

Susquehanna River Basin Commission

a water management agency serving the Susquehanna River Watershed



November 26, 2013

TO ALL CONCERNED:

At the September 19, 2013, Commission meeting, the draft minutes of the June 20, 2013, Commission meeting were approved as written. Please attach this notice to your copy of the June 20, 2013, minutes.

- DRAFT -

SUSQUEHANNA RIVER BASIN COMMISSION
1721 N. FRONT ST.
HARRISBURG, PA 17102

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
September 19, 2013
#2013-03**

The meeting was held at the State Office Building, Binghamton, New York. Chairman Savre called the meeting to order at 9:00 a.m.

ROLL CALL

Commissioners Present

Brig. Gen. Kent A. Savre, Commander, North Atlantic Division, U.S. Army Corps of Engineers (USACE)

Mr. Kenneth P. Lynch, Director, Region 7, New York State Dept. of Environmental Conservation (NYSDEC)

Ms. Kelly Heffner, Deputy Secretary for Water Management, Pennsylvania Dept. of Environmental Protection (PADEP)

Dr. Robert Summers, Secretary, Maryland Dept. of the Environment (MDE)

**Alternate Commissioners
and Advisors Present**

Col. J. Richard Jordan, III, District Engineer, USACE, Balt. Dist.

Mr. Andrew C. Zemba, Director, Interstate Waters Office, PADEP

Staff Present

Mr. Paul O. Swartz, Retiring Executive Director

Mr. Andrew D. Dehoff, Executive Director

Mr. Jim Richenderfer, Director, Technical Programs; Deputy Executive Director

Ms. Marcia Ryneanson, Director, Administration & Finance

Ms. Stephanie L. Richardson, Secretary to the Commission

Mr. Thomas W. Beauduy, Special Counsel

Mr. Richard A. Cairo, General Counsel

Mr. John W. Balay, Manager, Planning & Operations

Ms. Paula B. Ballaron, Manager, Policy Implementation & Outreach

Mr. Andrew J. Gavin, Manager, Monitoring & Protection

Mr. Eric Roof, Manager, Compliance

Mr. Brydon Lidle, Manager, Information Technology

Ms. Luanne Y. Steffy, Aquatic Ecologist

Also Present

Mr. Hank Gruber, USACE, North Atlantic Division

Ms. Heather Cisar, USACE, Balt. Dist.

Mr. Ned Wehler, PA Advisor

Mr. Herbert Sachs, Former Md. Alternate

Mr. Scott Foti, Former N.Y. Alternate

1. Opening Remarks from the Chair

Chairman Savre provided an opening statement outlining the rules of conduct for the meeting and introduced the other commissioners. Each of the commissioners added brief opening remarks relating to the value of the Commission in dealing with water resources matters that transcend state boundaries.

Executive Director Swartz commented on the New York origins of the Susquehanna River Basin Compact. He recounted that Mr. Frederick Zimmerman, a former N.Y. legislator and professor at Hunter College in New York City, was the driving force behind bringing the three states together to draft a federal-interstate compact and advocate its adoption.

2. Recognition of Paul O. Swartz

The Commission adopted a resolution (Exhibit A) recognizing and honoring Executive Director Paul O. Swartz on the occasion of his retirement from the Commission after nearly 22 years of valuable service. Chairman Savre presented a framed copy of the resolution to Mr. Swartz and thanked him for helping to make interstate water compacts the model for water resources management in the nation. Similar accolades were expressed by all other members regarding Mr. Swartz's outstanding contributions to both the Commission and the field of water resources management.

Further honors were presented by Mr. Aaron Martin on behalf of the office of N.Y. State Senator Thomas Libous and Mr. Michael Sprague, President of Environmental Emergency Services, Inc. of Chemung, Schuyler and Steuben Counties, N.Y.

Mr. Swartz thanked the Commission for the opportunity to serve an agency whose mission we all strongly believe in and which brings together the member jurisdictions in such a great partnership.

3. Installation of Andrew D. Dehoff as Executive Director

The Chairman explained that the Commission had gone through several rounds of interviews and evaluations to find a successor to Paul Swartz as Executive Director. That search had now resulted in the selection of Mr. Andrew D. Dehoff. He presented a resolution (Exhibit B) installing Mr. Dehoff as Executive Director of the Commission. On a motion by Commissioner Heffner, seconded by Commissioner Summers, the Commission unanimously adopted the resolution.

Mr. Swartz and the members of the Commission congratulated Mr. Dehoff and extended their best wishes to him. Mr. Swartz urged Mr. Dehoff to refer often to the Susquehanna River Basin Compact for guidance and presented him with an honorary copy of the compact. Mr. Dehoff thanked the Commission for placing their trust in him and noted that he looked forward to carrying out his duties.

4. Presentation: Whitney Point Adaptive Management Plan

SRBC staff member Luanne Steffy presented information on the Whitney Point Adaptive Management Plan. Since 1996, the Commission, USACE and NYSDEC, along with others, have been working to establish a water management and environmental restoration project at the 1200-acre Whitney Point Lake, Broome County, New York.

In 2007, funds were secured to implement a storage and release plan, and project monitoring began in 2008. The restoration project provides for environmental releases from the lake to augment low flow conditions downstream in the Otselic, Tioughnioga, Chenango, and ultimately the Susquehanna Rivers. The monitoring that has been carried out over the last five years seeks to document the impacts and benefits of these releases and to ensure that there are no adverse impacts on the lake or its associated wetland areas. The results of monitoring will be used to make appropriate adjustments in project management.

Though a lack of dry seasons during the five-year monitoring program has prevented an ideal analysis of the impacts of releases from the lake, data gathered thus far have indicated a positive impact in downstream reaches of stream. Fish populations are healthy and certain critical nursery zones in the streams such as side channels are being maintained. The modifications in the lake creating more stable lake levels and wetland areas also seem to be working well. Monitoring will continue on a smaller scale in the future with the expectation that a dry period will eventually provide a better opportunity to gather data.

The Commission thanked Ms. Steffy for her very informative presentation.

5. Minutes of June 20, 2013, Commission Meeting

On a motion by Commissioner Heffner, seconded by Commissioner Lynch, the minutes of the regular business meeting of June 20, 2013, were unanimously approved as written.

6. Delegation of Certain Authority to Executive Director

Special Counsel Beauduy presented a resolution (Exhibit C) delegating authority to the Executive Director to take certain administrative actions relating to the implementation of the project review regulations on behalf of the Commission. Mr. Beauduy then briefly reviewed the specific powers that were to be delegated and the conditions attached thereto such as notification of the host member jurisdiction.

On a motion by Commissioner Summers, seconded by Commissioner Lynch, the Commission unanimously adopted the resolution presented by Mr. Beauduy.

