

Exhibit 5: Property Interests / Right of Entry

5.1 Permit Area

Map Key		Name & Address of Owner	Means to Enter & Is Litigation Pending	Supp "C"
1, 3 & 4	Surface	John Kosky Contracting, Inc. PO Box 136 Cuddy, PA 15031-1513	Lease dated May 23, 2018 which is not subject to pending court litigation	Note #1
	Minerals	Same as surface		
2	Surface	Clyde Holding, Inc. 17592 Route 322 Strattanville, PA 16258	Lease dated August 6, 2020 which is not subject to pending court litigation	Note #2
	Minerals	Same as surface		
5	Surface	John Alan & Stacy A. Kosky PO Box 42 Cuddy, PA 15031-1513	Note #3	Note #3
	Minerals	Same as surface		
36 & 37	Surface	John Alan & Stacy A. Kosky PO Box 42 Cuddy, PA 15031-1513	Note #4	Note #4
	Minerals	Unknown		

Note #1 - The original Supplemental "C" Form for properties 1, 3 and 4 is on file with the Department under SMP #63100401. A copy of the Supplemental "C" Form is attached with this Module.

Note #2 - The original Supplemental "C" Form for property 2 is on file with the Department under SMP #63100401. A copy of the Supplemental "C" Form is attached with this Module.

Note #3 - A Supplemental "C" Form is included on pages 5-11 to 5-16.

Note #4 - This property was purchased on June 16, 2023. A supplemental "C" Form will be acquired once the deed is recorded in the Washington County courthouse.

5.2 Contiguous Area

- 6 Peoples Natural Gas Company LLC
- 7 Peoples Natural Gas Company LLC
- 8 Kathleen Martincic & Dan B. Derber
- 9 Cathy H. & John P. Lozosky
- 15 John L. Jr. & Kim Ondrik
- 23 East Bethlehem Church
- 27 Webeck, David A & James C.
- 31 Southwestern PA Water Authority
- 35 Mark A. Yohe
- 38 Frank G. & Margaret J. & Joseph J. Startare
- 46 Harold & Kathleen Rice


5.3 Adjacent Area

- 10 Dolores Thompson & Leslie A. Hutchinson, Jr.
- 10A Edgar C. Sweany, Jr., & Carol Hupp
- 10B Raymond R & Tammy M. Schmitt
- 11 Frank & Mary Jane Efaw
- 12 Travis D. & Shannon R. Rhodes
- 13 William & Dana Mikolay
- 14 Wilford A. & Pearlie Buel
- 16 Paul & Deanne Hein
- 17 Robert E. & Patricia L. Kiefer
- 18 David K. & Robert G. Sloan
- 19 Bryan L. Lancaster
- 20 Virginia A. Crawford Rev. Trust
- 21 Christopher J. & Brittany N. Coffield
- 22 Christopher J. & Brittany N. Coffield
- 24 Kenneth & Cathleen Harasty
- 25 Michael J. & Sylvia A. Burke
- 26 Alyssa M. Ford
- 28 Joshua A. Zuchowski
- 29 James C. & Marilou Webeck
- 30 Robert J. & Marsha L. Sweany
- 30A Robert J. & Marsha L. Sweany
- 32 Renee E. Simpson
- 33 William L. Beck
- 34 Buckingham Cemetery Assn
- 39 Joseph J. & Nena M. Startare
- 40 Jason White
- 41 Freddie D. Ervin
- 42 Deborah J. & Joseph C. Shriner
- 43 Deborah J. & Joseph C. Shriner
- 44 Robin L. Doman & Susan G. Gunchuck
- 45 Joseph A. & Shirley S. Yablonski and Joseph M. Yablonski
- 47 Harold & Kathleen Rice
- 48 Margaret A. Furman & Katherine M. Kasula
- 49 Margaret A. Furman & Katherine M. Kasula
- 50 Bethanne L. Morgan
- 51 John A. Cantoni
- 52 David A. Smereczniak
- 53 Joanna L. Dragan

