

#### west virginia department of environmental protection

Office of Oil and Gas 601 57th Street, S.E. Charleston, WV 25304 (304) 926-0450 fax: (304) 926-0452 Jim Justice , Governor Austin Caperton , Cabinet Secretary www.dep.wv.gov

Thursday, March 02, 2017 WELL WORK PERMIT Horizontal 6A / New Drill

SWN PRODUCTION COMPANY, LLC (A) POST OFFICE BOX 12359

SPRING, TX 773914954

Re: Permit approval for JOHN HUPP BRK 210H

47-009-00187-00-00

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: JOHN HUPP BRK 210H Farm Name: JOHN W. HUPP & LINDA H. DOUBLE

U.S. WELL NUMBER: 47-009-00187-00-00

Horizontal 6A / New Drill

Date Issued: 3/2/2017

Promoting a healthy environment.

API Number: 9-00187

### **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. <u>Failure to adhere to the specified permit conditions may result in enforcement action.</u>

#### **CONDITIONS**

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

API Number: 9-00187

### **PERMIT CONDITIONS**

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

PI NO. 47-51 -	
OPERATOR WELL NO.	John Hupp BRK 210H
Well Pad Name: John	

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

			Brooke	3- Buffalc 247-Bethany
		Operator ID	County	District Quadrangle
2) Operator's Well Number: Jo	hn Hupp BRK 2	10H Well Pa	ad Name: Joh	n Hupp PAD
3) Farm Name/Surface Owner:	John W. Hupp & Linda H	Double Public Ro	ad Access: Lo	ocust Grove Road
4) Elevation, current ground:	1275' El	evation, proposed	l post-construc	etion: 1275'
5) Well Type (a) Gas x	Oil		derground Stor	
Other				
* ***	llow x	Deep		
	rizontal x		d	BLO 11.17.16
6) Existing Pad: Yes or No yes			mme .	
7) Proposed Target Formation(s	), Depth(s), Antic	ipated Thickness	and Associate	d Pressure(s): ness-41', Associated Pressure- 3733
Marie San San San American		. 034		ness-41, Associated Pressure- 3733
3) Proposed Total Vertical Dept	77	1		
) Formation at Total Vertical D	epth:	us		
0) Proposed Total Measured D	epth: 12911'	J		
1) Proposed Horizontal Leg Le	ngth: 6072.53'			
2) Approximate Fresh Water St	trata Depths:	290'		
3) Method to Determine Fresh	Water Depths: f	rom petrophysic	al analysis of	electric logs in wells on the pa
4) Approximate Saltwater Dept				
5) Approximate Coal Seam De	pths: 504'			
6) Approximate Depth to Possi	ble Void (coal mi	ne, karst, other):	None that we	e are aware of.
7) Does Proposed well location lirectly overlying or adjacent to	contain coal sear an active mine?	ns Yes	N	io x
(a) If Yes, provide Mine Info:	Name:			
Marine - 1999 of the same of the same	Depth:			
	Seam:			
	Owner:			

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WW-6B (10/14) API NO. 47- 809 - 00187

OPERATOR WELL NO. John Hupp BRK 210H

Well Pad Name: John Hupp PAD

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	20"	New	H-40	94#	100'	100'	CTS
Fresh Water	13 3/8"	New	H-40	48#	575'	575'	527 sx/CTS
Coal	9 5/8"	New	J-55	36#	1894'	1894'	711 sx/CTS
Intermediate	7"	New	J-55	20#	If Needed	If Needed	If Needed/As Needed
Production	5 1/2"	New	HCP-110	20#	12911'	12911'	Lead 963sx tall 1490sx/100' inside integral
Tubing	2 3/8'	New	HCP-110	4.7#	Approx. 6231'	Approx. 6231'	
Liners							

CBO 11.17.16

ТҮРЕ	Size (in)	Wellbore Diameter (in)	Wall Thickness (in)	Burst Pressure (psi)	Max. Associated Surface Pressure (psi)	Cement Type	Cement Yield (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							

#### **PACKERS**

Kind:	10K Arrowset AS1-X	
Sizes:	5 1/2"	Office of Oil & Gas
Depths Set:		DEC 1 3 2016

WW-6B (10/14)

## 47009001870.47-89-00187

OPERATOR WELL NO. John Hupp BRK 210H

Well Pad Name: John Hupp PAD

19) Describe proposed	wall work	including the	drilling and	nlugging h	ack of any nilot hole.
17112661106 0100060	I WEII WUIK.	. ուշագուջ աշ	s un minis amu	. DIUSSIIIS DA	ack of ally blict 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 20' below void nor more than 50' below void. (\*If freshwater is encountered deeper than anticipated it must be protected, set casing 50' 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.

- 21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 12.04
- 22) Area to be disturbed for well pad only, less access road (acres): 8.38
- 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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Office of Oil & Gas

DEC 1 3 2016

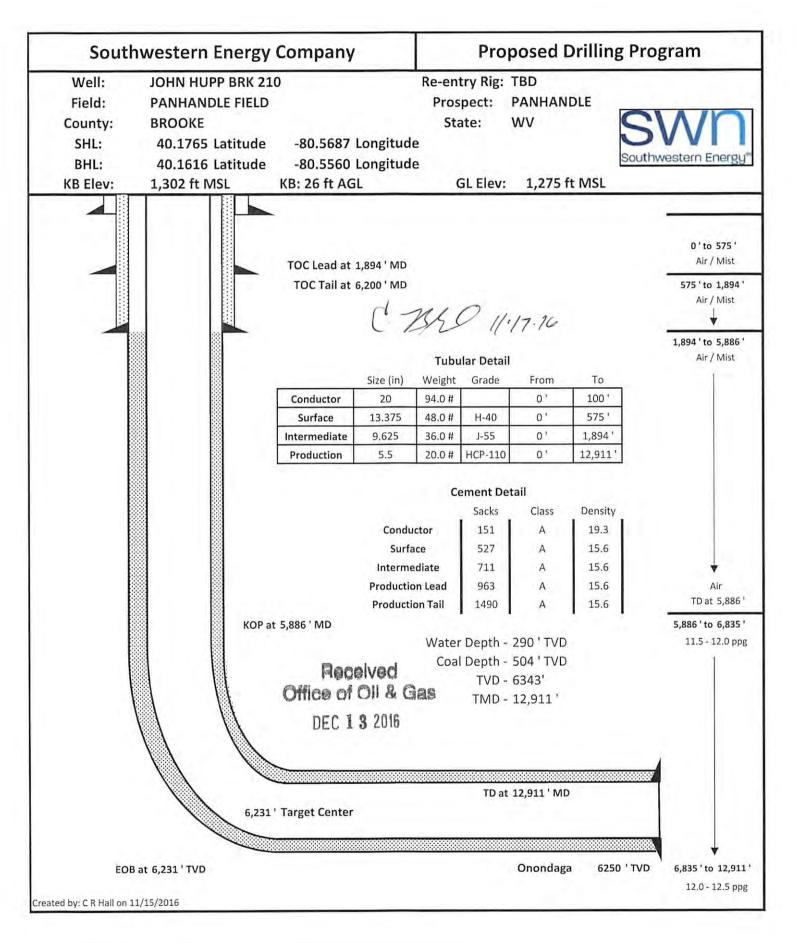
\*Note: Attach additional sheets as needed.

