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west virginia department of environmental protection

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

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

Thursday, July 21, 2022  
WELL WORK PERMIT  
Horizontal 6A / New Drill

JAY-BEE OIL & GAS, INC.  
16 SOUTH AVE W  
STE 118  
CRANFORD, NJ 07016

Re: Permit approval for GORBY 4  
47-095-02796-00-00

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.

A blue ink signature of James A. Martin, Chief, is written over a circular stamp. The signature is cursive and stylized.

James A. Martin  
Chief

Operator's Well Number: GORBY 4  
Farm Name: JAMES IRA GORBY & PAULE   
U.S. WELL NUMBER: 47-095-02796-00-00  
Horizontal 6A New Drill  
Date Issued: 7/21/2022

# PERMIT CONDITIONS

West Virginia Code § 22-6A-8(d) allows the Office of Oil and Gas to place specific conditions upon this permit. Permit conditions have the same effect as law. Failure to adhere to the specified permit conditions may result in enforcement action.

## CONDITIONS

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

## 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](mailto:DEPOOGNotify@wv.gov).

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

1) Well Operator: Jay-Bee Oil & Gas, Inc.      24610      Tyler      McElroy      Shirley 7 1/2'  
Operator ID      County      District      Quadrangle

2) Operator's Well Number: Gorby 4      Well Pad Name: Gorby

3) Farm Name/Surface Owner: James Ira & Paulette M. Gorby      Public Road Access: Big Run off Indian Creek Rd.

4) Elevation, current ground: 1279.0      Elevation, proposed post-construction: 1279.0

5) Well Type      (a) Gas      X      Oil      \_\_\_\_\_      Underground Storage      \_\_\_\_\_

Other

(b) If Gas      Shallow      X      Deep      \_\_\_\_\_

Horizontal      X

6) Existing Pad: Yes or No Yes

7) Proposed Target Formation(s), Depth(s), Anticipated Thickness and Expected Pressure(s):  
Marcellus Depth 6,960.0', Total Depth 11,636.0'

8) Proposed Total Vertical Depth: 6,960'

9) Formation at Total Vertical Depth: Marcellus

10) Proposed Total Measured Depth: 11,636'

11) Proposed Horizontal Leg Length: 4,443.4'

12) Approximate Fresh Water Strata Depths: 215'

13) Method to Determine Fresh Water Depths: Well Record 47-095-02141

14) Approximate Saltwater Depths: N/A

15) Approximate Coal Seam Depths: 1,690'

16) Approximate Depth to Possible Void (coal mine, karst, other): N/A

17) Does Proposed well location contain coal seams directly overlying or adjacent to an active mine?      Yes      \_\_\_\_\_      No      X

(a) If Yes, provide Mine Info: Name: \_\_\_\_\_

Depth: \_\_\_\_\_

Seam: \_\_\_\_\_

Owner: \_\_\_\_\_

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18)

**CASING AND TUBING PROGRAM**

<b>TYPE</b>	<u>Size (in)</u>	<u>New or Used</u>	<u>Grade</u>	<u>Weight per ft. (lb/ft)</u>	<u>FOOTAGE: For Drilling (ft)</u>	<u>INTERVALS: Left in Well (ft)</u>	<u>CEMENT: Fill-up (Cu. Ft.)/CTS</u>
Conductor	26	New	H40	202 lb./ft.	30'	30'	49 Cu ft/CTS
Surface	18 5/8	New	K55	87.5 lb./ft.	300'	300'	375 Cu ft/CTS
Intermediate 1	13 3/8	New	J55	61 lb./ft.	1,800'	1,800'	1,250 ft/CTS
Intermediate 2	9 5/8	New	HCP110	47 lb./ft.	7,100'	7,100'	2,224 Cu ft/CTS
Production	5 1/2	New	P110	23 lb./ft.	11,636'	11,636'	4,146.7 Cu ft/CTS
Tubing	N/A						(1,500 ft from Surface)
Liners	N/A						

<b>TYPE</b>	<u>Size (in)</u>	<u>Wellbore Diameter (in)</u>	<u>Wall Thickness (in)</u>	<u>Burst Pressure (psi)</u>	<u>Anticipated Max. Internal Pressure (psi)</u>	<u>Cement Type</u>	<u>Cement Yield (cu. ft./k)</u>
Conductor	26	30	0.375	N/A	50	Class A	1.19CF per sack
Surface	18 5/8	24	0.435	2,250	1,000	Class A	1.20CF per sack
Intermediate 1	13 3/8	17 1/2	0.480	3,090	1,500	Class A	1.19CF per sack
Intermediate 2	9 5/8	12 1/4	0.472	9,440	2,000	Class A	Lead 2.30CF/sack; Tail 1.33CF/sack
Production	5 1/2	7 7/8	0.415	16,800	2,500	Class H	1.18CF per sack
Tubing	N/A						
Liners	N/A						

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**PACKERS**

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

*DCW  
6-7-2022*

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

Drill and Stimulate a new Horizontal Well. Using a top hole rig, we will drill top hole to kick off point by drilling the conductor, FRESHWATER-(should be surface since we changed it on casing/tubing??) and intermediate holes. Using a directional rig, we will drill the production holes.

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

300-350' per stage 8,500 bbls of water, 150,000-400,000 lbs of sand, friction reducer, 1# per gallon, scale inhibitor and bacteria prevention 1/4# per gallon 2,000 gallons 15% vol acid. 77 bpm @ 6,500# pressure.

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 27.64

22) Area to be disturbed for well pad only, less access road (acres): 8.69

23) Describe centralizer placement for each casing string:

Vertical - Every 500' Bow Centralizer, and 50' from top of ground.  
Horizontal - Every 42' Spiral Centralizer.  
Curve - Every 84' Spiral Centralizer.

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

15" hole for the 11 3/4 fresh water case, Class A Cement, 2% Calcium Chloride, 1/4# flake.  
11" hole for the 8 5/8 intermediate base, Class A Cement, 2% Calcium Chloride.  
7 7/8" hole for the 5 1/2 production case, Type 1 Cement, Fly Ash, Barite, Finetol 300L, R-3 Celio Flake, Sugar, CD-32, FL-62.

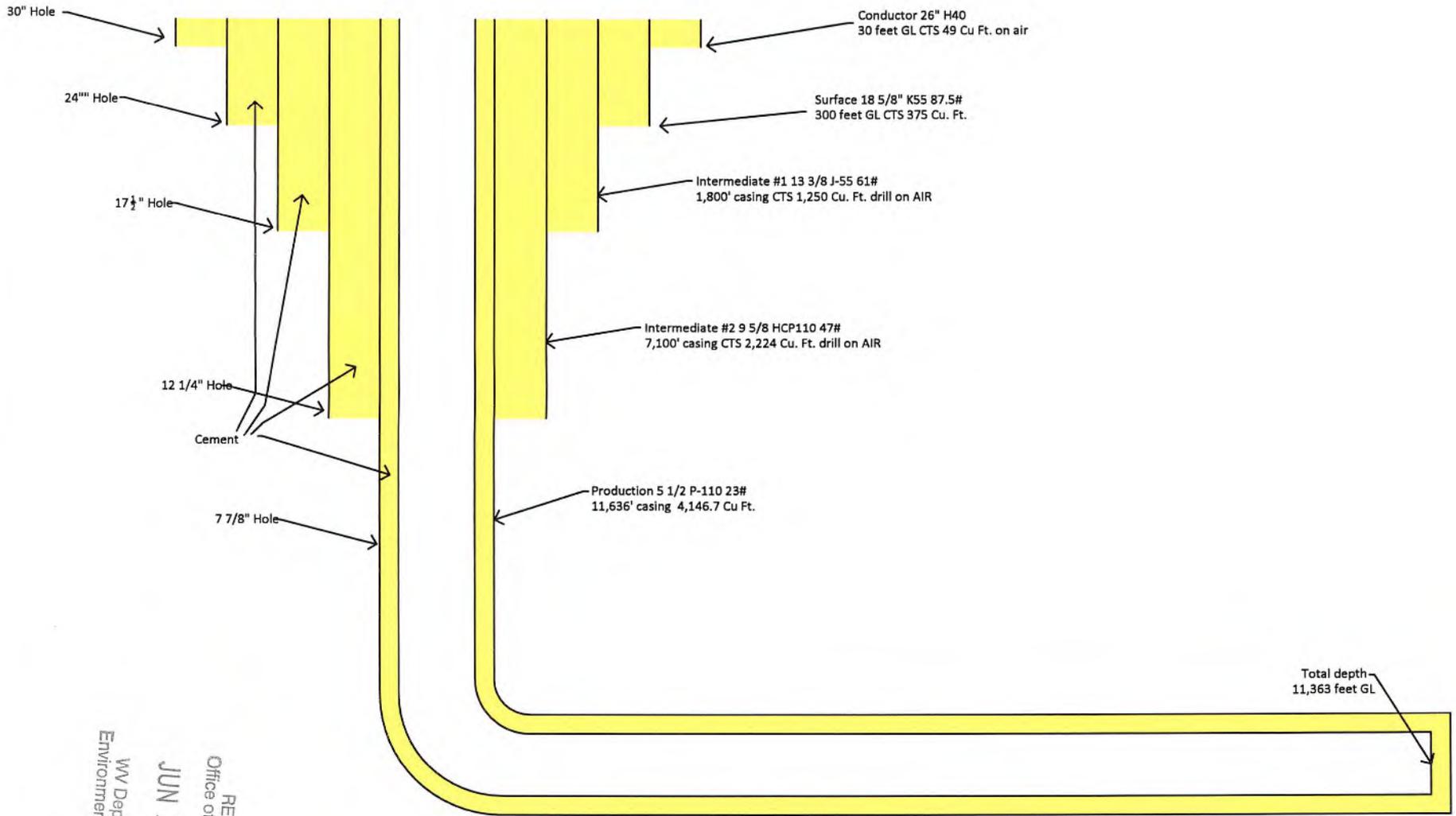
25) Proposed borehole conditioning procedures:

Air Hole: 15" hole for the 11 3/4 fresh water case-Circulate until clean with air. If soaping, slug then dry.  
Air Hole: 11" hole for the 8 5/8 intermediate water case-Circulate until clean with air. If soaping, slug then dry.  
7 7/8" hole for the 5 1/2 production case-Circulate with mud and sweeps for two times bottoms up. If needed, weight up mud until no cuttings retrieved, then circulate with mud and sweeps for two times bottoms up.

\*Note: Attach additional sheets as needed.

Jay-Bee Oil & Gas Inc.  
Well Name: Gorby 4  
GL Elevation: 1279.0'

District: McElroy  
County: Tyler  
State: West Virginia



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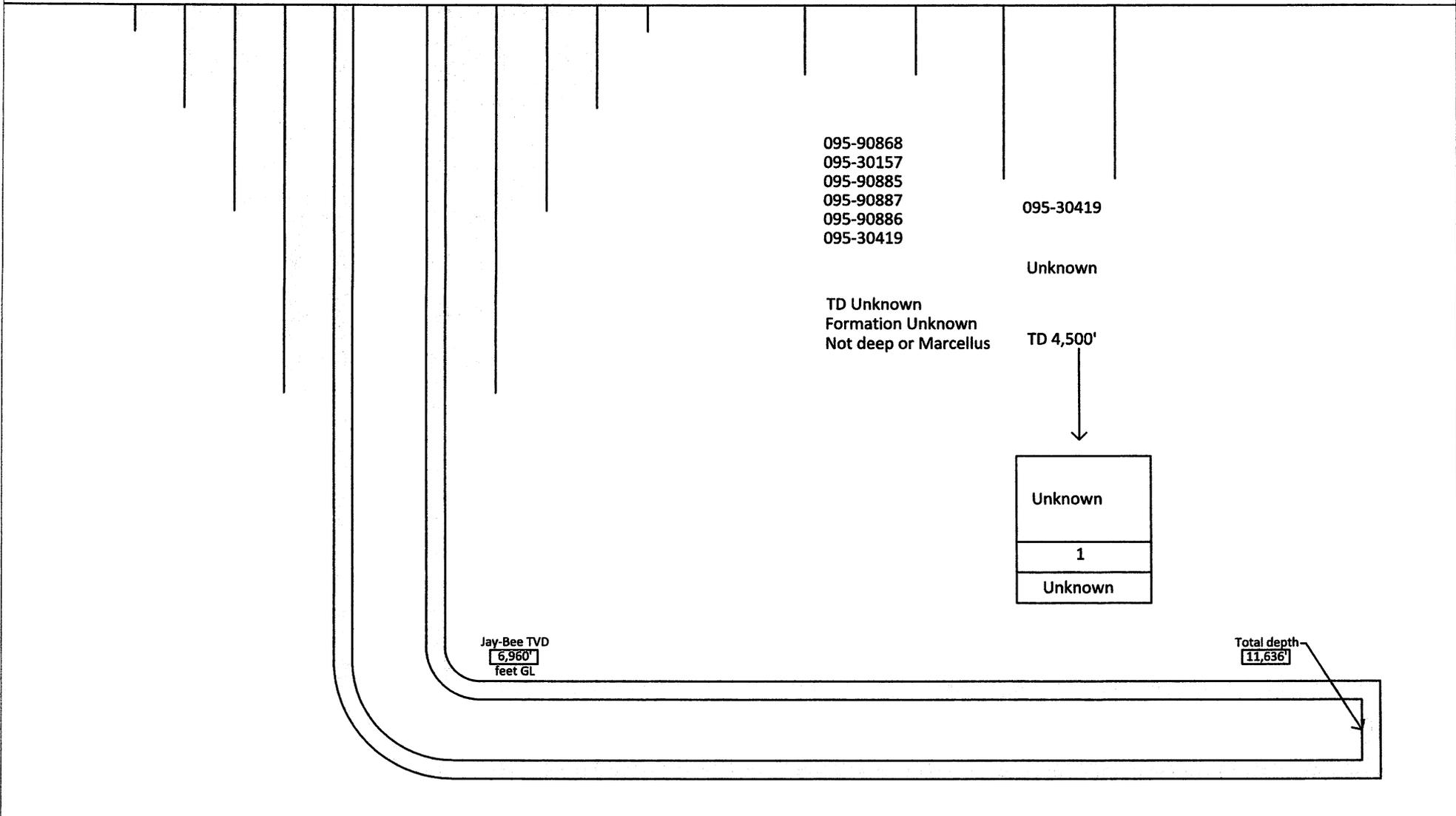
# Well Site Safety Plan Anti-Collision Schematic

