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west virginia department of environmental protection

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

Jim Justice , Governor  
Austin Caperton , Cabinet Secretary  
www.dep.wv.gov

Friday, September 15, 2017  
WELL WORK PERMIT  
Horizontal 6A / New Drill

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

UNION, NJ 070830000

Re: Permit approval for DOPEY 5  
47-095-02466-00-00

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: DOPEY 5  
Farm Name: JOHN & PATTY MONTGOMERY  
U.S. WELL NUMBER: 47-095-02466-00-00  
Horizontal 6A / New Drill  
Date Issued: 9/15/2017

Promoting a healthy environment.

09/15/2017

# PERMIT CONDITIONS 4709502466

West Virginia Code § 22-6A-8(d) allows the Office of Oil and Gas to place specific conditions upon this permit. Permit conditions have the same effect as law. Failure to adhere to the specified permit conditions may result in enforcement action.

## CONDITIONS

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1. This proposed activity may require permit coverage from the United States Army Corps of Engineers (USACE). Through this permit, you are hereby being advised to consult with USACE regarding this proposed activity.
2. If the operator encounters an unanticipated void, or an anticipated void at an unanticipated depth, the operator shall notify the inspector within 24 hours. Modifications to the casing program may be necessary to comply with W. Va. Code § 22-6A-5a (12), which requires drilling to a minimum depth of thirty feet below the bottom of the void, and installing a minimum of twenty (20) feet of casing. Under no circumstance should the operator drill more than one hundred (100) feet below the bottom of the void or install less than twenty (20) feet of casing below the bottom of the void.
3. When compacting fills, each lift before compaction shall not be more than 12 inches in height, and the moisture content of the fill material shall be within limits as determined by the Standard Proctor Density test of the actual soils used in specific engineered fill, ASTM D698, Standard Test Method for Laboratory Compaction Characteristics of Soil Using Standard Effort, to achieve 95 % compaction of the optimum density. Each lift shall be tested for compaction, with a minimum of two tests per lift per acre of fill. All test results shall be maintained on site and available for review.
4. Operator shall install signage per § 22-6A-8g (6) (B) at all source water locations included in their approved water management plan within 24 hours of water management plan activation.
5. Oil and gas water supply wells will be registered with the Office of Oil and Gas and all such wells will be constructed and plugged in accordance with the standards of the Bureau for Public Health set forth in its Legislative rule entitled *Water Well Regulations*, 64 C.S.R. 19. Operator is to contact the Bureau of Public Health regarding permit requirements. In lieu of plugging, the operator may transfer the well to the surface owner upon agreement of the parties. All drinking water wells within fifteen hundred feet of the water supply well shall be flow tested by the operator upon request of the drinking well owner prior to operating the water supply well.
6. Pursuant to the requirements pertaining to the sampling of domestic water supply wells/springs the operator shall, no later than thirty (30) days after receipt of analytical data provide a written copy to the Chief and any of the users who may have requested such analyses.
7. 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](mailto: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      Tyler      McElroy      Shirley  
Operator ID      County      District      Quadrangle

2) Operator's Well Number: Dopey 5      Well Pad Name: Dopey Pad

3) Farm Name/Surface Owner: John & Patty Montgomery      Public Road Access: Indian Creek Rd

4) Elevation, current ground: 910.7'      Elevation, proposed post-construction: 910.7'

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

Other

(b) If Gas    Shallow    X      Deep                          

Horizontal    X

6) Existing Pad: Yes or No    Yes

*DmH*  
*7-5-17*

7) Proposed Target Formation(s), Depth(s), Anticipated Thickness and Expected Pressure(s):  
Marcellus, 6,630' Depth, 40' thickness, 3500# pressure

8) Proposed Total Vertical Depth: 6,630'

9) Formation at Total Vertical Depth: Marcellus

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10) Proposed Total Measured Depth: 15,540'

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11) Proposed Horizontal Leg Length: 6,577.9'

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12) Approximate Fresh Water Strata Depths: 176.91'

13) Method to Determine Fresh Water Depths: API 47-095-00010 for salt and coal. Freshwater was closest creek at 735' elevation.

14) Approximate Saltwater Depths: 1,132.91'

15) Approximate Coal Seam Depths: 114.91', 253.91', 347.91', 506.91', 569.91'

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	2,000	2,000	508.43 CTS
Production	5 1/2	New	P110	17	15,540'	15,540'	2,519
Tubing							
Liners							

Cement up to 1000' from Surface

*DMH  
7-5-17*

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 Cement	1.19
Fresh Water	11 3/4	15	.333	1,500#	1000	Class A Cement	1.26
Coal							
Intermediate	8 5/8	11	.264	2,950#	1500	Class A Cement	1.45
Production	5 1/2	7 7/8	.304	15,000#	2500	Type 1 Cement	1.34
Tubing							
Liners							

**PACKERS**

Kind:	N/A			
Sizes:				
Depths Set:				

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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.

DmH  
7-5-17

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.

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21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 10.88

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22) Area to be disturbed for well pad only, less access road (acres): 6.50

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.

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

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.

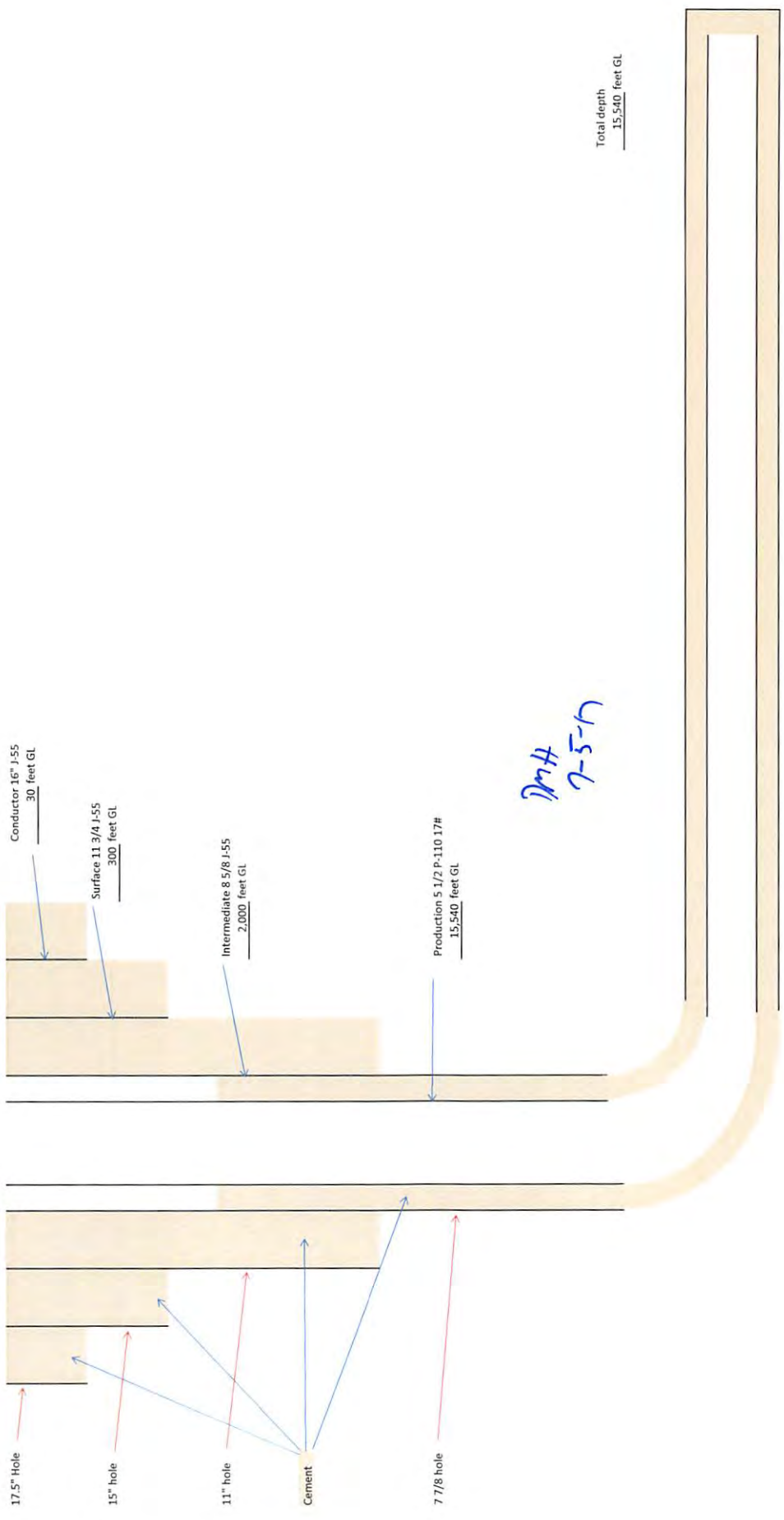
\*Note: Attach additional sheets as needed.

