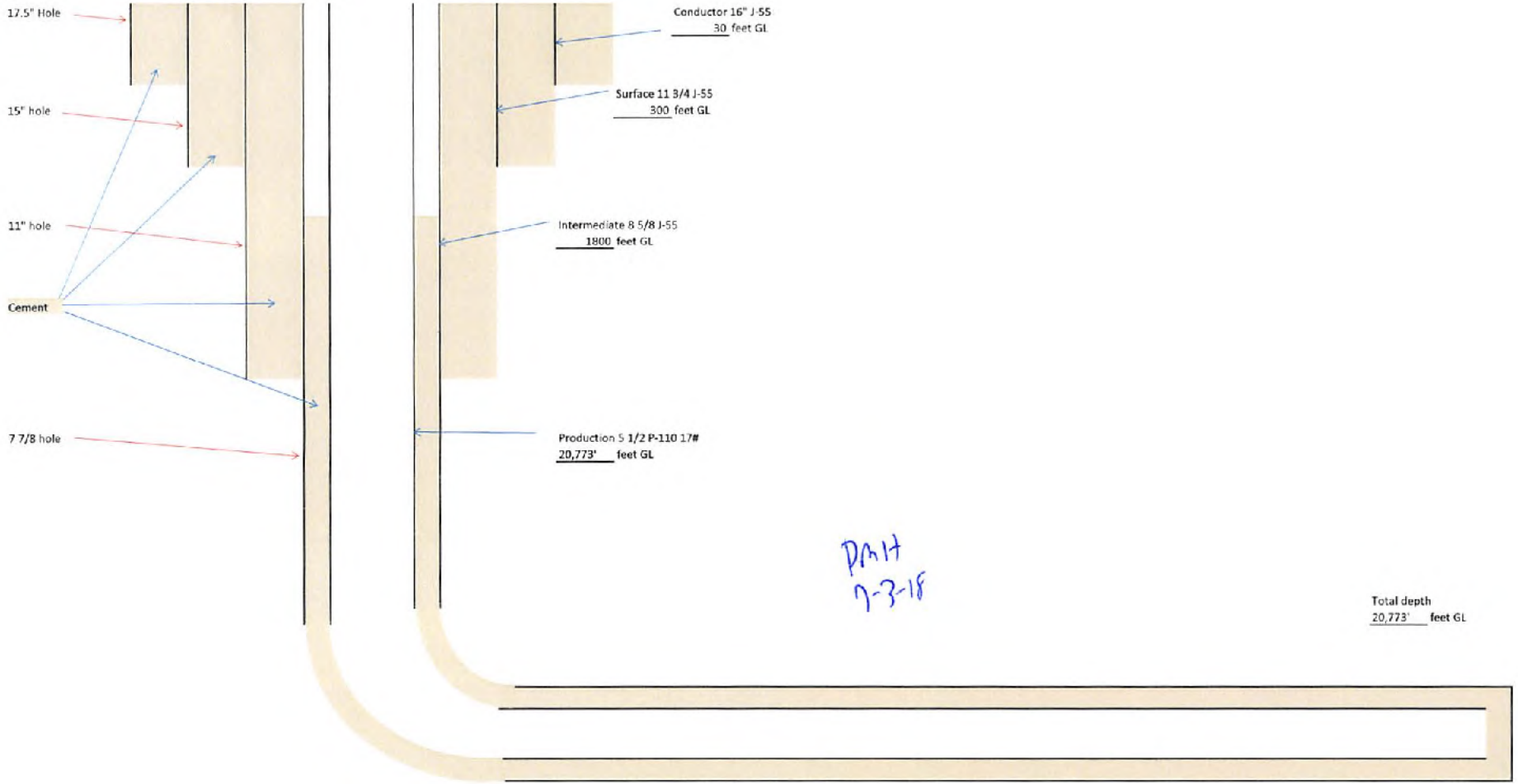
Air Hole: 15" hole for the 11 3/4 fresh water case - Circulate until clean with air. If soaping, slug then dry.
Air Hole: 11" hole for the 8 5/8 intermediate base - Circulate until clean with air. If soaping, slug then dry.
7 7/8" hole for the 5 1/2 production case - Circulate with mud and sweeps for two times bottoms up. If needed weight up mud until no cuttings retrieved, then circulate with mud and sweeps for two times bottoms up.

*Note: Attach additional sheets as needed.

Jay-Bee Oil & Gas Inc.
Well Name PSN3
GL Elevation 868.1
KB 14 feet

Date 7/2/2018
District Union
County Pleasants
State West Virginia

Input by: Shane Dowell



Total depth
20,773' feet GL

4707302586

gcb
7/3/2018

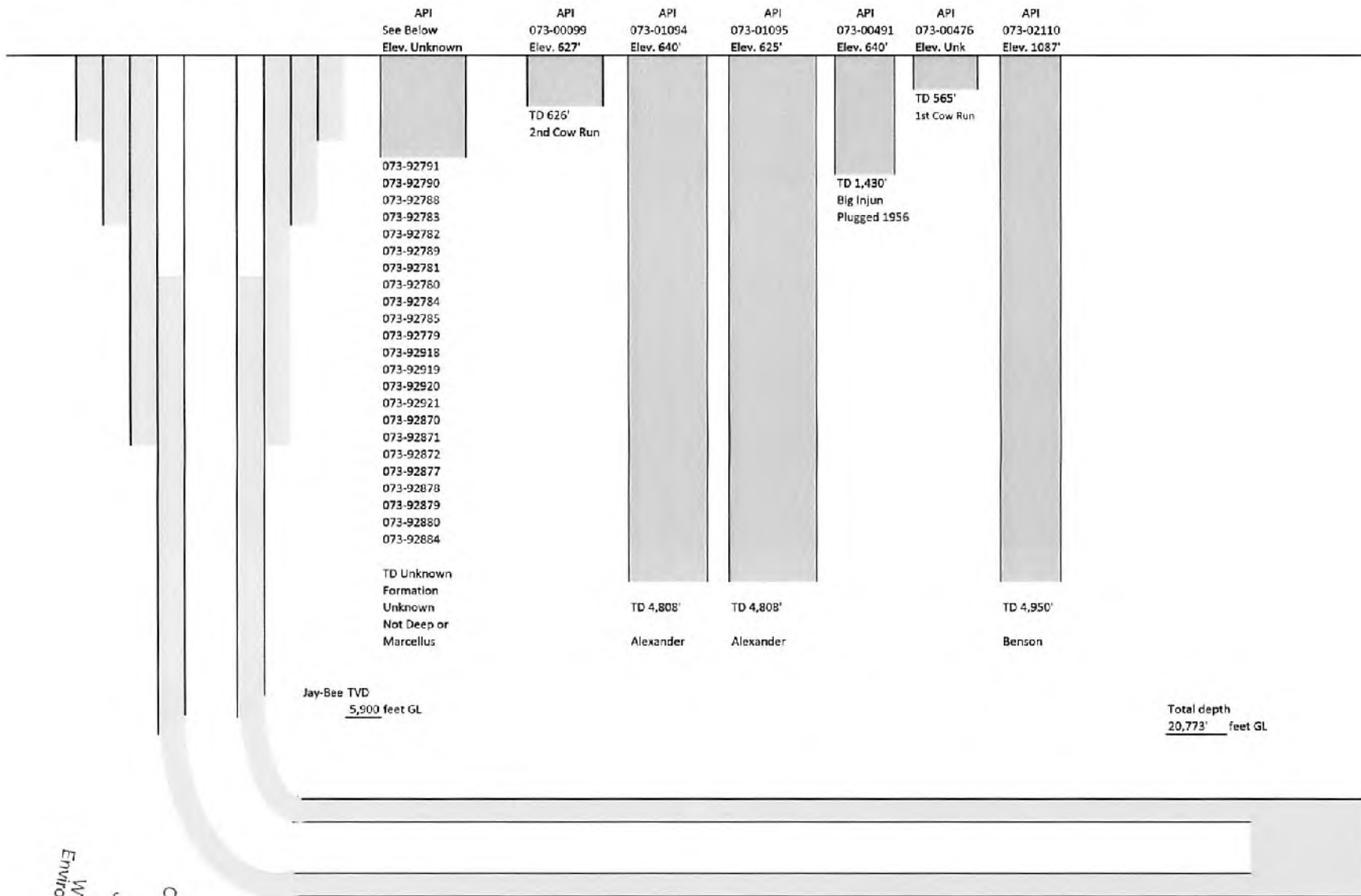
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AOR

