

west virginia department of environmental protection

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

www.dep.wv.gov

WELL WORK PERMIT

Re: Permit approval for

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.

Chief

Operator's Well Number: Farm Name: U.S. WELL NUMBER:

Date Issued:

Promoting a healthy environment.

API Number:

4706900264

PERMIT CONDITIONS

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

CONDITIONS

- 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:

4706900264

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PERMIT CONDITIONS

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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.

WW-6B (10/14)

API NO. 47- 69 -

OPERATOR WELL NO. Brian Dytko OHI 3H Well Pad Name: Brian Dytko OHI Pad

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

1) Well Operator: SWN Proc	luction Co., LLC	494512924	69-Ohio	Tridelphi:	/alley Grove
		Operator ID	County	District (Juadrangle
2) Operator's Well Number: B	rian Dytko OHI 31	H Well Pad	Name: Brian	Dytko OHI	Pad
3) Farm Name/Surface Owner:	Brian J Dytko	Public Roa	d Access: Sto	ne Church F	Road
4) Elevation, current ground:	1222' El	levation, proposed	post-constructi	on: 1222'	
5) Well Type (a) Gas <u>x</u> Other	Oil	Unde	rground Stora	ge	
	allow <u>x</u> prizontal x	Deep		01	0
6) Existing Pad: Yes or No ye			()		12.11.2
7) Proposed Target Formation(Target Formation-Marcellus, Targe					iated Pressure-3810
8) Proposed Total Vertical Dep	oth: 6350'				
9) Formation at Total Vertical	Depth: Marcellus	S			
10) Proposed Total Measured I	Depth: 15,185'				
11) Proposed Horizontal Leg L	ength: 8427'				
12) Approximate Fresh Water	Strata Depths:	555'			
13) Method to Determine Fresh	Water Depths:	offset wells; WR-3	35		
14) Approximate Saltwater De				pletion repor	t).
15) Approximate Coal Seam D	epths: 639'				
16) Approximate Depth to Pos	sible Void (coal m	ine, karst, other):	None that we	are aware o	f
17) Does Proposed well location directly overlying or adjacent to			No		
(a) If Yes, provide Mine Info	Name: Shoe	emaker Mine / Oh	io County Sho	pemaker	RECEIVED
	Depth: 639'				Office of OII and Gas
	Seam: Pitts	burgh	-		DEC 18 2017
	Owner: Murr	ray Energy Corpor	ration		WV Department of Environmental Protection

API NO. 47-<u>69</u>-OPERATOR WELL NO. Brian Dytko OHI 3H Well Pad Name: Brian Dytko OHI Pad

WW-6B (10/14)

18)

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> <u>(Cu. Ft.)/CTS</u>
Conductor	20"	New	H-40	94#	100'	100'	CTS
Fresh Water	13 3/8"	New	H-40	48#	676'	676'	632 sx/CTS
Coal	9 5/8"	New	J-55	36#	1972'	1972	739 sx/CTS
Intermediate	7"	New	HCP-110	20#	If Needed	If Needed	If Needed/As Needed
Production	5 1/2"	New	HCP-110	20#	15,185'	15,185'	Lead 824 sx 2112 tail sx/100' inside islan
Tubing	2 3/8'	New	P-110	4.7#	Approx. 6350'	Approx. 6350'	
Liners							

C-BO 11.15.17

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

PACKERS

Depths Set:		 RECEIVED Office of One and
Sizes:	5 1/2"	
Kind:	10K Arrowset AS1-X	

DEC 18 2017

WV Departue and Environmental Protection

WW-6B (10/14) API NO. 47- 69 OPERATOR WELL NO. Brian Dytko OHI 3H Well Pad Name: Brian Dytko OHI Pad

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

Drill and stimulate any potential zones between and including the Benson to Marcellus. **If we should encounter a void place basket above and below void area- balance cement to bottom of void and grout from basket to surface. Run casing not less than 50' below void nor more than 100' below void. (*If freshwater is encountered deeper than anticipated it must be protected, set casing 50'-75' below and cts.)

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

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

21) Total Area to be disturbed, including roads, stockpile area, pits, etc., (acres): 7.94

22) Area to be disturbed for well pad only, less access road (acres): 6.05

23) Describe centralizer placement for each casing string:

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

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

See Attachment ***

25) Proposed borehole conditioning procedures:

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

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WV Department of Environmental Protection

*Note: Attach additional sheets as needed.

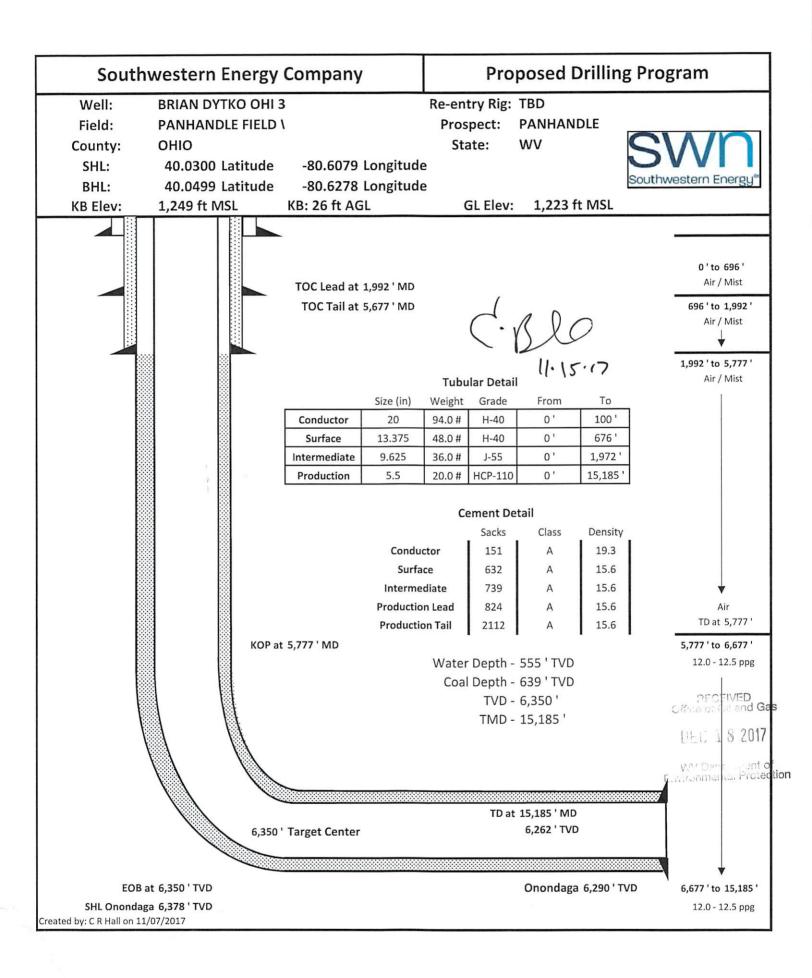
	Schunberger Cernent Additives						
	Product Name	Product Use	Chemical Name	CAS Number			
Surface	5001	accelerator	calcium chloride	10043-52-4			
Intermediate Surface	S001	accelerator	calcium chioride	10043-52-4			
	D080	dispersant	sodium polynaphthalene sulfonate	9008-63-3			
ç "	D801	retarder	aromatic 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			
pad	D046	antifoam	fullers earth (attapulgite)	8031-18-3			
Production-Lead			chrystalline silica	14808-60-7			
먉	D201	retarder	metal oxide	propriatary			
npc			sulphonated synthetic polymer	propriatary			
- ²	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			
			sodium polynaphthalene sulfonate	9008-63-3			
1-4	D065	dispersant	sodium sulfate	7757-82-6			
ctlo			chrystalline silica	14808-60-7			
Production-Tal	D201	retarder	metal oxide	propriatary			
Ľ.	D153	anti-settling	chrystalline silica	14808-60-7			

