



west virginia department of environmental protection

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

Harold D. Ward, Cabinet Secretary  
[www.dep.wv.gov](http://www.dep.wv.gov)

Monday, April 15, 2024  
WELL WORK PERMIT  
Horizontal 6A / New Drill

JAY-BEE OIL & GAS, INC.  
23 EGANFUSKEE ST., SUITE 126


JUPITER, FL 33477

Re: Permit approval for BASHFUL 5  
47-095-02881-00-00

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: BASHFUL 5  
Farm Name: VICKIE L TIPPINS & THOMAS  
U.S. WELL NUMBER: 47-095-02881-00-00  
Horizontal 6A New Drill  
Date Issued: 4/15/2024

Promoting a healthy environment.

04/19/2024

# 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.

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## 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. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Also, 24 hours prior to the initiation of the completion process the operator shall notify the Chief or his designee.
8. During the completion process the operator shall monitor annular pressures and report any anomaly noticed to the chief or his designee immediately.
9. If any explosion or other accident causing loss of life or serious personal injury occurs in or about a well or well work on a well, the well operator or its contractor shall give notice, stating the particulars of the explosion or accident, to the oil and gas inspector and the Chief, within 24 hours of said accident.
10. During the casing and cementing process, in the event cement does not return to the surface, the oil and gas inspector shall be notified within 24 hours.
11. The operator shall provide to the Office of Oil and Gas the dates of each of the following within 30 days of their occurrence: completion of construction of the well pad, commencement of drilling, cessation of drilling, completion of any other permitted well work, and completion of the well. Such notice shall be provided by sending an email to DEPOOGNotify@wv.gov.

04/19/2024

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 Center Pnt 7 1/2'  
Operator ID County District Quadrangle

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

3) Farm Name/Surface Owner: Vickie L. Tippins & Thomas Headley Estate Public Road Access: Bonelick Rd.

4) Elevation, current ground: 1202.0 Elevation, proposed post-construction: \_\_\_\_\_

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

7) Proposed Target Formation(s), Depth(s), Anticipated Thickness and Expected Pressure(s):  
Marcellus Target Depth MD 7,648' Thickness 12' Expected PSI at surface 0

8) Proposed Total Vertical Depth: 7,086'

9) Formation at Total Vertical Depth: Marcellus

10) Proposed Total Measured Depth: 15,483'

11) Proposed Horizontal Leg Length: 7,821'

12) Approximate Fresh Water Strata Depths: 282'

13) Method to Determine Fresh Water Depths: Well Record 47-095-00388

14) Approximate Saltwater Depths: N/A

15) Approximate Coal Seam Depths: N/A

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: \_\_\_\_\_

4709502881

WW-6B  
(04/15)

API NO. 47-095 -  
OPERATOR WELL NO. Bashful 5  
Well Pad Name: Bashful

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	18 5/8"	New	J-55	87.5 lb./ft.	30'	30' ✓	22.44 Cu. Ft. / CTS ✓
Surface	13 3/8"	New	H-40	48 lb./ft.	350'	350' ✓	244.4 Cu. Ft. / CTS
Intermediate 1	9 5/8"	New	J-55	36 lb./ft.	2,000'	2,000' ✓	648 Cu. Ft. / CTS
Intermediate 2							
Production	5 1/2"	New	P-110	20 lb./ft.	15,483'	15,483' ✓	3,730 Cu. Ft. / CTS
Tubing	2 3/8"	New	J-55	4.7 lb./ft.	7,500'	7,500'	N/A
Liners	N/A						

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	18 5/8"	22"	0.435	2,250	50	Class A/L	1.19/1.15 CF per sack
Surface	13 3/8"	17 1/2"	0.330	1,730	1000	Class A/L	1.19/1.15 CF per sack
Intermediate 1	9 5/8"	12.25"	0.352	3,520	1,500	Class A/L	1.19/1.14 CF per sack
Intermediate 2							
Production	5 1/2"	8.75"-8.5"	0.304	12,640	7,500 ✓	Class A/L	1.19/1.27 CF per sack
Tubing	2 3/8"	5.5"	0.190	7,700	2,500	N/A	N/A
Liners	N/A						

PACKERS

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

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Office of Oil and Gas

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WV Department of  
Environmental Protection

*SMW*  
2-13-24

WW-6B  
(10/14)

API NO. 47- 095 - \_\_\_\_\_  
 OPERATOR WELL NO. Bashful 5  
 Well Pad Name: Bashful

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 set conductor and surface casing, move in bottom hole rig drill on air or water based fluid to set intermediate casing, drill on air or water based fluid to top of curve (KOP). Load hole with SOBM trip out pick up BHA for curve and lateral drill well to planned TD. Run production casing and cement per design. Move out rig move in frac company stimulate well with water and sand per frac design.

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

200' per stage plug to plug approx 8,500 bbls of water, approx 400,000-500,000 lbs of sand, friction reducer, 1gpt. scale inhibitor and biocide .25 gpt 2,000 gallons 15% vol acid. 95 bpm @ 7,500# pressure.

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 9.84 ac

22) Area to be disturbed for well pad only, less access road (acres): 6.61 ac

23) Describe centralizer placement for each casing string:

Vertical - Every 3rd joint place a centralizer to surface.  
 Horizontal - Every other joint place a solid body centralizer.  
 Curve - Every other joint place a solid body centralizer.

