

Ohio Department of Natural Resources

TED STRICKLAND, GOVERNOR

SEAN D. LOGAN, DIRECTOR

John F. Husted, Chief

ODNR-Division of Mineral Resources Management

2045 Morse Road—Bldg. H-3

Columbus, Ohio 43229-6693

Phone: (614) 265-6633 Fax: (614) 265-7998

April 4, 2008

Attention: Mr. William E. Snow, Bath Township Administrator
3864 West Bath Road
P.O. Box 1188
Bath, Ohio 44210-1188

RE: Akron Masonic Temple Company, well number 1

Dear Mr. Snow:

Pursuant to your request, we are notifying you of an application that we have received from Cutter Oil Company. They have applied for a permit to drill an oil/gas well in Bath Township. Attached please find a copy of the application and surveyor's plat for this proposed well.

Additionally in the near future, our inspector for this county, Robert Worstall, will be conducting a pre-permitting site review. He can be reached at (330) 284-1418 if you would like to accompany him on his pre-site review. He can also be contacted through our Uniontown office at (330) 896-0616.

Sincerely,

Patty Nicklaus
Patty Nicklaus, Office Assistant 3
Permitting, Hydrology and Bonding Section
(614) 265-6939

Enclosures

CC: Permit file

Testig
(Short Team)
Ferry

Start on Friday

winter 5-6 Days -
70+ daily miles

Ones -
June 28?
Exposure -
Fence Wood -
Type on Elvial
Water

Require 100 - 150
500-Tank

2008 APR 10 10 41 AM



OHIO DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF MINERAL RESOURCES MANAGEMENT
 2045 Morse Road, Building H-3
 COLUMBUS, OHIO 43229-6693
 (614) 265-6633

SEE INSTRUCTIONS ON PAGE 2 (BACK)

1. I, We (applicant) <u>Cutter Oil Company</u> 2. Owner #: <u>B0001249</u> (address) <u>9270 Cedar Valley Road, West Salem, Ohio 44287</u> Phone #: <u>419-846-3850</u> hereby apply this date <u>2-Apr</u> , 20 <u>8</u> for a permit to:	
<input type="checkbox"/> Reissue (check appropriate blank) <input type="checkbox"/> Revised Location & Reissue <input checked="" type="checkbox"/> Drill New Well <input type="checkbox"/> Plug Back <input type="checkbox"/> Convert <input type="checkbox"/> Drill Directionally <input type="checkbox"/> Plug and Abandon <input type="checkbox"/> Deepen <input type="checkbox"/> Drill Horizontally <input type="checkbox"/> Orphan Well Program <input type="checkbox"/> Reopen	
3. TYPE OF WELL: <input checked="" type="checkbox"/> Oil & Gas <input type="checkbox"/> Annular Disposal <input type="checkbox"/> Saltwater Injection <input type="checkbox"/> Stratigraphic Test <input type="checkbox"/> Storage of: _____ <input type="checkbox"/> Other (explain): _____ <input type="checkbox"/> Solution Mining* <input type="checkbox"/> Enhanced Recovery* * check appropriate box below <input type="checkbox"/> Input/Injection <input type="checkbox"/> Water Supply <input type="checkbox"/> Production/Extraction <input type="checkbox"/> Observation	
4. MAIL PERMIT TO: Cutter Oil Company 9270 Cedar Valley Road, West Salem, Ohio 44287	20. TYPE OF TOOLS: <input type="checkbox"/> Cable <input type="checkbox"/> Air Rotary <input type="checkbox"/> Cable & Air Rotary <input checked="" type="checkbox"/> Air & Fluid Rotary <input type="checkbox"/> Cable & Fluid Rotary <input type="checkbox"/> Fluid Rotary <input type="checkbox"/> Cable & Air Rotary & Fluid Rotary
5. COUNTY: <u>Summit</u>	21. PROPOSED CASING PROGRAM: 450" of 8 5/8th cemented to surface 4 1/2 cemented if productive
6. CIVIL TOWNSHIP: <u>Bath</u>	
7. SECTION: <u>8</u> 8. LOT: <u>96</u>	
9. FRACTION: _____ 10. QTR TWP: _____	
11. TRACT/ALLOT: _____	
12. WELL #: <u>1</u>	
13. LEASE NAME: <u>Akron Masonic Temple Company</u>	
14. PROPOSED TOTAL DEPTH: <u>3900</u>	
15. PROPOSED GEOLOGICAL FORMATION: <u>Ohio Shale through Clinton</u>	
16. DRILLING UNIT IN ACRES (must be same as acres indicated on plat): <u>20.7514</u>	
17. IF PERMITTED PREVIOUSLY: API #: <u>N/A</u> OWNER: _____ WELL #: _____ LEASE NAME: _____ TOTAL DEPTH: _____ GEOLOGICAL FORMATION: _____	22. FIRE AND MEDICAL DEPARTMENT TELEPHONE NUMBERS: (closest to well site) Fire: <u>911</u> Medical: <u>911</u>
18. IF SURFACE RIGHTS ARE OWNED BY THE OHIO DEPARTMENT OF NATURAL RESOURCES: Division Name: <u>N/A</u> Division Phone: _____	23. MEANS OF INGRESS & EGRESS: Township Road: _____ County Road: _____ Municipal Road: <u>Springside Drive</u> State Highway: _____
19. LANDOWNER ROYALTY INTEREST: Is There An Attached List? <input checked="" type="checkbox"/> Yes	24. IS THE WELL LOCATION OR PRODUCTION FACILITIES WITHIN AN URBANIZED AREA AS DEFINED BY 1509.03 ? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Name: _____ Address: _____ Name: _____ Address: _____ Name: _____ Address: _____	25. WILL THE PROPOSED LOCATION OF THIS WELL REQUIRE THE NOTICE SPECIFIED UNDER 1509.06 (I) ? <input type="checkbox"/> Yes (Submit Copies) <input checked="" type="checkbox"/> No

