

west virginia department of environmental protection

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

Harold D. Ward, Cabinet Secretary www.dep.wv.gov

Tuesday, February 2, 2021 WELL WORK PERMIT Horizontal 6A / New Drill

SWN PRODUCTION COMPANY, LLC POST OFFICE BOX 12359 SPRING, TX 773914954

Re: Permit approval for DANIEL DURIG UP WTZ 3H 47-103-03334-00-00

This well work permit is evidence of permission granted to perform the specified well work at the location described on the attached pages and located on the attached plat, subject to the provisions of Chapter 22 of the West Virginia Code of 1931, as amended, and all rules and regulations promulgated thereunder, and to any additional specific conditions and provisions outlined in the pages attached hereto. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations, and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Spills or emergency discharges must be promptly reported by the operator to 1-800-642-3074 and to the Oil and Gas Inspector.

Please be advised that form WR-35, Well Operators Report of Well Work is to be submitted to this office within 90 days of completion of permitted well work, as should form WR-34 Discharge Monitoring Report within 30 days of discharge of pits, if applicable. Failure to abide by all statutory and regulatory provisions governing all duties and operations hereunder may result in suspension or revocation of this permit and, in addition, may result in civil and/or criminal penalties being imposed upon the operators.

Per 35 CSR 4-5.2.g this permit will expire in two (2) years from the issue date unless permitted well work is commenced. If there are any questions, please feel free to contact me at (304) 926-0450.

James A. Martin Chief

Operator's Well Number: DANIEL DURIG UP WTZ 3H Farm Name: ARTHUR DURIG, DANIEL D U.S. WELL NUMBER: 47-103-03334-00-00 Horizontal 6A Date Issued: 2/2/2021

Promoting a healthy environment.



west virginia department of environmental protection

Oil and Gas Conservation Commission 601 57<sup>th</sup> Street SE, Charleston, WV 25304 304-926-0499 Ext 1274

dep.wv.gov

November 4, 2019

Department of Environmental Protection Office of Oil and Gas Charleston, WV 25304

RE: Application for Deep Well Permit – API #47-103-03334

COMPANY: SWN Production Company, LLC

Daniel Durig UP WTZ 3H

FARM: Arthur Durig (Life Estate) Daniel Durig (Remainderman)

COUNTY: Wetzel DISTRICT: Center QUAD: Wileyville

The deep well review of the application for the above company is <u>Approved to drill to Trenton for</u> Point Pleasant completion.

The applicant has complied with the provision of Chapter 22C-9, of the Code of West Virginia, nineteen hundred and thirty-one (1931), as amended, Oil and Gas Conservation Commission as follows:

- 1. Comments to Notice of Deviation filed? NA
- 2. Provided a certified copy of duly acknowledged and recorded consent and easement form from all surface owners? Yes
- 3. Provided a tabulation of all deep wells within one mile of the proposed location, including the API number of all deep wells: none
- 4. Provided a plat showing that the proposed location is a distance of <u>400+</u> feet from the nearest lease line or unit boundary and showing the following wells drilled to or capable of producing from the objective formation within 3,000 feet of the proposed location.

Sincerely,

Jose

Susan Rose Administrator

# **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

- 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.

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

1) Well Operate	or: SWN F	Production C	o., LLC	49451	2924	103-Wetzel	1-Center	681-Wileyville
-,				Opera	tor ID	County	District	Quadrangle
2) Operator's V	Vell Number	r: Daniel Du	rig UP W	TZ 3H	Well Pad	Name: Danie	l Durig WT	Z Pad
3) Farm Name/	Surface Ow	Ner: (Life E	state) Daniel Durig (Rei	mainderman)	Public Roa	d Access: Mac	edonia Ric	lge Road
4) Elevation, cu	irrent groun	d: <u>1401'</u>	Ele	evation,	proposed	post-construction	on: <u>1401'</u>	
5) Well Type	(a) Gas Other	<u>x</u>	_ Oil		Unde	rground Storag	ge	
	(b)If Gas	Shallow			Deep	x		
		Horizontal	<u>x</u>					Drit
6) Existing Pad	: Yes or No	Yes						9-11-19
7) Proposed Ta								14', Associated Pressure- 9753
			<u> </u>					
8) Proposed To				Hole/ 12	2,193 Poin	t Pleasant		
9) Formation at	Total Verti	cal Depth:	Frenton		- <u>.</u>			
10) Proposed T	otal Measur	ed Depth:	18,562'					
11) Proposed H	orizontal Le	eg Length: _6	6011.86'					
12) Approxima	te Fresh Wa	ter Strata Dej	oths:	427'				
<ul><li>13) Method to I</li><li>14) Approxima</li></ul>			- <b>F</b>			II & Salinity Pr	ofile	
				.y i ionic				
15) Approxima								
16) Approxima	te Depth to	Possible Voic	l (coal mi	ne, kars	t, other): $\int$	None that we a	are aware o	JT
17) Does Propo directly overlyi				ns Ye	es	No	x	RECEIVED Office of Oil and Gas
(a) If Yes, pro	vide Mine I	nfo: Name:						OCT – <b>3 2019</b>
-		Depth						WV Department of Environmental Protection
		Seam:						
		Owner	•					

WW-6B (10/14)

4710008

API NO. 47-009 -OPERATOR WELL NO. Daniel Durig UP WTZ 3H Well Pad Name: Daniel Durig WTZ Pad

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

Drill approximately 100 ft into the Trenton formation and then set cement plug from TD to above planned KOP and then drill horizontally into the Utica. \*\*If we should encounter a void place basket above and below void area- balance cement to bottom of void and grout from basket to surface. Run casing not less than 20' below void nor more than 50'-75' below void. (\*If freshwater is encountered deeper than anticipated it must be protected, set casing 50'75' below cts.)

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

Well will be perforated within the target formation and stimulated with a slurry of water, proppant (sand and/or ceramic) and chemical additives at a high rate. This will be performed in stages with the plug and perf method along the wellbore until the entire lateral within the target formation has been stimulated. All stage plugs are then prepared for production by being drilled out or using large internal bore plugs and the well is flowed back to surface. The well is produced through surface facilities consisting of high pressure production unites, vertical seperation units, water and oil storage tanks as needed. The maximum anticipated pressure and rate is 15,000 psi @ 100 barrels per minute.

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 8.1

22) Area to be disturbed for well pad only, less access road (acres): 3.9

23) Describe centralizer placement for each casing string:

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

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

See Attachment \*\*\*

25) Proposed borehole conditioning procedures:

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

\*Note: Attach additional sheets as needed.

4710303334 API NO. 47-009

OPERATOR WELL NO. Daniel Durig UP WTZ 3H

Well Pad Name: Daniel Durig WTZ Pad

WW-6B

# (04/15)

# CASING AND TUBING PROGRAM

ТҮРЕ	<u>Size</u> (in)	<u>New</u> <u>or</u> <u>Used</u>	Grade	<u>Weight per ft.</u> (lb/ft)	<u>FOOTAGE: For</u> <u>Drilling (ft)</u>	INTERVALS: Left in Well (ft)	<u>CEMENT:</u> <u>Fill-up</u> (Cu. Ft.)/CTS
Conductor	30"	New	H-40		100'	100'	CTS
Fresh Water	20"	New	J-55	94#	530'	530'	1124 sx/CTS
Coal	See	Interm	Casing				
Intermediate	13 3/8"	New	L-80	68#	2715'	2715'	2414 sx/CTS
Intermediate 2	9 5/8"	New	P-110HP	53.5#	11,200'	11,200'	4098 sx/CTS
Production	5 1/2"	New	P-110HP	23#	18,562'	18,562'	lead 621sx/Tail 2343sx/ 100' Inside Interr

					DM } 9-11-19		
ТҮРЕ	Size (in)	<u>Wellbore</u> Diameter (in)	<u>Wall</u> <u>Thickness</u> <u>(in)</u>	<u>Burst Pressure</u> (psi)	Anticipated Max. Internal Pressure (psi)	<u>Cement</u> <u>Type</u>	<u>Cement</u> <u>Yield</u> (cu. ft./k)
Conductor	30"	30"	0.75	2780	81	Class A	1.19/50% Excess
Fresh Water	20"	24"	0.438	2110	633	Class A	1.19/50% Excess
Coal							
Intermediate	13 3/8"	17.5"	0.33	2730	1768	Class A	1.19/50% Excess
Intermediate 2	9 5/8"	12 1/4"	0.395	5750	3898	Class A	1.68/1.25
Production	5 1/2"	8 3/4"	0.415	14520	9918	Class A	1.68/1.25

# **PACKERS**

Kind:		RECEI Office of Oi	VED and Gas
Sizes:		OCT - 3	
Depths Set:		WV Depar Environmenta	rnent of Protection

18)

# 4710303334

	Product Name	Product Use	Chemical Name	CAS Number
Surface	S001	accelerator	calcium chloride up to 3%	10043-52-4
Intermediate Surface	5001	accelerator	calcium chloride	10043-52-4
-	D080	dispersant	sodium polynaphthalene sulfonate	9008-63-3
i of	D801	retarder	aromatic polymer derivative	propriatary
Kick Off Plug	D047	antifoam	polypropylene glycol	25322-69-4
	D167	fluid loss	aliphatic amide polymer	propriatary
	D154	extender	non-crystalline silica	7631-86-9
	D400	gas migration	boric acid	10043-35-3
			polypropylene glycol	25322-69-4
pe	D046	antifoam	fullers earth (attapulgite)	8031-18-3
Production-Lead	C		chrystalline silica	14808-60-7
tion	D201	retarder	metal oxide	propriatary
onpo			sulphonated synthetic polymer	propriatary
Pro	D202	dispersant	formaldehyde (impurity)	propriatary
			polypropylene glycol	25322-69-4
	D046	antifoam	fullers earth (attapulgite)	8031-18-3
	D167	fluid loss	aliphatic amide polymer	propriatary
ail	La		sodium polynaphthalene sulfonate	9008-63-3
I-u	D065	dispersant	sodium sulfate	7757-82-6
Production-Tail	1	A	chrystalline silica	14808-60-7
npo	D201	retarder	metal oxide	propriatary
Pr	D153 anti-settling		chrystalline silica	14808-60-7

Schlumberger Cement Additives

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Rev. 5/18/2018

OCT - 3 2019

# 47 1 0 3 0 3 3 3 4

EXHIBIT "A" Attached to and made a part of the State of West Viginia Caland Gan Permin Form, WW46AJ, by SWN Production Company, LLC, Operator Date Only UP W77, 241 Marshall and Wester Counties, West Viginia