CERTIFIED PROPERTY IDENTIFICATION NUMBERS
220-005-00-00-002400 DEEMSTON BORO
LGIS REGISTRY 05/08/2023 BY JH

Inst. # 202311199 - Page 1 of 3

Parcel ID #220-005-00-00-0024-00

5600-FM-BMP0050 11/2012
"Supplement C"
 **pennsylvania**
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROG

CONTRACTUAL CONSENT OF LANDOWNER (NONCOAL/INDUSTRIAL MINERALS)

(I) (We), the undersigned, being the owner(s) of +/- 60.6 acres of land
located in Deemston Borough, Washington County, as described
(Township, Borough, City)

in the deed(s) recorded in the Recorder of Deeds Office Book(s) and page(s) Instrument Number 200825923
and shown by crosshatched lines on the map attached hereto which is signed in the original by the landowner upon which
Neiswonger Construction, Inc.

(Name of Mining Operator)

proposes to engage in surface mining activities for which application for permit will be made to the Department of Environmental Protection and of which application this consent will be made a part, **DO HEREBY ACKNOWLEDGE THAT THE MINING OPERATOR HAS THE RIGHT TO ENTER UPON AND USE THE LAND FOR THE PURPOSES OF CONDUCTING SURFACE MINING ACTIVITIES.** Furthermore, (I) (We), the undersigned, do hereby irrevocably grant to the mining operator, his heirs, executors, administrators, successors, transferees, and assigns and to the Commonwealth of Pennsylvania, the right to enter upon the aforesaid land before beginning the mining activity(ies), and for a period of five (5) years after the termination, completion or abandonment of the mining activity(ies) for the purposes of inspecting, studying, backfilling, planting and reclaiming the land and abating pollution in accordance with the provisions of the Noncoal Surface Mining Conservation and Reclamation Act and The Clean Streams, as amended, rules and regulations promulgated thereunder, and the provisions of permit(s) issued to the Mining Operator. (I) (We) do hereby grant in addition to the Commonwealth, for the aforesaid period of time, a right of entry across any adjoining or contiguous lands owned by (us) (me) in order to have access to the land described herein. It is specifically agreed and understood that this contractual consent gives the Commonwealth the right to enter, inspect, study, backfill, plant and reclaim the land and abate pollution therefrom as a matter within the police power but does not obligate the Commonwealth to do so, and does not constitute any ownership interest by the Commonwealth in the aforesaid land.

This Consent shall not be construed to impair any contractual agreement between the Mine Operator and the landowner.

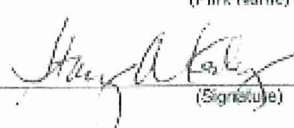
(INSERT ADDITIONAL PROVISIONS OR CROSS OUT)

In witness whereof and intending to legally bind (myself) (ourselves), (my) (our) heirs, successors and assigns, (I) (we) have hereunto set (my) (our) hand(s) and seal this 20th day of March, 2023 (year)

John Alan Kosky and Stacy A. Kosky
LANDOWNER (Print Name)

By:  (Signature) (Seal)

John Alan Kosky
(Print Name)

By:  (Signature)

Stacy A. Kosky
(Print Name)

CARRIE FERRELL
RECORDER OF DEEDS
WASHINGTON, PA
Pennsylvania

INSTRUMENT NUMBER
202311199
RECORDED ON
Jun 08, 2023
2:16:32 PM
Total Pages: 3

RECORDING FEES \$29.00
TOTAL PAID \$29.00
INV: 853744 USER: JP

Parcel ID #220-005-00-00-0024-00



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROG

**CONTRACTUAL CONSENT OF LANDOWNER
(NONCOAL/INDUSTRIAL MINERALS)**

(I) (We), the undersigned, being the owner(s) of +/- 60.6 acres of land located in Deemston Borough, Washington County, as described (Township, Borough, City)