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

**Class A**  
 o Surface string (13-3/8") - 15.6 PPG - Class A Cement, 1.5% Calcium Chloride, Cello-flake (if required)  
 o Intermediate String (8-5/8") - 15.6 PPG - Class A Cement, 1.5% Calcium Chloride, Foam Preventer (FP-29L)  
 o Production string (5-1/2") - 14.5 PPG - 50% Class A Cement, 50% Fly Ash, Bentonite, Fluid Loss (FL-66), Foam Preventer (FP-24), Foam Preventer (FP-29L), Retarder (R-3), Sugar (Displacement only), Biocide (displacement only)  
**Class L**  
 o Surface String (13-3/8") - 15.6 PPG - Class L Cement, 1.75% Calcium Chloride, Cello-flake (if required)  
 o Intermediate String (8-5/8") - 15.6 PPG - Class L Cement, 0.75% Calcium Chloride, Foam Preventer (FP-29L)  
 o Production String (5-1/2") - 14.5 PPG - 80% Class L, 20% Fly Ash, Bentonite, Fluid Loss (FL-66) Foam Preventer (FP-29L), Foam Preventer (FP-29L), Retarder (R-3), Sugar (Displacement only), Biocide (Displacement only)

25) Proposed borehole conditioning procedures:

17.5" hole- for the 13 3/8" fresh water case-circulate until clean with air or fresh water. If soaping, slug then dry.  
 12.25" hole- for the 9 5/8" intermediate water case-circulate until clean with air or water based fluid. If soaping, slug then dry.  
 8.75" hole to KOP- drill to KOP on air or water based fluid circulate clean until no cuttings retrieved displace over to OBM  
 8.5" hole from KOP to TD- 5.5" production case-circulate with mud and sweep to condition well bore. If needed weight up mud until no cuttings retrieved, then circulate with mud and sweeps until none or minimal cuttings are being retrieved.

\*Note: Attach additional sheets as needed.

04/19/2024  
 2-13-24

WW-9  
(4/16)

API Number 47 - 095 - 02881

Operator's Well No. Bashful 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) Waters of Walnut Fork Quadrangle Center Point 7 1/2'

Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes  No

Will a pit be used? Yes  No

If so, please describe anticipated pit waste: \_\_\_\_\_

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

Proposed Disposal Method For Treated Pit Wastes:

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

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

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

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

Additives to be used in drilling medium? Berita, ABS MULVIS, Bentone990, CaCL2, CalCarb, FLR, Lime, Multifiber, Permaseal, Nut Plug

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

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

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

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.

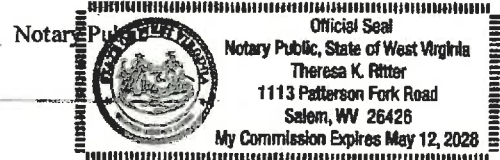
Company Official Signature *Emily Potesta*

Company Official (Typed Name) Emily Potesta

Company Official Title Land Department

Subscribed and sworn before me this 28 day of February, 2024

Theresa K Ritter



My commission expires May 12, 2024

04/19/2024

Form WW-9

Operator's Well No. Bashful 5

**Jay-Bee Oil & Gas, Inc.**

Proposed Revegetation Treatment: Acres Disturbed 9.84 Prevegetation pH 6.8

Lime 3 Tons/acre or to correct to pH 6.8

Fertilizer type 10-20-20

Fertilizer amount 500 lbs/acre

Mulch Hay 20 Tons/acre

Seed Mixtures

**Temporary**

**Permanent**

Seed Type lbs/acre

Seed Type lbs/acre

Annual Ryegrass 40

Perennial Ryegrass 10

See Well Plan

Creeping Red Fescue 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: SMC

Comments: Properly reclaim, seed, and mulch all disturbed areas.

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Office of Oil and Gas  
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WV Department of  
Environmental Protection

Title: WV Oil & Gas Inspector

Date: 2-13-24

Field Reviewed?  Yes  No

# Bashful 5

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# WELL SITE SAFETY PLAN

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FEB 26 2024

WV Department of  
Environmental Protection

JAY-BEE OIL & GAS, INC

*JMY*  
04/19/2024  
2-B-29



4709502881

# PROPOSED BASHFUL 5

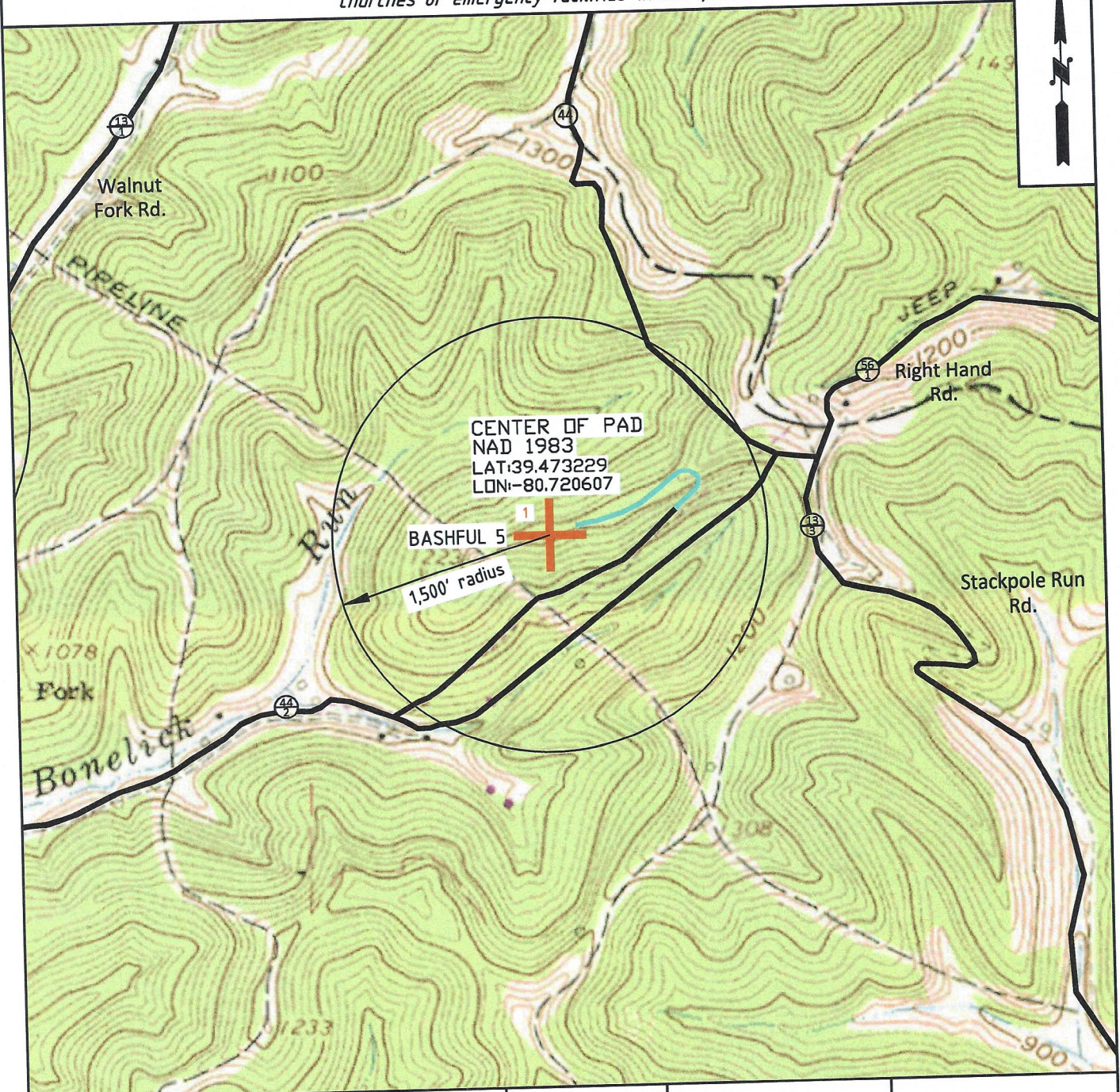
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EXHIBIT 3