Schlumberger Cement Additives

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Well Personnent of Environmental Protection



		7 /	V	V	2	V	V	Kes
API Number 47 - 69	-							
Operator's Well No	. Bria	n Dytk	o OHI	3H				
STATE OF WEST VIRGINIA								
DEPARTMENT OF ENVIRONMENTAL PROTECTION								

FLUIDS/ CUTTINGS DISPOSAL & RECLAMATION PLAN

OFFICE OF OIL AND GAS

Operator Name SWN Production Company, LLC	OP Code 494512924
	angle Valley Grove
Do you anticipate using more than 5,000 bbls of water to complete the prop	
Will a pit be used? Yes No V	
If so, please describe anticipated pit waste: closed loop system in p	lace at this time- cuttings will be taken to a permitted landfill
Will a synthetic liner be used in the pit? Yes No 🖌	If so, what ml.?
Proposed Disposal Method For Treated Pit Wastes:	
Land Application Underground Injection (UIC Permit Number Reuse (at API Number _ at next anticipated well, API # w	
Off Site Disposal (Supply form WW-9 for dispo Other (Explain flow back fluids will be put in steel	osal location) tanks and reused or taken to a permitted disposal facility
```	
Will closed loop system be used? If so, describe: yes	
Drilling medium anticipated for this well (vertical and horizontal)? Air, free	eshwater, oil based, etc air drill to KOP, fluid drill with SOBM from KOP to TD
-If oil based, what type? Synthetic, petroleum, etc. synthetic oil based	e
Additives to be used in drilling medium?Attachment 3A	
Drill cuttings disposal method? Leave in pit, landfill, removed offsite, etc.	landfill
-If left in pit and plan to solidify what medium will be used? (cen	nent, lime, sawdust)
-Landfill or offsite name/permit number?	Northwestern SWF-1025, Short Creek 1034/WV0109517/CID28726, Carbon Limeston 26726-CID28726
Arden LandIII 10072, American 02-12954, Country VVide Permittee shall provide written notice to the Office of Oil and Gas of any lo West Virginia solid waste facility. The notice shall be provided within 24 h where it was properly disposed.	ad of drill cuttings or associated waste rejected at any
I certify that I understand and agree to the terms and conditions o on August 1, 2005, by the Office of Oil and Gas of the West Virginia Depa provisions of the permit are enforceable by law. Violations of any term of law or regulation can lead to enforcement action. I certify under penalty of law that I have personally examined application form and all attachments thereto and that, based on my in obtaining the information, I believe that the information is true, accurat penalties for submitting false information, including the possibility of fine of	rtment of Environmental Protection. I understand that the or condition of the general permit and/or other applicable and am familiar with the information submitted on this iquiry of those individuals immediately responsible for re, and complete. I am aware that there are significant
Company Official Signature	DEC 18 2017
Company Official (Typed Name) Dee Southall Company Official Title Senior Regulatory Analyst	WV/ Department of
	Environmental Protection
Subscribed and sworn before me this 13th day of DOVEMI	90
Subscribed and sworn before me this 10" day of 1000110	Notary Public, State of West Virginia
My commission expires	Notary Public 3302 Old Elkins Road Buckhannon, WV 26201 My commission expires November 27, 2022
. Inflan	in the second seco

### Operator's Well No. Brian Dytko OHI 3H

roposed Revegetation Trea	tment: Acres Disturbed 7.94	Prevegetation pH	
Lime	terst min. 2 Tons/acre or to correct to pH 6.0	05	
Fertilizer type 10-	-20-20		
Fertilizer amount	600Ibs/acr	e	
MulchHay/Stra	w 2.5Tons/acre		
	Seed Mi	<u>xtures</u>	
Т	emporary	Perma	nent
Seed Type	lbs/acre	Seed Type	lbs/acre
Attachment 3B			

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 ( $L \times W \times D$ ) of the pit, and dimensions ( $L \times W$ ), and area in acreage, of the land application area.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: C. DC 11.15.17	
Comments:	
	RECEIVED Office of OH and Gas
Title: Oil and Gas Inspector Date: //-/J-/	DEC 18 2017 WV Department of Environmental Protection