### **Schlumberger Cement Additives**

	Product Name	Product Use	Chemical Name	CAS Number
Surface	5001	accelerator	calcium chloride	10043-52-4
Intermediate Surface	5001	accelerator	calcium chloride	10043-52-4
<u>.                                    </u>	D080	dispersant	sodium polynaphthalene sulfonate	9008-63-3
o g	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
pe	D046	antifoam	fullers earth (attapulgite)	8031-18-3
Production-Lead			chrystalline silica	14808-60-7
tio.	D201	retarder	metal oxide	propriatary
onpo			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
<u>=</u>			sodium polynaphthalene sulfonate	9008-63-3
T-F	D065	dispersant	sodium sulfate	7757-82-6
Production-Tail			chrystalline silica	14808-60-7
μχηρ	D201	retarder	metal oxide	propriatary
Pro	D153	anti-settling	chrystalline silica	14808-60-7

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Office of Oil & Gas

DEC 1 3 2016



API Number 47 - 009 - 00187 Operator's Well No. John Hupp BRK 210H

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

#### FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name SWN Production Company, LLC	OP Code 494512924
Watershed (HUC 10) Upper Ohio North	Quadrangle Bethany
Do you anticipate using more than 5,000 bbls of water to comp	plete the proposed well work? Yes Vo No
Will a pit be used? Yes No V	
If so, please describe anticipated pit waste:closed lo	op system in place at this time- cuttings will be taken to a permitted landfill
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 Permi	
	ated well, API # will be included with the WR-34/DDMR &/or permit addendum
Off Site Disposal (Supply form WV Other (Explain flow back fluids will b	w -9 for disposal location) pe put in steel tanks and reused or taken to a permitted disposal facility
Oner (Explain	
Will closed loop system be used? If so, describe: yes	
	atal)? Air, freshwater, oil based, etcat drill to KOP, fluid drill with SOBM from KOP to TD
-If oil based, what type? Synthetic, petroleum, etcs	
Additives to be used in drilling medium? see attached sheets	
Orill cuttings disposal method? Leave in pit, landfill, removed	d offsite etc. landfill
이 살이 한다면 하는데 보다 보는데 없는데 없는데 없었다.	
-If left in pit and plan to solidify what medium will be	
-Landfill or offsite name/permit number?	SS grading SWF-4902, Northwestern SWF-1025, Short Creek 1034/WV0109517/CID28726, Carbon Limeston 28726-CID28726 UNTITY VVIDE 3839U/CID3839U, PINE Grove 13688
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 where it was properly disposed.	d 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
	Virginia Department of Environmental Protection. I understand that the
provisions of the permit are enforceable by law. Violations of law or regulation can lead to enforcement action.	of any term or condition of the general permit and/or other applicable
I certify under penalty of law that I have personall	ly examined and am familiar with the information submitted on this
application form and all attachments thereto and that, base	ed on my inquiry of those individuals immediately responsible for true, accurate, and complete. I am aware that there are significant
penalties for submitting false information, including the possib	pility of fine or imprisonment.
VI DA	Received
Company Official Signature Pos Southall	Office of Oil & Gas
Company Official (Typed Name) Dee Southall	
Company Official Title Regulatory Supervisor	DEC:1 3 2016
Subscribed and sugary before me this 14th day of	Daniel Land
Subscribed and sworn before me this day of	1 ovember, 20 le
Brittany R Woodly	Notary Public
My commission expires 11 2 3	
11/4//	03/03/20
	33,00,20

OFFICIAL SEAL
Notary Public, State of West Virginia
BRITTANY R WOODY
3302 Old Elkins Road
Buckhannon, WV 26201
My commission expires November 27, 2022

Form WW-9		Operator's Well No	o. John Hupp BRK 210H
SWN Production Company, LLC			
Proposed Revegetation Treatment: Acres Disturbed 12.04		Prevegetation pH	
Limeas determined by pH test min. 2 Tons/acre or to correct to p	H 8.38		
Fertilizer type 10-20-20			
Fertilizer amount 600	lbs/acre		
Mulch Hay/Straw 2.5 Tons	s/acre		
<u>Se</u>	ed Mixtures		
Temporary		Permanent	
Seed Type lbs/acre  **See Attachment		Seed Type	lbs/acre
provided). If water from the pit will be land applied, include a acreage, of the land application area.  Photocopied section of involved 7.5' topographic sheet.  Plan Approved by:	7.16	x D) or the pit, and dime	nsions (L x w), and area ii
Comments:			
		Rece Office of (	ived าแ & Gas
	<del> </del>	DEC 1	3 2016
Title: oil and gas inspector	Date:	. 17-16	
Field Reviewed? () Yes (	) No		



### **WVD Seeding Specification**



To Order Seed contact Lyndsi Eddy Flippo office 570-996-4271 cell 501-269-5451 lyndsi\_eddy@swn.com (please allow 7 to 10 days for delivery)

NON-ORGANIC PROPERTIES		
Seed Mixture: ROW Mix	SWN	l Supplied
Orchardgrass	40%	
Timothy	15%	
Annual Ryegrass	15%	
Brown Top Millet	5%	
Red Top	5%	
Medium Red Clover	5%	All legumes are
White Clover	5%	innoculated at 5x normal
Birdsfoot Trefoil	5%	rate
Rough Bluegrass	5%	

SOIL AMENDMENTS	
10-20-20 Fertilizer	*Apply @ 500lbs per Acre
Pelletized Lime	Apply @ 2 Tons per Acre
	*unless otherwise dictated by soil test results

Apply @ 200lbs per acre

Oct. 15th- April 15th PLUS

50lbs per acre of Winter Wheat

#### Seeding Calculation Information:

1452' of 30' ROW/LOD is One Acre 871' of 50' ROW/LOD is One Acre 622' of 70' ROW/LOD is One Acre

Apply @ 100lbs per acre

April 16th- Oct. 14th

#### Synopsis:

Every 622 linear feet in a 70' ROW/LOD, you should be using (2) 50lb bags of seed, (4) 50lb bags of fertilizer and (80) 50lb bags of Lime (2x seed in winter months + 50lb Winter Wheat/ac).

#### Special Considerations:

Landowner Special Considerations including CREP program participants require additional guidance that is not given here. Discuss these requirements with SWN supervision at the beginning of the project to allow time for special seed delivery.