FEB 26 2024

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There appear to be One (1) Well Pad and No (0) residences, businesses, schools, churches or emergency facilities within 1,500'.



Jay Bee  
Oil & Gas  
DRILLING  
into the future

**OPERATOR**

JAY-BEE OIL & GAS INC.  
429 Simonton Rd.  
Ellenboro, WV 26346

**TOPO SECTION**

CENTER POINT 7.5'

**SCALE:**

1" = 1000'

**LEASE NAME**

BASHFUL

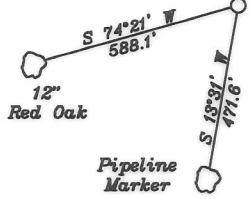
**DATE:**

DATE: 01-23-2024

04/19/2024

References:

Bashful 5



LATITUDE 39-30-00 N (BH)

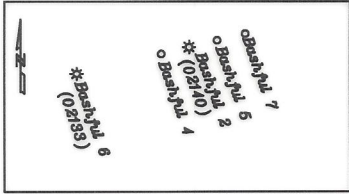
Notes:

- All wells within 500' of the horizontal leg are shown on this plat based upon information taken from DEP mapping, well plats, & aerial photos.
- Ties to wells and corners are based on State Plane Grid North-WV North Zone NAD 83.

— LEGEND —

- 500' from Bore Path
- - - Well Lateral
- Unit Boundary
- Lease Tracts
- Surface Tracts
- (A) Well Bore Tracts

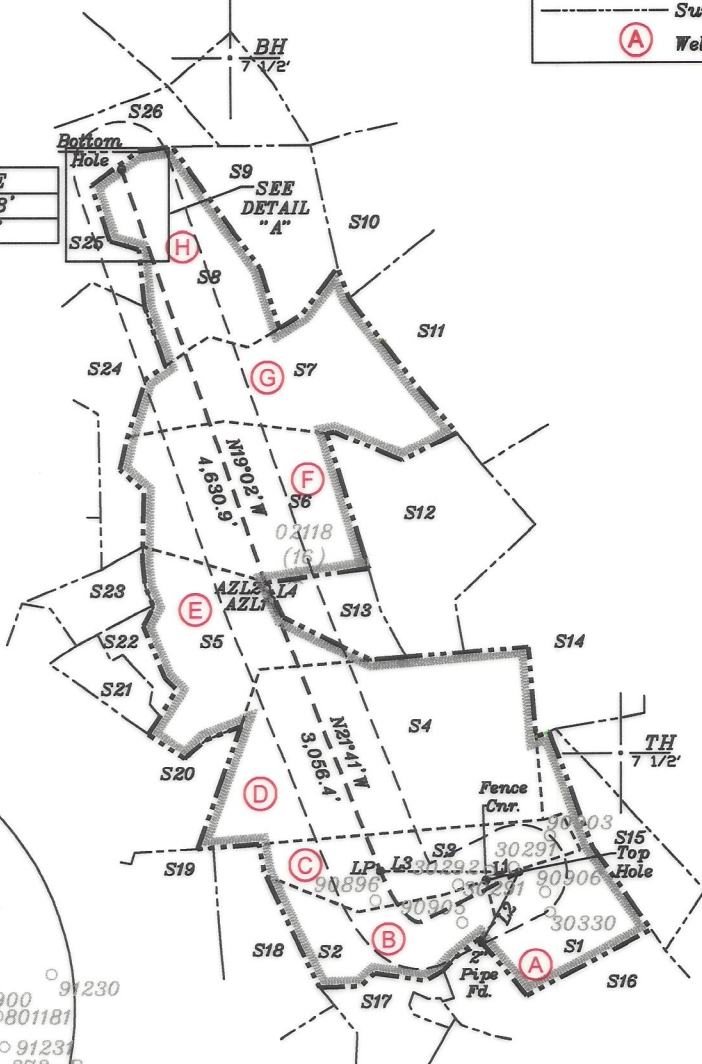
NUMBER	DIRECTION	DISTANCE	
L1	S75°56'W	353.4'	
L2	S27°45'W	826.5'	
NUMBER	DIRECTION	DISTANCE	CURVE
L3	N89°17'W	1441.3'	1849.8'
L4	N20°21'W	132.8'	132.9'



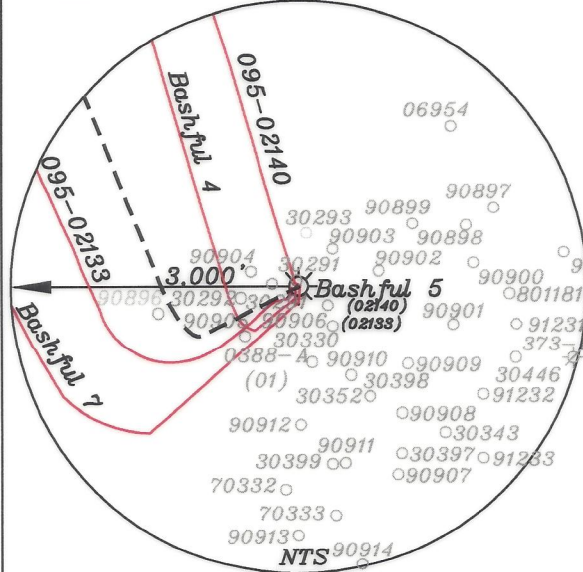
**Top Hole**  
 Geo NAD 83- 39.473137 N, 80.720853 W  
 UTM NAD 83(Meters)-4369320.43 N, 524010.03 E  
 UTM NAD 83(Feet)-14335012.12 N, 1719189.56 E