in the deed(s) recorded in the Recorder of Deeds Office Book(s) and page(s) Instrument Number 200825923 and shown by crosshatched lines on the map attached hereto which is signed in the original by the landowner upon which Neiswonger Construction, Inc. (Name of Mining Operator)

proposes to engage in surface mining activities for which application for permit will be made to the Department of Environmental Protection and of which application this consent will be made a part, **DO HEREBY ACKNOWLEDGE THAT THE MINING OPERATOR HAS THE RIGHT TO ENTER UPON AND USE THE LAND FOR THE PURPOSES OF CONDUCTING SURFACE MINING ACTIVITIES.** Furthermore, (I) (We), the undersigned, do hereby irrevocably grant to the mining operator, his heirs, executors, administrators, successors, transferees, and assigns and to the Commonwealth of Pennsylvania, the right to enter upon the aforesaid land before beginning the mining activity(ies), and for a period of five (5) years after the termination, completion or abandonment of the mining activity(ies) for the purposes of inspecting, studying, backfilling, planting and reclaiming the land and abating pollution in accordance with the provisions of the Noncoal Surface Mining Conservation and Reclamation Act and The Clean Streams, as amended, rules and regulations promulgated thereunder, and the provisions of permit(s) issued to the Mining Operator. (I) (We) do hereby grant in addition to the Commonwealth, for the aforesaid period of time, a right of entry across any adjoining or contiguous lands owned by (us) (me) in order to have access to the land described herein. It is specifically agreed and understood that this contractual consent gives the Commonwealth the right to enter, inspect, study, backfill, plant and reclaim the land and abate pollution therefrom as a matter within the police power but does not obligate the Commonwealth to do so, and does not constitute any ownership interest by the Commonwealth in the aforesaid land.

This Consent shall not be construed to impair any contractual agreement between the Mine Operator and the landowner.

(INSERT ADDITIONAL PROVISIONS OR CROSS OUT)

In witness whereof and intending to legally bind (myself) (ourselves), (my) (our) heirs, successors and assigns, (I) (we) have hereunto set (my) (our) hand(s) and seal this 28th day of March, 2023 (year)

John Alan Kosky and Stacy A. Kosky
LANDOWNER (Print Name)

By: [Signature] (Signature) (Seal)

John Alan Kosky
(Print Name)

By: [Signature] (Signature)

Stacy A. Kosky
(Print Name)

Parcel ID #220-005-00-00-0024-00

ACKNOWLEDGEMENT OF INDIVIDUALS OR PARTNERS

STATE OF Pennsylvania :
COUNTY OF Allegheny : ss
On March 20, 2023, before me, the undersigned Notary, personally appeared

Commonwealth of Pennsylvania - Notary Seal
Steven J. Dobis II, Notary Public
Allegheny County
My commission expires November 7, 2025
Commission number 1040936
Member, Pennsylvania Association of Notaries

John Alan Kosky and Stacy A. Kosky
(Name (s))
known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument, and who acknowledged that the
(he, she or they)
executed the same and desires it to be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.
(SEAL) Steven J. Dobis II My Commission Expires: 11-7-25
Notary Public (Date)

LANDOWNER
STATE OF :
COUNTY OF : ss
On _____, before me, the undersigned Notary, personally appeared

(Name (s))
known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument, and who acknowledged that _____
(he, she or they)
executed the same and desires it to be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.
(SEAL) _____ My Commission Expires: _____
Notary Public (Date)

ACKNOWLEDGEMENT OF CORPORATIONS

LANDOWNER
STATE OF :
COUNTY OF : ss
On _____ before me, the undersigned Notary, personally appeared

who acknowledged (herself) (himself) to be the _____ of
(Title of Person)
(Name of Corporation), a

corporation, and that (she) (he), as such officer, being authorized to do so, executed the foregoing instrument on behalf of the said corporation and desires that this instrument be recorded.

