

west virginia department of environmental protection

Office of Oil and Gas 601 57th Street SE Charleston, WV 25304 (304) 926-0450 (304) 926-0452 fax Earl Ray Tomblin, Governor Randy C. Huffman, Cabinet Secretary www.dep.wv.gov

January 15, 2016

WELL WORK PERMIT

Horizontal 6A Well

This permit, API Well Number: 47-900171, issued to SWN PRODUCTION COMPANY, LLC, 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 all 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 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.

In addition to the applicable requirements of this permit, and the statutes and rules governing oil and gas activity in WV, this permit may contain specific conditions which must be followed. Permit conditions are attached to this cover letter.

Per 35CSR-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) 926-0499 ext. 1654.

James Martin Chief

Operator's Well No: RUSSELL HERVEY BRK 206H Farm Name: HERVEY, RUSSELL D. API Well Number: 47-900171 Permit Type: Horizontal 6A Well Date Issued: 01/15/2016

Promoting a healthy environment.

API Number:

PERMIT CONDITIONS 4700900171

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. 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.
- 8. 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.
- 9. 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.

API NO. 47- 69

-OPERATOR WELL NO. Russell Hervey BRK 206H Well Pad Name: Russell Hervey Pad

STATE OF WEST VIRGIN	
WELL WORK PERMIT APPLI	
1) Well Operator: SWN Production Co., LLC 494512924	009-Brooke 1-Buffalo 620-Stuebenville
Operator ID	County District Quadrangle
2) Operator's Well Number: Russell Hervey BRK 206H Well	Pad Name: Russell Hervey Pad
3) Farm Name/Surface Owner: Russell D. Hervey Public	Road Access: Pierce Run Road Genter R.L. R
4) Elevation, current ground: <u>1166'</u> Elevation, propos	sed post-construction: 1166'
5) Well Type (a) Gas <u>x</u> Oil U Other	Inderground Storage
(b)If Gas Shallow X Deep	
Horizontal ×	C. MRO
6) Existing Pad: Yes or No yes	_ C. Blo 10.28.15
 Proposed Target Formation(s), Depth(s), Anticipated Thickne Target Formation- Marcellus, Target Top TVD- 5868', Target Base TVD- 5 	
8) Proposed Total Vertical Depth: 5873'	
9) Formation at Total Vertical Depth: Marcellus	
10) Proposed Total Measured Depth: 13,109'	
11) Proposed Horizontal Leg Length: (1909 '	12
12) Approximate Fresh Water Strata Depths: 277'	*/009001-
13) Method to Determine Fresh Water Depths: from nearby w	ater wells
14) Approximate Saltwater Depths: 1100'	
15) Approximate Coal Seam Depths: 287'	
16) Approximate Depth to Possible Void (coal mine, karst, other): None that we are aware of.
17) Does Proposed well location contain coal seams	
directly overlying or adjacent to an active mine? Yes	<u>No X</u>
(a) If Yes, provide Mine Info: Name:	
D. 4	
0	
	Received
	Office of Oll & Gas
	NOV 05 2015
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API NO. 47- 69

OPERATOR WELL NO. Russell Hervey BRK 206H Well Pad Name: Russell Hervey Pad

18)

WW-6B

(10/14)

CASING AND TUBING PROGRAM

ТҮРЕ	<u>Size</u> (in)	<u>New</u> <u>or</u> <u>Used</u>	Grade	Weight per ft. (lb/ft)	FOOTAGE: For Drilling (ft)	INTERVALS: Left in Well (ft)	CEMENT: <u>Fill-up</u> (Cu. Ft.)/CTS
Conductor	20"	New	H-40	94#	100'	100'	CTS
Fresh Water	13 3/8"	New	H-40	.54.5# 48# 2	377'	377'	355 sx/CTS
Coal	9 5/8"	New	J-55	40# 36+2	2015'	2015'	776 sx/CTS
Intermediate	7"	New	J-55	20#	If Needed	If Needed	If Needed/As Needed
Production	5 1/2"	New	HCP-110	20#	13,109'	13,109'	Lead 835 sx tail 1634 sx/100' inside integ
Tubing	2 3/8'	New	P-110	4.7#	Approx. 5873'	Approx. 5873'	
Liners	1.2.3		1				

C. Bel 10.28.15

ТҮРЕ	Size (in)	<u>Wellbore</u> Diameter (in)	<u>Wall</u> <u>Thickness</u> <u>(in)</u>	<u>Burst Pressure</u> (psi)	<u>Max.</u> <u>Associated</u> <u>Surface</u> Pressure (psi)	<u>Cement</u> <u>Type</u>	<u>Cement</u> <u>Yield</u> (cu. ft./k)
Conductor	20"	30"	0.25	2120	81	Class A	1.19/50% Excess
Fresh Water	13 3/8"	17.5"	0.380	2740	633	Class A	1.19/50% Excess
Coal	9 5/8"	12 1/4"	0.395	3950	1768	Class A	1.19/50% Excess
Intermediate	7"	8 3/4"	0.317	4360	3250	Class A	1.20/15% Excess
Production	5 1/2"	8 3/4"	0.361	12360	9500	Class A	1.20/15% Excess
Tubing	2 3/8"	4.778"	0.190				
Liners							1

PACKERS

Kind:	10K Arrowset AS1-X		
Sizes:	5 1/2"	47009001	71
Depths Set:			

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

Drill and stimulate any potential zones between and including the Benson to Marcellus. **If we should encounter a void place basket above and below void area- balance cement to bottom of void and grout from basket to surface. Run casing not less than 50' below void nor more than 100' below void. (*If freshwater is encountered deeper than anticipated it must be protected, set casing 50'-70' below and cts.)