Jay-Bee Oil & Gas Inc.  
Well Name Dopey 5  
GL Elevation 910.70  
KB 14 feet

Date  
District  
County  
State

7/4/2017  
McElroy  
Tyler  
West Virginia

Input by: Shane Dowell



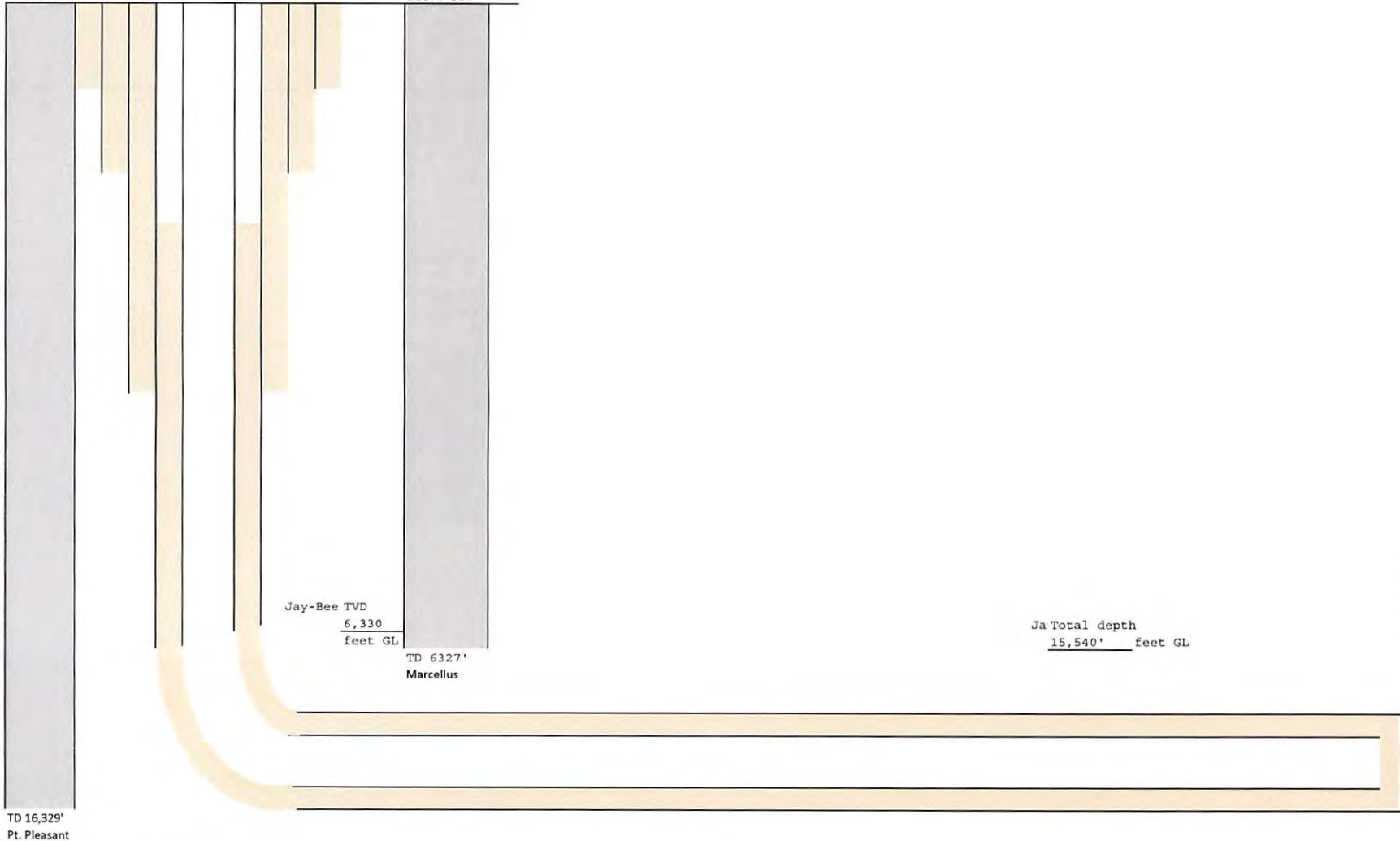
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Jay-Bee Oil & Gas Inc  
Well Name Dopey 5  
GL Elevation 910.7

### Well-Site Safety Plan Anti-Collision Schematic

API  
095-02311  
Elev. 910

API  
095-02239  
Elev. 910



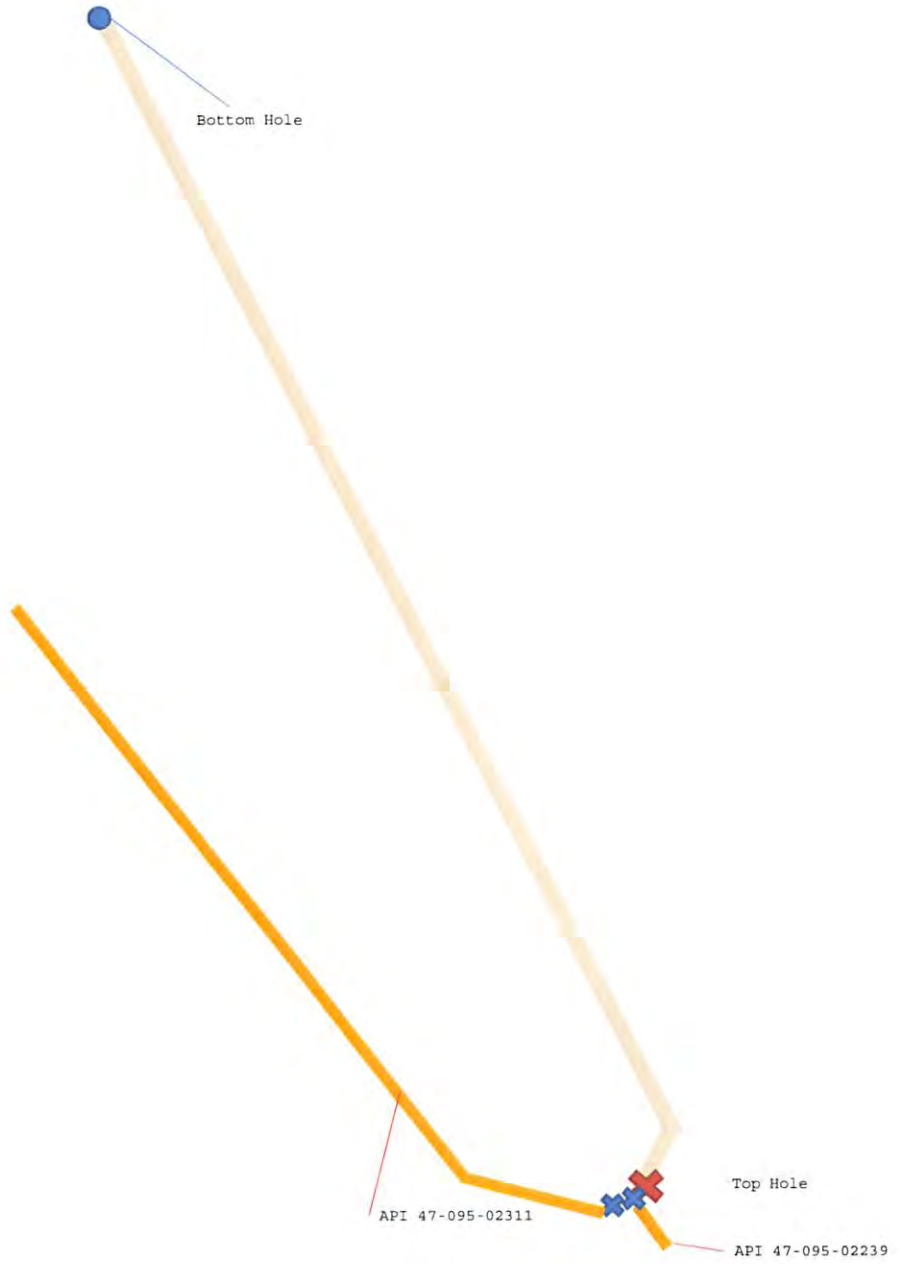
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Well-Site Safety Plan Anti-Collision Schematic



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**Area of Review**  
Dopey 5 - API Pending

API  
095-02311  
Elev. 910



TD 16,329'  
Pt. Pleasant

API  
095-02239  
Elev. 910



TD 6327'  
Marcellus



Operator	Jay-Bee Oil & Gas, Inc.	Jay-Bee Oil & Gas, Inc.
Well Name	Dopey 7U	Dopey 3
Perforated Formations	Pt Pleasant	Marcellus
Unperforated Producing Formations	Utica	Elk
	Medina	Alexander
	Newburg	Benson
	Helderburg	Riley
	Oriskany	Speechley
	Huntersville	Warren
	Onondaga	Gordon
	Marcellus	Gantz
	Elk	Berea
	Alexander	Weir
	Benson	Big Injun
	Riley	Keener
	Speechley	Big Lime
	Warren	Maxton
	Gordon	Big Dunkard
	Gantz	Little Dunkard
	Berea	Cow Run
	Weir	
	Big Injun	
	Keener	
Big Lime		
Maxton		
Big Dunkard		
Little Dunkard		
Cow Run		

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WW-9  
(4/16)

API Number 47 - 95 - D2466  
Operator's Well No. Dopey 5

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) Indian Creek Quadrangle Shirley

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: N/A

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 Halls (API's 47-085-05151))

*DMH  
7-5-17*

Will closed loop system be used? If so, describe: Yes, Centrifuge System (Boss, Newalta), Directional and Top Hole