TRACT #	TMF	LESSOR	LESSEE	ROYALTY	BK/PG	DEEDED ACREAGE	Interest Not Leased by Southwestern Productio Company
	1 12-5	6 C. C. Yaho and Mary Yoho, his wife Manufacturers Light and Heat Company Columbia Sast Transmission Corporation Columbia Natural Resources, LIC Cheapeale Appalachia, LLC,	Minufacturers Light and Heat Company Columbia Gas Transmission Corporation Columbia Natural Resources, U.C Chesapeake Appelichia, LLC SWN Production Company, LLC	12.50%	45A/235 263/164 84A/129 402/446 157A/540	151.580000	0.00000
	2 12-5-1		Manufacturers light and Heat Company	12.50%	454/235	85.500000	0.000000
		Manufacturers Light and Heat Company Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Chesapesike Appalachia, LLC.	Calumbia Gas Transmission Corporation Calumbia Natural Resources, LLC Chesapeake Appalachia, LLC SWN Production Company, LLC		263/164 84A/129 402/446 157A/540		
	3 7-29-1	1.7.1. Pook and Elbeed Yorko, Ikis wile, Trecy Yorko, widower, Group R. Yorko, widower, Anger R. Yorko, widower, Anger R. Yorko, widower, Kargar, Agaha Shrubana, Brutano a, Maxaney K-Yan, Karana K, Kangar, Kanga		12,50%	353/145	29.400000	30000
		Manufacturers Light and Hest Company Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Chespoale Applicable, LLC T. A Tools and Etheest Yoho, Issueds, Trecy Yoho, widewer, Genega P. Yoho, widewer, Agnita Eshbuo and Joseph Biedun, her husband, Maxine liotton, Sheard Yotan and Gala Tooum, Ris wide Biechter, Jack Tool, William Horton, Sheard Biechter, Jack Tool, William, Toom, Kaya Biechter, Jack Tool, Will, Kaya J. Sheard Bieger, and Staphen W. Burgs, Trastees of the Grown E. Burgs, and Staphen W. Burgs, Trastees of the Grown E. Burgs, and Staphen W. Burgs, Trastees of the Stark, Sawa Burgs, and Staphen W. Burgs, Trastees of the Stark, Sawa Burgs, and Staphen W. Burgs, Trastees of the Stark, Sawa Burgs, and Staphen W. Burgs, Trastees of the Stark L. Burgs, Trast Batha Danz 21, 2010; Conderes Dis, Jak Start, and Staphen W. Burgs, Trastees of the Stark, L Hammers, Paul E. Hennensy, Linet Hietmanu, Shano Hietmann Hill, Winh D., Horton Hill, Burg, Marid Mathan, Sawa D. Moore, Vighta Card Hilling Dahen Mohan, Yuana D. Kong, Yuana Dahan, Yuang Jang, Tanka Katel, Ang Anata J. 2005, Charlen Dahen Mohan, Charlen Stark, Winjaky and Tuila Q. Wilayley Trust, Agenement dated August 23, 1995, Charlen De Wildman, Charlen Yourn, James E. Yourn, Linthay Horl Yourn, Tau J. Yourn, Charlen Area, Jang Hang, Tourn, Sawa Donar Yong, Stering Jang Charlen Weith, Dahan Hang, Walang Charlen Columa Bardie, Sout Wildweith, Jang Bardie, Bardie, Handhare, Jang J. Yourn, Charlen Jang Hang, Yang Jang Hang, Yang Jang Hang, Yang Yang Jang Hang, Yang Yang Yang Yang Yang Yang Yang Yang		12.50%	422/704 642/781 650/63 334/10 353/141	103.00000	00000
		Manufacturers Light and Heat Company Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Chesspeak Applicable, LLC.	Columbia Ges Transmission Corporation Columbia Natural Persources, LLC Cherapeake Applatechia, LLC SWN Production Company, LLC		422/204 642/281 650/63 33A/110		
4	7-29-8.	E Groupe RI, Yoho, widower (Edd. R. Howners, Pail F. Hammers, Erica M. Mason; Toni Joh Rason Uwing Traut; Orward E. Barge, Sarah Barge, and Stephero W. Barge, Truitees of the Onward E. Barge Traus David Amer 23, 2010; Orward E. Barge, Sarah Barge, Tout Barled Amer 23, 2010; Weishano Traut & Imsettment David Amer 23, 2010; Weishano Traut & Imsettment David Amer 23, 2010; Weishano Traut & Imsettment Services, Traute under the Sorg V. Minjeky and Telad. Wrhijskey Traut Agreement dated August 25, 1999)	Manufacturers Light and Heat Company	12.50%	361/181	99.875000	6.050000
		Manufacturers Light and Heat Company Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Chesapeake Appalachia, LLC.	Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Chesapeake Appalachia, LLC SWN Production Company, LLC		422/204 642/281 650/63 33A/110		
	5 7-29-7	George H Yollo, widower (Jack R, Hommers, Pall F, Hannersz; Erka AK, Masson, Tooi Jack R, Niemers, Pall F, Hannersz; Erka AK, Masson, Tooi Jack R, Hommers, Transtro of the Owner LB. Burger Tooi Stephen W. Burger, Transtro of the Daven LB. Burger Tooi Bated Jane 21, 2010, Wesiliano Trast & Investment Bated Jane 21, 2010, Wesiliano Trast & Investment Bated Jane 21, 2010, Wesiliano Trast & Investment Berricker, Tratte und He Staty K. Mahay and Twilo Derkord, Jane Land Stat & Staty K. Mahay and Twilo Derkord, Jane Land Stat & Staty K. Mahay and Twilo Derkord, Trast Agreement dated August 25, 1999)	Manufacturers Light and Heat Company	12.50%	363/387	162,000000	0.000000
		Manufacturers Light and Heat Company Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Chesapeake Appalachia, LLC	Columbia Gas Transmission Corporation Columbia Natural Pescurses, U.C Chesapsake Applachia, L.L.C. SWN Production Company, ILC		422/204 642/281 650/63 33A/424		

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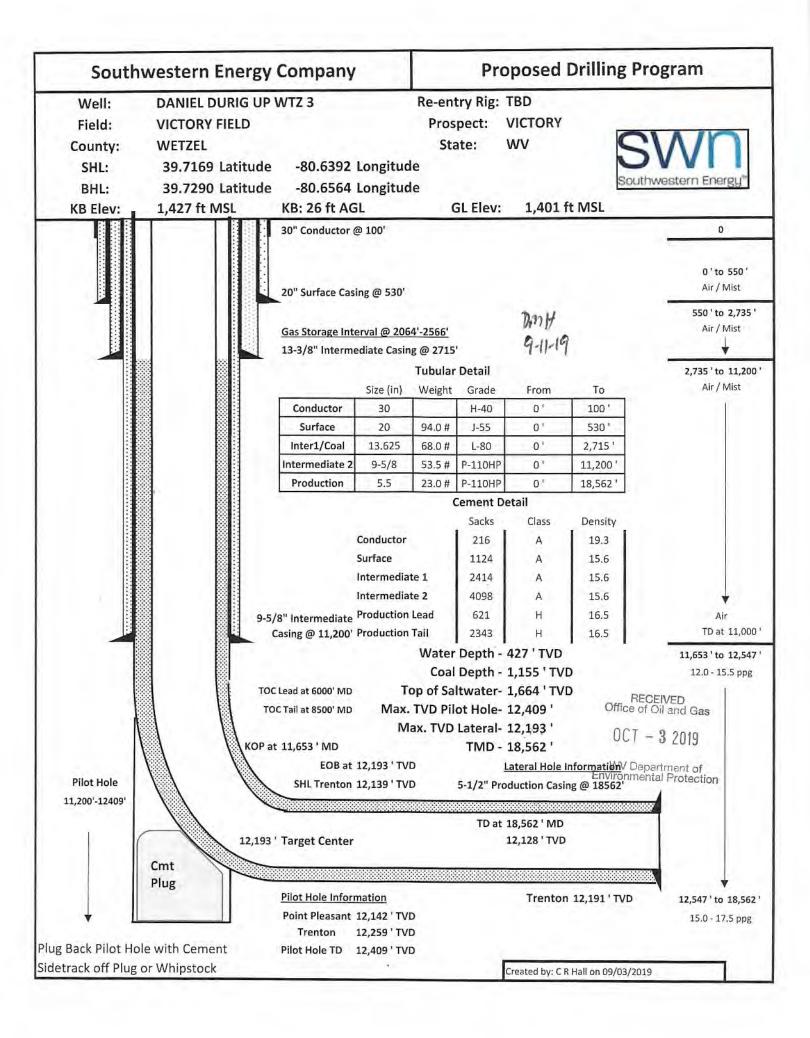
# 4710303334

EXHIBIT "A" Attached to and made a part of the State of West Virginia Cil and Gai Permit Form, Wie GAI, by SWN Production Company, LLC, Operator Marshall and Wetzel Counties, West Virginia