**Landing Point**  
 Geo NAD 83- 39.473132 N, 80.725959 W  
 UTM NAD 83(Meters)-4369318.57 N, 523570.87 E  
 UTM NAD 83(Feet)-14335006.01 N, 1717748.77 E

**Bottom Hole**  
 Geo NAD 83- 39.493188 N, 80.735828 W  
 UTM NAD 83(Meters)-4371541.87 N, 522715.48 E  
 UTM NAD 83(Feet)-14342300.27 N, 1714942.37 E



NORTH



3. No water wells were found within 250' of the well location. No dwellings or buildings were found within 625' from the center of the proposed pad. No perennial streams are located within 100' of LOD. No producing trout stream is located within 300' of LOD.

(+) 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 February 28, 2024  
 OPERATOR'S WELL NO. Bashful 5  
 API WELL NO. \_\_\_\_\_

WELL TYPE: OIL GAS X LIQUID INJECTION WASTE DISPOSAL \_\_\_\_\_  
 (IF "GAS") PRODUCTION X STORAGE DEEP SHALLOW X  
 LOCATION: ELEVATION 1202.0' WATER SHED Waters of Walnut Fork  
 DISTRICT McElroy COUNTY Tyler  
 QUADRANGLE Center Point 7 1/2'  
 SURFACE OWNER Vickie L. Tippins & Thomas Headley Estate ACREAGE 45.25 Ac.  
 OIL & GAS ROYALTY OWNER David W Briscoe et al LEASE ACREAGE 45.25 Ac.  
 LEASE NO. See Page 2

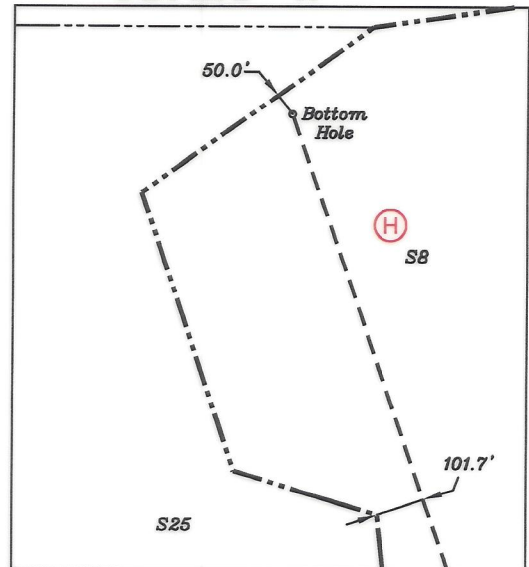
PROPOSED WORK: DRILL X CONVERT \_\_\_\_\_ DRILL DEEPER \_\_\_\_\_ REDRILL \_\_\_\_\_ FRACTURE OR STIMULATE X PLUG OFF OLD FORMATION \_\_\_\_\_ PERFORATE NEW FORMATION \_\_\_\_\_ OTHER PHYSICAL CHANGE IN WELL (SPECIFY) \_\_\_\_\_

PLUG AND ABANDON \_\_\_\_\_ CLEAN OUT AND REPLUG \_\_\_\_\_  
 TARGET FORMATION Marcellus ESTIMATED DEPTH TVD = 7086'; TMD = 15483'  
 WELL OPERATOR Jay-Bee Oil & Gas, Inc. DESIGNATED AGENT Deborah Broda-Morgan  
 ADDRESS 16 South Avenue W, Ste 118, Cranford NJ 07016 ADDRESS 429 Simonton Road, Ellenboro, WV 26346

LONGITUDE 80-42-30 W (BH) Bottom Hole 2,481'  
 LONGITUDE 80-47-30 W (TH) Top Hole 9,766'

Tags	Number	Tax Map -Parcel	Surface Owner	Acres
A	S1	5-7-13	Vickie L Tippins & Thomas H Headley Estate	45.25
B	S2	5-7-12	Douglas A & Suzan W Thomas	43.32
C	S3	5-7-11	Eli A Tippins	45.25
D	S4	5-3-25	Leo M & Nancy M Schumacher	134
E	S5	5-3-17	Darrell & Marian Larsen Trust & Irene Fleck Trust UTD	50.38
F	S6	5-3-15	Leo M & Nancy M Schumacher	81.94
G	S7	5-3-8	Gary Greyolds	86.06
H	S8	5-3-9	Carol Jean & Clarence Leon Lancaster	48
	S9	5-3-10	Dominic & Delmer Michele Kowalski	43
	S10	5-25-1	Dominic Joseph & Delmer Michele Kowalski	60
	S11	5-3-11	Dominic Joseph & Delmer Michele Kowalski	106.94
	S12	5-3-14	Dominic J & Dr Michele Kowalski	68.68
	S13	5-3-16	Leo M & Nancy M Schumacher	18
	S14	5-3-12	Edward J Schulte Jr., Edward W Schulte & David Schulte	80.73
	S15	5-7-13.1	Vicki L Tippins & Thomas H Headley Estate	24.43
	S16	5-7-14	Douglas A & Suzan W Thomas	45.25
	S17	5-7-31	Douglas A & Suzan W Thomas	18.14
	S18	5-7-10	Vickie L Tippins	55.75
	S19	5-7-8	Barabara Ann (Mead) Meade	59.728
	S20	5-3-23	Brent A & Emma K Weimer	102
	S21	5-3-24	Brent A & Emma K Weimer	13.05
	S22	5-3-18	Coastal Forest Resources Co & Coastal Timberlands Co	12.95
	S23	5-3-19	Coastal Forest Resources Co & Coastal Timberlands Co	9.96
	S24	5-3-7	Haessly Land & Timber LLC	40.8
	S25	2-24-3	Michael Luke & Teresa Lynn Bassett	45
	S26	2-24-2	Hornet Midstream Pipeline LLC	17.251