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

Well will be perforated within the target formation and stimulated with a slurry of water, sand, and chemical additives at a high rate. This will be performed in stages with the plug and perf method along the wellbore until the entire lateral has been stimulated within the target formation. All stage plugs are then drilled out and the well is flowed back to surface. The well is produced through surface facilities consisting of high pressure production unites, vertical separation units, water and oil storage tanks. Max press and anticipated max rate- 9000 lbs @ 80 barrels a minute.

4	7	0	0	9	0	0	1	7	1	

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 27.7

22) Area to be disturbed for well pad only, less access road (acres): 9.9

23) Describe centralizer placement for each casing string:

All casing strings will be ran with a centralizer at a minimum of 1 per every 3 joints of casing.

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

See Attachment ***

25) Proposed borehole conditioning procedures:

All boreholes will be conditioned with circulation and rotation for a minimum of one bottoms up and continuing until operator is satisfied with borehole conditions.

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*Note: Attach additional sheets as needed.



	Product Name	Product Use	Chemical Name	CAS Number
Surface	S001	accelerator	calcium chloride	10043-52-4
Intermediate Surface	S001	accelerator	calcium chloride	10043-52-4
	D080	dispersant	sodium polynaphthalene sulfonate	9008-63-3
Ŭ,	D801	retarder	aromatic polymer derivative	propriatary
Kick Off Plug	D047	antifoam	polypropylene glycol	25322-69-4
	D167	fluid loss	aliphatic amide polymer	propriatary
	D154	extender	non-crystalline silica	7631-86-9
	D400	gas migration	boric acid	10043-35-3
			polypropylene glycol	25322-69-4
ad	D046	antifoam	fullers earth (attapulgite)	8031-18-3
Production-Lead			chrystalline silica	14808-60-7
itio	D201	retarder	metal oxide	propriatary
np			sulphonated synthetic polymer	propriatary
Pro	D202	dispersant	formaldehyde (impurity)	propriatary
			polypropylene glycol	25322-69-4
	D046	antifoam	fullers earth (attapulgite)	8031-18-3
	D167	fluid loss	aliphatic amide polymer	propriatary
=		1	sodium polynaphthalene sulfonate	9008-63-3
Production-Tail	D065	dispersant	sodium sulfate	7757-82-6
ctio			chrystalline silica	14808-60-7
ληρα	D201	retarder	metal oxide	propriatary
Prc	D153	anti-settling	chrystalline silica	14808-60-7

Schlumberger Cement Additives

4700900171

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WW-9 (9/13)

API Number 47 - 69 -Operator's Well No. Russell Hervey BRK 206H

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name SWN Production	Co., LLC	OP Code
Watershed (HUC 10)_Upper Of	nio South	Quadrangle 620- Steubenville East
Elevation 1166	County_009-Brooke	District 1-Buffalo
Do you anticipate using more th Will a pit be used? Yes	an 5,000 bbls of water to complete	
If so, please describe an		ystem in place at this time- cuttings will be taken to a permitted landfill.
Will a synthetic liner be	e used in the pit? Yes N	No If so, what ml.?
Proposed Disposal Met	hod For Treated Pit Wastes:	4700900
Land	Application	
		umber 2D0072539/ 2D0413175/ 2D0610306/ 2D0610317) well, API# will be included with the WR-34/DDMR &/or permit addendum.)
Off S	ite Disposal (Supply form WW-9	
Will closed loop system be used	? If so, describe: Yes	
Drilling medium anticipated for	this well (vertical and horizontal)?	? Air, freshwater, oil based, etc. Air drill to KOP, Fluke drill with SOBM from KOP to TD
	? Synthetic, petroleum, etc.Syntheti	
Additives to be used in drilling r		
Drill cuttings disposal method?	Leave in pit, landfill, removed off	site, etc. landfill
	solidify what medium will be use	
-Landfill or offsite nam Argen Langfill 10072, Ar	e/permit number? ^{meadow SWF-1032, SS Grading} nerican U2-12954, Country	3 SWF- 4902, Northwestern SWF- 1025, Short Creek 1034WV0105517/CID28726, Carbon Linestone 28726/CID28726
on August 1, 2005, by the Office provisions of the permit are enf law or regulation can lead to enf I certify under penalty application form and all attack obtaining the information, I be	e of Oil and Gas of the West Virgin orceable by law. Violations of an orcement action. of law that I have personally ex	of fine or imprisonment. Received Office of Oil & Gas
Company Official (Typed Name	e) Dee Southall	NOV 05 2015
Company Official Title Regula	tory Supervisor	
Subscribed and sworn before me	this 22nd day of Ju	, 20 5 OFFICIAL SE
Buttany & Ub	$\frac{\partial d}{\partial \mu}$ day of $\frac{4}{4}$	Notary Public, State of W Notary Public, State of W BRITTANY R W
My commission expires	1/20	3302 Old Elkins F Buckhannon, WV My cools of the State

Form WW-9

Operator's Well No.____

SWN Production Co., LLC			
Proposed Revegetation Treatment: Acres Distu as determined by pH test min, 2 Lime Tons/acre or 1	rbed 29.7).) to correct to pH 9.4	Prevegetation pH	
Fertilizer type			
Fertilizer amount 600	lbs/acre		
Mulch Hay/Straw 2.5	Tons/acre		