	-			the state was light and there for	12.50%	353/103	25.000	0.000000
6	7.	29-9	George N. Yaho, widower [Jack R. Hammers; Paul F. Hammers; Erka M. Mason; Toni Jo Mason Liking Frust; Oleward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Onward E. Burge Trust Dated June 21, 2010; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Sarah L. Burge Trust	Manufacturers light and Heat Company	12.50%	353/103	75100	
			Dated June 21, 2010; Wes Banco Trust & Investment Services, Trustee under the Stoy K. Whipkey and Twila Q. Whipkey Trust Agreement dated August 25, 1999)					
			Manufacturers Light and Heat Company	Columbia Gas Transmission Corporation		422/204		Aller of
			Columbia Gas Transmission Corporation	Columbia Natural Resources, LLC		642/281		Section 200
			Columbia Natural Resources, LLC	Chesapeake Appalachia, LLC.		650/63		100倍的 100
			Chesapeake Appalachia, LLC.	SWN Production Company, LLC		33A/110		1.6685
	7 7.	15	George N Value, seldover, Trecy Yoho, widower, T. J. Yoho and Ether Vlobo, Swifi, Tary Yoho, wirow, Agratha Bartota and Joseph Barbota, her husband, Mainer Iorisan at Attarray in Jack Too William (State) (Back Gold Graup, LTD, Hanzy Moremaker, Tammy Kay Beolon; Bai Lee Ann Beeen; Coward L. Barge, Sarah Barge, and Stephen W. Barge, Trastee of the Owward L. Barge Trast Datel More 21, 2010 Nontal E Barge, Sarah Janga and Stephen W. Barge, Trastee of the Owward L. Barge Trast Datel More 21, 2010 Nontal E Barge, Sarah Jarge Trast Datel Mare 21, 2010 Nontal E Barge, Sarah Jarge Trast Datel Mare 21, 2010 Nonta E Barge, Sarah Jarge Trast Datel Mare 21, 2010 Nontal E Barge, Sarah Jarge Tora Datel Mare 21, 2010 Nonta Neurol E Barge, Sarah Jarda Horne, Sarah Matthewar, 2010 Nontal E Barge, Sarah Jarda Hornes, Jank Horen, Tensa Long Mare, Tinda Karge Mickaden Methemy Suano, Honera, Tani Jar Mason, Uning Turut, Beenda Ward, Jaseph L Watkins; Weshano Turut & Bernda Ward, Jaseph L Watkins; Weshano Turut & Bernda Ward, Jaseph L Watkins; Weshano Turut & Bornen Kin Franz Karge Michang, Chainero Sarde August 25, 2015 Christich Serb, Truste ander Ha Sary & Wilhaley and Twia O. Wilhaley Trust Agreement dated August 25, 2010 Nather, Berns Long, Sarah Jang Maren Linda Maraka, Jang Yang, Jange Marking, Watking Weshano Turut & Dynen Garth Maraka, Janking Jange K. Tooran, Linday Janking Yang, Jange Jang Maraka, Jange K. Tooran, Janday Jang Yang, Jange H. Watking, Chainero Watada Maraka, 2010 Nathang Wataker, Jane Ha, Jange Ha, Jange Ha, Jange Hang, Jange Yang, Jange Hang, Jange Hange Hang, Jange Hange		12,50%	45A/325	57,700000	0,000
			Manufacturers Light and Heat Company Columbia Gas Transmission Corporation Columbia Natural Resources, LLC	Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Cheapeake Appalechia, LLC, Elitib Deck define Company, LLC		422/204 642/281 650/63 33A/110		
8 7	7-2	9-8.2	Chespeak Appakek Appakek (LLC George N. Yohay, widewer (Jack R. Hammers; Pauf F. Hammers; Frica M. Masson; Tooris I ankan Duing; Trautices of the Ownera E. Burge Trast Dated Jane 21, 2002, Ownera E. Burge, Sanh Burge, and Stephen W. Burge, Trautese of the Sanh L. Burge Trast Dated Jane 21, 2002, Owneral E. Burge, Sanh Burge, and Stephen W. Burge, Trautese of the Sanh L. Burge Trast Dated Jane 21, 2002, Weighton Tratts: Roweithment Services, Trastes under the Stark (Mispiery and York) D. Wijnley Trast Largement Gated August 25, 2009)	SWH Production Company, LLC Menulacturers Light and Heat Company	12.50%	33A/130 353/103	52.125000	0.000000
			Manufacturers Light and Heat Company	Columbia Gas Transmission Corporation		422/204		1.1
			Columbia Gas Transmission Corporation	Columbia Natural Resources, LLC		642/281		Sec. Sale
		Columbia Natural Resources, LLC	Chesapeake Appalachia, LLC.		650/63		19.11	

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47:0:03334

WW-9 (4/16)

API Number 47 - 103

Operator's Well No. Daniel Durig UP WTZ 3H

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

### FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

Operator Name SWN Production Co., LLC	OP Code 494512924
Watershed (HUC 10) Laurel Run	Quadrangle
Do you anticipate using more than 5,000 bbls of water to complete Will a pit be used? Yes No	e the proposed well work? Yes <u>V</u> No <u></u>
If so, please describe anticipated pit waste:	
Will a synthetic liner be used in the pit? Yes N	No 🖌 If so, what ml.?
Proposed Disposal Method For Treated Pit Wastes:	Dwit
Land Application	9-1219
Underground Injection (UIC Permit N	
	vell, API# will be included with the WR-34/DDMR &/or permit addendum.
Off Site Disposal (Supply form WW-9	for disposal location) It in steel tanks and reused or taken to a permitted disposal facility
Other (Explain_ flow back fluids will be pu	it in steer tanks and redsed of taken to a permitted disposal facility
Will closed loop system be used? If so, describe: Yes- See Attach	iment 3A
Drilling medium anticipated for this well (vertical and horizontal)	? Air, freshwater, oil based, etc. Air drill to KOP, fund drill with SOBM from KOP to TD
-If oil based, what type? Synthetic, petroleum, etc. Synth	etic Oil Base
Additives to be used in drilling medium? Attachment 3B	Office of Dil and Gas
Drill cuttings disposal method? Leave in pit, landfill, removed off	site, etc. landfill OCI - 3 2010
-If left in pit and plan to solidify what medium will be use	ed? (cement, lime, sawdust)

WW Department of -Landfill or offsite name/permit number? Meadowfill SWF- 1032, Short Creek SWF-1034,Carbon Limestone MSWL018781, Wetzel County Tuzi Projection Arden Landfill 10072, Apex Sanitary Landfill 06-08438, Brooke Co SVVF-1013, Valley 100280

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 Buttany Moody	NOTARY PUBLIC OFFICIAL SEAL JESSICA L. VANGILDER State of West Virginia My Comm. Expires Jul 20, 2020 SWM Production Company LLC
Company Official (Typed Name) Brittany Woody	My Comm. Expires Jul 20, 2020 SWN Production Company, LLC
Company Official Title Senior Regulatory Analyst	179 Innovation Dr. Jane Lew, WV 26378

Subscribed and sworn before m	ethis 3rd day of September	, 20 19
Jessica	L. Van Silder	_ Notary Public
My commission expires	7-20-20	

# 4710303334

Form	W	W	-9
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# Operator's Well No. Daniel Durig UP WTZ 3H

# SWN Production Co., LLC

Proposed Revegetation Treat	ment: Acres Disturb	Prevegetation pH	[	
Limeas determined by pH te	st min.2 Tons/acre or to	correct to pH _3.9		
Fertilizer type <u>10-</u> 2	20-20			
Fertilizer amount_6	00	lbs/acre		
Mulch Hay/Strav	N	Tons/acre		
		Seed Mixtures		
Те	mporary		Perma	nent
Seed Type Attachment 3C	lbs/acre		Seed Type	lbs/acre

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.

1	Office of Oil and Gas
Plan Approved by:	0CT ~ 3 2019
Comments:	WV Department of Environmental Protection
	·····
Title: Oil & Gas Inspector Date:	9-11-19
Field Reviewed?	

# 47:0303334

# Attachment 3A

# **CLOSED LOOP SYSTEM**

The closed loop system is designed to eliminate the use of reserve pits by providing a higher level of solids control processing and using steel pits for capture of drill cuttings. The cuttings are then processed to achieve landfill requirements before hauling to approved landfills. The liquids are processed to recycle into the active mud system or to transfer to onsite temporary storage as needed.

The closed loop system consists of several sets of a shale gas separator (often called a 'methana'), several banks of solids shakers, high speed centrifuges (1 or 2) used to process the fluid portion of the mud system to remove low gravity solids, low speed centrifuge used for barite recovery in high weight liquid drilling systems, a dewatering system (for air intervals and if freshwater mud systems are in use) used to further clean liquids by flocculation and additional mechanical separation, associated open top tanks for processing liquids and capturing solids for disposal, and transfer pumps to move fluids through the processes. There is an area adjacent to the cuttings tanks (Red Zone) where a track hole is utilized to recover the processed cuttings for loading into containers for hauloff. (See attached schematic of a generic closed loop system layout)

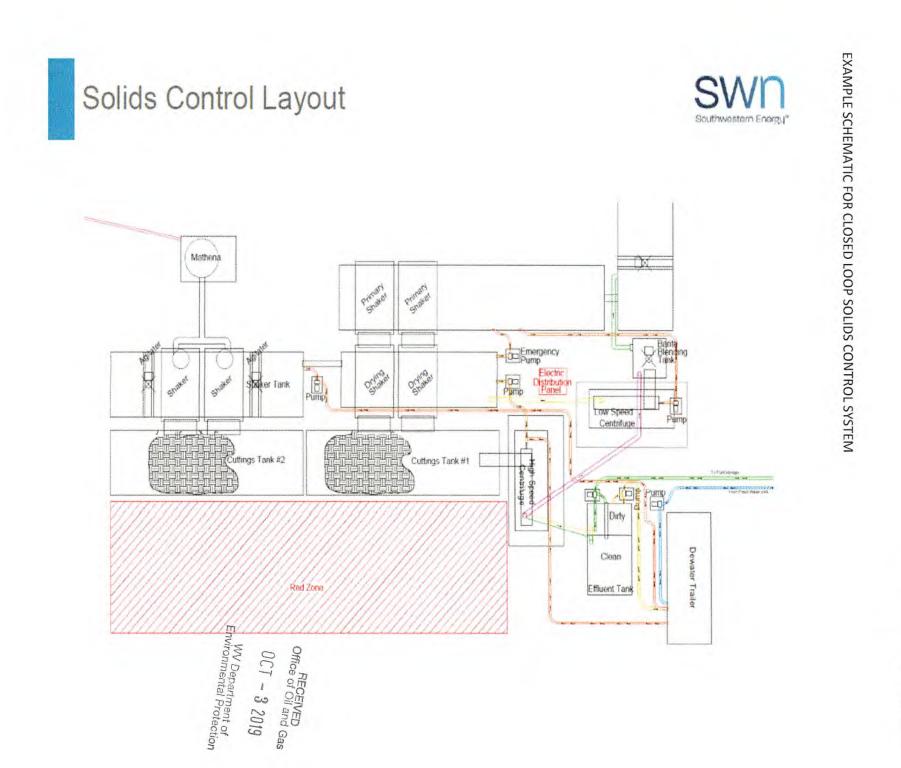
Below are discussions of the processes used when drilling the air interval or liquids interval.

# **AIR DRILLING INTERVALS**

During air drilling operations, flow from the rig will pass down the flowline to the Shale Gas Separater (sometimes called a methane) where gas and liquids/solids are separated. Gas is sent to the flare scrubber tank and is flared at the flare stack. Solids and fluids pass across a shaker system to separate solids from liquids. Solids pass into the cuttings tanks where they are captured for drying and hauloff to an approved landfill site. Liquids fall into a shaker tank and are collected by a centrifugal pump to be processed by the high speed centrituge to infinite separate inquise and a separate inquise OCT - 3 2019

# LIQUIDS DRILLING (FRESHWATER, BRINE, SOBM)

LIQUIDS DRILLING (FRESHWATER, BRINE, SUBINI, Environmental of When drilling is converted to liquids drilling, the shale gas separator and associated shaker tank are with the shale gas separator and associated shaker tank are bypassed, and the liquids system is processed over the primary and drying shaker systems. Cuttings drop into the cuttings tank for additional processing. Any recoverable associated liquids attached to the cutting are recovered out the tank and processed through the low gravity (high speed) and barite recovery centrifuges (low speed) to further remove low gravity solids and to recover barite for reuse in the mud systems.