Field Reviewed?	

### **Attachment 3A**

## **Drilling Mediums**

Synthetic Oil
Brine
Barite
Calcium Chloride
Lime
Organophilic Bentonite
Primary and Secondary Emulsifiers
Gilsonite
Calcium Carbonate
Friction Reducers

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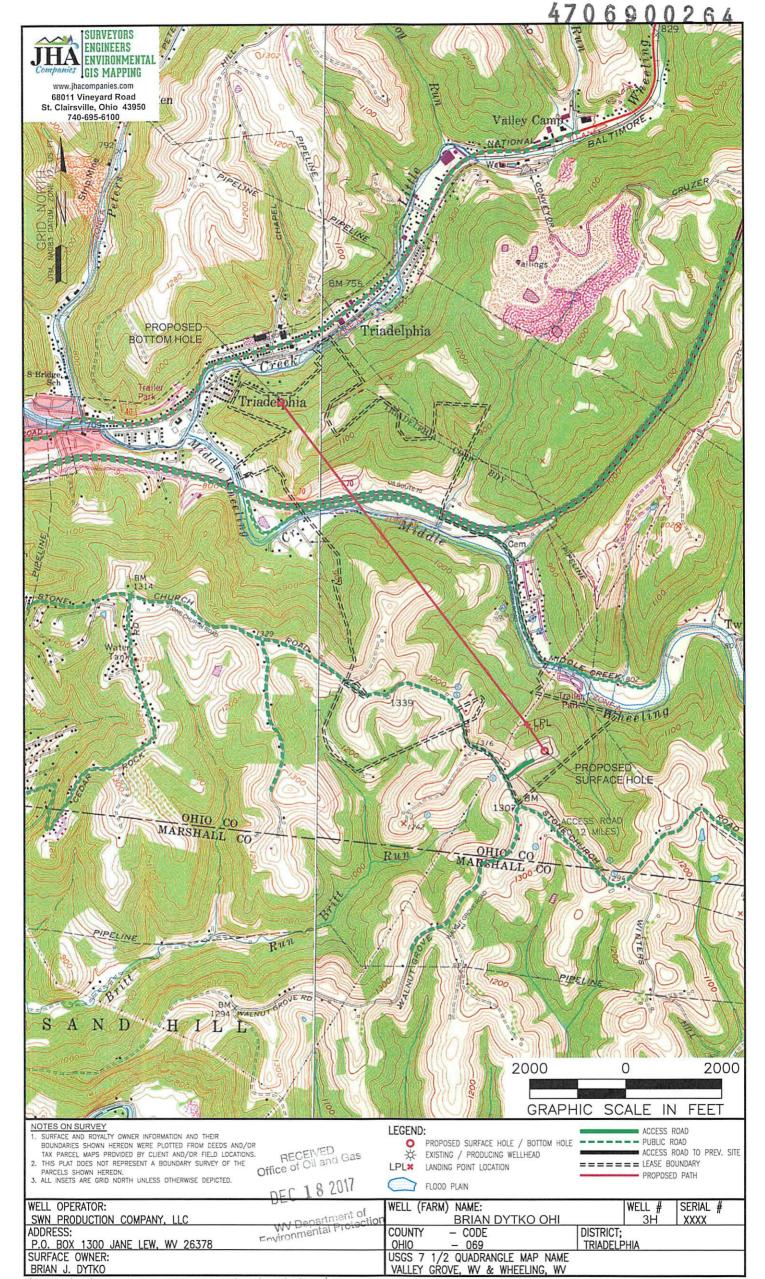
WV Department of Environmental Protection

			Attachm	nent 3B	Oil and Gas 1 8 2017 pertment of ental Protection
Southwestern Energy*		WVD Seeding	Specification	Ĺ	
	ed contact Lyndsi E	ddy Flippo office 570-996-4271 cell 501-26	9-5451 lyndsi_eddy@swn.com (please allow 7 to ORGANIC PROPERTIES	10 days for delive	ery)
NON-ORGANIC PROPERTIES Seed Mixture: ROW Mix	CIM	N Cumplied	Seed Mixture: SWN Production Orga	nic Mix S	WN Supplied
		N Supplied		50%	www.supplied
Orchardgrass	40%		Organic Timothy		
Timothy	15%		Organic Red or White Clover	50%	
Annual Ryegrass	15%		OR Overania Deverance	500/	
Brown Top Millet	5%		Organic Perennial Ryegrass	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
White Clover	5%	innoculated at 5x normal	April 16th- Oct. 14th		Oct. 15th- April 15th
Birdsfoot Trefoil	5%	rate			
Rough Bluegrass	5%	Apply @ 200lbs per acre	Organic Fertilizer @ 200lbs per Acre		Pelletized Lime @ 2 Tons per Acre
Apply @ 100lbs per acre April 16th- Oct. 14th		Oct. 15th- April 15th PLUS			
April 10th- Oct. 14th	50	lbs per acre of Winter Wheat	WETLANDS (delineated as jurisd	ictional we	tlands)
SOIL AMENDMENTS			Seed Mixture: Wetland Mix	SWN	Supplied
10-20-20 Fertilizer		*Apply @ 500lbs per Acre	VA Wild Ryegrass	20%	
Pelletized Lime		Apply @ 2 Tons per Acre	Annual Ryegrass	20%	
	*unless	otherwise dictated by soil test results	Fowl Bluegrass	20%	
Seeding Calculation Information:			Cosmos 'Sensation'	10%	
1452' of 30' ROW/LOD is One Acre			Redtop	5%	
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%	
Synopsis:			Fox Sedge	2.5%	
Every 622 linear feet in a 70' ROW/LOD,	you should be u	sing (2) 50lb bags of seed. (4) 50lb	Soft Rush	2.5%	
bags of fertilizer and (80) 50lb bags of Li			Woolgrass	2.5%	
Wheat/ac).	•		Swamp Verbena	2.5%	
Special Considerations:			Apply @ 25lbs per acre		Apply @ 50lbs per acre
Landowner Special Considerations including	CREP program pa	articipants require additional	April 16th- Oct. 14th		Oct. 15th- April 15th
guidance that is not given here. Discuss the beginning of the project to allow time for sp	se requirements v	with SWN supervision at the	NO FERTILIZER OR LI	ME INSIDE WE	TLAND LIMITS

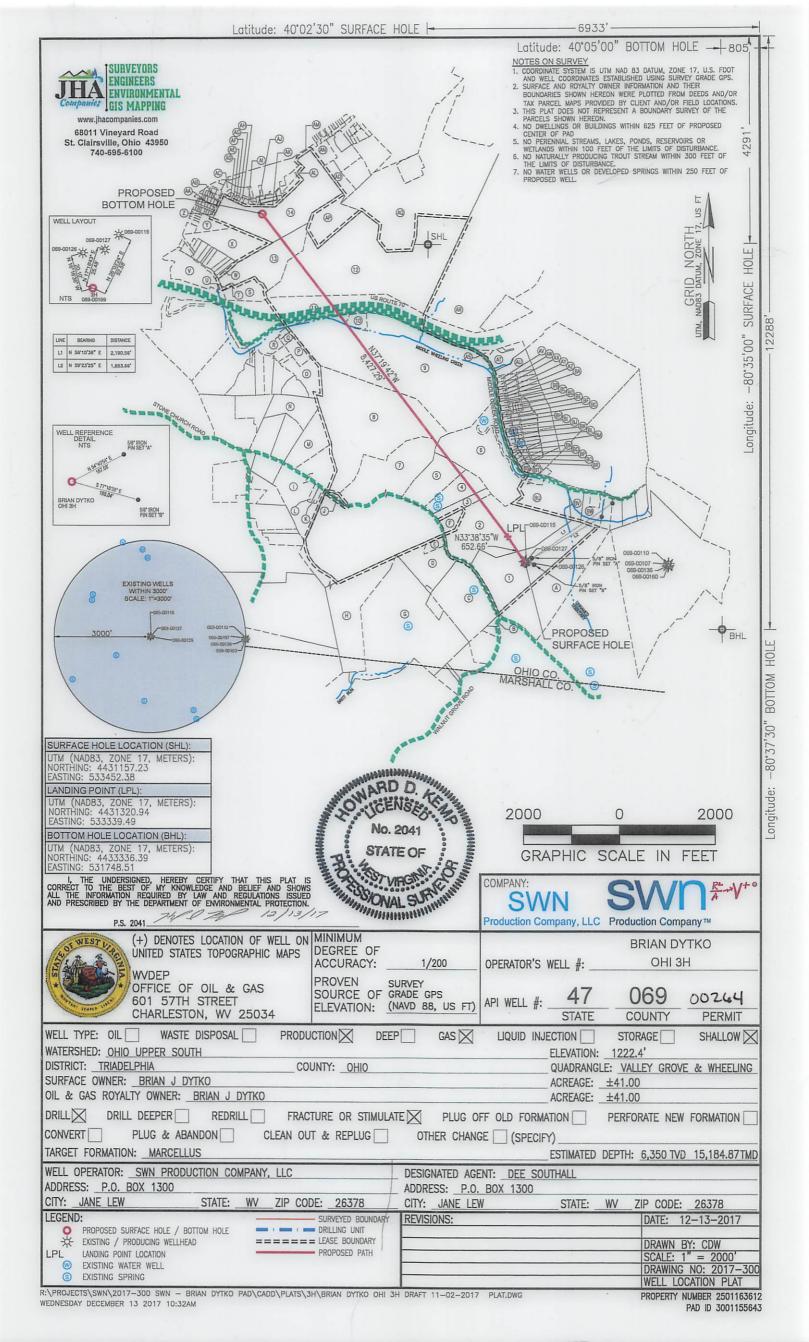
## MARCELLUS WELL DRILLING PROCEDURES AND WELL SITE SAFETY PLAN

1	Production Company Production Company, LLC 79 Innovation Drive Lew, West Virginia 26378
WELL NAM Valle Triad	O. 47-XXX-XXXXX IE: Brian Dytko OHI 3H ey Grove, QUAD elphia, DISTRICT INTY, WEST VIRGINIA
Submitted by: Dee Southall Senior Regulatory Title: Analyst	Date: SWN Production Co., LLC
Approved by: 	Date:
Approved by: Title:	Date:

SWN PRODUCTION COMPANY, LLC - CONFIDENTIAL



R:\PROJECTS\SWN\2017-300 SWN - BRIAN DYTKO PAD\CADD\PLATS\3H\BRIAN DYTKO OHI 3H DRAFT 11-01-2017 DEP PLAT.DWG WEDNESDAY DECEMBER 13 2017 10:34AM



TRACT	WELL BORE TABLE FOR SURFACE / ROYALTY SURFACE OWNER (S) / ROYALTY OWNER (R)	TAX PARCEL	ACRES
1	BRIAN J DYTKO (S)/(R)	06-T18-0004.0001	41.00
RACT	SURFACE OWNER	TAX PARCEL	ACRES
2	WILLIAM G. THOMS	05-T18-0003.0000	46.50
3	SETH McCORD AND HEATHER McCORD	06-T13-0002.0004	4.30
4	JOHN EDWARD McCORD	06-T13-0002.0003	12.10
5	EDWARD McCORD	06-T13-0002.0006	15.66
5	JOHN W. NOLAN JR. AND DARLENE G. NOLAN	06-T13-0002.0002	42.45
7	DEBORAH PAVILAK	06-T18-0001.0000	109.839
8	MIDDLE CREEK GARAGE, INC.	06-T13-0003.0000	80.14
9	OHIO VALLEY INDUSTRIAL & BUSINESS DEVELOPMENT CORPORATION	06-T13-0025.0000	130.69
10	OHIO VALLEY INDUSTRIAL & BUSINESS DEVELOPMENT CORPORATION	06-T13-0025.0001	3.00
11	WEST VIRGINIA DEPARTMENT OF HIGHWAYS	N/A	N/A
12	OHIO COUNTY COMMISSION	07-TW10-0001.0000	106.51
13	MARK T. MORRIS & DAVID B. MORRIS, SUBJECT TO THE LIFE ESTATE OF JAMES L. MORRIS AND MARY A. MORRIS	07-TW5-0023.0000	29.00
14		06 710 0057 0000	10.11
14	OHIO COUNTY COMMISSION	06-T12-0053.0000	39.31