Jay-Bee Oil & Gas Inc.
Well Name PSN3
GL Elevation 868.1

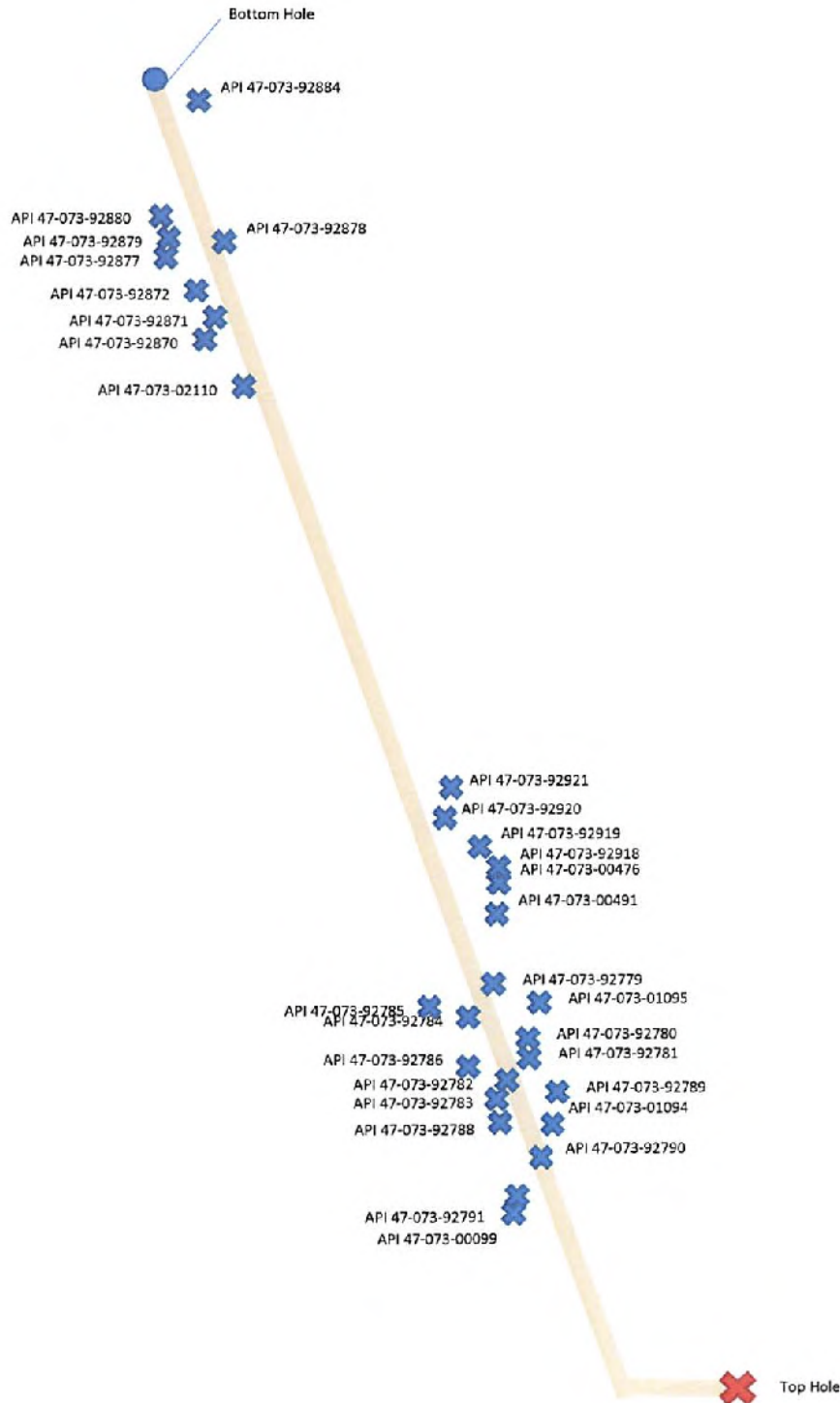
Well-Site Safety Plan Anti-Collision Schematic



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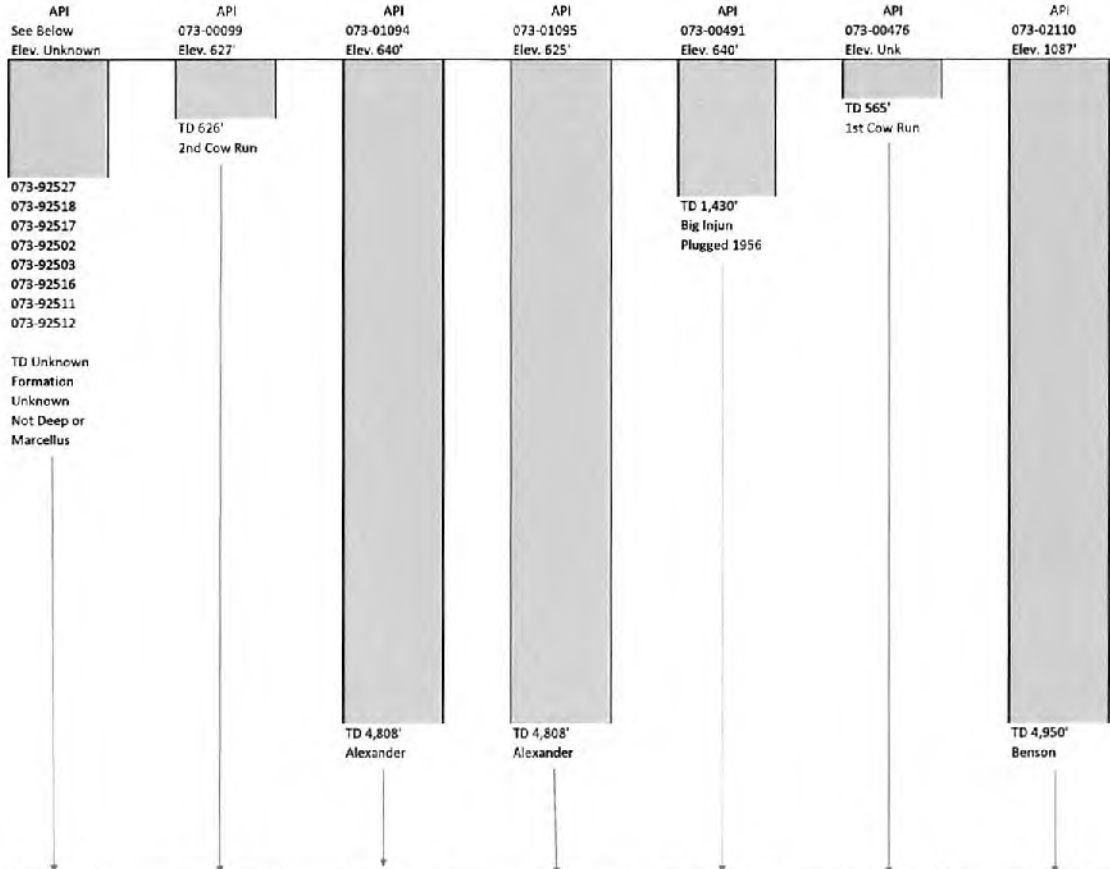
73-0 2586