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# **Attachment 3B**

# **Drilling Mediums**

# Surface/Coal(if present)/Freshwater Intervals:

Air

Freshwater (if needed based on conditions)

# Intermediate/Coal (if present):

Air

Brine (In Gas Storage areas)

**Organophilic Bentonite** 

# **Production Hole:**

Air Synthetic Oil (Base Fluid for mud system) Barite Calcium Chloride Lime

Organophilic Bentonite

Primary and Secondary Emulsifiers

Gilsonite

Calcium Carbonate

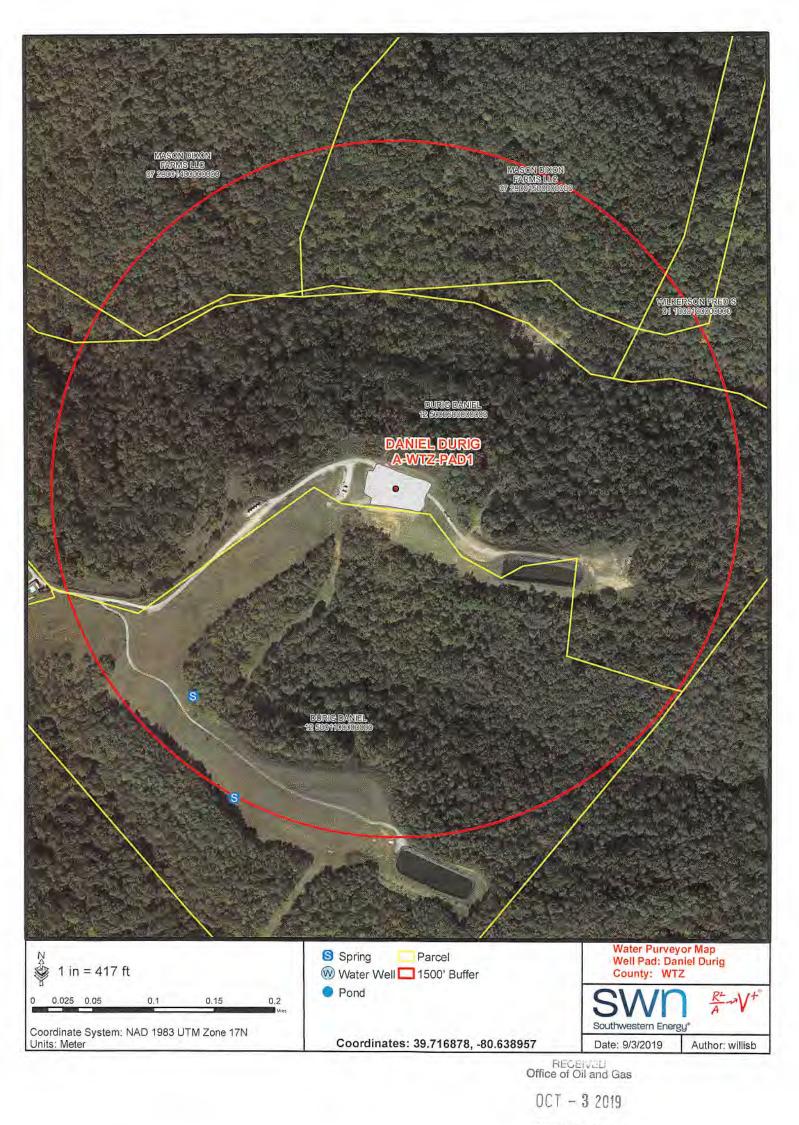
**Friction Reducers** 

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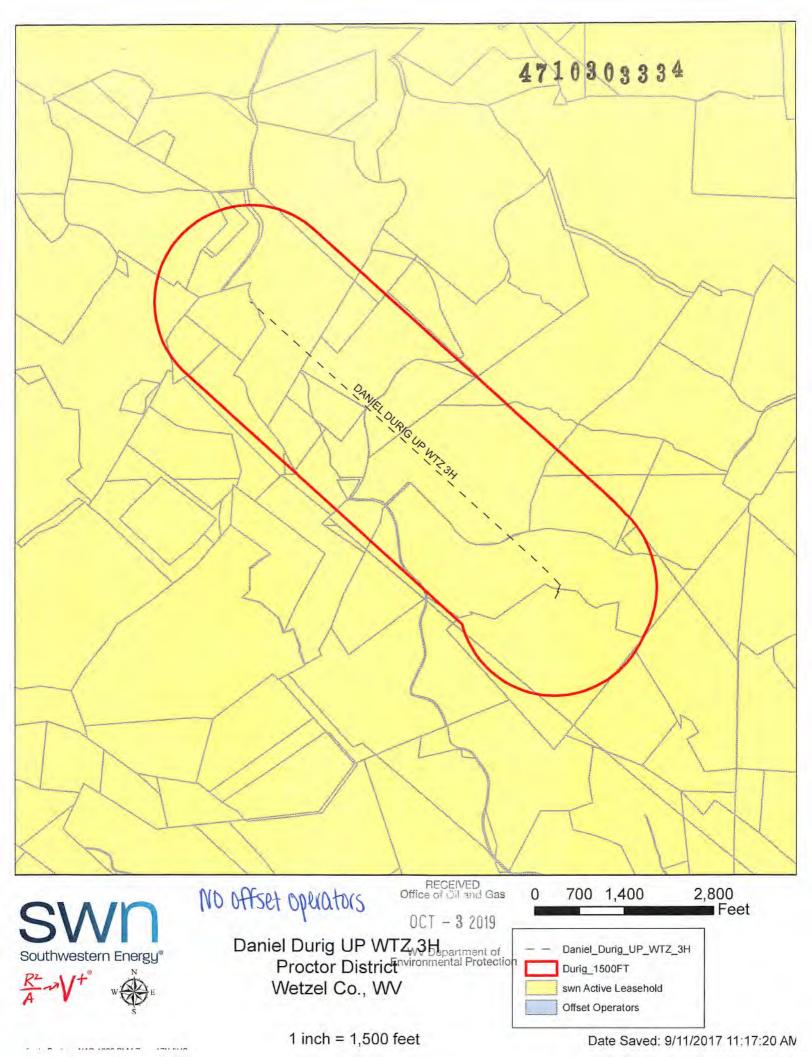
Attachment 3C K-V+ WVD Seeding Specification Southwestern Energy' To Order Seed contact Lyndsi Eddy Flippo office 570-996-4271 cell 501-269-5451 lyndsi\_eddy@swn.com (please allow 7 to 10 days for delivery) **NON-ORGANIC PROPERTIES ORGANIC PROPERTIES** Seed Mixture: ROW Mix **SWN Supplied SWN Supplied** Seed Mixture: SWN Production Organic Mix Orchardgrass 40% Organic Timothy 50% **Organic Red or White Clover** Timothy 15% 50% OR Annual Ryegrass 15% **Organic Perennial Ryegrass Brown Top Millet** 5% 50% Red Top 5% **Organic Red or White Clover** 50% Medium Red Clover 5% All legumes are Apply @ 100lbs per acre Apply @ 200lbs per acre innoculated at 5x normal White Clover 5% April 16th-Oct. 14th Oct. 15th- April 15th rate **Birdsfoot Trefoil** 5% Organic Fertilizer @ 200lbs per Acre Pelletized Lime @ 2 Tons per Acre **Rough Bluegrass** 5% Apply @ 200lbs per acre Apply @ 100lbs per acre Oct. 15th- April 15th PLUS April 16th- Oct. 14th WETLANDS (delineated as jurisdictional wetlands) 50lbs per acre of Winter Wheat SOIL AMENDMENTS Seed Mixture: Wetland Mix **SWN Supplied** 10-20-20 Fertilizer \*Apply @ 500lbs per Acre **VA Wild Ryegrass** 20% Pelletized Lime Annual Ryegrass 20% Apply @ 2 Tons per Acre \*unless otherwise dictated by soil test results Fowl Bluegrass 20% Cosmos 'Sensation' 10% Seeding Calculation Information: Redtop 5% 1452' of 30' ROW/LOD is One Acre 871' of 50' ROW/LOD is One Acre **Golden Tickseed** 5% 622' of 70' ROW/LOD is One Acre Maryland Senna 5% Showy Tickseed 5% Fox Sedge Synopsis: 2.5% Soft Rush 2.5% Every 622 linear feet in a 70' ROW/LOD, you should be using (2) 50lb bags of seed, (4) 50lb bags of fertilizer and (80) 50lb bags of Lime (2x seed in winter months + 50lb Winter Woolgrass 2.5% Wheat/ac). 2.5% Swamp Verbena Apply @ 50lbs per acre Special Considerations: Apply @ 25lbs per acre Oct. 15th-April 15th andowner Special Considerations including CREP program participants require additional April 16th- Oct. 14th guidance that is not given here. Discuss these requirements with SWN supervision at the T NO FERTILIZER OR LIME INSIDE WETLAND LIMITS beginning of the project to allow time for special seed delivery. 3 1 Department of hmental Protection lice Rev. 5/22/2018 OF - 3 2019 VED and Gas

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WV Department of Emissionical Protection





Carol S Hausht WETZEL County 11:51:19 AM Instrument No 229001 Date Recorded 06/19/2017 Document Type R/W Pages Recorded 4 Book-Page 121-804 Recording Fee 45.00 Transfer Tax \$66.00 Additional \$26.00

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API	Operator	Status	Latitude		Vertical TD	Producing Formation	Producing Zones Not Per
103-03185	SWN Production Company, LLC 1300 Fort Pierpont Rd. Suite 200, Morgantown WV 26508	Active	****	****	7238	Marcellus	
			****	****			
051-01178	SWN Production Company, LLC 1300 Fort Pierpont Rd. Suite 200, Morgantown WV 26508	Active	****	****	7177	Marcellus	
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# UTICA WELL DRILLING PROCEDURES AND WELL SITE SAFETY PLAN