RECEIVED

APR 04 2008

DIVISION OF MINERAL RESOURCES MANAGEMENT

I, the undersigned, being first duly sworn, depose and state under penalty of law that I am authorized to make this application, that this application was prepared by me or under my supervision and direction, and that the facts stated herein are true, correct, and complete, to the best of my knowledge.

I, the undersigned, further depose and state that I am the person who has the right to drill on the tract or drilling unit and to drill into and produce from a pool and to appropriate the oil or gas that I produce therefrom either for myself or others as described in this application. And furthermore, I the undersigned, being duly sworn, depose and state at this time that I am not liable for any final nonappealable order of a court for damage to streets, roads, highways, bridges, culverts, or drainage ways pursuant to Section 5577.12 of the Ohio Revised Code (ORC), and that the notice required under Section 1509.06 (I), ORC has been given. If applying for a permit to plug and abandon a well, I hereby certify that the written notices, as required in Section 1509.13, ORC, have been given.

That I hereby agree to conform with all provisions of Chapter 1509, ORC and to all orders and rules issued by the Chief, Division of Mineral Resources Management.

Signature of Owner/Authorized Agent Charles R. Cutter Title President

Name (Type or Print) Charles R. Cutter

If signed by Authorized Agent, a certificate of appointment of agent must be on file.

Sworn to and subscribed before me this 2 day of April, 2008

Carina Cutter
(Notary Public)