DIOT	ADJOINING OWNERS TABLE	THURLEOF	LODE
RACT	SURFACE OWNER	TAX PARCEL	ACRES
A	THERESA L BLATT	06-T18-0017.0000	37.80
В	GREGORY W. & JILLIAN F. GARDNER	06-T18-0025.0000	0.799
C	CHARLES D. FISCHER, JR.	06-T18-0004.0000	32.90
D	R.L. WHITE PROPERTIES	06-T18-0003.0002	16.265
Ε	RONALD J. & P.A. SNYDER	05-T18-0003.0004	2.1851
F	ROGER A. & MARY K. CLUTTER		
		05-T13-0002.0005	2.50
G	RL WHITE PROPERTIES, INC.	06-T18-0002.0000	87.809
н	HAROLD R., III & CONNIE A. GARREIT	05-T18-0001.0001	35.30
1	MARK A. & MELINA D. SMITH	06-T12-0051.0000	23.646
J	HILLTOP COMMUNITY ASSOCIATION	05-T13-0004.0000	0.050
к	KENNETH C HARTZELL	05-T12-0051.0002	0.75
L	KENNETH C HARTZELL	05-T12-0051.0001	0.75
-	Charles and a construction		
м	WESBANCO TRUST & INVESTMENT, A DIVISION OF WESBANCO BANK, INC., AS TRUSTEE OF THE JOSEPH PAUL FORSHEY TRUST AGREEMENT DATED APRIL 13, 1990	05-T12-0047.0000	12.21
-			-
N	CAROL L CONNOR	05-T12-0052.0000	11.50
0	BRADLEY W. CLARK	06-T12-0044.0000	7.470
	PAUL W. & VIRGINIA R. BLAKE (ACCORDING TO DB 915/346-BOTH DECEASED-SECURITY NATIONAL TRUST CO., IS EXECUTOR OF THE		
Р	DECEASED-SECURITY NATIONAL TRUST CO., IS EXECUTOR OF THE ESTATE OF PAUL W. BLAKE, DECEASED)	06-T12-0038.0001	4.00
Q	JERRY J. & J.L. MESTROVIC	05 712 0041 0000	1.00
-		05-T12-0041.0000	1.00
R	EDWARD H., II & M.M. STEIN	06-T12-0043.0000	0.551
S	VICKI SHEARER, PHILIP SHEARER, DAVID SHEARER & PAUL SHEARER	07-TW5-0021.0000	7.44
-	EFFIE WADDLE REVEN &		
Т	PAULA JANE CROW	07-TW5-0020.0001	0.0924
U	TRAVIS M. KELLY	07-TW5-0020.0000	0.3443
V	WEST VIRGINIA DEPARTMENT OF HIGHWAYS		
		07-TW2-0057.0001	11.123
W	JOSEPH L. VESPA	07-TW5-0019.0000	0.945
Х	MOUNTAIN ESTATE REALTY, LLC.	07-TW5-0014.0000	15.30
Y	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN	07-TW5-0013.0000	3.87
Z	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN	07-TW5-0012.0000	0.2172
AA	JAMES E. SHAW	07-TW5-0002.0000	D.1484
AB	JAMES E. SHAW	07-TW5-0001.0000	0.111
AC	ROBIN S. STARKEY	07-TW4-0124.0000	2.402
AD	H3. LLC	07-TW4-0117.0000	0.350
AE	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN	07-TW4-0118.0000	0.20
AF	CHAS L & J.J. CRESAP	07-TW4-0119.0000	0.183
AG	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN		
		07-TW4-0120.0000	
AH	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN	07-TW4-0121.0000	3.00
Al	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN	07-TW4-0125.0000	
AJ	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN	07-TW4-01220000	0.33
AK	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN	07-TW4-0128.0000	1.19
AL	MIDTOWN MOBILE HOMES, INC. & TIM T. & PATRICIA A. TEMPLIN	07-TW4-0129.0000	2.080
AM	KATHYRN M. KNOLLINGER	07-TW8-0075.0000	1.659
AN	EVELYN D.N. GROVER	06-17-0182.0000	4.020
	AUGUST FRANKLIN ROBINSON	06-18-0043.0000	
AD	THE OHIO COUNTY DEVELOPMENT AUTHORITY	07-TW5-0024.0001	4.65
AP			14.00
AQ	THE OHIO COUNTY DEVELOPMENT AUTHORITY	05-T08-0040.0005	117.808
AR	THE OHIO COUNTY DEVELOPMENT AUTHORITY	05-78-0040.0011	237.405
AS	JEWISH MEMORIAL PARK ASSOCIATION	07-TW12-0013.0001	0.54
AT	CONGREGATION L'SHEM SHOMAYIM	07-TW12-0013.0000	13.19
AU	RONALD E. & K.D. CLARK	07-TW12-0001.0000	
AV	BRADLEY A RUSSELL	07-TW12-0002.000	0.3466
	BRADLEY A. RUSSELL		
WA		07-TW12-0003.0000	
AX	DOUGLAS W. KNOLLINGER (HUSBAND OF RUTH A. KNOLLINGER)	07-TW12-0004.0000	
AY	ALFRED E. & D.M. MORRIS	07-TW12-0005.0000	0.39
AZ	BRADLEY R. & DONNA L. MILLER	07-TW13-0001.0000	0.1997
BA	BRADLEY R. & DONNA L. MILLER	07-TW13-0002.0000	
BB	BRADLEY R. & DONNA L. MILLER	07-TW13-0003.0000	
1.56	BERNARD E. JR. & MARGARET RUSSELL		
BC		07-TW13-0004.0000	
BD	DESSIE ANN EIMER	07-TW13-0005.0000	The state of the
BE	MARGARET L. MOORE	07-TW13-0006.0000	0.2068
BF	RANDY L. HINDMAN, LORI E. HINDMAN & JANICE L. HINDMAN	07-TW13-0007.0000	0.2055
BC	RANDY L & LORI E. HINDMAN	07-TW13-0008.0000	
BH	SUSAN ELLEN YUHASE	07-TW13-0009.0000	
	JAMES B. JR. & J.O. WILLIAMS		
BI		07-TW13-0010.0000	
BJ	DEBORAH J. & R.L. PRAGER	07-TW13-0011.0001	
BK	ANNABELLE J. VOSCAVITCH	07-TW13-0011.0000	0.3571
BL	JOHN E. & DEBORAH A. VOSCAVITCH	07-TW13-0012.0000	0.4828
BM	VICKI LYNN & ROGER L. FROHNAPFEL	07-TW13-0013.0000	
