

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 31, 2014

WELL WORK PERMIT

Horizontal Well

This permit, API Well Number: 47-1502895, issued to CUNNINGHAM ENERGY, 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: J.S. COCHRAN #6H

Farm Name: CHESSIE CONNER, ET AL

API Well Number: 47-1502895

Permit Type: Horizontal Well

Date Issued: 01/31/2014

Promoting a healthy environment.

PERMIT CONDITIONS

West Virginia Code § 22-6-11 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. 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 § 22-6-20, 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 fifty (50) feet below the bottom of the void or install less than twenty (20) feet of casing below the bottom of the void.
- 2. Pursuant to 35 CSR § 4-19.1.a, at the request of the surface owner all water wells or springs within 1000 feet of the proposed well that are actually utilized for human consumption, domestic animals or other general use shall be sampled and analyzed.
- 3. Pursuant to 35 CSR § 4-19.1.c, if the operator is unable to sample and analyze any water well or spring within one thousand (1,000) feet of the permitted well location, the Office of Oil and Gas requires the operator to sample, at a minimum, one water well or spring located between one thousand (1,000) feet and two thousand (2,000) feet of the permitted well location.
- 4. All pits must be lined with a minimum of 20 mil thickness synthetic liner.
- 5. In the event of an accident or explosion causing loss of life or serious personal injury in or about the well or while working on the well, the well operator or its contractor shall give notice, stating the particulars of the accident or explosion, to the oil and gas inspector and the Chief within twenty-four (24) hours.
- 6. During the surface casing and cementing process, in the event cement does not return to the surface, or any other casing string that is permitted to circulate cement to the surface and does not return to the surface, the oil and gas inspector shall be notified within twenty-four (24) hours.
- 7. Well work activities shall not constitute a hazard to the safety of persons.
- 8. Hydraulic Fracturing of the Cochran # 6H (API: 47-015-02895) must not exceed 1500 PSI.
- 9. Notification must be given to the local inspector at least five (5) days before fracturing and it must include a copy of the Cochran # 6H Hydraulic Fracturing Plan.



Cochran #6H Frac Design

- 15 Stages (every 200' in the lateral)
- 300 bbl Water/Stage
- 25,000 lbs Sand/Stage
- 30 bbl/Minute Downhole Rate

Areas adjacent to existing wells will not be fracked to avoid well-to-well communication.

LIMIT FRAC PRESSURE TO 1500 PSI 9 1/30/2014

REGEIVED
Office of Oil and Gas

JAN 1 5 2014

WV Department of Environmental Protection WW - 2B (Rev. 8/10)



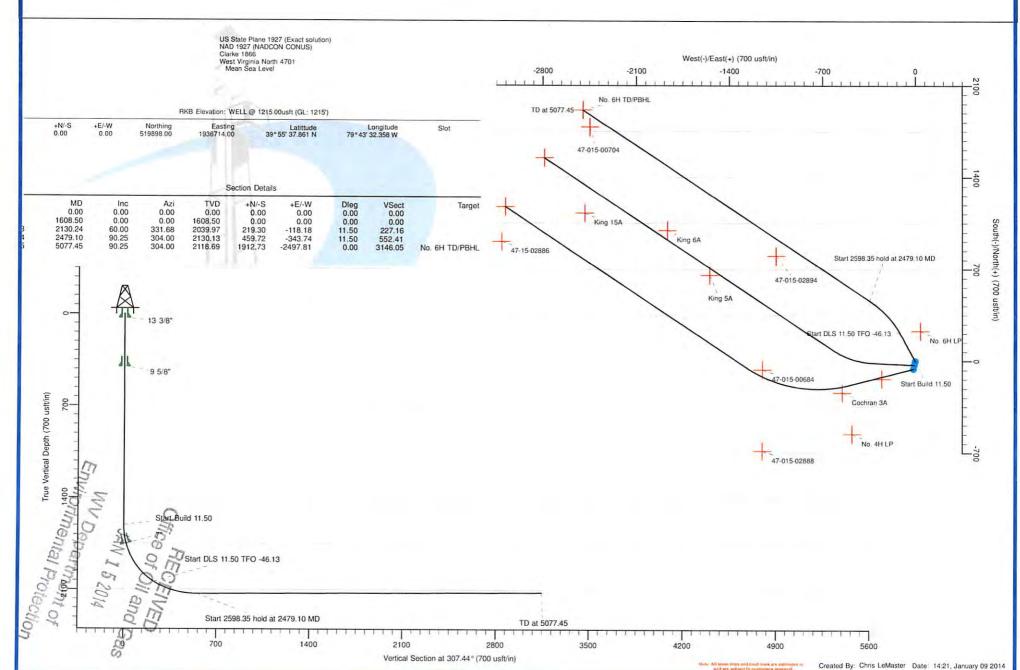
STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS WELL WORK PERMIT APPLICATION