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

-If oil based, what type? Synthetic, petroleum, etc. Oil Base Drilling Mud on horizontal

Additives to be used in drilling medium? Bentonite, Salt, Soda Ash

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

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

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

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 *Shane Dowell*

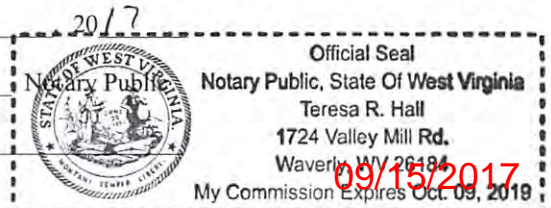
Company Official (Typed Name) Shane Dowell

Company Official Title Office Manager

Subscribed and sworn before me this 5th day of July

*Karen R. Hall*

My commission expires Oct 9th 2019



95-02466

Form WW-9

Operator's Well No. Dopey 5

Jay-Bee Oil & Gas, Inc

Proposed Revegetation Treatment: Acres Disturbed 10.88 Prevegetation pH 6.8

Lime 3 Tons/acre or to correct to pH 6.8

Fertilizer type 10-20-20

Fertilizer amount 75 lbs/acre

Mulch Hay 2000 Tons/acre

Seed Mixtures

**Temporary**

**Permanent**

Seed Type	lbs/acre
Annual Ryegrass	40

Seed Type	lbs/acre
KY-31	20
Creeping Red Fescue	30
Lathco Flat Pea/Perennial Ryegrass	30

Attach:

Maps(s) of road, location, pit and proposed area for land application (unless engineered plans including this info have been provided). If water from the pit will be land applied, include dimensions (L x W x D) of the pit, and dimensions (L x W), and area in acreage, of the land application area.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: 

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

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Title: Oil Hcs Inspector Date: 7-5-17

Field Reviewed? (  ) Yes (  ) No

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# DOPEY 5

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# WELL SITE SAFETY PLAN

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*DmH  
7-5-17*

JAY-BEE OIL & GAS, INC

09/15/2017



Drive 10.8 miles, 19 min

### Directions from 217 Main St to Indian Creek Rd



#### ○ 217 Main St

Middlebourne, WV 26149



- 1. Head southwest on WV-18 S/Main St toward Wilcox Ave

Continue to follow WV-18 S

6.9 mi



- 2. Turn left onto Indian Creek Rd

3.9 mi

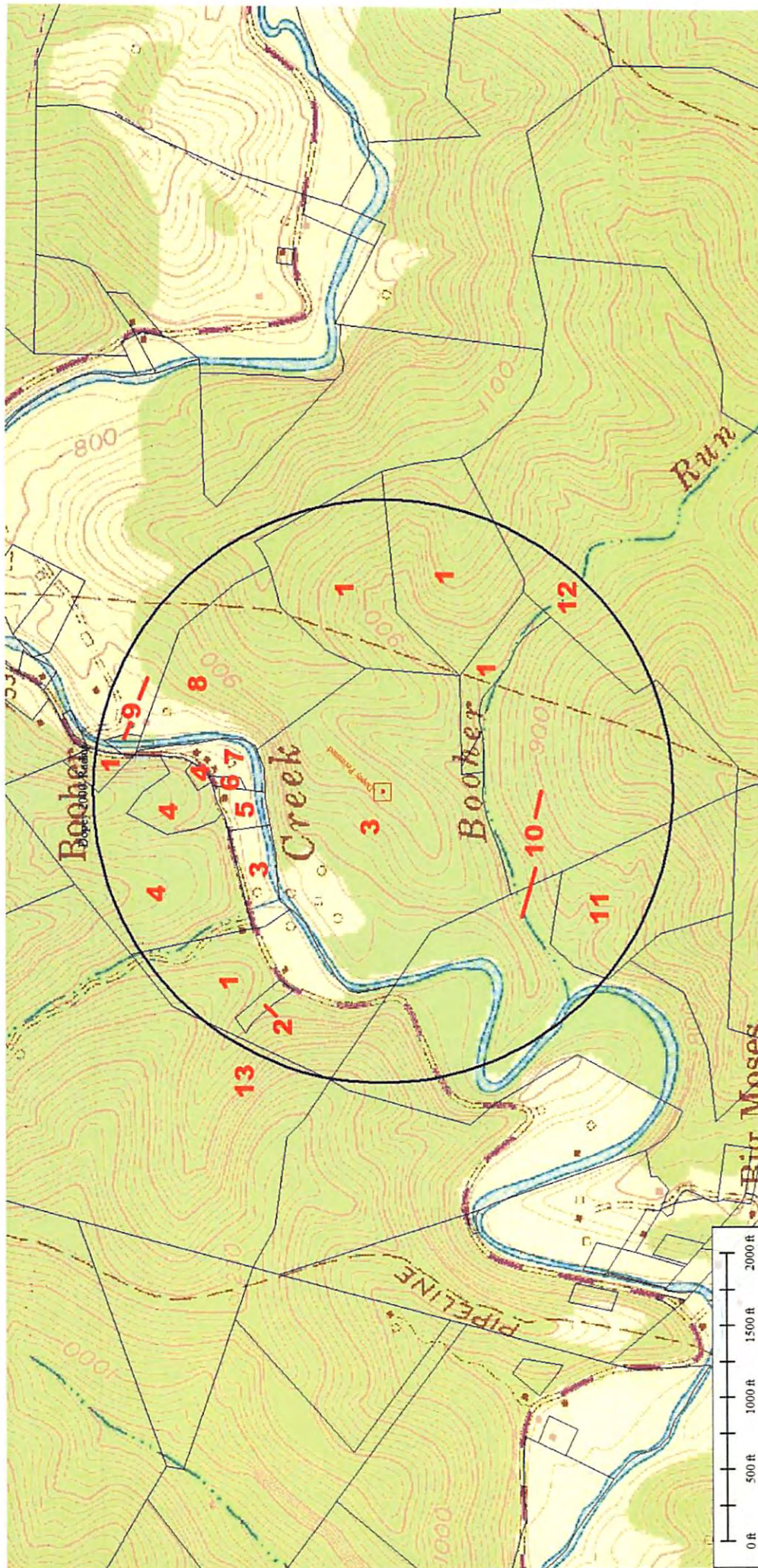
#### ⊙ Indian Creek Rd

Alma, WV 26320

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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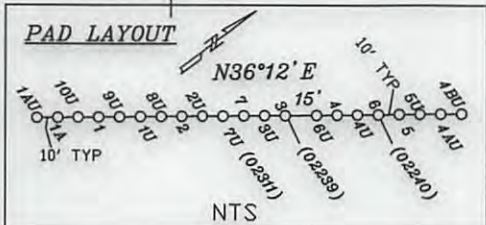
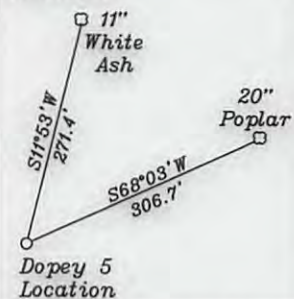
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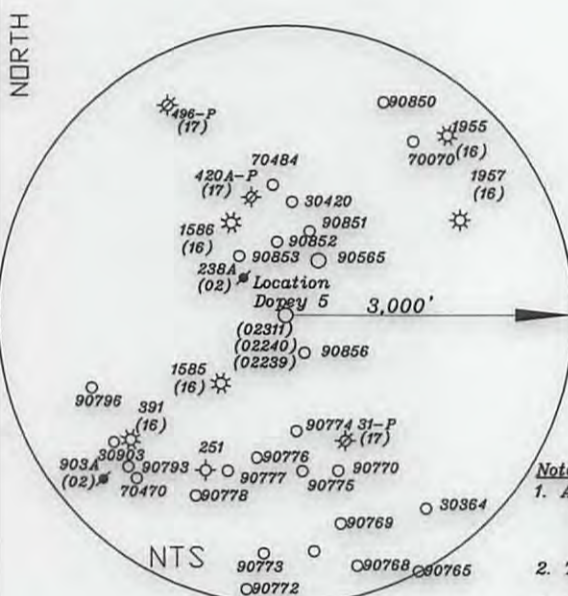
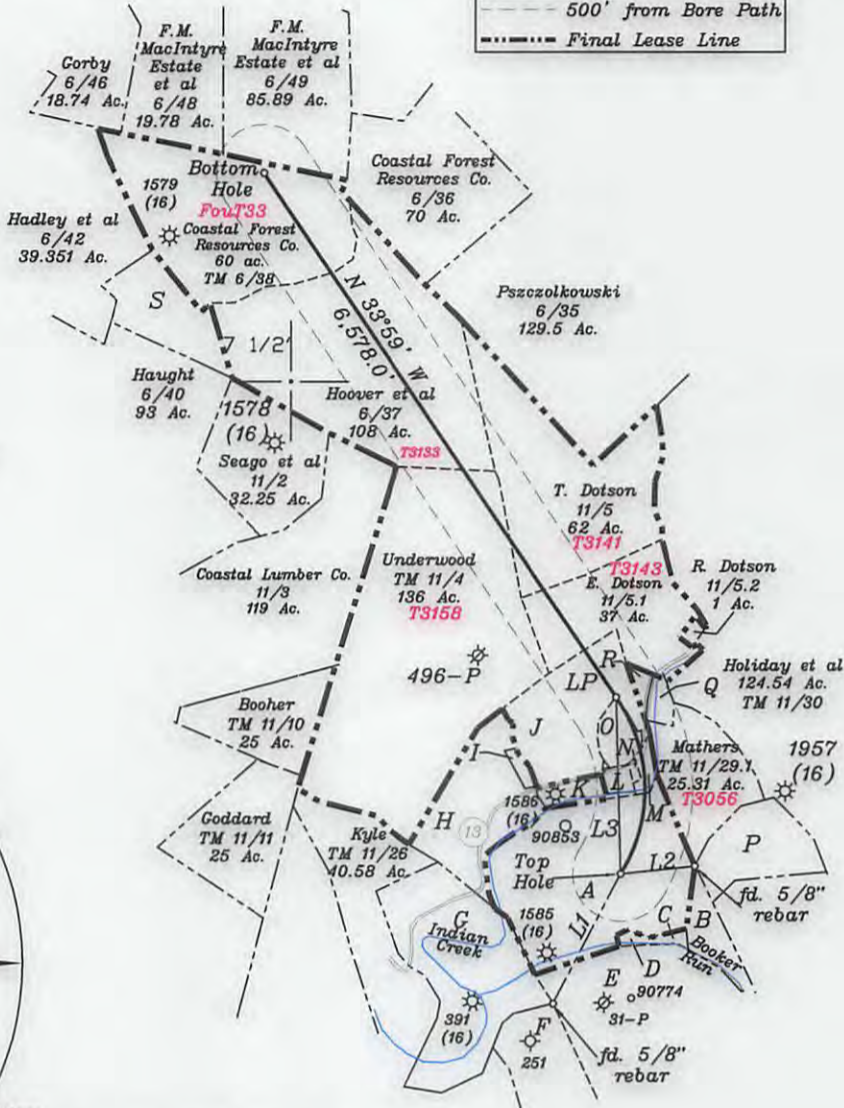
09/15/2017