Seed Mixtures

Te	mporary	Perma	nent
Seed Type White Grove	lbs/acre 15	Seed Type White Grove	lbs/acre 15
Red Top	15	Red Top	15
Orchard Grass	20	Orchard Grass	20

Attach:

Drawing(s) of road, location, pit and proposed area for land application (unless engineered plans including this info have been provided)

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Co Yello 24. 15	Jame Turkolar
Comments:	U
	000171
	47009001
	Received
	Office of Oil & Gas
	NOV 05 2015
Title: Oil and Gas Inspector	Date: 6. 24.15
Field Reviewed? (🖌) Yes (_) No

	s Well Dri nd Site Sa	lling Procedures fety Plan								
SW	N Producti	on Co., LLC								
St	e: Russell I uebenville Buffalo, I	West Virginia								
		4	70	0	9	0	0	1	7	4
Submitted by: Danielle Southall Title Regulatory Supervisor	Date:	6/22/2015 		-						1
Title Regulatory Supervisor Approved by: Image: Compared by:	Date:	6.24.15		-						
Title: Oil & Gras Inputer Approved by:	Date:									
Title:				T						

SWN Production Co., LLC - Confidential

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THRASHER	
THE THRASHER GROUP, INC. 600 WHITE DAKS BLVD. BRIDGEPORT, WV 26330 PHDNE 304-624-4108	Beller Ballin Ballin
	The same of the
ACCESS ROTO (10.92) MILESI	
BUF ALL	SWN PRODUCTIO HODALE HTL
	ELEV 1166
	Independence A.132
Sindervull e	
and the second s	
Pierer Carrier Change	
MC A D O O CONTRACTOR	
WELL RUSSELL QUAD: STUEBENVILLE EAST, V	
NAME AND DISTANCE TO THE NEAREST STREAM: STREAM CROSSING COORDINATES (NAD 83): AN UN-NAMED TRIBUTARY TO PIERCE RUN IS A. LAT: 40.257425' / LONG: -80.559752' LOCATED ±0.17 MILES SOUTHWEST OF THE B. LAT: 40.246185' / LONG: -80.558128'	COMPANY: SWN SWN ***
WELL RESTRICTIONS: WELL PAD, LOD, & E & S CONTROL FEATURES TO PERENNIAL STREAM, LAKE, POND, RESERVOIR OR WETLAND: >100 FEET	Production Company, LLC Production Company ™ OPERATOR'S RUSSELL HERVEY BRK WELL #: 206H
WELL PAD, LOD, & E & S CONTROL FEATURES TO NATURALLY PRODUCING TROUT STREAM: >300 FEET WELL PAD, LOD, & E & S CONTROL FEATURES TO GROUNDWATER INTAKE OR PUBLIC WATER SUPPLY: >1000 FEET WELL SHL TO EXISTING WATER WELL OR DEVELOPED SPRING: >250 FEET	LOCATION: BUFFALO DISTRICT, BROOKE COUNTY, WEST VIRGINIA
WELL SHL TO EXISTING WATER WELL OR DEVELOPED SPRING: >250 FEET CENTER OF PAD TO OCCUPIED DWELLING STRUCTURE: >625 FEET CENTER OF PAD TO AGRICULTURAL BUILDINGS LAGER THAN 2500 SQ FT: >625 FEET FEMA FLOOD INFORMATION: NO FLOOD ZONES.	SURFACE HOLE LOCATION: Office of Cit & Cit
	LONGITUDE: -80.555630' BOTTOM HOLE LOCATION: 01/15/2016 GEOGRAPHIC (NAD83): LATITUDE: 40.240787'
LEGEND: PROPOSED SURFACE HOLE / BOTTOM HOLE SUISTING SPRING	LONGITUDE: -80.555604' REVISIONS: DATE: 11-03-2015
ABANDONED WELL	DRAWN BY: E. LYTLE SCALE: 1" = 2000'
CUT CONDUCTOR ABANDONED WELL ACCESS KOAD TO PREV. SHE CUT CONDUCTOR CONDUCTOR CONTROLOGY AND A CONTROLOGY AND A CONTROLOGY AND A CONTROL AND	DRAWING NO: 050-5495