		-			15	05	334
l) Well Operat	or: CUN	NINGHA	M ENERGY, LLC	49450859 Operator ID		UNION	ELKHURST 7.5 Quadrangle
) Operator's V	Well Numb	per:_J.S.	COCHRAN 6H	Operator ib	3) Elevation:		Quadrangle
) Well Type: (a) Oil <u>×</u>	or Ga	as X				
(b) If Gas:	Produ	uction _X_ / Und	derground Sto	orage		
			p/ S				
) Proposed Ta) Proposed To) Approximate) Approximate	e fresh wa	ter strata	BIG INJUN Feet I Feet Feet	Formation at	Proposed Tai Proposed Tota	rget Depth: 2 al Depth:INJI	JN
) Approximate	e coal sea	m depth	s: NO COAL LIST	ED ON TITLE			
0) Approxima	te void de	epths,(co	al, Karst, other):	NONE			
1) Does land	contain co	oal seam	s tributary to act	ive mine? _	IONE		
2) Describe pro	oposed we	ell work ar	nd fracturing meth LOW HORIZONTA	ods in detail (a	attach additiona	al sheets if nee	eded)
	1/1/			ru	MAR SEE 11	ac plan	attachei
- All	114						
3) TYPE S	SPECIFIC		ASING AND TUE	FOOTAGE	AM INTERVALS	S CEMEN	łI.
U	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (CQ/	Ft.) VED
Conductor	13"	LS	43.6 LBS	30'	30'	ØТS	5 2014 Ga
resh Water	9 5/8"	LS	26 LBS	400'	400' En	WVCCIS	2014
Coal						Tonnental	mentas
ntermediate	7"	J-55	20LBS	1775'	1775'	WV DCTS VIRONMENTAL CTS	Protection
Production	4 1/2"	N-80	11.6LBS	5143'	5143'	3868	F Packe
Tubing							Plus
iners							
Packers: Kind Size Dep							



Cunningham Energy, LLC Clay County, WV Cochran Pad No. 6H Plan #1 GL: 1215'







Cochran #6H Frac Design

- 15 Stages (every 200' in the lateral)
- 300 bbl Water/Stage
- 25,000 lbs Sand/Stage
- 30 bbl/Minute Downhole Rate

Areas adjacent to existing wells will not be fracked to avoid well-to-well communication.

REGEIVED Office of Oil and Gas

JAN 1 5 2014

WV Department of Environmental Protection

WW-2	2A
(Rev.	6-07)

1). Date: **DECEMBER 23, 2013**

2.) Operator's Well Number

JS COCHRAN 6H

State County 47Permit

3.) API Well No .:

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

(a) Name Address	CHESSIE CONNER, ET AL	Name
	1412 SATTES CIRCLE	Address
	NITRO, WV 25143	
(b) Name		(b) Coal Owner(s) with Declaration
Address		Name
		Address
(c) Name		Name
Address		Address
6) Inspector	Ed Gainer	(c) Coal Lessee with Declaration
Address	P.O. Box 821	Name
	Spencer, WV 25276	Address
Telephone	304-389-7582	- 1 (V W W L)
	TO THE PERSONS NA	MED ABOVE TAKE NOTICE THAT:
Included is the		g contract or contracts by which I hold the right to extract oil and gas
OR		
x Included is the x		2, Article 6, Section 8(d) of the Code of West Virginia (see page 2)
		of the West Virginia Code I have served copies of this notice and
application, a loc		ents pages 1 through on the above named parties by:
	Personal Service (Affidavit atta	
	X Certified Mail (Postmarked postmarked)	
	Publication (Notice of Publication	
I have re	ad and understand Chapter 22-6 an	d 35 CSR 4, and I agree to the terms and conditions of any permit
issued under this		
this application for	arm and all attachments, and that h	sonally examined and am familiar with the information submitted on ased on my inquiry of those individuals immediately responsible for
	Jilli aliu ali allacililelile, aliu lilal bi	
	rmation, I believe that the information	n is true, accurate and complete.
I am awa	rmation, I believe that the information	
	rmation, I believe that the information	n is true, accurate and complete.
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I am awa imprisonment. Note of the original and Gas Privacy The Office of Oil and Your personal information in the original and the original	Well Operator OFFICIAL SEAL OTARY PUBLIC THE OF WEST VIRGINIA NIFLLE N. BAYS Address Inligham Energy, LLC is Avenue, Charleston, WV 25302 INDICATE OF WEST VIRGINIA NOTARY PUBLIC THE OF WEST VIRGINIA NOTARY PUBLIC THE OF WEST VIRGINIA NOTARY PUBLIC THE OPERATOR TO THE OP	n is true, accurate and complete. Is for submitting false information, including the possibility of fine and CUNNINGHAM ENERGY, LLC RYAN E. M. CUNNINGHAM PRESIDENT 3230 PENNSYLVANIA AVENUE CHARLESTON, WV 25302 304-344-9291 Motary Public Notary Public AN Such as name, address and phone number, as a part of our regulatory duties. Incies or third parties in the normal course of business or as needed to comply

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Office of Oil and Gas

JAN 1 5 2014

Environmental Protection

WW-2A Surface \	Naiver
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SURFACE OWNER WAIVER

County	CLAY	Operator	CUNNINGHAM ENERGY, LLC	
		Operator well number	JS COCHRAN 6H	

INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW2-A

The well operator named on page WW2A is applying for a permit from the State to do oil or gas well work. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.
WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

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

<u>Time Limits and methods for filing comments.</u> The law requires these materials to be served on or before the date the operator files his Application. You have **FIFTEEN (15) 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 a dequate 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.

Comments must be in writing. Your comments must 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.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation...".

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

<u>List of Water Testing Laboratories.</u> The Office maintains a list of water testing laboratories which you can hire to test your water to establish water quality prior to and after drilling. Contact the Chief to obtain a copy.

<u>VOLUNTARY STATEMENT OF NO OBJECTION</u>

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application for a Well Work Permit on Form WW2-A, and attachments consisting of pages 1 through ____ including a work order on F orm WW2-B, as urvey plat, and as oil and erosion plan, all f or proposed well work on my surface land as

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERS	FO	R EXECUTION	BY A CORPORATION, ETC.	
Jean E. Miller	Date	Company		
Signature	-	Ву		
Jean E Miller		Its		Date Date
Print Name				Beceiven
			Signature	On Date
				JAN 16 2014 Pate

Office of Oil and Gas
WV Dept. of Environmental Protection

To Whom It May Concern:

I, Peggy Conner, heir to the Chessie Conner Estate, do hereby authorize Jean Miller as my Agent in any and all business, decisions and other legal matters pertaining to the real estate located in Union District, Clay County WV better described as Tax Map 17 Parcel 54 and any other lands that Cunningham Energy operates.

Peggy Conner

WITNESS the due execution hereof, this 16 day of Januay, 2014.

Witness

RECEIVED
Office of Oil and Gas

JAN 17 2014

WV Departure of Environmental Profession

COAL OPERATOR, OWNER, OR LESSEE WAIVER

County CLAY	_	JS COCHRAN 6H
Operator CUNNINGHAM ENERGY, LLC	Operator's Well Number	33 COCI ITAN 011
INSTRUCTIONS TO	O COAL OPERATOR, OWNE	R, OR LESSEE
To the coal operator, owner, or any objection you wish to make or are with the Chief of the Office of Oil and by the Office. Mail objections to:	e required to make by WV Cod	
Chief, Office of Oil and Gas Department of Environmental Protecti 601 57 th St. SE Charleston, WV 25304 (304) 926-0499 extension 1654	on	
	WAIVER	
The undersigned coal operator location has examined this proposed vocation, the well location has been as work proposed to be done at this loca requirements of the West Virginia Cool	well location. If a mine map ex dded to the mine map. The ur tion, provided, the well operate	ndersigned has no objection to the or has complied with all applicable
FOR EXECUTION BY A NATURAL PERSON	FOR EXE	CUTION BY A CORPORATION, ETC.
	Company PateName	
Signature	By Its	Date
		Date
	Sign	nature Date