References



Top Hole	
Geo NAD 83-39.438333 N, 80.772303 W	
UTM NAD83(meter)-4365445.48 N. 519594.48 E	
UTM NAD83(feet)-14322299.05 N. 1704702.87 E	
Landing Point	
Geo NAD 83-39.443360 N, 80.772559 W	
UTM NAD83(meter)-4366003.24 N. 519571.00 E	
UTM NAD83(feet)-14324128.95 N. 1704625.87 E	
Bottom Hole	
Geo NAD 83-39.458188 N, 80.785856 W	
UTM NAD83(meter)-4367646.12 N. 518422.96 E	
UTM NAD83(feet)-14329518.94 N. 1700859.31 E	

- A- Montgomery TM 11/27 65 Ac. **T3055A**
- B- Woodburn et al TM 11/44 6.75 Ac.
- C- Woodburn et al TM 11/45 0.755 Ac.
- D- Woodburn et al TM 11/44 1.5 Ac.
- E- Kile Estate TM 11/36 57 Ac.
- F- Davis TM 11/41 18.82 Ac.
- G- Kile Estate TM 11/36.1 50 Ac. **T3055B**
- H- Woodburn et al TM 11/13 30.05 Ac.
- I- Woodburn TM 11/13.1 1.2 Ac. **T3052**
- J- Tallman TM 11/14.3 28.631 Ac. **T3052A**
- K- Montgomery TM 11/14 2.18 Ac. **T3052A**
- L- Vincent TM 11/14.4 1.82 Ac. **T3052A**
- M- Ritter (Life) TM 11/29 1.63 Ac. **T3052A**
- N- Stillson TM 11/28 0.37 Ac.
- O- Tallman TM 11/14.5 5.135 Ac. **T3052A**
- P- Woodburn et al TM 11/43 35 Ac.
- Q- Holliday TM 11/30.2 0.56 Ac.
- R- Woodburn et al TM 11/14.1 2 Ac.
- S- Coastal Forest Resources Co. TM 6/39 23 Ac.



Notes:

1. All wells within 500' of the horizontal leg are shown on this plat based upon information taken from DEP mapping, well plats, & aerial photos.
2. Ties to wells and corners are based on State P lane Grid North-WV North Zone NAD 83.
3. No water wells were found within 250' of the well location. A house was found N55°54'W 614.3' from the center of the well pad.

NUMBER	DIRECTION	DISTANCE
L1	N 27°13' E	1,519.5'
L2	S 84°05' W	779.7'
L3	N 01°27' W	1,832.2'

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

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 July 03, 2017  
 OPERATOR'S WELL NO. Dopey 5  
 API WELL NO. 47-095-02466H6A

WELL TYPE: OIL GAS X LIQUID INJECTION WASTE DISPOSAL \_\_\_\_\_ STATE COUNTY PERMIT \_\_\_\_\_  
 (IF "GAS") PRODUCTION X STORAGE DEEP SHALLOW X  
 LOCATION: ELEVATION 910.7' WATER SHED Indian Creek - Outlet Middle Island Creek (HUC-10)  
 DISTRICT McElroy COUNTY Tyler  
 QUADRANGLE Shirley 7 1/2'

SURFACE OWNER John & Patty Montgomery ACREAGE 65 ac **09/15/2017**  
 OIL & GAS ROYALTY OWNER & LEASE NO. See Above for Lease Numbers

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 = 6,630'; TMD = 15,540'  
 WELL OPERATOR Jay Bee Oil & Gas, Inc. DESIGNATED AGENT Randy Broda  
 ADDRESS 1720 Rt. 22, East Union, NJ 07083 ADDRESS 3570 Shields Hill Road, Cairo, WV 26337



**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
T3055A (A)	John & Patty Montgomery	JB Exploration I, LLC	12.5%	463-809
T3052A	Judith Bagley	JB Exploration I, LLC	12.5%	436-759
T3143	Sandra Breland	JB Exploration I, LLC	12.5%	446-502
T3141	Thelma Dotson	JB Exploration I, LLC	12.5%	418-527
T3158	Kenneth & Jennifer Mason	JB Exploration I, LLC	12.5%	538-612
T3133	Ronald Hoover	JB Exploration I, LLC	12.5%	474-410
FoutT33	J&N Management, LLC	JB Exploration I, LLC	12.5%	536-200
Affidavit	JB Exploration I, LLC	Jay-Bee Oil & Gas, Inc		

**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

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

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JUL 7 2017

WV Department of  
Environmental Protection

STATE OF WEST VIRGINIA

COUNTY OF RITCHIE, to-wit:

Randy Broda, President of Jay-Bee Oil & Gas, Inc. and Randy Broda, Managing Member of JB Exploration I, 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 JB Exploration I, 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 JB Exploration I, 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 well Dopey 1, Dopey 1A, Dopey 2, Dopey 3U, Dopey 4, Dopey 5, Dopey 7 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.

DEP

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 20 day of June, 2017 by Randy Broda, President of Jay-Bee Oil & Gas, Inc., on behalf of the corporation.

My commission expires: April 18, 2022



[Signature]

[Signature]  
NOTARY PUBLIC

Randy Broda, Managing Member of JB Exploration I, LLC

Taken, subscribed and sworn to before me, the undersigned Notary Public, this 20 day of June, 2017 by Randy Broda, Managing Member of JB Exploration I, LLC, on behalf of the company.

My commission expires: April 18, 2022



[Signature]  
NOTARY PUBLIC

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**JAY-BEE OIL & GAS, INC.**

July 4, 2017

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

RE: Dopey 5 Well

Permitting Office:

As you know we have applied for a well permit for the Dopey 5 Well in Tyler County, West Virginia. This pad is located on what we call the T3055A tract. County Route 13 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 Tyler 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,

Shane Dowell  
Office Manager

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

Date of Notice Certification: 07/05/2017

API No. 47- 95 - 02466  
Operator's Well No. Dopey 5  
Well Pad Name: Dopey Pad

**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>519,594.48</u>
County:	<u>Tyler</u>		Northing:	<u>4,365,445.48</u>
District:	<u>McElroy</u>	Public Road Access:	<u>Indian Creek Rd</u>	
Quadrangle:	<u>Shirley</u>	Generally used farm name:	<u>John &amp; Patty Montgomery</u>	
Watershed:	<u>Indian Creek</u>			

Pursuant to West Virginia Code § 22-6A-7(b), every permit application filed under this section shall be on a form as may be prescribed by the secretary, shall be verified and shall contain the following information: (14) A certification from the operator that (i) it has provided the owners of the surface described in subdivisions (1), (2) and (4), subsection (b), section ten of this article, the information required by subsections (b) and (c), section sixteen of this article; (ii) that the requirement was deemed satisfied as a result of giving the surface owner notice of entry to survey pursuant to subsection (a), section ten of this article six-a; or (iii) the notice requirements of subsection (b), section sixteen of this article were waived in writing by the surface owner; and Pursuant to West Virginia Code § 22-6A-11(b), the applicant shall tender proof of and certify to the secretary that the notice requirements of section ten of this article have been completed by the applicant.