7. Contracts and Grants – Ratification/Approval

Director of Administration and Finance Marcia Rynearson presented the following grants approvals:

a. Grant Approval – Chesapeake Bay TMDL Program (from Pennsylvania Department of Environmental Protection)

Under this grant, staff will assist the PADEP by developing Total Maximum Daily Loads (TMDLs) for impaired waters in the Susquehanna River Basin and will support PADEP with respect to TMDL determinations, public participation, preparation and submittal to USEPA. PADEP will provide the entire amount of \$253,500.

b. Grant Approval – Chesapeake Bay Sediment and Nutrient Monitoring Program (from Pennsylvania Department of Environmental Protection)

Staff will assist the PADEP by continuing to provide a long-term nutrient and suspended sediment database to track and better define nutrient loading dynamics, relate load fluctuations to changes in water discharge, supply nutrient concentration and loading data, and evaluate nutrient loading trends. PADEP will provide the entire amount of \$131,200.

c. Grant Amendment Approval – Public Water System Assistance Initiative Project (from the Pennsylvania Department of Environmental Protection)

Staff requested that the Commission ratify the signing of a grant amendment. Under this grant, staff is providing both global and focused education and system-specific guidance to small public water systems that meet eligibility requirements, lack financial and technical capabilities, and are subject to Commission groundwater withdrawal regulations. The amendment extends the period of performance for two years. During the extension period, staff will continue to provide technical assistance related to the Commission's groundwater withdrawal application process and aquifer testing requirements, and will provide hydrogeological guidance to assist in the development, management, and protection of groundwater sources. Staff will also provide pre-drill well site reviews for qualifying small public water systems. PADEP will provide the entire amount of \$125,000.

d. Grant Amendment – Water Quality Protection and Pollution Prevention Grant (U.S. Environmental Protection Agency)

Staff requested that the Commission ratify the signing of this grant amendment. Under the grant, the Commission will continue to establish and maintain adequate measures for the prevention and control of surface water pollution and implement EPA approved Clean Water Act Section 106 program activities. The amendment adds funding for the second year of this two-year grant, and brings the total amount funded by the EPA to \$1,447,660. The USEPA will provide the entire \$147,000 in funding.

e. Agreement for Services – Thomas W. Beauduy

Staff requested that the Commission ratify an agreement with Thomas W. Beauduy under which Mr. Beauduy will provide legal advice and representation on matters related to the Commission's project review regulations, policies and procedures, and compliance and enforcement matters. Mr. Beauduy will also provide both legal and policy advice on the formulation of rules, policy and guidance associated with the Commission's regulatory program. Mr. Beauduy will be retained for up to 48 hours per month at the rate of \$130 per hour.

Additional hours above 48 per month will be paid at a rate of \$150, and are subject to advance authorization by the Executive Director.

Ms. Rynearson requested Commission approval by motion of items a. through e. On a motion by Commissioner Heffner, seconded by Commissioner Summers, the Commission unanimously approved the recommendations of Ms. Rynearson for items a. through e.

11. Regulatory Program Actions

a. & b. Docket Rescissions/Docket Actions

The Commission had before it a staff memorandum containing the following list of project applications:

- | | |
|--|---|
| 1-3. Borough of Akron, Lancaster County, Pa. (Exhibit D1) | 14. Global Tungsten & Powders Corp., Towanda Borough, Bradford County, Pa. (Exhibit D9) |
| 4. Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, Pa. | 15. Houtzdale Municipal Authority, Gulich Township, Clearfield County, Pa. |
| 5. Bending River Estates (Tioga River), Town of Lindley, Steuben County, N.Y. (Exhibit D2) | 16. LHP Management, LLC (Fishing Creek – Clinton Country Club), Bald Eagle Township, Clinton County, Pa. |
| 6. Cabot Oil & Gas Corporation (Meshoppen Creek), Lemon Township, Wyoming County, Pa. (Exhibit D3) | 17-18. Millersburg Area Authority, Upper Paxton Township, Dauphin County, Pa. |
| 7. Cabot Oil & Gas Corporation (Meshoppen Creek), Springville Township, Susquehanna County, Pa. (Exhibit D4) | 19. Southwestern Energy Production Company (Wyalusing Creek), Wyalusing Township, Bradford County, Pa. (Exhibit D10) |
| 8. Chesapeake Appalachia, LLC (Chemung River), Athens Township, Bradford County, Pa. (Exhibit D5) | 20-22. State College Borough Water Authority, Ferguson Township, Centre County, Pa. (Exhibit D11) |
| 9. Chesapeake Appalachia, LLC (Sugar Creek), Burlington Township, Bradford County, Pa. (Exhibit D6) | 23. Susquehanna Gas Field Services, L.L.C. (Meshoppen Creek), Meshoppen Borough, Wyoming County, Pa. (Exhibit D12) |
| 10. Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, Pa. | 24. SWEPI LP (Tioga River), Richmond Township, Tioga county, Pa. (Exhibit D13) |
| 11. Chesapeake Appalachia, LLC (Susquehanna River), Terry Township, Bradford County, Pa. (Exhibit D7) | 25. Winner Water Services, Inc. (Manor #44 Deep Mine), Girard Township, Clearfield County, Pa. |
| 12. DS Waters of America, Inc., Clay Township, Lancaster County, Pa. | 26. Winner Water Services, Inc., Sykesville Mine AMD, Borough of Sykesville, Jefferson County, Pa. (into-basin diversion) (Exhibit D14) |
| 13. Town of Erwin, City of Corning, Steuben County, N.Y. (Exhibit D8) | |
- Highlight** = Staff recommending tabling.

The memo also contained staff's recommendations with respect to the rescission of approvals for Chevron Appalachia, LLC (Cambria Somerset Authority), Summerhill Township, Cambria County, Pa. (Docket No. 20110630); Chevron Appalachia, LLC (Highland Sewer and Water Authority), Portage Township, Cambria County, Pa. (Docket No. 20110631); and Clark Trucking, LLC, Northeast Division, Muncy Creek Township, Lycoming County, Pa. (Docket No. 20111208). All projects on the above list were recommended for approval with the exception of Nos. 4, 10, 12, 15-18, and 25, which were recommended for tabling.

Commissioner Lynch moved that the Commission adopt the recommendations of staff for the 26 project applications and the rescission of 3 project approvals. This motion was seconded by Commissioner Summers and unanimously adopted by the Commission.

9. Adjournment

Chairman Savre opened the meeting to public comments, but none were offered. There being no further business before the Commission, and on a motion by Commissioner Heffner, seconded by Commissioner Summers and unanimously agreed to, Chairman Savre adjourned the meeting at 10:22 a.m. The next regular meeting of the Commission is tentatively scheduled for December 12, 2013, in Aberdeen, Maryland.

December 12, 2013
Date Adopted

Stephanie L. Richardson
Stephanie L. Richardson

RESOLUTION NO. 2013-09

A RESOLUTION of the Susquehanna River Basin Commission recognizing and honoring Paul O. Swartz upon the occasion of his retirement from the Susquehanna River Basin Commission.

WHEREAS, Paul O. Swartz, who has served with distinction as the Executive Director of the Susquehanna River Basin Commission (the “Commission”) since February 1992, will retire from the Commission on September 20, 2013; and

WHEREAS, Mr. Swartz, during his nearly 22-year tenure with the Commission as its second Executive Director, rendered outstanding service and superior public administration to the Commission; and

WHEREAS, Mr. Swartz’s many achievements on behalf of the Commission include the acquisition of storage and release projects at the Cowanesque, Curwensville, and Whitney Point Reservoirs; the resolution of the City of Baltimore withdrawal controversy; the omnibus revision of Commission project review regulations; the complete update of the Comprehensive Plan for the Water Resources of the Susquehanna River Basin; the assumption of authority over water use by the natural gas industry; and the management of consumptive uses and low flows; and

WHEREAS, Mr. Swartz made immense progress in improving Commission outreach to the public, legislators, and government policymakers at every level, and in coordinating the water resources management efforts of the member jurisdictions; and

WHEREAS, Mr. Swartz possesses a broad appreciation for the purposes of the Susquehanna River Basin Compact and has worked tirelessly to achieve those purposes in every task he has undertaken on behalf of the Commission.

