

# 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

Tuesday, July 23, 2019 WELL WORK PERMIT Horizontal 6A / New Drill

JAY-BEE OIL & GAS, INC. 1720 RT, 22 E UNION, NJ 07083

Re: Permit approval for GRUMPY 4 47-095-02629-00-00

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:

**GRUMPY 4** 

Farm Name: U.S. WELL NUMBER:

DIANA SAMSON 47-095-02629-00-00

Horizontal 6A

New Drill

Date Issued: 7/23/2019

API Number: 47-695-02629

# **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.

API Number: 47-095-026 29

# **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.

WW-6B (04/15) API NO. 477 0 9 5 0 2 6 2 9
OPERATOR WELL NO. Grumpy 4
Well Pad Name: Grumpy

# 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 7.5'
The second secon		Operator ID	County	District	Quadrangle
2) Operator's Well Number: Gre	umpy 4	Well F	Pad Name: Gr	umpy	
3) Farm Name/Surface Owner:	Diana Sampsor	Public R	oad Access: 1	ndian Creek I	Rd
4) Elevation, current ground:	1,299.2' I	Elevation, propose	ed post-constru	ction: 1,299	.2'
5) Well Type (a) Gas X Other	Oil _	Ur	nderground Sto	orage	
	llow X izontal X	Deep			OCB.
6) Existing Pad: Yes or No Yes	Details 1				5/15/1019
7) Proposed Target Formation(s) Marcellus, Target Depth 7,075			s and Expected	d Pressure(s):	
8) Proposed Total Vertical Depth	h: 7,075'				
9) Formation at Total Vertical D	4.4	IS			
10) Proposed Total Measured De	epth: 17,007'				
11) Proposed Horizontal Leg Le	ngth: 7,703.5				
12) Approximate Fresh Water St	trata Depths:	120'			
<ul><li>13) Method to Determine Fresh</li><li>14) Approximate Saltwater Dept</li></ul>		API 47-095-000	10 for coal. Fr	eshwater/Sal	twater 47-095-02161
15) Approximate Coal Seam De	pths: 501', 640	', 734', 893', 956'			
16) Approximate Depth to Possi			Table 1		
17) Does Proposed well location directly overlying or adjacent to				No X	
(a) If Yes, provide Mine Info:	Name:				RECEIVED fice of Oil and Gas
	Depth:			Α.	AAY 2 2 2019
	Seam:			W	V Department of
	Owner:			Enviro	onmental Protection

WW-6B (04/15) 47 09 5 02 6 2 9 API NO. 47-

OPERATOR WELL NO. Grumpy 4

Well Pad Name: Grumpy

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'	597.2 CTS
Production	5 1/2	New	P110	17	17,007'	17,007'	2,615.5 CF1000' from surface
Tubing	N/A						
Liners	N/A						



ТҮРЕ	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	RECEIVED
Depths Set:	N/A	Office of Oil and Gas
		MAY 2 2 2019

WW-6B (10/14) 47 09 5 02 6 2 9

OPERATOR WELL NO. Grumpy 4

Well Pad Name: Grumpy

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.

968 WA

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.

- 21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 24.68
- 22) Area to be disturbed for well pad only, less access road (acres): 16.02

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 soapingvelug then dry.

Office of Oil and Gas

Air Hole: 11" hole for the 8 5/8 intermediate base - Circulate until clean with air. If soaping, slug then dry.

MAY 2 2 2019

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.

4/17/2019 Jay-Bee Oil & Gas Inc. Date: McElroy Well Name: Grumpy 4 District: County: Tyler GL Elevation: 1299.2' West Virginia State: KB: 14 feet 17.5" Hole-Conductor 16" J-55 30 feet GL 15" Hole Surface 11 3/4 J-55 300 feet GL 11" Hole Intermediate 8 5/8 J-55 2,000 feet GL Cement Production 5 1/2 P-110 17# 17,007 feet GL 7 7/8" Hole-Total depth -17,007 feet GL WV Department of Environmental Protection RECEIVED
Office of Oil and Gas MAY 2 2 2019

Coumpy4

API	Operator	Status	Latitude	Longitude	Vertical TD	Producing Formation	Producing Zones Not Perforate
	NO WELLS WERE FOUND WITHIN 500' OF THE WELL BORE PATH						
			•				

WW-9 (4/16)

API Number 47 -	
Operator's Well N	O. Grumpy 4

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

FLUIDS/ CUTTINGS DISF	POSAL & RECLAMATION PLAN
Operator Name Jay-Bee Oil & Gas, Inc.	OP Code _24610
Watershed (HUC 10) Outlet Middle Island Creek	Quadrangle Shirley 7.5'
Do you anticipate using more than 5,000 bbls of water to comp Will a pit be used? Yes No	elete the proposed well work? Yes No 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:	GB 12019
Land Application	15/15/001
Underground Injection (UIC Permi	t Number_47-085-09721
Off Site Disposal (Supply form WV  Other (Explain Using Contract Haule	
Will closed loop system be used? If so, describe: Yes, Centrifu	uge Drying Shaker System for Top Hole & Horizontal section
Drilling medium anticipated for this well (vertical and horizont	tal)? Air, freshwater, oil based, etc. Air Vertical / Horizontal OBM
-If oil based, what type? Synthetic, petroleum, etc. A	BS 40 (Aliphatic Base System) Synthetic
Additives to be used in drilling medium? Barite, ABS MUL/VIS, B	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/P	ermit 101219WV
	Gas of any load of drill cuttings or associated waste rejected at any within 24 hours of rejection and the permittee shall also disclose
on August 1, 2005, by the Office of Oil and Gas of the West Viprovisions of the permit are enforceable by law. Violations of law or regulation can lead to enforcement action.  I certify under penalty of law that I have personally application form and all attachments thereto and that, base	conditions of the GENERAL WATER POLLUTION PERMIT issued irginia Department of Environmental Protection. I understand that the of any term or condition of the general permit and/or other applicable by examined and am familiar with the information submitted on this ed on my inquiry of those individuals immediately responsible for true, accurate, and complete. I am aware that there are significant control of the protection of the protection.  RECEIVED Office of Oil and Gas
Company Official (Typed Name) Chris Lindsey	MAY 2 2 2019
Company Official Title Office Manager	WV Department of Environmental Protection
Subscribed and sworn before me this 7 day of	Official Seal Notary Public, State Of West Virginia Theresa K Ritter 1113 Patterson Fork Road Salem WV 26426 My commission expires May 12, 2033