<p>Pursuant to West Virginia Code § 22-6A, the Operator has attached proof to this Notice Certification that the Operator has properly served the required parties with the following:</p> <p>*PLEASE CHECK ALL THAT APPLY</p> <p><input type="checkbox"/> 1. NOTICE OF SEISMIC ACTIVITY or <input checked="" type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED</p> <p><input checked="" type="checkbox"/> 2. NOTICE OF ENTRY FOR PLAT SURVEY or <input type="checkbox"/> NO PLAT SURVEY WAS CONDUCTED</p> <p><input type="checkbox"/> 3. NOTICE OF INTENT TO DRILL or <input checked="" type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED or</p> <p style="padding-left: 40px;"><input type="checkbox"/> WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)</p> <p><input checked="" type="checkbox"/> 4. NOTICE OF PLANNED OPERATION</p> <p><input checked="" type="checkbox"/> 5. PUBLIC NOTICE</p> <p><input checked="" type="checkbox"/> 6. NOTICE OF APPLICATION</p>	<p><b>OOG OFFICE USE ONLY</b></p> <p><input type="checkbox"/> RECEIVED/ NOT REQUIRED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED/ NOT REQUIRED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED</p>
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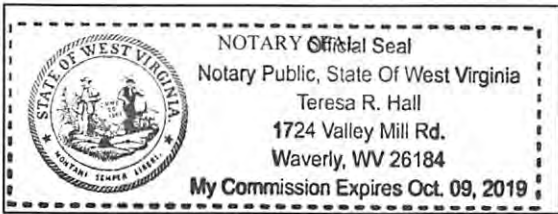
**Required Attachments:**

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.

**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 &amp; 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@jaybeeoil.com</u>



Subscribed and sworn before me this 5<sup>th</sup> day of July 2017.  
Teresa R. Hall Notary Public  
 My Commission Expires Oct 9<sup>th</sup> 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 or your personal information, please contact DEP's Chief Privacy Officer at [deprivacyofficer@wv.gov](mailto:deprivacyofficer@wv.gov).

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WV Department of  
Environmental Protection

WW-6A  
(9-13)

API NO. 47- 95 - 02466  
OPERATOR WELL NO. Dopey 5  
Well Pad Name: Dopey Pad

**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:** 7-5-2017    **Date Permit Application Filed:** 7-5-2017

**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: John & Patty Montgomery  
Address: 107 Basil Drive  
Weirton, WV 26047

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

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

Name: John & Patty Montgomery  
Address: 107 Basil Drive  
Weirton, WV 26047

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: John & Patty Montgomery  
Address: 107 Basil Drive  
Weirton, WV 26047

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 underground storage tank or pit.

**This Notice Shall Include:**

Pursuant to W. Va. Code § 22-6A-10(b), this notice shall include: (1) copies of the application; (2) the erosion and sediment control plan required by section seven of this article; and (3) the well plat.

Pursuant to W. Va. Code § 22-6A-10(f), this notice shall include: (1) a statement of the time limits for filing written comments; (2) who may file written comments; (3) the name and address of the secretary for the purpose of filing the comments and obtaining additional information; and (4) a statement that the persons may request, at the time of submitting written comments, notice of the permit decision and a list of persons qualified to test water.

Pursuant to W. Va. Code R. § 35-8-5.7.a, the operator shall provide the Well Site Safety Plan to the surface owner and any water purveyor or surface owner subject to notice and water testing as provided in section 15 of this rule.

Pursuant to W. Va. Code R. § 35-8-15.2.c, this notice shall: (1) contain a statement of the surface owner's and water purveyor's right to request sampling and analysis; (2) advise the surface owner and water purveyor of the rebuttable presumption for contamination or deprivation of a fresh water source or supply; advise the surface owner and water purveyor that refusal to allow the operator to conduct a pre-drilling water well test constitutes a method to rebut the presumption of liability; (3) advise the surface owner and water purveyor of his or her independent right to sample and analyze any water supply at his or her own expense; advise the surface owner and water purveyor whether or not the operator will utilize an independent laboratory to analyze any sample; and (4) advise the surface owner and or water purveyor that he or she can obtain from the Chief a list of water testing laboratories in the subject area capable of and qualified to test water supplies in accordance with standard acceptable methods.

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

**Well Location Restrictions**

Pursuant to W. Va. Code § 22-6A-12, Wells may not be drilled within two hundred fifty feet measured horizontally from any existing water well or developed spring used for human or domestic animal consumption. The center of well pads may not be located within six hundred twenty-five feet of an occupied dwelling structure, or a building two thousand five hundred square feet or larger used to house or shelter dairy cattle or poultry husbandry. This limitation is applicable to those wells, developed springs, dwellings or agricultural buildings that existed on the date a notice to the surface owner of planned entry for surveying or staking as provided in section ten of this article or a notice of intent to drill a horizontal well as provided in subsection (b), section sixteen of this article was provided, whichever occurs first, and to any dwelling under construction prior to that date. This limitation may be waived by written consent of the surface owner transmitted to the department and recorded in the real property records maintained by the clerk of the county commission for the county in which such property is located. Furthermore, the well operator may be granted a variance by the secretary from these distance restrictions upon submission of a plan which identifies the sufficient measures, facilities or practices to be employed during well site construction, drilling and operations. The variance, if granted, shall include terms and conditions the department requires to ensure the safety and protection of affected persons and property. The terms and conditions may include insurance, bonding and indemnification, as well as technical requirements. (b) No well pad may be prepared or well drilled within one hundred feet measured horizontally from any perennial stream, natural or artificial lake, pond or reservoir, or a wetland, or within three hundred feet of a naturally reproducing trout stream. No well pad may be located within one thousand feet of a surface or ground water intake of a public water supply. The distance from the public water supply as identified by the department shall be measured as follows: (1) For a surface water intake on a lake or reservoir, the distance shall be measured from the boundary of the lake or reservoir. (2) For a surface water intake on a flowing stream, the distance shall be measured from a semicircular radius extending upstream of the surface water intake. (3) For a groundwater source, the distance shall be measured from the wellhead or spring. The department may, in its discretion, waive these distance restrictions upon submission of a plan identifying sufficient measures, facilities or practices to be employed during well site construction, drilling and operations to protect the waters of the state. A waiver, if granted, shall impose any permit conditions as the secretary considers necessary. (c) Notwithstanding the foregoing provisions of this section, nothing contained in this section prevents an operator from conducting the activities permitted or authorized by a Clean Water Act Section 404 permit or other approval from the United States Army Corps of Engineers within any waters of the state or within the restricted areas referenced in this section. (d) The well location restrictions set forth in this section shall not apply to any well on a multiple well pad if at least one of the wells was permitted prior to the effective date of this article. (e) The secretary shall, by December 31, 2012, report to the Legislature on the noise, light, dust and volatile organic compounds generated by the drilling of horizontal wells as they relate to the well location restrictions regarding occupied dwelling structures pursuant to this section. Upon a finding, if any, by the secretary that the well location restrictions regarding occupied dwelling structures are inadequate or otherwise require alteration to address the items

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(8-13)

API NO. 47- 95 - 02466  
OPERATOR WELL NO. Dopey 5  
Well Pad Name: Dopey Pad

examined in the study required by this subsection, the secretary shall have the authority to propose for promulgation legislative rules establishing guidelines and procedures regarding reasonable levels of noise, light, dust and volatile organic compounds relating to drilling horizontal wells, including reasonable means of mitigating such factors, if necessary.

**Water Well Testing:**

Pursuant to West Virginia Code § 22-6A-10(d), notification shall be made, with respect to surface landowners identified in subsection (b) or water purveyors identified in subdivision (5), subsection (b) of this section, of the opportunity for testing their water well. The operator shall provide an analysis to such surface landowner or water purveyor at their request.

**Water Testing Laboratories:**

Pursuant to West Virginia Code § 22-6A-10(i), persons entitled to notice pursuant to subsection (b) of this section may contact the department to ascertain the names and locations of water testing laboratories in the subject area capable and qualified to test water supplies in accordance with standard accepted methods. In compiling that list of names the department shall consult with the state Bureau for Public Health and local health departments. A surface owner and water purveyor has an independent right to sample and analyze any water supply at his or her own expense. The laboratory utilized by the operator shall be approved by the agency as being certified and capable of performing sample analyses in accordance with this section.