Well Name: Gorby 4  
GL Elevation: 1279.0'

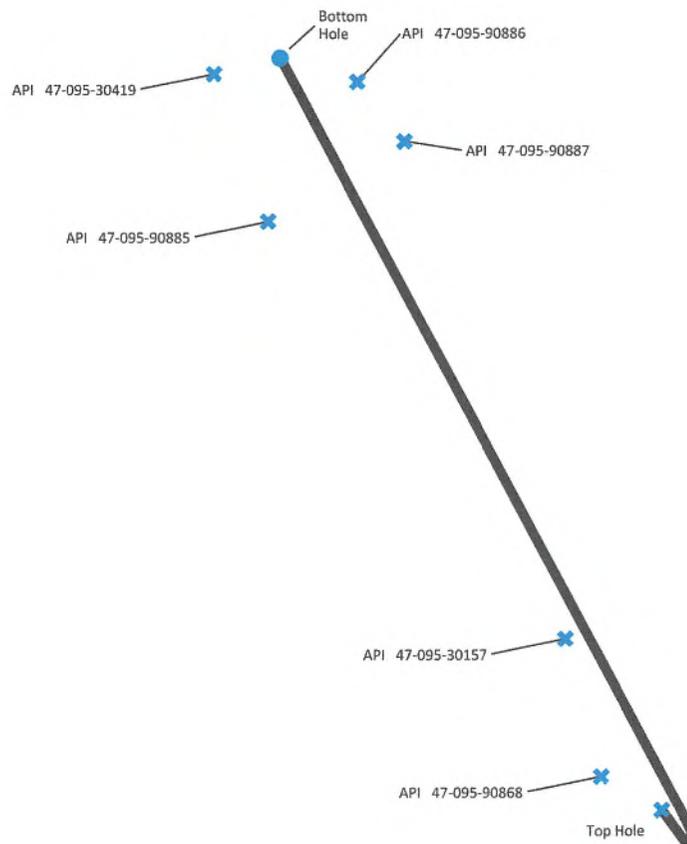
District: McElroy  
County: Tyler  
State: West Virginia

API  
See Below  
Elev. Unknown

API  
095-30419  
2585'



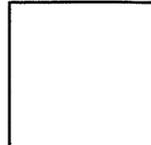
# Well Site Safety Plan Anti-Collision Schematic Gorby 4



# Area of Review

## Gorby 4 - API Pending

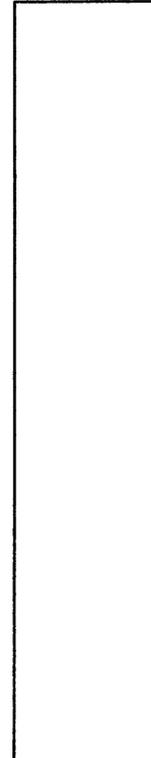
API  
See Below  
Elev. Unknown



095-90868  
095-30157  
095-90885  
095-90887  
095-90886

TD Unknown  
Formation Unknown  
Not deep or Marcellus

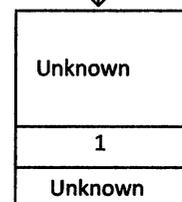
API  
See Below  
2585'



095-30419

Unknown

TD 4,500'



WW-9  
(4/16)

API Number 47 - 095 - \_\_\_\_\_  
Operator's Well No. Gorby 4

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

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name Jay-Bee Oil & Gas, Inc. OP Code 26410

Watershed (HUC 10) Middle Island Creek Quadrangle Shirley 7 1/2'

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

Will a pit be used? Yes  No

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

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

Proposed Disposal Method For Treated Pit Wastes:

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

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

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

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

Additives to be used in drilling medium? Barite, ABS MUL/VIS, Bentone990, CACL2, CalCarb, FLR, Lime, Multifiber, Permaseal, Nut Plug

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

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

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

Permittee shall provide written notice to the Office of Oil and Gas of any load of drill cuttings or associated waste rejected at any West Virginia solid waste facility. The notice shall be provided within 24 hours of rejection and the permittee shall also disclose where it was properly disposed.

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on August 1, 2005, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature *Emily Potesta*  
Company Official (Typed Name) Emily Potesta  
Company Official Title Land Department



Subscribed and sworn before me this 14<sup>th</sup> day of June, 2022

*Danielle Aman* Notary Public

My commission expires Jan. 5, 2026

*176w  
6-7-2022*

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

Proposed Revegetation Treatment: Acres Disturbed 27.64 Prevegetation pH 6.8

Lime 3 Tons/acre or to correct to pH 6.8

Fertilizer type 10-20-20

Fertilizer amount 500 lbs/acre

Mulch Hay 20 Tons/acre

Seed Mixtures

**Temporary**

**Permanent**

Seed Type	lbs/acre
<u>Annual Ryegrass</u>	<u>40</u>
<u>See well plan Page 4</u>	

Seed Type	lbs/acre
<u>Perennial Ryegrass</u>	<u>10</u>
<u>Creeping Red Fescue</u>	<u>30</u>

Attach:

Maps(s) of road, location, pit and proposed area for land application (unless engineered plans including this info have been provided). If water from the pit will be land applied, include dimensions (L x W x D) of the pit, and dimensions (L x W), and area in acreage, of the land application area

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Douglas Newlin

Comments: \_\_\_\_\_

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Environmental Protection

Title: Oil & Gas Inspector Supervisor Date: 6-7-2022

Field Reviewed? (  ) Yes (  ) No

WW-9

# PROPOSED GORBY PAD

SUPPLEMENT PG 1

1 of 2

DRAWING NOT TO SCALE

Jay-Bee Oil & Gas, Inc.  
T.M. 5-2-28  
69.29 Ac.

Tracy Lynn Brown et al  
T.M. 5-6-1  
40.8 Ac.

REFERENCE IS HEREBY MADE TO THE WV D.E.P. OFFICE OF OIL & GAS, "EROSION AND SEDIMENT CONTROL FIELD MANUAL" FOR REQUIREMENTS AND BMPs FOR AVERAGE FIELD CONDITIONS CONCERNING THE MAINTENANCE OF EXISTING ROADS AND THE CONSTRUCTION OF PROPOSED ROADS. FIELD CONDITIONS MAY REQUIRE VARIANCE FROM THESE GUIDELINES AND THE EARTHWORK CONTRACTOR IS RESPONSIBLE FOR NOTIFICATION TO THE INSPECTOR AND THE OPERATOR SHOULD THESE CONDITIONS OCCUR.

INSTALL CULVERTS AS SHOWN ON RECLAMATION PLAN OR AS FIELD CONDITIONS REQUIRE.

ENTRANCES ONTO PUBLIC ROADS SHALL BE CONSTRUCTED OR MAINTAINED IN ACCORDANCE WITH WV D.O.T. REGULATIONS. ADDITIONAL PERMITS MAY BE REQUIRED. TEMPORARILY SEED AND MULCH ALL SLOPES UPON CONSTRUCTION OF LOCATION.

ALL CUT AND FILL SLOPES ARE 2H:1V SLOPE. ALL TREES 6-INCHES AND ABOVE ARE TO BE CUT AND STACKED. BRUSH SLASINGS ARE TO UTILIZED DOWN SLOPE OF SITE AND STRUCTURES TO ACT AS A CONTROL BARRIER IF AVAILABLE.

Larry Shawn Caine  
T.M. 5-5-21  
29.01 Ac.

Randall J Broda Family Trust  
T.M. 5-6-2  
57.66 Ac.

James Ira & Paulette M Gorby  
T.M. 5-6-44  
93.82 Ac.

Jimmy & Rhea K Hadley, C/O Hadley Irrevocable Trust  
T.M. 5-5-19  
45.08 Ac.

PREVAILING WIND

CLEARING LIMITS

CLEARING LIMITS

Gorby PAD



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WV Department of Environmental Protection

**LEGEND**

- Dwellings
- C Culvert
- Sediment and Erosion Control
- Clearing Limits (LOD)
- Edge of Road & Existing Pad
- Stream
- Field Fence
- Property Line

**Jackson Surveying Inc.**  
2413 E. Pius St. #12  
Martinsburg, WV 26202  
Phone: 804-632-8801

TOPG SECTION:		OPERATOR:	
SHIRLEY 7.5'		PREPARED FOR:	
COUNTY	DISTRICT	JAY BEE OIL & GAS INC.	
TYLER	McELROY	429 SIMONTON RD.	
		ELLENBORO, WV 26346	
DRAWN BY	PROJECT	DATE	SCALE
J.D.C.	GORBY	05-24-2022	NONE

Jay Bee Oil & Gas  
**DRILLING**  
Into the future

*WCA  
6-7-2022*

# PROPOSED GORBY PAD

SUPPLEMENT PG 1

2 of 2

REFERENCE IS HEREBY MADE TO THE WV D.E.P. OFFICE OF OIL & GAS, "EROSION AND SEDIMENT CONTROL FIELD MANUAL" FOR REQUIREMENTS AND BMPs FOR AVERAGE FIELD CONDITIONS CONCERNING THE MAINTENANCE OF EXISTING ROADS AND THE CONSTRUCTION OF PROPOSED ROADS. FIELD CONDITIONS MAY REQUIRE VARIANCE FROM THESE GUIDELINES AND THE EARTHWORK CONTRACTOR IS RESPONSIBLE FOR NOTIFICATION TO THE INSPECTOR AND THE OPERATOR SHOULD THESE CONDITIONS OCCUR.

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ALL CUT AND FILL SLOPES ARE 2H:1V SLOPE. ALL TREES 6-INCHES AND ABOVE ARE TO BE CUT AND STACKED. BRUSH SLASHINGS ARE TO UTILIZED DOWN SLOPE OF SITE AND STRUCTURES TO ACT AS A CONTROL BARRIER IF AVAILABLE.

Randall J Broda  
Family Trust  
T.M. 5-6-2  
57.66 Ac.

FM Macintyre Est.  
& Estella Macintyre  
et al  
T.M. 5-6-49  
82.2 Ac.

James Ira &  
Paulette M Gorby  
T.M. 5-6-46  
22.84 Ac.

James Ira &  
Paulette M Gorby  
T.M. 5-6-47  
16.30 Ac.

James Ira &  
Paulette M Gorby  
T.M. 5-6-45  
6.03 Ac.

James Ira &  
Paulette M Gorby  
T.M. 5-6-44  
93.82 Ac.

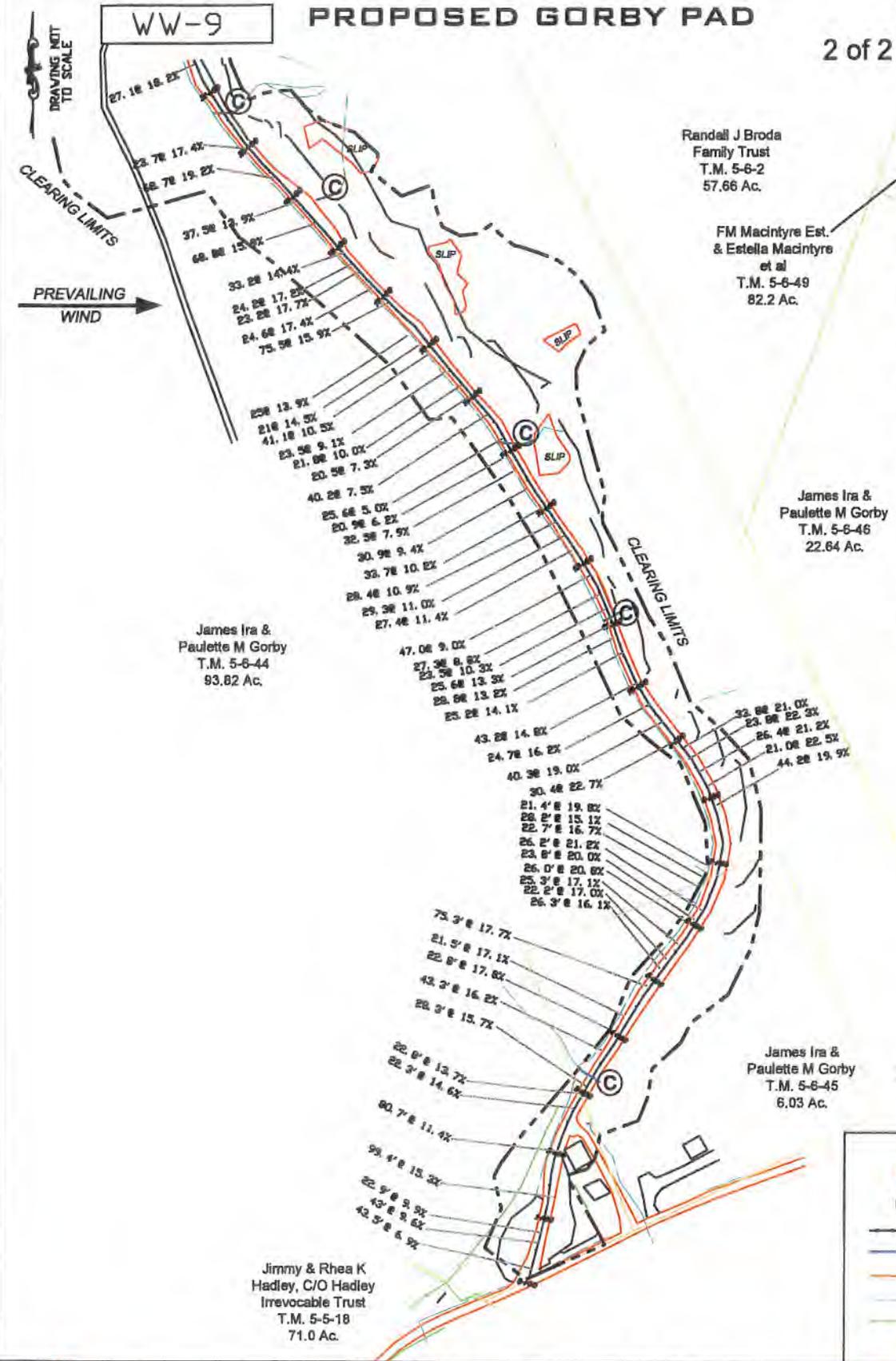
Jimmy & Rhea K  
Hadley, C/O Hadley  
Irrevocable Trust  
T.M. 5-5-18  
71.0 Ac.