Well-Site Safety Plan Anti-Collision Schematic



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Area of Review
PSN3 - API Pending



| Operator | Unknown | Dinsmoor & Co | K Petroleum | Mountaineer Gas | Tacket Oil Co. | CJ Barnhart | G&S Drilling |
|-----------------------------------|----------|---------------|----------------|-----------------|----------------|-------------|----------------|
| Well Name | Multiple | 14 | Hazel Fell 2 | Harold Fell 1 | 1 | 1 | Westvac 1 |
| Perforated Formations | Unknown | Cow Run | Alexander | Alexander | Big Injun | Cow Run | Benson |
| Unperforated Producing Formations | Unknown | | Benson | Benson | Keener | | Riley |
| | | | Riley | Riley | Big Lime | | Speechley |
| | | | Speechley | Speechley | Maxon | | Warren |
| | | | Warren | Warren | Big Dunkard | | Gordon |
| | | | Gordon | Gordon | Little Dunkard | | Gantz |
| | | | Gantz | Gantz | Cow Run | | Berea |
| | | | Berea | Berea | | | Weir |
| | | | Weir | Weir | | | Big Injun |
| | | | Big Injun | Big Injun | | | Keener |
| | | | Keener | Keener | | | Big Lime |
| | | | Big Lime | Big Lime | | | Maxon |
| | | | Maxon | Maxon | | | Big Dunkard |
| | | | Big Dunkard | Big Dunkard | | | Little Dunkard |
| | | | Little Dunkard | Little Dunkard | | | Cow Run |
| | | Cow Run | Cow Run | | | | |

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4707 0223/2018

WW-9
(4/16)

API Number 47 - _____ - _____
Operator's Well No. P5N3 _____

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Jay-Bee Oil & Gas, Inc. OP Code 24610

Watershed (HUC 10) Middle Island Creek Quadrangle Bens Run 7.5'

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: _____

Will a synthetic liner be used in the pit? Yes No If so, what ml.? _____

Proposed Disposal Method For Treated Pit Wastes:

- Land Application
- Underground Injection (UIC Permit Number 47-085-09721)
- Reuse (at API Number _____)
- Off Site Disposal (Supply form WW-9 for disposal location)
- Other (Explain Using Contract Haulers (API's 47-085-05151))

Will closed loop system be used? If so, describe: Yes, Centrifuge Drying Shaker System for Top Hole & Horizontal section

Drilling medium anticipated for this well (vertical and horizontal)? Air, freshwater, oil based, etc. Air Vertical / Horizontal OBM

-If oil based, what type? Synthetic, petroleum, etc. ABS 40 (Aliphatic Base System) Synthetic

Additives to be used in drilling medium? Barite, ABS MUL/VIS, Bentone990, CACL2, CalCarb, FLR, Lime, Multifiber, Permaseal, Nut Plug

Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc. Landfill

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

-Landfill or offsite name/permit number? Meadowfill/Permit 101219WV

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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.

WV Department of Environmental Protection

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 penalties for submitting false information, including the possibility of fine or imprisonment.

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Company Official Signature [Signature]
Company Official (Typed Name) Shane Dowell
Company Official Title Office Manager

JUN 6 2018

WV Department of Environmental Protection

Subscribed and sworn before me this 3rd day of July, 2018

Teresa R. Hall Notary Public

My commission expires Oct 9th 2019



Jay-Bee Oil & Gas, Inc.

Proposed Revegetation Treatment: Acres Disturbed 11.84 Prevegetation pH 6.8

Lime 2-3 Tons/acre or to correct to pH 6.8

Fertilizer type 10-20-20

Fertilizer amount 500 lbs/acre

Mulch Hay 2 Tons/acre

Seed Mixtures

| Temporary | | Permanent | |
|------------------|----------|---------------------|----------|
| Seed Type | lbs/acre | Seed Type | lbs/acre |
| Annual Ryegrass | 40 | KY Bluegrass | 20 |
| Field Bloomgrass | 40 | Creeping Red Fescue | 30 |
| Sudangrass | 40 | Perennial Ryegrass | 10 |

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.

306-365

Plan Approved by: [Signature]

Comments:

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WV Department of Environmental Protection

Title: Oil & Gas Inspector Date: 7/3/2018

Field Reviewed? (X) Yes () No



High St, St Marys, WV 26170 to 5091 Arvilla Rd,
Bens Run, WV 26146

Drive 12.6 miles, 20 min



Imagery ©2017 Google, Map data ©2017 Google United States 1 mi

High St

St Marys, WV 26170

- ↑ 1. Head northeast on WV-2 N/2nd St toward Fairview Dr
Continue to follow WV-2 N

7.4 mi

- ↘ 2. Turn right onto Arvilla Rd

4.0 mi

- ↘ 3. Turn right to stay on Arvilla Rd

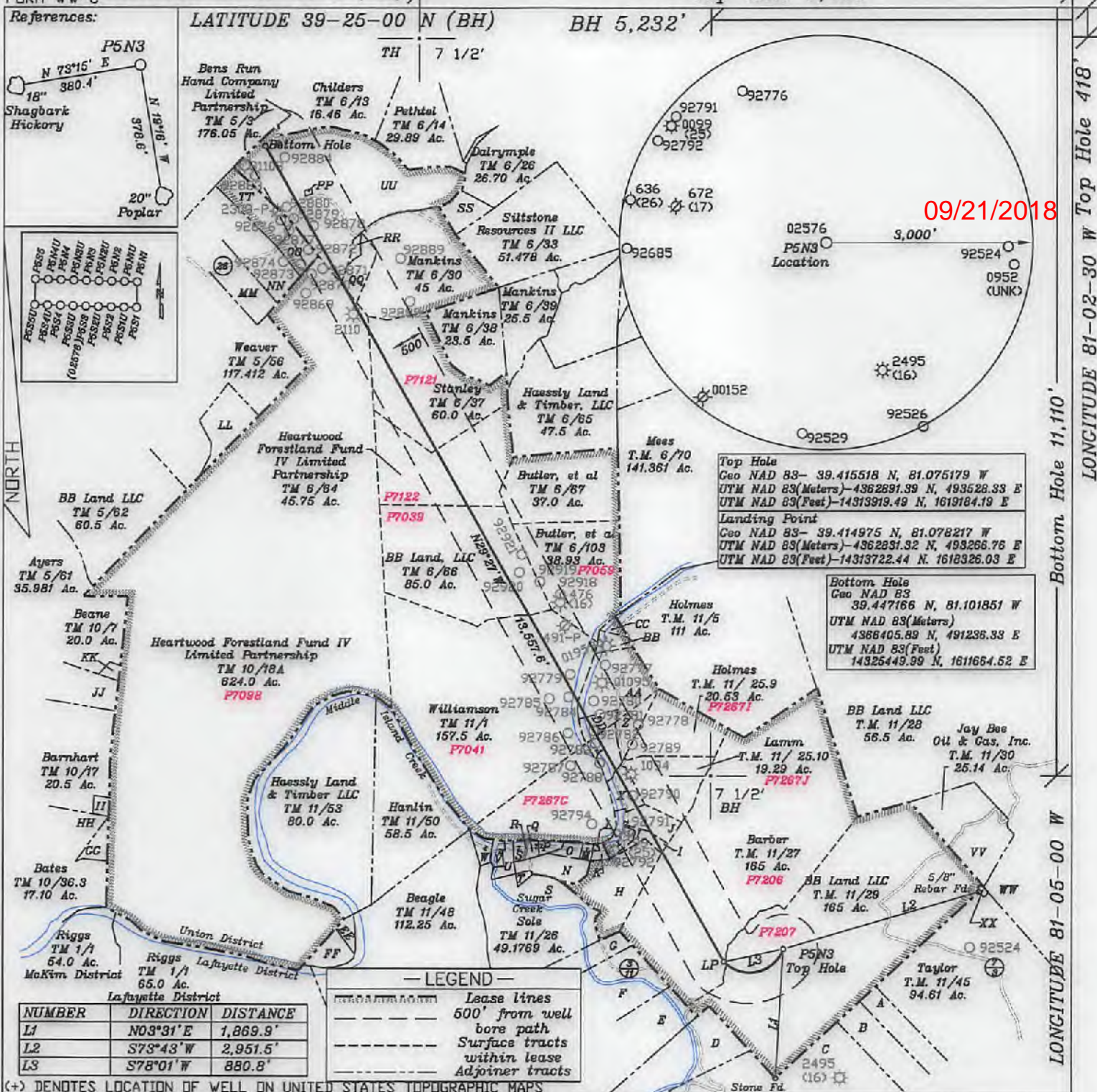
1.3 mi

5091 Arvilla Rd

Bens Run, WV 26146

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

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Environmental Protection



FILE NO. _____
 DRAWING NO. 1
 SCALE 1" = 2000'
 MINIMUM DEGREE OF ACCURACY 1 in 200
 PROVEN SOURCE OF ELEVATION GPS
submeter unit

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 RULES ISSUED AND PRESCRIBED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.