**Rebuttable Presumption for Contamination or Deprivation of a Fresh Water Source or Supply:**

W. Va. Code § 22-6A-18 requires that (b) unless rebutted by one of the defenses established in subsection (c) of this section, in any action for contamination or deprivation of a fresh water source or supply within one thousand five hundred feet of the center of the well pad for horizontal well, there is a rebuttable presumption that the drilling and the oil or gas well or either was the proximate cause of the contamination or deprivation of the fresh water source or supply. (c) In order to rebut the presumption of liability established in subsection (b) of this section, the operator must prove by a preponderance of the evidence one of the following defenses: (1) The pollution existed prior to the drilling or alteration activity as determined by a predrilling or prealteration water well test. (2) The landowner or water purveyor refused to allow the operator access to the property to conduct a predrilling or prealteration water well test. (3) The water supply is not within one thousand five hundred feet of the well. (4) The pollution occurred more than six months after completion of drilling or alteration activities. (5) The pollution occurred as the result of some cause other than the drilling or alteration activity. (d) Any operator electing to preserve its defenses under subdivision (1), subsection (c) of this section shall retain the services of an independent certified laboratory to conduct the predrilling or prealteration water well test. A copy of the results of the test shall be submitted to the department and the surface owner or water purveyor in a manner prescribed by the secretary. (e) Any operator shall replace the water supply of an owner of interest in real property who obtains all or part of that owner's supply of water for domestic, agricultural, industrial or other legitimate use from an underground or surface source with a comparable water supply where the secretary determines that the water supply has been affected by contamination, diminution or interruption proximately caused by the oil or gas operation, unless waived in writing by that owner. (f) The secretary may order the operator conducting the oil or gas operation to: (1) Provide an emergency drinking water supply within twenty-four hours; (2) Provide temporary water supply within seventy-two hours; (3) Within thirty days begin activities to establish a permanent water supply or submit a proposal to the secretary outlining the measures and timetables to be used in establishing a permanent supply. The total time in providing a permanent water supply may not exceed two years. If the operator demonstrates that providing a permanent replacement water supply cannot be completed within two years, the secretary may extend the time frame on case-by-case basis; and (4) Pay all reasonable costs incurred by the real property owner in securing a water supply. (g) A person as described in subsection (b) of this section aggrieved under the provisions of subsections (b), (e) or (f) of this section may seek relief in court... (i) Notwithstanding the denial of the operator of responsibility for the damage to the real property owner's water supply or the status of any appeal on determination of liability for the damage to the real property owner's water supply, the operator may not discontinue providing the required water service until authorized to do so by the secretary or a court of competent jurisdiction.

**Written Comment:**

Pursuant to West Virginia Code § 22-6A-11(a), all persons described in subsection (b), section ten of this article may file written comments with the secretary as to the location or construction of the applicant's proposed well work within thirty days after the application is filed with the secretary. All persons described in West Virginia Code § 22-6A-10(b) may file written comments as to the location or construction of the applicant's proposed well work to the Secretary at:

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

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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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WV Department of  
Environmental Protection

09/15/2017

WW-6A  
(8-13)

API NO. 47- 95 - 02466  
OPERATOR WELL NO. Dopey 5  
Well Pad Name: Dopey Pad

**Notice is hereby given by:**

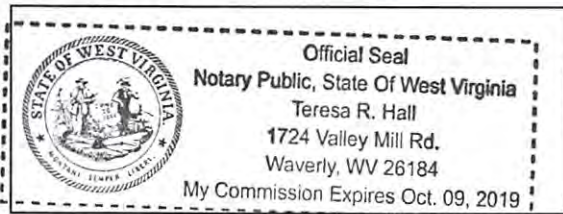
Well Operator: Jay-Bee Oil & Gas, Inc  
Telephone: 304-628-3111  
Email: sdowell@jaybeeoil.com



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](mailto:depprivacyofficer@wv.gov).



Subscribed and sworn before me this 5<sup>th</sup> day of July, 2017.  
Teresa R. Hall Notary Public  
My Commission Expires Oct 9<sup>th</sup> 2019

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Office of Oil and Gas  
JUL 7 2017  
WV Department of  
Environmental Protection

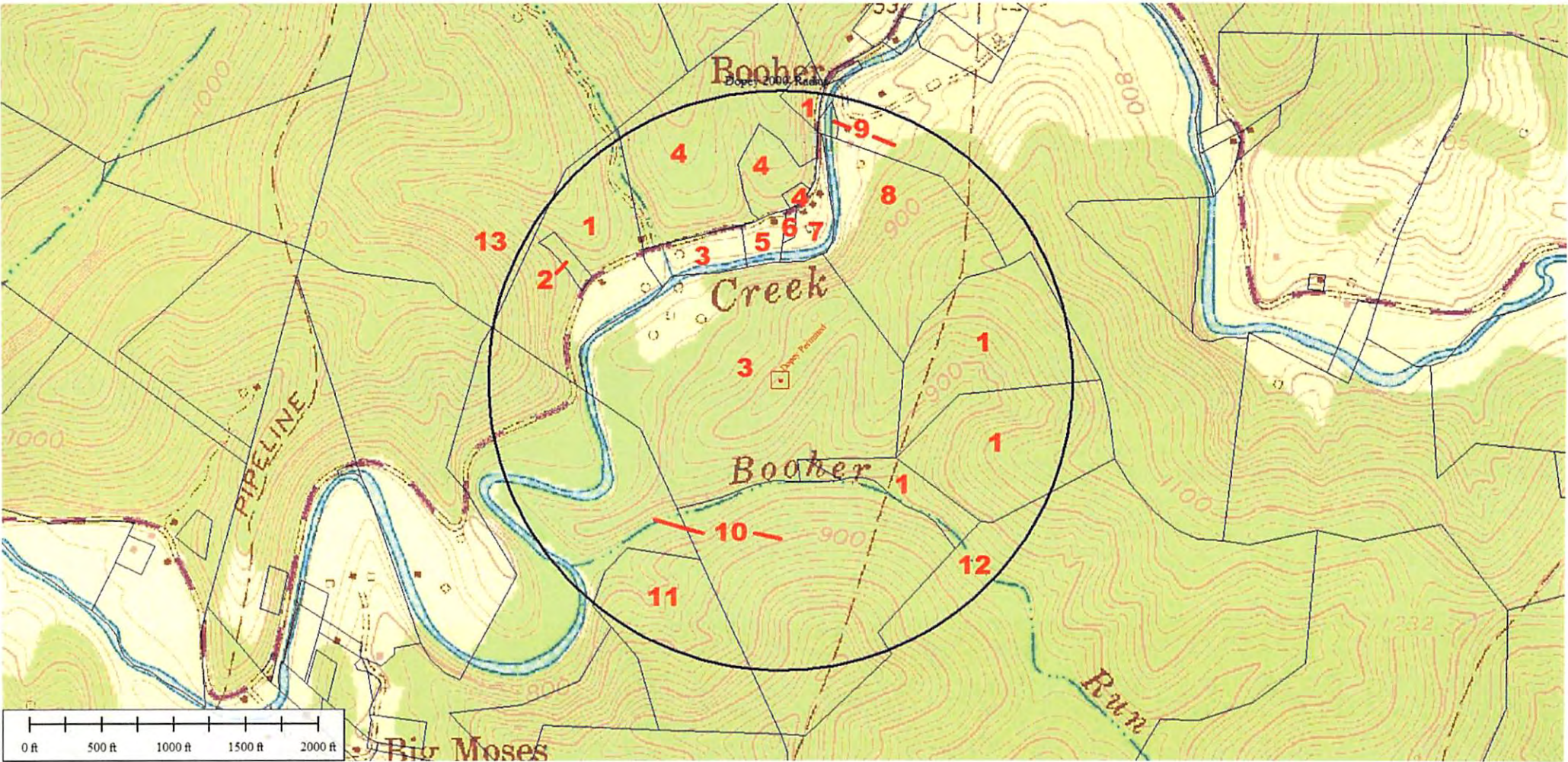
09/15/2017

WW6A Notice Reference

<b>Map</b>	<b>Parcel</b>	<b>First</b>	<b>Surname</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
11	14,27	John T. & Patricia	Montgomery	107 Basil Dr	Weirton	WV	26062
11	13,14.1,42,43,44,45	William Woodburn et al c/o	Linda Hoover	5599 Middle Island Rd	Middlebourne	WV	26149
11	13.1	William F. & Janet	Woodburn	722 Circle Drive	Belpre	OH	45714
11	14.2,14.3,14.5	Trevor L. & Marina M.	Tallman	807 Dudley Hill Rd.	Middlebourne	WV	26149
11	14.4	Brian L. & Jennifer M.	Vincent	4064 Indian Creek Rd	Alma	WV	26320
11	28	Rosemary	Stillson	1049 Boyd Rd.	Colliers	WV	26035
11	29	Deanna Ruth Riter Trust		HC62 Box 59	Alma	WV	26320
11	29.1	Rhonda Mathers		4195 Indian Creek Rd	Alma	WV	26320
11	30,30.2,30.3	Katherine Smith & Christina M. Holliday		4196 Indian Creek Rd	Alma	WV	26320
11	36,36.1	John W. Kile Est c/o David & Jennifer Kile		3384 Indian Creek Rd	Alma	WV	26320
11	41	Todd E. & Connie L.	Davis	248 Little Moses Rd	Alma	WV	26320
11	37	Hunter Real Estate LLC, Triad Hunter LLC		1046 Texan Trail	Grapevine	TX	76051
11	4	Dave & Annie Underwood Estates		5133 Graystone Way	Birmingham	AL	35242