Office of Oil and Gas

JAN 152014

Environmental Protection

Operator's Well Number JS COCHRAN 6H

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE Chapter 22, Article 6, Section 8(d) 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:

Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book/Page
ALVIN ENGELKE, AGENT	CUNNINGHAM ENERGY, LLC	1/8	21/1065; 21/1189

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 he reby a cknowledges 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

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 ac quired from the appr opriate aut hority before the affected activity initiated.

> Well Operator: Bv:lts:

RYAN E. M. CUNNINGHAM-**CUNNINGHAM ENERGY, LLC** Environmental Protection

Wy Department of

PRESIDENT

WW-2B1	ı
(5-12)	

Well No	. JS COCHRAN 6H

West Virginia Department of Environmental Protection Office of Oil and Gas

NOTICE TO SURFACE OWNERS

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

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

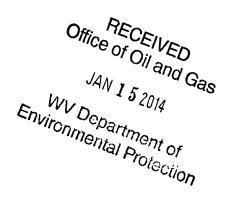
All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

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

Listed below is the laboratory chosen by operator to perform analysis, and contactor chosen to collect sample.

Certified Laboratory Name Sampling Contractor		STURM ENVIRONMENTAL	
		HUPP SURVEYING	
Well Operator	CUNNNIGHAM	ENERGY, LLC	
Address	3230 PENNSYI	NSYLVANIA AVENUE	
CHARLESTON		WV 25302	
Telephone	304-344-9291		

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site, the Chief may require the operator to test wells up to 2000 feet from the proposed site.



HUPP Surveying & MappingP.O. BOX 647

GRANTSVILLE, WV 26147

(304) 354-7035 hupp@frontiernet.net FAX: (304) 354-6548

November 18, 2013

RE: Water Samples for J.S. Cochran #6H

There appears to be one (1) potable water sources within 1,500° of J.S. Cochran #6H, therefore tests should be offered and samples taken as required.