THE THRASHER GROUP, INC. 600 WHITE DAKS BLVD, BRIDGEPORT, VV 26330 PHONE 304-624-4108

TRACT	ADJOINER	PARCEL
Α	JAMES R. AND KAREN L. HERVEY	05-03-B28-0045-0003
В	CHARLIE D. AND BRITNEY L. FARRIS	05-03-B28-0045-0004
С	MICHAEL WHITCO, ET AL	05-03-828-0029-0000
D	DONALD AND JANICE EATON	05-03-B28-0057-0000
E	BERNARD J. KNORR, III AND NICOLE C. KNORR	05-03-B28-0057-0002
F	BERNARD J. KNORR, III AND NICOLE C. KNORR	05-03-B28-0059-0000
G	BROOKE COUNTY PARK COMMISSION	05-03-B28-0064-0000
Н	BROOKE COUNTY PARK COMMISSION	05-03-B28-0060-0000
1	STARVAGGI INDUSTRIES, INC.	05-03-B33-0026-0000
J	STELLA MERWICK	05-03-B33-0027-0000
к	THEODORE E. AND MELISSA A. EATON	05-03-B33-0028-0000
L	PHOENIX-GREENLAWN PARTNERS, LP	05-03-B33-0113-0000
М	CHARLES L. AND LAURA J. MCGOWAN	05-03-B33-0107-0001
N	CHARLES L. AND LAURA J. MCGOWAN	05-03-B33-0107-0002
0	CHARLES L. AND LAURA J. MCGOWAN	05-03-B33-0107-0003
P	CHARLES L. AND LAURA J. MCGOWAN	05-03-B33-0107-0004
Q		05-03-B33-0107-0000
R		05-03-B33-0107-0005
S		05-03-B33-0107-0006
T		05-03-B33-0112-0000
U	HENRY E. DONLEY IV AND YVONNE CAWTHRONE	05-03-833-0106-0000
V		05-03-B33-0105-0000
W	CHARLES R. CORBIN, JR. AND MARGARET L. CORBIN	05-03-833-0104-0000
X		05-03-B33-0103-0000
Y	CHARLES R. CORBIN, JR. AND MARGARET L. CORBIN	05-03-833-0102-0000
Z		05-03-833-0096-0000
AA		05-03-B33-0035-0000
AB		05-03-B33-0034-0000
AC		05-03-B33-0033-0000
AD		05-03-B33-0033-0001
AE		05-03-B33-0030-0000
AF		05-03-B33-0040-0000
AG		05-03-B33-0023-0000
AH		05-03-B33-0024-0000
Al		05-03-828-0022-0000
AJ		05-03-B28-0029-0000
AK	and the second se	05-03-828-0029-0001 05-03-828-0029-0001
AL		05-03-B28-0042-0000
AM		05-03-B28-0042-0000 05-03-B28-0045-0001

4700900171

	COMPANY: SWN Production Company, LLC	Production Company TM
REVISIONS:		DATE: 11-03-2015
		SHEET 2 OF 2
		DRAWN BY: E. LYTLE
		SCALE: 1" = 2000'
		DRAWING NO: 050-5495
		WELL LOCATION PLAT

L:\050-5495-RUSSELL HERVEY BRK-SOUTHWESTERN ENERGY-\SURVEY\RUSSELL HERVEY BRK 206H 10-27-2015.DWG TUESDAY NOVEMBER 03 2015 01:15PM

WW-6A1 (5/13)

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

4700900171

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: Office of Oil & Gas

- WV Division of Water and Waste Management ٠
- WV Division of Natural Resources WV Division of Highways ٠
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- County Floodplain Coordinator .

The applicant further acknowledges that any Office of Oil and Gas permit in no way overrides, replaces, or nullifies the need for other permits/approvals that may be necessary and further affirms that all needed permits/approvals should be acquired from the appropriate authority before the affected activity is initiated.

Well Operator:	SWN Production Comp	any, LLC.
By:	Jerry L. Bridgens, CPL	Atm
Its:	Staff Landman	

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BK/PG	30/480	not Inc	20/439	30/480	16/799	10/239	10/552	30/480	9/532	10/226	10/541	30/480	24/435	30/480	14/712	30/480	10/431	30/480						Ĩ															
Royalty	18 000%	0/DOD.OT	10 0000	%NNN.8T				16.000%				12.500%		18.000%		18.000%		14.000%																					
Lessee	Chesapeake Appalachia, LLC		Chesapeake Appalachia, LLC	эми Ргодисцоп сотрапу	Fortuna Energy, Inc.	Range Resources-Annalachia 11 C	Chesapeake Appalachia, LLC	SWN Production Company	Fortuna Energy, Inc.	Range Resources-Appalachia, LLC	Chesapeake Appalachia, LLC	SWN Production Company	Chesapeake Appalachia, LLC	SWN Production Company	Chesapeake Appalachia, LLC	SWN Production Company	Chesapeake Appalachia, LLC	SWN Production Company																					
Lessor	Russell D. Hervey and Lisa K. Hervey Chesaneake Annalachia 11 C		William Judson Hervey III and Theresa J. Hervey	спезареаке Арранастна, със	Barbara and Michael Whitco Patricia Graham	Fortuna Energy Inc	Range Resources-Appalachia, LLC	Chesapeake Appalachia, LLC	Starvaggi Industries	Fortuna Energy, Inc.	Range Resources-Appalachia, LLC	Chesapeake Appalachia, LLC	Phoenix-Greenlawn Partners, LLC	Chesapeake Appalachia, LLC	Sharon A. Cunningham	Chesapeake Appalachia, LLC	James H. Stewart and Pamela Jo Stewart	Chesapeake Appalachia, LLC								led	1 2 Gas		2015										
Mineral Deed Lease #	000-553615-1	000-620246-T		000-526/65-T				1-324525-000				1-324527-000	+ 2 + 0	1-382385-000		47-000538-000		1-264325-000	ADJOINING TRACTS							Daceiv	O je ce me		NON 05										
Vesting BK/PG M	889/022	000/700	NF31 CCC	332/0/4			WF 60	165/135			,	176/514	0 6 0 0 1	305/446	287/147	273/327		261/789		332/667	332/681	351/102	FB 24/71	299/470	305/246	305/470	287/476	287/476	FB 24/71	304/581	269/409	WB 42/53	305/446	305/446	176/514	228/149	272/383	305/446	
Deeded Acreage	37 84	40.1C	11 CF	10.211				72.00				81.23		93.50		1.06		141.68		34.58	1.01	3.26	54.97	26.29	3.65	21.73	135.00	101.61	54.97	3.39	4.59	110.55	26.41	22.60	53.59	0.50	1.75	112.00	
Surface Owner		Kussell D. Hervey		William Judson Hervey III				Michael and Barbara Whitco, et al				Starvaggi Industries		Phoenix-Greenlawn Partners, LLC		Sharon A. Cunningham		James H. and Pamela J. Stewart		Frederick L. and Cathy Jo Hervey	James R. and Karen L. Hervey	Charlie D. and Britney L. Farris	Michael Whitco, et al	Donald and Janice Eaton	Bernard J. Knorr III and Nichole C. Knorr	Bernard J. Knorr III and Nichole C. Knorr	Brooke County Park Commission	Brooke County Park Commission	Michael Whitco, et al	Randy and Patricia Graham	Randy R. and Patricia J. Graham	Donna M. Sullivan	Phoenix-Greenlawn Partners, LP	Phoenix-Greenlawn Partners, LP	Atarvaggi Industries, Inc.	L Stella Merwick	Theotore E. and Melissa A. Eaton	Phenix-Greenlawn Partners, LP	20
TMP	2 DJ0 4E	CH-079-5		3-B28-45.2				3-B28-43				3-833-25		3-B33-29		3-B33-32		3-833-31		3-828-45.1	3-B28-45.3	3-828-45.4	3-828-29	3-828-57	3-828-57.2	3-828-59	3-B28-64	3-828-60	3-828-29	3-B28-29.1	3-828-42	3-B33-22	3-833-24	3-833-23	3-833-26	3-833-27	3-B33-28	3-B33-40	
Tract #	14	1)	10	2)				3)				4)		5)		(9		7)		8)	6)	10)	11)	12)	13)	14)	15)	16)	17)	18)	19)	20)	21)	22)	23)	24)	25)	26)	