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Environmental Protection

95-02466



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Environmental Protection

95-02466

Dopey Topo Water Well Reference

<i>Reference</i>	<i>Map</i>	<i>Parcel</i>	<i>First</i>	<i>Surname</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
1	11	13,14.1,42,43,44,45	William Woodburn et al c/o	Linda Hoover	5599 Middle Island Rd	Middlebourne	WV	26149
2	11	13.1	William F. & Janet	Woodburn	722 Circle Drive	Belpre	OH	45714
3	11	14,27	John T. & Patricia	Montgomery	107 Basil Dr	Weirton	WV	26062
4	11	14.2,14.3,14.5	Trevor L. & Marinia M.	Tallman	807 Dudley Hill Rd.	Middlebourne	WV	26149
5	11	14.4	Brian L. & Jennifer M.	Vincent	4064 Indian Creek Rd	Alma	WV	26320
6	11	28	Rosemary	Stillson	1049 Boyd Rd.	Colliers	WV	26035
7	11	29	Deanna Ruth Riter Trust		HC62 Box 59	Alma	WV	26320
8	11	29.1	Rhonda Mathers		4195 Indian Creek Rd	Alma	WV	26320
9	11	30,30.2,30.3	Katherine Smith & Christina M. Holliday		4196 Indian Creek Rd	Alma	WV	26320
10	11	36,36.1	John W. Kile Est c/o David & Jennifer Kile		3384 Indian Creek Rd	Alma	WV	26320
11	11	41	Todd E. & Connie L.	Davis	248 Little Moses Rd	Alma	WV	26320
12	11	37	Hunter Real Estate LLC, Triad Hunter LLC		1046 Texan Trail	Grapevine	TX	76051
13	11	4	Dave & Annie Underwood Estates		5133 Graystone Way	Birmingham	AL	35242

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95-02464

**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:** 05/4/2017      **Date of Planned Entry:** 05/11/2017

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

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

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

- COAL OWNER OR LESSEE

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

- MINERAL OWNER(s)

Name: Eugene Armstrong  
Address: 102 Vista Drive  
Bridgeport, WV 26330

\*please attach additional forms if necessary

**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>39.437908 X -80.772489</u>
County: <u>Tyler</u>	Public Road Access: <u>Indian Creek Rd</u>
District: <u>McElroy</u>	Watershed: <u>Indian Creek</u>
Quadrangle: <u>Shirley 7.5'</u>	Generally used farm name: <u>John &amp; Patty Montgomery</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 57<sup>th</sup> Street, SE, Charleston, WV 25304 (304-926-0450). Copies of such documents or additional information related to horizontal drilling may be obtained from the Secretary by visiting [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

RECEIVED  
Office of Oil and Gas

JUL 7 2017

**Notice is hereby given by:**

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

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

WV Department of  
Environmental Protection

**Oil and Gas Privacy Notice:**

The Office of Oil and Gas processes your personal information, such as name, address and telephone number, as part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use or your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).



Dopey 5 WW6A3 Notices

JUL 7 2017

WV Department of  
 Environmental Protection

Owner	Address	City	State	Zip
Eugene Armstrong	102 Vista Drive	Bridgeport	WV	26330-1032
BP Mineral Holdings II LLC & Somerset Minerals LP c/o BP Mineral Holdings II LLC	16400 N. Dallas Parkway Suite 400	Dallax	TX	75248-2609
Estella Goodfellow	1181 Next Road	Sistersville	WV	26175-9078
Clarence W. Mutschelknaus, Jr. & Clarence W. Mutschelknaus, Sr. B & C Oil & Gas	RR 1 Box 52	Friendly	WV	26426-9602
Commonwealth Energy	28 Magnolia Plaza	Weston	WV	26452-2907
David Bowyer	12088 Middle Island Road	Alma	WV	26320-7211
Donald R. Reynolds	P.O. Box 607	Jane Lew	WV	26378-0607
Rosemary Haught	2520 McElroy Creek Road	Alma	WV	26320-7492
J. D. Lemley Estate c/o Phyllis C. Loudon	824 Lakeview Drive, Apt. 207B	Parkersburg	WV	26104
John T. & Patricia A. Montgomery	107 Basil Drive	Weirton	WV	26062-6136
Kenneth R. & Jennifer L. Mason	P.O. Box 103	Alma	WV	26320-0103
Donald C. Kesterson	P.O. Box 2036	Parkersburg	WV	26102-2036
Leona V. Basore c/o Delores Joslin	281 Shady Oaks Drive	Franklin	NC	28734-2814
Morlen C. & Ina Spencer	1229 Midland Avenue	Barberton	OH	44203-4715
Nancy & John Fout c/o J & N Management LLC	1426 Brushy Fork Road	Bridgeport	WV	26330-9014
OXY USA Inc	5 Greenway Plaza, Suite 110	Houston	TX	77046-0521
Richard L. Clark	1137 Dutch Ridge Road	Parkersburg	WV	26104-7033
Ridgewood Development LLC	955 Bull Creek Road	Waverly	WV	26184-7070
S. L. Allen Estate c/o H. G. Allen Testamentary Trust	3541 Dayton Xenia Road, Unit 3403	Beavercreek	OH	45434-0357
Union National Bank Trustee Smith-Morris Trust c/o Industry Consulting Group, In	P.O. Box 659	Wichita	TX	76307-0659
Strohaker Family Trust Connie R. Strohaker, Trustee	333 Whisperwood Drive	Dadeville	AL	36853-5837
Allen Smith c/o Lona Smith	108 E. Madison Street	Paden City	WV	26159-1322
Rockford Energy LLC	P.O. Box 457	Lost Creek	WV	26385-0457
Appalachian Royalties Inc.	P.O. Drawer 1917	Clarksburg	WV	26301-1917
Gary D. Adams	21 Fernwood Avenue	Weirton	WV	26062
Raymond Allen	P. O. Box 1357	Los Lunas	NM	87031-1357
Judith Ann Bagley	1585 Slaughter Road	Alma	WV	26320-1101
Loren Bagley	2543 Conaway Run Road	Alma	WV	26320-7232
Douglas A. Broome c/o Ed Broome Inc.	6394 US Highway 33 E	Glenville	WV	26351-7121
Coastal Forest Resources Co	P.O. Box 709	Buckhannon	WV	26201-0709
Elizabeth Jane Dotson (Life)	4347 Indian Creek Road	Alma	WV	26320-7061
Richard Dotson (Life)	4349 Indian Creek Road	Alma	WV	26320-7062
Thelma Dotson	4423 Indian Creek Road	Alma	WV	26320-7091
Drilling Appalachian Corp.	P.O. Box 99	Alma	WV	26320-0099



Lenna M. Eureka	5053 Indian Creek Road	Alma	WV	26320-7079
Garnet Gas Corporation	444 Richardsonville Road	Creston	WV	26141
Shirley K. Guz	309 Lick Run Road	Weirton	WV	26062-5501
Ronald Hoover	5599 Middle Island Road	Middlebourne	WV	26149-8823
Mrs. F. M. White & Elijah Spencer, et al. & Sylvester White Heirs c/o Ronald Hoover	5599 Middle Island Road	Middlebourne	WV	26149-8823
Norma Spencer	2367 Brafferton Avenue	Hudson	OH	44236-4152
Trevor L. & Marinia M. Tallman	Route 1 Box 338	Middlebourne	WV	26149-9764
Tygart Resources Inc.	7 Evelyn Court	Irwin	PA	15642-8929
Dave & Annie Underwood Estates c/o Mark Underwood	5133 Graystone Way	Birmingham	AL	35242-7201
Brian L. & Jennifer M. Vincent	4064 Indian Creek Road	Alma	WV	26320-7058

807 Hill  
Dudley Rd.

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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:** 07/05/2017      **Date Permit Application Filed:** 07/05/2017

**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: John & Patty Montgomery  
Address: 107 Basil Drive  
Weirton, WV 26047

Name: William Woodburn Et Al  
Address: 5599 Middle Island Rd  
Middlebourne, WV 26149

**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>519,594.48</u>
County:	<u>Tyler</u>		Northing:	<u>4,365,445.48</u>
District:	<u>McElroy</u>	Public Road Access:	<u>Indian Creek Rd</u>	
Quadrangle:	<u>Shirley</u>	Generally used farm name:	<u>John &amp; Patty Montgomery</u>	
Watershed:	<u>Indian Creek</u>			

**This Notice Shall Include:**

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

Well Operator: Jay-Bee Oil & Gas, Inc  
Telephone: 304-628-3111  
Email: sdowell@jaybeeoil.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](mailto:depprivacyofficer@wv.gov).

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JUL 7 2017  
WV Department of  
Environmental Protection  
09/15/2017

95-02466



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

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

Earl Ray Tomblin  
Governor

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

July 22, 2015

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

Subject: DOH Permit for the Dopey Pad, Tyler County

Dopey 1  
Dopey 4

Dopey 1A  
Dopey 5

95-02466 ✓

Dopey 2  
Dopey 6

Dopey 3 095-02239  
Dopey 7

Dear Mr. Martin,

This well site will be accessed from a DOH permit #06-2015-0005 issued to Jay-Bee Oil & Gas, Inc. for access to the State Road for a well site located off of Tyler County Route 13 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,

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

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JUL 7 2017

WV Department of  
Environmental Protection

**JAY-BEE OIL & GAS, INC.**

Office of Water and Waste Management  
West Virginia Dept. of Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

RE: Frac Additives

Permitting Office:

As requested on the Water Management Plan, the CAS numbers are referenced for all submitted plans, as well as on OOG permits on WW6B, page 1, and listed below:

- Water (7732-18-5)
- Sand (14808-60-7)
- Friction Reducer (64742-47-8)
- Scale Inhibitor (107-21-1 & 10043-52-4)
- Bacteria Prevention (111-30-8, 7173-51-5, 68424-85-1, & 64-17-5)
- 15% Vol Acid (7647-01-0).