ORGANIC PROPERTIES					
Seed Mixture: SWN Production Orga	nic Mix	SWN Supplied			
Organic Timothy	50%				
Organic Red or White Clover	50%				
OR					
Organic Perennial Ryegrass	50%				
Organic Red or White Clover	50%				
Apply @ 100lbs per acre		Apply @ 200lbs per acre			
April 16th- Oct. 14th		Oct. 15th- April 15th			
Organic Fertilizer @ 200lbs per Acre		Pelletized Lime @ 2 Tons per Acre			

Seed Mixture: Wetland Mix	SWN Supplied
VA Wild Ryegrass	20%
Annual Ryegrass	20%
Fowl Bluegrass	20%
Cosmos 'Sensation'	10%
Redtop	5%
Golden Tickseed Received	5%
Maryland Senna Office of Oll & Gas	5%
Showy Tickseed Tiles of Oli & Gas	5%
Fox Sedge DEC 1 3 2016	2.5%
Soft Rush	2.5%
Woolgrass	2.5%
Swamp Verbena	2.5%
Apply @ 25lbs per acre	Apply @ 50lbs per acre
April 16th- Oct. 14th	Oct. 15th- April 15th

# MARCELLUS WELL DRILLING PROCEDURES AND WELL SITE SAFETY PLAN



SWN Production Company, LLC 179 Innovation Drive Jane Lew, West Virginia 26378

API NO. 47-XXX-XXXXX
WELL NAME: John Hupp BRK 210H
Bethany QUAD
Buffalo DISTRICT
Brooke COUNTY, WEST VIRGINIA

Submitted by:			
Dee Southall	Date:	11/14/2016	
Title: Regulatory Supervisor	SWN Pro	duction Co., LLC	
Approved by:  Title: Oil + h., Ispertor	Date: _	11.17.16	
Approved by:			
	Date:		
Title:			
SWN PRODUCTION COMPANY,	LLC		Received Office of Oil & Gas
			DEC 1 3 2016

EXHIBIT "A"

Attached to and made a part of the State of West Virginia Oll and Gas Permit Form, WW-6A1, by SWN Production Company, LLC, Operator

John Hupp BRK 210H

Brooke County, West Virginia

	TMP	SURFACE OWNER	DEEDED ACREAGE	SWN LEASE#	LESSOR	LESSEE	ROYALTY	BK/PG
	1 03-848-0016-0000	John W. Hupp	184.45800	724883-001	Joseph T. Hupp and Elizabeth Hupp, husband and wife	Chesapeake Appalachia, LLC. SWN Production Company, LLC.	15.00%	10/392 30/480
				724883-002	John W. Hupp and Mary Hupp, husband and wife Linda H. Double and Robert Double, wife and husband	Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C. Chesapeake Appalachia, L.L.C. SWN Production Company, L.L.C.	15.00%	10/396 30/480 10/400
	2 03-848-0017-0000	Marc P. Stone	38.81000		John C. Wales, Sr. and Barbara A. Wales, husband and wife	TriEnergy Holdings, LLC NPAR, LLC	15.00% 18.0%	30/480 10/601 16/547
						Chevron U.S.A. Inc. Chesapeake Appalachia, LLC.		20/448 28/664
	3 03-848-0019-0000	Marion Pyle Stone	149.94000	730094-001	Marion Pyle Stone	SWN Production Company, LLC Phillips Production Company	18.0%	30/480 9/104
						Great Lakes Energy Partners, LLC Range Resources-Appalachia, LLC Chesapeake Appalachia and Statoii USA		9/395 20/733
_	4 03-0L2-0001-0000	Company to the teacher				Onshore Properties SWN Production Company, LLC		10/552 30/480
		Scott Sonda and Mark Sonda	155.38000	<u> </u>	Scott Sonda and Mark Sonda	SWN Production Company, LLC	17.00%	pending
	5 03-0L2-0002-0000	Scott Sonda and Mark Sonda	185.97000	pending	Scott Sonda and Mark Sonda	SWN Production Company, LLC	17.00%	pending
	6 03-0L2-0008-0000	Charles Edward Boone & Sharon Boone	58.94900	730256-000	Charles Edward Boone and Sharon R Boone	Range Resources-Appalachia, LLC Chesapeake Appalachia and Statoil USA Onshore Properties SWN Production Company, LLC	17.00%	794/89 808/542

Office of Oil & Gas

WW-6A1 (5/13)

# Operator's Well No. John Hupp BRK 210H

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

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

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

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

See Exhibit A

#### 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

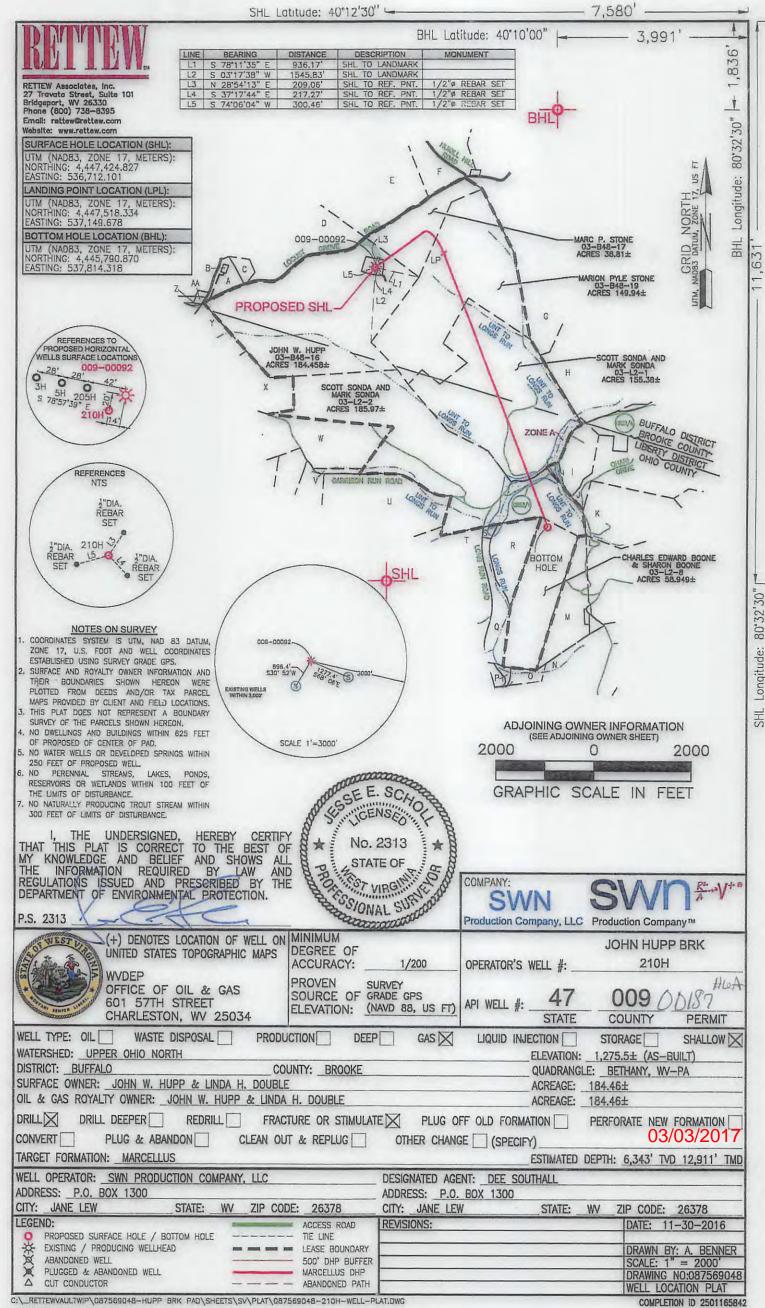
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Office of Oil & Gas

DEC 1 3 2016

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.