CARINA CUTTER
 NOTARY PUBLIC
 STATE OF OHIO
 Comm. Expires
 September 17, 2012

Akron Masonic Temple Company #1 Landowners

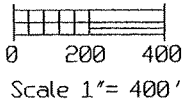
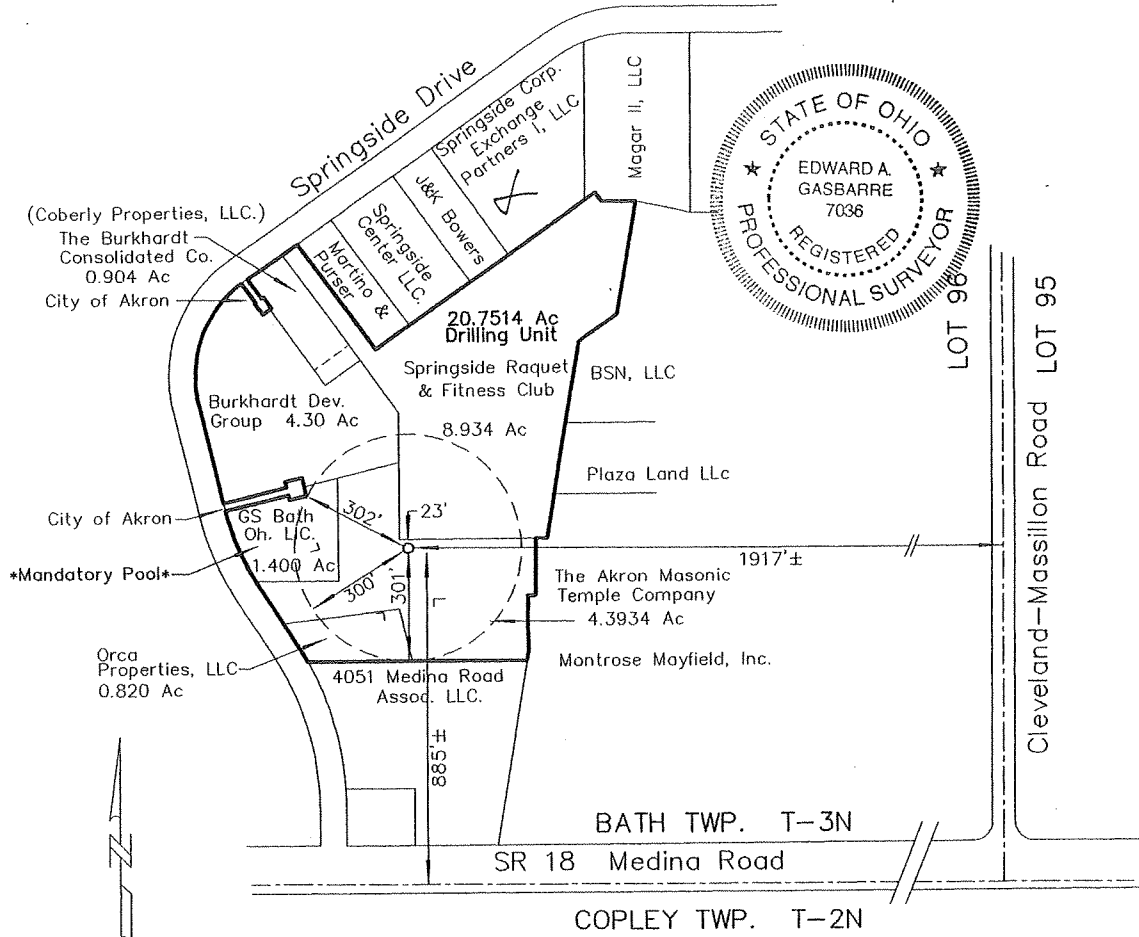
ORCA Properties LLC
81 Springside Drive
Akron, OH 44333

Burkhardt Consolidated Company
5590 Lauby Rd.
North Canton, OH 44720

Springside Racquet and Fitness Club LLP
215 Springside Drive
Akron, OH 44333

Akron Masonic Temple Company
91 Springside Drive
Akron, OH 44333

Burkhardt Development Group Inc.
3435 Kent Rd.
Stow, OH 44224



Well Notes:
 Bldg. cor. SW 185'
 Bldg. cor. SE 152'
 Bldg. cor. W 235'

Note: All property owners shown within this unit are assumed to be the holders of both surface rights and mineral rights.

I CERTIFY THAT ALL DRILLING AND PRODUCING WELLS WITHIN 600 FEET AND THAT ALL BUILDINGS AND STREAMS WITHIN 200 FEET HAVE BEEN SHOWN, THAT THERE ARE NO DRILLING UNIT LINES NEARER THAN 300 FEET, THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED ACCORDING TO THE CURRENT STATE OF OHIO, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF OIL AND GAS REGULATIONS.