REC James Ira &  
Office of Paulette M Gorby  
T.M. 5-6-46.1  
1.64 Ac.  
JUN 16 2022

WV Department of  
Environmental Protection

**LEGEND**

- Dwellings
- C Culvert
- Sediment and Erosion Control
- Clearing Limits (LIM)
- Edge of Road & Existing Pad
- Stream
- Field Fence
- Property Line



**Jackson Surveying Inc.**  
2410 E. Pike St. #112  
Charleston, WV 25302  
Phone: 204-855-8881

TOPSO SECTION		OPERATOR	
SHIRLEY 15'		PREPARED FOR:	
COUNTY	DISTRICT	JAY BEE OIL & GAS INC.	
TYLER	MCLEROY	429 SIMONTON RD.	
DRAWN BY		DATE	SCALE
J.D.C.		05-24-2022	NONE

**Jay Bee Oil & Gas**

**DRILLING**  
Into the future

# Gorby 4

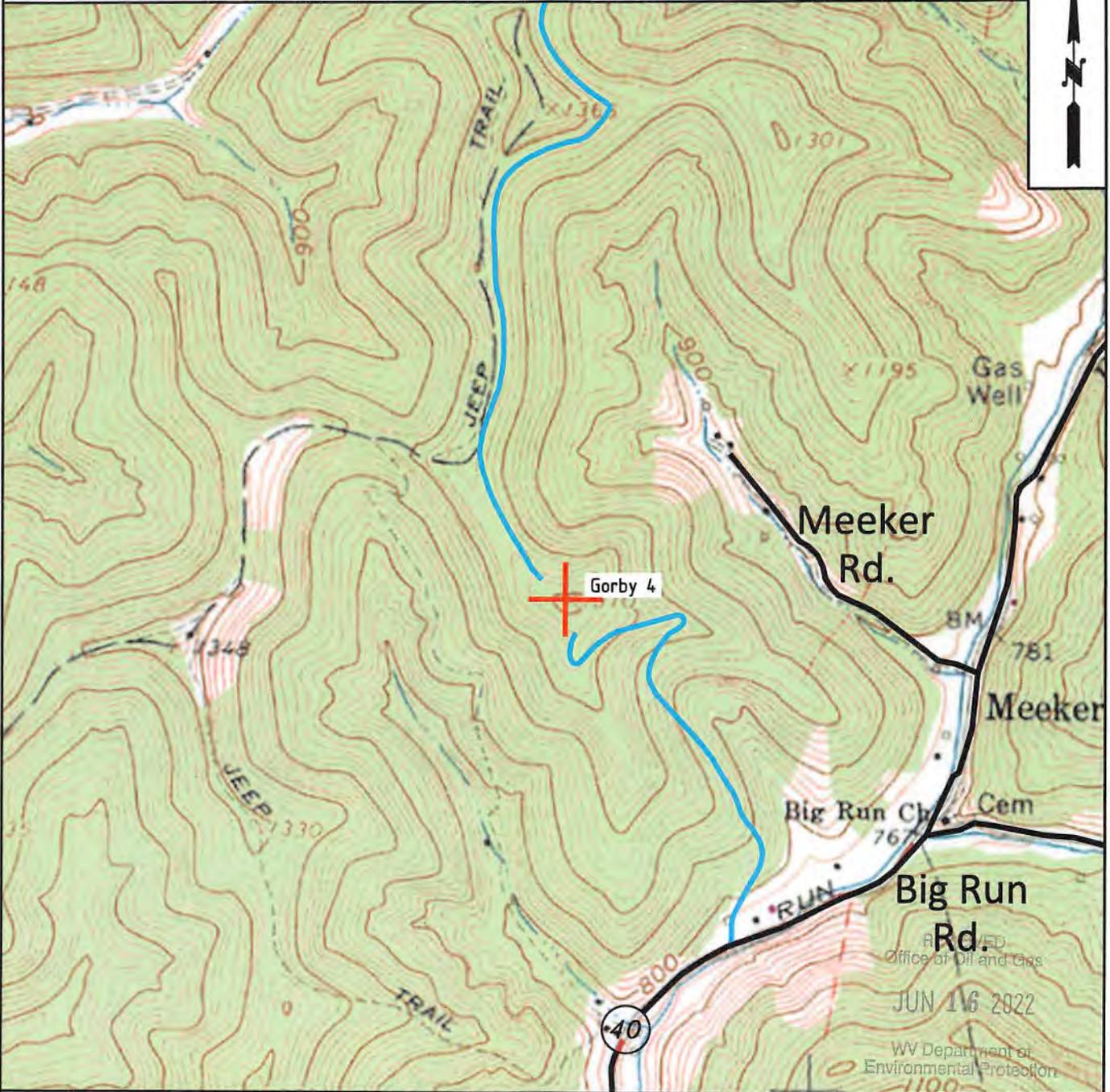
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# WELL SITE SAFETY PLAN

*PCW  
6-7-2022*

JAY-BEE OIL & GAS, INC

# PROPOSED GORBY 4

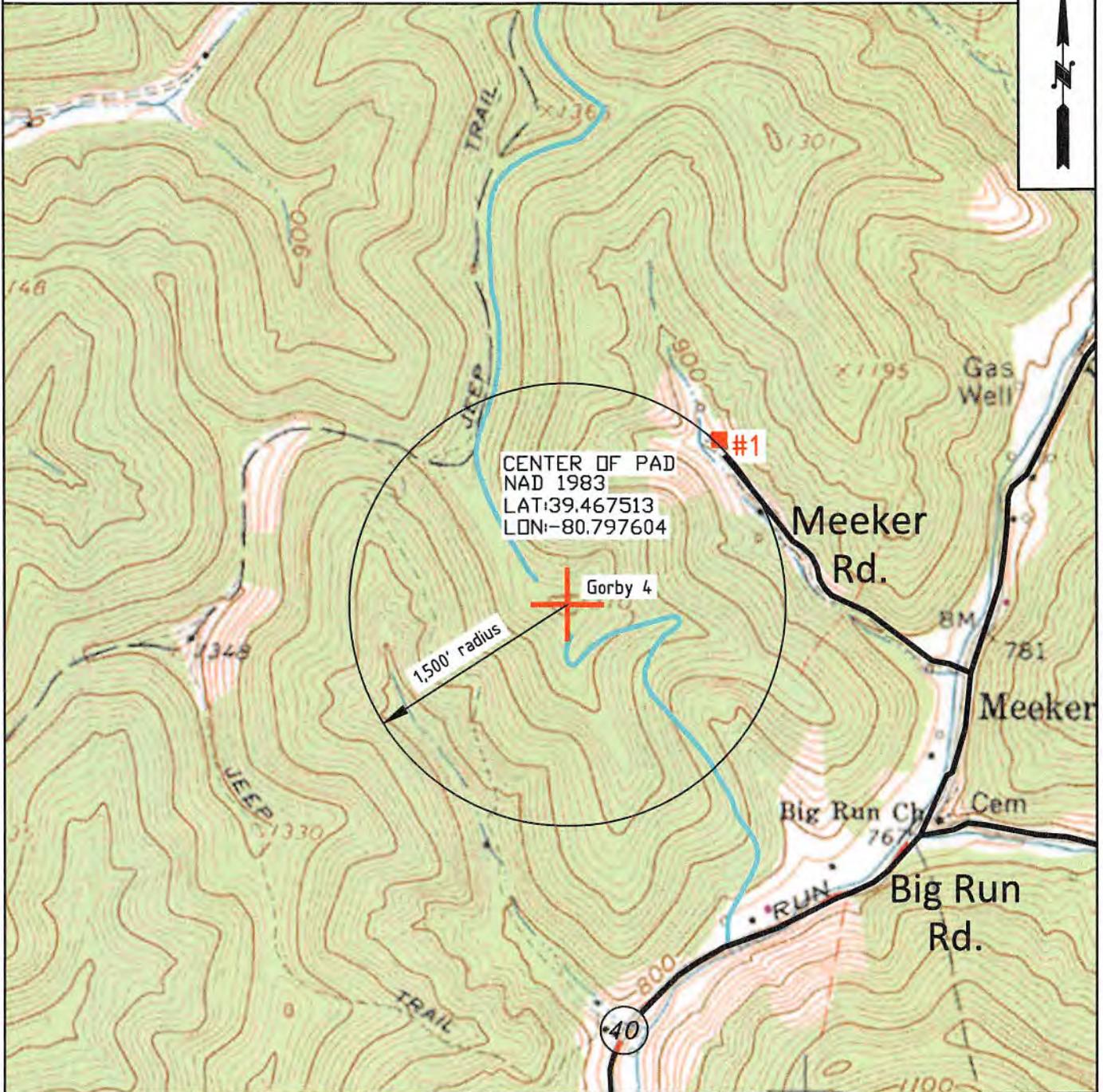


OPERATOR	TOPO SECTION	LEASE NAME
JAY BEE OIL & GAS INC. 429 Simonton Rd. Ellenboro, WV 26346	SHIRLEY 7.5'	GORBY
	SCALE:	DATE:
	1" = 1000'	DATE: 05-24-2022

# PROPOSED GORBY 4

EXHIBIT 3

*There appears to be One ( 1 ) residence within 1,500'.*



Jay Bee  
Oil & Gas  
**DRILLING**  
into the future

**OPERATOR**

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

**TOPO SECTION**

SHIRLEY 7.5'

**SCALE:**

1" = 1000'

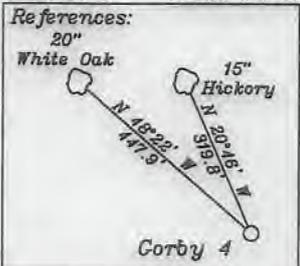
**LEASE NAME**

GORBY

**DATE:**

DATE: 05-24-2022

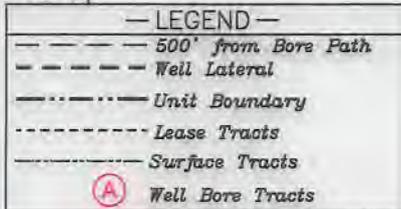
<b>RESIDENCES WITHIN 1500' OF GORBY WELL PAD</b>					
<b>WELL: Gorby 4</b>	There appear to be One (1) Residences & Zero (0)				
<b>DISTRICT: McElroy</b>	Businesses, Zero (0) Churches, Schools or Emergency Facilities				
<b>COUNTY: Tyler</b>	within 1500' of the Gorby Well Pad.				
<b>STATE: WV</b>					
	<b>Topo Spot #</b>	<b>Description</b>	<b>Property Owner</b>	<b>E-911 Address</b>	<b>Mailing Address</b>
House/Cabin	#1	05-06-01	Brown, Tracy Lynn et al	440 Meekers Rd:	19 Dorman Rd, Wheeling WV 26003



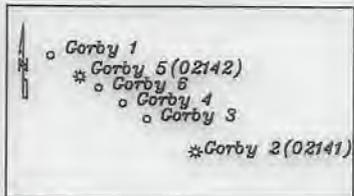
LATITUDE 39-30-00 N (BH) Bottom Hole 3,762'

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

NUMBER	DIRECTION	DISTANCE
L1	N43°07'W	602.7'
L2	S73°45'E	912.0'



NUMBER	DIRECTION	DISTANCE
L3	N30°42'E	105.1'