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27)	3-833-33	Donald M. and Janice F. Eaton	0.21	350/5
28)	3-833-33.1	Sharon A. Cunningham	0.05	313/450
29)	3-B33-30	Sharon Cunningham	4.24	313/74
30)	3-B33-34	Phoenix-Greenlawn Partners, LP	2.07	305/446
31)	3-833-96	Melvin and Doris Culbertson	24.28	77/204
32)	3-B33-102	Charles R. Corbin, Jr. and Margaret L. Corbin	201.78	325/372
33)	3-833-103	Charles R. Corbin, Jr.	8.85	334/478
34)	3-B33-104	Charles R. Corbin, Jr. and Margaret L. Corbin	1.02	183/333
35)	3-B33-105	Margaret Ellen Corbin	1.21	WB 43/741
36)	3-833-106	Henry E. Donley IV and Yvonne Cawthorne	19.59	281/467
37)	3-833-107.1	Charles L. and Laura J. McGowan	1.00	331/458
38)	3-833-107.2	Charles L. and Laura J. McGowan	1.01	331/458
39)	3-833-107.3	Charles L. and Laura J. McGowan	1.00	331/458
40)	3-833-107.4	Charles L. and Laura J. McGowan	1.24	331/458
41)	3-833-107	Don Koscevic, et al	1.21	FB 25/334
42)	3-B33-107.5	Jamie D. Burns	1.02	343/391
43)	3-833-107.6	Jamie D. Burns	1.00	343/391
44)	3-833-112	John T. and Sally Jean Miller	2.00	270/461
45)	3-833-113	Phoenix-Greenlawn Partners, LP	101.55	291/791

Received Office of Oil & Gas NOV 0'5 2015

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4700900171



October 28, 2015

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Ms. Laura Adkins WV DEP Office of Oil & Gas 601 57th St., SE Charleston, WV 25304

RE: SWN's proposed Russell Hervey BRK 206H in Brooke County, West Virginia, Drilling under Pierce Run Road.

Dear Ms. Adkins:

SWN Production Company, LLC ("SWN") is applying for a drilling permit for the above referenced well. The State of West Virginia has raised some concern as to SWN's right to drill under Pierce Run Road. Please be advised that SWN has leased all mineral owners under said route as it relates to the above-referenced well and unit.

Thank you.

Sincerely,

Am

Jerry L. Bridgens, CPL Staff Landman SWN Production Company, LLC PO Box 1300 Jane Lew, WV 26378

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Received Office of Oil & Gas NOV 0 5 2015

The Right People doing the Right Things, wisely Investing the cash flow from our underlying Assets, will create Value+

WW-6AC (1/12)

STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS <u>NOTICE CERTIFICATION</u>

Date of Notice Certification:

API No. 47- 69 -Operator's Well No. Russell Hervey BRK 206H Well Pad Name: Russell Hervey Pad

Notice has been given:

Pursuant to the provisions in West Virginia Code § 22-6A, the Operator has provided the required parties with the Notice Forms listed below for the tract of land as follows:

State:	WV	UTM NAD 83	Easting:	537703.119				
County:	009-Brooke	UTM NAD 83	Northing:	4456498.485				
District:	1-Buffalo	Public Road Acces	SS:	Pierce Run Road				
Quadrangle:	620- Steubenville East	Generally used far	m name:	Russell Hervey				
Watershed:	Buffalo Creek							

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 by the applicant.