BN	DENNIS L COOK, SR. & BEVERLY S. COOK		
		07-TW13-0014.0000	
BO	DENNIS L. COOK, SR. & BEVERLY S. COOK	07-TW13-0015.0000	0.100
BP	DENNIS L COOK, SR. & BEVERLY S. COOK	07-TW13-0015.0000	0.294
BQ	DENNIS L. CODK, SR. & BEVERLY S. COOK	07-TW13-0016.0001	0.2750
DU	DOUGLAS W. & SUSAN E. NELSON	07-TW13-0017.0000	
	KATHRYN M. KNOLLINGER & WOODROW J. KNOLLINGER	07-TW13-0018.0000	010 16
BR			0.3455
BR BS			1.1.1
BR	J. GREGORY & STACEY ANN DECARLO	07-TW13-0019.0000	1.00
BR BS	J. GREGORY & STACEY ANN DECARLO OK TRAILER COURT, INC.	06-T13-0005.0002	1.00 15.85
BR BS BT	J. GREGORY & STACEY ANN DECARLO		

REVISIONS:	COMPANY:	SWN Production Company, LLC		
	OPERATOR'S WELL #:	BRIAN I OHI		DATE: 12-13-2017 DRAWN BY: CDW
	DISTRICT: TRIADELPHIA	COUNTY: OHIO	STATE: WV	SCALE: N/A DRAWING NO: 2017-300 WELL LOCATION PLAT

WW-6A1 (5/13) Operator's Well No. Brian Dytko 3H

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

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

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

Lease Name or Number	Grantor, Lessor, etc.	Grantee, Lessee, etc.	Royalty	Book/Page
	See Exhibit			
	Acknowledgement o	f Possible Permitting/Approva	1	
	In Addition to	the Office of Oil and Gas		
possibility of	applicant for the proposed well wo of the need for permits and/or approval il and Gas, including but not limited	s from local, state, or federal er		

- 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	
By:	Arc	
Its:	Staff Landman	

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DEC 18 2017

WV Department of Environmental Protection

Page 1 of ____

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EXHIBIT "A" Attached to and made a part of the State of West Virginia Oil and Gas Permit Form, WW-6A1, by SWN Production Company, L.L.C., Operator Brian Dytko North 3H Ohio County, West Virginia

#	TMP	SURFACE OWNER	DEEDED ACREAGE	LEASE #	LESSOR	LESSEE	ROYALTY	BK/PG
1) (	5-T18-4.1	Brian J. Dytko	41.000	724935-000	Brian J. Dytko, a married man dealing in his sole and separate property	Chesapeake Appalachia, L.L.C.	12.50%	790/197
				_		SWN Production Company, LLC		885/482
2) (	5-T18-3	William G. Thoms	46.500	729511-000	William G. Thoms, a single man	Chesapeake Appalachia, L.L.C.	18.00%	810/546
						SWN Production Company, LLC		884/133
3) (	5-T13-2.4	Seth McCord and Heather McCord	4.300	725109-000	Seth McCord and Heather McCord, husband and wife	Chesapeake Appalachia, L.L.C.	12.50%	791/433
						SWN Production Company, LLC	-	885/500
4) (	5-T13-2.3	John Edward McCord	12.100	725108-000	John Edward McCord and Becky McCord, husband and wife	Chesapeake Appalachia, L.L.C.	12.50%	791/419
						SWN Production Company, LLC		885/500
5)	5-T13-2.6	Edward McCord	15.660	729265-000	John Edward McCord a/k/a Edward McCord, a married man dealing in his sole and separate property	Chesapeake Appalachia, L.L.C.	18.00%	811/60
						SWN Production Company, LLC		883/144
6)	6-T13-2.2	John W. Nolan Jr. and Darlene G. Nolan	42.450	724721-000	John W. Nolan Sr., and Rita C. Nolan, husband and wife, and John W. Nolan, Jr. and Darlene G. Nolan, husband and wife	Chesapeake Appalachia, L.L.C.	12.50%	788/721
						SWN Production Company, LLC		885/482
7)	6-T18-1	Deborah Pavilak	109.839	736448-001	Richard K. Reinholtz, a widower	Chesapeake Appalachia, L.L.C.	18.00%	830/320
						SWN Production Company, LLC		885/332
				736448-002	Sylvia Ann Miller f/k/a Sylvia Ann Brand, a married women dealing her sole and separate property	Chesapeake Appalachia, L.L.C.	18.00%	830/325
						SWN Production Company, LLC		885/332
8)	6-T13-3	Middle Creek Garage Inc.	80.140	726778-000	Middle Creek Garage, Inc. a West Virginia Corporation	Chesapeake Appalachia, L.L.C.	14.00%	800/7
-,		-				SWN Production Company, LLC		883/255
9)	6-T13-26	Ohio Valley Industrial & Business Development Corporation	130.690	735197-000	Alliance Resource GP, LLC	Chesapeake Appalachia, L.L.C.	16.75%	865/680
						SWN Production Company, LLC		885/776
10)	6-T13-26.1	Ohio Valley Industrial & Business Development Corporation	3.000	735197-000	Alliance Resource GP, LLC	Chesapeake Appalachia, L.L.C.	16.75%	865/680