Thomas Rickmers
 1484 Shelton Rd.
 Bomont, WV 25030
 Tax Map 18 Parcel 4

Office of Oil and Gas

JAN 1 5 2014

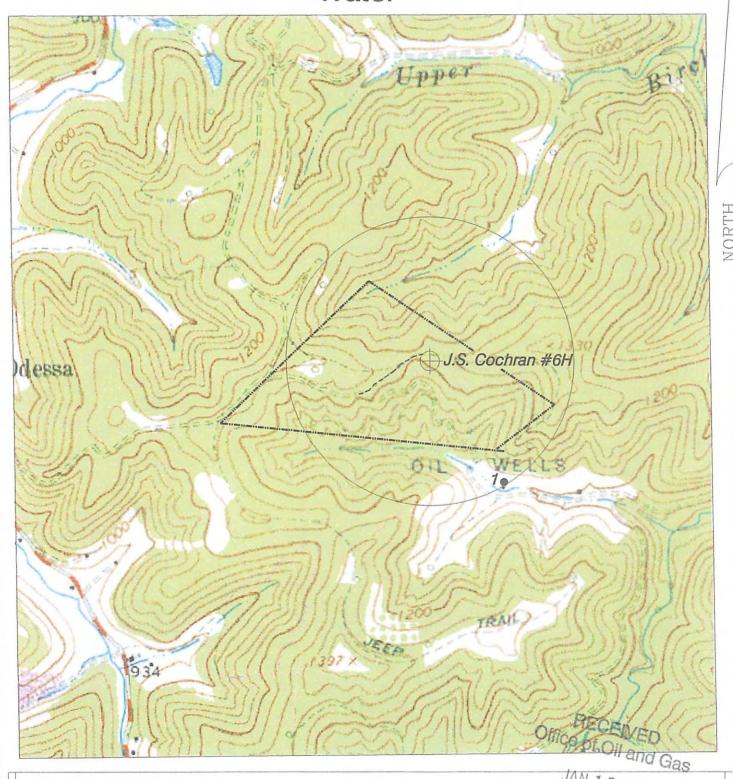
Environmental Protection



Form W-9

CUNNINGHAM ENERGY J.S. Cochran #6H Water

Page 1 of 1



HUPP Surveying & Mapping

P.O. BOX 647 GRANTSVILLE, WV 26147 PH:(304)354-7035 E-MAIL: hupp@frontiernet.net 1" = 1000' Elkhurst Quad JAN 152014 Cunningham Energy, LLC. 3230/iBennsylvania, Aye. Charleston, WV 1025302

W	W-9
(5)	13)

	Page of
API Number 47 -	
Operator's Well	No. JS COCHRAN 6H

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

-If oil based, what type? Synthetic, petroleum, etc	Operator Name CUNNINGHAM ENERGY, LLC OP Code	
No you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes	Watershed (HUC 10) TRIBUTARY OF WADE FORK Quadrangle ELKHURST 7.5'	
Vill a pit be used for drill cuttings? Yes X No	Elevation 1,215' County CLAY District UNION	
Vill a pit be used for drill cuttings? Yes X No	Do you anticipate using more than 5,000 bbls of water to complete the proposed well work? Yes No X	
If so, please describe anticipated pit waste: DRILL CUTTING, FLUIDS FROM DRILLING AND FRACTURING Will a synthetic liner be used in the pit? Yes X No If so, what ml.? 30 ml. Proposed Disposal Method For Treated Pit Wastes: Land Application Underground Injection (UIC Permit Number Reuse (at API Number Off Site Disposal (Supply form WW-9 for disposal location) Other (Explain Oth	프로마스 아니다 그는 것 않아야 하면 보다 살아가지 않아 있다. 그렇게 되었다면 하게 되었다면 하게 되었다면 되었다면 되었다면 하게 되었다면 하다.	
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Company Official (Typed Name) RYAN E. M. CUNNINGHAM Company Official Title PRESIDENT Subscribed and sworn before me this day of January . 20 14 Notary Public Notary Public State of West Vinginia DANIELLE N. BAYS	on August 1, 2005, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I unders provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or oth law or regulation can lead to enforcement action. I certify under penalty of law that I have personally examined and am familiar with the information submapplication form and all attachments thereto and that, based on my inquiry of those individuals immediately res	stand that the er applicable nitted on this sponsible for
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Notary Public Notary Public NOTARY PUBLIC NOTARY PUBLIC STATE OF WEST VIRGINIA DANIELLE N. BAYS	Office of	CIVED
STATE OF WEST VIRGINA DANIELLE N. BAYS	Subscribed and sworn before me this 10th day of January , 20 14	rand Ga
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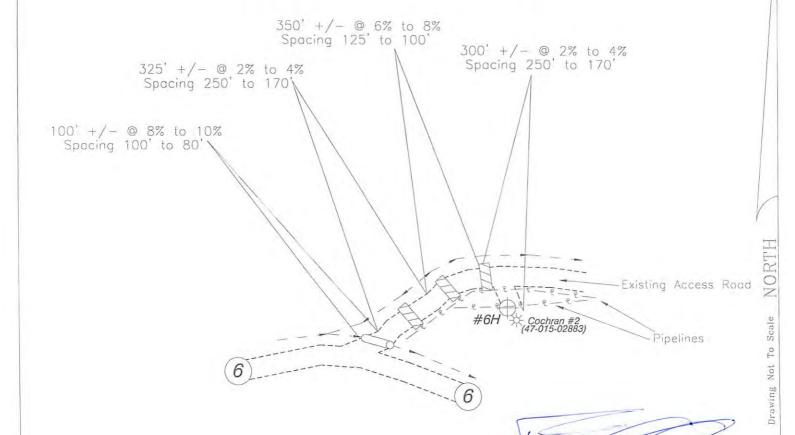
Operator's Well No. JS COCHRAN 6H