	SWN Production Co., LLC
By:	Nacy Wallace
Its:	Staff Landman

Page 1 of \_\_\_\_



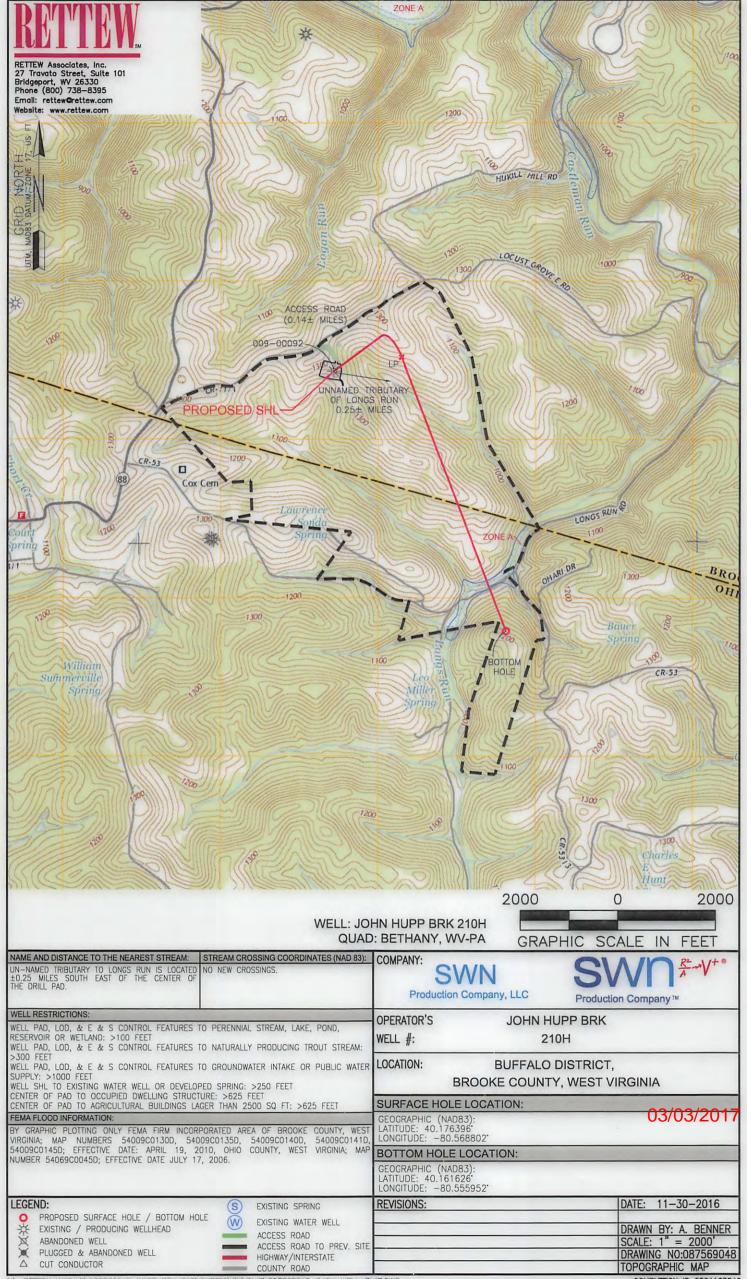


RETTEW Associates, Inc.
27 Travato Street, Suite 101
Bridgeport, WV 26330
Phone (800) 738-8395
Email: rettew@rettew.com
Website: www.rettew.com

#### ADJOINING OWNERS

TRACT	ADJOINING PROPERTY OWNERS	TAX PARCEL	ACRES
А	GNAC ENTERPRISES LP	03-B48-7-2	5.629±
В	WINDSOR POWER HOUSE COAL CO	03-B48-7	0.49±
С	WILLIAM BRITT COX	03-B48-7-1	1.681±
D	WILLIAM BRITT COX	03-B48-8	79.27±
E	LAWRENCE RAY PYLE & JUDITH A. PYLE	03-B48-18	110.49±
F	ANNA MAE NORDEN	03-B48-22	103.00±
G	SCOTT SONDA & MARK SONDA	03-B48-20	139.00±
Н	MARION PYLE STONE	03-B48-41	133.00±
	WINDSOR COAL COMPANY	03-L2-9	20.07±
J	MICHAEL OHARA & DEIDRA OHARA	03-L2-10-2	46.94±
K	MICHAEL BREITINGER	03-L2-11	46.30±
L	CHAD & JULIE C. COX	03-L2-12	75.91±
М	CHARLES EDWARD BOONE	03-L2-8-4	30.97±
N	SHARON GARRISON (LIFE ESTATE)	03-L5-29	102.00±
0	CHARLES W. & CHRISTY D. GROUNDS	03-L5-4	2.81±
P	JAMES A. HUNTSMAN	03-L5-4-3	0.83±
Q	TIMOTHY W. & KITTY J. ELLIOTT	03-L2-7	18.54±
R	WINDSOR COAL COMPANY	03-L2-8-3	25.12±
S	ALISHA D. & SCOTT B. MEDLEN	03-L2-7-2	1.00±
T	JOAN C. MILLER (LIFE ESTATE)	03-L2-7-1	176.07±
U	BAIRD C. KLOSS	03-L2-4	112.40±
V	LARRY G. BALL	03-L1-38-5	1.85±
W	LARRY G. BALL	03-L1-38	130.46±
X	KEVIN K. & CYNTHIA R. MCGEE	03-L2-15-1	29.36±
Y	LARRY G. BALL	03-L1-38-3	38.49±
Z	ARLIE R. MCCARDLE JR	03-B47-46	0.35±
AA	RICK A. & LURA JOSEPH	03-B47-45	0.62±

03/03/2017 COMPANY: REVISIONS: SWN Production Company, LLC Production Company™ DATE: 11-30-2016 JOHN HUPP BRK OPERATOR'S DRAWN BY: A. BENNER SCALE: N/A DRAWING NO:087569048 ADJOINING OWNERS WELL #: 210H LOCATION: BUFFALO DISTRICT, BROOKE COUNTY, WEST VIRGINIA





Jane Lew, WV 26378 PHONE: (832) 796-1610

November 14, 2016

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

**RE:** SWN's proposed John Hupp BRK 210H in Brooke County, West Virginia, Drilling under Long 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 Long 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,

Macey Wallace Staff Landman

SWN Production Company, LLC

aren Wallace

PO Box 1300

Jane Lew, WV 26378

Received
Office of Oil & Gas

DEC 1 3 2016

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

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

Date of Notic	ce Certification:		API No. 4	
	1 .		Operator's	Well No. John Hupp BRK 210H
			Well Pad	Name: John Hupp PAD
Notice has I	been given:			
	ne provisions in West Virginia Code § 22-6A, t	he Operator has pro	vided the red	uired parties with the Notice Forms listed
	tract of land as follows:			I was the Branch of the same o
State:	WV	UTM NAD 83	Easting:	536712.101
County:	Brooke	UTM NAD 83	Northing:	4447424.827
District:	Buffalo	Public Road Ace	cess:	Locust Grove Road
0 1 1	Bethany	Generally used t	farm name:	John Hupp
Quadrangle:				

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.