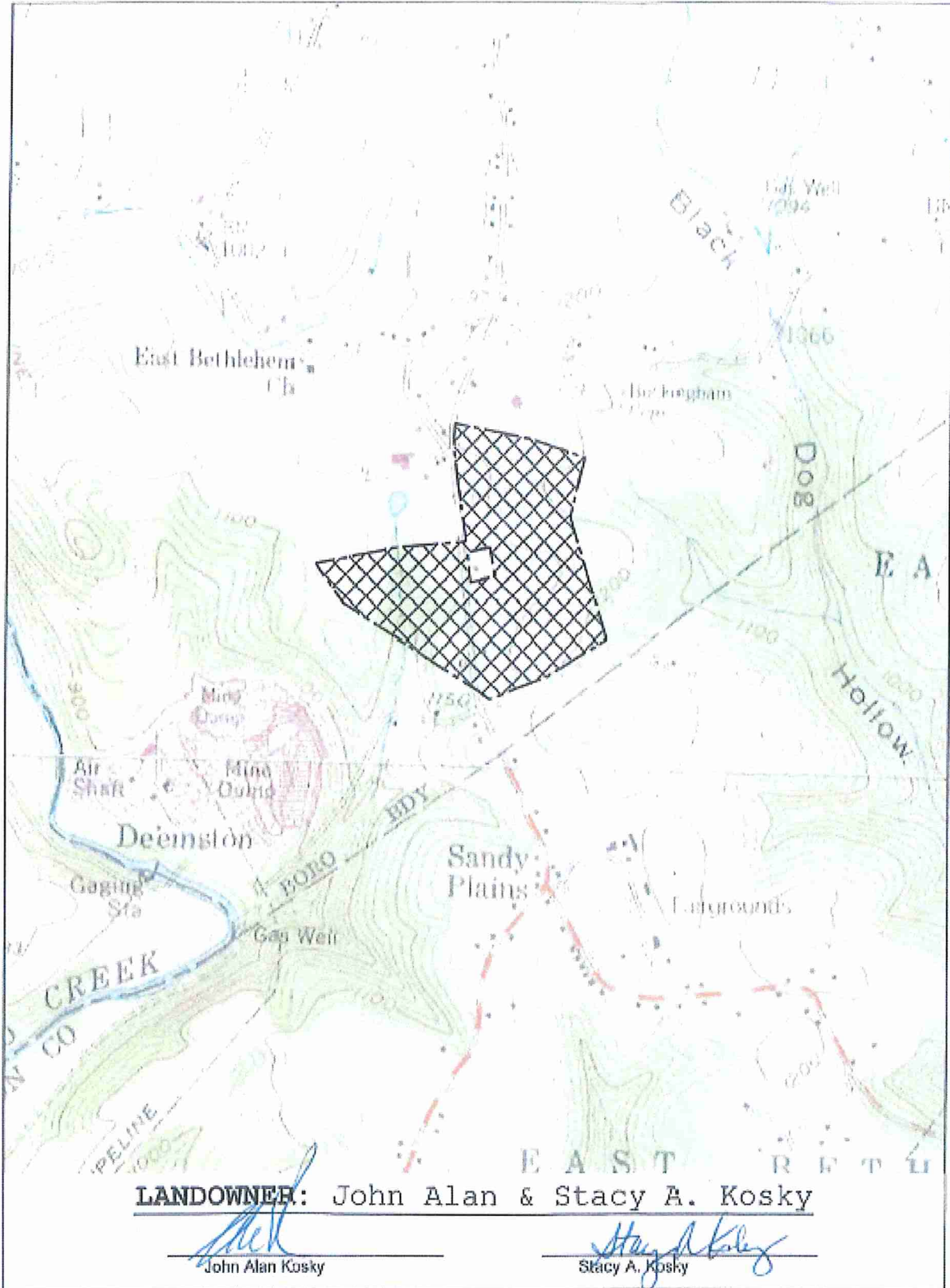
IN WITNESS WHEREOF, I have hereunder set my hand and official seal.
(SEAL) _____ My Commission Expires: _____
Notary Public (Date)

This instrument has been recorded in _____
County, Pennsylvania, this ____ day of _____,
_____(year), at Book _____, Page(s) _____.