Operator's Well No. Grumpy 4

Proposed Revegetation Treatment	nt: Acres Disturbed 24.68	Prevegetation pH 6	.8
Lime 2-3	Tons/acre or to correct to p	H 6.8	
Fertilizer type 10-20-	20		
Fertilizer amount 500		bs/acre	
Mulch_ Hay 2	Tons	/acre	
	Se	ed Mixtures	
Temp	orary	Permanen	t
Seed Type Annual Ryegrass	lbs/acre 40	Seed Type KY Bluegrass	lbs/acre 20
Field Bloomgrass	40	Creeping Red Fescue	30
Sudangrass	40	Perennial Ryegrass	10
Attach: Maps(s) of road, location, pit an provided). If water from the pit vacreage, of the land application application of involved	will be land applied, include of area.	ication (unless engineered plans including limensions (L x W x D) of the pit, and din	this info have been nensions (L x W), and
Maps(s) of road, location, pit an provided). If water from the pit vacreage, of the land application application of involved	will be land applied, include of area.  7.5' topographic sheet.	ication (unless engineered plans including limensions (L x W x D) of the pit, and din	this info have been nensions (L x W), and
Maps(s) of road, location, pit an provided). If water from the pit vacreage, of the land application a	will be land applied, include of area.  7.5' topographic sheet.	ication (unless engineered plans including limensions (L x W x D) of the pit, and din	this info have been nensions (L x W), and
Maps(s) of road, location, pit an provided). If water from the pit vacreage, of the land application a Photocopied section of involved Plan Approved by:	will be land applied, include of area.  7.5' topographic sheet.	ication (unless engineered plans including limensions (L x W x D) of the pit, and din	this info have been nensions (L x W), and
Maps(s) of road, location, pit an provided). If water from the pit vacreage, of the land application a Photocopied section of involved Plan Approved by:	will be land applied, include of area.  7.5' topographic sheet.	ication (unless engineered plans including limensions (L x W x D) of the pit, and din	this info have been nensions (L x W), and
Maps(s) of road, location, pit an provided). If water from the pit vacreage, of the land application a Photocopied section of involved Plan Approved by:	will be land applied, include of area.  7.5' topographic sheet.	ication (unless engineered plans including limensions (L x W x D) of the pit, and din	RECEIVED
Maps(s) of road, location, pit an provided). If water from the pit vacreage, of the land application a Photocopied section of involved Plan Approved by:	will be land applied, include of area.  7.5' topographic sheet.	ication (unless engineered plans including limensions (L x W x D) of the pit, and din	RECEIVED