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 OF ☐ 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 OF NOTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED OF	☐ RECEIVED/ NOT REQUIRED
☐ WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)	
4. NOTICE OF PLANNED OPERATION	☐ RECEIVED
■ 5. PUBLIC NOTICE	☐ 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 made by affidavit of personal service, the return receipt card or other postal receipt for certified mailing.

Received Office of Oil & Gas Its:

#### 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 the possibility of fine and imprisonment.

Well Operator: SWN Production Co.

By: Dee Southall

Regulatory Supervisor

Telephone: 832-796-1610

Address: P.O. Box 1300

Jane Lew, WV 26378

Facsimile: 304-471-2497

Email: Dee Southall@swn.com

NOTARY SEAL

OFFICIAL SEAL

Notary Public, State of West Virginia

BRITTANY R WOODY

3302 Old Eikins Road

Buckhannon, WV 26201

My commission expires November 27, 2022

Subscribed and sworn before me this

thony R Moody

Notary Public

My Commission Expires

#### 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.

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Office of Oil & Gas
DEC 1 3 2016

WW-6A (9-13)

API NO. 47-49 - 00 187

OPERATOR WELL NO. John Hupp BRK 210H
Well Pad Name: John Hupp PAD

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

Notice Time Requirement: notice shall be provided no later	than the filing date of permit application.
Date of Notice: Quate Permit Application Filed: _Notice of:	12/9/14
	PPROVAL FOR THE F AN IMPOUNDMENT OR PIT
Delivery method pursuant to West Virginia Code § 22-6A-	-10(b)
	THOD OF DELIVERY THAT REQUIRES A CEIPT OR SIGNATURE CONFIRMATION
sediment control plan required by section seven of this article, and the surface of the tract on which the well is or is proposed to be lead to ill and gas leasehold being developed by the proposed well work described in the erosion and sediment control plan submitted purpoperator or lessee, in the event the tract of land on which the well more coal seams; (4) The owners of record of the surface tract or well work, if the surface tract is to be used for the placement, corresponding to the placement or pit as described in section nine of this article; (5) have a water well, spring or water supply source located within o provide water for consumption by humans or domestic animals; a proposed well work activity is to take place. (c)(1) If more than the subsection (b) of this section hold interests in the lands, the appliance of the sheriff required to be maintained pursuant to section provision of this article to the contrary, notice to a lien holder is a section of the sheriff required to the contrary, notice to a lien holder is a section to the section of the sheriff required to the contrary, notice to a lien holder is a section of the section	pt or signature confirmation, copies of the application, the erosion and ad the well plat to each of the following persons: (1) The owners of record of ocated; (2) The owners of record of the surface tract or tracts overlying the activity in the surface tract is to be used for roads or other land disturbance as suant to subsection (c), section seven of this article; (3) The coal owner, all proposed to be drilled is located [sic] is known to be underlain by one or tracts overlying the oil and gas leasehold being developed by the proposed astruction, enlargement, alteration, repair, removal or abandonment of any surface owner or water purveyor who is known to the applicant to ne thousand five hundred feet of the center of the well pad which is used to and (6) The operator of any natural gas storage field within which the hree tenants in common or other co-owners of interests described in cant may serve the documents required upon the person described in the on eight, article one, chapter eleven-a of this code. (2) Notwithstanding any not notice to a landowner, unless the lien holder is the landowner. W. Va. to provide the Well Site Safety Plan ("WSSP") to the surface owner and any ng as provided in section 15 of this rule.
☑ Application Notice ☑ WSSP Notice ☑ E&S Plan Notice ☑ SURFACE OWNER(s)	☑ COAL OWNER OR LESSEE /
Name: John W. & Linda H. Hupp	Name: Windsor Coal Company
Address: 22 Stevens Ave	Address: 1000 Consol Energy Drive
Cuba, NY 14727	Canonsburg, PA 15317  ☐ COAL OPERATOR
Name:Address:	7
Address:	Address:
SURFACE OWNER(s) (Road and/or Other Disturbance)	riditess.
Name:	☑ SURFACE OWNER OF WATER WELL
Address:	AND/OR WATER PURVEYOR(s)
	Name: See Attachment #1
Name:	Address:
Name:Address:	
	OPERATOR OF ANY NATURAL GAS STORAGE FIELD
☐ SURFACE OWNER(s) (Impoundments or Pits)	Name:
Name:	Address:
Address:	*Please attach additional forms if necessary of Oll & Gas
	DEC 1 3 2016

Attachment #1

**LANDOWNER** 

SOURCE

WELL DEPTH Address

**Marion Stone** 

John, Joseph Hupp & Linda Double 5 Springs 1 Spring

22 STEVENS AVE

1824 WEST LIBERTY RD

CUBA, NY 14727 BETHANY, WV 26032 /

Received Office of Oil & Gas DEC 1 3 2016

API NO. 47- 004- 00187

OPERATOR WELL NO. John Hupp BRK 210H

Well Pad Name: John Hupp PAD

#### Notice is hereby given:

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

#### This Notice Shall Include:

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

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

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

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

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

#### Well Location Restrictions

Pursuant to W. Va. Code § 22-6A-12, Wells may not be drilled within two hundred fifty feet measured horizontally from any existing water well or developed spring used for human or domestic animal consumption. The center of well pads may not be located within six hundred twenty-five feet of an occupied dwelling structure, or a building two thousand five hundred square feet or larger used to house or shelter dairy cattle or poultry husbandry. This limitation is applicable to those wells, developed springs, dwellings or agricultural buildings that existed on the date a notice to the surface owner of planned entry for surveying or staking as provided in section ten of this article or a notice of intent to drill a horizontal well as provided in subsection (b), section sixteen of this article was provided, whichever occurs first, and to any dwelling under construction prior to that date. This limitation may be waived by written consent of the surface owner transmitted to the department and recorded in the real property records maintained by the clerk of the county commission for the county in which such property is located. Furthermore, the well operator may be granted a variance by the secretary from these distance restrictions upon submission of a plan which identifies the sufficient measures, facilities or practices to be employed during well site construction, drilling and operations. The variance, if granted, shall include terms and conditions the department requires to ensure the safety and protection of affected persons and property. The terms and conditions may include insurance, bonding and indemnification, as well as technical requirements. (b) No well pad may be prepared or well drilled within one hundred feet measured horizontally from any perennial stream, natural or artificial lake, pond or reservoir, or a wetland, or within three hundred feet of a naturally reproducing trout stream. No well pad may be located within one thousand feet of a surface or ground water intake of a public water supply. The distance from the public water supply as identified by the department 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 and Vertilenced 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 it less to 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 at they re they are the are they are the are they are the are the are the are they are the are th 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

API NO. 47-809 - OOI 87
OPERATOR WELL NO. John Hupp BRK 210H

Well Pad Name: John Hupp PAD

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

#### Water Well Testing:

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

#### Water Testing Laboratories:

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

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

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

#### **Written Comment:**

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

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

Received Office of Oil & Gas

DEC 1 3 2016

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.