						SWN Production Company, LLC		885/776
11)	US I-70	West Virginia Department of Highways		735197-000	Alliance Resource GP, LLC	Chesapeake Appalachia, L.L.C.	16.75%	865/680
						SWN Production Company, LLC		885/776
				727333-001	The Ohio County Development Authority	Chesapeake Appalachia, L.L.C.	18.00%	802/737
						SWN Production Company, LLC		883/255
12)	7-TW10-1	Ohio County Commission	106.510	727333-001	The Ohio County Development Authority	Chesapeake Appalachia, L.L.C.	18.00%	802/737
,		·			· · ·	SWN Production Company, LLC		883/255
13)	7-TW5-23	Mark T. Morris & David B. Morris, subject to the Life Estate of James L. Morris & Mary A. Morris	29.000	738268-000	James L. Morris and Mary A. Morris, husband and wife	Chesapeake Appalachia, L.L.C.	18.00%	842/341
						SWN Production Company, LLC		885/404
14)	6-T12-53	Ohio County Commission	39.310	727333-001	The Ohio County Development Authority	Chesapeake Appalachia, L.L.C.	18.00%	802/737
- • •		·				SWN Production Company, LLC		883/255



SWN Production Company, LLC P O Box 12359 Spring, Texas 77391-2359 www.swn.com



December 4, 2017

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

**RE:** SWN's proposed New Well: Brian Dytko OHI 3H in Ohio County, West Virginia, Drilling under Rt 70 and Rt 10.

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 Rt 70 & Rt 10. 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,

1-

Robert Walter Staff Landman SWN Production Company, LLC PO Box 12359 Spring, TX 77391-2359 RECEIVED Office of Oil and Gas

DEC 1 8 2017

WV Department of Environmental Protection

WW-6AC (1/12)

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

Date of Notice Certification: 12

API No. 47- 69 -Operator's Well No. Brian Dytko OHI 3H Well Pad Name: Brian Dytko OHI Pad

#### Notice has been given:

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

State:	WV	UTM NAD 83 Easting	533452.387	
County:	69-Ohio	UTM NAD 83 Northin	g: 4431157.222	
District:	Tridelphia	Public Road Access:	Stone Church Road	
Quadrangle:	Valley Grove	Generally used farm name	e: Brian Dytko	
Watershed:	Upper Ohio South			

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

Pursuant to West Virginia Code § 22-6A, the Operator has attached proof to this Notice Certification that the Operator has properly served the required parties with the following:	
*PLEASE CHECK ALL THAT APPLY	OOG OFFICE USE ONLY
□ 1. NOTICE OF SEISMIC ACTIVITY OF ■ NOTICE NOT REQUIRED BECAUSE NO SEISMIC ACTIVITY WAS CONDUCTED	RECEIVED/ NOT REQUIRED
□ 2. NOTICE OF ENTRY FOR PLAT SURVEY or ■ NO PLAT SURVEY WAS CONDUCTED	RECEIVED
3. NOTICE OF INTENT TO DRILL or ONTICE NOT REQUIRED BECAUSE NOTICE OF ENTRY FOR PLAT SURVEY WAS CONDUCTED or	RECEIVED/ NOT REQUIRED
□ WRITTEN WAIVER BY SURFACE OWNER (PLEASE ATTACH)	
4. NOTICE OF PLANNED OPERATION     RECEIVED     Office of Oil and	RECEIVED
■ 5. PUBLIC NOTICE DEC 182	RECEIVED
6. NOTICE OF APPLICATION     WV Departmental     Environmental	RECEIVED

#### **Required Attachments:**

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

#### Certification of Notice is hereby given:

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

Well Operator:	SWN Production Co., LLC	Address:	P.O. Box 1300	
By:	Dee Southall		Jane Lew, WV 26378	
Its:	Senior Regulatory Analyst	Facsimile:	304-884-1690	
Telephone:	304-884-1614	Email:	Dee_Southall@swn.com	
	NOTARY SEAL OFFICIAL SEAL Notary Public. State of West Virginia BRITTANY R WOODY 3002 Old Elkins Road Bricktrannon, WV 20201 My commission expires November 27, 2022	Subscribed and swo BUTTANU My Commission E	1 ulph	y Public

#### **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>.

RECEIVED Office of Cil and Gas

DEC 1 8 2017

WV Department of Environmental Protection

API NO. 47- 69 OPERATOR WELL NO. Brian Dytko OHI 3H Well Pad Name: Brian Dytko OHI Pad

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

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

Date of Notice: 1)/14	Pate Permit Application Filed:	14/0
Notice of:		

$\checkmark$	PERMIT FOR ANY	CERTIFICATE OF APPROVAL FOR THE