# **GRUMPY 4**

# WELL SITE SAFETY PLAN

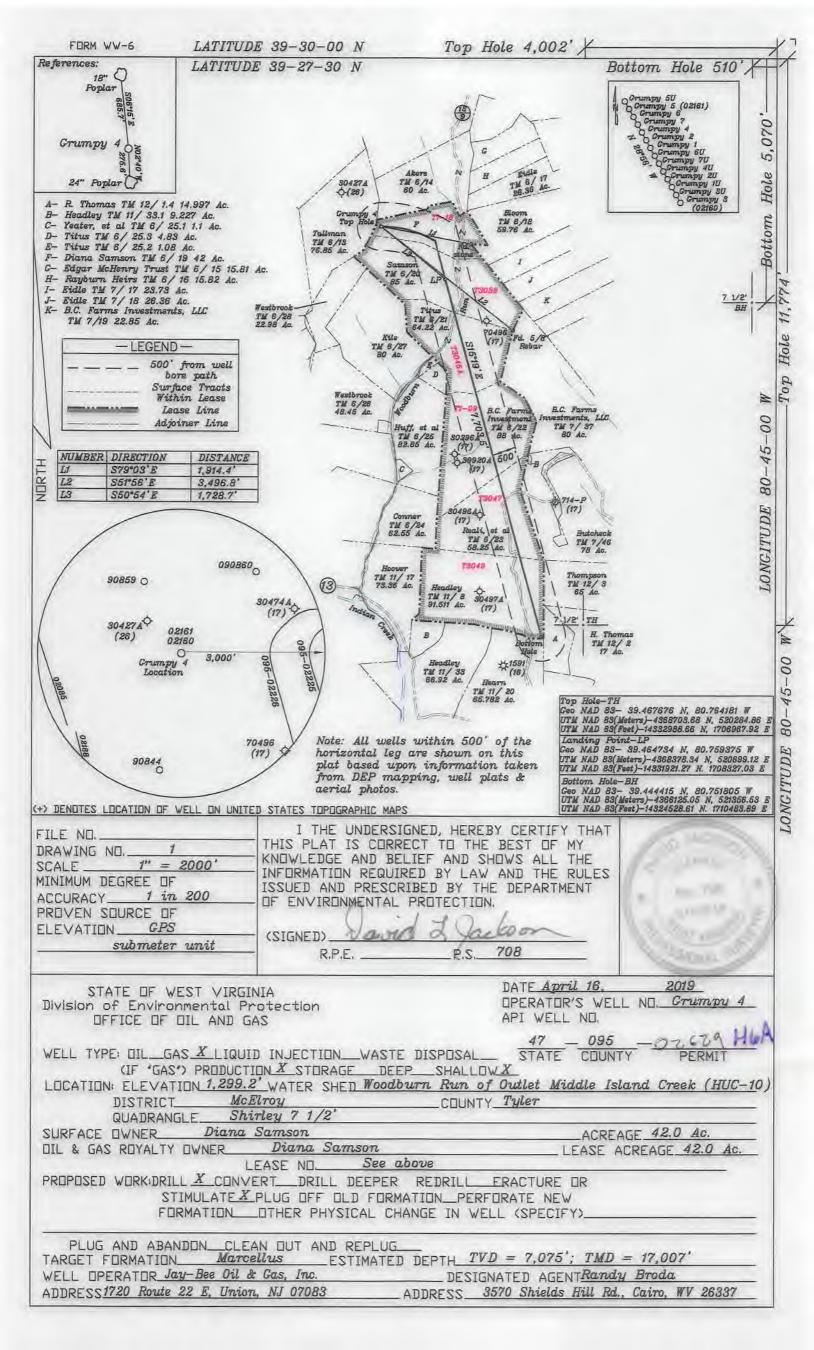
RECEIVED
Office of Oil and Gas

MAY 2 2 2019

WV Department of Environmental Protection

JAY-BEE OIL & GAS, INC

918 5/15/2019



WW-6A1 (5/13)

Operator's Well No.	Grumpy 3

# INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE Chapter 22, Article 6A, Section 5(a)(5) IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that –

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Lease Name or					
Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book/Page	

See attached exhibit to WW-6A1

# 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

RECEIVED
Office of Oil and Gas

The applicant further acknowledges that any Office of Oil and Gas permit in no way overrides, replaces, or not lifting 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.

WV Department of Environmental Protection

Well Operator Jay Bee Oil and Gas, Inc

By: Chris Lindsey

It's Office Manager

95-62629

Grumpy 4 Exhibit to WW 6A1

Lease #	Lessor, Grantor, etc	Lessee, Grantee, etc	Royalty	Deed Book-Page
T1-18 \	Special Commisoner Civil Action 14-C-1K	Jay Bee Royalty	Deed	448-457
T3039	S.A Smith and C,Burke Morris Trust	Jay Bee Production Company	≥12.5%	385-209
T3039 /	George and Joann Woodburn	Antero Resources	≥12.5%	395-580
T3039	Antero Resources	JB Exploration I, LLC	Assignment	417-523
T3045A	Janet Burns	JB Exploration I, LLC	≥12.5%	433-120
T3045A	Benny Woodburn	JB Exploration I, LLC	≥12.5%	443-144
T3045A	Larry Woodurn	JB Exploration I, LLC	≥12.5%	443-147
T3045A /	Michael Woodburn	JB Exploration I, LLC	≥12.5%	452-772
T1-09 🗸	Lora Thomas Tyle County Clerk	Jay Bee Production	Deed	354-625; 354-631
T3047 🗸	Ascent ReSources Marcellus, LLC	JB Exploration, I LLC	≥12.5%	496-371
T3047 √,	Charles Daily	JB Exploration, I LLC	≥12.5%	498-34
T3047	Fred and Debra Reali	JB Exploration, I LLC	≥12.5%	391-633
T3049 🗸	Fritzi L. Cavalli	JB Exploration, I LLC	≥12.5%	395-208
T3049	Don Ritz	JB Exploration, I LLC	≥12.5%	387-746
T3049	Mark Headley	JB Exploration, I LLC	≥12.5%	418-515
T3049	Carol Morris	JB Exploration, I LLC	≥12.5%	395-228
	Jay Bee Production Company	Jay Bee Oil and Gas,Inc	Affidavit	
	Jay Bee Royalty	Jay Bee Oil and Gas,Inc	Affidavit	

Well Operator Jay Bee Oil and Gas, Inc.

By: Chris Lindsey Its:

Its: Office Manager

Page 2 of 2

RECEIVED
Office of Oil and Gas

MAY 2 2 2019

# <u>AFFIDAVIT FILED PURSUANT TO</u> 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 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 Grumpy 1. Grumpy 2, Grumpy 4, Grumpy 6, Grumpy 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 Gas 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 the penalties of the information is true, accurate and complete. We are aware that there are significant penalties for of submitting false information, including the possibility of fine or imprisonment.