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

Sincerely,

Shane Dowell  
Office Manager

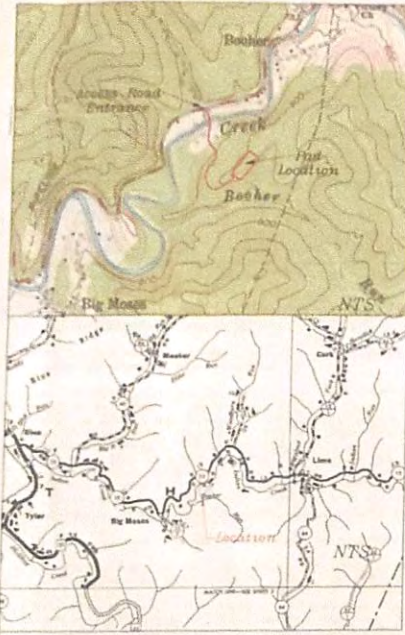
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WV Department of  
Environmental Protection

3570 Shields Hill Rd, Cairo, WV 26337 • Phone 304-628-3111 • Fax 304-628-3119

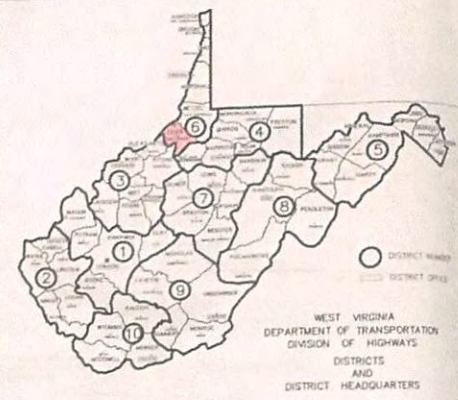
09/15/2017



# Dopey Well Pad Site Plan As-Built

McElroy District, Tyler County, WV  
Prepared for JAY BEE OIL & GAS

Date: July 10, 2017



**WVDEP OOG  
ACCEPTED AS-BUILT**

*WJD* 8/8/2017

Sheet Description

- Cover
- Details & Notes
- Details
- Road Plan & Profile
- Road Plan & Profile
- Road Plan & Profile
- Reclamation

Revisions:



4709502466

**CENTER PAD**  
Geographic NAD 27  
Latitude: 39.438019  
Longitude: 80.772698

Geographic NAD 83  
Latitude: 39.438100  
Longitude: 80.772524

**CENTER ROAD INT.**  
Geographic NAD 27  
Latitude: 39.440688  
Longitude: 80.775427

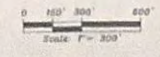
Geographic NAD 83  
Latitude: 39.440769  
Longitude: 80.775254

NOTE: Streams & Wetlands were delineated by AUSStar Ecology, LLC on August 19, 2015

**LIMIT OF DISTURBANCE**

PERMIT LOD 10.95± ACRES

AS-BUILT LOD 4.07± ACRES ROAD  
7.72± ACRES PAD  
11.72± TOTAL



**WEST VIRGINIA 811**

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

**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 drilling pad.

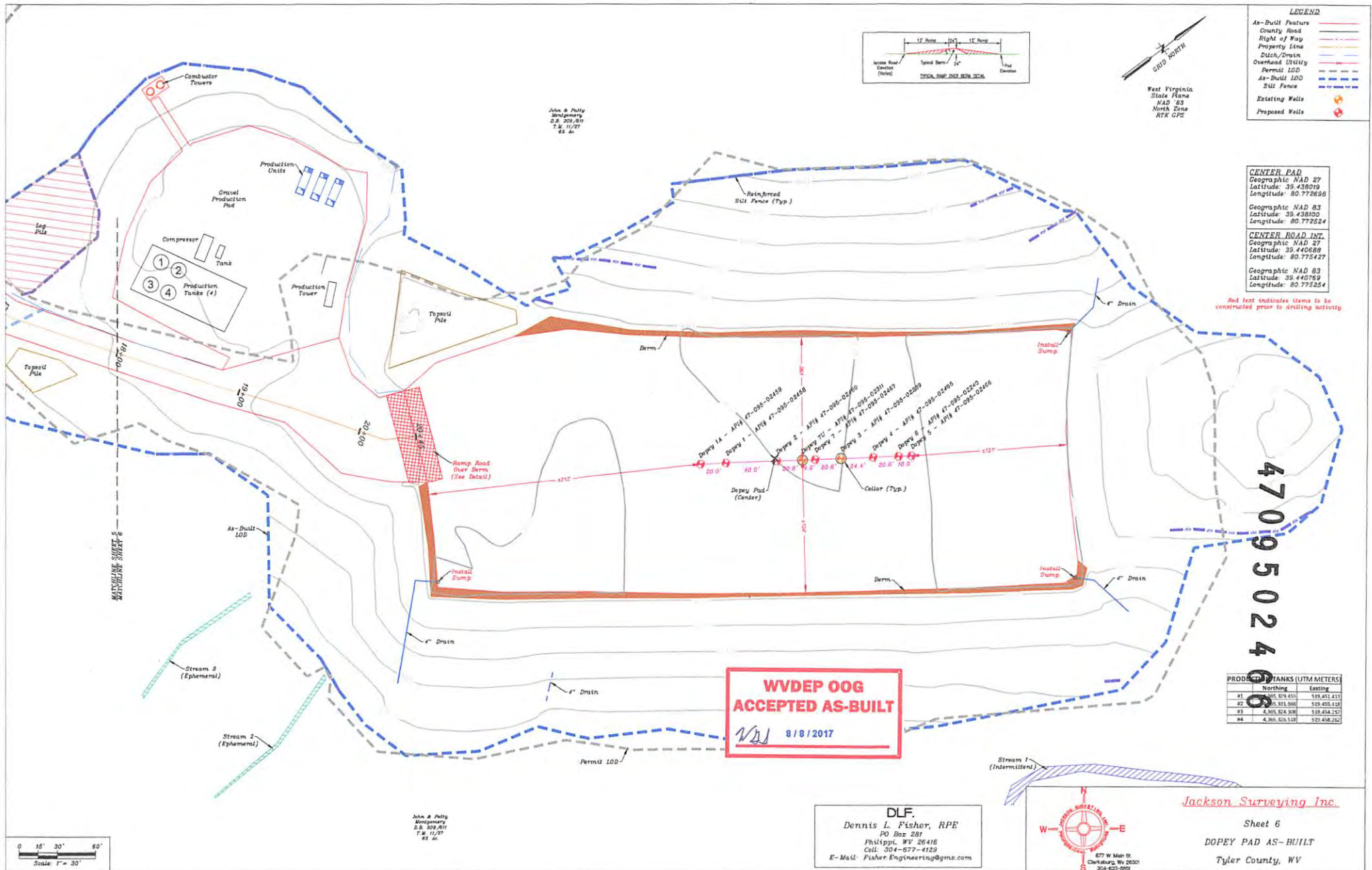
*Dennis L. Fisher*  
Dennis L. Fisher RPE 8884 07-10-2017  
Dennis L. Fisher RPE 8884

**DLF.**  
Dennis L. Fisher, RPE  
PO Box 281  
Phillippi, WV 26446  
Cell: 304-677-4129  
E-Mail: Fisher.Engineering@gmail.com

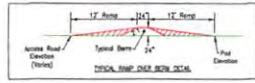


*Jackson Surveying Inc.*

Sheet 1  
DOPEY PAD AS-BUILT  
Tyler County, WV



John A. Pully  
 Manager  
 D.B. 309/871  
 T.M. 11/27  
 68 in.



**LEGEND**

- As-Built Feature
- County Road
- Right of Way
- Property Line
- Ditch/Drain
- Overland Utility
- Permit LOD
- As-Built LOD
- Silt Fence
- Existing Wells
- Proposed Wells

**CENTER PAD**  
 Geographic NAD 87  
 Latitude: 39.438019  
 Longitude: 80.772688

**CENTER PAD 83**  
 Geographic NAD 83  
 Latitude: 39.438000  
 Longitude: 80.772524

**CENTER ROAD INT.**  
 Geographic NAD 87  
 Latitude: 39.440688  
 Longitude: 80.775427

**CENTER PAD 83**  
 Geographic NAD 83  
 Latitude: 39.440759  
 Longitude: 80.775254

Red text indicates items to be constructed prior to drilling activity

**WVDEP OOG  
 ACCEPTED AS-BUILT**

8/8/2017

**PRODUCT TANKS (UTM METERS)**

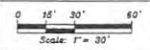
	Northing	Easting
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82	4,365,831.500	519,455.518
83	4,365,833.500	519,454.257
84	4,365,835.518	519,458.252

**DLF.**  
 Dennis L. Fisher, RPE  
 PO Box 281  
 Philippi, WV 26416  
 Cell: 304-677-4128  
 E-Mail: Fisher.Engineering@gmz.com



**Jackson Surveying Inc.**

Sheet 6  
 DOPEY PAD AS-BUILT  
 Tyler County, WV



John A. Pully  
 Manager  
 D.B. 309/871  
 T.M. 11/27  
 68 in.