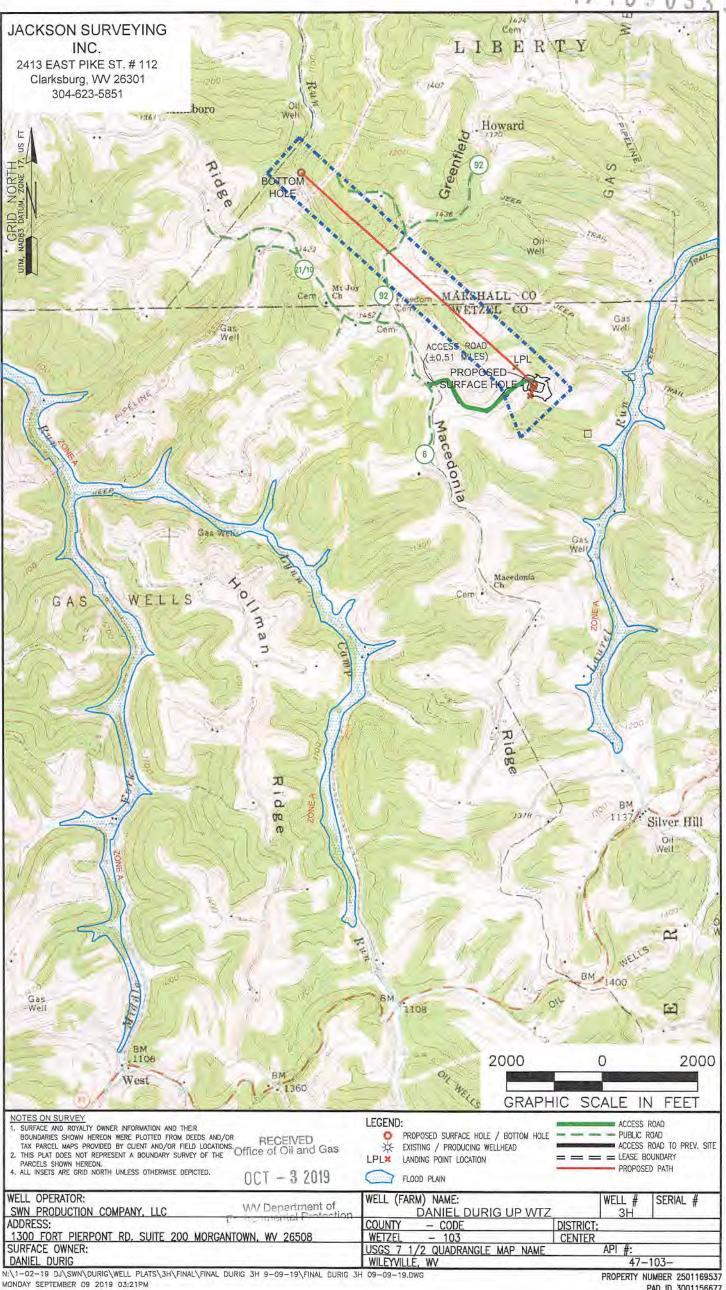


SWN Production Company, LLC 179 Innovation Drive Jane Lew, West Virginia 26378

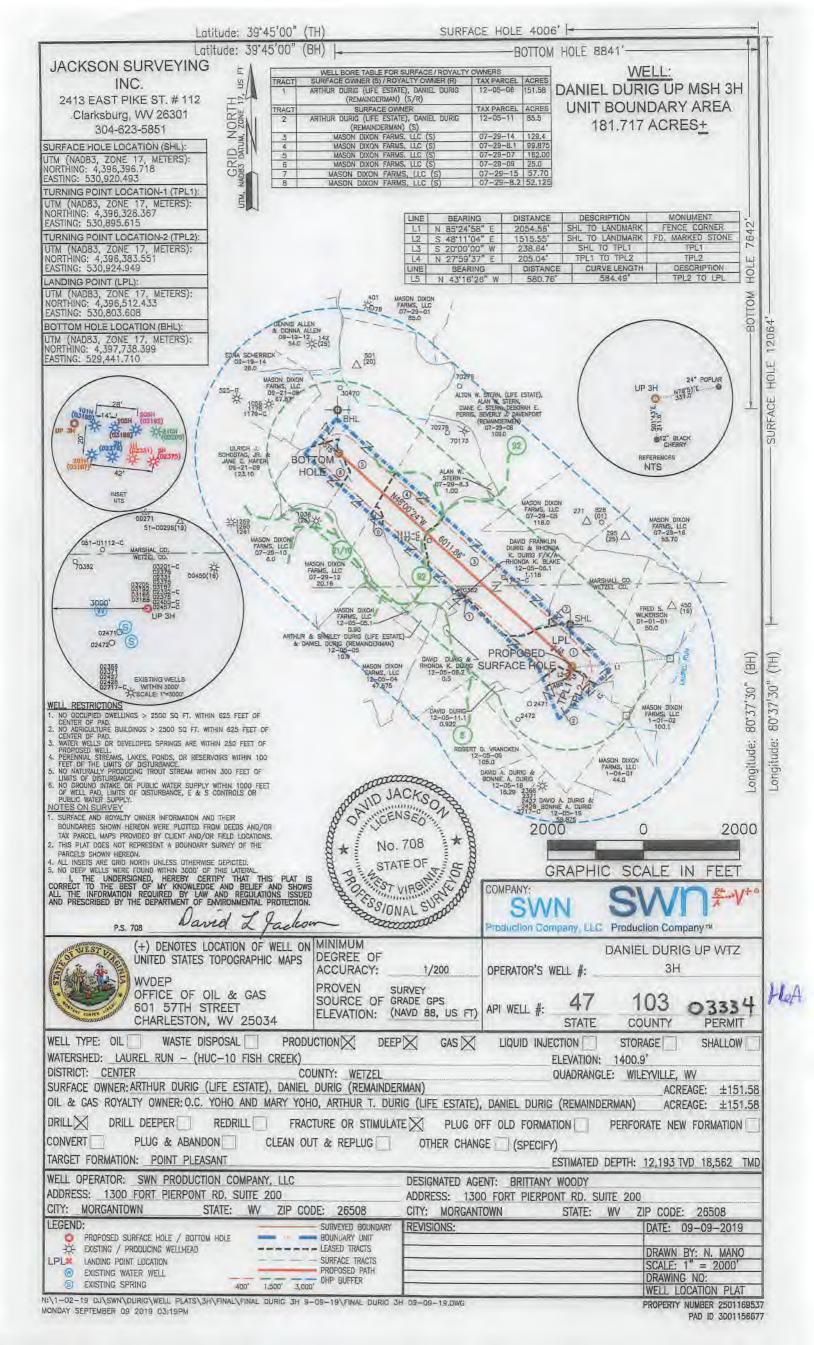
# API NO. 47-XXX-XXXXX WELL NAME: Daniel Durig UP WTZ 3H Wileyville QUAD Center DISTRICT Wetzel COUNTY, WEST VIRGINIA

Submitted by:			
Brittany Woody Dittanu 1000	Date:	9/3/2019	
Senior Regulatory Title: Analyst	SWN P	roduction Co., LLC	Office of Oil and Gas
Approved by:		2010	OCT - 3 2019
1	Date:	9-11-19	WV Department of Environmental Protection
Title: Dil + Ger Inspech	-		Protection
Approved by:			
	Date:		
Title:	-		

SWN PRODUCTION COMPANY, LLC - CONFIDENTIAL



PAD ID 3001156677



103-03334 HOA

JACKSON SURVEYING INC.

2413 EAST PIKE ST. # 112 Clarksburg, WV 26301 304-623-5851

TRACT#	TMP	LESSOR	BK/PG	TRACT #	TMP	LESSOR	BK/PG
	1 12-5-6	O. C. Yoho and Mary Yoho, his wife	45A/235	6	7-29-9	George N. Yoho, widower	353/103
		Manufacturers Light and Heat Company	263/164			(Jack R. Hammers; Paul F. Hammers; Erica M. Mason; Toni Jo Mason Living Trust; Onward E. Burge, Sarah	
	-	Columbia Gas Transmission Corporation	84A/129	-		Burge, and Stephen W. Burge, Trustees of the Onward E.	
	-	Columbia Natural Resources, LLC Chesapeake Appalachia, LLC.	402/446 157A/540	-		Burge Trust Dated June 21, 2010; Onward E. Burge,	
	2 12-5-11	O. C. Yoho and Mary Yoho, his wife	45A/235			Sarah Burge, and Stephen W. Burge, Trustees of the Sarah L Burge Trust Dated June 21, 2010; WesBanco	
		(Arthur and Shirley Durig, Life Estate; Daniel Durig,				Trust & Investment Services, Trustee under the Stoy K.	
	-	Remainderman) Manufacturers Light and Heat Company	263/164			Whipkey and Twila O. Whipkey Trust Agreement dated August 25, 1999)	
		Columbia Gas Transmission Corporation	84A/129				
		Columbia Natural Resources, LLC	402/446		-	Manufacturers Light and Heat Company	422/204
		Chesapeake Appalachia, LLC.	157A/540	-	1	Columbia Gas Transmission Corporation	642/281
	3 7-29-14	T. J. Yoho and Etheeel Yoho, his wife, Trecy Yoho, widower, George N. Yoho, widower, Agatha Barbuto	353/145			Columbia Natural Resources, LLC	650/63
		and Joseph Barbuto, her husband, Maxine Horton and Maxine Horton as Attorney-in-Fact for William Horton,			7 7-29-15	Chesapeake Appalachia, LLC. George N. Yoho, widower, Trecy Yoho, widower, T. J.	33A/110 45A/325
		Sherald Yocum and Eula Yocum, his wife (Black Gold Group, ITD.; Nancy Nonemaker; Tammy Kay Beohm; Usa Lee Ann Bowen; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Onward E. Burge Trust Dated June 21, 2010; Onward E. Burge, Sarah L. Burge Trust Dated June 21, 2010; Carol Derrow; Jack R. Hammers; Paul F. Hammers; Janet Hinerman; Sharon Hinerman-Hall; Daivin D. Horton; H3 LC; Teresa Lynn Lemiey; Frica Mason; Kimela Ann Matthews; Dennis McFadden; Nancy McFadden Metheny; Susan D. Moore; Virginia Carol Riffle; Deborah Yoho Showalter; Brent Alan Snider; Shirley Terek; Toni Jo Mason Living Trust; Berneda Ward; Joseph L. Watkins; WesBanco Trust & Investment Services, Trustee under the Stoy K. Whipkey and Twila O. Whipkey Trust Agreement; Charlene Dee Wildman; Chalmer C. Yocum; James E. Yocum; Lindsay Noel Yocum; Paul F. Yocum; Quentin A. Yocum, Sri, Homas				Yoho and Etheel Yoho, his wife, Tracy Yoho, widow, Agatha Barbuto and Joseph Barbuto, her husband, Maxine Horton, as Attorney in Fact for William Horton (Black Gold Group, LTD.; Nancy Nonemaker; Tammy Kay Beohm; Lisa Lee Ann Bowen; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Onward E. Burge, Trust Dated June 21, 2010; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Onward E. Gallagher, a/k/a John Noll Gallagher; Jack R. Hammers; Paul F. Hammers; Janet Hinerman; Sharon Hinerman- Hall; Carol Derrow; Dalvin D. Horton; Teresa Lynn Lemley; Erica Mason; Kimela Ann Matthew; Dennis McFadden; Nancy McFadden Metheny; Susan D. Moore; Virginia Carol Riffle; Deborah Yoho Showalter; Brent Alan Sinder; Bryan Shider; Julie Dawn Snider; Scott Eric Sinder; Shirley Treck; Toni Jo Mason Liwing Trust; Berneda Ward; Joseph L. Watkins; WesBanco Trust & Investment Services, Trustee under the Stoy K. Whipkey and Twila O. Whipkey Trust Agreement dated August 25, 1999; Charlene Dee Wildman; Chaimer C. Yocum;	
4	7-29-8,1	Darren Lee Yoho; Donna Yoho; Jeffery Jay Yoho; Kevin Mark Yoho) Manufacturers Light and Heat Company Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Chesapeake Appalachia, LLC. George N. Yoho, widower (Jack R, Hammers; Paul F, Hammers; Erica M, Mason;	422/204 642/281 650/63 33A/110 363/383			James E. Yocum; Lindsay Noel Yocum; Paul F. Yocum; Quentin A. Yocum, Sr.; Thomas Leon Yocum; Bradley Scott Yoho; Clayton Garth Yoho; Darren Lee Yoho; Donna Yoho; Jeffery Jay Yoho; Kevin Mark Yoho) Manufacturers Light and Heat Company Columbia Gas Transmission Corporation Columbia Natural Resources, LLC Chesapeake Appalachia, LLC.	422/204 642/281 650/63 33A/110
		Toni Jo Mason Living Trust; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Onward E. Burge Trust Dated June 21, 2010; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Sarah L. Burge Trust Dated June 21, 2010; WesBanco Trust & Investment Services, Trustee under the Stoy K. Whipkey and Twila O. Whipkey Trust Agreement dated August 25, 1999) Manufacturers Light and Heat Company.	422/204	8	7-29-8.2	George N. Yoho, widower (Jack R. Hammers; Paul F. Hammers; Erica M. Mason; Toni Jo Mason Uving Trust; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Onward E. Burge Trust Dated June 21, 2010; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Sarah L. Burge Trust Dated June 21, 2020; Wes Banco Trust & Investment Services, Trustee under the Stoy K. Whipkey and Twila O. Whipkey Trust Agreement dated August 25, 1999)	353/103
		Columbia Gas Transmission Corporation	642/281			Manufacturers Light and Heat Company	422/204
	-	Columbia Natural Resources, LLC Chesapeake Appalachia, LLC,	650/63			Columbia Gas Transmission Corporation Columbia Natural Resources, LLC	642/281 650/63
	5 7-29-7	George N. Yoho, widower (Jack R. Hammers; Paul F. Hammers; Erica M. Mason; Toni Jo Mason Living Trust; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Onward E. Burge Trust Dated June 21, 2010; Onward E. Burge, Sarah Burge, and Stephen W. Burge, Trustees of the Sarah L. Burge Trust Dated June 21, 2010; Wes Banco Trust & Investment Services, Trustee under the Stoy K. Whipkey and Twila O. Whipkey Trust Agreement dated August 25, 1999)	33A/110 363/387			Chesapeake Appalachia, LLC.	33A/110
		Manufacturers Light and Heat Company	422/204	-			
		Columbia Gas Transmission Corporation	642/281				
	-	Columbia Natural Resources, LLC Chesapeake Appalachia, LLC.	650/63 33A/424	-			
IONS:		COMPANY:					
				SWN Inction Company,	LLC	SWN <sup>*</sup> <sup>*</sup> <sup>*</sup> <sup>*</sup> <sup>*</sup> <sup>*</sup>	
		OPERATOR'S		DANIEL D	URIG	DATE: 09	-09-20
		WELL #: 47-1		and the second sec			
				CUIT			· NI MAA
		DISTRICT:	03.0321	COUNTY:	-	STATE: SCALE:	N/A