Edward A. Gasbarre 3/24/08 **Akron Masonic Temple Unit No.1**
 REGISTERED SURVEYOR

OPERATOR <u>Cutter Oil Company</u> ADDRESS <u>9270 Cedar Valley Road</u> <u>West Salem, Ohio 44287</u> SURFACE OWNER <u>The Akron Masonic Temple Company</u> MINERAL OWNER <u>same</u> WELL No <u>Unit 1</u> DRILLING UNIT SIZE <u>20.7514 Ac.</u> COUNTY <u>Summit</u> CURRENT OR FORMER CIVIL TWP. <u>Bath</u> URBANIZED AREA <u>Bath Township</u> OHIO PLANE COORDINATES: <u>NORTH/SOUTH</u> DATUM: <u>NAD 83</u> X <u>2,204,190'</u> <u>SCALED</u> Y <u>537,290'</u> <u>OBSERVED</u> X <u>COUNTY GIS</u>	<p style="text-align: center;">===== WELL LOCATION PLAT =====</p> ORIGINAL LAND SUBDIVISION <u>Connecticut Western Reserve</u> TOWNSHIP <u>3N</u> RANGE <u>12W</u> QUARTER TOWNSHIP _____ SECTION _____ LOT <u>96</u> TRACT _____ DATE <u>March 24, 2008</u> QUAD MAP <u>West Richfield</u> ELEVATION: <u>1014'</u> DATUM: <u>NAVD 88</u> _____ <u>SCALED</u> _____ <u>OBSERVED</u> _____ <u>X COUNTY GIS</u>
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R.W. **GASBARRE** & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS
 401 SOUTH MARKET ST. - P.O. BOX 44
 WOOSTER, OHIO 44691
 PH 330-264-9499 FAX 330-264-9162

The Burkhardt
Consolidated Co.

0.904 Ac

City of Akron

Springside

Springside
Center, LLC

Jack Bowers

Partners

Ma

20.7514 Ac
Drilling Unit

Springside Raquet
& Fitness Club

BSN, LLC

Burkhardt Dev't
Group 4.30 Ac

8.934 Ac

Plaza Land

City of Akron

GS Bath
Oh. LIC.

Tank Site

1.400 Ac

Sales Line

Lease Road along
asphalt driveway
and parking lot

The Akron Masonic
Temple Company

39.34 Ac

Orca
Properties, LLC

0.820 Ac

Montrose May

4051 Medino Road
Assoc. LLC

Akron Masonic Temple Unit No. 1

Lot 96, T-3N, R-12W
Bath Township
Summit County, Ohio

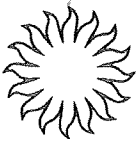
Cutter Oil Company

March 24, 2008 Scale 1"=200'

207134Composite.dwg

1020

COPLEY TWP



BATH TOWNSHIP

Summit County, Ohio

TRUSTEES

Elaina E. Goodrich
Donald M. Jenkins
James N. Nelson

FISCAL OFFICER

Sharon A. Troike

TOWNSHIP ADMINISTRATOR

William E. Snow

April 22, 2008

Ms. Nicklaus - Bob Worstall
ODNR-Div. of Mineral Resources Management
2045 Morse Road, Building H-3
Columbus, Ohio 43229-6693

Re: Permit Application
Bath Township, Summit County, State of Ohio
Received by- April 10, 2008
Akron Masonic Temple Company Well Number 1 –
Cutter Oil & Gas Driller/Producer

Ms. Nicklaus:

I am writing with regard to the communication concerning the proposed drilling of the above mentioned well in Bath Township as it presents some difficult problems for our residents.

My understanding is the Goddard School on Springside drive is not a part of the unit and is under consideration for mandatory pooling. This represents a case when the state could force a school, with small children attending during the day, to have drilling within 150 feet of its building. The proposed tank battery is also going to be placed within the danger area of the school. Is this appropriate for the ODMR to allow this drilling and placement of a storage tank?

If you are going to approve the drilling, the surface pipe should be set during the weekend to minimize the chance of an incident while school is in session.