NOW THEREFORE BE IT RESOLVED THAT:

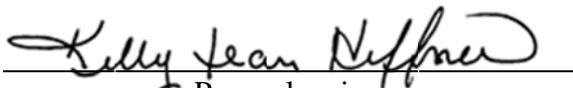
1. The Commission recognizes and honors Paul O. Swartz for his outstanding service to the Commission, his deep devotion to the purposes of the Susquehanna River Basin Compact, and his valuable contributions to the field of water resource management.
2. The Commission conveys its best wishes to Mr. Swartz for a happy and fulfilling retirement and looks forward to a continuing association with him as a former Executive Director.

3. This resolution shall be effective immediately.

September 19, 2013
Date


United States


New York


Pennsylvania


Maryland



RESOLUTION NO. 2013-10

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") appointing Mr. Andrew D. Dehoff as the Executive Director of the Commission.

WHEREAS, the current Executive Director of the Commission Paul O. Swartz is retiring from that position, effective September 20, 2013; and

WHEREAS, the Commission has conducted a search for a new Executive Director and, after careful consideration of the qualifications of numerous applicants, has selected a qualified individual to assume that position.

NOW THEREFORE BE IT RESOLVED THAT:

1. Mr. Andrew D. Dehoff, P.E. of Harrisburg, Pa., is hereby appointed as Executive Director of the Commission, effective September 19, 2013.

2. This resolution shall be effective immediately.

Dated: September 19, 2013



Brig. Gen. Kent D. Savre, Chair
United States

RESOLUTION NO. 2013-11

A RESOLUTION of the Susquehanna River Basin Commission (the "Commission") delegating authority to the Executive Director to take certain administrative actions on behalf of the Commission.

WHEREAS, under Section 15.1(b)(4) of the Susquehanna River Basin Compact, Pub. L. 91-575; 84 Stat. 1509 et seq., the commissioners shall "appoint the principal officers of the Commission and delegate to and allocate among them administrative functions, powers, and duties;" and

WHEREAS, Section 15.5 of the said compact provides for the appointment of an Executive Director by the Commission; and

WHEREAS, Section 3-2 of the Commission's By-Laws sets forth the duties of the Executive Director as the chief executive officer of the Commission; and

WHEREAS, the Executive Director, under the said By-Laws, is primarily responsible for the "effectuation and enforcement of all policies and resolutions adopted by the Commission;" and

WHEREAS, the Commission has determined that, to improve the efficiency and timeliness of certain administrative actions relating to the implementation of the project review regulations (18 CFR Part 806), authority should be delegated to the Executive Director to take such actions on behalf of the Commission.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby delegates to the Executive Director the authority to take certain administrative actions on behalf of the Commission as more specifically set forth in Exhibit A, which is attached hereto and made a part of this resolution.

2. This resolution shall be effective immediately.

Dated: September 19, 2013



Brig. Gen. Kent D. Savre, Chair
United States



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20130901

Approval Date: September 19, 2013

BOROUGH OF AKRON

**Groundwater Withdrawals (30-Day Averages) of 0.226 mgd from Well 5A,
0.166 mgd from Well 6, and 0.148 mgd from Well 8; and
Total System Withdrawal Limit (30-Day Average) of 0.292 mgd**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the renewal of the project described herein in accordance with the conditions set forth below.

Groundwater withdrawal from Well 5A was originally approved by Commission Docket No. 19811201 on December 10, 1981. Additionally, groundwater withdrawals from Wells 6 and 8 were originally approved by Commission Docket No. 19820101 on January 14, 1982. This approval authorizes continued use of Wells 5A, 6, and 8, with reduced rates for Wells 5A and 8, and establishes a total system limit based on demonstrated past peak usage. The Borough of Akron water system includes three additional sources that predate the respective Commission regulations pertaining to withdrawals and do not require separate authorization under this approval.

The project sponsor also utilizes, as a source, an interconnection with the Ephrata Area Joint Authority public water supply system. As identified in Sections 3 and 7 below, Wells 1, 2, 5A, 6, and 8 currently supply water to the public water distribution system. These five groundwater sources, plus the spring, are hereafter referred to as the "total system."

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

respect to possible impacts of long-term sustained operation at the system limit during a 1-in-10-year drought, and the estimated groundwater availability will not meet the projected long-term demand, the total system withdrawal limit is imposed, in addition to a requirement for submittal and completion of a comprehensive water resource development plan, as further specified in Special Condition 23.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawals approved hereunder are subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations			
	Well 5A	Well 6	Well 8
30-Day Average Withdrawal (mgd):	0.226	0.166	0.148
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	157	115	103
Total System Withdrawal Limit – Wells 1, 2, 5A, 6, and 8, and the Spring (30-Day Average) (mgd):	0.292		
mgd – million gallons per day gpm – gallons per minute			

The withdrawals are also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Interconnection

Quantities applicable to the existing approved interconnection are listed in the table below.

Existing Approved Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Ephrata Area Joint Authority Interconnection (PADEP WA-799A)	0.200	Not Applicable (Approved by PADEP)	Not Applicable

Section 7. Grandfathering Determination – Withdrawals

Quantities applicable to the project’s grandfathering determination for existing withdrawals are listed in the tables below.

Grandfathered Groundwater Withdrawals	
Source	30-Day Average Withdrawal (mgd)*
Well 1	0.144
Well 2	0.057
* Value(s) represent maximum documented 30-day average amounts that occurred prior to applicable regulatory effective date(s).	

Grandfathered Surface Water Withdrawals		
Source	Peak Day Withdrawal (mgd)	30-Day Average Withdrawal (mgd)*
Spring	0.092	0.063
* Value(s) represent maximum documented 30-day average amounts that occurred prior to applicable regulatory effective date(s).		

The grandfathered quantities identified in the tables above are based on information submitted by the project sponsor and available reported historic withdrawal data for the Borough of Akron sources downloaded from the PADEP’s Pennsylvania State Water Plan website. The grandfathered quantities or the grandfathered status of the sources are subject to change, if such information becomes available that demonstrates withdrawal occurred that contradicts the data available to complete this grandfathering determination.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.
2. The project sponsor shall maintain metering on the sources listed in Sections 3, 6, and 7 in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall document existing meters or the installation of new meters on Wells 1, 2, 5A, 6, and 8 and the spring to the Commission, in writing, and submit digital photographs of the meters installed and certify the accuracy of the measuring devices to within five (5) percent of actual flow.
3. The project sponsor shall maintain the totalizing meters and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.
4. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3 and 7. Following approval, the project sponsor shall execute the plan and complete installation of water level

monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

5. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project's withdrawals and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. Should the project's withdrawals from grandfathered sources be expected to exceed the amounts listed herein, the project sponsor is required to make application.

8. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(a).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than 20 percent to comply with Commission Regulation 18 CFR §806.25(a)(1). The project sponsor shall reduce system losses and achieve compliance with the requirements within five (5) years of the effective date of this docket approval (September 19, 2018) unless an extension of time is granted due to extenuating circumstances described, in writing, by the project sponsor. The project sponsor shall report to the Commission annually on the progress made pursuant to this requirement. Annual reports are due within sixty (60) days after the close of the preceding year.

12. The project sponsor shall register with the appropriate agency all surface water and groundwater sources described herein, as may be required by regulations of the member jurisdiction.

13. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

14. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

15. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

16. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

17. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

18. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

19. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

20. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

21. This approval is effective until September 18, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 18, 2028, the project sponsor may continue operation of this project pursuant to the terms

and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 9. Special Conditions

22. Automatic shut-off switches or similar limiting equipment must be installed for Wells 5A, 6, and 8. These devices are necessary to prevent dewatering of critical water-bearing zones. Historic operation data demonstrates that the critical water-bearing zones have been exposed during past operating conditions. Reduction in withdrawal rates, implementation of a total system limit, and use of automatic shut-off switches are intended to provide protection of these critical water-bearing zones. Accordingly, the following modifications shall be completed within ninety (90) days from the date of this approval:

- a. Well 5A – A review of the well log and cross section prepared for Well 5A indicates that the first significant water-bearing zone in this well is located at 178 feet below ground surface (bgs). Therefore, the project sponsor shall install a shut-off switch or similar limiting equipment so that operation of Well 5A automatically ceases if the water level reaches 175 feet bgs.
- b. Well 6 – Initial testing data reviewed for Well 6 recommended a pump setting design that would maintain a water level above the 147-foot pumping level. A review of certain historical water level data reported for Well 6 indicated that an extended period of recovery time is required when the water level is drawn deeper than 147 feet. Therefore, the project sponsor shall install a shut-off switch or similar limiting equipment so that operation of Well 6 automatically ceases if the water level reaches 145 feet bgs.
- c. Well 8 – No well log was provided to identify a specific water-bearing zone for protection in Well 8. However, Well 8 is shown to be located along strike from Well 5A, so the depth of the critical water-bearing zone should be similar in both wells. Using the top of casing elevations for Wells 5A and 8, and the elevation of the main water-bearing zone in Well 5A, it is estimated that the Well 5A critical water-bearing zone would be at an elevation of 210.8 feet above mean sea level (AMSL), proximal to Well 8. Therefore, the project sponsor shall install a shut-off switch or similar limiting equipment so that operation of Well 8 automatically ceases if the water level reaches 210 feet AMSL (i.e., 172 feet bgs).
- d. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the automatic shut-off equipment for the three wells. The project sponsor shall notify the Commission when such equipment is fully functional.

23. Within six (6) months of this approval, the project sponsor shall submit for review by Commission staff a water resource development plan designed to evaluate the project sponsor's ability to meet its anticipated, reasonably foreseeable, maximum 15- and 25-year water demands. The water resource development plan shall identify water resources available for development in the vicinity of the project sponsor's service area but outside the identified groundwater recharge

area for the sources listed in Sections 3 and 7, and assess the sustainability of future proposed withdrawals through the 1-in-10-year drought recurrence interval.

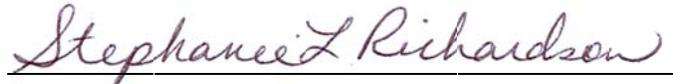
The plan shall describe a practical, phased approach for the development of additional sources, and possibly additional storage, to meet the projected water demands. The plan must consider that the current water supply system cannot sustain the expected demand during a 1-in-10-year drought and that an additional source(s) of water is necessary. Once approved, the plan shall be implemented so as to enable an additional source to be on-line within five (5) years of the plan approval to meet the projected demands.

As part of this condition, the project sponsor shall submit annual progress reports regarding the status of the water resource development plan. These reports shall be due by January 31 of each year, beginning the year after the plan is approved by Commission staff. The progress reports shall continue until a new water source is brought on-line.

24. The project sponsor shall submit data as requested to allow Commission staff to reevaluate the total system limit prescribed herein. Commission staff will perform the evaluation five (5) years after the approval of the water resource development plan or at which time an additional source(s) has been developed to meet the expected demand. At that time, a new total system and/or sub-system limit may be established if it is determined to be appropriate.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130903

Approval Date: September 19, 2013

BENDING RIVER ESTATES

**Surface Water Withdrawal (Peak Day) of up to 0.300 mgd
from the Tioga River**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Commission staff has coordinated with the New York State Department of Environmental Conservation (NYSDEC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Bending River Estates
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Bulk Supply for Hydrocarbon Development and Related Incidental Uses
Municipality:	Town of Lindley
County:	Steuben County
State:	New York

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Tioga River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Water Use Designation:	Class C Waterbody
Withdrawal Location (degrees):	Lat: 42.031262 N Long: 77.133716 W
Site Flow Statistics (cfs):	Q7-10 = 41.5; Average Daily Flow = 833
Drainage Area (square miles):	766
Aquatic Resource Class*:	4
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.300 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	400 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01520500; Tioga River at Lindley, New York	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	160	161
February	190	191
March	390	391
April	--	--
May	208	209
June	104	105
July	63	64
August	55	56
September	67	68
October	68	69
November	103	104
December	150	151
mgd – million gallons per day	USGS – U.S. Geological Survey	
1 cfs = 448.8 gallons per minute (gpm)	-- – No special flow protection required	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be installed prior to any withdrawal of water and be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation prior to the initiation of the withdrawal.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction. The project sponsor shall also satisfy annual usage, capacity, and conservation reporting requirements in the form and manner prescribed by NYSDEC's Division of Water.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The foregoing shall include, but not be limited to, any applicable permitting requirements of NYSDEC. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals. Furthermore, no water withdrawn by this project may be used in

natural gas well development using High Volume Hydraulic Fracturing in New York State without prior approval from NYSDEC.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32. Without limiting the foregoing, and upon notice, the Commission reserves the right to modify the flow protection standards set forth in Section 4 above in the event the Commission or the host member jurisdiction adopts or modifies flow protection standards, or the Commission otherwise determines that a modification is necessary and appropriate to avoid adverse impacts to the source identified in Section 3 above.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). Likewise, if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until September 18, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 18, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

21. Except as authorized pursuant to Special Condition 23, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

22. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 23, including daily quantities supplied.

23. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

24. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20121202-1

Approval Date: December 14, 2012

Modification Date: September 19, 2013

CABOT OIL & GAS CORPORATION

**Surface Water Withdrawal (Peak Day) of up to 0.500 mgd
from Meshoppen Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 20121202 that was originally approved December 14, 2012, with a peak day withdrawal rate of 0.054 million gallons per day (mgd). The project sponsor has requested an increase in the peak day withdrawal and an associated increase in the instantaneous withdrawal rate. Following technical review, and consistent with applicable regulatory standards, Commission staff recommended that the approved rates of withdrawal be increased to 0.500 mgd and 500 gallons per minute (gpm), herein referred to as the modified rates. Commission staff also recommended that special flow protection requirements be added to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Cabot Oil & Gas Corporation
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Lemon Township
County:	Wyoming County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Meshoppen Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010608 (Meshoppen Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.627325 N Long: 75.944775 W
Site Flow Statistics (cfs):	Q7-10 = 2.1; Average Daily Flow = 67
Drainage Area (square miles):	46.2
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	0.500 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	500 (Not to Exceed)
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	14	183
February	17	213
March	37	448
April	40	484
May	21	260
June	9.0	120
July	5.1	73
August	4.7	69
September	4.6	67
October	4.9	71
November	11	146
December	17	218
USGS – U.S. Geological Survey 1 cfs = 448.8 gpm		

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to the initiation of withdrawal at the modified rate set forth in Section 4, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify

to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due December 14, 2014, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days of notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be installed prior to any withdrawal at the modified rate and be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This modified approval is effective until December 13, 2016, the term of the prior docket approval. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 13, 2016, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective October 1, 2013.

21. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

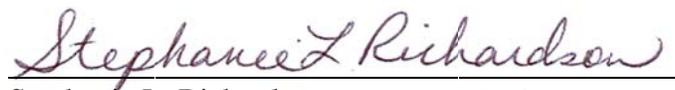
24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

26. All other conditions in Commission Docket No. 20121202 not inconsistent herewith shall remain effective.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130904

Approval Date: September 19, 2013

CABOT OIL & GAS CORPORATION

**Surface Water Withdrawal (Peak Day) of up to 0.500 mgd
from Meshoppen Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Cabot Oil & Gas Corporation
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Springville Township
County:	Susquehanna County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Meshoppen Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010608 (Meshoppen Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.695103 N Long: 75.887269 W
Site Flow Statistics (cfs):	Q7-10 = 0.8; Average Daily Flow = 27
Drainage Area (square miles):	27
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.500 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	542 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	8.2	195
February	9.7	225
March	21	460
April	23	496
May	12	272
June	5.2	132
July	5.2	133
August	4.9	127
September	4.6	119
October	4.6	119
November	6.4	158
December	9.9	230
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner

as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be installed prior to any withdrawal of water and be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation prior to the initiation of the withdrawal.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). Likewise, if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until September 18, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 18, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

21. Except as authorized pursuant to Special Condition 23, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

22. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 23, including daily quantities supplied.

23. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

24. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130905**Approval Date: September 19, 2013**

CHESAPEAKE APPALACHIA, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.999 mgd
from the Chemung River**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20090603 that was originally approved June 18, 2009. The project sponsor has not requested any changes to the conditions of the original docket. Commission staff recommends that the special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Chesapeake Appalachia, LLC
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090603
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Athens Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Chemung River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010506 (Lower Chemung River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.944186 N Long: 76.518129 W
Site Flow Statistics (cfs):	Q7-10 = 157; Average Daily Flow = 2,810
Drainage Area (square miles):	2,668
Aquatic Resource Class*:	5
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.999 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01531000; Chemung River at Chemung, New York	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	--	--
February	--	--
March	--	--
April	--	--
May	--	--
June	--	--
July	219	208

Approved Withdrawal Quantities and Limitations (continued)		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
August	158	151
September	145	138
October	175	167
November	--	--
December	--	--
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey -- – No special flow protection required

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due March 30, 2014, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until September 30, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective October 1, 2013. Commission Docket No. 20090603 shall remain effective through September 30, 2013, and thereafter shall be deemed to be expired.

21. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Per Commission coordination with jurisdictional agency(ies), the project sponsor shall adhere to recommendations for avoiding adverse impact to documented occurrences of rare, threatened, or endangered species at or in proximity to the project location. The documented species include freshwater mussels.

23. Except as authorized pursuant to Special Condition 25, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

24. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 25, including daily quantities supplied.

25. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

26. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



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Docket No. 20130906**Approval Date: September 19, 2013**

CHESAPEAKE APPALACHIA, LLC

**Surface Water Withdrawal (Peak Day) of up to 0.499 mgd
from Sugar Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20090604 that was originally approved June 18, 2009, with a peak day withdrawal rate of 0.499 million gallons per day (mgd) with special flow protection requirements. The project sponsor has not requested any changes to the conditions of the approval. Commission staff recommended that the special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Chesapeake Appalachia, LLC
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090604
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Burlington Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Sugar Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010601 (Sugar Creek)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.779861 N Long: 76.579883 W
Site Flow Statistics (cfs):	Q7-10 = 1.0; Average Daily Flow = 100
Drainage Area (square miles):	151
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.499 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	475 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01531325; Sugar Creek at West Burlington, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	24	16
February	26	17
March	57	36
April	67	42
May	36	23
June	13	8.3
July	5.2	3.9
August	4.5	3.4

Approved Withdrawal Quantities and Limitations (continued)		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
September	4.5	3.4
October	5.2	3.9
November	17	11
December	27	18
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due May 19, 2014, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until September 30, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective October 1, 2013. Commission Docket No. 20090604 shall remain effective through September 30, 2013, and thereafter shall be deemed to be expired.

21. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

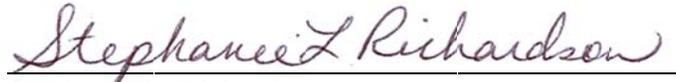
23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



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Docket No. 20130907

Approval Date: September 19, 2013

CHESAPEAKE APPALACHIA, LLC

**Surface Water Withdrawal (Peak Day) of up to 1.440 mgd
from the Susquehanna River**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20090605 that was originally approved June 18, 2009, and modified September 15, 2011, as Commission Docket No. 20090605-1. The project sponsor has not requested, and Commission staff did not recommend, any changes to the conditions of the original docket.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Chesapeake Appalachia, LLC
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090605
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Terry Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Susquehanna River
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010605 (Upper Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.690577 N Long: 76.276857 W
Site Flow Statistics (cfs):	Q7-10 = 627; Average Daily Flow = 11,500
Drainage Area (square miles):	8,254
Aquatic Resource Class*:	6
Special Flow Protection Required:	No
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	1.440 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (Not to Exceed)
mgd – million gallons per day	
gpm – gallons per minute	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation

18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due March 25, 2015, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until September 30, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective October 1, 2013. Commission Docket Nos. 20090605 and 20090605-1 shall remain effective through September 30, 2013, and thereafter shall be deemed to be expired.

21. Per Commission coordination with jurisdictional agency(ies), the project sponsor shall adhere to recommendations for avoiding adverse impact to documented occurrences of rare, threatened, or endangered species at or in proximity to the project location. The documented species include freshwater mussels.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20130908**Approval Date: September 19, 2013**

TOWN OF ERWIN

**Groundwater Withdrawal (30-Day Average) of 0.504 mgd from Well 5R,
and Total System Withdrawal Limit (30-Day Average) of 2.510 mgd**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Well 5R was installed in February 2011 to replace Well 5 (previously referred to as ID Well 1) due to declining production caused by fouling of the well screen. Well 5R was installed approximately 26 feet south of Well 5. The project sponsor has indicated that upon activation of Well 5R, Well 5 will be decommissioned as a supply well, but will be retained for use as a monitoring well.

Commission staff has coordinated with the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Town of Erwin
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Town of Erwin
County:	Steuben County
State:	New York

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Withdrawal Type:	Groundwater
Approved Source:	Well 5R
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010404 (Canisteo River)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Special Flow Protection Required:	No
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals was completed with prior Commission approval. A 74-hour, constant-rate aquifer test of Well 5R was conducted between January 22, 2013 and January 25, 2013, pumping at an average rate of 350 gallons per minute (gpm).