N:\1-02-19 DJ\SWN\DURIG\WELL PLATS\3H\FINAL\FINAL DURIG 3H 9-09-19\FINAL DURIG 3H 09-09-19.DWG MONDAY SEPTEMBER 09 2019 03:20PM

# 47:0303334

WW-6A1 (5/13) Operator's Well No.

# 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				and the second second
Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book/Page

# 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:	SWN Production Company, LLC.	
By:	Carlo M tramin	
Its:	Staff Landman	BECEIVED
		Office of Oil and Gas

Page 1 of \_\_\_\_\_ 3 2019

EWA PRODUCTION COMPANY LL®: ATTN LAND DEPT 179 INNOVATION DRIVE JANE LEWS WY 26378-

# MEMORANDUM OF SURFACE USE AGREEMENT AND SUBSURFACE EASEMENT

THIS MEMORANDUM OF SURFACE USE AGREEMENT AND SUBSURFACE EASEMENT (the "Memorandum") is made and entered into this 3(1) day of 10, 4, 2017 (the "Effective Date"), by and between Daniel F. Durig and Rhonda K. Durig, husband and wife, with an address of 3116 Macedonia Ridge Road, New Martinsville WV 26155 ("Surface Owner") and SWN Production Company, LLC, a Texas limited liability company, with its principal office located at 10000 Energy Drive, Spring, Texas 77389 ("SWN").

WHEREAS, Surface Owner is the owner of all the interest in and to the surface of the following described lands located in Proctor District, Wetzel County, West Virginia (hereinafter collectively referred to as the "Lands"), further identified as:

**Tract 1:** Tax Parcel Identification Number 12-5-11, being the same lands conveyed to Surface Owner by Arthur T. Durig and Shirley Ann Durig, husband and wife, dated the 16<sup>th</sup> day of November, 2004 of record in the office of the Recorder of Deeds of the County of Wetzel, as more particularly described in Deed Book 396 at Page 461, containing 86 acres, more or less.

Tract 2: Tax Parcel Identification Number 12-5-6, being the same lands conveyed to Surface Owner by Arthur T. Durig and Shirley Ann Durig, husband and wife, dated the 16<sup>th</sup> day of November, 2004 of record in the office of the Recorder of Deeds of the County of Wetzel, as more particularly described in Deed Book 396 at Page 461, containing 153 acres, more or less.

WHEREAS, Surface Owner and SWN have entered into a Surface Use Agreement and Subsurface Easement dated the *IRP* of <u>Margan</u>, 2017 (the "Agreement"), relating to the construction by Chesapeake Appalachia, L.L.C. on the Lands of a Daniel F. Durig and Rhonda K. Durig, husband and wife, for the purpose of drilling, completing, producing, operating and maintaining one or more oil and gas wells, (the "Wells") thereon, in particular the Daniel Durig access road and well pad;

NOW THEREFORE, in consideration of the mutual covenants and agreement contained in the Agreement, Surface Owner and SWN do hereby agree as follows:

- This Memorandum has been executed and recorded for the purpose of indicating, evidencing, and notifying third parties as to the existence and effect of the Agreement, including the Exhibit "A". Notwithstanding anything to the contrary herein or elsewhere, this Memorandum shall not in any way alter, amend, supplement or otherwise modify the terms of the Agreement.
- 2. Under the Agreement, Surface Owner(s) settled with, released, remised, and fully and forever discharged SWN, its parent company and affiliates, and its and their agents, employees, officers, directors, designees, contractors, subcontractors, successors and assigns, from any and all claims, demands, losses, damages, whether arising in tort, contract, strict liability, under statute, or of any other character whatsoever, for and on account of damages to the Lands arising from or relating to SWN's use, improvement and occupancy of the Lands, or in consequence of its use of the Facilities for drilling, completion, production, operation and maintenance under the Agreement.
- 3. Under the Agreement Surface Owner hereby granted unto SWN, and its successors and assigns, an exclusive easement and right-of-way on, over and across the LOD (as such term is defined below) for the purpose of construction, use and maintenance of the Facilities (as defined below) and drilling one or more vertical and/or horizontal Wells whose surface location is on the Lands, and whose subsurface may be, in whole or in part, on the Lands, on lands pooled therewith, or on other lands, in search for oil and gas and their liquid or gaseous constituents, together with the right to conduct operations as may be prudent or necessary, including without limitation, operations to establish, re-establish, or increase the deliverability of hydrocarbon production, and to field process, separate, dehydrate, treat, store, compress, gather, and transport the same and any non-hydrocarbon substances produced in association therewith.
- 4. THE FACILITIES.
  - a. The term "Facilities", as used in the Agreement, means, well pads, access roads, waterlines, production equipment and flowlines, tanks, fences, power lines, pumps, valves, launchers, meters, materials and any other structures, improvements, fixtures or equipment necessary or convenient for the drilling, completion, production, operation and maintenance of any Wells drilled with a surface location on the Lands.
  - b. The area of the Lands to be cleared, altered, used and occupied by SWN pursuant to the Agreement shall be within the approximate limits of disturbance of the Facilities (the "LOD") depicted on Exhibit "A", attached hereto and made a part hereof.

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OCT - 3 2019

- c. Under the Agreement, SWN shall have the right, at any time, to maintain, repair, remove, replace, and/or change the size of any Facilities or any portions thereof within the LOD as depicted on Exhibit "A" without obligation to pay Surface Owner or any third party additional damages.
- Under the Agreement, SWN, in its sole discretion, may install a security fence around the well
  pad perimeter and/or Facilities.
- e. Under the Agreement, SWN shall have the right to mow, cut, and remove all saplings, tree limbs, weeds, undergrowth, brush, and/or other obstructions within or encroaching on the LOD which, in the sole discretion of SWN, may injure, endanger, or interfere with the use of the Facilities or the right of SWN's use and enjoyment.
- 5. INGRESS AND EGRESS. Under the Agreement, SWN shall have all the rights and benefits necessary or convenient for the full enjoyment or use of the LOD and SWN's Facilities thereon for their contemplated use, including, but not limited to, the free right of ingress and egress, over, across, and through the Lands to and from the LOD and the Facilities and, as necessary, any and all subsurface usage thereunder.
- 6. Under the Agreement, Surface Owner further granted unto SWN, the right of subsurface easement to drill, complete, equip, produce and operate one or more wellbores through the subsurface of the Lands, including without limitation, the right to repair, maintain, re-drill, deepen, plug back, recomplete, rework, recondition, clean out, sidetrack, remove, plug and abandon and inject gas or other substances into such wellbore(s), and to conduct other operations as may be prudent or necessary on or with respect thereto, including, without limitation, any and all operations deemed by SWN to be necessary or desirable to establish, re-establish, or increase the deliverability of hydrocarbon production therefrom.
- 7. Under the Agreement, Surface Owner further granted unto SWN, the right to drill one or more Deep Wells (as that term is defined in Section 22C-9-2 of the West Virginia Code) for the production of oil and/or gas from the Lands. Surface Owner further agreed that the Agreement satisfied all requirements of Operator under 22C, Article 9-7 (b) (4) of the West Virginia Code.
- 8. The Agreement shall run with the land and shall bind Surface Owner and SWN and their respective successors, personal representatives, heirs and assigns. The casements granted herein are appurtenant to the Wells and the land to which the production of hydrocarbons from such Wells are attributable (the "Appurtenant Lands") and run with the Wells and such lands.
- 9. The Agreement shall remain in full force and effect during the period commencing on the Effective Date and expiring upon the expiration of all oil and gas leases of SWN covering the Appurtenant Lands; provided that SWN shall have the right at any time to remove its fixtures, equipment and materials, including well casing, from the Lands and to perform any required restoration thereof within a reasonable time after the expiration of such term.
- 10. This Memorandum may be executed in one or more counterparts, each of which, when executed and delivered, shall be an original, but all of which shall together constitute one and the same instrument. For purposes of the foregoing, facsimile signatures or signatures transmitted by email or .pdf shall have the same force and effect as original signatures.
- For realty transfer tax purposes, the value of the property rights herein conveyed is Fifteen Thousand and 00/100 Dollars (\$15,000.00).