API NO. 47-BOG - OO 187

OPERATOR WELL NO. John Hupp BRK 210H

Well Pad Name: John Hupp PAD

Time Limits and Methods for Filing Comments.

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

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

#### **Comment Requirements**

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

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

#### Permit Denial or Condition

The Chief has the power to deny or condition a well work permit. Pursuant to West Virginia Code § 22-6A-8(d), the permit may not be issued or be conditioned, including conditions with respect to the location of the well and access roads prior to issuance if the director determines that:

- (1) The proposed well work will constitute a hazard to the safety of persons;
- (2) The plan for soil erosion and sediment control is not adequate or effective;
- (3) Damage would occur to publicly owned lands or resources; or
- (4) The proposed well work fails to protect fresh water sources or supplies.

A permit may also be denied under West Virginia Code § 22-6A-7(k), the secretary shall deny the issuance of a permit if the secretary determines that the applicant has committed a substantial violation of a previously issued permit for a horizontal well, including the applicable erosion and sediment control plan associated with the previously issued permit, or a substantial violation of one or more of the rules promulgated under this article, and in each instance has failed to abate or seek review of the violation within the time prescribed by the secretary pursuant to the provisions of subdivisions (1) and (2), subsection (a), section five of this article and the rules promulgated hereunder, which time may not be unreasonable.

Pursuant to West Virginia Code § 22-6A-10(g), any person entitled to submit written comments to the secretary pursuant to subsection (a), section eleven of this article, shall also be entitled to receive from the secretary a copy of the permit as issued or a copy of the order modifying or denying the permit if the person requests receipt of them as a part of the written comments submitted concerning the permit application. Such persons may request, at the time of submitting written comments, notice of the permit decision and a list of persons qualified to test water.

Received Office of Oil & Gas DEC 1 3 2016

API NO. 47-609 -

OPERATOR WELL NO. John Hupp BRK 210H

Well Pad Name: John Hupp PAD

Notice is hereby given by:

Well Operator: SWN Production Co., LLC

Telephone: 832-796-1610 Email: Dee\_Southall@swn.som Address: P.O. Box 1300

Jane Lew, WV 26378

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 depprivacyofficer@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 14th day of 100 much 2014

Notary Public

My Commission Expires

Received Office of Oil & Gas DEC 1 3 2016

WW-6A4 (1/12)

# 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: 11/14/2016 Date Permit Application Filed: Delivery method pursuant to West Virginia Code § 22-6A-16(b) ☐ HAND ■ 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: John W. & Linda H. Double Address: 22 Stevens Ave Address: Cuba, NY 14727 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: Easting: 536,712.101 UTM NAD 83 County: Brooke Northing: 4,447,424.827 Public Road Access: Locust Grove Road District: Buffalo Generally used farm name: John Hupp Quadrangle: Bethany, WV-PA Upper Ohio North Watershed:

#### 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 <a href="https://www.dep.wv.gov/oil-and-gas/pages/default.aspx">www.dep.wv.gov/oil-and-gas/pages/default.aspx</a>.

Notice is hereby given by:

Well Operator:	SWN Production Company, LLC	Authorized Representative:	Mike Yates	
Address:	PO Box 1300, 179 Innovation Drive	Address:	PO Box 1300, 179 Innovation Drive	
	Jane Lew, WV 26378		Jane Lew, WV 26378	
Telephone:	304-517-6603	Telephone:	304-517-6603	
Email:	Michael_Yates@SWN.com	Email:	Michael_Yates@SWN.com	
Facsimile:	304-471-2497	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 <a href="deepprivacyofficer@wv.gov">deepprivacyofficer@wv.gov</a>.

Office of Oil & Gas

Operator Well No. John Hupp BRK 210H

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

Date of Noti	Requirement: notice shall be ce: 11/14/2016 Dat	e Permit Application Fil	led:	(14
Delivery me	thod pursuant to West Virgin	nia Code § 22-6A-16(c)		
■ CERTI	FIED MAIL	☐ HAND		
	RN RECEIPT REQUESTED	DELIVERY		
return receipt the planned of required to be drilling of a damages to th (d) The notic of notice.  Notice is her	requested or hand delivery, gipperation. The notice require provided by subsection (b), shorizontal well; and (3) A proper surface affected by oil and goes required by this section shall be provided to the SURFAC	tive the surface owner who d by this subsection shall ection ten of this article to oposed surface use and c gas operations to the exten- ll be given to the surface	ose land will be used for ill include: (1) A copy to a surface owner whose ompensation agreement the damages are com owner at the address list	cation, an operator shall, by certified mail or the drilling of a horizontal well notice of of this code section; (2) The information se land will be used in conjunction with the nt containing an offer of compensation for pensable under article six-b of this chapter, sted in the records of the sheriff at the time
	s listed in the records of the sh		A	
	& Linda H. Double		Name:	
	levens Ave		Address:	
Address: 22 S Cuba, NY 14727 Notice is her	eby given:	= /	Address:n that the undersigned	well operator has developed a planned
Address: 22 S Cuba, NY 14727 Notice is her Pursuant to V operation on State: County:	eby given: Vest Virginia Code § 22-6A-16 the surface owner's land for th West Virginia Brooke	o(c), notice is hereby give ne purpose of drilling a ho	n that the undersigned prizontal well on the tra NAD 83 Easting: Northing:	act of land as follows: 536,712.101 4,447,424.827
Address: 22 S Cuba, NY 14727  Notice is her Pursuant to V operation on State: County: District:	eby given: Vest Virginia Code § 22-6A-16 the surface owner's land for the West Virginia Brooke Buffalo	o(c), notice is hereby give ne purpose of drilling a ho UTM	n that the undersigned prizontal well on the tra NAD 83 Easting: Northing:	act of land as follows: 536,712.101 4,447,424.827 Locust Grove Road
Address: 22 S Cuba, NY 14727 Notice is her Pursuant to V	eby given: Vest Virginia Code § 22-6A-16 the surface owner's land for th West Virginia Brooke	o(c), notice is hereby give ne purpose of drilling a ho UTM	n that the undersigned prizontal well on the tra NAD 83 Easting: Northing:	act of land as follows: 536,712.101 4,447,424.827
Address: 22 S Cuba, NY 14727  Notice is her Pursuant to V operation on State: County: District: Quadrangle: Watershed:  This Notice S Pursuant to V to be provide horizontal we surface affec information in headquarters,	eby given: Vest Virginia Code § 22-6A-16 the surface owner's land for the West Virginia  Brooke Buffalo Bethany, WV-PA Upper Ohio North  Shall Include: Vest Virginia Code § 22-6A-16 ed by W. Va. Code § 22-6A-16 ell; and (3) A proposed surface ted by oil and gas operations related to horizontal drilling in located at 601 57th Street, S	(c), notice is hereby give the purpose of drilling a hore that the purpose of drilling a hore that the public General (c), this notice shall include to the extent the damage that the obtained from the may be obtained from the	n that the undersigned orizontal well on the transport of	act of land as follows:  536,712.101  4,447,424.827  Locust Grove Road  John Hupp  code section; (2) The information required used in conjunction with the drilling of an offer of compensation for damages to the der article six-b of this chapter. Additional Department of Environmental Protection
Address: 22 S Cuba, NY 14727  Notice is her Pursuant to V operation on State: County: District: Quadrangle: Watershed:  This Notice S Pursuant to V to be provide horizontal we surface affect information theadquarters, gas/pages/def	reby given:  Vest Virginia Code § 22-6A-16 the surface owner's land for the West Virginia  Brooke  Buffalo  Bethany, WV-PA  Upper Ohio North  Shall Include:  Vest Virginia Code § 22-6A-16 ed by W. Va. Code § 22-6A-16 ed by W. Va. Code § 22-6A-16 ed by oil and gas operations related to horizontal drilling in located at 601 57th Street, Sfault.aspx.	(c), notice is hereby give the purpose of drilling a hore that the public General (c), this notice shall include to the extent the damage that the damage hay be obtained from the SE, Charleston, WV	n that the undersigned orizontal well on the transport of	act of land as follows:  536,712.101  4.447,424.827  Locust Grove Road  John Hupp   code section; (2) The information required used in conjunction with the drilling of an offer of compensation for damages to the der article six-b of this chapter. Additional Department of Environmental Protection or by visiting www.dep.wv.gov/oil-and-
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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.