Commission staff determined that the withdrawal from Well 5R at the requested withdrawal rate should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
30-Day Average Withdrawal (mgd):	0.504
Maximum Instantaneous Withdrawal Rate (gpm):	350 (Not to Exceed)
Total System Withdrawal Limit (30-Day Average) (mgd):	2.510
mgd – million gallons per day	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 2	0.576	20070602	June 13, 2022
Well 3	0.576	20070602	June 13, 2022
Well 4	1.150	19990503	May 13, 2024
Well 5 (previously referred to as ID Well 1)*	0.360	20070602	June 13, 2022
Well 6 (previously referred to as ID Well 2)	0.504	20070602	June 13, 2022
*See Special Condition 21			

Section 7. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Sections 3 and 6. Any modifications proposed for the groundwater elevation monitoring plan shall be submitted for

review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(a).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction. The project sponsor shall also satisfy annual usage, capacity, and conservation reporting requirements in the form and manner prescribed by NYSDEC's Division of Water.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The foregoing shall include, but not be limited to, any applicable permitting requirements of NYSDEC. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or

maintain such approvals. Furthermore, no water withdrawn by this project may be used in natural gas well development using High Volume Hydraulic Fracturing in New York State without prior approval from NYSDEC.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32. Without limiting the foregoing, and upon notice, the Commission reserves the right to modify the flow protection standards set forth in Section 4 above in the event the Commission or the host member jurisdiction adopts or modifies flow protection standards, or the Commission otherwise determines that a modification is necessary and appropriate to avoid adverse impacts to the source identified in Section 3 above.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). Likewise, if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

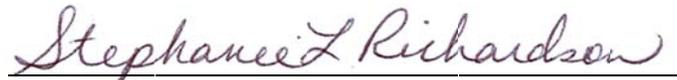
20. This approval is effective until September 18, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 18, 2028, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 8. Special Conditions

21. Upon initiation of withdrawal from Well 5R, the approval for withdrawal from Well 5 as granted pursuant to Commission Docket Nos. 20070602 and 20070602-1 shall hereby be rescinded. All other conditions of Commission Docket Nos. 20070602 and 20070602-1 shall remain effective. Upon receipt of the amended NYSDEC permit, a copy shall be provided to the Commission. Within sixty (60) days of abandonment/conversion of Well 5, the project sponsor shall provide a report to the Commission detailing the activity and final status of Well 5.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130909

Approval Date: September 19, 2013

GLOBAL TUNGSTEN & POWDERS CORP.

Groundwater Withdrawals (30-Day Averages) of 0.495 mgd from Well 1, 0.495 mgd from Well 2, 0.533 mgd from Well 6, 1.206 mgd from Well 7, 1.095 mgd from Well 8, 1.118 mgd from Well 9, 1.409 mgd from Well 10, 1.124 mgd from Well 11, and 0.487 mgd from Well 12; and Total System Withdrawal Limit (30-Day Average) of 4.800 mgd

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

In 2008, Global Tungsten & Powders Corp. (GTP) acquired an existing manufacturing facility in Towanda, Pennsylvania, from Osram Sylvania, Inc. (Osram). Prior to 2008, Osram maintained consumptive use and groundwater withdrawal approvals for Well 11, Well 12, and seven "grandfathered" wells (Wells 1, 2, 6, 7, 8, 9, and 10) which predated the applicable Commission withdrawal regulations and did not previously require Commission review or approval. Per applicable Commission regulations, the acquisition of Osram, and subsequent conditional transfer of consumptive use and groundwater withdrawal approvals required GTP to make application for review and approval of the entire project. GTP submitted a groundwater withdrawal application for the combined withdrawal of 6.615 million gallons per day (mgd) from nine wells (Wells 1, 2, 6, 7, 8, 9, 10, 11, and 12), hereafter referred to as the "wellfield." In March 2009, Commission Docket No. 20090328 superseded the consumptive use provisions of Commission Docket Nos. 19970502, 19970502-1, and 19970502-2 and approved GTP to consumptively use 0.170 mgd for industrial supply and use.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Global Tungsten & Powders Corp.
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Industrial (Production, Cooling) and Potable Uses
Municipality:	Towanda Borough and North Towanda Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information			
Withdrawal Type:	Groundwater		
Approved Sources:	Wells 1, 2, 6, 7, 8, 9, 10, 11, and 12		
Subbasin:	Middle Susquehanna		
Watershed Boundary Dataset (WBD):	0205010605 (Upper Susquehanna River)		
Withdrawal Location (degrees):	Well 1	Lat: 41.785419 N	Long: 76.444472 W
	Well 2	Lat: 41.785383 N	Long: 76.444534 W
	Well 6	Lat: 41.787707 N	Long: 76.446693 W
	Well 7	Lat: 41.786443 N	Long: 76.445154 W
	Well 8	Lat: 41.784527 N	Long: 76.444083 W
	Well 9	Lat: 41.785015 N	Long: 76.443786 W
	Well 10	Lat: 41.784809 N	Long: 76.444556 W
	Well 11	Lat: 41.787819 N	Long: 76.445744 W
	Well 12	Lat: 41.783059 N	Long: 76.442686 W
Special Flow Protection Required:	No		

Section 4. Aquifer Testing and Historical Data Analysis

The constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals was completed with prior Commission approval between September 3, 2009 and September 15, 2009. A 288-hour, constant-rate aquifer test of Wells 1, 6, 7, 9, 10, 11, and 12 was conducted at a combined average rate of 4,656 gallons per minute (gpm) or 6.705 mgd.

During the background, pumping, and recovery phases of the aquifer test, the Towanda Municipal Authority (TMA) Well 2 was operated at a predetermined rate to enable TMA to meet their system demand. The water level in TMA Well 2 was monitored with a transducer set in close proximity to the pump intake. During the pumping phase of the test, the water level in TMA Well 2 approached the depth of the transducer. As a result, GTP decided to discontinue the pumping phase of the aquifer test. During the recovery phase, the water level in TMA Well 2 continued to decline and was drawn below the depth of the transducer. The water level remained below the level of the transducer for the remainder of the aquifer test. Commission staff analysis of the data indicates that the performance of TMA Well 2 may have been impacted had the pumping phase of the aquifer test continued at the tested rate.

In addition, water levels in the GTP wells and TMA Well 1 had not stabilized to predictable trends prior to the completion of the pumping phase of the aquifer test. The continued drawdown, in conjunction with the uncertainty in the background recessional trends, indicates that the aquifer test results cannot be used to predict the sustainability of the aquifer with certainty at the tested rate of 6.705 mgd.

In lieu of completing additional aquifer tests, and considering the indications for potentially adverse drawdown to TMA Well 2 at the tested rate, GTP submitted a revised groundwater withdrawal application. The revised application was submitted with a historical data package to support the reduced withdrawal request of 4.800 mgd, a quantity that had been historically withdrawn without causing adverse impact to TMA Well 2. In review of the historic operational data, Commission staff determined that the withdrawal from the wellfield at the reduced rate should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

After review of the aquifer test results and operational monitoring data, it came to the attention of GTP personnel that one private residential well is located on James Street in Towanda, in close proximity to the northern GTP facility boundary between MW-3 (GTP property) and OB-1 (TMA property). The well is reportedly located on an unoccupied property and is not currently used. The listed property owner was provided notice of the GTP groundwater withdrawal application per the applicable Commission public notice regulation. Although well construction information and historical usage is uncertain, extrapolation of the aquifer test data indicates the potential for adverse impacts to occur to a well situated at this location. Should adverse impacts occur due to operation of the wellfield, Commission staff recommended that GTP should be responsible to provide mitigation. The James Street private residential well is not an active water supply and therefore does not require mitigation at this time. Monitoring required as part of Special Condition 22 will provide ongoing data for evaluation of potential adverse impact.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawals approved hereunder are subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Source	30-Day Average Withdrawal (mgd)	Total System Withdrawal Limit (30-day average) (mgd)
Well 1	0.495	4.800 (Wells 1, 2, 6, 7, 8, 9, 10, 11, and 12)
Well 2	0.495	
Well 6	0.533	
Well 7	1.206	
Well 8	1.095	
Well 9	1.118	
Well 10	1.409	
Well 11	1.124	
Well 12	0.487	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 6. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be implemented until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

4. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff. Any modifications proposed for the groundwater elevation monitoring plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

5. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to

inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

8. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

9. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

10. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction.

11. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

12. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

13. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

14. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

15. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

16. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

17. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

18. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

19. This approval is effective until September 18, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 18, 2028, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 7. Special Conditions

20. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

21. Commission Docket No. 20090328 superseded the consumptive use provisions of Commission Docket No. 19970502 issued to Osram Sylvania, Inc. on May 15, 1997, modified on November 13, 1997 (Commission Docket No. 19970502-1), and March 14, 2007 (Commission Docket No. 19970502-2), and remains effective. The remaining groundwater provisions of Commission Docket Nos. 19970502, 19970502-1, and 19970502-2 are superseded by this docket approval, and therefore such dockets are hereby rescinded.

22. Within ninety (90) days from the date of this approval, the project sponsor shall develop a mitigation action plan and submit the plan for review and approval by Commission staff. The plan shall be designed to address potential pumping-induced adverse impacts to TMA Wells 1 and 2 resulting from operation of the GTP wellfield. The plan shall include a description of the proposed monitoring, including locations and instrumentation, proposed mitigation measures with specific steps and triggers (to be completed by GTP and/or TMA) for the affected wells, and the schedule for implementation of the plan.

Upon approval of the mitigation action plan, the project sponsor shall implement the plan and submit the results of the monitoring to the Commission annually. The monitoring results shall be documented in an interpretive report, including the monitoring data in digital and graphical form, due on or before January 31 each year, or otherwise as directed by Commission staff. The annual report shall include descriptions of triggers that were reached, if any, and mitigation measures or steps that were taken, and contain an evaluation of the effectiveness of the mitigation actions. After review of the report, Commission staff will determine any modification or changes to the monitoring program based on its findings. Should the monitoring prove to be inconclusive, the Commission reserves the right to require additional monitoring, as necessary. The Commission also reserves the right to require additional monitoring or mitigation to address future use of the James Street private residential well. The plan shall continue for the duration of the approval or until such time staff determines it is no longer necessary.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20130911

Approval Date: September 19, 2013

SOUTHWESTERN ENERGY PRODUCTION COMPANY

**Surface Water Withdrawal (Peak Day) of up to 2.000 mgd
from Wyalusing Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20090914 that was originally approved September 10, 2009, with a peak day withdrawal rate of 1.500 million gallons per day (mgd) and special flow protection requirements. The project sponsor has requested a change to the peak day withdrawal rate condition of the approval from 1.500 mgd to 2.000 mgd, and an associated increase in the instantaneous withdrawal rate. Following technical review, and consistent with applicable regulatory standards, Commission staff recommended that the approved rates of withdrawal be increased to 2.000 mgd and 1,400 gallons per minute (gpm), herein referred to as the modified rates. Commission staff also recommended that the special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Southwestern Energy Production Company
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090914
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Wyalusing Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Wyalusing Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010607 (Wyalusing Creek)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.746156 N Long: 76.210425 W
Site Flow Statistics (cfs):	Q7-10 = 8.8; Average Daily Flow = 284
Drainage Area (square miles):	195
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	2.000 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	1,400 (Not to Exceed)
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	76	156
February	90	183
March	195	390
April	212	423
May	111	225
June	47	99
July	27	59
August	19	44
September	19	43
October	26	58
November	53	110
December	92	186
USGS– U.S. Geological Survey 1 cfs = 448.8 gpm		

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the

jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be installed prior to any withdrawal at the modified rate and be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of

this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until September 30, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective October 1, 2013. Commission Docket No. 20090914 shall remain effective through September 30, 2013, and thereafter shall be deemed to be expired.

21. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream

gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013

Stephanie L Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130912

Approval Date: September 19, 2013

STATE COLLEGE BOROUGH WATER AUTHORITY

**Groundwater Withdrawals (30-Day Averages) of 0.605 mgd from Well 41,
1.480 mgd from Well 43, and 1.520 mgd from Well 53;
Total Combined Withdrawal Limit (30-Day Average) of 3.000 mgd
from Wells 41, 43, and 53 (Nixon Wellfield); and
Total System Withdrawal Limit (30-Day Average) of 9.100 mgd**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the renewal of the project described herein in accordance with the conditions set forth below.

Groundwater withdrawals from Wells 41, 43, and 53 were originally approved by Commission Docket No. 19820501 as a combined limit for the three wells. This approval renews Commission authorization for use of Wells 41, 43 and 53, establishes individual well withdrawal rates, and renews the combined withdrawal limit for the three wells at a reduced rate. The State College Borough Water Authority's (SCBWA's) water system includes numerous other sources, both Commission approved and sources that predate the respective Commission regulations pertaining to withdrawal. Additional detail on the other sources in the system are provided herein.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Considering the reported total depth of the well and remaining water column, the projected depth to water is considered to be an adverse impact to a competing groundwater source for which SCBWA would be responsible to mitigate. The Myers well is not an active water supply. The Commission reserves the right to require additional monitoring or mitigation to address future use of the Myers well.

Commission staff determined that the continued withdrawal from Wells 41, 43, and 53 at the requested withdrawal rates should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations			
	Well 41	Well 43	Well 53
30-Day Average Withdrawal (mgd):	0.605	1.480	1.520
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	420	1,028	1,055
Total Combined Withdrawal Limit for Wells 41, 43, and 53 (Nixon Wellfield) (30-Day Average) (mgd):	3.000		
mgd – million gallons per day			

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the tables below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 17	3.880	19930501	May 13, 2023
Well 18			
Well 19			
Well 22	2.500	19920103	January 23, 2022
Well 24			
Well 55	1.008	19890504	May 11, 2019
Well 57			

Existing Approved Groundwater Withdrawals (continued)			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 62	4.700	19920102	January 23, 2022
Well 63			
Well 64			
Well 65			
Well 71	The withdrawal of up to 25 percent on an annual basis, and a maximum of 35 percent on a monthly basis, of the SCBWA total system demand, and an emergency use of up to 4.800 mgd	19940903	September 27, 2024
Well 73			
Well 78			
Well 79			

Existing Approved Surface Water Withdrawals			
Source	Peak Day Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Shingletown Gap Reservoir	2.000	19920104	January 31, 2017

Pursuant to Commission Docket No. 19920103, total withdrawals from all of SCBWA’s approved and grandfathered sources in the Slab Cabin Run drainage area, which includes the Harter Wells (Wells 22, 24, and 25), Thomas Wells (Wells 4, 7, 8, and 11), and the Shingletown Reservoir, shall not exceed 7.300 mgd.

Section 7. Grandfathering Determination – Withdrawals and Consumptive Water Use

Quantities applicable to the project’s grandfathering determination for existing withdrawals and consumptive water uses are listed in the table below.

Grandfathered Groundwater Withdrawals	
Source	30-Day Average Withdrawal (mgd)*
Thomas Wells (Wells 4, 7, 8, and 11)	3.368
Well 25	1.931
* Value(s) represent maximum documented 30-day average amounts that occurred prior to applicable regulatory effective date(s).	