(SIGNED) David L Jackson
 R.P.E. _____ P.S. 708



STATE OF WEST VIRGINIA
 Division of Environmental Protection
 OFFICE OF OIL AND GAS

DATE June 28, 2018
 OPERATOR'S WELL NO. P5N3
 API WELL NO. _____

WELL TYPE: OIL GAS LIQUID INJECTION _____ WASTE DISPOSAL _____
 (IF 'GAS') PRODUCTION X STORAGE _____ DEEP _____ SHALLOW X

LOCATION: ELEVATION 868.1' WATER SHED Sugar Creek of Outlet Middle Island Creek (HUC-10)
 DISTRICT Union COUNTY Pleasants
 QUADRANGLE Bens Run 7 1/2'

SURFACE OWNER BB Land, LLC ACREAGE 165.0 Ac.
 OIL & GAS ROYALTY OWNER Roger Wells, Howard Wells, J.R. Wells, Clint Jones, Beverly Walker, Sara Wells & Thomas Dunsford, Yvonne Shelley LEASE ACREAGE 165.0 Ac. LEASE NO. P7207

PROPOSED WORK: DRILL X CONVERT _____ DRILL DEEPER _____ REDRILL _____ FRACTURE OR STIMULATE X PLUG OFF OLD FORMATION _____ PERFORATE NEW FORMATION _____ OTHER PHYSICAL CHANGE IN WELL (SPECIFY) _____

PLUG AND ABANDON _____ CLEAN OUT AND REPLUG _____
 TARGET FORMATION Marcellus ESTIMATED DEPTH TVD = 5,900'; TMD = 20,773'
 WELL OPERATOR Jay-Bee Oil & Gas, Inc. DESIGNATED AGENT Randy Broda
 ADDRESS 1720 Route 22 E, Union, NJ 07083 ADDRESS 3570 Shields Hill Rd., Cairo, WV 26337

09/21/2018

| WELL BORE TABLE FOR PROPERTY OWNERS | | | | |
|-------------------------------------|---|------------|--------|---------------|
| TRACT | OWNER | TM PARCEL | ACRES | Lease Numbers |
| A | TAYLOR | 11 / 43 | 18.6 | |
| B | TAYLOR | 11 / 44 | 25.8 | |
| C | MELANIE JO MANUSE REVOCABLE TRUST | 11 / 41 | 123.27 | |
| D | GOLDEN EAGLES RESOURCES LLC & HUMMER PROPERTIES LLC | 11 / 40 | 62.063 | |
| E | HALL | 11 / 34 | 38.33 | |
| F | GOLDEN EAGLE RESOURCES LLC | 11 / 35 | 30.893 | |
| G | WILLIAMSON | 11 / 33 | 14.25 | |
| H | K. HOLMES | 11 / 25.12 | 21.267 | P7267L |
| I | J. HOLMES | 11 / 25.14 | 2.268 | P7267K |
| J | HOLMES | 11 / 25.11 | 8.381 | P7267K |
| K | MYERS | 11 / 25.6 | 0.581 | |
| L | BAILEY | 11 / 25.13 | 0.624 | |
| M | SCHULTHEIS | 11 / 25.5 | 0.75 | |
| N | K. HOLMES | 11 / 25.3 | 5.621 | |
| O | WHARTON | 11 / 25.4 | 2.25 | |
| | | 11 / 25.8 | TOTAL | |
| P | STOUT | 11 / 23.1 | 0.524 | |
| Q | MYERS & NEAL | 11 / 24 | 0.21 | |
| R | STOUT | 11 / 23.2 | 0.084 | |
| S | POYNTER | 11 / 23 | 0.93 | |
| T | SUGAR VALLEY SCHOOL | 11 / 25.1 | 0.57 | |
| U | SHIMER | 11 / 22 | 3.63 | |
| V | DEPARTMENT OF NATURAL RESOURCES | 11 / 22.1 | 1.37 | |
| W | BEACLE | 11 / 21 | 1.0 | |
| X | MIXER | 11 / 25 | 5.033 | P7267A |
| Y | BURIAN | 11 / 2 | 6.1 | P7267 |
| Z | MIXER | 11 / 25.2 | 4.687 | P7267B |
| AA | RONALD HOLMES, ET AL | 11 / 3 | 18.453 | P7267O |
| BB | ROGER HOLMES | 11 / 3.1 | 1.75 | P7267P |
| CC | ROGER HOLMES | 11 / 4 | 1.0 | P7267R |
| DD | EDWARD HOLMES | 11 / 3.2 | 3.447 | P7267Q |
| EE | TICE | 11 / 51.1 | 1.0 | |
| FF | THAXTON II | 11 / 51 | 5.564 | |
| GG | RIGGS | 10 / 49 | 4.0 | |
| HH | BARNHART | 10 / 24 | 25 | |
| II | BARNHART | 10 / 28 | 1.0 | |
| JJ | BARNHART | 10 / 25 | 10.0 | |
| KK | BARNHART | 10 / 7.1 | 1.0 | |
| LL | HEARTWOOD FORESTLAND FUND IV LIMITED PARTNERSHIP | 5 / 56.1 | 12.5 | |
| MM | ASH | 5 / 36 | 15.0 | |
| NN | METZ | 5 / 37 | 20.0 | |
| OO | BENNETT | 6 / 109 | 5.011 | |
| PP | CEMETERY | | | P7013A |
| QQ | MCCARTNEY | 6 / 30.1 | 6.0 | P7070A |
| RR | MCCARTNEY | 6 / 31 | 0.75 | P7070B |
| SS | LEWIS | 6 / 32 | 6.08 | |
| TT | NICHOLS | 5 / 38 | 11.21 | |
| UU | HEARTLAND FORESTLAND FUND IV LIMITED PARTNERSHIP | 6 / 100 | 84 | P7113 |
| VV | JAY BEE OIL & GAS, INC. | 11 / 31 | 13.11 | |
| WW | HORNER, ET AL | 11 / 32 | 231.82 | |
| XX | GARDNER CEMETERY | 11 / 32 | 231.82 | |



P.S. 708 *David L Jackson*

API 47-073-02586H6A



Jay Bee Oil & Gas
 DRILLING into the future

| | | |
|--------------------|-----------|------------------|
| OPERATOR'S WELL #: | P5N3 | P5N3 Well Plat |
| DISTRICT: | UNION | PAGE 2 OF 2 |
| COUNTY: | PLEASANTS | DATE: 06/28/2018 |
| STATE: | WV | |

WW-6A1
(5/13)

Operator's Well No. P5N3

**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 |
|----------------------|-----------------------|-----------------------|---------|-------------|
| P7207 | Richard Wells | Jay Bee Royalty | 12.5% | 312-199 ✓ |
| P7206 | Richard Wells | Jay Bee Royalty | 12.5% | 312-199 ✓ |
| P7267K (I,J) | Ronald & Vicki Holmes | BB Land, LLC | 12.5% | 317-017 ✓ |
| P7267A (X) | Roger Holmes | BB Land, LLC | 12.5% | 316-644 ✓ |
| P7267 (Y) | Gary Burian | BB Land, LLC | 12.5% | 318-100 ✓ |
| P7267Q (DD) | Edward Holmes | BB Land, LLC | 12.5% | 316-641 ✓ |
| P7267O (AA) | - Roger Q Holmes | BB Land, LLC | 12.5% | - 316-644 ✓ |

**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

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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: Jay-Bee Oil & Gas, Inc.
By: Shane Dowell
Its: Office Manager