Pursuant to West Virginia Code § 22-6A, the Operator has attached proof to this Notice Certification that the Operator has properly served the required parties with the following: *PLEASE CHECK ALL THAT APPLY	OOG OFFICE USE ONLY
□ 1. NOTICE OF SEISMIC ACTIVITY or ■ NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED	RECEIVED/ NOT REQUIRED
□ 2. NOTICE OF ENTRY FOR PLAT SURVEY or ■ NO PLAT SURVEY WAS CONDUCTED	□ RECEIVED
3. NOTICE OF INTENT TO DRILL or NOTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED or	RECEIVED/ NOT REQUIRED
U WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)	
4. NOTICE OF PLANNED OPERATION	□ RECEIVED
 5. PUBLIC NOTICE 4700900171 4700900171 	RECEIVED
6. NOTICE OF APPLICATION	□ RECEIVED

Required Attachments:

The Operator shall attach to this Notice Certification Form all Notice Forms and Certifications of Notice that have been provided to the required parties and/or any associated written waivers. For the Public Notice, the operator shall attach a copy of the Class II Legal Advertisement with publication date verification or the associated Affidavit of Publication. The attached Notice Forms and Certifications of Notice shall serve as proof that the required parties have been noticed as required under West Virginia Code § 22-6A. Pursuant to West Virginia Code § 22-6A-11(b), the Certification of Notice to the person may be maderine afficient of person Partice, the return receipt card or other postal receipt for certified mailing.

NOV 05 2015

Certification of Notice is hereby given:

THEREFORE, I _______, 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 (fre possibility of fine and imprisonment.

Well Operator:	SWN Production Qo., LLC	Address:	P.O. Box 1300
By:	Dee Southall	$ \rightarrow $	Jane Lew, WV 26378
Its:	Regulatory Supervisor	Facsimile:	304-471-2497
Telephone:	304-884-1610	Email:	Dee_Southall@swn.com
	OFFICIAL SEAL DIARY SIGN, State of West Virginia BRITTANY R WOODY 3302 Old Elkins Road Buckhannon, WV 26201 My commission expires November 27, 2022	Subscribed and swo Buttlenuy My Commission E:	orn before me this 22 day of <u>[][[][][][][][][][][][][][][][][][][][</u>

Oil and Gas Privacy Notice:

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

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Received Office of Oll & Gas NOV 05 2015

WW-6A (9-13)

STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS <u>NOTICE OF APPLICATION</u>

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

	e of Notice: <u> </u> ice of:	ШSd	ate Permit Applica	tion Fil		
7	PERMIT FOR A WELL WORK	NY	CERTIF	ICATE RUCTIO	OF APPROVAL FOR THE ON OF AN IMPOUNDMENT OR PI ± 70090017	1
Deli	very method pur	suant	to West Virginia C	ode § 2:	2-6A-10(b)	
	PERSONAL SERVICE	\checkmark	REGISTERED MAIL		METHOD OF DELIVERY THAT REQUIRES A RECEIPT OR SIGNATURE CONFIRMATION	
Purs	uant to W. Va. Cod	de § 22-	6A-10(b) no later the	an the fi	iling date of the application, the applicant for a permit for any well work or f	or a

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)	COAL OWNER OR LESSEE
Name: Fredrick & Cathy Jo Hervey	Name:
Address: 100 Fernwood Dr	Address:
Wellsburg, WV 26070	
Name: William Hervey III	COAL OPERATOR
Address: 1030 Washington Pike	Name:
Wellsburg, WV 26070	Address:
□ SURFACE OWNER(s) (Road and/or Other Disturbance)	
Name:	SURFACE OWNER OF WATER WELL
Address:	AND/OR WATER PURVEYOR(s)
	Name: Michael Whitco & Patricia Graham
Name:	Address: 105 Churchman Lane
Address:	Wellsburg, WV 26070
	OPERATOR OF ANY NATURAL GAS STORAGE FIELD
□ SURFACE OWNER(s) (Impoundments or Pits)	Name: Received
Name:	Address: Office of Oll & Gas
Address:	
	*Please attach additional forms if necessary V 05 2015

WW-6A (9-13)

API NO. 47- 69	The Part	
OPERATOR WE	ELL NO.	Russell Hervey BRK 206H
Well Pad Name:	Russell He	rvey Pad

STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS <u>NOTICE OF APPLICATION</u>

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

	e of Notice: <u>11911</u> 5Da ice of:	te Permit Application Filed:
	PERMIT FOR ANY WELL WORK	CERTIFICATE OF APPROVAL FOR THE CONSTRUCTION OF AN IMPOUNDMENT OR PIT
Deli	very method pursuant to	9 West Virginia Code § 22-6A-10(b)

 PERSONAL
 Image: Registered
 Method of delivery that requires a receipt or signature confirmation

 SERVICE
 MAIL
 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)	COAL OWNER OF LESSEE
Name: Russell D. Hervey /	Name: Starvaggi Industries, INC.
Address: 200 Carol Street	Address: 401 Pennsylvania Ave
Wellsburg, WV 26070	Weirton, WV 26062
Name: Robert & Ellen Stanley	COAL OPERATOR
Address: 201 Genteel Road	Name:
Wellsburg, WV 26070	Address:
SURFACE OWNER(s) (Road and/or Other Disturbance)	
Name:	SURFACE OWNER OF WATER WELL
Address:	AND/OR WATER PURVEYOR(s)
	Name: William Hervey
Name:	Address: 1030 Washington Pike
Address:	Wellsburg, WV 26070
	OPERATOR OF ANY NATURAL GAS STORAGE FIELD
SURFACE OWNER(s) (Impoundments or Pits)	Name:
Name:	Address:
Address:	
	*Please attach additional forms if necessary Received

Office of Oil & Gas

NOV 0 5 2015

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 57th Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting <u>www.dep.wv.gov/oil-and-gas/pages/default.aspx</u>.