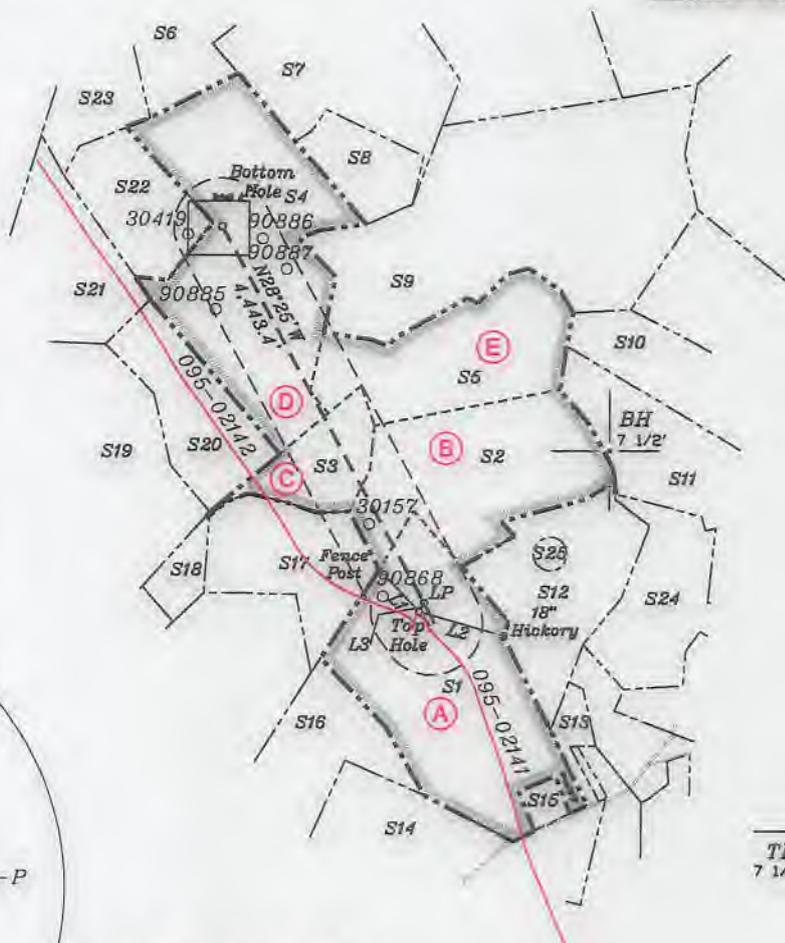
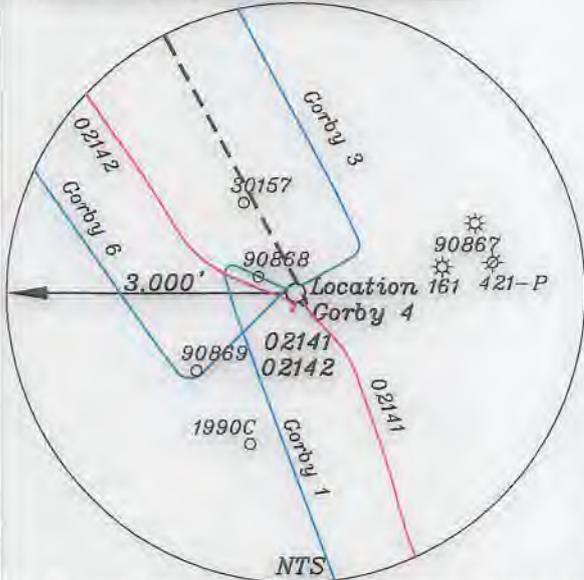


**Top Hole**  
Geo NAD 83- 39.467482 N, 80.797495 W  
UTM NAD 83(Meters)-4368876.20 N, 517419.31 E  
UTM NAD 83(Feet)-14332895.21 N, 1697566.52 E

**Landing Point**  
Geo NAD 83- 39.467732 N, 80.797309 W  
UTM NAD 83(Meters)-4368702.99 N, 517435.20 E  
UTM NAD 83(Feet)-14332896.40 N, 1697616.63 E

**Bottom Hole**  
Geo NAD 83- 39.478377 N, 80.804999 W  
UTM NAD 83(Meters)-4369882.91 N, 516771.23 E  
UTM NAD 83(Feet)-14338857.51 N, 1695440.27 E

NORTH



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

(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NO. \_\_\_\_\_  
DRAWING NO. 1  
SCALE 1" = 2000'  
MINIMUM DEGREE OF ACCURACY 1 in 200  
PROVEN SOURCE OF ELEVATION GPS  
submeter unit

I THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE INFORMATION REQUIRED BY LAW AND THE RULES ISSUED AND PRESCRIBED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.

(SIGNED) David L Jackson  
R.P.E. \_\_\_\_\_ P.S. 708



STATE OF WEST VIRGINIA  
Division of Environmental Protection  
OFFICE OF OIL AND GAS

DATE June 09, 2022  
OPERATOR'S WELL NO. Gorby 4  
API WELL NO. \_\_\_\_\_

WELL TYPE: OIL GAS  LIQUID INJECTION \_\_\_\_\_ WASTE DISPOSAL \_\_\_\_\_  
(IF 'GAS') PRODUCTION  STORAGE \_\_\_\_\_ DEEP \_\_\_\_\_ SHALLOW

LOCATION: ELEVATION 1279.0' WATER SHED Big Run of Outlet Middle Island Creek (HUC-10)  
DISTRICT McElroy COUNTY Tyler  
QUADRANGLE Shirley 7 1/2'

SURFACE OWNER James Ira Gorby & Paulette M Gorby ACREAGE 105.5 Ac.  
OIL & GAS ROYALTY OWNER James Ira Gorby & Paulette M Gorby LEASE ACREAGE 105.5 Ac.  
LEASE NO. See Page 2

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

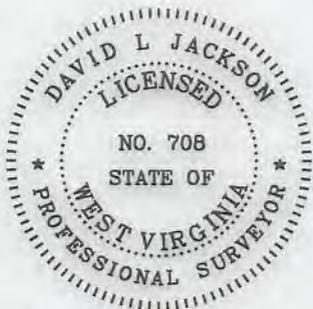
PLUG AND ABANDON \_\_\_\_\_ CLEAN OUT AND REPLUG \_\_\_\_\_  
TARGET FORMATION Marcellus ESTIMATED DEPTH TVD = 6,960'; TMD = 11,636'  
WELL OPERATOR Jay-Bee Oil & Gas, Inc. DESIGNATED AGENT Deborah Broda-Morgan  
ADDRESS 16 South Avenue W, Ste 118, Cranford NJ 07016 ADDRESS 429 Simonton Road, Ellenboro, WV 26346

LONGITUDE 80-47-30 W (BH) LONGITUDE 80-47-30 W (TH) Bottom Hole 7,876' Top Hole 11,845'

form wwb6

Tags	Number	Tax Map -Parcel	Surface Owner	Acres
A	S1	05-06-44	JAMES IRA & PAULETTE M GORBY	105.5
B	S2	05-06-01	TRACI LYNN BROWN ET AL	66
C	S3	02-28-40	WSD PROPERTIES LLC	20.42
D	S4	02-22-29 & 30	WSD PROPERTIES LLC	116
E	S5	05-02-28	JAY BEE OIL & GAS INC	73
	S6	02-22-26	JOHN W SOLE (LIFE)	28
	S7	02-22-27	C W WEEKLEY HRS; JAMES A WEEKLEY HRS; JEAN ANN GUMP & GAIL F HEADLEY	58.5
	S8	02-22-28	WSD PROPERTIES LLC	20
	S9	05-02-15	LEO W WIKER & JOHN S. WIKER & WILLIAM J. WIKER	155.27
	S10	05-02-29	PHILLIP TODD NICHOLS	34.341
	S11	05-06-03	REBECCA DIANE BAKER	47.25
	S12	05-06-02	RANDALL J BRODA TRUSTEE RANDALL J BRODA FAMILY TR II	54.29
	S13	05-06-46	JAMES IRA & PAULETTE M GORBY	18.74
	S14	05-05-18	HADLEY JIMMIE L & RHEA K IRREVOCABLE TRUST	87.1
	S15	05-06-45	JAMES I & PAULETTE M GORBY	4
	S16	05-05-19	JIMMIE L & RHEA K HADLEY IRREVOCABLE TRUST	52
	S17	05-05-21	LARRY SHAWN CAINE	41.62
	S18	02-28-41	JIMMIE L & RHEA K HADLEY IRREVOCABLE TRUST	10.66
	S19	02-28-38	BOYD W WEEKLEY	113.89
	S20	02-28-39	WSD PROPERTIES LLC	35
	S21	02-22-32	RICHARD GRODSKY & DAVID LANGWORTHY & ROBERT BROOKS	53
	S22	02-22-31	RICHARD GRODSKY & DAVID LONGWORTHY & ROBERT BROOKS	36
	S23	02-22-25	PAUL RICHARD BAKER	39.98
	S24	05-06-08	JASON M FILLMORE	44.184
	S25	05-06-2.1	TRACI LYNN BROWN ET AL	2.21

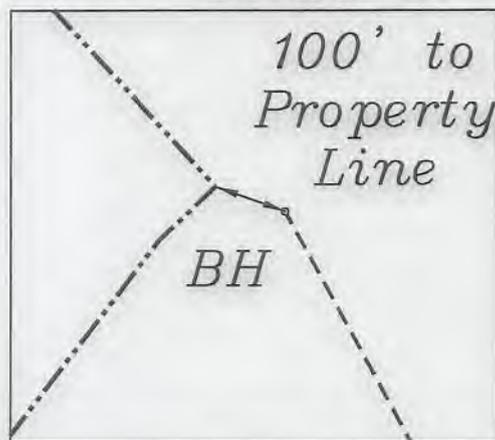
Tracts	District Tax Map/Parcel	JB Tract #	Lessor, Grantor, etc.	Deed Book/Page	Acres
A	5-6-44	T3129T2	Donna A. Alexander, et al	400/418	105.50
B	5-6-1	RPT5	Traci Lynne Brown, et al	393/359	66.00
C	2-28-40	T5006	David E. Bowyer, et al	399/349	20.42
D	2-22-29&30	T3121	Sue Ann Putich, et al	375/820	116.00
E	5-2-28	(RPT5 &) RPT7	Darla Dennis, et al	392/245	73.00



P.S. 708

*David L Jackson*

Detail A



Jay Bee Oil & Gas  
**DRILLING**  
 into the future

API #: 47-095-02716  
 WELL #: Gorby 4  
 DISTRICT: McELROY  
 COUNTY: TYLER  
 STATE: WV

WELL PLAT  
 PAGE 2 OF 2  
 DATE: 06/09/2022

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

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

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

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

PLEASE SEE ATTACHED EXHIBIT TO  
WW-6A1

**Acknowledgement of Possible Permitting/Approval  
In Addition to the Office of Oil and Gas**

The permit applicant for the proposed well work addressed in this application hereby acknowledges the possibility of the need for permits and/or approvals from local, state, or federal entities in addition to the DEP, Office of Oil and Gas, including but not limited to the following:

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

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

Well Operator: Jay-Bee Oil & Gas, Inc.  
 By: Emily Potesta  
 Its: Land Department

WW-6A1  
(5/13)

Operator's Well No. Gorby 4

**INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE  
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- (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:

TRACT	Lease Name or Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book/Page
r	T3129T2	Antero "Trade 1"	Jay-Bee		417/523
)	T3121	STAT "Trade 1"	Jay-Bee		469/397

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

Well Operator: Jay-Bee Oil & Gas, Inc.