**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 |
|----------------------|-----------------------------|-----------------------|---------|-----------------------|
| P7041 | Linda L. Shimer | BB Land, LLC | 12.5% | 295-297 ✓ |
| P7039 | Ridgetop Capital IV, LP | BB Land, LLC | 12.5% | 294-257 ✓ |
| P7122 | Linda L. Shimer | BB Land, LLC | 12.5% | 295-297 ✓ |
| P7121 | Linda L. Shimer | BB Land, LLC | 12.5% | 295-297 ✓ |
| P7070 | Ridgetop Capital IV, LP | BB Land, LLC | 12.5% | 294-207 |
| P7070A (QQ) | David & Patty Sue McCartney | BB Land, LLC | 12.5% | Pending Recordation ✓ |
| P7113 (UU) | Linda L. Shimer | BB Land, LLC | 12.5% | 295-297 ✓ |
| P7113A (PP) | Henry Reuben Barnhart | BB Land, LLC | 12.5% | Pending Recordation ✓ |

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

Affidavit - BB Land, LLC - Jay-Bee Oil & Gas, Inc

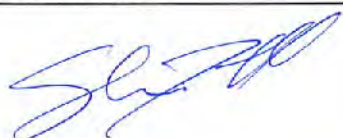
The permit applicant for the proposed well work addressed in this application hereby acknowledges the possibility of the need for permits and/or approvals from local, state, or federal entities in addition to the DEP, Office of Oil and Gas, including but not limited to the following:

- 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

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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: Jay-Bee Oil & Gas, Inc
By: Shane Dowell
Its: Office Manager



AFFIDAVIT FILED PURSUANT TO
W. Va. CODE §§ 22-6-8 & 22-6A-5(a)(5)

STATE OF WEST VIRGINIA

COUNTY OF RITCHIE, to-wit:

Randy Broda, President of Jay-Bee Oil & Gas, Inc. and Randy Broda, Managing Member of BB Land, LLC, being duly sworn, state as follows:

1. I, Randy Broda, am the President of the applicant, Jay-Bee Oil & Gas, Inc. In my capacity as President, I am qualified and authorized to certify and verify the information set forth or referenced herein on behalf of the applicant.

2. I, Randy Broda, am the Managing Member of BB Land, LLC, which holds the rights to extract, produce or market the oil or gas. In my capacity as Managing Member, I am qualified and authorized to certify and verify the information set forth or referenced herein on behalf of BB Land, LLC.

3. We certify that we are authorized by the holders of the right to extract, produce or market the oil or gas, if not the applicant, to state that the applicant has the right to extract, produce or market the oil or gas pursuant to the leasing and other continuing contract information provided in the application(s) for the P5N3, P5N3U, P5N4, P5S1, P5S3, P5S3U, P5S4 wells (API No(s). to be determined), on Form WW-6A1.

4. We certify that we are authorized by the owner of the working interest in the well to state that it shall tender to the owner of the oil or gas in place not less than one eighth of the total amount paid to or received by or allowed to the owner of the working interest at the wellhead for the oil or gas so extracted, produced or marketed before deducting the amount to be paid to or set aside for the owner of the oil or gas in place, on all such oil or gas to be extracted, produced or marketed from the well.

5. We certify under the penalty of law that we have personally examined and are familiar with the information contained and referenced herein and that, based on our inquiries of those individuals immediately responsible for obtaining the information, we believe that the information is true, accurate and complete. We are aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

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Further, affiants sayeth naught.

[Signature]
Randy Broda, President of Jay-Bee Oil & Gas, Inc.

Taken, subscribed and sworn to before me, the undersigned Notary Public, this 5th day of December, 2017 by Randy Broda, President of Jay-Bee Oil & Gas, Inc., on behalf of the corporation.

My commission expires: April 18, 2022



[Signature]
NOTARY PUBLIC

[Signature]
Randy Broda, Managing Member of BB Land, LLC

Taken, subscribed and sworn to before me, the undersigned Notary Public, this 5th day of December, 2017 by Randy Broda, Managing Member of BB Land, LLC, on behalf of the company.

My commission expires: April 18, 2022



[Signature]
NOTARY PUBLIC

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AFFIDAVIT FILED PURSUANT TO
W. Va. CODE §§ 22-6-8 & 22-6A-5(a)(5)

STATE OF WEST VIRGINIA

COUNTY OF RITCHIE, to-wit:

Randy Broda, President of Jay-Bee Oil & Gas, Inc. and Randy Broda, Managing Member of Jay-Bee Royalty, LLC, being duly sworn, state as follows:

1. I, Randy Broda, am the President of the applicant, Jay-Bee Oil & Gas, Inc. In my capacity as President, I am qualified and authorized to certify and verify the information set forth or referenced herein on behalf of the applicant.

2. I, Randy Broda, am the Managing Member of Jay-Bee Royalty, LLC, which holds the rights to extract, produce or market the oil or gas. In my capacity as Managing Member, I am qualified and authorized to certify and verify the information set forth or referenced herein on behalf of Jay-Bee Royalty, LLC.

3. We certify that we are authorized by the holders of the right to extract, produce or market the oil or gas, if not the applicant, to state that the applicant has the right to extract, produce or market the oil or gas pursuant to the leasing and other continuing contract information provided in the application(s) for P5N3, P5N3U, P5N4, P5S1, P5S1U, P5S3, P5S4 well API No(s). pending, on Form WW-6A1.

4. We certify that we are authorized by the owner of the working interest in the well to state that it shall tender to the owner of the oil or gas in place not less than one eighth of the total amount paid to or received by or allowed to the owner of the working interest at the wellhead for the oil or gas so extracted, produced or marketed before deducting the amount to be paid to or set aside for the owner of the oil or gas in place, on all such oil or gas to be extracted, produced or marketed from the well.

5. We certify under the penalty of law that we have personally examined and are familiar with the information contained and referenced herein and that, based on our inquiries of those individuals immediately responsible for obtaining the information, we believe that the information is true, accurate and complete. We are aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

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DEP

73-02584
09/21/2018

Further, affiants sayeth naught.

[Signature]
Randy Broda, President of Jay-Bee Oil & Gas, Inc.

Taken, subscribed and sworn to before me, the undersigned Notary Public, this 2nd day of July, 2018 by Randy Broda, President of Jay-Bee Oil & Gas, Inc., on behalf of the corporation.

My commission expires: April 18, 2022

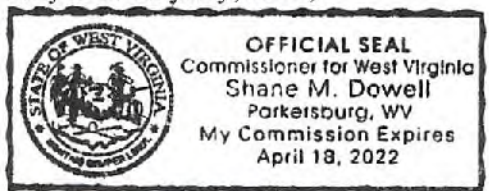


[Signature]
Randy Broda, Managing Member of Jay-Bee Royalty, LLC

[Signature]
NOTARY PUBLIC

Taken, subscribed and sworn to before me, the undersigned Notary Public, this 2nd day of July, 2018 by Randy Broda, Managing Member of Jay-Bee Royalty, LLC, on behalf of the company.

My commission expires: April 18, 2022



[Signature]
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09/21/2018



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JAY-BEE OIL & GAS, INC.

July 2, 2018

Permitting Office
Office of Oil and Gas
West Virginia Dept. of Environmental Protection
601 57th Street SE
Charleston, WV 25304

RE: P5S3 Well

Permitting Office:

As you know we have applied for a well permit for the P5S3 Well in Pleasants County, West Virginia. This pad is located on what we call the P7207 tract. Sugar Valley Rd runs North of this tract and our proposed well leg runs under this roadway.

You have requested that we review the courthouse records to determine if the Department of Highways has any right to the minerals underneath this section of roadway. Our outside counsel has reviewed documents in the Pleasants County Courthouse and could find no agreement that conveys mineral interests to the Department of Highways. Therefore Jay-Bee believes it has obtained leases from all mineral interests holders necessary to proceed with drilling on this tract after the permit is issued.

If you would have any questions concerning this matter, please feel free to contact our office at the numbers listed below.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shane Dowell".