(Signed) + (Print Name)

(Seal)

Parcel ID #220-005-00-00-0024-00



LANDOWNER: John Alan & Stacy A. Kosky

John Alan Kosky

Stacy A. Kosky



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMS

For Dept. use only
SMP No. _____

BUILDING WAIVER SURFACE NONCOAL MINING ACTIVITIES

To: Commonwealth of Pennsylvania
Department of Environmental Protection

Property No. 5
Tax Map No. 220-005-00-00-0024-00

Address for each dwelling, commercial building or associated building under this waiver:

1997 Morey Road, Fredericktown, PA 15333

Directions: For wording in brackets [], underline the correct choice and strike through the item that is not applicable.

[~~I~~/We] John Alan and Stacy A. Kosky, P.O. Box 42, Cuddy, PA 15031, the owner(s)
Name Address
of the [dwelling / building(s)] situated in Deemston Borough Township,
Washington County, PA, do hereby acknowledge
that [~~I~~/We] have the legal right to deny surface mining operations closer than 300 feet to [my/our]
building(s) according to 25 Pa. Code § 77.504(a)(2). [~~I~~/We] knowingly waive that right and consent to
Neiswonger Construction, Inc. conducting
Operator

- Surface mining operations to include blasting (waiving § 77.564(g)(4))
- Surface mining operations **not** to include blasting
- Support activities related to surface mining (Explain: Haul Road)

within 300 feet of my building(s), but no closer than 150 feet.

(INSERT ADDITIONAL PROVISIONS OR CROSS OUT)

In witness whereof and intending to legally bind [myself / ourselves], [my / our] heirs, successors and assigns, [~~I~~/we] have hereunto set [my / our] hand(s) and seal this 22nd day of March, 2023 Year

John Alan Kosky and Stacy A. Kosky
BUILDING OWNER (Print Name)

By: [Signature]
(Signature) (Seal-if applicable)

If the Building Owner is a Corporation then the Corporate Seal must be affixed.

John Alan Kosky
(Print Name)

By: [Signature]
(Signature)

Stacy A. Kosky
(Print Name)

5600-FM-BMP0460 12/2013

ACKNOWLEDGEMENT OF INDIVIDUALS OR PARTNERS

DWELLING OWNER

STATE OF Pennsylvania
COUNTY OF Allegheny

ss

On March 23, 2013, before me, the undersigned Notary, personally appeared

John Alan Kosky and Stacy A. Kosky

(Name (s))

known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to this instrument, and who acknowledged that

they executed the same and desires it to be recorded.
(he, she or they)

Commonwealth of Pennsylvania - Notary Seal
Steven J. Dobis II, Notary Public
Allegheny County
My commission expires November 7, 2025
Commission number 1040836

Member, Pennsylvania Association of Notaries

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

(SEAL) Steven J. Dobis II
Notary Public

My Commission Expires: 11-7-25
(Date)

ACKNOWLEDGEMENT OF CORPORATIONS

DWELLING OWNER

STATE OF _____
COUNTY OF _____

ss _____

On _____, before me, the undersigned Notary, personally appeared

who acknowledged (herself) (himself) to be the _____ of
(Title of Person)

_____, a
(Name of Corporation)

corporation, and that (she) (he), as such officer, being authorized to do so, executed the foregoing instrument on behalf of the said corporation and desires that this Instrument be recorded.

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

(SEAL) _____
Notary Public

My Commission Expires: _____
(Date)

This instrument has been recorded in _____
County, Pennsylvania, this _____ day of _____
(year), at Book _____, Page(s) _____

(Signed) + (Print Name)

(Seal)