Proposed Revegeration	Treatment:	Acres Disturbed	1.5	Prevegetation pH _	
Lime	0	ns/acre or to correct to p	6.5		
		4 10 TON	os/acre (500 lbs mini	mum)	
Mulch_HA	Y - 2		/acre	,	
Withen			ed Mixtures		
		50	ed whiteles	Area I	T
Seed Type	Area I	bs/acre	5	Seed Type	lbs/acre
KY 31		40	ORCHID	GRASS	15
ALSIKE CLO	VER	5	ALSIKE	CLOVER	5
ANNUAL RY	E	15			
Comments:	Calo	est contro	1 to be		before
0	oves t	tell fin	Sed men	f contable	COULL DE
rig in	sedin	(. 11 .	Sed men	1/10/14	

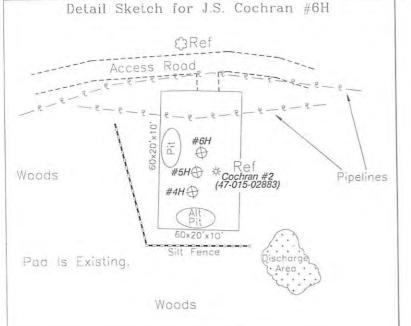
Form W-9

RAVEN RIDGE ENERGY, LLC. J.S. COCHRAN #6H

Page 1 of 1



Road Is An Existing Access Road.



Upgrade Drainage Devices Where Needed. Pad Is Existing.

ROADS SHOWN HEREON ARE EXISTING UNLESS OTHERWISE NOTED AND LL BE MAINTAINED IN ACCORDANCE WITH DEP. DIL AND GAS BUP MANUAL RANCES AT COUNTY-STATE ROADS SHALL BE MAINTAINED IN ACCORDANCE DOT. REGULATIONS. SEPARATE PERMITS MAY BE REQUIRED BY THE DOT

Install Minimum 12" Culvert

CONTRACTORS/COMPANY ARE RESPONSIBLE TO LIGHTON CHALLES WHERE SHOWN ON THIS PLAN OR NOT ALL SLOPES AFTER CONSTRUCTION OF DIGHTS AND MUICH ALL SLOPES AFTER CONSTRUCTION OF DIGHTS AS

CUT AND STACK ALL TIMBER ABOVE 6-INCHES IN JUMESER AND THICKER STACK BRUSH BELOW LOCATION FOR SEDIMENT CONTROL $^{15}2014$

HUPP Surveying & Mapping

Drafted BY:

Date Drafted:

W20122136

P.O. BOX 647 GRANTSVILLE, WV 26147 PH (304)354-7035 E-MAIL: hupp@frontiernet.net

DB

11/18/13

Form W-9

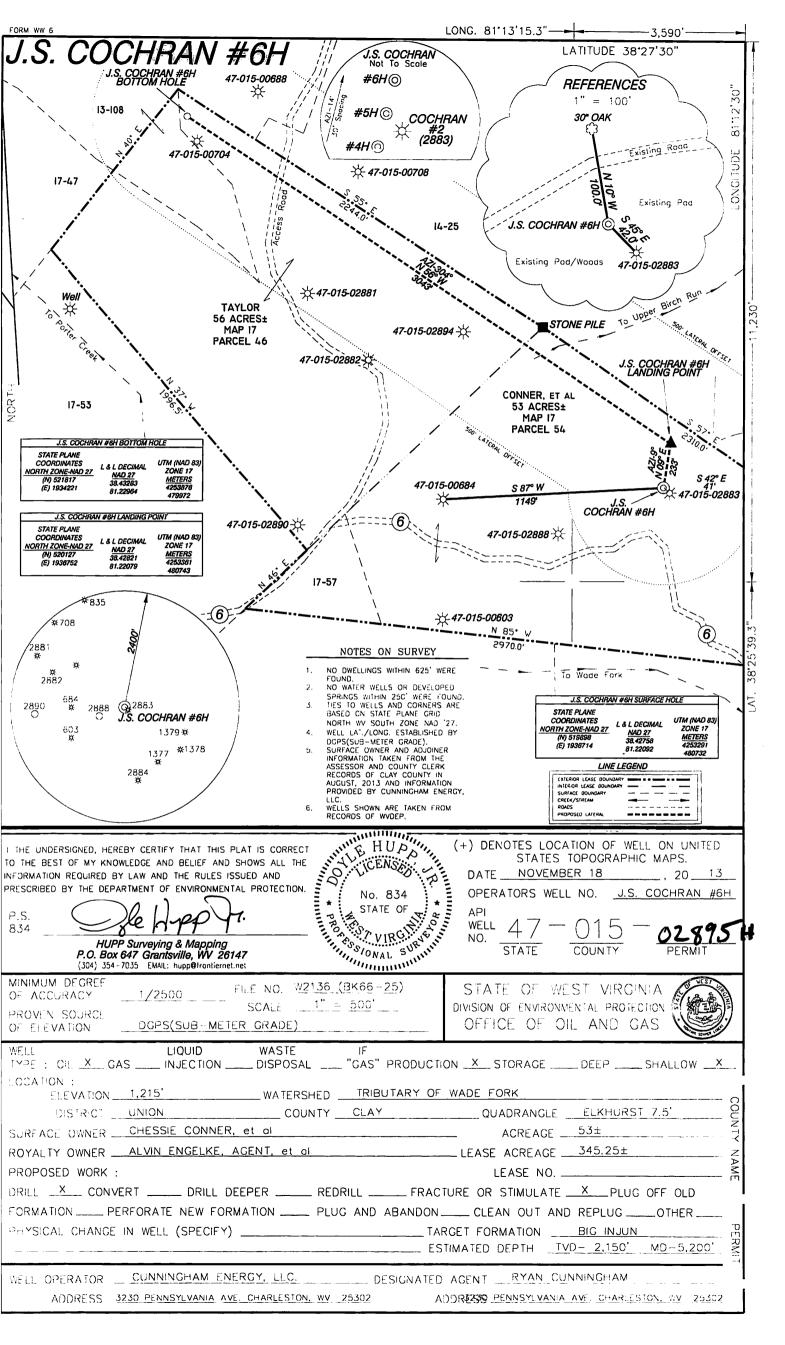
CUNNINGHAM ENERGY J.S. Cochran #6H

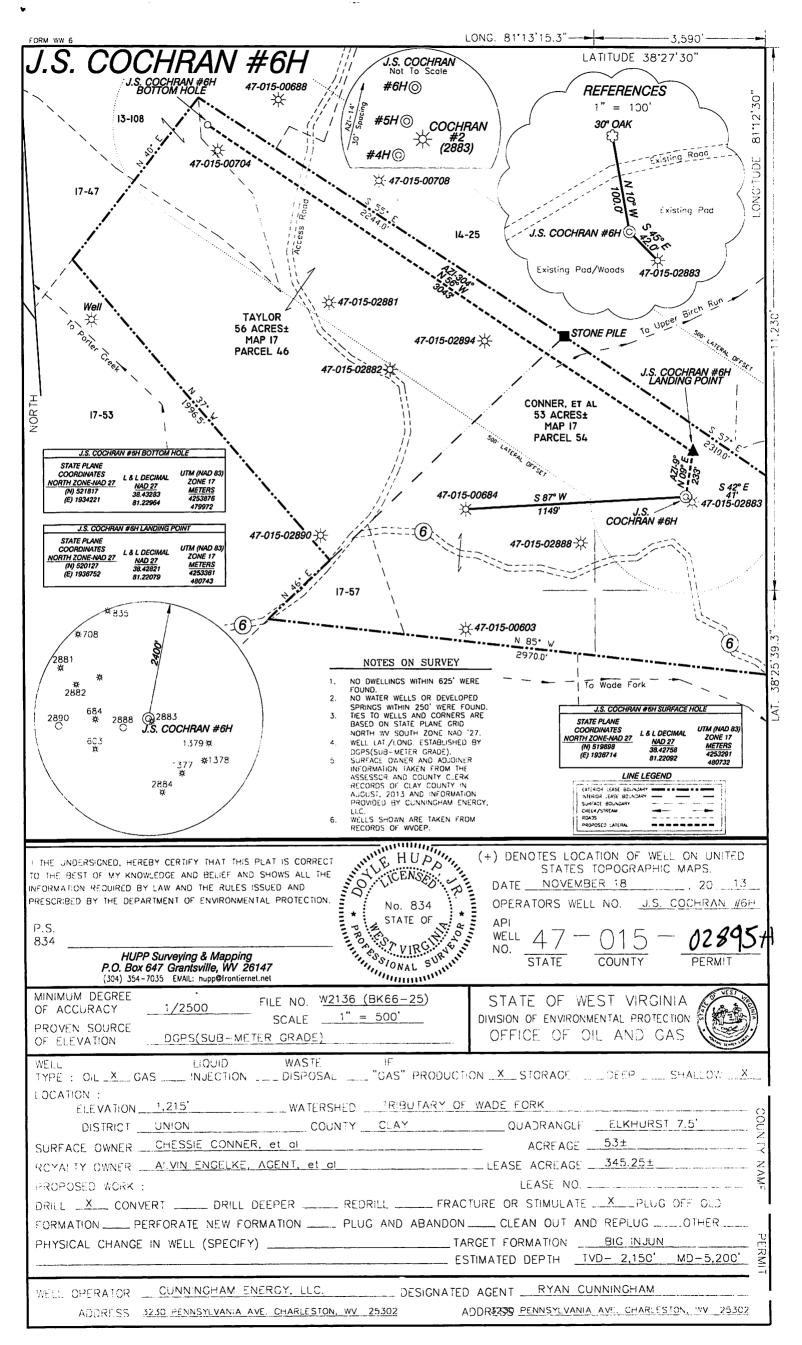
Page 1 of 1



HUPP Surveying & Mapping

P.O. BOX 647 GRANTSVILLE, WV 26147 PH:(304)354-7035 E-MAIL: hupp@frontiernet.net 1" = 1000' Elkhurst Quad Cunningham, Energy, LLC. 3230 Pennsylvania Ave. Charleston, Wytal 253021





Environmental Protection



January 10, 2014

Re: JS Cochran 6H

Original Lessor(s): Chessie C. Conner and E.L. Conner

Bernice C. Thompson and A.M. Thompson

Donna W. Mayer and J.L. Mayer

106.25 Acres, more or less Tax Map 17, Parcel 54 Union District, Clay County, West Virginia

Statement on Road Searches in Clay County, WV

The writer has researched the records of the Office of the Clay County Clerk in reference to the following curative requirement:

According to John McHugh, Right of Way attorney for the West Virginia Department of Transportation, numerous Clay county roads were accepted into the state road system in 1931, pursuant to W. Va. Code § 17-2A-8, and were included in the 1933 "Scrolls of the State Road Commission of West Virginia." This is a list of all of the roads that transferred from county to state control.

Whatever interest Clay County had in a particular county road in 1931 was the same interest that the State acquired at that time- no more or no less. Many county roads were acquired by prescriptive easement and consist of a right-of-way only over the surface. However, some were acquired by deed in fee simple. Therefore, because the state road commission acquired whatever interest the county had, to determine if the state of West Virginia owns the minerals under a particular road in fee simple or merely has an easement, it will depend upon the particular circumstance of acquisition.

According to John McHugh, Right of Way attorney for the West Virginia Department of Transportation, absent evidence of acquisition that a particular roadway was acquired in fee simple, the road is presumed to be an easement, and therefore will not require the state of West Virginia to sign an Oil and Gas lease.

A search was conducted for the property covered by the above listed Title Opinion, and no record of acquisition has been found in the Clay County records covering any roads that may cross or border the property.

Because no fee simple deeds haves been found in the Office of the Clay County Clerk covering any roads that may cross or border the property covered by the above listed Title Opinion, it is the writer's understanding from all known evidence that any road that may cross or border the property is an easement only, and will not require an oil and gas lease JAN 1 5 2014 from the state of West Virginia. WV Department of

Thank you for your time and attention,

Sincerely,

Ryan E. M. Cunningham

President

Cunningham Energy, LLC