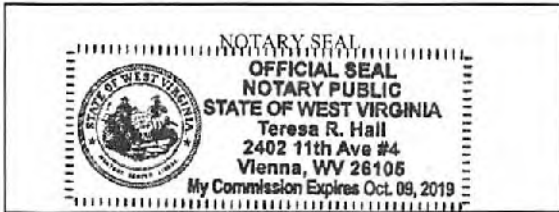
Shane Dowell
Office Manager

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Certification of Notice is hereby given:

THEREFORE, I Shane Dowell, 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>Jay-Bee Oil & Gas, Inc.</u> | Address: | <u>3570 Shields Hill Rd.</u> |
| By: | <u>Shane Dowell</u> | | <u>Cairo, WV 26337</u> |
| Its: | <u>Office Manager</u> | Facsimile: | <u>304-628-3119</u> |
| Telephone: | <u>304-628-3111</u> | Email: | <u>sdowell@jaybeoil.com</u> |



Subscribed and sworn before me this 3rd day of July 2018.

Teresa R. Hall Notary Public

My Commission Expires Oct 9th 2019

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 deprivacyofficer@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: _____ **Date Permit Application Filed:** _____

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

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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: _____
Address: _____

Name: _____
Address: _____

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

Name: _____
Address: _____

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

COAL OWNER OR LESSEE
Name: _____
Address: _____

COAL OPERATOR
Name: _____
Address: _____

SURFACE OWNER OF WATER WELL AND/OR WATER PURVEYOR(s)
Name: _____
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 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 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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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. The operator shall provide an analysis to such surface landowner or water purveyor at their request.

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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

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

Time Limits and Methods for Filing Comments.

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

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

Comment Requirements

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

Disclaimer: All comments received will be placed on our web site <http://www.dep.wv.gov/oil-and-gas/Horizontal-Permits/Pages/default.aspx> and the applicant will automatically be forwarded an email notice that such comments have been submitted. The applicant will be expected to provide a response to comments submitted by any surface owner, water purveyor or natural gas storage operator noticed within the application.

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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.

WW-6A
(8-13)

API NO. 47-073-025816
OPERATOR WELL NO. P5N3
Well Pad Name: P5



Notice is hereby given by:

Well Operator: Jay-Bee Oil & Gas, Inc.
Telephone: 304-628-3111
Email: sdowell@jaybeoil.com

Address: 3570 Shields Hill Rd.
Cairo, WV 26337
Facsimile: 304-628-3119

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 3rd day of July 2018.
Teresa R. Hall Notary Public
My Commission Expires Oct 9th 2019

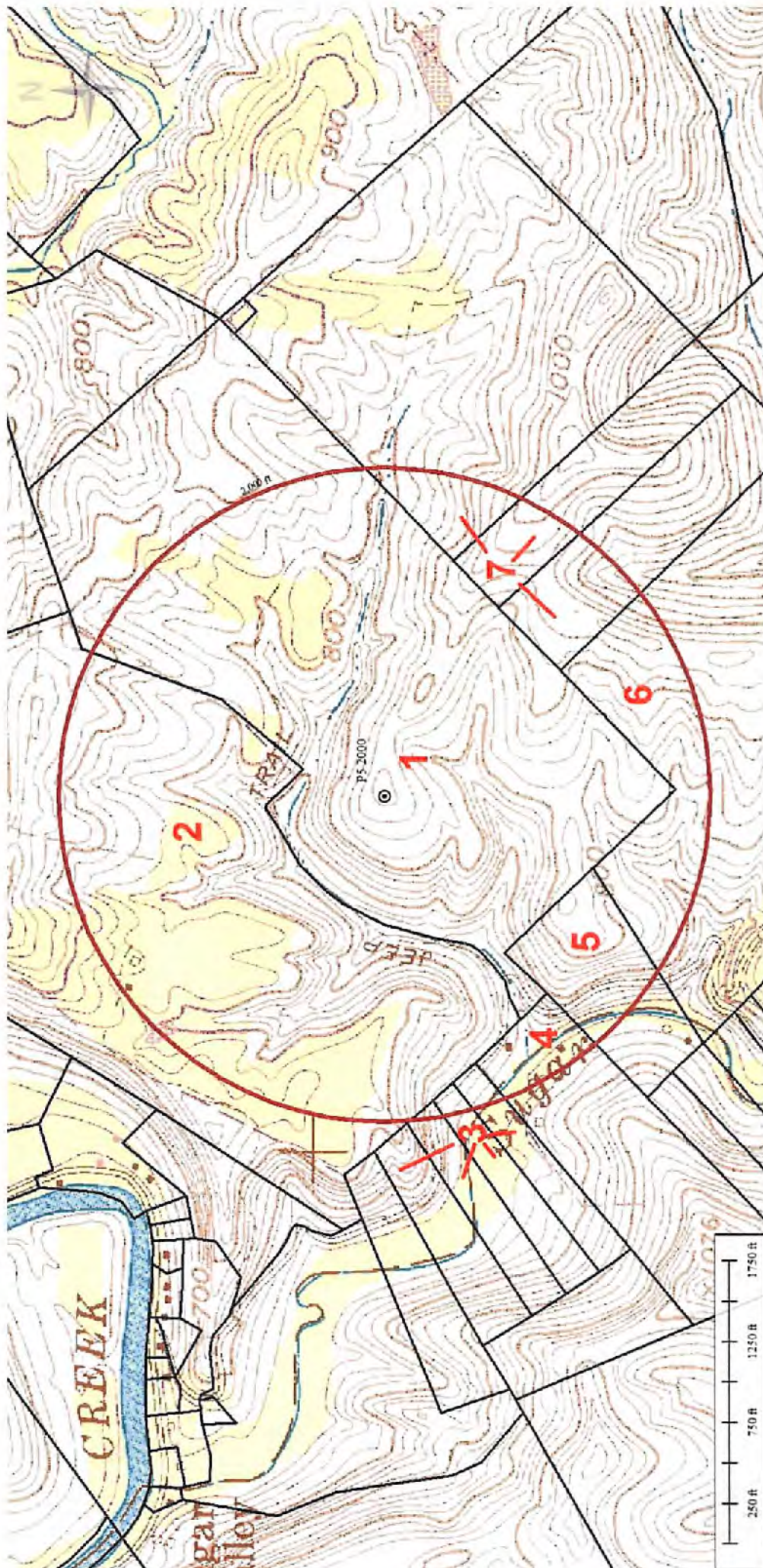
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Office of Oil and Gas
JUL 3 2018
WV Department of
Environmental Protection

P5N3 WW6A Notice Packet Listing

| First | Surname | Address | City | State | Zip |
|-----------------------------------|----------------|-----------------------------|------------|-------|-------|
| Jay-Bee Oil & Gas, Inc. | | 3570 Shields Hill Rd | Cairo | WV | 26337 |
| Darin | Barber | 11378 Dupont Rd. | Washington | WV | 26181 |
| Golden Eagle Resources | | 600 Jefferson St. Suite 200 | Houston | TX | 77002 |
| Clinton | Hall Jr. et al | 1892 Hebron Rd. | St. Marys | WV | 26170 |
| Hummer Properties | | 112 Collins Ave | Pennsboro | WV | 26415 |
| Melanie Jo Manuse Revocable Trust | | 152 Clarendon Rd | Newberry | SC | 29108 |
| Matthew & Dawna Taylor | | 145 Lamp Hill Rd | St. Marys | WV | 26170 |

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09/21/2018



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P5 Water Well Reference

| Reference | Map | Parcel | First | Surname | Address | City | State | Zip |
|-----------|-----|----------|-----------------------------------|----------------|-----------------------------|------------|-------|-------|
| 1 | 11 | 29 | Jay-Bee Oil & Gas, Inc. | | 3570 Shields Hill Rd | Cairo | WV | 26337 |
| 2 | 11 | 27 | Darin | Barber | 11378 Dupont Rd. | Washington | WV | 26181 |
| 3 | 11 | 35 | Golden Eagle Resources | | 600 Jefferson St. Suite 200 | Houston | TX | 77002 |
| 4 | 11 | 34 | Clinton | Hall Jr. et al | 1892 Hebron Rd. | St. Marys | WV | 26170 |
| 5 | 11 | 40 | Hummer Properties | | 112 Collins Ave | Pennsboro | WV | 26415 |
| 6 | 11 | 41 | Melanie Jo Manuse Revocable Trust | | 152 Clarendon Rd | Newberry | SC | 29108 |
| 7 | 11 | 43,44,45 | Matthew & Dawna Taylor | | 145 Lamp Hill Rd | St. Marys | WV | 26170 |