Charcoal filters should be required at this site, on all current and new production tanks. Efforts to control the odors of natural gas should be implemented. The wellhead and equipment should be fenced and posted to keep neighborhood residents out of harms way, and properly diked for retention of product if a spill or other emergency should occur.

All elements of the urban drilling law should be applied to this permit to their fullest. In addition the Township would like to have notice when the drilling will occur so that our 911 dispatch can be notified. This will result in being more informed, so to minimize the nuisance 911 call outs.

3864 W. Bath Road
P.O. Box 1188
Bath, Ohio 44210-1188
330-666-4007
Fax 330-666-0305
www.bathtownship.org

Lastly, nuisance protection with regard to noise must be addressed to protect the peace of the citizens that are in the surrounding area. This drilling is going to occur some distance from the targeted area, and our residents that are not part of the drilling will have the disturbance of the noise during the drilling.

Again, the Township's position has to be to protect its resident's health and safety. Please review the comments that are conditioned on the information that was provided during our site review.

Please see the attached letter from the Summit Soil and Water concerning their concerns. Thank you for accepting this letter as input in this important process under House Bill 278/299.

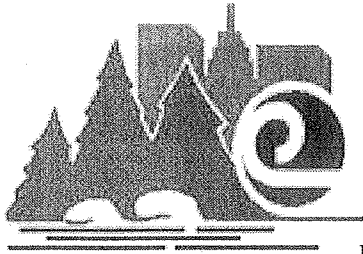
Sincerely,

A handwritten signature in black ink, appearing to read "William E. Snow". The signature is fluid and cursive, with a large initial "W" and "S".

William E. Snow
Administrator

WES

CC: Producer Cutter Oil & Gas LTD



Summit Soil & Water Conservation District

2795 Front Street, Suite D Cuyahoga Falls, Ohio 44221
Phone (330) 929-2871 Fax (330) 929-2872 Email staff@summitswcd.org

April 22, 2008

William Snow, Administrator
Bath Township
Bath Town Hall
3864 W. Bath Road
P.O. Box 1188
Bath, Ohio 44210-1188

Subject: Three proposed oil well sites - Bath Township

Dear Mr. Snow,

Joan Hug-Anderson, from this office, accompanied Bill Funk, Bath Zoning Inspector, to the three proposed sites for oil well drilling. Because of time constraints, all three will be addressed in this one letter. Her comments follow:

Akron Masonic Temple Company, Well number 1

The proposed site for this well is upslope of a grassy swale that empties into a wetlands area. A stormwater culvert discharges into the swale. Historically it appears that there was a stream traversing this site where the swale is now situated.

The size and quality of the wetlands should be determined by a delineation and ORAM (Ohio Rapid Assessment Method) respectively if the studies have not already been completed. The distribution of urban debris (fast food paper products, etc) into the wetlands is indicative that the discharge of storm water from the swale into the wetlands can be significant.

Schiesswhol Unit, Well number 1-D

A small stream with a fifty-foot riparian setback, is west of the drilling / tank battery site. Two wells and a tank battery currently exist at the site. Because the proposed site was not marked in the field, it could not be determined whether the drilling and storage site will be within the riparian setback. Drilling will occur under the stream channel and should be at sufficient depth to avoid impacts to the channel bed.

Alexander Unit, Well number 2-D

There are no streams, riparian setbacks or wetlands indicated at the proposed well site, which has an existing well.

Three proposed oil well sites - Bath Township
April 22, 2008
Page 2 of 2

Summit Soil and Water Conservation District is able to assist in determination of impacts to surface water, slopes, soils, wetlands, and the setback areas, defined in legislation, to protect them.

Ground water was not assessed, but it is highly recommended to insure that aquifers are completely evaluated for potential impacts should a well fail or tank battery leak. The areas under and surrounding the tank batteries will need to be impervious to infiltration to ground water and bermed to prevent overland contamination of soils and surface water.

If you have any questions, please contact us at 330-929-2871.

Sincerely,

Brian James, Supervisor
Summit SWCD

Pc: Steve Tuckerman, Ohio EPA
Vincent Pero, US Army Corps of Engineers
Summit County Engineer
File