By: Emily Potesta

Its: Regulatory Agent

**Jay-Bee Oil & Gas, Inc. - Gorby 4 Permit - WW-6A1 Exhibit**

<u>Tracts</u>	<u>District Tax Map/Parcel</u>	<u>JB Tract #</u>	<u>First</u>	<u>Middle</u>	<u>Last</u>	<u>Lessee, Grantee, etc.</u>	<u>Royalty %</u>	<u>Deed Book/Page</u>	<u>Acres</u>
A	5-6-44	T3129T2	Donna	A.	Alexander	JAY-BEE	≤12.5%	400/418	105.50
A	5-6-44	T3129T2	Cheryl		Barrick	JAY-BEE	≤12.5%	395/204	105.50
A	5-6-44	T3129T2	Terry		Bennett	JAY-BEE	≤12.5%	392/238	105.50
A	5-6-44	T3129T2	Shelley	R.	Bennett-Criss	JAY-BEE	≤12.5%	392/238	105.50
A	5-6-44	T3129T2	Lisa		Blair	JAY-BEE	≤12.5%	392/238	105.50
A	5-6-44	T3129T2	Larry	Lee	Blankenship, Sr.	BLUESTONE	≤12.5%	404/71	105.50
A	5-6-44	T3129T2	Glayda		Blizzard	JAY-BEE	≤12.5%	406/740	105.50
A	5-6-44	T3129T2	David		Bowyer	JAY-BEE	≤12.5%	407/751	105.50
A	5-6-44	T3129T2	Corey	Stephen	Bush	JAY-BEE	≤12.5%	410/260	105.50
A	5-6-44	T3129T2	Jon		Cain	JAY-BEE	≤12.5%	391/242	105.50
A	5-6-44	T3129T2	Ronald	Lee	Camp	JAY-BEE	≤12.5%	391/617	105.50
A	5-6-44	T3129T2	David	Wayne	Carroll	JAY-BEE	≤12.5%	410/405	105.50
A	5-6-44	T3129T2	Loretta		Carroll	JAY-BEE	≤12.5%	421/303	105.50
A	5-6-44	T3129T2	Mary	Jane	Carroll	JAY-BEE	≤12.5%	410/230	105.50
A	5-6-44	T3129T2	Ronald	Eugene	Carroll	JAY-BEE	≤12.5%	405/608	105.50
A	5-6-44	T3129T2	Russell	Allen	Carroll	JAY-BEE	≤12.5%	423/222	105.50
A	5-6-44	T3129T2	Charmaine	S.	Conklin	JAY-BEE	≤12.5%	391/625	105.50
A	5-6-44	T3129T2	Roger		Cronin	JAY-BEE	≤12.5%	419/700	105.50
A	5-6-44	T3129T2	Bruce	T.	Daniels	JAY-BEE	≤12.5%	412/527	105.50
A	5-6-44	T3129T2	Robin	Michael	Dawe	JAY-BEE	≤12.5%	431/589	105.50
A	5-6-44	T3129T2	Andrea	Marie	Dawe Yang	JAY-BEE	≤12.5%	431/592	105.50
A	5-6-44	T3129T2	Georgia	Cindy	Dawson	JAY-BEE	≤12.5%	405/614	105.50
A	5-6-44	T3129T2	Shirley		Deulley	JAY-BEE	≤12.5%	406/751	105.50
A	5-6-44	T3129T2	Darlana	G.	Dirk	JAY-BEE	≤12.5%	406/754	105.50
A	5-6-44	T3129T2	Thelma		Dotson	JAY-BEE	≤12.5%	395/212	105.50
A	5-6-44	T3129T2	Edward		Dover	BLUESTONE	≤12.5%	371/452	105.50
A	5-6-44	T3129T2	Lisa		Evans	JAY-BEE	≤12.5%	406/825	105.50
A	5-6-44	T3129T2	Carrie	Allison Stephens	Fitch	JAY-BEE	≤12.5%	412/536	105.50
A	5-6-44	T3129T2	Jenna		Fleming	JAY-BEE	≤12.5%	405/620	105.50
A	5-6-44	T3129T2	John	B.	Francis	JAY-BEE	≤12.5%	406/828	105.50
A	5-6-44	T3129T2	Rebecca		Frederick	JAY-BEE	≤12.5%	419/706	41.62
A	5-6-44	T3129T2	Debby	J.	Gannoe	JAY-BEE	≤12.5%	400/418	52.00
A	5-6-44	T3129T2	Charles	E.	Gatrell	JAY-BEE	≤12.5%	427/810	87.10
A	5-6-44	T3129T2	Donald	R.	Gatrell	BLUESTONE	≤12.5%	406/819	5.52
A	5-6-44	T3129T2	June	E.	Gatrell	JAY-BEE	≤12.5%	421/312	29.55
A	5-6-44	T3129T2	Richard	K.	Gatrell	JAY-BEE	≤12.5%	406/822	2.02
A	5-6-44	T3129T2	John	Brian	Geurin	JAY-BEE	≤12.5%	405/614	5.38
A	5-6-44	T3129T2	William	Bill	Geurin	JAY-BEE	≤12.5%	405/614	93.00
A	5-6-44	T3129T2	Martha	Louise	Godfrey Rogers	JAY-BEE	≤12.5%	387/305	115.00
A	5-6-44	T3129T2	Martha	E.	Gooden	JAY-BEE	≤12.5%	392/281	115.00
A	5-6-44	T3129T2	Mr. and Mrs. James		Gorby	JAY-BEE	≤12.5%	396/608	115.00
A	5-6-44	T3129T2	Maryann		Goswick	JAY-BEE	≤12.5%	423/295	115.00

A	5-6-44	T3129T2	Edward	E.	Green	JAY-BEE	≤12.5%	423/301	115.00
A	5-6-44	T3129T2	Gary	R.	Green	JAY-BEE	≤12.5%	423/298	115.00
A	5-6-44	T3129T2	Patricia	A.	Hall	JAY-BEE	≤12.5%	406/819	115.00
A	5-6-44	T3129T2	Daniel		Haskins	JAY-BEE	≤12.5%	405/326	115.00
A	5-6-44	T3129T2	Betsy	J.	Helmick	JAY-BEE	≤12.5%	391/268	115.00
A	5-6-44	T3129T2	Amy		Hoffman	JAY-BEE	≤12.5%	422/214	115.00
A	5-6-44	T3129T2	Lynda		Huston	JAY-BEE	≤12.5%	405/623	115.00
A	5-6-44	T3129T2	Joan		Lamp	JAY-BEE	≤12.5%	391/306	115.00
A	5-6-44	T3129T2	Carmalee		Litteral	BLUESTONE	≤12.5%	371/466	115.00
A	5-6-44	T3129T2	Rockford	Energy,	LLC	JAY-BEE	≤12.5%	404/551	115.00
A	5-6-44	T3129T2	Robert		Loughley	JAY-BEE	≤12.5%	425/419	115.00
A	5-6-44	T3129T2	Carlena	M.	Martin	JAY-BEE	≤12.5%	406/831	115.00
A	5-6-44	T3129T2	Ronald	H.	Massey	JAY-BEE	≤12.5%	422/202	115.00
A	5-6-44	T3129T2	Teresa	A.	McCoy	JAY-BEE	≤12.5%	410/486	115.00
A	5-6-44	T3129T2	Kathey		Miller	JAY-BEE	≤12.5%	407/51	115.00
A	5-6-44	T3129T2	Brent		Monroe	JAY-BEE	≤12.5%	422/208	115.00
A	5-6-44	T3129T2	Kevin	Winfield	Monroe	JAY-BEE	≤12.5%	422/211	115.00
A	5-6-44	T3129T2	Glenn	W.	Morgan	JAY-BEE	≤12.5%	422/606	115.00
A	5-6-44	T3129T2	Leslie		Mullin	JAY-BEE	≤12.5%	406/786	115.00
A	5-6-44	T3129T2	Linda		Mynahan	JAY-BEE	≤12.5%	392/238	115.00
A	5-6-44	T3129T2	Darrin		Neilson	JAY-BEE	≤12.5%	422/199	115.00
A	5-6-44	T3129T2	Helen	Jeanette	Nelson	JAY-BEE	≤12.5%	391/314	115.00
A	5-6-44	T3129T2	Laila		Paxton	BLUESTONE	≤12.5%	406/842	115.00
A	5-6-44	T3129T2	Timothy	Michael	Peasak	JAY-BEE	≤12.5%	406/743	115.00
A	5-6-44	T3129T2	Margie		Rice	JAY-BEE	≤12.5%	425/503	115.00
A	5-6-44	T3129T2	Freda	Stoneking	Richards	JAY-BEE	≤12.5%	390/807	115.00
A	5-6-44	T3129T2	Gary	Neil	Riggs	JAY-BEE	≤12.5%	387/313	115.00
A	5-6-44	T3129T2	Teresa		Rose	JAY-BEE	≤12.5%	407/54	115.00
A	5-6-44	T3129T2	Tobin		Ross	JAY-BEE	≤12.5%	405/617	115.00
A	5-6-44	T3129T2	Christina		Rush	JAY-BEE	≤12.5%	425/397	115.00
A	5-6-44	T3129T2	Helen	F.	Sanford	JAY-BEE	≤12.5%	423/368	115.00
A	5-6-44	T3129T2	Roger	L.	Scott	JAY-BEE	≤12.5%	390/352	115.00
A	5-6-44	T3129T2	Victoria	L.	Seguin	JAY-BEE	≤12.5%	410/471	115.00
A	5-6-44	T3129T2	Larry	G.	Sellers	JAY-BEE	≤12.5%	422/205	115.00
A	5-6-44	T3129T2	Reggie	L.	Sellers	JAY-BEE	≤12.5%	422/205	115.00
A	5-6-44	T3129T2	Donna	A.	Shepherd	JAY-BEE	≤12.5%	391/268	115.00
A	5-6-44	T3129T2	Kathy		Smearman	JAY-BEE	≤12.5%	410/474	115.00
A	5-6-44	T3129T2	Willard	L.	Snyder	JAY-BEE	≤12.5%	391/268	115.00
A	5-6-44	T3129T2	Marla	A.	Speerstra	BLUESTONE	≤12.5%	369/566	115.00
A	5-6-44	T3129T2	Cory	A	Spencer	JAY-BEE	≤12.5%	410/477	115.00
A	5-6-44	T3129T2	Amanda	R	Spencer-Beckman	JAY-BEE	≤12.5%	410/477	115.00
A	5-6-44	T3129T2	Raymon	Lee	Stephens	JAY-BEE	≤12.5%	407/48	115.00
A	5-6-44	T3129T2	James	B.	Stoneking	JAY-BEE	≤12.5%	422/606	115.00
A	5-6-44	T3129T2	Jerry	E.	Stoneking	JAY-BEE	≤12.5%	387/309	115.00
A	5-6-44	T3129T2	Samuel	K.	Stoneking, Jr.	JAY-BEE	≤12.5%	416/152	115.00

A	5-6-44	T3129T2	Gary	D.	Thomas	JAY-BEE	≤12.5%	400/418	115.00
A	5-6-44	T3129T2	Steven	L.	Thomas	JAY-BEE	≤12.5%	400/418	115.00
A	5-6-44	T3129T2	Cheryl	Diane	Tingler	JAY-BEE	≤12.5%	423/321	115.00
A	5-6-44	T3129T2	Kevin	W.	Tingler	JAY-BEE	≤12.5%	406/703	115.00
A	5-6-44	T3129T2	Rich	Nico Lee	Toscani	JAY-BEE	≤12.5%	422/246	115.00
A	5-6-44	T3129T2	Greg		Travis	JAY-BEE	≤12.5%	421/333	115.00
A	5-6-44	T3129T2	Ken		Travis	JAY-BEE	≤12.5%	418/521	115.00
A	5-6-44	T3129T2	George	G.	Vaught, Jr.	JAY-BEE	≤12.5%	406/834	115.00
A	5-6-44	T3129T2	Daniel	K.	Warner	JAY-BEE	≤12.5%	395/234	115.00
A	5-6-44	T3129T2	Gerald	D.	Warner	JAY-BEE	≤12.5%	405/629	115.00
A	5-6-44	T3129T2	Herbert	D.	Warner	JAY-BEE	≤12.5%	387/323	115.00
A	5-6-44	T3129T2	Richard	C.	Warner	JAY-BEE	≤12.5%	407/591	115.00
A	5-6-44	T3129T2	Robert	Leslie	Warner	JAY-BEE	≤12.5%	395/243	115.00
A	5-6-44	T3129T2	Roger	A.	Warner	JAY-BEE	≤12.5%	410/480	115.00
A	5-6-44	T3129T2	Samuel	B.	Warner Jr.	JAY-BEE	≤12.5%	395/239	115.00
A	5-6-44	T3129T2	Gerald		Warner, Jr.	JAY-BEE	≤12.5%	389/236	115.00
A	5-6-44	T3129T2	Virginia		Waterman	JAY-BEE	≤12.5%	405/611	115.00
A	5-6-44	T3129T2	Susan	Stoneking	Webb	JAY-BEE	≤12.5%	430/129	115.00
A	5-6-44	T3129T2	Robert	J.	Whaley	JAY-BEE	≤12.5%	390/348	115.00
A	5-6-44	T3129T2	Roger	L.	Whaley	JAY-BEE	≤12.5%	391/285	115.00
A	5-6-44	T3129T2	Sherry	L.	Whelpley	JAY-BEE	≤12.5%	391/247	115.00
A	5-6-44	T3129T2	Estate of Connie	S.	Wiley	JAY-BEE	≤12.5%	410/468	115.00
A	5-6-44	T3129T2	Karon		Witherow	JAY-BEE	≤12.5%	421/346	115.00
A	5-6-44	T3129T2	Anita L. Canute Trust			JAY-BEE	≤12.5%	405/631	115.00
A	5-6-44	T3129T2	Black Gold Group, LTD			JAY-BEE	≤12.5%	423/225	115.00
A	5-6-44	T3129T2	Collingwood Appalachian Minerals I, LLC			BRC	≤12.5%	369/300	115.00
A	5-6-44	T3129T2	Collingwood Appalachian Minerals III, LLC			BRC	≤12.5%	369/300	115.00
A	5-6-44	T3129T2	Community Minerals, LLC			JAY-BEE	≤12.5%	405/614	115.00
A	5-6-44	T3129T2	Jay-Bee Royalty LLC			JAY-BEE	≤12.5%	431/325	115.00
A	5-6-44	T3129T2	McCulliss Oil & Gas, Inc.			JAY-BEE	≤12.5%	406/834	115.00
A	5-6-44	T3129T2	McCulliss Resources Co., Inc.			JAY-BEE	≤12.5%	406/834	115.00
A	5-6-44	T3129T2	Onodaga Holding Co., LLC			BLUESTONE	≤12.5%	369/563	115.00
A	5-6-44	T3129T2	Onodaga Holding Co., LLC			JAY-BEE	≤12.5%	405/634	115.00
A	5-6-44	T3129T2	Onodaga Holding Co., LLC			JAY-BEE	≤12.5%	408/666	115.00
A	5-6-44	T3129T2	Onodaga Holding Co., LLC			JAY-BEE	≤12.5%	415/808	115.00
A	5-6-44	T3129T2	Onodaga Holding Co., LLC			JAY-BEE	≤12.5%	421/336	115.00
A	5-6-44	T3129T2	Onondaga Holding Co., LLC			JAY-BEE	≤12.5%	427/789	115.00
A	5-6-44	T3129T2	OXY USA, Inc			BRC	≤12.5%	369/300	115.00
B	5-6-1	RPT5	Traci	Lynne	Brown	JAY-BEE	≤12.5%	393/359	66.00
B	5-6-1	RPT5	Roger	Carl	Ferrell	JAY-BEE	≤12.5%	393/363	66.00
B	5-6-1	RPT5	Gary	Scott	Nichols	JAY-BEE	≤12.5%	392/308	66.00
B	5-6-1	RPT5	Alcris, LLC			JAY-BEE	≤12.5%	393/355	66.00
C	2-28-40	T5006	David	E.	Bowyer	JAY-BEE	≤12.5%	399/349	20.42
C	2-28-40	T5006	Glena	Jo	French	JAY-BEE	≤12.5%	396/157	20.42
C	2-28-40	T5006	Maureen		Gregg	JAY-BEE	≤12.5%	400/719	20.42





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

June 15, 2022

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

Re: Gorby 4 Well

Permitting Office:

As you know we have applied for a well permit for the Gorby 4 Well in Tyler County, West Virginia. This pad is located on what we call the T3129T2 tract. This wellbore does not travel under any public roads maintained by the WV Department of Highways.