73-02584

09/21/2018

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**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: 10-17-2017 **Date of Planned Entry:** 10-24-2017

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: BB Land, LLC
Address: PO Box 380
Bridgeport, WV 26330
Name: _____
Address: _____
Name: _____
Address: _____

COAL OWNER OR LESSEE
Name: _____
Address: _____

MINERAL OWNER(s)
Name: BB Land, LLC
Address: PO Box 380
Bridgeport, WV 26330
*please attach additional forms if necessary

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Office of Oil and Gas
JUL 6 2018
WV Department 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: | <u>West Virginia</u> | Approx. Latitude & Longitude: | <u>39.415463 X -81.075180</u> |
| County: | <u>Pleasants</u> | Public Road Access: | <u>Arvilla Rd (CR7)</u> |
| District: | <u>Union</u> | Watershed: | <u>Middle Island Creek</u> |
| Quadrangle: | <u>Bens Run 7.5'</u> | Generally used farm name: | <u>Jay-Bee Oil & Gas, Inc.</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: | <u>Jay-Bee Oil & Gas, Inc.</u> | Address: | <u>3570 Shields Hill Rd.</u> |
| Telephone: | <u>304-628-3111</u> | | <u>Cairo, WV 26337</u> |
| Email: | <u>sdowell@jaybeeoil.com</u> | Facsimile: | <u>304-628-3115</u> |

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.

PSN3 WW6A3 Notice Listing

| Surface/Mineral Owner | Address | City | State | Zip |
|--|--|------------------|-------|------------|
| BB Land LLC / | PO Box 380 | Bridgeport | WV | 26330 |
| Beth Ann & Charles R. Mankins / | 21 Mound Manor | St. Marys | WV | 26170 |
| Charles Bunner / | 5302 Pike Road | St. Marys | WV | 26170-8672 |
| Darin J. & Mary R. Barber c/o Edith C. Barber / | 11378 Dupont Road | Washington | WV | 26181-3515 |
| Edith C. Barber / | 11378 Dupont Road | Washington | WV | 26181-3515 |
| Emma Julia Fell Mixer / | PO Box 2303 | Parkersburg | WV | 26102 |
| Erma K. Pethel / | 2317 Broad Street | Parkersburg | WV | 26101 |
| Gary Burian / | 1334 Sugar Valley Road | Friendly | WV | 26146 |
| Heartwood Forestland Fund IV LP / | 3001 Emerson Ave | Parkersburg | WV | 26104 |
| John S. Grimm / | 402 Parmaco Street | Parkersburg | WV | 26101 |
| Kenneth G. Holmes / | 1516 Henry Camp Road | St. Marys | WV | 26170 |
| Linda L. Shimer / | 119 Roszel Road | Winchester | VA | 22601 |
| Louie A Stanley / | PO Box 165 | Fredericksburg | OH | 44627 |
| Ridgetop Capital IV LP / | 380 South Pointe Blvd Plaza II Ste 405 | Canonsburg | PA | 15317 |
| Roger Q. Holmes / | 1049 Sugar Valley Road | Friendly | WV | 26146 |
| Ronald S. Holmes / | PO Box 312 | Belmont | WV | 26134 |
| Sandra K. Lamm / | HC 60 Box 30F | New Martinsville | WV | 26155 |
| Virginia Ruth Fell Sole / | 148 Ambritt Drive | Washington | WV | 26181 |
| Williamson E.K. Est c/o John Grim-Richard Shimer / | 402 Parmaco Street | Parkersburg | WV | 26101 |

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Office of Oil and Gas
JUL 6 2018
WV Department of
Environmental Protection

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

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

Date of Notice: 07/03/2018 **Date Permit Application Filed:** 07/03/2018

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: <u>BB Land, LLC</u> | 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: <u>West Virginia</u> | UTM NAD 83 Easting: <u>493,528.33</u> | |
| County: <u>Pleasants</u> | Northing: <u>4,362,891.39</u> | |
| District: <u>Union</u> | Public Road Access: <u>Arvilla Road</u> | |
| Quadrangle: <u>Bens Run 7.5'</u> | Generally used farm name: <u>BB Land, LLC</u> | |
| Watershed: <u>Middle Island Creek</u> | | |

This Notice Shall Include:

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

| | |
|---|---------------------------------------|
| Well Operator: <u>Jay-Bee Oil & Gas, Inc.</u> | Address: <u>3570 Shields Hill Rd.</u> |
| Telephone: <u>304-628-3111</u> | <u>Cairo, WV 26337</u> |
| Email: <u>scrowell@jaybeeoil.com</u> | Facsimile: <u>304-628-3119</u> |

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.

Affidavit of Personal Service

State Of West Virginia

County Of Harrison

The undersigned, being first duly sworn, says that the undersigned served a true and complete copy of all sides of--

- (1) Notice on Form WW-2(A) / WW-3(A) / WW-4(A) / WW-5(A) / WW-6(A) X / WSSP x
- (2) Application on Form WW-2(B) / WW-3(B) / WW-4(B) / WW-5(B) / WW-6(B) X / E&S x
- (3) Plat showing the well location on Form WW-6, and x / WW-6A5 x / MSDS x
- (4) Construction and Reclamation Plan on Form WW-9
- (5) WW6A1 X WMP X WW6RW/AW X

--all with respect to operator's Well No. P5S1, P5S1U, P5N4, P5N4U, P5S4, P5S4U, P5N3, P5N3U, P5S3, P5S3U located in Union District, Pleasants County, West Virginia, upon the person or organization named--

Jay-Bee Oil & Gas, Inc

--by delivering the same in Harrison County, State of West Virginia on the 3rd day of July, 2018 in the manner specified below.

[COMPLETE THE APPROPRIATE SECTION]

For an individual:

[] Handing it to him / her / or, because he / she / refused to take it when offered it, by leaving it in his / her / presence.

[] Handing it to a member of his or her family above the age of 16 years named who resides at the usual place of abode of the person to be served, and asking the family member to give it to the person to be served as soon as possible.

For a partnership:

[] Handing it to , a partner of the partnership or because the partner refused to take it when I handed it over, by leaving it in the of the partner.

For a limited partnership:

[] Handing it to the general partner, named because the general partner refused to take it when I tried to hand it over, by leaving it in the presence of the general partner.

For a corporation:

[X] Handing it to the corporation's employee / officer X / director / attorney in fact / named Brian Paugh.

(Signature of person executing service)

Taken, subscribed and sworn before me this day of 20 .
My commission expires .

Notary Public

(AFFIX SEAL IF NOTARIZED OUTSIDE THE STATE)

RECEIVED
Office of Oil and Gas
JUL 6 2018
WV Dept. of Environmental Protection

73-0258 09/21/2018



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

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

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

July 19, 2018

Jill M. Newman
Deputy Commissioner

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 P5 Pad, Pleasants County
P5N3 Well site

Dear Mr. Martin,

This well site will be accessed from a DOH permit #03-2018-0350 issued to Jay-Bee Oil & Gas, Inc. for access to the State Road for a well site located off of Pleasants County Route 7 SLS.

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

Very Truly Yours,

A handwritten signature in blue ink that reads "Gary K. Clayton".

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

Cc: Shane Dowell
Jay-Bee Oil & Gas, Inc.
CH, OM, D-6
File



JAY-BEE OIL & GAS, INC.