DETAIL "A"



P.S. 708

*David L Jackson*

04/19/2024

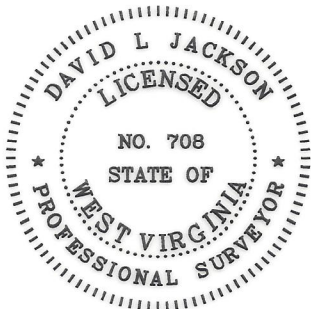


Jay Bee  
Oil & Gas  
DRILLING  
into the future

API #: 47-095-02881  
WELL #: Bashful 5  
DISTRICT: McELROY  
COUNTY: TYLER  
STATE: WV

WELL PLAT  
PAGE 2 OF 3  
DATE: 02/28/2024

Jay-Bee Oil & Gas, Inc. - BASHFUL 5 Permit - WW-6A1 Exhibit					
Tracts	District Tax Map/Parcel	JB Tract #	Lessor, Grantor, Etc.	Deed Book/Page	Acres
A	5-7-13	T3024	David W. Briscoe, et al	427/786	45.250
B	5-7-12	T3030	Carolyn A. Garnes, et al	380/391	43.320
C	5-7-11	T3031	Celelouse Dailey, et al	387/536	45.250
D	5-3-25	T3032	Bright Timberlands LLC, et al	391/366	134.000
E	5-3-17	T3074A	Leo M. & Nancy M. Schumacher, et al	455/257	81.940
F	5-3-15	T3073	Leo M. & Nancy M. Schumacher, et al	455/257	81.940
G	5-3-8	T3071D1, T3071D2,	Irene Fleck Trust, Darren Larsen Patnoe, POA, et al	433/75	86.060
H	5-3-9	T6802A	Donald Reynolds, et al	412/412	48.000



P.S. David L Jackson  
708

04/19/2024



Jay Bee Oil & Gas  
DRILLING into the future

API #: 47-095-02881  
WELL #: Bashful 5  
DISTRICT: McELROY  
COUNTY: TYLER  
STATE: WV

WELL PLAT  
PAGE 3 OF 3  
DATE: 02/28/2024

WW-6A1  
(5/13)

Operator's Well No. Bashful 5

**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
----------------------	-----------------------	-----------------------	---------	-----------

PLEASE 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

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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: Emily Potesta  
 Its: Regulatory Agent

**Jay-Bee Oil & Gas, Inc. - BASHFUL 5 Permit - WW-6A1 Exhibit**

Tracts	District - Map - Parcel	JB Tract #	First	Middle	Last	Lessee, Grantee, etc.	Royalty %	Book / Page	Acres
A	5-7-13	T3024	David	W.	Briscoe	Jay-Bee	≥12.5%	427/786	45.250
A	5-7-13	T3024	Robert	and Florence	Copstick	Jay-Bee	≥12.5%	431/46	45.250
A	5-7-13	T3024	Michelle		Gitoux	Jay-Bee	≥12.5%	427/813	45.250
A	5-7-13	T3024	Charles	W.	Headley	Jay-Bee	≥12.5%	436/741	45.250
A	5-7-13	T3024	Gladys	H.	Headley	Jay-Bee	≥12.5%	439/206	45.250
A	5-7-13	T3024	James	Joseph	Headley	Jay-Bee	≥12.5%	436/738	45.250
A	5-7-13	T3024	Thomas	J.	Headley	Jay-Bee	≥12.5%	427/816	45.250
A	5-7-13	T3024	Brenda		Moore	Jay-Bee	≥12.5%	431/684	45.250
A	5-7-13	T3024	Mary		Postlethwait	Jay-Bee	≥12.5%	439/203	45.250
A	5-7-13	T3024	Scott	D.	Shroyer	Jay-Bee	≥12.5%	439/203	45.250
A	5-7-13	T3024	Steven	A.	Shroyer	Jay-Bee	≥12.5%	443/177	45.250
A	5-7-13	T3024	Vickie	L.	Tippins	Jay-Bee	≥12.5%	430/126	45.250
A	5-7-13	T3024	Betty	Dianne	Toomey	Jay-Bee	≥12.5%	441/340	45.250
A	5-7-13	T3024	Audrey	K.	Wharton	Jay-Bee	≥12.5%	496/387	45.250
A	5-7-13	T3024	Tribune Resources, LLC, F/K/A Ascent Resources			Jay-Bee	≥12.5%	380/391	43.320
B	5-7-12	T3030	Carolyn	A.	Garnes	Jay-Bee	≥12.5%	387/536	45.250
C	5-7-11	T3031	Celelouis		Dailey	Jay-Bee	≥12.5%	381/666	45.250
C	5-7-11	T3031	Gary	Lee	Headley	Jay-Bee	≥12.5%	380/836	45.250
C	5-7-11	T3031	Ernest	Melvin	Headley	Jay-Bee	≥12.5%	388/133	45.250
C	5-7-11	T3031	Everett	Philip	Headley	Jay-Bee	≥12.5%	388/137	45.250
C	5-7-11	T3031	Charlotte	Ann	Shepherd	Jay-Bee	≥12.5%	387/540	45.250
C	5-7-11	T3031	Curtis	Elwin	Shepherd	Jay-Bee	≥12.5%	381/802	45.250
C	5-7-11	T3031	Randy	James	Headley	Jay-Bee	≥12.5%	496/379	45.250
C	5-7-11	T3031	Tribune Resources, LLC, F/K/A Ascent Resources			Jay-Bee	≥12.5%	391/366	134.000
D	5-3-25	T3032	Bright Timberlands LLC			Jay-Bee	≥12.5%	496/373	134.000
D	5-3-25	T3032	Tribune Resources, LLC, F/K/A Ascent Resources			Jay-Bee	≥12.5%	413/566	50.380
E	5-3-17	T3074A	Darrell Larsen and Marian Larsen, Co-Trustees of The Darrell and Marian			Jay-Bee	≥12.5%	413/568	50.380
E	5-3-17	T3074A	Irene Fleck Trust, Darren Larsen Patnoe, POA			Jay-Bee	≥12.5%	455/257	81.940
F	5-3-15	T3073	Leo M. & Nancy M.		Schumacher	Jay-Bee	≥12.5%	433/75	86.060
G	5-3-8	T3071D1	Irene Fleck Trust, Darren Larsen Patnoe, POA			Jay-Bee	≥12.5%	433/71	86.060
G	5-3-8	T3071D1	Darrell Larsen and Marian Larsen, Co-Trustees of The Darrell and Marian			Jay-Bee	≥12.5%	444/509	86.060
G	5-3-8	T3071D1	Gary		Greynolds	Jay-Bee	≥12.5%	473/96	86.060
G	5-3-8	T3071D1	Heirs of Lloyd	T.	Tustin	Jay-Bee	≥12.5%	444/509	86.060
G	5-3-8	T3071D2	Gary		Greynolds	Jay-Bee	≥12.5%	433/75	86.060
G	5-3-8	T3071D3	Irene Fleck Trust			Jay-Bee	≥12.5%	433/71	86.060
G	5-3-8	T3071D3	Darrell Larsen and Marian Larsen, Co-Trustees of The Darrell and Marian			Jay-Bee	≥12.5%	433/75	86.060
G	5-3-8	T3071D4	Irene Fleck Trust			Jay-Bee	≥12.5%	433/71	86.060
G	5-3-8	T3071D4	Darrell Larsen and Marian Larsen, Co-Trustees of The Darrell and Marian			Jay-Bee	≥12.5%	392/69	86.060
G	5-3-8	T6802B	Golden Eagle Resources			Jay-Bee	≥12.5%	444/509	86.060
G	5-3-8	T6802B	Gary		Greynolds	Jay-Bee	≥12.5%	410/586	48.000
H	5-3-9	T6802A	Jay-Bee Royalty, LLC			Jay-Bee	≥12.5%	412/412	48.000
H	5-3-9	T6802A	Donald		Reynolds	Jay-Bee	≥12.5%	409/591	48.000
H	5-3-9	T6802A	Rockford		Energy, LLC	Jay-Bee	≥12.5%	411/68	48.000
H	5-3-9	T6802A	David		Bowyer	Jay-Bee	≥12.5%		