Further, affiants sayeth naught.
Randy Broda, President of Jay-Bee Oil & Gas, Inc.
Taken, subscribed and sworn to before me, the undersigned Notary Public, this // day of,,
of the corporation.
My commission expires: April 18, 2022  Commissioner for West Virginia Shane M. Dowell Parkersburg, WV My Commission Expires April 18, 2022
NOTARY PUBLIC
Randy Broda, Managing Member of JB Exploration I, LLC
Taken, subscribed and sworn to before me, the undersigned Notary Public, this 10th day of 10th 10th 10th 10th 10th 10th 10th 10th
on behalf of the company.  OFFICIAL SEAL Commissioner for West Virginio Shane M. Dowell Porkersburg, WV My Commission Expires April 18, 2022
NOTARY PUBLIC

RECEIVED
Office of Oil and Gas

MAY 2 2 2019

# <u>AFFIDAVIT FILED PURSUANT TO</u> 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, President of Jay-Bee Production Company, 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 President of Jay-Bee Production Company, which holds the rights to extract, produce or market the oil or gas. In my capacity as President, I am qualified and authorized to certify and verify the information set forth or referenced herein on behalf of Jay-Bee Production Company.
- 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 Grumpy 1. Grumpy 2, Grumpy 4, Grumpy 6, Grumpy 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 outside the familiar with the information contained and referenced herein and that, based on outside the familiar with 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.

  WV Department of Environmental Protection

Further, affiants sayeth naught.
Randy Broda, President of Jay-Bee Oil & Gas, Inc.
Taken, subscribed and sworn to before me, the undersigned Notary Public, this day
of January, 7018 by Randy Broda, President of Jay-Bee Oil & Gas, Inc., on behalf
of the corporation.  OFFICIAL SEAL Commissioner for West Virginia Shane M. Dowell Parkersburg, WV
My Commission Expires April 18, 2022
NOTARY PUBLIC
Randy Broda, President of Jay-Bee Production Company
Taken, subscribed and sworn to before me, the undersigned Notary Public, this day
of hulary, Zoke by Randy Broda, President of Jay-Bee Production Company, on
behalf of the company.  OFFICIAL SEAL
My commission expires: April 18, 2027  Commissioner for West Virginia Shane M. Dowell Parkersburg, WV My Commission Expires April 18, 2022
NOTARY PUBLIC

RECEIVED
Office of Oil and Gas

MAY 2 2 2019

# <u>AFFIDAVIT FILED PURSUANT TO</u> 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 Grumpy 1. Grumpy 2, Grumpy 4, Grumpy 6, Grumpy 7 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 inquirites of Gas 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.  Randy Broda, President of Jay-Bee Oil & Gas, Inc.
Raildy Bloda, Flesidelli of Jay-Bee Olf & Gas, Ilic.
Taken, subscribed and sworn to before me, the undersigned Notary Public, this $\mathcal{L}^{+\gamma}$ day
of January, Mary by Randy Broda, President of Jay-Bee Oil & Gas, Inc., on behalf
of the corporation.  OFFICIAL SEAL Commissioner for West Virgini
My commission expires: April 18 7077 Shane M. Dowell Porkersburg, WV My Commission Expires April 18, 2022
Se no 50 Dell
NOTARY PUBLIC
Randy Broda, Managing Member of Jay-Bee Royalty, LLC
Taken, subscribed and sworn to before me, the undersigned Notary Public, this $10^{-10}$ day
of January, 7018 by Randy Broda, Managing Member of Jay Boe Royalty, LLC.
on behalf of the company.  OFFICIAL SEAL Commissioner for West Virginio
My commission expires: 16, 2022 Shane M. Dowell Parkersburg, WV My Commission Expires April 18, 2022
NOTARY PUBLIC
RECEIVED Office of Oil and Gas

or on and Ga

MAY 2 2 2019



# JAY-BEE OIL & GAS, INC.

May 6, 2019

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

RE: Grumpy 2 Well; Grumpy 4 Well

# Permitting Office:

As you know we have applied for a well permit for the Grumpy 7 Well in Tyler County, West Virginia. This pad is located on what we call the T1-18 tract. Our well leg runs beneath Woodburn Run (CR 13/9).

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.

Chris Lindsey Office Manager RECEIVED
Office of Oil and Gas

MAY 2 2 2019

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

Date of Notic	ce Certification: 05/07/2019	API N	10.47- <u>095</u> -	02629
		Opera	tor's Well No. Grun	npy 1, 2, 4, 6, 7
		Well I	Pad Name: Grumpy	<u> </u>
Notice has l	oeen given:			
		22-6A, the Operator has provided the	ne required parties	with the Notice Forms listed
below for the	tract of land as follows:			
State:	West Virginia	UTM NAD 83 Eastin	g: 520,583.53	
County:	Tyler	North	ng: 4,368,706.42	
District:	McElroy	Public Road Access:	Indian Creek Rd	
Quadrangle:	Shirley 7.5'	Generally used farm nar	ne: Diana Sampson	
Watershed:	Outlet Middle Island Creek			
prescribed by it has provide information roof giving the requirements Virginia Code	the secretary, shall be verified and s ed the owners of the surface describ equired by subsections (b) and (c), se surface owner notice of entry to su of subsection (b), section sixteen o	every permit application filed under hall contain the following information ped in subdivisions (1), (2) and (4), ction sixteen of this article; (ii) that the rvey pursuant to subsection (a), sect of this article were waived in writing tender proof of and certify to the secret t.	n: (14) A certificati subsection (b), se he requirement was tion ten of this arti g by the surface ov	on from the operator that (inction ten of this article, the deemed satisfied as a resulticle six-a; or (iii) the notice wher; and Pursuant to West
*PLEASE CHE	rator has properly served the require	erator has attached proof to this Not d parties with the following:  NOTICE NOT REQUIRED BE		OOG OFFICE USE ONLY
1. NO	TOE OF BEISMIC ACTIVITY OF	SEISMIC ACTIVITY WAS CONI		RECEIVED/ NOT REQUIRED
☐ 2. NO	TICE OF ENTRY FOR PLAT SURV	EY or  NO PLAT SURVEY WA	S CONDUCTED	☐ RECEIVED
■ 3. NO	FICE OF INTENT TO DRILL or	NOTICE NOT REQUIRED BE NOTICE OF ENTRY FOR PLAT S WAS CONDUCTED or		☐ RECEIVED/ NOT REQUIRED
		☐ WRITTEN WAIVER BY SUI (PLEASE ATTACH)	RFACE OWNER	
■ 4. NO	TICE OF PLANNED OPERATION			☐ RECEIVED
■ 5. PUB	BLIC NOTICE			RECEIVED RECEIVED
■ 6. NO	TICE OF APPLICATION		Of	ide of Oil and Gas RECEIVED
			· · · · · · · · · · · · · · · · · · ·	MAY 2 2 2019