> Received Office of Oil & Gas



#### WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

## **Division of Highways**

Earl Ray Tomblin Charleston, West Virginia 25305-0430 • (304) 558-3505

Governor

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

November 15, 2016

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 John Hupp Pad, Brooke County
John Hupp BRK 210H

Dear Mr. Martin,

The West Virginia Division of Highways has transferred Permit #06-2010-0337 for the subject site to Southwestern Energy for access to the State Road for the well site located off of Brooke County Route 11/1 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,

Gary K. Clayton, P.E. Regional Maintenance Engineer Central Office Oil &Gas Coordinator

Cc: Brittany Woody Southwestern Energy CH, OM, D-6 File

Office of Oil & Gas DEC 1 3 2016

			CAS Number
Product Name	Product Use	Chemical Name	
		Hydrogen Peroxide	7722-84-1
EC6734A (Champion Technologies)	Biocide	Acetic Acid	64-19-7
		Peroxyacetic Acid	7 <del>9</del> -21-0
GYPTRON T-390 (Champion	Scale inhibitor	Methanol	67-56-1
Technologies)	Scale illinoicui	Nonyiphenol Ethoxylate	Proprietary
		Glutaraldehyde	111-30-8
Bactron K-139 (champlen	Biocīde	Quaternary Ammonium Compounds, Benzyl-C12-	68424-85-1
Technologies)	biociae	16-Alkyldimethyl, Chlorides	00424-03-1
		Ethanol	64-17-5
Bactron K-219 (Champion	Biocide	Methanol	67-56-1
Technologies)		Quaternary Ammonium Compounds, Benzyl-C12-	68424-85-1
		16-Alkyldimethyl, Chlorides	00424-03-1
		Methanol	67-56-1
*254	Corrosion	Aliphatic Acids	Proprietary
A264 (Schlumberger)	Inhibitor	Prop-2-yn-1-ol	107-19-7
		Aliphatic Alcohols, Ethoxylated #1	Proprietary
		Water	7732-18-5
Myacide GA 25 (Schlumberger)	Biocide	Glutaral	111-30-8
		Trisodium Ortho Phosphate	7601-54-9
Scale Inhibitor B317 (Schlumberger)	Scale Inhibitor	Ethane-1,2-diol	107-21-1
H215 (Schlumberger)	Hydrochloric Acid	Hydrochloric Acid	7647-01-0
J218 (Schlumberger)	Breaker	Diammonium Peroxidisulphate	7727-54-0
EB-Clean* J475 (Schlumberger)	Breaker	Diammonium Peroxidisulphate	7727-54-0
Water Gelling Agent I580 (Schlumberger)	Gel	Carbohydrate Polymer	Proprietary
Friction Reducer J609W	Friction	Ammonium Sulfate	7783-20-2
(Schlumberger)	Reducer	Urea	57-13-6
Garagii dan 1840 maa	Crosslinker	Potassium Hydroxide	1310-58-3
Crosslinker J610 (Schlumberger)	Crossiinker	Aliphatic Polyol	Proprietary
Iron Stabilizer L58 (Schlumberger)	Iron Stabilizer	Sodium Erythorbate	6381-77-7
40/70-Mesh Sand S012 (Schlumberger)	Sand	Crystalline Silica	14808-60-7
Sand S100 (Schlamberger)	Sand	Crystalline Silica	14808-60-7
EC6486A (Malco Champion)	Scale inhibitor	Amine Triphosphate	Proprietary
	Scale unimital	Ethylene Glycol	107-21-1
SSA-2 (Natiburton)	Sand	Crystalline Silica	14808-60-7
FR-75 (Halliburton)	Friction	Inorganic sait	64742-47-8
· · · · · · · · · · · · · · · · · · ·	Reducer	Hydrotreated light petroleum distillate	
LCA-1 (Halliburton)		Hydrotreated light petroleum distillate	Proprietary
SP BREAKER (Halliburton)	Breaker	Sodium Persulfate	7775-27-1

Received
Office of Oil & Gas
DEC 1 3 2016

Product Name	Product Use	Chemical Name	CAS Number
		Methanol	
HAI-150E (Halliburton)	Corrosion — Inhibitor —	Aliphatic Acids	- NA
		Prop-2-yn-1-el	<b>つ</b> !
		Aliphatic Alcohols, Ethoxylated #1	7
Diesel Fuel (Hallburton)		Diesel Fuel	68476-34-6
Hydrochloric Acid 10-30% (Halliburton)		Hydrochloric Acid	7647-01-0
WG-36 Geiling Agent (Halliburton)	Gel	Polysaccharide	9000-30-0
BC-140C (Halliburton)	Crosslinker		NA.

Received
Office of Oil & Gas

DEC 1 3 2016

OPERATOR:_	SWN Production Co., LLC	WELL NO: John Hupp BRK 210H
PAD NAME:_	John Hupp PAD	
REVIEWED BY:		SIGNATURE:

#### WELL RESTRICTIONS CHECKLIST

#### HORIZONTAL 6A WELL

Well Restric	cions	* Pad	Built i	1/4/11
	at Least 100 Feet from Pad and LOD ( Perennial Stream, Lake, Pond, Reservo			Feature) to any
	DEP Waiver and Permit Conditi	ions		
	At Least 300 Feet from Pad and LOD ( Naturally Producing Trout Stream; OR  DEP Waiver and Permit Conditi		E&S Contro	l Feature) to any
	At Least 1000 Feet from Pad and LOD Groundwater Intake or Public Water St	(including an apply; OR	y E&S Contr	ol Feature) to any
	DEP Waiver and Permit Condit  At Least 250 Feet from an Existing Wa		eveloped Spr	ing to Well Reing
-	Orilled; OR	itel well of D	eveloped Spr	ing to wen being
	Surface Owner Waiver and Rec		ounty Clerk, (	OR
	DEP Variance and Permit Cond At Least 625 Feet from an Occupied D		ture to Center	of the Pad: OR
	Surface Owner Waiver and Rec			
	DEP Variance and Permit Cond	litions		
	At Least 625 Feet from Agricultural Buf the Pad; OR	uildings Large	er than 2500 S	Square Feet to the Center
]	Surface Owner Waiver and Rec	corded with Co	ounty Clerk,	OR Received Office of Oil & Gas
	DEP Variance and Permit Cond	ditions		De 1 3 1016



CALL BEFORE YOU DIG!