	WELL WORK	CONSTRUCTION OF AN IMPOUNDMENT OR PIT

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

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

 SERVICE
 MAIL
 RECEIPT OR SIGNATURE CONFIRMATION

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

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

-	ACE OWNER(s)	
Name: Br Address:	1278 Stone Church Road	
. radiess.	Wheeling, WV 26003	
Name:		
Address:		
Name:	ACE OWNER(s) (Road and/or Other Dist	urbance)
Name:		
Address:		
Name:	ACE OWNER(s) (Impoundments or Pits)	
Address:		

Name: Murray American E Address: 6126 Energy R	Set of Well	
Moundsville, WV 26041		
COAL OPERATOR	DEC 1 8 2017	
Name:		
Address:	WV Department of Environmental Protecti	ion
SURFACE OWNE	R OF WATER WELL	
AND/OR WATER PU	RVEYOR(s)	
Name: *** See Attachmen		
Address:		
Construction and the second se Second second sec	NY NATURAL GAS STORAGE FIEI	ĹD
Name:		
Name:		

*Please attach additional forms if necessary

BECEIVEL) Office of Oil and Gas

### DEC 1 8 2017

WW-6A (8-13)

WV Department of Environmental Protection API NO. 47- 69 OPERATOR WELL NO. Brian Dytko OHI 3H Well Pad Name: Brian Dytko OHI Pad

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#### Notice is hereby given:

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

#### This Notice Shall Include:

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

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

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

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

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

#### Well Location Restrictions

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

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OPERATOR WELL NO. Brian Dytko OHI 3H Well Pad Name: Brian Dytko OHI 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 **FIGWINGE** comments as to the location or construction of the applicant's proposed well work to the Secretary at:

Chief, Office of Oil and Gas Department of Environmental Protection 601 57th St. SE Charleston, WV 25304 (304) 926-0450 DEC 18 2017

W Department of Environmental Protaction

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)



#### 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.

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WV Department of Environmental Protection

WW-6A (8-13)	API NO. 47-69 OPERATOR WELL NO. Brian Dytko OHI 3H Well Pad Name: Brian Dytko OHI Pad	4
Notice is hereby given by: Well Operator: SWN Production Co., LLC Telephone: 304-884-1614	Address: P.O. Box 1300 Jane Lew, WV 26378	
Email: Dee_Southall@swn.com	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 depprivacyofficer@wv.gov.

OFFICIAL SEAL Notary Public, State of West Virginia	Subscribed and sworn before me this 3th day of	Jarrennper 901
Notary Public, Case BRITTANY R WOODY 3:02 Old Elkins Road Buckhannan, VV 16521 My commission expires November 27, 2022	Bruttany R Woody	Notary Public
My commission of the second se	My Commission Expires	

Office of Milliand Gas

Lawrence Protection

Brian Dytko Pad 13A

2	WHEELING WV 26003	<b>1235 STONE CHURCH RD</b>			WV		43 BEFORE	WV	FISCHER CHARLES D JR
WAYNER SOURCES	CITV_STATE_ZUP	INVARIATE ADDRESS	Strus ZiP4	ZIP	STATE	GUN	ABURESS	STATE	(c) Wreat

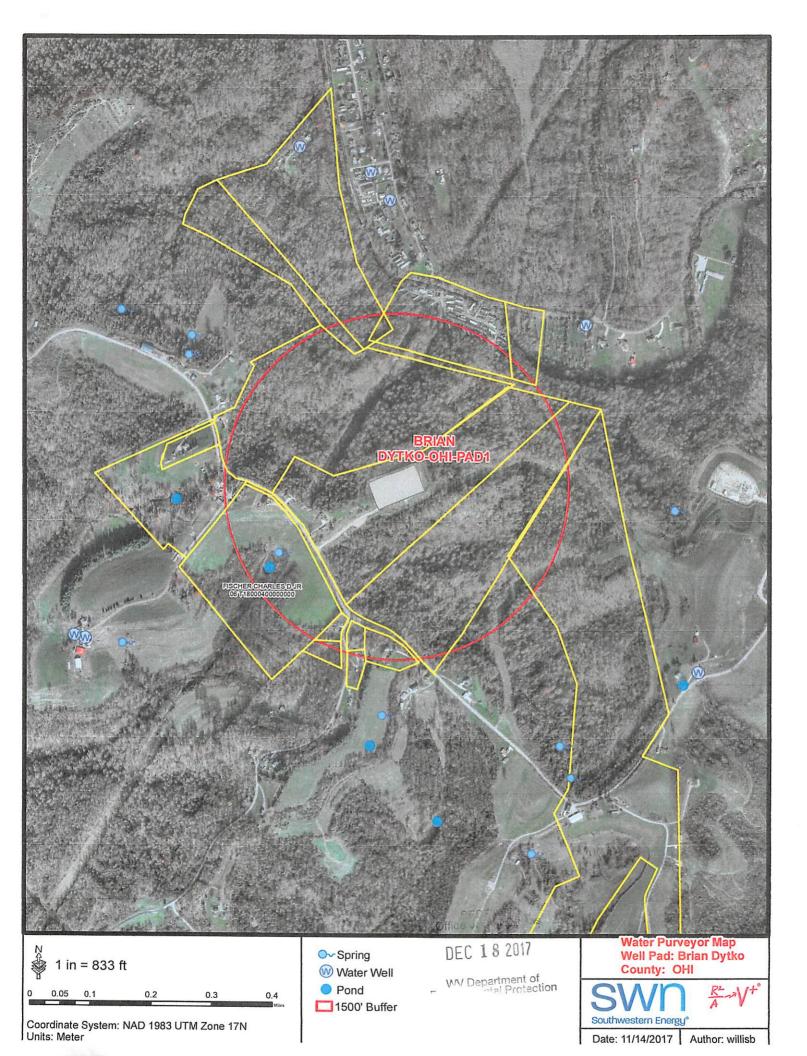
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DEC 182017

WV Department of Environmental Protection



### 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 Re	quirement: Notice shall	be provided at least TEN (10) days prior to	filing a	permit a	pplication.
Date of Notice:	10/04/2017	be provided at least TEN (10) days prior to Date Permit Application Filed:	121	141	V_

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: Brian Dytko		Name:	
Address: 1278 Stone Church Rd	· · · · ·	Address:	
Wheeling, WV 26003			

#### Notice is hereby given:

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

State:	West Virginia	UTM NAD 92	Easting:	533,452.414	
County:	Ohio	UTM NAD 83	Northing:	4,431,157.251	
District:	Triadelphia	Public Road Ac	cess:	Stone Church Road	