# **Required Attachments:**

WV Department of

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 Chris Lindsey , 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: Jay-Bee Oil & Gas, Inc.

By: Chris Lindsey

Its: Office Manager

Telephone: 304-628-3111 Address: 3570 Shields Hill Rd.

Cairo, WV 26337

Facsimile: 304-628-3119

Email: clindsey@jaybeeoil.com

Official Seal NTSCREENISTORIES

Notacy Public, Stell Of West Virginia Theresa K Ritter 1113 Patterson Fork Road

Salem WV 26426 My commission expires May 12, 2033  Subscribed and sworn before me this

My Commission Expires

Notary Public

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@wy.gov.

> RECEIVED Office of Oil and Gas

MAY 2 2 2019

WW-6A (9-13)

API NO. 47- 95 - 02429
OPERATOR WELL NO.
Well Pad Name: Grumpy 1, 2, 4, 6, 7

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

Not	ice Time Requireme	nt: notice shall be provi	ided no later th	an the filing date of permit application	n.
	e of Notice: <u>5/7/2019</u> ice of:	Date Permit Applica	tion Filed: 5/13	3/2019	
<b>7</b>	PERMIT FOR ANY WELL WORK	<del></del>		PROVAL FOR THE AN IMPOUNDMENT OR PIT	
Deli	very method pursua	nt to West Virginia Co	ode § 22-6A-1	0(b)	
	PERSONAL	REGISTERED	☐ METH	OD OF DELIVERY THAT REQUIRE	S A
	SERVICE	MAIL		IPT OR SIGNATURE CONFIRMATIO	
sedin the soil and description of the soil and description	ment control plan requiurface of the tract on wind gas leasehold being ribed in the erosion and ator or lessee, in the execoal seams; (4) The owork, if the surface trace a water well, spring or ide water for consumprosed well work activity ection (b) of this section did the sheriff requirision of this article to the R. § 35-8-5.7.a requi	ared by section seven of the vhich the well is or is produced by the proposed sediment control plans arent the tract of land on womers of record of the subset is to be used for the plantibed in section nine of the water supply source location by humans or domest is to take place. (c)(1) It is not hold interests in the larged to be maintained purshe contrary, notice to a liters, in part, that the open	this article, and oposed to be loc sed well work, is submitted pursuablich the well purface tract or tralacement, constitution article; (5) A cated within one stic animals; and if more than threads, the applications and to section ien holder is not rator shall also p	or signature confirmation, copies of the ap the well plat to each of the following pers sated; (2) The owners of record of the surfa- f the surface tract is to be used for roads of ant to subsection (c), section seven of this proposed to be drilled is located [sic] is known acts overlying the oil and gas leasehold be rruction, enlargement, alteration, repair, re- Any surface owner or water purveyor who thousand five hundred feet of the center of d (6) The operator of any natural gas stora- ted tenants in common or other co-owners of the may serve the documents required upon eight, article one, chapter eleven-a of this that notice to a landowner, unless the lien hol- provide the Well Site Safety Plan ("WSSP" as provided in section 15 of this rule.	ons: (1) The owners of record of face tract or tracts overlying the or other land disturbance as article; (3) The coal owner, own to be underlain by one or being developed by the proposed moval or abandonment of any is known to the applicant to of the well pad which is used to ge field within which the of interests described in the person described in the code. (2) Notwithstanding any lader is the landowner. W. Va.
☑ A	pplication Notice	WSSP Notice ☑E&	S Plan Notice	■ Well Plat Notice is hereby provi	ded to:
	RFACE OWNER(s)			COAL OWNER OR LESSEE	
	e: Jill Hoover ess: 101 Woodburn Run A	lma, WV 26320	- _	Name:Address:	
Nam	۵۰			COAL OPERATOR	
			-	Name:	
				Address:	RECEIVED
		(Road and/or Other Dis			Office of Oil and Gas
Nam Add:	e:		-	SURFACE OWNER OF WATER V	
Addi	ess:		-	AND/OR WATER PURVEYOR(s)	MAY <b>2 2</b> 2019
Nam	e:		-	Name:	way Department of
Addı	ess:		-		Environmental Protection
				OPERATOR OF ANY NATURAL	
		(Impoundments or Pits)		Name:Address:	
Addr	ess:		<del>.</del>		
				*Please attach additional forms if nace	000001

WW-6A (8-13) API NO. 47- 95 . 0 2629

OPERATOR WELL NO.

Well Pad Name: Grumpy 1, 2, 4, 6.7

# Notice is hereby given:

Pursuant to West Virginia Code § 22-6A-10(b), notice is hereby given that the undersigned well operator has applied for a permit for well work or for a certificate of approval for the construction of an impoundment or pit.