Jay-Bee Oil & Gas, Inc.  
429 Simonton Rd.  
Ellenboro, WV 26346

February 21<sup>st</sup>, 2024

Permitting Office  
Office of Oil and Gas  
WV Department of Environmental Protection  
601 57<sup>th</sup> St. SE  
Charleston, WV 25304

Re: Bashful 5 Well

Permitting Office:

As you know we have applied for a well permit for the Bashful 4 Well in Tyler County, West Virginia. This pad is located on what we call the T3024 tract. County Route 44 runs above 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 number listed below.

Sincerely,

Emily Potesta  
Regulatory Agent

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WW-PN  
(11-18-2015)

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

**Notice is hereby given:**

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

**Paper:** Tyler Star News

3/6/2024-3/13/2024

**Public Notice Date:** ~~01/17/2024-01/24/2024~~

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

**Applicant:** Jay-Bee Oil & Gas, Inc. **Well Number:** Bashful 5

**Address:** 429 Simonton Rd.

Ellenboro, WV 26346

**Business Conducted:** Natural gas production.

**Location –**

State: West Virginia

County: Tyler

District: McElroy

Quadrangle: Center Point 7 1/2'

UTM Coordinate NAD83 Northing: 4369320.43

UTM coordinate NAD83 Easting: 524010.03

Watershed: Waters of Walnut Fork

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**Coordinate Conversion:**

To convert the coordinates above into longitude and latitude, visit: [http://tagis.dep.wv.gov/convert/llutm\\_conus.php](http://tagis.dep.wv.gov/convert/llutm_conus.php)

**Electronic notification:**

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

**Reviewing Applications:**

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

**Submitting Comments:**

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

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

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

04/19/2024



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

Date of Notice Certification: 02/21/2024

API No. 47- 095 - 02881

Operator's Well No. Bashful 5

Well Pad Name: Bashful

**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>524010.03</u>
County: <u>Tyler</u>		Northing: <u>4369320.43</u>
District: <u>McElroy</u>	Public Road Access: <u>Bonellick Rd.</u>	
Quadrangle: <u>Center Point 7 1/2'</u>	Generally used farm name: <u>Vickie L. Tippins &amp; Thomas Headley Estate</u>	
Watershed: <u>Waters of Walnut Fork</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 type="checkbox"/> 2. NOTICE OF ENTRY FOR PLAT SURVEY or <input checked="" type="checkbox"/> NO PLAT SURVEY WAS CONDUCTED</p> <p><input checked="" type="checkbox"/> 3. NOTICE OF INTENT TO DRILL or <input type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED or</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.

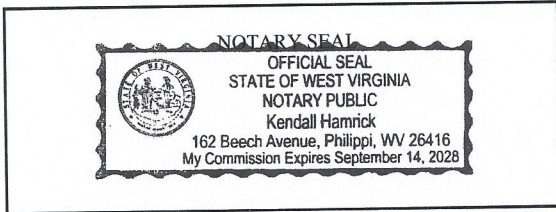
04/19/2024

**Certification of Notice is hereby given:**

THEREFORE, I Emily Potesta, 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: Emily Potesta  
Its: Regulatory Agent  
Telephone: 304-628-3111

Address: 429 Simonton Rd. P.O. Box 129  
Ellenboro, WV 26346  
Facsimile: 304-628-3119  
Email: epotesta@jaybeoil.com



Subscribed and sworn before me this 19 day of Feb. 2024.