If you would have any questions concerning this matter, please feel free to contact our office at the numbers listed below.

Sincerely,

A handwritten signature in blue ink that reads "Emily Potesta". The signature is written in a cursive, flowing style.

Emily Potesta  
Land Manager Assistant

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

Date of Notice Certification: 06/13/2022

API No. 47- 095 - \_\_\_\_\_

Operator's Well No. Gorby 4

Well Pad Name: Gorby

**Notice has been given:**

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

State: <u>West Virginia</u>	UTM NAD 83	Easting: <u>517,419.31</u>
County: <u>Tyler</u>		Northing: <u>4,368,675.20</u>
District: <u>McElroy</u>	Public Road Access: <u>Big Run off Indian Creek Rd.</u>	
Quadrangle: <u>Shirley 7 1/2'</u>	Generally used farm name: <u>James &amp; Paulette Gorby</u>	
Watershed: <u>Middle Island Creek</u>		

Pursuant to West Virginia Code § 22-6A-7(b), every permit application filed under this section shall be on a form as may be prescribed by the secretary, shall be verified and shall contain the following information: (14) A certification from the operator that (i) it has provided the owners of the surface described in subdivisions (1), (2) and (4), subsection (b), section ten of this article, the information required by subsections (b) and (c), section sixteen of this article; (ii) that the requirement was deemed satisfied as a result of giving the surface owner notice of entry to survey pursuant to subsection (a), section ten of this article six-a; or (iii) the notice requirements of subsection (b), section sixteen of this article were waived in writing by the surface owner; and Pursuant to West Virginia Code § 22-6A-11(b), the applicant shall tender proof of and certify to the secretary that the notice requirements of section ten of this article have been completed by the applicant.

<p>Pursuant to West Virginia Code § 22-6A, the Operator has attached proof to this Notice Certification that the Operator has properly served the required parties with the following:</p> <p>*PLEASE CHECK ALL THAT APPLY</p> <p><input type="checkbox"/> 1. NOTICE OF SEISMIC ACTIVITY or <input checked="" type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED</p> <p><input type="checkbox"/> 2. NOTICE OF ENTRY FOR PLAT SURVEY or <input checked="" type="checkbox"/> NO PLAT SURVEY WAS CONDUCTED</p> <p><input checked="" type="checkbox"/> 3. NOTICE OF INTENT TO DRILL or <input type="checkbox"/> NOTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED or</p> <p style="padding-left: 100px;"><input type="checkbox"/> WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)</p> <p><input checked="" type="checkbox"/> 4. NOTICE OF PLANNED OPERATION</p> <p><input checked="" type="checkbox"/> 5. PUBLIC NOTICE</p> <p><input checked="" type="checkbox"/> 6. NOTICE OF APPLICATION</p>	<p><b>OOG OFFICE USE ONLY</b></p> <p><input type="checkbox"/> RECEIVED/ NOT REQUIRED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED/ NOT REQUIRED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED</p> <p><input type="checkbox"/> RECEIVED</p>
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**Required Attachments:**

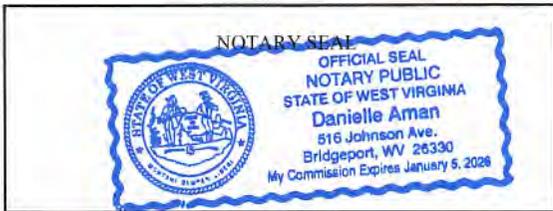
The Operator shall attach to this Notice Certification Form all Notice Forms and Certifications of Notice that have been provided to the required parties and/or any associated written waivers. For the Public Notice, the operator shall attach a copy of the Class II Legal Advertisement with publication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

RECEIVED  
Office of Oil and Gas  
  
JUN 16 2022  
  
WV Department of  
Environmental Protection

**Certification of Notice is hereby given:**

THEREFORE, I Emily Potesta, have read and understand the notice requirements within West Virginia Code § 22-6A. I certify that as required under West Virginia Code § 22-6A, I have served the attached copies of the Notice Forms, identified above, to the required parties through personal service, by registered mail or by any method of delivery that requires a receipt or signature confirmation. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this Notice Certification and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Well Operator:	<u>Jay-Bee Oil &amp; Gas, Inc.</u>	Address:	<u>429 Simonton Rd. P.O. Box 129</u>
By:	<u>Emily Potesta</u>		<u>Ellenboro, WV 26346</u>
Its:	<u>Land Manager Assistant</u>	Facsimile:	<u>304-628-3119</u>
Telephone:	<u>304-628-3111</u>	Email:	<u>epotesta@jaybeoil.com</u>



Subscribed and sworn before me this 14<sup>th</sup> day of June, 2022.  
Danielle Aman Notary Public  
 My Commission Expires Jan. 5, 2026

**Oil and Gas Privacy Notice:**

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

**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:** 06/01/2022 **Date Permit Application Filed:** 06/13/2022

**Notice of:**

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

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

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

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

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

SURFACE OWNER(s)  
Name: SEE ATTACHED LIST Exhibit 6A  
Address: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

SURFACE OWNER(s) (Road and/or Other Disturbance)  
Name: SEE ATTACHED LIST Exhibit 6A  
Address: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

SURFACE OWNER(s) (Impoundments or Pits)  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

COAL OWNER OR LESSEE  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

COAL OPERATOR  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

SURFACE OWNER OF WATER WELL AND/OR WATER PURVEYOR(s)  
Name: SEE ATTACHED LIST Exhibit 6A  
Address: \_\_\_\_\_

OPERATOR OF ANY NATURAL GAS STORAGE FIELD  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

RECEIVED  
Office of Oil and Gas

\*Please attach additional forms if necessary

JUN 16 2022

**Notice is hereby given:**

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

**This Notice Shall Include:**

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

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

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

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

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

**Well Location Restrictions**

Pursuant to W. Va. Code § 22-6A-12, Wells may not be drilled within two hundred fifty feet measured horizontally from any existing water well or developed spring used for human or domestic animal consumption. The center of well pads may not be located within six hundred twenty-five feet of an occupied dwelling structure, or a building two thousand five hundred square feet or larger used to house or shelter dairy cattle or poultry husbandry. This limitation is applicable to those wells, developed springs, dwellings or agricultural buildings that existed on the date a notice to the surface owner of planned entry for surveying or staking as provided in section ten of this article or a notice of intent to drill a horizontal well as provided in subsection (b), section sixteen of this article was provided, whichever occurs first, and to any dwelling under construction prior to that date. This limitation may be waived by written consent of the surface owner transmitted to the department and recorded in the real property records maintained by the clerk of the county commission for the county in which such property is located. Furthermore, the well operator may be granted a variance by the secretary from these distance restrictions upon submission of a plan which identifies the sufficient measures, facilities or practices to be employed during well site construction, drilling and operations. The variance, if granted, shall include terms and conditions the department requires to ensure the safety and protection of affected persons and property. The terms and conditions may include insurance, bonding and indemnification, as well as technical requirements. (b) No well pad may be prepared or well drilled within one hundred feet measured horizontally from any perennial stream, natural or artificial lake, pond or reservoir, or a wetland, or within three hundred feet of a naturally reproducing trout stream. No well pad may be located within one thousand feet of a surface or ground water intake of a public water supply. The distance from the public water supply as identified by the department shall be measured as follows: (1) For a surface water intake on a lake or reservoir, the distance shall be measured from the boundary of the lake or reservoir. (2) For a surface water intake on a flowing stream, the distance shall be measured from a semicircular radius extending upstream of the surface water intake. (3) For a groundwater source, the distance shall be measured from the wellhead or spring. The department may, in its discretion, waive these distance restrictions upon submission of a plan identifying sufficient measures, facilities or practices to be employed during well site construction, drilling and operations to protect the waters of the state. A waiver, if granted, shall impose any permit conditions as the secretary considers necessary. (c) Notwithstanding the foregoing provisions of this section, nothing contained in this section prevents an operator from conducting the activities permitted or authorized by a Clean Water Act Section 404 permit or other approval from the United States Army Corps of Engineers within any waters of the state or within the restricted areas referenced in this section. (d) The well location restrictions set forth in this section shall not apply to any well on a multiple well pad if at least one of the wells was permitted prior to the effective date of this article. (e) The secretary shall, by December 31, 2012, report to the Legislature on the noise, light, dust and volatile organic compounds generated by the drilling of horizontal wells as they relate to the well location restrictions regarding occupied dwelling structures pursuant to this section. Upon a finding, if any, by the secretary that the well location restrictions regarding occupied dwelling structures are inadequate or otherwise require alteration to address the items

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

**Water Well Testing:**

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

**Water Testing Laboratories:**

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

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

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

**Written Comment:**

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

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

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

### **Time Limits and Methods for Filing Comments.**

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

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

### **Comment Requirements**

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

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

### **Permit Denial or Condition**

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

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

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

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

WW-6A  
(8-13)

API NO. 47- 095 - \_\_\_\_\_  
OPERATOR WELL NO. Gorby 4  
Well Pad Name: Gorby

**Notice is hereby given by:**

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

Address: 429 Simonton Rd. P.O. Box 129  
Ellenboro, WV 26346  
Facsimile: 304-628-3119

**Oil and Gas Privacy Notice:**

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



Subscribed and sworn before me this 1st day of June, 2022.

Danielle Aman Notary Public

My Commission Expires Jan. 5, 2026

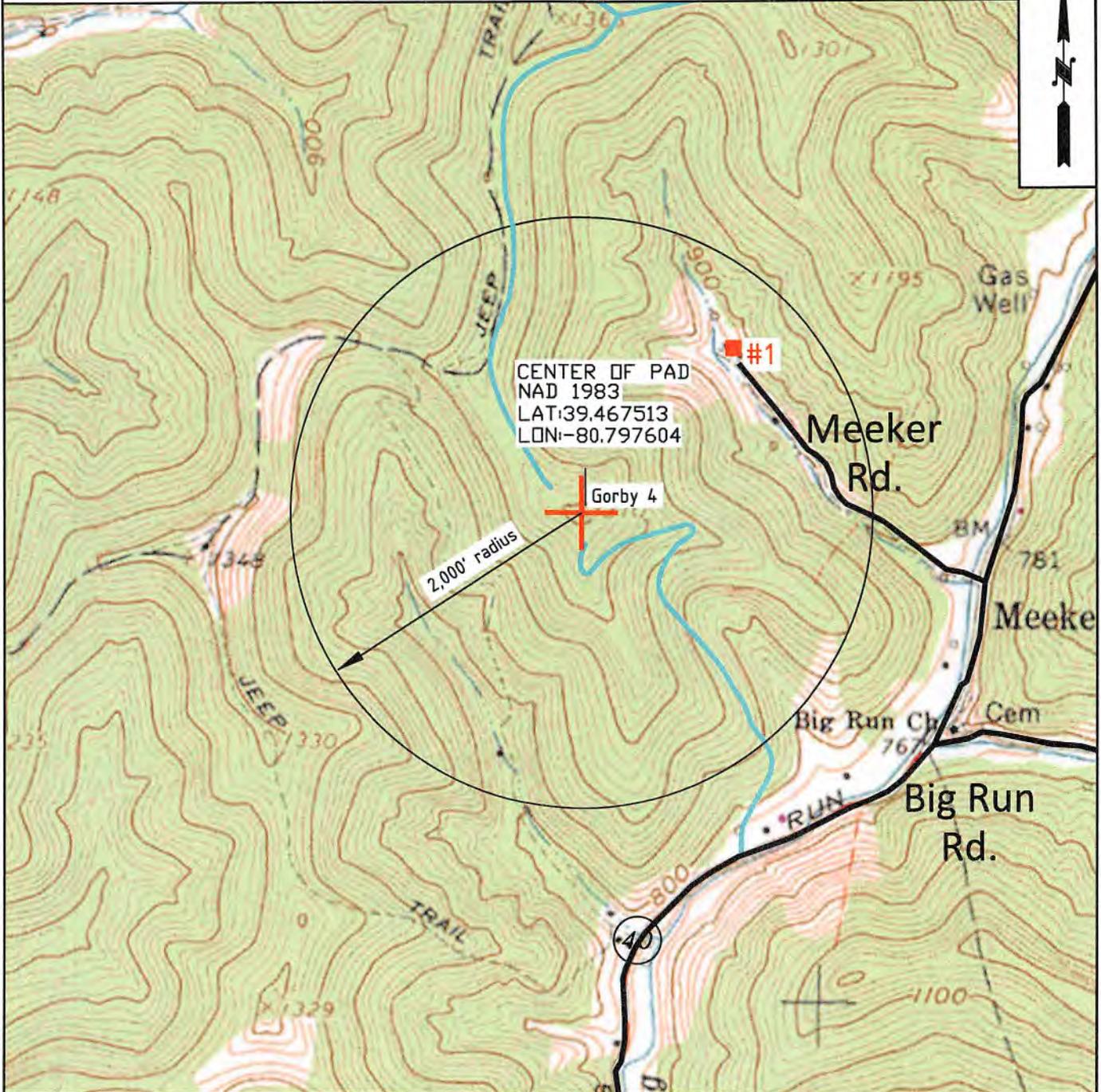
6A

<b>Gorby 4 WW-6A Notifications</b>					
<b><u>Well</u></b>	<b><u>TM/Parcel</u></b>	<b><u>Name</u></b>	<b><u>Address</u></b>	<b><u>WW-6A</u></b>	<b><u>CRR Mailed?</u></b>
Gorby 4	5-6-44	James Ira & Paulette M. Gorby	1979 Big Run Rd. Alma, WV 26320	X	6/1/2022 ✓
Gorby 4	5-6-1	Traci Lynn Brown, et all	19 Dorman Rd Wheeling WV 26003	X	6/1/2022 ✓
Gorby 4	2-28-40	WSD Properties, LLC	571 County Hwy 52 Berghole, OH 43908	X	6/1/2022 ✓
Gorby 4	2-22-29&30	WSD Properties, LLC	571 County Hwy 52 Berghole, OH 43908	X	6/1/2022 ✓
Gorby 4	5-2-28	Jay-Bee Oil & Gas, Inc.	16 South Ave. SW Ste 118 Cranford, NJ 07016	X	6/1/2022 ✓