### This Notice Shall Include:

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

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

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

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

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

### 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 stand because as follows: (1) For a surface water intake on a lake or reservoir, the distance shall be measured from the boundary of the fake of feet voir. (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 paralleint pose any permit conditions as the secretary considers necessary. (c) Notwithstanding the foregoing provisions of this secretary considers necessary. 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

WW-6A (8-13)

API NO. 47-95 - 02629 OPERATOR WELL NO. Well Pad Name: Grumpy 1, 2, 4, 6,7

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:** 

Office of Oil and Gas

RECEIVED

Pursuant to West Virginia Code § 22-6A-11(a), all persons described in subsection (b), section ten of this article may file writte 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 by the with the secretary. location or construction of the applicant's proposed well work to the Secretary at:

WV Department of **Environmental Protection** 

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

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

Well Pad Name: Grumpy 1, 2, 4, 6,7

# 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 <a href="http://www.dep.wv.gov/oil-and-gas/Horizontal-Permits/Pages/default.aspx">http://www.dep.wv.gov/oil-and-gas/Horizontal-Permits/Pages/default.aspx</a> 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.

RECEIVED
Office of Oil and Gas

MAY 2 2 2019

WW-6A (8-13) API NO. 47- 95 - 02629

OPERATOR WELL NO.

Well Pad Name: Grumpy 1, 2, 4, 6,7

Notice is hereby given by:

Well Operator: Jay Bee Oil and Gas, Inc Telephone: 304-628-3111

Email: clindsey@jaybeeoil.com

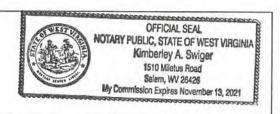
Address: 3570 Shields Hill Rd.

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 <a href="mailto:depprivacyofficer@wv.gov">depprivacyofficer@wv.gov</a>.



Subscribed and sworn before me this 7th day of May 2019.

My Commission Expires Nov. 13, 2021

RECEIVED
Office of Oil and Gas

MAY 2 2 2019

Well	No. Grumpy	1,2,4,6,7
------	------------	-----------

# West Virginia Department of Environmental Protection Office of Oil and Gas

# NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

Be advised, you have the right to sample and analyze any water supply at your own expense.

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

X	Contractor Name		Reliance Laboratories
X	Well operator's pr	ivate laboratory	
	Well Operator	Jay-Bee Oil & Gas, INC	
	a decoration of	3570 Shields Hill Rd /	1720 Route 22 East
		Cairo, WV 26337 / U	Union, NJ 07083
	Telephone 304-628-3111		

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the opening sed site please indicate such.

MAY 2 2 2019

# **Grumpy Topo Water Well Reference**

Reference	Map	Parcel	First	Surname	Address	City	State	7:
1	6	11	<b>CLIFFORD WARNER &amp; ANDREW HAUGI</b>		771 MCELROY CREEK RD		State	Zip
2	6		GARY L ROBERTS & BEVERLY C PYLES			ALMA	WV	26320
	<del>                                     </del>				512 LYNN ST	FOLLANSBEE	WV	26037
3	6		CURTIS TYRONE & SARAH MICHELLE	TALLMAN	1880 BADGER RUN RD	SISTERSVILLE	wv	26175
4	6	14	ANDREA S.	AKERS	656 GORRELS RUN RD	MIDDLEBOURNE	WV	26149
5	6,7	17, 17	RONALD & JANET	THOMPSON	1769 WALNUT FORK RD	LIMA	WV	26377
6	6	18	ARTHUR THOMAS & LOIS JEAN	BLOOM	935 GENTEEL RIDGE	WELLSBURG	<del></del>	<del> </del>
7	6		DIANNA				WV	26070
	<del></del>			SAMSON	8235 HOLY LEAF DR	SPRING	TX	77379
8	6		HELEN	(TITUS) AYERS	1040 WOODBURN RUN	ALMA	wv	26320
9	6	27	SOLOMON KILE ESTATE c/o WILLIAM KILE		71 ALYSSA DR		+	
10	6					PICKERINGTON	ОН	43147
10			CLOYDE	WESTBROOK	406 PARK AVE	<b>MIDDLEBOURNE</b>	WV	26149

RECEIVED
Office of Oil and Gas

MAY 2 2 2019

WV Department of Environmental Protection

Operator Well No. Grumpy 1.2,4,6,7

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

Pursuant to W. Va. Code § 22-6A-16(b), the Notice of Intent to Drill is only required if the notice requirements of W. Va. Code § 22-6A-10(a) have NOT been met or if the Notice of Intent to Drill requirement has NOT been waived in writing by the surface owner.