The grandfathered quantities identified in the table above are based on information submitted by the project sponsor. The grandfathered quantities or the grandfathered status of the sources are subject to change, if such information becomes available that demonstrates withdrawal occurred that contradicts the data available to complete this grandfathering determination.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall maintain metering on the sources listed in Sections 3 and 6 in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall document existing meters or the installation of new meters on Wells 41, 43, and 53 to the Commission, in writing, and submit digital photographs of the meters installed and certify the accuracy of the measuring device to within five (5) percent of actual flow.

3. The project sponsor shall maintain the totalizing meters and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

4. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3, 6, and 7. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter.

5. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project's withdrawals from all sources and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. Should the project's withdrawals from grandfathered sources exceed or be expected to exceed the amounts listed herein, the project sponsor is required to make application.

8. Should the project's anticipated total system demand exceed or be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(a).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water and groundwater sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's withdrawals exceed or be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

20. This approval is effective until September 18, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 18, 2028, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 9. Special Conditions

21. Within ninety (90) days from the date of this approval, the project sponsor shall document existing meters or install and maintain metering on the source(s) of the project's grandfathered withdrawals listed in Section 7, in accordance with Commission Regulation 18 CFR §806.30(a)(1). The project sponsor shall notify the Commission, in writing, and submit digital photographs of existing or installed meter(s) and certify the accuracy of the measuring device(s) to within five (5) percent of actual flow.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20130913**Approval Date: September 19, 2013**

SUSQUEHANNA GAS FIELD SERVICES, L.L.C.

**Surface Water Withdrawal (Peak Day) of up to 0.145 mgd
from Meshoppen Creek**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20090628 that was originally approved June 18, 2009, and modified September 15, 2011, as Commission Docket No. 20090628-1. The project sponsor did not request any changes to the conditions of the original docket. Commission staff recommended that the special flow protection requirements be modified to reflect current policy. This approval incorporates that recommendation.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Susquehanna Gas Field Services, L.L.C.
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090628
Authorized Water Use Purpose:	Bulk Sale for Development of Natural Gas Wells; Hydrostatic Testing and Dust Control associated with Natural Gas Pipeline Construction; and Dust Control and Site Development Activities associated with Wind Energy Generation Construction

Project Information (continued)	
Municipality:	Meshoppen Borough
County:	Wyoming County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Meshoppen Creek
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010608 (Meshoppen Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.6134 N Long: 76.0501 W
Site Flow Statistics (cfs):	Q7-10 = 5.2; Average Daily Flow = 166
Drainage Area (square miles):	114
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.145 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	200 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	45	151
February	53	178
March	114	385

Approved Withdrawal Quantities and Limitations (continued)		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
April	124	418
May	65	220
June	28	94
July	16	54
August	11	39
September	11	38
October	15	53
November	31	105
December	54	181
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due February 7, 2014, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until September 30, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective October 1, 2013. Commission Docket Nos. 20090628 and 20090628-1 shall remain effective through September 30, 2013, and thereafter shall be deemed to be expired.

21. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20130914

Approval Date: September 19, 2013

SWEPI LP

Surface Water Withdrawal (Peak Day) of up to 0.950 mgd from the Tioga River

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the renewal and modification of the project described herein in accordance with the conditions set forth below.

This approval is a renewal and modification of Commission Docket No. 20090612 that was originally approved June 18, 2009, with a peak day withdrawal rate of 0.107 million gallons per day (mgd) and no special flow protection requirements. The project sponsor has requested an increase in the peak day withdrawal and an associated increase in the instantaneous withdrawal rate. Following technical review, and consistent with applicable regulatory standards, Commission staff recommended that the approved rates of withdrawal be increased to 0.950 mgd and 660 gallons per minute (gpm), herein referred to as the modified rates. Commission staff also recommended that the special flow protection requirements be added to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	SWEPI LP
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090612
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Richmond Township
County:	Tioga County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Tioga River
Subbasin:	Chemung
Watershed Boundary Dataset (WBD):	0205010409 (Tioga River)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.764267 N Long: 77.080802 W
Site Flow Statistics (cfs):	Q7-10 = 8.3; Average Daily Flow = 194
Impairment:	Mine Drainage
Drainage Area (square miles):	136
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	0.950 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	660 (Not to Exceed)
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01516350; Tioga River near Mansfield, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	39.0	45
February	47.8	55
March	74.4	85
April	115	131
May	54.9	63
June	29.2	34
July	16.8	20
August	12.4	15
September	10.6	13
October	12.4	15
November	19.5	23
December	48.7	56
USGS– U.S. Geological Survey 1 cfs = 448.8 gpm		

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to withdrawal at the modified rate from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals at the modified rate shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days of notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be installed prior to any withdrawal at the modified rate and be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment, pursuant to Commission Regulation 18 CFR §806.32.

15. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until September 30, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective October 1, 2013. Commission Docket No. 20090612 shall remain effective through September 30, 2013, and thereafter shall be deemed to be expired.

21. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson



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Docket No. 20130915**Approval Date: September 19, 2013**

WINNER WATER SERVICES, INC.

**Into-Basin Diversion (Peak Day) of up to 1.000 mgd
from Sykesville Mine Drainage Treatment Facility Discharge
in the Ohio River Basin**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that the project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

The project involves the diversion of water from a mine drainage treatment facility in Sykesville, Jefferson County, into the Susquehanna River Basin for use in unconventional natural gas development activity.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Winner Water Services, Inc.
Approval Type:	Into-Basin Diversion from the Ohio River Basin
Authorized Water Use Purpose:	Hydrofracture Stimulation Associated with Unconventional Natural Gas Development*
Municipality:	Borough of Sykesville
County:	Jefferson County
State:	Pennsylvania
* Authorized water use purpose is further subject to the limitations and requirements of Special Condition 17.	

Section 3. Source Information

Information concerning the source of water from which the into-basin diversion will be made is set forth in the table below.

Source Information	
Approved Source:	Sykesville Mine Drainage Treatment Facility Discharge
Basin:	Ohio River Basin
Watershed Boundary Dataset (WBD):	0501000607 (Mahoning Creek)
Withdrawal Location (degrees):	Lat: 41.04940556 N Long: 78.81383889 W
Impairment:	Treated Mine Pool Discharge

Section 4. Approved Into-Basin Diversion Quantities and Limitations

The into-basin diversion approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Into-Basin Diversion Quantities and Limitations	
Peak Day Diversion Amount (mgd):	1.000 (Not to Exceed)
mgd – million gallons per day	

The into-basin diversion is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all water diverted into the Susquehanna River Basin.

3. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed and certify the accuracy of the measuring device to within five (5) percent of actual flow. Diversions shall not commence until Commission staff has approved the implementation of the metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of diversions, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall keep daily records of the project's diversion and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

6. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

7. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

8. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

9. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

10. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the diversion of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

11. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment pursuant to Commission Regulation 18 CFR §806.32.

12. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

13. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

14. The project sponsor has a period of three (3) years from the date of this approval to commence the diversion or this approval will automatically expire, unless an extension is requested by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). Likewise, if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the

Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

15. Should the project's anticipated diversion be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

16. This approval is effective until September 18, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 18, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

17. Except as authorized pursuant to Special Condition 19, the project sponsor shall only supply water for use in hydrofracture stimulation associated with unconventional natural gas development, provided it is managed in containment systems isolated from the waters of the basin, the project sponsor and recipient water user meet all applicable standards and requirements of the host member jurisdiction, and the recipient water user has properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

18. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 19, including daily quantities supplied.

19. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

20. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on September 19, 2013.

Dated: September 20, 2013


Stephanie L. Richardson