Quadrangle:	Valley Grove	Generally used t	farm name:	Brian Dytko	
Watershed:	Wheeling Creek				

#### This Notice Shall Include:

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

#### Notice is hereby given by:

Well Operator:	SWN Production Company, LLC	Authorized Representative: Mike Yates
Address:	PO Box 1300	Address: Office of Oil and POattox 1300
	Jane Lew, WV 26378	Jane Lew, WV 26378
Telephone:	304-517-6603	Telephone: DEC 1 8 2 304-517-6603
Email:	Michael_Yates@swn.com	Email: Michael_Yates@swn.com
Facsimile:	304-884-1691	Email: Michael_Yates@swn.com Facsimile: WV Departm <del>ent of</del> Environmental Pr <b>804/884/16</b> 91

#### 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: 10/04/2017 Date Permit Application Filed:

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

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: Brian Dytko		Name:	
Address: 1278 Stone Church Rd	1	Address:	
Wheeling, WV 26003			

#### 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	UTM NAD 83	Easting:	533,452.414	
County:	Ohio	UTM NAD 83	Northing:	4,431,157.251	
District:	Triadelphia	Public Road Ac	cess:	Stone Church Road	
Quadrangle:	Valley Grove	Generally used	farm name:	Brian Dytko	
Watershed:	Wheeling Creek				

#### This Notice Shall Include:

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

Well Operator:	SWN Production Company, LLC	Address:	PO Box 1300, 179 Innovation Drive DEC 18 2017		
Telephone:	304-517-6603		Jane Lew, WV 26378	14410	
Email:	Michael_Yates@SWN.com	Facsimile:	304-884-1691	Environmental Prot of	
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#### Oil and Gas Privacy Notice:

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



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

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

Jim Justice Governor

Thomas J. Smith, P. E. Secretary of Transportation/ **Commissioner of Highways** 

### Reissued October 10, 2017

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

Subject: DOH Permit for the Brian Dytko Pad, Ohio County Brian Dytko OHI 3H

Dear Mr. Martin,

The West Virginia Division of Highways has transferred Permit #06-2011-0009 for the subject site to Southwestern Energy for access to the State Road for the well site located off of Ohio County Route 23 SLS.

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

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DEC 1 8 2017

WV Depertment of Very Truly Yours;ronmental Projection.

Dang L. Clayton

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

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

FRAC ADDITIVES						
Product Name	Product Use	Chemical Name	CAS Number			
		Hydrogen Peroxide	7722-84-1			
EC6734A (Champion Technologies)	Biocide	Acetic Acid	64-19-7			
		Peroxyacetic Acid	79-21-0			
GYPTRON T-390 (Champion	Coole lukikiten	Methanol	67-56-1			
Technologies)	Scale Inhibitor	Nonylphenol Ethoxylate	Proprietary			
		Glutaraldehyde	111-30-8			
Bactron K-139 (Champion Technologies)	Biocide	Quaternary Ammonium Compounds, Benzyl-C12- 16-Alkyldimethyl, Chlorides	68424-85-1			
		Ethanol	64-17-5			
Bactron K-219 (Champion	Biocide	Methanol	67-56-1			
Technologies)	Diocide	Quaternary Ammonium Compounds, Benzyl-C12- 16-Alkyldimethyl, Chlorides	68424-85-1			
	Scale Inhibitor	Amine Triphosphate Prop				
EC6486A (Nalco Champion)	Scale Inhibitor	Ethylene Glycol	107-21-1			
WFRA-2000 (U.S. Well Services)	Anionic Friction Reducer	Hydrotreated light distillate (petroleum) 64				
VV FRA-2000 (U.S. well services)	Amonic Friction Reducer	Propenoic acid, polymer with propenamide	9003-06 9			
		Ethylene glycol	107-21 1			
		Cinnamaldehyde	104-55 2			
	Mixture	Butyl cellosolve	111-76 2			
AI-303 (U.S. Well Services)		Formic acid	64-18 6			
		Polyether	Proprietary			
		Acetophenone, thiourea, formaldehyde polymer	68527-49 1			
AP ONE (U.S. Well Services)	Breaker	Ammonium persulfate	7727-54-0			
OPTI-FLEX (U.S. Well Services)	Viscosifying Agent	Distillates, petroleum, hydrotreated light	64742-47-8			

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