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 of pad if at least one of the wells was permitted prior to the effective date of this article. (e) The secretary shall, by Decorrected and 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 NOV 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)

OPERATOR WELL NO. Russell Hervey BRK 206H Well Pad Name: Russell Hervey Pad

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

Water Well Testing:

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

Water Testing Laboratories:

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

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

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

Written Comment:

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

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

Received Office of Qil & Gas

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

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-

<u>Permits/Pages/default.aspx</u> 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 & Gas NOV 0 5 2015

WW-6A	API NO. 47-69 -
(8-13)	OPERATOR WELL NO. RUSSell Hervey BRX 206H
0	Well Pad Name: Russell Hervey Pad
Notice is hereby given by:	
Well Operator: SWN Production Co., LLC	Address: P.O. Box 1300
Telephone: 304-884-1610	Jane Lew, WV 26378
Email: Dee_Southall@swn.com	Facsimile: 304-471-2497

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 deprivacy of fiver (@wv.gov.

OFFICIAL SEAL Notary Public, State of West Virginia BRITTANY R WOODY 3302 Old Elkins Road Buckhannon, WV 26201 My commission expires November 27, 2022	Subscribed and sworn before me this 22 day of <u>JUNU 2015</u> . Buttony R Woody Notary Public My Commission Expires <u>1122</u>
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STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS <u>NOTICE OF INTENT TO DRILL</u>

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.

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

\Box	HAND	Ξ	CERTIFIED MAIL
	DELIVERY		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: Russell D & Lisa K Hervey	/ Name:	
Address: 200 Carol Rd	Address:	
Wellsburg, WV 26070		

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:	West Virginia	UTM NAD 83 Eas	sting:	537,703.119	
County:	Brooke	UTM NAD 83 Nor	rthing:	4,456,498.485	
District:	Buffalo	Public Road Access:		Pierce Run Rd	
Quadrangle:	Steubenville East	Generally used farm r	name:		
Watershed:	Buffalo Creek				

This Notice Shall Include:

Pursuant to West Virginia Code § 22-6A-16(b), this notice shall include the name, address, telephone number, and if available, facsimile number and electronic mail address of the operator and the operator's authorized representative. Additional information related to horizontal drilling may be obtained from the Secretary, at the WV Department of Environmental Protection headquarters, located at 601 57th Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting <u>www.dep.wv.gov/oil-and-gas/pages/default.aspx</u>.

Notice is hereby given by:

Well Operator:	SWN Production Company, LLC	Authorized Representative:	Danielle Southall
Address:	PO Box 1300, 179 Innovation Drive	Address:	PO Box 1300, 179 Innovation Drive
	Jane Lew, WV 26378		Jane Lew, WV 26378
Telephone:	304-884-1615	Telephone:	304-884-1614
Email:	Steve_Perkins@swn.com	Email:	Danielle_Southall@swn.com
Facsimile:		Facsimile:	

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 file of Oil & Gas**

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01/15/2016

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: 06/29/2015 Date Permit Application Filed:

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

圓	CERTIFIED MAIL	HAND
	RETURN RECEIPT REOUESTED	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: Russell D & Lisa K Hervey	Name:
Address: 200 Carol Rd	Address:
Wellsburg, WV 26070	11222015-

Notice is hereby given:

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

State:	West Virginia	LITE ANIAD 92	Easting:	537,703.119	
County:	Brooke	UTM NAD 83	Northing:	4,456,498.485	
District:	Buffalo	Public Road Acc	ess:	Pierce Run Rd	
Quadrangle:	Steubenville East	Generally used f	arm name:		
Watershed:	Buffalo Creek				

This Notice Shall Include:

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

Well Operator:	SWN Production Company, LLC	Address:	PO Box 1300, 179 Innovation Drive	
Telephone:	304-884-1614	1.124.112	Jane Lew, WV 26378	
Email:	Danielle_Southall@swn.com	Facsimile:	304-472-4225	

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 economy duties. Schief Privacy Officer at deprivacy06ficer@wv.gov.

Office of Oil & Gas

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WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

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

April 14, 2015

Earl Ray Tomblin Governor

\$700000171 **Commissioner of Highways**

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

Subject: DOH Permit for the Russell Hervey Pad, Brooke County

Russell Hervey BRK 1H Russell Hervey BRK 10H

Russell Hervey BRK 3H Russell Hervey BRK 201H

Russell Hervey BRK 6H Russell Hervey BRK 206H

Paul A. Mattox, Jr., P. E.

Secretary of Transportation/

Dear Mr. Martin.

The West Virginia Division of Highways has transferred Permit #06-2012-0308 for the subject site to Southwestern Energy for access to the State Road for the well site located off of Brooke County Route 27/4 SLS.

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

Very Truly Yours.

Dary L. Clayton

Gary K. Clayton, P.E. **Regional Maintenance Engineer** Central Office Oil & Gas Goordinaton Office of Oll & Gas NOV 05 2015