SURFACE OWNERS:

By: Daniel F. Durig By: Rhonda K. Durig

SWN: By: Stephen M. Guidry

By: Stephen M. Guidry Its: Vice President - Land

B.L. 5/18/17

Page 2 of 3

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OCT - 3 2019

#### ACKNOWLEDGEMENTS

STATE OF WEST VIRGINIA	S		
COUNTY OF WETZEL	S	SS:	

On this <u>UD</u>ay of <u>MAU</u>, 2017, before me, the undersigned, a Notary Public in and for said state, personally appeared Daniel F. Durig, who personally known to me (or satisfactorily proven), executed the foregoing Instrument for the purposes therein contained by signing and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires on: JUNE 15 2023

NOTARY PUBLIC OFFICIAL SEAL STATE OF WEST VIRGINIA OPHA R KESLING	Dol R Kong	
2567 BIG ELK ROAD WALLACE WV 26448 NY COMMISSION EXPIRES JUNE 15, 2023	Notary Pr	iblic
STATE OF WEST VIRGINIA	S	
COUNTY OF WETZEL	§ SS: §	

On this 32 Day of \_\_\_\_\_\_, 2017, before me, the undersigned, a Notary Public in and for said state, personally appeared Rhonda K. Durig, who personally known to me (or satisfactorily proven), executed the foregoing Instrument for the purposes therein contained by signing and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires on: JUNE 15, 2023



Notary Public

CORPORATE ACKNOWLEDGMENT

SS:

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STATE OF TEXAS

COUNTY OF HARRIS

On this Day of <u>Mar</u>, 2017, before me, the undersigned officer, personally appeared Stephen M. Guidry, who acknowledged limself to be the Vice-President – Land of SWN Production Company, LLC, and that he as such Vice President – Land, being authorized to do so, executed the foregoing Instrument for the purposes therein contained by signing the name of the corporation by himself as Vice President – Land.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Commission Expires on: May 29, 20	19
DANIEL TOWNSEND Notary Public, State of Texas My Commission Expires	V) //
May 29, 2019	Notary Public

THIS AGREEMENT PREPARED BY SWN PRODUCTION COMPANY, LLC

Return to: SWN Production Company, LLC ATTN: Land Department 179 Innovation Drive Jane Lew, WV 26378 RECEIVED Office of Oil and Gas

OCT - 3 2019



SWN Production Company<sup>™</sup>

SWN Production Company, LLC 1300 Fort Pierpont Dr, Ste 201 Morgantown, WV 26508 Tel; 304 884 1610 Fax: 304 471 2497 www.swn.com

September 3, 2019

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

**RE:** SWN's proposed New Well: Daniel Durig UP WTZ 3H in Wetzel County, West Virginia, Drilling under Greenfield Rudge Road.

Dear Ms. Adkins:

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

Thank you.

Sincerely,

Carla M. Francis Staff Landman SWN Production Company, LLC

RECEIVED Office of Oil and Gas

OCT - 3 2019

WV Department of Environmental Protection

The Right People doing the Right Things, wisely investing the cash flow from our underlying Assets, will create Value+<sup>®</sup> WW-6AC (1/12)

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

Date of Notice Certification:

API No. 47- 009 -Operator's Well No. Daniel Durig UP WTZ 3H Well Pad Name: Daniel Durig WTZ Pad

# Notice has been given:

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

State:	West Virginia	LITMANAD 02	Easting:	530,920,493	
County:	103-Wetzel	UTM NAD 83	Northing:	4,396,396.718	
District:	Center	Public Road Acc	cess:	Macedonia Ridge Road	
Quadrangle:	Wileyville	Generally used f	arm name:	Daniel Durig	
Watershed:	Laurel Run				

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

Pursuant to West Virginia Code § 22-6A, the Op that the Operator has properly served the require *PLEASE CHECK ALL THAT APPLY	perator has attached proof to this Notice Certification of parties with the following:	OOG OFFICE USE ONLY
□ 1. NOTICE OF SEISMIC ACTIVITY or	NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED	RECEIVED/ NOT REQUIRED
$\Box$ 2. NOTICE OF ENTRY FOR PLAT SURV	VEY or 🔳 NO PLAT SURVEY WAS CONDUCTED	RECEIVED
3. NOTICE OF INTENT TO DRILL or	<ul> <li>NOTICE NOT REQUIRED BECAUSE</li> <li>NOTICE OF ENTRY FOR PLAT SURVEY</li> <li>WAS CONDUCTED or</li> <li>WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)</li> </ul>	RECEIVED/ NOT REQUIRED Office of Oil and Gas OCT - 3 2019
4. NOTICE OF PLANNED OPERATION		RECEIVED epartment of
<b>5.</b> PUBLIC NOTICE		RECEIVED
■ 6. NOTICE OF APPLICATION		

### **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.

#### Certification of Notice is hereby given:

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

Well Operator:	SWN Production Co., LLC	11/1000 (	Address:	1300 Fort Pierpont Dr., Suite 201
By:	Brittany Woody	Mar	.7	Morgantown, WV 26508
ts:	Senior Regulatory Analyst	0	Facsimile:	304-884-1690
Telephone:	304-884-1610		Email:	Brittany_Woody@swn.com
		1		orn before me this 3rd day of Sept., 2019.

## **Oil and Gas Privacy Notice:**

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

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OCT - 3 2019

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OPERATOR WEL	NO.	Daniel Durig UP WTZ 3H
Well Pad Name: Dar		

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

Dat	ice Time Require e of Notice: 4	Λ.	notice shall be prov ate Permit Applica	ided no later than the filing date of permit application. ation Filed: 9
	PERMIT FOR A WELL WORK	NY		ICATE OF APPROVAL FOR THE RUCTION OF AN IMPOUNDMENT OR PIT
Del	ivery method pur	suant	to West Virginia C	ode § 22-6A-10(b)
	PERSONAL SERVICE		REGISTERED MAIL	METHOD OF DELIVERY THAT REQUIRES A RECEIPT OR SIGNATURE CONFIRMATION
				an the filing date of the application, the applicant for a permit for any well work or for a

WW-6A (9-13)

certificate of approval for the construction of an impoundment or pit as required by this article shall deliver, by personal service or by registered mail or by any method of delivery that requires a receipt or signature confirmation, copies of the application, the erosion and sediment control plan required by section seven of this article, and the well plat to each of the following persons: (1) The owners of record of the surface of the tract on which the well is or is proposed to be located; (2) The owners of record of the surface tract or tracts overlying the oil and gas leasehold being developed by the proposed well work, if the surface tract is to be used for roads or other land disturbance as described in the erosion and sediment control plan submitted pursuant to subsection (c), section seven of this article; (3) The coal owner, operator or lessee, in the event the tract of land on which the well proposed to be drilled is located [sic] is known to be underlain by one or more coal seams: (4) The owners of record of the surface tract or tracts overlying the oil and gas leasehold being developed by the proposed well work, if the surface tract is to be used for the placement, construction, enlargement, alteration, repair, removal or abandonment of any impoundment or pit as described in section nine of this article; (5) Any surface owner or water purveyor who is known to the applicant to have a water well, spring or water supply source located within one thousand five hundred feet of the center of the well pad which is used to provide water for consumption by humans or domestic animals; and (6) The operator of any natural gas storage field within which the proposed well work activity is to take place. (c)(1) If more than three tenants in common or other co-owners of interests described in subsection (b) of this section hold interests in the lands, the applicant may serve the documents required upon the person described in the records of the sheriff required to be maintained pursuant to section eight, article one, chapter eleven-a of this code. (2) Notwithstanding any provision of this article to the contrary, notice to a lien holder is not notice to a landowner, unless the lien holder is the landowner. W. Va. Code R. § 35-8-5.7.a requires, in part, that the operator shall also provide the Well Site Safety Plan ("WSSP") to the surface owner and any water purveyor or surface owner subject to notice and water testing as provided in section 15 of this rule.

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

☑ SURFACE OWNER(s)	COAL OWNER OR LESSEE	
Name: Daniel Durig & Arthur and Shirley Durig L/E	Name: Consolidation Coal Company	
Address: 3116 Macedonia Ridge Road	Address: 1000 Consol Energy Drive	
New Martinsville, WV 26155	Canonsburg, PA 15317	
Name:	COAL OPERATOR	
Address:	Name:	1
	Address:	RECEIVED
□ SURFACE OWNER(s) (Road and/or Other Disturbance)		Office of Oil and Gas
Name:	SURFACE OWNER OF WATER WELL	0.07 0.000
Address:	AND/OR WATER PURVEYOR(s)	OCT - 3 2019
	Name: See Attachment 13A	
Name:	Address:	WV Department of Environmental Protection
Address:	and the set of the design of the set of the	Environmentary Totection
Contract of the second s	OPERATOR OF ANY NATURAL GAS STO	RAGE FIELD
□ SURFACE OWNER(s) (Impoundments or Pits)	Name:	
Name:	Address:	
Address:		
	*Please attach additional forms if necessary	

Daniel D	Durig WTZ Pad - Water	Purveyors w/in 1500	Sources
	· · · · · · · · · · · · · · · · · · ·	이 가는 것 같은 것 같은 것 같은 것 같은 것 같은 것 같이 있는 것 같은 것 같이 있다.	
	•		

Landowner

Address 3116 Macedonia Ridge Road Cameron WV 26033 2 springs

> RECEIVED Office of Oil and Gas

OCT - 3 2019

API NO, 47-009 OPERATOR WELL NO. Daniel During UP W72 3H Well Pad Name: Daniel During W7Z Pad

101033

#### 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 BECEIVED Protection headquarters, located at 601 57<sup>th</sup> Street, SE, Charleston, WV 25304 (304-926-0450) or by visiting <u>www.dep.wy.gov/oil-</u> and-gas/pages/default.aspx.