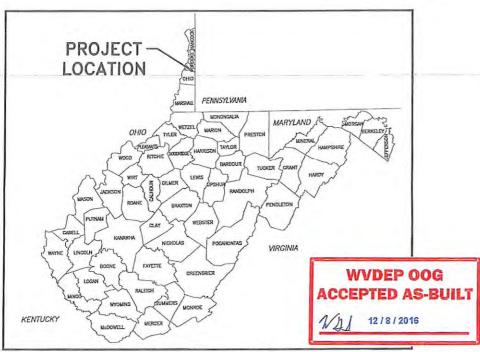
Dial 811 or 800.245,4848

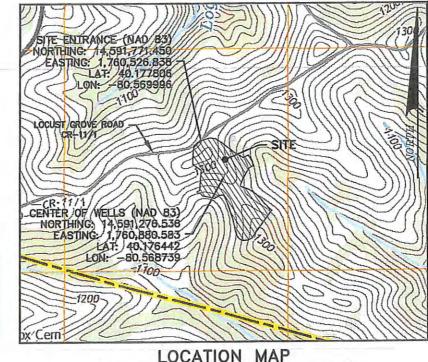
AT LEAST 48 HOURS, BUT NOT MORE THAN 10 WORKING DAYS (EXCLUDING WEEKENDS AND HOLIDAYS), PRIOR TO TO STARTING ANY EARTH DISTURBANCE ACTIVITIES, ALL CONTRACTORS INVOLVED IN THESE ACTIVITIES SHALL CONTACT MISS UTILITY OF WEST VIRGINIA AT 811 OR 1-800-245-4848.

# **AS-BUILT SITE PLAN** JOHN HUPP BRK PAD "A" **BUFFALO DISTRICT, BROOKE COUNTY, WV**

Bas 2016







COUNTY MAP

### LIST OF DRAWINGS

**OPERATOR** 

SWN PRODUCTION CO., LLC P.O. BOX 1300 JANE LEW, WV 26378 (832) 796-1610

EP2.1 . . . . . . EVACUATION ROUTE/PREVAILING WINDS EP2.2 . . . . . EVACUATION ROUTE/PREVAILING WINDS AS3.1 . . . . . . AS-BUILT SITE PLAN AS3.2 . . . . . . AS-BUILT SITE PLAN

CRA4.1 . . . . . . ACCESS ROAD PROFILES CRA4.2 . . . . . PAD CROSS SECTIONS CRA4.3 . . . . . . IMPOUNDMENT CROSS SECTIONS MRP5.1 . . . . . . RECLAMATION PLAN

MRP5.2 . . . . . . RECLAMATION PLAN MRD6.1 . . . . . . DETAILS MRD6.2 . . . . . . DETAILS

MRD6.3 . . . . . . DETAILS

#### SITE DATA

TOTAL DISTURBED AREA: 12.04 ACRES ROAD DISTURBED AREA: 3.66 ACRES PAD DISTURBED ACRES: 8.38 ACRES ACCESS ROAD LENGTH: 622' ACCESS ROAD AVERAGE WIDTH: 25' WELL PAD ELEVATION: 1275.6

SCALE - 1"=1000"

#### API NUMBERS

API CELLAR CELLAR CELLAR WELL DIAMETER MATERIAL DEPTH NUMBER NUMBER API 009-00092 8 FT

TS1.1

**A** PAD SHEET BRK

AS

DATE: SCALE: DWG. NO.

BY:

DRAWN

COVER

HUP NHOS BUFFALO

THE PAD ENTRANCE AND THE RECLAMATION PLAN.

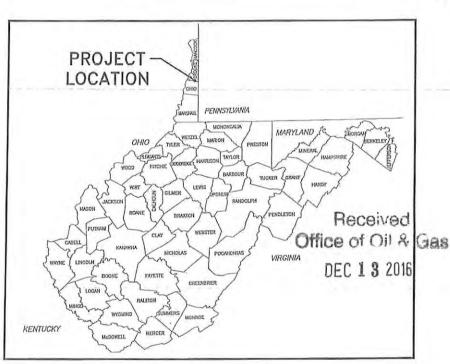
THIS ENGINEER'S CERTIFICATION COVERS UPDATING THE HUPP BRK

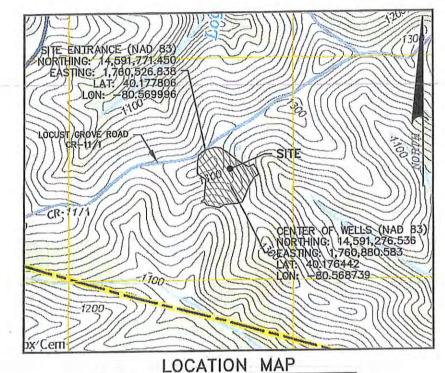


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# **AS-BUILT SITE PLAN** JOHN HUPP BRK PAD "A" **BUFFALO DISTRICT, BROOKE COUNTY, WV**







COUNTY MAP

Southwestern Energy®

#### **OPERATOR**

SWN PRODUCTION CO., LLC P.O. BOX 1300 JANE LEW. WV 26378

#### LIST OF DRAWINGS

MRD6.2 . . . . . DETAILS

MRD6.3 . . . . . . DETAILS

TS1.1 . . . . . . COVER SHEET EP2.1 . . . . . . . . EVACUATION ROUTE/PREVAILING WINDS EP2.2 . . . . . . EVACUATION ROUTE/PREVAILING WINDS AS3.1 . . . . . . AS-BUILT SITE PLAN CRA4.1 . . . . . ACCESS ROAD PROFILE CRA4.2 . . . . . . PAD CROSS SECTIONS MRP5.1 . . . . . . RECLAMATION PLAN MRD6.1 . . . . . DETAILS

#### SCALE - 1"=1000" SITE DATA

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### API NUMBERS

WELL NUMBER

NUMBER API 009-00092 CELLAR

CELLAR CELLAR DIAMETER DEPTH MATERIAL 8 FT 8 FT CMP

DATE: \_\_\_\_SCALE: \_\_

DWG.

1

PAD

BRK COVER

HUPP SOHN

THIS ENGINEER'S CERTIFICATION COVERS UPDATING THE HUPP BRK PAD "A" TO CURRENT WEST VIRCINIA STANDARDS AND COVERS ONLY THE ADDITION OF THE CONTAINMENT BERM, MOUNTABLE BERM AT THE PAD ENTRANCE AND THE RECLAMATION PLAN, PRINTED NAME: ERIC W. HERSHEY, PE

TS1.1