Permitting Office
Office of Oil and Gas
West Virginia Dept. of Environmental Protection
601 57th Street SE
Charleston, WV 25304

RE: Frac Additives

Permitting Office:

As requested on the Well Permit Checklist, the CAS numbers are referenced for all submitted permits on WW6B, page 1, and listed below:

- Water (7732-18-5)
- Sand (14808-60-7, 1344-28-1, 1309-37-1, 13463-67-7)
- Friction Reducer (64742-47-8)
- Scale Inhibitor (107-21-1, 111-46-6)
- Bacteria Prevention (111-30-8, 7173-51-5, 68424-85-1, 64-17-5)
- 15% Vol Acid (7647-01-0)
- Citric Acid (77-92-9)
- Guar Gum (9000-30-0)
- Corrosion Inhibitor (67-56-1, 107-19-7)
- Surfactant (111-76-2)

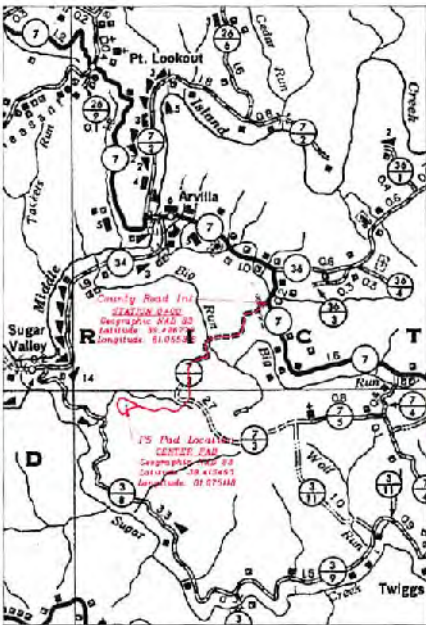
If you would have any questions concerning this matter, please feel free to contact our office at the numbers listed below.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane Dowell".

Shane Dowell
Office Manager

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Office of Oil and Gas
JUL 6 2018
WV Department of
Environmental Protection



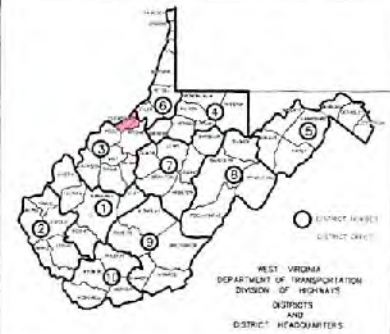
Well Virginia
State Plane
NAD 83
North Zone
NAD 83 270

P5 Well Pad Site Plan Modification

Union District, Pleasant County, WV
Prepared for JAY BEE OIL & GAS

Date: April 19, 2018

**APPROVED
WVDEP OOG**
8/14/2018

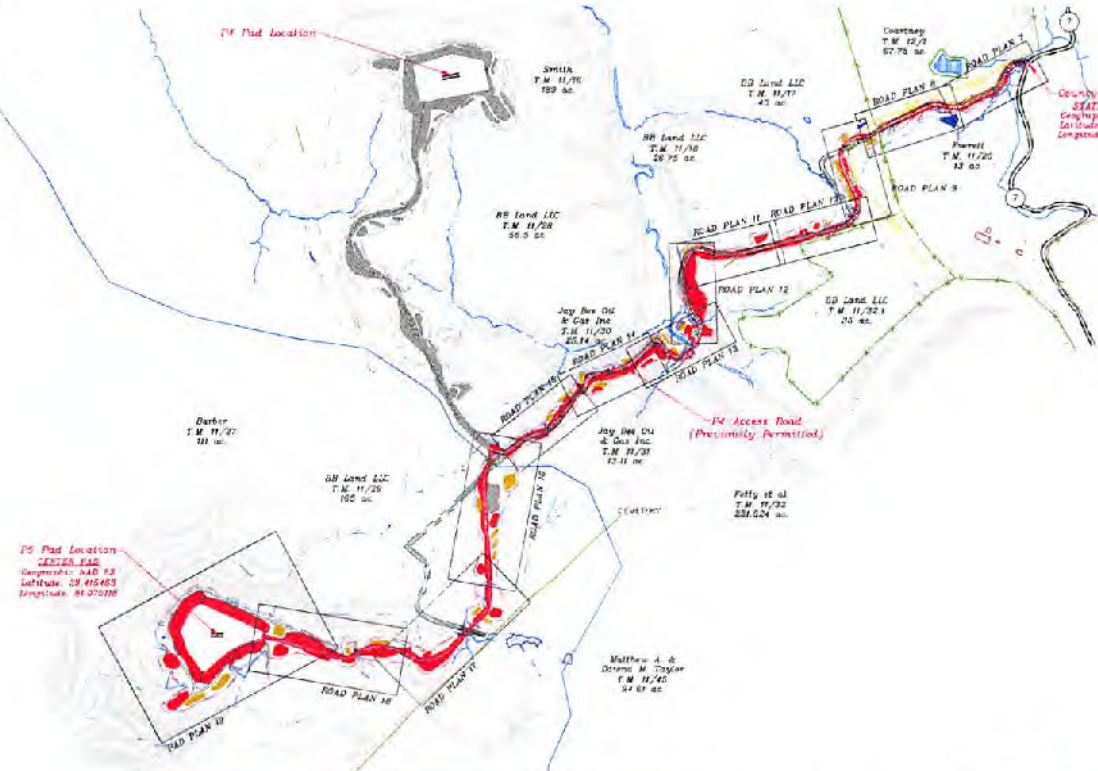


| Sheet | Description |
|-------|------------------------|
| 1 | Cover |
| 2 | Details & Notes |
| 3 | Details |
| 4 | Details |
| 5 | Details |
| 6 | Details |
| 7 | P4 Road Plan & Profile |
| 8 | P4 Road Plan & Profile |
| 9 | P4 Road Plan & Profile |
| 10 | P4 Road Plan & Profile |
| 11 | P4 Road Plan & Profile |
| 12 | P4 Road Plan & Profile |
| 13 | P4 Road Plan & Profile |
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| 16 | P4 Road Plan & Profile |
| 17 | P4 Road Plan & Profile |
| 18 | P4 Road Plan & Profile |
| 19 | P4 Road Plan & Profile |
| 20 | P4 Road Plan & Profile |
| 21 | P5 Pad Plan |
| 22 | P5 Pad Sections |
| 23 | P5 Pad Sections |
| 24 | P5 Pad Sections |
| 25 | P5 Pad Sections |
| 26 | P5 Pad Sections |
| 27 | P5 Pad Sections |
| 28 | P5 Pad Sections |
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| 99 | P5 Pad Sections |
| 100 | P5 Pad Sections |

Revisions:
04-19-2018: Revised road grade
05-07-2018: Revised Ownership
08-13-2018: Revisions per DEP

WEST VIRGINIA 811
CALL BEFORE YOU DIG!
Dial 811 or 800.245.4848
www.WV811.com

Notes:
No water wells were found within 250' of the well location. No dwellings were found within 625' of the center of the well pad.



CENTER PAD
Geographic NAD 83
Latitude: 39.415462
Longitude: 81.075118

CENTER ROAD INT.
(Sta. 0+00)
Geographic NAD 83
Latitude: 39.426779
Longitude: 81.056316

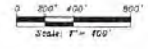
Note: Stream and Wetland delineations are from Allstar Ecology reports dated November 01, 2017 and November 21, 2017. All property lines shown are approximate and have not been field verified. Stream Impact chart on Sheet 2.

TOTAL LIMIT OF DISTURBANCE
(Partial P4 Road LDE & P5 LDE): 35.48± ACRES

Design Certification
The drawings, construction notes and reference diagrams attached hereto have been prepared in accordance with the West Virginia Code of State Rules, Division of Environmental Protection, Office of Oil and Gas.
The information reflects a gas well pad and access road.

Dennis L. Fisher
Dennis L. Fisher RPE 0064
Dennis L. Fisher, PE

08-15-2010
Date



North Central Engineering, LLC
Dennis L. Fisher, NCE
P.O. Box 650
Red Bank, WV 26133
Cell: 304.877.4120
E-Mail: Dennis.L.Fisher@northcentralengineering.com

Jackson Surveying Inc.
COVER
SHEET 1
P5 Well Pad Plan