Cc: Dee Southhall Southwestern Energy CH, OM, D-6 File

01/15/2016

E.E.O./AFFIRMATIVE ACTION EMPLOYER

Supplier Name	Product Name	Product Use	Chemical Name	CAS Number
			Ethanol	000064-17-5
NALCO	EC6110A		Glutaraldehyde (Pentanediol)	000111-30-8
ONESOURCE			Quaternary Ammonium Compounds	N/A-063
	EC6629A	Biocide	No Hazardous Components	NONE
	WBK-133 OXIDIZER	Breaker	Ammonium Persulfate	007727-54-0
-	WBK-134	Breaker	Ammonium Persulfate	007727-54-0
			Crystalline Silica (Quartz	014808-60-7
	WCS-631LC	Clay Stabilizer	Proprietary Non Hazardous	N/A-229
			Water	007732-18-5
	WFR-55LA	Friction Reducer	No Hazardous Components	NONE
÷ •	WGA-15L	Gel	Ethanol Glutaraldehyde (Pentanediol) Quaternary Ammonium Compounds No Hazardous Components Ammonium Persulfate Ammonium Persulfate Crystalline Silica (Quartz Sand, Silicon Dioxide) Proprietary Non Hazardous Salt Water No Hazardous Components Petroleum Distillate Hydrotreated Light Potassium Hydroxide No Hazardous Components Petroleum Distillate Hydrotreated Light Water Potassium Hydroxide No Hazardous Components Petroleum Distillate Hydrotreated Light Water Ethylene Glycol Boric Acid Ethanolamine Glutaraldehyde	064742-47-8
WEATHERFORD			Potassium Carbonate	000584-08-7
	WPB-584-L	Buffer	Glutaraldehyde (Pentanediol) Quaternary Ammonium Compounds No Hazardous Components Ammonium Persulfate Ammonium Persulfate Crystalline Silica (Quartz Sand, Silicon Dioxide) Proprietary Non Hazardous Salt Water No Hazardous Components Petroleum Distillate Hydrotreated Light Potassium Hydroxide No Hazardous Components Petroleum Distillate Hydrotreated Light Water Ethylene Glycol Boric Acid Ethanolamine Glutaraldehyde r Cholinium Chloride Diammonium Peroxidisulphate Diammonium Peroxidisulphate Distillates (petroleum), Hydrotreated light Aliphatic	001310-58-3
Ī	WXL-101LE	Corsslinker	No Hazardous Components	NONE
	WXL-101LM	Crosslinker		064742-47-8
				007732-18-5
			Ethylene Glycol	000107-21-1
	WXL-105L	Crosslinker	Boric Acid	010043-35-3
			Ethanolamine	000141-43-5
	B244 Green-Cide 25G	Biocide	Glutaraldehyde	111-30-8
	L071 Temporary Clay Stabilizer	Clay Stabilizer	Cholinium Chloride	67-48-1
	Breaker J218			7727-54-0
SCHLUMBERGER	EB-Clean* J475 Breaker	- Breaker	Pentanediol) Quaternary Ammonium Compounds No Hazardous Components Ammonium Persulfate Ammonium Persulfate Crystalline Silica (Quartz Sand, Silicon Dioxide) Proprietary Non Hazardous Salt Water No Hazardous Components Petroleum Distillate Hydrotreated Light Potassium Hydroxide No Hazardous Components Petroleum Distillate Hydrotreated Light Water Ethylene Glycol Boric Acid Ethanolamine Glutaraldehyde Cholinium Chloride Diammonium Peroxidisulphate Distillates (petroleum), Hydrotreated light Aliphatic	7727-54-0
			Distillates (petroleum),	64742-47-8
	Friction Reducer B315	Friction		Proprietary
	Friction Reducer J609		Ammonium Sulfate	7783-20-2

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Supplier Name	Product Name	Product Use	Chemical Name	CAS Number
SCHLUMBERGER	Water Gelling Agent J580	Gel	Carbohydrate Polymer	Proprietary
	Scale Inhibitor B317	Scale Inhibitor	Trisodium ortho phosphate Ethane-1, 2-diol	7601-54-9 107-21-1
	Borate Crosslinker J532	0	Aliphatic polyol Sodium tetraborate decahydrate	Proprietary 1303 96-4
	Crosslinker J610	Crosslinker	Aliphatic polyol Potassium hydroxide	Proprietary 1310 58-3

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Supplier Name	Product Name	Product Use	Chemical Name	CAS Number
BAKER HUGHES	ALPHA 1427	Dissida		007173-51-1
				000064-17-5
			Glutaraldehyde (Pentanediol)	000111-30-8
			Quaternary Ammonium	068424-85-1
			Water	007732-18-5
	BF-7L	Buffer	Potassium Carbonate	000584-08-7
	ClayCare	Clay Stabilizer	Choline Chloride	000067-48-1
			Water	007732-18-5
	Enzyme G-I	Breaker	No Hazardous Components	NONE
	ENZYME G-NE	Breaker	No Hazardous Components	NONE
	FRW-18	Friction Reducer	Petroleum Distillate Hydrotreated Light	064742-47-8
	GW-3LDF	Gel		N/A-014
				N/A-021
	SCALETROL 720	Scale Inhibitor		000111-46-6
			Ethylene Glycol	000107-21-1
	XLW-32	Crosslinker	Boric Acid	010043-35-3
				000067-56-1
	APB01 (AMMONIUM PERSUFATE BREAKER)	Breaker	Ammonium Persulfate	007727-54-0
	B05 (LOW PH BUFFER)	Buffer	Didecyl Dimethyl Ammonium Chloride Ethanol Glutaraldehyde (Pentanediol) Quaternary Ammonium Compound Water Potassium Carbonate Choline Chloride Water No Hazardous Components No Hazardous Components Petroleum Distillate Hydrotreated Light Petroleum Distillate Blend Polysaccharide Blend Diethylene Glycol Ethylene Glycol Boric Acid Methanol (Methyl Alcohol) Armonium Persulfate Acetic acid No Hazardous Components No Hazardous Components	000064-19-7
	BXL03 Borate XL Delayed High Temp	Crosslinker		
FRAC TECH SERVICES	FRW-200	Friction Reducer		NONE
SERVICES	HVG01 (TURQUOISE-1 BULK)	Gelling Agent		064742-47-8
	KCLS-4	Clay Stabilizer	No Hazardous Components	NONE
	LTB-1	Breaker	Ammonium Persulfate	NA OO

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