# PROPOSED GORBY 4

EXHIBIT 3

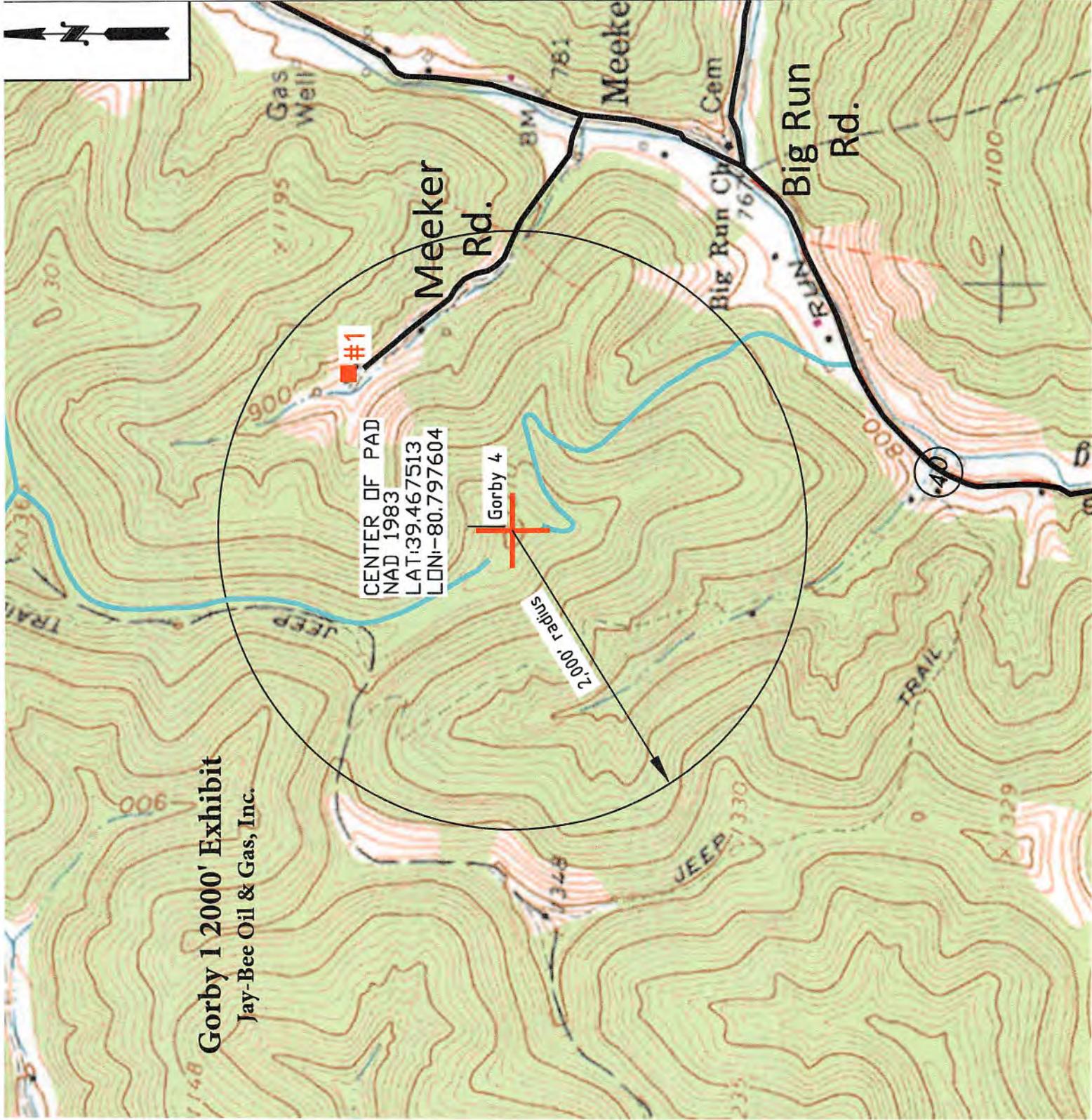
*There appears to be One (1) residence within 2,000'.*



OPERATOR	TOPO SECTION	LEASE NAME
JAY BEE OIL & GAS INC. 429 Simonton Rd. Ellenboro, WV 26346	SHIRLEY 7.5'	GORBY
	SCALE:	DATE:
	1" = 1000'	DATE: 05-24-2022

# Gorby 1 2000' Exhibit

Jay-Bee Oil & Gas, Inc.



<b>RESIDENCES WITHIN 2000' OF GORBY WELL PAD</b>					
<b>WELL: Gorby 4</b>	There appear to be One (1) Residences & Zero (0)				
<b>DISTRICT: McElroy</b>	Businesses, Zero (0) Churches, Schools or Emergency Facilities				
<b>COUNTY: Tyler</b>	within 2000' of the Gorby Well Pad.				
<b>STATE: WV</b>					
	<b>Topo Spot #</b>	<b>Description</b>	<b>Property Owner</b>	<b>E-911 Address</b>	<b>Mailing Address</b>
House/Cabin	#1	05-06-01	Brown, Tracy Lynn et al	440 Meekers Rd:	19 Dorman Rd, Wheeling WV 26003

**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:** 06/01/2022      **Date Permit Application Filed:** 06/13/2022

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

- HAND DELIVERY       CERTIFIED MAIL RETURN RECEIPT REQUESTED

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

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

Name: SEE ATTACHED LIST  
Address: \_\_\_\_\_  
\_\_\_\_\_

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

**Notice is hereby given:**

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

State:	<u>West Virginia</u>	UTM NAD 83	Easting:	<u>517,419.31</u>
County:	<u>Tyler</u>		Northing:	<u>4,368,675.20</u>
District:	<u>McElroy</u>	Public Road Access:	<u>Big Run off Indian Creek Rd.</u>	
Quadrangle:	<u>Shirley 7 1/2'</u>	Generally used farm name:	<u>James + Paulette Gorby</u>	
Watershed:	<u>Middle Island Creek</u>			

**This Notice Shall Include:**

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

**Notice is hereby given by:**

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

Authorized Representative: Emily Potesta  
Address: 429 Simonton Rd. P.O. Box 129  
Ellenboro, WV 26346  
Telephone: 304-203-0665  
Email: epotesta@jaybeeoil.com  
Facsimile: 304-628-3119

**Oil and Gas Privacy Notice:**

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

<b>Gorby 4 WW-6A4 &amp; WW-6A5 Notifications</b>							
<b>Well</b>	<b>TM/Parcel</b>	<b>Name</b>	<b>Address</b>	<b>WW-6A</b>	<b>WW-6A4</b>	<b>WW-6A5</b>	<b>CRR Mailed?</b>
Gorby 4	5-6-44	James Ira & Paulette M. Gorby	1979 Big Run Rd. Alma, WV 26320	X	X	X	6/1/2022



<b>Gorby 4 WW-6A4 &amp; WW-6A5 Notifications</b>							
<b>Well</b>	<b>TM/Parcel</b>	<b>Name</b>	<b>Address</b>	<b>WW-6A</b>	<b>WW-6A4</b>	<b>WW-6A5</b>	<b>CRR Mailed?</b>
Gorby 4	5-6-44	James Ira & Paulette M. Gorby	1979 Big Run Rd. Alma, WV 26320	X	X	X	6/1/2022



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
**Division of Highways**

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

**D. Alan Reed, P.E.**  
State Highway Engineer

**Jimmy Wriston, P. E.**  
Secretary of Transportation  
Commissioner of Highways

**May 2, 2022**

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 Gorby Pad, Tyler County  
Gorby 4 Well Site ✓

Dear Mr. Martin,

This well site will be accessed from a DOH permit #06-2013-0198 which has been issued to Jay-Bee Oil & Gas, Inc. for access to the State Road for a well site located off Tyler County Route 40 SLS MP 1.83.

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

Very Truly Yours,

A handwritten signature in blue ink that reads "Gary K. Clayton".

Gary K. Clayton, P.E.  
Regional Maintenance Engineer  
Central Office O&G Coordinator

Cc: Emily Potesta  
Jay-Bee Oil & Gas Inc.  
CH, OM, D-6  
File



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

June 15, 2022

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

Re: Frac Additives

Permitting Office:

As requested on the Well Permit Checklist, the CAS numbers are referenced for all submitted permits on WW-6B, page, 1, and listed below:

- Water (7732-18-5)
- Sand (14808-60-7, 1344-28-1, 1309-37-1, 13463-67-7)
- Friction Reducer (64742-47-8)
- Scale Inhibitor (107-21-1, 111-46-6)
- Bacteria Prevention (111-30-8, 7173-51-5, 68424-85-1, 64-17-5)
- 15% Vol Acid (7647-01-0)
- Citric Acid (77-92-9)
- Guar Gum (9000-30-0)
- Corrosion Inhibitor (67-56-1, 107-19-7)
- Surfactant (111-76-2)

If you would have any questions concerning this matter, please feel free to contact our office at 304-933-3878 or my cell at 304-203-0665.

Sincerely,

Emily Potesta  
Land Manager Assistant



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

June 15, 2022

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

Re: Gorby Pad Flood Zone

Permitting Office:

As you know, we have applied for a well permit for the Gorby Pad in Tyler County, West Virginia. This letter serves as notification to alert you that the proposed well pad site is not located in a flood zone, according to the West Virginia flood plain tool. I am working with the Tyler County Floodplain Manager, and will forward any material that arises from this project.

If you would have any questions concerning this matter, please feel free to contact our office at 304-933-3878 or my cell at 304-203-0665.

Sincerely,

A handwritten signature in blue ink that reads "Emily Potesta". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Emily Potesta  
Land Manager Assistant



## JAY-BEE COMPANIES

JAY-BEE OIL & GAS, INC.  
P.O. BOX 380  
BRIGDEPORT, WV 26330  
(304)-933-3878

---

Wade Stansberry  
Environmental Resource Specialist  
WV DEP  
601 57<sup>th</sup> St SE  
Charleston, WV 25304

Re: Tyler County Road Permit Approval

Dear Wade,

As we discussed in our last email re: road permits in Tyler County, enclosed you will find 4 copies of our WV DOH District 6 – Tyler County Road permits. They were approved 6/21/2022 by Corey Gast, as extensions of the original road permits. This document will need added to our Gorby Permits, submitted on 6/16/2022. The permit number applicable to our Gorby Pad is 06-2013-0198 Tyler 40.

If you have any questions, please don't hesitate to contact me by email [epotesta@jaybeeoil.com](mailto:epotesta@jaybeeoil.com) or my cell phone 304-203-0665. Thank you!

Sincerely,

Emily Potesta



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
**Division of Highways**

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

D. Alan Reed, P.E.  
State Highway Engineer

Jimmy Wriston, P. E.  
Secretary of Transportation  
Commissioner of Highways

**DATE**

June 21, 2022

Emily Potesta  
Jay-Bee Oil and Gas  
429 Simonton Road  
PO Box 129  
Ellenboro, WV 26346

RE: Permit #06-2012-0691 Tyler 40  
06-2013-0198 Tyler 40

Dear Ms. Potesta:

Your request for continuation of the above listed permit(s), per the conditions specified herein is hereby approved, subject to all conditions and stipulations included in the original permit documents and Addendum letter. This letter will serve as notice that the permit(s) will now expire one year from the date of this letter.

A copy of the permit and this letter shall always be available on the job while the work is in progress for inspection by the West Virginia Division of Highways personnel.

Please attach this letter to and make it a part of the specified Permit(s). If you have any questions or desire any additional information, please contact the Corey Gast at (304) 221- 2066 between the business hours of 7:30 a.m. and 4:00 p.m.

Yours truly,

A handwritten signature in blue ink that reads "Corey M. Gast".