#### Well Location Restrictions

WV Department of

Pursuant to W. Va. Code § 22-6A-12, Wells may not be drilled within two hundred fifty feet measured horizontally from any existing Protection 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

WW-6A (8-13) API NO. 47-009 -OPERATOR WELL NO. Daniel Durig UP WTZ 3H Well Pad Name: Daniel Durig WTZ Pad

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

# Water Well Testing:

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

# Water Testing Laboratories:

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

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

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

## Written Comment:

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

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

OCT - 3 2019

WV Department of Environmental Protection

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.

WW-6A (8-13) 4710303334

API NO. 47-009 OPERATOR WELL NO. Daniel Durig UP W72 3H Well Pad Name: Daniel Durig WTZ Pad

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

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

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

#### **Comment Requirements**

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

Disclaimer: All comments received will be placed on our web site http://www.dep.wv.gov/oil-and-gas/Horizontal-

<u>Permits/Pages/default.aspx</u> and the applicant will automatically be forwarded an email notice that such comments have been submitted. The applicant will be expected to provide a response to comments submitted by any surface owner, water purveyor or natural gas storage operator noticed within the application.

# Permit Denial or Condition

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

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

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

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

RECEIVED Office of Oil and Gas

OCT - 3 2019

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(8-13)	
	1.
Notice is hereby given by:	whally
Well Operator: SWN Production Co., LLC	MIXNOU
Telephone: 304-884-1610	no 1 2
Email: Brittany_Woody@swn.com	

API NO. 47-009 -OPERATOR WELL NO. Daniel Durig UP WTZ 3H Well Pad Name: Daniel Durig WTZ Pad

Address: 13	00 Fort Pierpont Dr., Suite 201	
Morgantown, N	AVV 26508	
Facsimile:	304-884-1690	

# **Oil and Gas Privacy Notice:**

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

WINT IN	NOTARY PUBLIC OFFICIAL SEAL
CALL A	JESSICA L. VANGILDER
	State of West Virginia My Comm. Expires Jul 20, 2020
	SWN Production Company, LLC
1	79 Innovation Dr. Jane Lew, WV 26378

Subscribed and sworn befor	e me this 3rd day of Sep	t 2019.
	Van Silder	Notary Public
My Commission Expires	7-20-20	

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OCT - 3 2019

# STATE OF WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS <u>NOTICE OF INTENT TO DRILL</u>

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

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

 Date of Notice:
 09/03/2019

 Date Permit Application Filed:
 00/03/2019

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

HAND	CERTIFIED MAIL		
DELIVERY	RETURN RECEIPT REQUESTED		

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

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

Name;
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:	West Virginia	LEEM NIAD 02	Easting:	530,920.493	
County:	Wetzel	UTM NAD 83	Northing:	4,396,396.718	
District:	Center	Public Road Acc	ess:	Macedonia Ridge Rd.	
Quadrangle:	Wileyville, WV	Generally used fa	arm name:	Daniel Durig UP WTZ	
Watershed:	Laurel Run - (HUC-10 Fish Creek)				

## This Notice Shall Include:

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

## Notice is hereby given by:

Well Operator:	SWN Production Company, LLC	Authorized Representative:	Steve Teel
Address:	1300 Fort Pierpont Dr., Suite 201	Address:	1300 Fort Pierpont Dr., Suite 201
	Morgantown, VVV 26508		Morgantown, WV 26508
Telephone:	832-540-1136	Telephone:	832-540-1136
Email:	Steve_Teel@SWN.com	Email:	Steve_Teel@SWN.com
Facsimile:	304-884-1691	Facsimile:	304-884-1691

## **Oil and Gas Privacy Notice:**

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

WW-6A5 (1/12)

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

Notice Time Requirement: notice shall be provided no later than the filing date of permit application. Date of Notice: \_\_\_\_\_\_\_\_ Date Permit Application Filed: \_\_\_\_\_\_\_

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

11	CERTIFIED MAIL	HAND	
	RETURN RECEIPT REOUESTED	DELIVERY	

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

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

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

Name: Daniel Durig	Name:
Address: 3116 Macedonia Ridge Rd.	Address:
New Martinsville, WV 26155	

## Notice is hereby given:

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

State:	West Virginia	LITALNAD 82 1	Easting:	530,920.493	
County:	Wetzel	UTM NAD 83	Northing:	4,396,396.718	
District:	Center	Public Road Acces	ss:	Macedonia Ridge Rd.	
Quadrangle:	Wileyville, WV	Generally used far	m name:	Daniel Durig UP WTZ	
Watershed:	Laurel Run - (HUC-10 Fish Creek)				

## This Notice Shall Include:

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

Well Operator:	SWN Production Company, LLC	Address:	1300 Fort Pierpont Dr., Suite 201	
Telephone:	832-540-1136		Morgantown, VVV 26508	
Email:	Steve_Teel@SWN.com	Facsimile:	304-884-1691	

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# WEST VIRGINIA DEPARTMENT OF TRANSPORTATION Division of Highways

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

September 3, 2019

Byrd E. White, III Secretary of Transportation/ Commissioner of Highways

> Jimmy Wriston, P. E. Deputy Secretary/ Deputy Commissioner

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 Daniel Durig Pad, Wetzel County Daniel Durig UP WTZ 3H Well Site

Dear Mr. Martin,

This well site will be accessed from a DOH permit #06-2008-0012 which has been issued to Southwestern Energy for access to the State Road for a well site located off Wetzel County Route 6 SLS.

This operator is in compliance with §22-6A-20 of the WV Code. Operator has signed a STATEWIDE OIL AND GAS ROAD MAINTENANCE BONDING AGREEMENT and provided the required Bond. This operator is currently in compliance with the DOH OIL AND GAS POLICY dated October 1, 2018.

Very Truly Yours,

Dary K. Clayton

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

Cc: Brittany Woody Southwestern Energy CH, OM, D-6 File Attachment VI Frac Additives

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-	1	1	V	S.	U.	Sec.	1	3	7

	Attachment VI Frac Additives 47103	DU 5 3
Product Use	Chemical Name	CAS Numbe
Mixture		107-21 1
		104-55 2
		111-76 2
		64-186
		Proprietary
		68527-491
		7727-54-0
Biocide	Glutaraldehyde	111-30-8
	Quaternary Ammonium Compounds, Benzyl-C12-16-Alkyldimethyl, Chlorides	68424-85-1
	Ethanol	64-17-5
Biocide	Methanol	67-56-1
	Quaternary Ammonium Compounds, Benzyl-C12-16-Alkyldimethyl, Chlorides	68424-85-1
		66402-68-4
Scale Inhibitor	Amine Triphosphate	Proprietary
		107-21-1
Biocide	Hydrogen Peroxide	7722-84-1
	Acetic Acid	64-19-7
	Peroxyacetic Acid	79-21-0
Corrosion Inhibitor	Methanol	67-56-1
	Oxyalkylated fatty acid	68951-67-7
	Fatty acids	61790-12-3
	Modified thiourea polymer	68527-49-1
	Water	7732-18-5
	Hydrochloric acid	7647-01-0
	Potassium acetate	127-08-2
	Formaldehyde	50-00-0
Iron Control	Acetic Acid	64-19-7
	Citric Acid	77-92-9
	Water	7732-18-5
Friction Reducer	Polyacylate	Proprietary
	Hydrotreated light petroleum distillate	64742-47-8
Friction Reducer	Distillates (petroleum) hydrotreated light	64674-47-8
	Ethylene Glycol	107-21-1
	Alcohols, C12-16, Exoxylated propoxylated	68213-24-1
	Fatty Alcohols ethoxylated	Proprietary
	Water	7732-18-5
Friction Reducer	Proprietary	Proprietary
Friction Reducer	Hydrotreated light petroleum distillate	64742-47-8
	Inorganic Salt	Proprietary
Scale Inhibitor	Methanol	67-56-1
	Nonylphenol Ethoxylate	Proprietary
Corrosion Inhibitor	No hazardous substance	N/A
Hydrocholic Acid	Hydrochloric Acid	7647-01-0
• • • • • • • • • • • • • • • • • • • •	Water	7732-18-5
Scale Inhibitor	Organic phosphonate	Proprietary
	Ammonium Chloride	12125-02-9
Viscosifying Agent	Distillates, petroleum, hydrotreated light	64742-47-8
		Proprietary
· · · · · · · · · · · · · · · · · · ·		64742-47-8
	Sodium Chloride	7647-14-5
		68551-12-2
	Oleic Acid Diethanolamide	93-83-4
1	Ammonium Chloride	12125-02-9
Friction Reducer		64742-47-8
- ission noused		7647-14-5
		12125-02-9
		93-83-4
Friction Reducer		64742-47-8
Friction Reducer		12125-02-9
		93-83-4
		93-83-4 68551-12-2
		7732-15-5
Anionic Frintian Deduc		
Anionic Friction Reducer		64742-47-8
	Frobenold acid, polymer with propenamide	9003-06 9
	Product Use Mixture Mixture Breaker Biocide Biocide Giocide Tracer Scale Inhibitor Biocide Corrosion Inhibitor Friction Reducer Friction Reducer Friction Reducer Friction Reducer Scale Inhibitor Corrosion Inhibitor Friction Reducer Friction Reducer Friction Reducer Friction Reducer Friction Reducer Friction Reducer Friction Reducer Friction Reducer	Product Use         Chemical Name           Mixture         Ethylene glycol           Cinnamaldehyde         Eusyl cellosolve           Formic add         Polyether           Acetophenne, thiourea, formaldehyde polymer         Beraker           Biocide         Glutaraldehyde           Biocide         Glutaraldehyde           Biocide         Glutaraldehyde           Biocide         Glutaraldehyde           Biocide         Glutaraldehyde           Biocide         Mithanol           Custernary Ammonium Compounds, Benzyl-C12-16-Alkyldimethyl, Chlorides           Ethylene Giycol         Biocide           Tracer         Ceramic Proppant           Scale Inhibitor         Amme Triphosphate           Ethylene Giycol         Corrosion Inhibitor           Methanol         Oxyalkylate fatty acid           Fatty acids         Modified thioures polymer           Water         Hydrosphate           Forosion Inhibitor         Methanol           Oxyalkylate fatty acid         Fatty acids           Modified thioures polymer         Water           Firction Reducer         Polyacylate           Friction Reducer         Polyacylate           Friction Reducer         Polyacylate