Kendall Hamrick Notary Public

My Commission Expires September 14, 2028

**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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FEB 26 2024  
WV Department of  
Environmental Protection

WW-6A  
(9-13)

API NO. 47- 095 -  
OPERATOR WELL NO. Bashful 5  
Well Pad Name: Bashful

**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:** 2/8/2024 **Date Permit Application Filed:** 2/21/2024

**Notice of:**

- PERMIT FOR ANY WELL WORK
- CERTIFICATE OF APPROVAL FOR THE CONSTRUCTION OF AN IMPOUNDMENT OR PIT

**Delivery method pursuant to West Virginia Code § 22-6A-10(b)**

- PERSONAL SERVICE
- REGISTERED MAIL
- METHOD OF DELIVERY THAT REQUIRES A RECEIPT OR SIGNATURE CONFIRMATION

Pursuant to W. Va. Code § 22-6A-10(b) no later than the filing date of the application, the applicant for a permit for any well work or for a certificate of approval for the construction of an impoundment or pit as required by this article shall deliver, by personal service or by registered mail or by any method of delivery that requires a receipt or signature confirmation, copies of the application, the erosion and sediment control plan required by section seven of this article, and the well plat to each of the following persons: (1) The owners of record of the surface of the tract on which the well is or is proposed to be located; (2) The owners of record of the surface tract or tracts overlying the oil and gas leasehold being developed by the proposed well work, if the surface tract is to be used for roads or other land disturbance as described in the erosion and sediment control plan submitted pursuant to subsection (c), section seven of this article; (3) The coal owner, operator or lessee, in the event the tract of land on which the well proposed to be drilled is located [sic] is known to be underlain by one or more coal seams; (4) The owners of record of the surface tract or tracts overlying the oil and gas leasehold being developed by the proposed well work, if the surface tract is to be used for the placement, construction, enlargement, alteration, repair, removal or abandonment of any impoundment or pit as described in section nine of this article; (5) Any surface owner or water purveyor who is known to the applicant to have a water well, spring or water supply source located within one thousand five hundred feet of the center of the well pad which is used to provide water for consumption by humans or domestic animals; and (6) The operator of any natural gas storage field within which the proposed well work activity is to take place. (c)(1) If more than three tenants in common or other co-owners of interests described in subsection (b) of this section hold interests in the lands, the applicant may serve the documents required upon the person described in the records of the sheriff required to be maintained pursuant to section eight, article one, chapter eleven-a of this code. (2) Notwithstanding any provision of this article to the contrary, notice to a lien holder is not notice to a landowner, unless the lien holder is the landowner. W. Va. Code R. § 35-8-5.7.a requires, in part, that the operator shall also provide the Well Site Safety Plan ("WSSP") to the surface owner and any water purveyor or surface owner subject to notice and water testing as provided in section 15 of this rule.

Application Notice  WSSP Notice  E&S Plan Notice  Well Plat Notice is hereby provided to:

SURFACE OWNER(s)

Name: SEE ATTACHED LIST Exhibit 6A  
Address: \_\_\_\_\_

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

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

Name: SEE ATTACHED LIST Exhibit 6A  
Address: \_\_\_\_\_

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

SURFACE OWNER(s) (Impoundments or Pits)

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

COAL OWNER OR LESSEE

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

COAL OPERATOR

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

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

Name: SEE ATTACHED LIST Exhibit 6A  
Address: \_\_\_\_\_

OPERATOR OF ANY NATURAL GAS STORAGE FIELD

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

\*Please attach additional forms if necessary

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WV Department of  
Environmental Protection

4709502881

WW-6A  
(8-13)

API NO. 47- 095 -  
OPERATOR WELL NO. Bashful 5  
Well Pad Name: Bashful

**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 [www.dep.wv.gov/oil-and-gas/pages/default.aspx](http://www.dep.wv.gov/oil-and-gas/pages/default.aspx).

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WV DEPARTMENT OF ENVIRONMENTAL PROTECTION

**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

04/19/2024

WW-6A  
(8-13)

API NO. 47- 095 -  
OPERATOR WELL NO. Bashful 5  
Well Pad Name: Bashful

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

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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API NO. 47- 095 -  
OPERATOR WELL NO. Bashful 5  
Well Pad Name: Bashful

WW-6A  
(8-13)

**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

04/19/2024

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WW-6A  
(8-13)

API NO. 47- 095 -  
OPERATOR WELL NO. Bashful 5  
Well Pad Name: Bashful

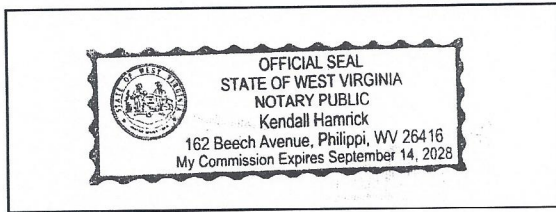
**Notice is hereby given by:**

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

Address: 429 Simonton Rd. P.O. Box 129  
Ellenboro, WV 26346  
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 19 day of Feb., 2024.

Kendall Hamrick Notary Public

My Commission Expires September 14, 2028

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WV Department of  
Environmental Protection

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WW-6A4  
(1/12)Operator Well No. Bashful 5

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

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

**Notice Time Requirement:** Notice shall be provided at least **TEN (10)** days prior to filing a permit application.

**Date of Notice:** 02/08/2024      **Date Permit Application Filed:** 02/21/2024

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

HAND DELIVERY       CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Pursuant to W. Va. Code § 22-6A-16(b), at least ten days prior to filing a permit application, an operator shall, by certified mail return receipt requested or hand delivery, give the surface owner notice of its intent to enter upon the surface owner's land for the purpose of drilling a horizontal well: *Provided*, That notice given pursuant to subsection (a), section ten of this article satisfies the requirements of this subsection as of the date the notice was provided to the surface owner: *Provided, however*, That the notice requirements of this subsection may be waived in writing by the surface owner. The notice, if required, shall include the name, address, telephone number, and if available, facsimile number and electronic mail address of the operator and the operator's authorized representative.