Corey M. Gast  
Oil and Gas Coordinator

CMG:w

# GORBY AS-BUILT / MODIFICATION

McELROY DISTRICT, TYLER COUNTY, WV

Prepared for JAY BEE OIL & GAS

Date: April 04, 2022

**CENTER PAD**  
Geographic NAD 83  
Latitude: 39.487613  
Longitude: -80.787804

**UTM, NAD 83 (METERS)**  
North: 4388678.81  
East: 617409.89

**CENTER OF ROAD INTERSECTION**  
(Sta. 0+00)  
Geographic NAD 83  
Latitude: 39.461048  
Longitude: -80.783685

**UTM, NAD 83 (METERS)**  
North: 4387861.94  
East: 617748.83

**PAD ENTRANCE**  
(Sta. 37+77.63)  
Geographic NAD 83  
Latitude: 39.468987  
Longitude: -80.787330

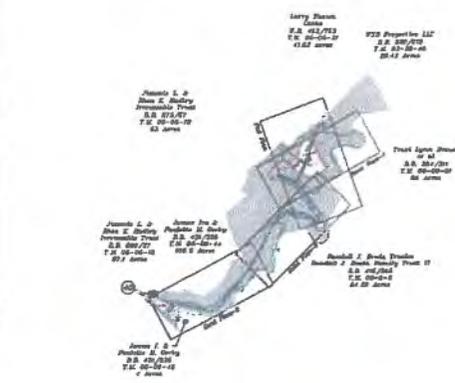
**UTM, NAD 83 (METERS)**  
North: 4388814.80  
East: 617433.61

**Sheet Description**

- 1 Cover
- 2 Corby Road Plan & Profile
- 3 Corby Road Plan & Profile
- 4 Corby Road Plan & Profile
- 5 Corby Pad Plan
- 6 Corby Pad Cross Sections
- 7 Corby Pad Cross Sections
- 8 Corby Road Rec Plan & Profile
- 9 Corby Road Rec Plan & Profile
- 10 Corby Road Rec Plan & Profile
- 11 Corby Pad Rec Plan
- 12 Details



8049 meters  
East Virginia State Plane  
NAD '83  
North Zone  
FZK 47C



NO.	DESCRIPTION	AMOUNT	DATE	BY
1	...	...	...	...
2	...	...	...	...
3	...	...	...	...
4	...	...	...	...
5	...	...	...	...
6	...	...	...	...
7	...	...	...	...
8	...	...	...	...
9	...	...	...	...
10	...	...	...	...
11	...	...	...	...
12	...	...	...	...

**WEST VIRGINIA 811**  
CALL BEFORE YOU DIG! 800.248.4948  
www.811.com

**DRILLING**  
800.598.NCURE

**Jackson Surveying Inc.**  
1790  
1790  
1790

**Jackson A. Oak SFS 1790**  
Date:

**North Central Engineering, LLC**  
James Cook, PE  
P.O. Box 623  
Bridgport, WV 26105  
Cell: 304-296-1121  
E-Mail: [jack@ncen.com](mailto:jack@ncen.com)

**Jackson Surveying Inc.**  
Cover  
Sheet 1 of 12  
Corby Pad Site &  
Road As-Built &  
Modification

800.598.NCURE

*Handwritten signature and date: 7/13/22*

# GORBY AS-BUILT / MODIFICATION

McELROY DISTRICT, TYLER COUNTY, WV

Prepared for JAY BEE OIL & GAS

Date: April 04, 2022

**CENTER PAD**  
Geographic NAD 83  
Latitude: 39.467513  
Longitude: -80.797604

**UTM, NAD 83 (METERS)**  
North: 4368678.61  
East: 517409.89

**CENTER OF ROAD INTERSECTION:**  
(Sta. 0+00)  
Geographic NAD 83  
Latitude: 39.461048  
Longitude: -80.793685

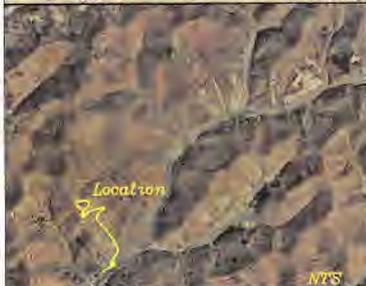
**UTM, NAD 83 (METERS)**  
North: 4367961.94  
East: 517748.63

**PAD ENTRANCE:**  
(Sta. 37+77.63)  
Geographic NAD 83  
Latitude: 39.466937  
Longitude: -80.797330

**UTM, NAD 83 (METERS)**  
North: 4368614.80  
East: 517433.61

**Sheet Description**

- 1 Cover
- 2 Corby Road Plan & Profile
- 3 Corby Road Plan & Profile
- 4 Corby Road Plan & Profile
- 5 Corby Pad Plan
- 6 Corby Pad Cross Sections
- 7 Corby Pad Cross Sections
- 8 Corby Road Rec Plan & Profile
- 9 Corby Road Rec Plan & Profile
- 10 Corby Road Rec Plan & Profile
- 11 Corby Pad Rec Plan
- 12 Details



West Virginia  
State Plane  
NAD '83  
North Zone  
RTK GPS

Larry Shoun  
Owner  
R.R. 402/763  
T.M. 08-05-07  
41.62 Acres

WCO Properties LLC  
R.R. 332/609  
T.M. 02-28-40  
23.42 Acres

Jimmie L. &  
Bena K. Hadley  
Irrevocable Trust  
R.R. 373/27  
T.M. 02-05-19  
5.2 Acres

Travis Lynn Henson  
et al  
R.R. 364/231  
T.M. 05-06-07  
66 Acres

Jimmie L. &  
Bena K. Hadley  
Irrevocable Trust  
D.B. 437/325  
T.M. 05-06-14  
105.5 Acres

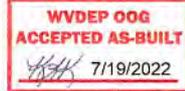
Randall J. Brode Trustee  
Randall J. Brode Family Trust II  
R.R. 415/265  
T.M. 05-6-2  
57.29 Acres

Jimmie L. &  
Bena K. Hadley  
Irrevocable Trust  
D.B. 437/325  
T.M. 05-06-14  
4 Acres

PERMITTED LOD				
OWNER	DEED NUMBER	TAX MAP #	AREA (Square Feet)	AREA (Acres)
Jay Bee Oil & Gas	2017	217	48,732.05	1.12
Jay Bee Oil & Gas	2018	217	20,042.05	0.46
Jay Bee Oil & Gas	2019	217	1,140.00	0.03
<b>TOTAL (Sq. Ft.)</b>			<b>69,914.10</b>	<b>1.61</b>
<b>TOTAL (Acres)</b>				<b>1.61</b>

MODIFIED LOD				
OWNER	DEED NUMBER	TAX MAP #	AREA (Square Feet)	AREA (Acres)
Jay Bee Oil & Gas	2017	217	162,272.42	3.72
Jay Bee Oil & Gas	2018	217	13,340.00	0.31
<b>TOTAL (Sq. Ft.)</b>			<b>175,612.42</b>	<b>4.03</b>
<b>TOTAL (Acres)</b>				<b>4.03</b>

**TOTAL PERMIT LOD- 33.69 AC**  
**TOTAL MODIFIED LOD- 17.80 AC**



**WEST VIRGINIA 811**  
CALL BEFORE YOU DIG!  
Dial 811 or 800.245.4848  
www.WV811.com



**Joshua R. Cook RPE 17850**  
Date: 04-04-2022

Scale: 1" = 500'

**North Central Engineering, LLC**  
 Joshua Cook, RPE  
 P.O. Box 628  
 Bridgeport, WV 26330  
 Cell: 304-299-1583  
 E-Mail: jcook@NorthCentralEngineering.com



**Jackson Surveying Inc.**  
 Cover  
 Sheet 1 of 12  
 Corby Pad Site &  
 Road As-Built &  
 Modification

240 EAST PINE ST. #12  
 CHARLESTON, WV 25303  
 304-625-5851

**WVDEP OOG  
ACCEPTED AS-BUILT**  
*WJH* 7/19/2022

**CENTER PAD**  
Geographic NAD 83  
Latitude: 39.467513  
Longitude: -80.797604

**UTM, NAD 83 (METERS)**  
North: 4368678.61  
East: 517409.89

**PAD ENTRANCE:**  
(Sta. 37+77.63)  
Geographic NAD 83  
Latitude: 39.466937  
Longitude: -80.797330

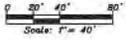
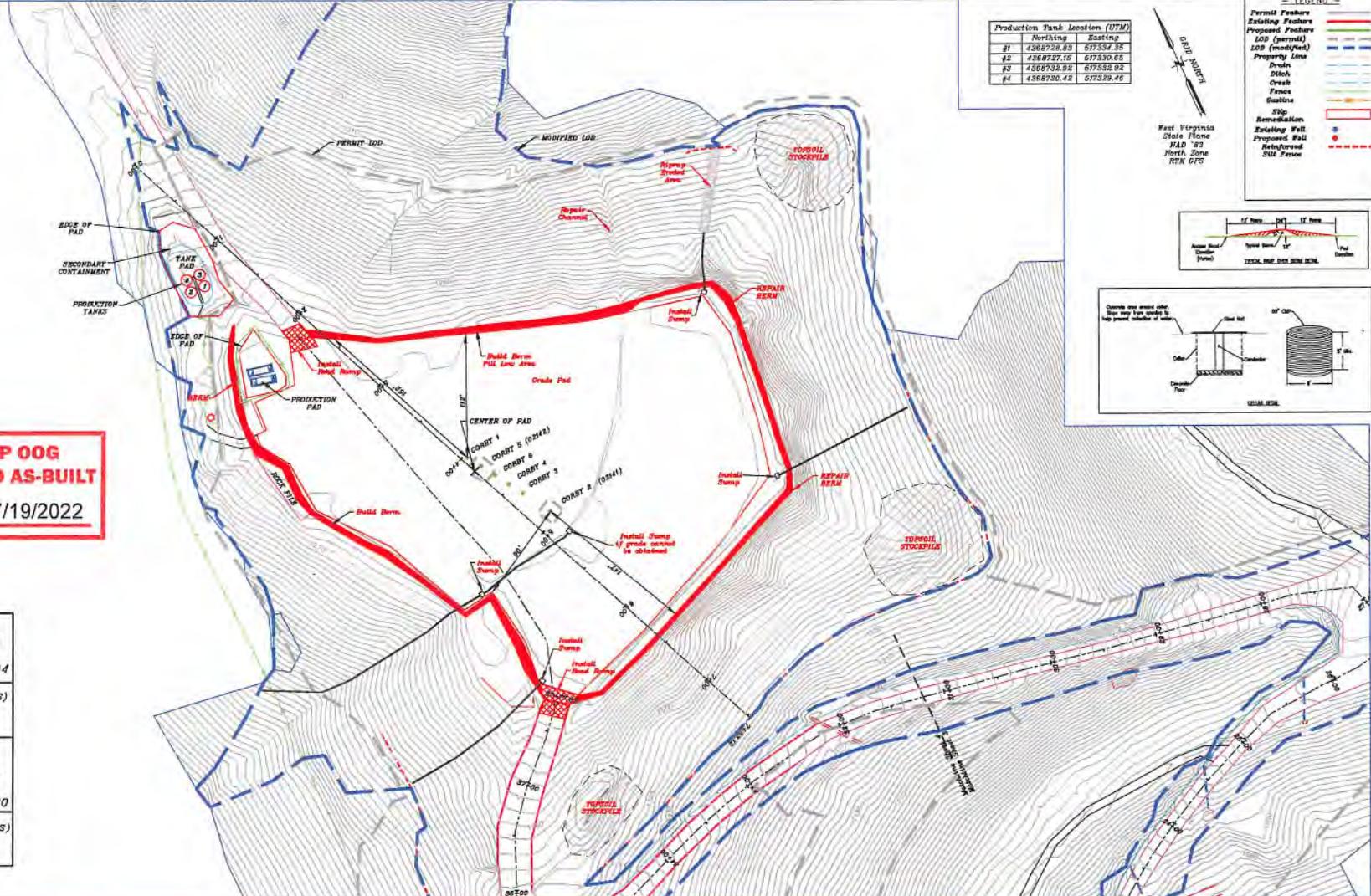
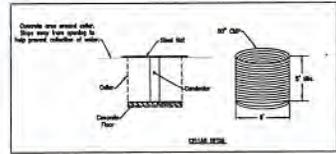
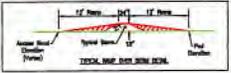
**UTM, NAD 83 (METERS)**  
North: 4368614.80  
East: 517433.61

Production Tank Location (UTM)	Northing	Easting
#1	4368728.83	517357.35
#2	4368727.15	517350.83
#3	4368732.22	517352.92
#4	4368730.42	517353.48

**LEGEND**

- Permit Feature
- Existing Feature
- Proposed Feature
- LOD (permit)
- LOD (modified)
- Property Line
- Ditch
- Ditch
- Overhead
- Fence
- Gasline
- 300' Remediation
- Existing Well
- Proposed Well
- Relocated Well
- Well

Fast Virginia State Plane  
NAD 83  
North Zone  
RTK GPS



**North Central Engineering, LLC**  
Joshua Cook, RPE  
P.O. Box 628  
Bridgeport, WV 26330  
Cell: 304-299-1583  
E-Mail: jcook@NorthCentralEngineering.com



**Jackson Surveying Inc.**  
Corby Pad Plan  
Sheet 5 of 12  
Corby Pad Site &  
Road As-Built &  
Modification

2475 EAST FIVE ST. #12  
Charlottesville, WV 25301  
304-623-5951