Date of 110th	ce: 05/07/2019		at least TEN (10) days prior to filing a permit Application Filed: 05/17/2019	- Lanna akkupantan
Delivery me	thod pursuant	to West Virginia Code §	22-6A-16(b)	
☐ HAND		CERTIFIED MAIL		
DELIVI	ERY	RETURN RECEIPT RE	QUESTED	
receipt reque drilling a hor of this subsection m and if availab	sted or hand del izontal well: Pition as of the day be waived in le, facsimile nu	livery, give the surface ow rovided. That notice given ate the notice was provide writing by the surface ow mber and electronic mail	when notice of its intent to enter upon to in pursuant to subsection (a), section to ad to the surface owner: <i>Provided, how</i> when the notice, if required, shall incompared and the operator	, an operator shall, by certified mail return the surface owner's land for the purpose of en of this article satisfies the requirements wever, That the notice requirements of this lude the name, address, telephone number, or's authorized representative.
Notice is he Name: JILL M.		d to the SURFACE OV		a leev
The state of the s	WOODBURN RUN AL	LMA WV 26320	Name: RICHARD DOTSON Address: 4349 INDIAN CRE	
the surface owner's land for the purpose of drilling a horiz  State: West Virginia  County: Tyler  District: McElroy  Quadrangle: Shirley 7.5'  Watershed: Outlet Middle Island Creek		UTM NAD 83 Easting: Northing: Public Road Access: Generally used farm name:	520, 583.53 4,368,706.42 Indian Creek Rd. Diana Samson	
Pursuant to V facsimile num related to hor	ber and electro izontal drilling	Code § 22-6A-16(b), this onic mail address of the may be obtained from the	operator and the operator's authorize e Secretary, at the WV Department of	ress, telephone number, and if available, ed representative. Additional information of Environmental Protection headquarters, ep.wv.gov/oil-and-gas/pages/default.aspx.
	reby given by			
	T: Jay Bee Oil and	I Gas, Inc	Authorized Representative:	Chris Lindsey
	3570 Shields Hi	ill Rd	Address:	3570 Shields Hill Rd
Address:			Cairo, WV 26337	
Address: Cairo, WV 26337	SAV SOUR ARE			204 620 2111
Address: Cairo, WV 26337 Telephone:	304-628-3111	Various I		304-628-3111
Address: Cairo, WV 26337	304-628-3111 clindsey@jaybe 304-628-3119	eoil.com	Email: Facsimile:	clindsey@jaybeeoil.com
Address: Cairo, WV 26337 Telephone:	7.4.7.7.7.7.7.3.2	Vara :		

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. Environmental Protection

WV Department of Environmental Protection

WW-6A5 (1/12)

# CIE A TOTO OF AN ECON MANY A

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

Date of Not	e Requirement: notice ice: 05/07/2019		pplication Filed: 05		t application.
Delivery m	ethod pursuant to We	st Virginia Code § 2	22-6A-16(c)		
■ CERT	IFIED MAIL	П	HAND		
The second secon	RN RECEIPT REQUI	ESTED	DELIVERY		
return receip the planned required to be drilling of a damages to	of requested or hand de operation. The notice be provided by subsecti horizontal well; and ( the surface affected by	livery, give the surfate required by this sue on (b), section ten of 3) A proposed surfate oil and gas operation	nce owner whose land absection shall include this article to a sur- ace use and compen- as to the extent the d	d will be used f ide: (1) A copy face owner who sation agreement amages are com	ication, an operator shall, by certified main for the drilling of a horizontal well notice of the of this code section; (2) The information se land will be used in conjunction with the not containing an offer of compensation for appensable under article six-b of this chapter sted in the records of the sheriff at the time
Notice is he (at the addre Name; JILL M.	reby provided to the S ss listed in the records	SURFACE OWNER of the sheriff at the t	ime of notice):	RICHARD DOTSON (	LIFE)
	WOODBURN RUN ALMA WV 28	6320			EK RD ALMA WV 26320
State: County:	the surface owner's la West Virginia Tyler	nd for the purpose o	UTM NAD	Easting: Northing:	520,583,53 4,368,706.42
District:	McElroy Shirley 7.5' Outlet Middle Island Creek		Public Road		Indian Creek Rd
Quadrangle: Watershed:			Generally us	ed farm name:	Diana Samson
Pursuant to V to be provid horizontal w surface affect information	ed by W. Va. Code § ell; and (3) A proposed ted by oil and gas ope related to horizontal do located at 601 57th 5	22-6A-10(b) to a sill surface use and con rations to the extent rilling may be obtain	urface owner whose inpensation agreement the damages are connected from the Secre-	e land will be unt containing and ompensable und tary, at the WV	code section; (2) The information required used in conjunction with the drilling of a roffer of compensation for damages to the der article six-b of this chapter. Additional Department of Environmental Protection or by visiting <a href="https://www.dep.wv.gov/oil-and-department">www.dep.wv.gov/oil-and-department</a>
Well Operato	IT: Jay-Bee Oil & Gas, Inc		Address:	3570 Shields Hill Rd	
Telephone:	304-628-3111			Cairo, WV 26337	
Email:	clindsey@jaybeeoil.com		Facsimile:	304-628-3119	
The Office of duties. Your needed to co	personal information in comply with statutory	nay be disclosed to or regulatory requir	other State agencies rements, including	es or third parti- Freedom of In	RECEIVED elephone number respanding our regulatory es in the normal course of business or as formation. Act requests. Our office will your personal information, please contact

DEP's Chief Privacy Officer at depprivacyofficer@wv.gov.

# 95-02629

# 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) WSSPX (2) Application on Form WW-2(B) / WW-3(B) / WW-4(B) / WW-5(B) / WW-6(B) E&SX (3) Plat showing the well location on Form WW-6, and x WW-6A5 / MSDS (4) Construction and Reclamation Plan on Form WW-9 (5) WW6A1 X WMPX WW6RW/AW WM6RW/AW WW6RW/AW WM6A1 X WMPX WW6RW/AW WW6RW/AW WW6RW/AW WW6RW/AW WW6RW/AW WW6RW/AW WW6RW/AW W6A1 X WMPX W6A1 X WMPX W6A1 X W
Jay-Bee Oil & Gas, Inc.; JB Exploration I, LLC; Jay Bee Production Company
on the 7th day of May , 20 19 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 whe 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 presenc of the partner.
For a limited partnership:  [ ] Handing it to the general partner, named
For a corporation:  [X] Handing it to the corporation's employee / officer X / director / attorney in fact / named Brian Paugh, Its-Vice President of Land
(Signature of person executing service)
Taken, subscribed and sworn before me this 7th day of May 2019.  My commission expires 100. 13, 2021  RECEIVED  Notany Public
(AFFIX SEAL IF NOTARIZED OUTSIDE THE STATE)  MAY 2 2 2019
WV Department of Environmental Protection
OFFICIAL SEAL  NOTARY PUBLIC, STATE OF WEST VIRGINIA  Kimberley A. Swiger  1510 Miletus Road  Salem, WV 26428  My Commission Expires November 13, 2021