**Notice is hereby provided to the SURFACE OWNER(s):**

Name: SEE ATTACHED LIST

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

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

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

**Notice is hereby given:**

Pursuant to West Virginia Code § 22-6A-16(b), notice is hereby given that the undersigned well operator has an intent to enter upon the surface owner's land for the purpose of drilling a horizontal well on the tract of land as follows:

State:	<u>West Virginia</u>	UTM NAD 83 Easting:	<u>524010.03</u>
County:	<u>Tyler</u>	Northing:	<u>4369320.43</u>
District:	<u>McElroy</u>	Public Road Access:	<u>Bonelick Rd.</u>
Quadrangle:	<u>Center Point 7 1/2'</u>	Generally used farm name:	<u>Vickie L. Tippins &amp; Thomas Headley Estate</u>
Watershed:	<u>Waters of Walnut Fork</u>		

**This Notice Shall Include:**

Pursuant to West Virginia Code § 22-6A-16(b), this notice shall include the name, address, telephone number, and if available, facsimile number and electronic mail address of the operator and the operator's authorized representative. Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 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).

**Notice is hereby given by:**

Well Operator: Jay-Bee Oil & Gas, Inc.  
Address: 429 Simonton Rd. P.O. Box 129  
Ellenboro, WV 26346  
Telephone: 304-628-3111  
Email: epotesta@jaybeeoil.com  
Facsimile: 304-628-3119

Authorized Representative: Emily Potesta  
Address: 429 Simonton Rd. P.O. Box 129  
Ellenboro, WV 26346  
Telephone: 304-203-0665  
Email: epotesta@jaybeeoil.com  
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).

04/19/2024



WW-6A5  
(1/12)Operator Well No. Bashful 5

**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:** 02/08/2024      **Date Permit Application Filed:** 02/21/2024

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

CERTIFIED MAIL                                       HAND  
RETURN RECEIPT REQUESTED                                      DELIVERY

Pursuant to W. Va. Code § 22-6A-16(c), no later than the date for filing the permit application, an operator shall, by certified mail return receipt requested or hand delivery, give the surface owner whose land will be used for the drilling of a horizontal well notice of the planned operation. The notice required by this subsection shall include: (1) A copy of this code section; (2) The information required to be provided by subsection (b), section ten of this article to a surface owner whose land will be used in conjunction with the drilling of a horizontal well; and (3) A proposed surface use and compensation agreement containing an offer of compensation for damages to the surface affected by oil and gas operations to the extent the damages are compensable under article six-b of this chapter. (d) The notices required by this section shall be given to the surface owner at the address listed in the records of the sheriff at the time of notice.

**Notice is hereby provided to the SURFACE OWNER(s)**

(at the address listed in the records of the sheriff at the time of notice):

Name: SEE ATTACHED LIST

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

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

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

**Notice is hereby given:**

Pursuant to West Virginia Code § 22-6A-16(c), notice is hereby given that the undersigned well operator has developed a planned operation on the surface owner's land for the purpose of drilling a horizontal well on the tract of land as follows:

State:	<u>West Virginia</u>	UTM NAD 83	Easting:	<u>524010.03</u>
County:	<u>Tyler</u>		Northing:	<u>4369320.43</u>
District:	<u>McElroy</u>	Public Road Access:		<u>Bonelick Rd.</u>
Quadrangle:	<u>Center Point 7 1/2'</u>	Generally used farm name:		<u>Vickie L. Tippins &amp; Thomas Headley Estate</u>
Watershed:	<u>Waters of Walnut Fork</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.

Address: 429 Simonton Rd. P.O. Box 129

Telephone: 304-628-3111

Ellenboro, WV 26346

Email: epotesta@jaybeeoil.com

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).

**04/19/2024**

**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION****Division of Highways****Office of the District Engineer/Manager  
District Four**

Post Office Box 4220 · Clarksburg, West Virginia 26302 · (304) 842-1500

**Alanna J. Keller, P.E.  
Deputy Secretary of Transportation  
Deputy Commissioner of Highways****Jimmy Wriston, P. E.  
Secretary of Transportation  
Commissioner of Highways****February 21, 2024****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 Bashful Well Pad, Tyler County  
Bashful 5 Well Site****Dear Mr. Martin,**

**This well site will be accessed from a DOH permit #06-2013-0495 which has been issued to Jay-Bee Oil and Gas, Inc. for access to the State Road for a well site located off Tyler County Route 44/2 SLS MP 1.18.**

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

**Very Truly Yours,**

A handwritten signature in blue ink, appearing to read "Stephen G. Johnson".

**Stephen G. Johnson, P.E.  
Director of Operations****Cc: Emily Potesta  
Jay-Bee Oil and Gas Inc.  
OM, D-6  
File****04/19/2024**



Jay-Bee Oil & Gas, Inc.  
429 Simonton Rd.  
Ellenboro, WV 26346

February 21<sup>st</sup>, 2024

Permitting Office  
Office of Oil and Gas  
WV Department of Environmental Protection  
601 57<sup>th</sup> St. 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 WW-6B, 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 304-933-3878 or my cell at 304-203-0665.

Sincerely,

Emily Potesta  
Regulatory Agent

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FEB 26 2024  
WV Department of  
Environmental Protection

OPERATOR: Jay-Bee Oil & Gas, Inc.

WELL NO: Bashful 5

PAD NAME: Bashful

REVIEWED BY: Emily Potesta

SIGNATURE: 

### WELL RESTRICTIONS CHECKLIST

#### HORIZONTAL 6A WELL

#### Well Restrictions

At Least 100 Feet from Pad and LOD (including any E&S Control Feature) to any Perennial Stream, Lake, Pond, Reservoir or Wetland; OR

DEP Waiver and Permit Conditions

At Least 300 Feet from Pad and LOD (including any E&S Control Feature) to any Naturally Producing Trout Stream; OR

DEP Waiver and Permit Conditions

At Least 1000 Feet from Pad and LOD (including any E&S Control Feature) to any Groundwater Intake or Public Water Supply; OR

DEP Waiver and Permit Conditions

At Least 250 Feet from an Existing Water Well or Developed Spring to Well Being Drilled; OR

Surface Owner Waiver and Recorded with County Clerk, OR

DEP Variance and Permit Conditions

At Least 625 Feet from an Occupied Dwelling Structure to Center of the Pad; OR

Surface Owner Waiver and Recorded with County Clerk, OR

DEP Variance and Permit Conditions

At Least 625 Feet from Agricultural Buildings Larger than 2500 Square Feet to the Center of the Pad; OR

Surface Owner Waiver and Recorded with County Clerk, OR

DEP Variance and Permit Conditions

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