# WEST VIRGINIA DEPARTMENT OF TRANSPORTATION Division of Highways

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

Byrd E. White, III Secretary of Transportation

June 21, 2019

Jimmy Wriston, P. E.
Deputy Secretary/
Acting Commissioner

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 Doc Pad, Tyler County
Grumpy 6 Well site

Dear Mr. Martin,

This well site will be accessed from a DOH permit #06-2014-0113 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.

This operator is in compliance with §22-6A-20 of the WV Code. Operator has signed a DISTRICT WIDE OIL AND GAS ROAD MAINTENANCE BONDING AGREEMENT and provided the required Bond. This operator is currently in compliance with the DOH OIL AND GAS POLICY dated October 1, 2018.

Very Truly Yours,

Gary K. Clayton, P.E.

Lary K. Clayton

Regional Maintenance Engineer Central Office O&G Coordinator

Cc: Chris Lindsey

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 57<sup>th</sup> 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:

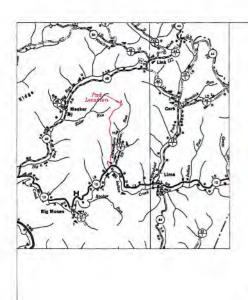
- Water (7732-18-5)
- Sand (14808-60-7, 1344-28-1, 1309-37-1, 13463-67-7)
- Friction Reducer (64742-47-8)
- Scale Inhibitor (107-21-1, 111-46-6)
- Bacteria Prevention (111-30-8, 7173-51-5, 68424-85-1, 64-17-5)
- 15% Vol Acid (7647-01-0)
- Citric Acid (77-92-9)
- Guar Gum (9000-30-0)
- Corrosion Inhibitor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

Chris Lindsey Office Manager RECEIVED
Office of Oil and Gas

MAY 2 2 2019



# Grumpy Well Pad As-Built Site Plan

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

Date: December 18, 2017





WVDEP OOG

ACCEPTED AS-BUILT

CENTER GRUMPY PAD Geographic NAD 83 Latitude: 39.467839 Longitude: 80.764185 Pad Elev: 868.14

CENTER ROAD INT. Geographic NAD 83 Latitude: 39,445329 Longitude: 80.769228

DOC PAD DISTURBED AREAS (LIMITS OF DISTURBANCE)

T.M. 12/5.3 Road+ 2,870 Sq. Ft. E. Dotson T.M. 11/5.1

Road = 1,030 Sq. Fc. Total = 0.02 Ac. Randy W. Tustin & Francis W. Tennant, S T.M. 11/6 Road= 219,420 Sq. F Road= 219,420 Sq. Pt. Pad= 94,055 Sq. Pt. Total= 7.20 Ac.

Pad-182,070 Sq. Ft. Total= 4.18 Ac. Road Total+5.13 Acres

Pad Total= 6.34 Acres
TOTAL DOC PAD
PERMITTED LOD 13.64 Acres TOTAL DOC PAD MODIFIED LDD: 11.47 Acres

Roads 15,173 Sq. Ft. Total = 0.85 Ac.

7.11 M. Hoove T.M. 11/17 Road+ 5,450 Sq. Ft. Your = 0.08 Ac. Franklin A. & Re T.M. 6/24

cca D. Conner Road= 9,235 Sq. Ft. Total = 0,21 Ac.

Totals 1.29 Ac.

Paul Huff, Mice Miller In., Mice

Road= 28.835 Sq. Ft. Curtis T. Tailman 7.M. 6/35 Road = 58,130 Sq. Ft. Total = 1.33 Ac.

T.M. 6/32 T.M. 6/31 T.M. 6/28 Road= 33,025 Sq. Ft. Total=0.76 Ac

Road= 1,340 Sq. Ft. Total= 0.03 Ac

Road= 81,175 Sq. Ft. Pad= 145,960 Sq. Ft. Total= 5.21 Ac

Read= 19,635 Sq. Ft. Pad= 901,165 Sq. Ft. Total= 7.36 Az.

Road Total & B 66 Acres

FOR TOTAL SEGMENTS
FOR TOTAL CRUMPY PAD
PERMITTED DIS 44 62 ACTES
TOTAL CRUMPY PAD
MODIFIED LOD 24.68 ACTES

5/17/2019



05-15-2019

YOU DIG!

Revised note 8 on Sheet 2

800,245,4848



Design Certification
The drawings, construction notes and reference diagrams
attached hereto have been prepared to accordance with the
Test Virginia Code of Sittle Rules, Division of Environmental
Protection, Office of Oil and Cas

Wike & Karen Percachbusht TW 6/25 129.5 Ac

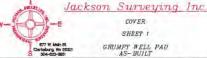
Jaydes Oll & Gas TN 8/25 1 8.0 Ac

The information reflects a gus well drilling pad and road.

Jashua R. Cook PPE 17950.



North Central Engineering, LLC
Jashua Cook, RPE
PO 80= 528
Shidapuni, 89 26550
Cell: 504-295-1528



COVER SHEET ! GRUMPY WELL PAD AS-BUILT

