

# BEFORE THE OIL & GAS COMMISSION

BIG SKY ENERGY, INC.,

Appellant,

-vs-

DIVISION OF OIL & GAS RESOURCES  
MANAGEMENT,

Appellee,

and

LORRIE & LORI ACCETTOLA,

Intervenors.

Appeal Nos. 851 & 852

Review of Chief's Orders 2013-37 &  
2013-38 (Cutter Well #1 & Cutter Well #2)

## FINDINGS, CONCLUSIONS & ORDER OF THE COMMISSION

Appearances: Gino Pulito, Chris Caffarel, Counsel for Appellant Big Sky Energy, Inc.; Jennifer Cleary, Kristina Tonn, Assistant Attorneys General, Counsel for Appellee Division of Oil & Gas Resources Management; Lorrie & Lori Accettola, Intervenors, *pro se*; Willis Clay, *Amicus, pro se*.

Date Issued:

February 13, 2014

## BACKGROUND

These matters come before the Oil & Gas Commission upon appeal by Big Sky Energy, Inc. ["Big Sky Energy" or "Big Sky"] from Chief's Orders 2013-37 and 2013-38 [the "orders"]. These orders were issued by the Division of Oil & Gas Resources Management [the "Division"] to Big Sky on August 14, 2013. The orders allege that Big Sky had failed to report adequate production for two wells, known as the Cutter #1 Well and the Cutter #2 Well. The orders found the Cutter Wells to be idle and non-productive, and required Big Sky to either: (1) plug and abandon the Cutter Wells, or (2) transfer these wells to a new owner.

On September 18, 2013, Big Sky appealed Chief's Orders 2013-37 and 2013-38 to the Oil & Gas Commission, and these appeals were separately docketed by the Commission.

On October 15, 2013, Lorrie and Lori Accettola filed a petition to intervene into Big Sky's appeals of Chief's Orders 2013-37 and 2013-38. The Accettolas own property that is included within the drilling units for the Cutter Wells.<sup>1</sup> The Commission found that the Accettolas qualify as "interested persons" in these appeals, and the Accettolas were **granted** intervenor status. The Accettolas' interests in these appeals are aligned with the Division's interests, and oppose Big Sky's interests. The Accettolas advocate for the affirmance of Chief's Orders 2013-37 and 2013-38.

On October 25, 2013, Mr. Willis Clay filed a petition to intervene, or for *amicus* status, in Big Sky's appeals of Chief's Orders 2013-37 and 2013-38. Mr. Clay owns property in very close proximity to the Cutter Wells. However, Mr. Clay's property is not included within the Cutter Well drilling units. The Commission **granted** Mr. Clay *amicus* status in these appeals. Mr. Clay testified at hearing and filed an *amicus* statement with the Commission. Mr. Clay's position in these appeals is aligned with the Division and opposes Big Sky Energy. Mr. Clay supports the Commission's affirmance of the Chief's orders under appeal.

These matters came on for hearing before the Commission on January 15, 2014. At the commencement of hearing, the parties requested that the appeals of Chief's Orders 2013-37 and 2013-38 be consolidated for hearing and decision. As these two matters address common questions of law and fact, the Commission allowed the **consolidation** of appeals 851 and 852, and these appeals are the subject of the immediate decision.

## **ISSUE**

The issue presented by these consolidated appeals is: **Whether the Chief acted lawfully and reasonably in issuing Chief's Orders 2013-37 and 2013-38, which orders require the plugging or transfer of the Cutter #1 Well and the Cutter #2 Well.**

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<sup>1</sup> In or around 2000, Mr. and Mrs. Accettola purchased 18.56 acres of property on Hoffman Road, in Rock Creek, Ohio. At the time of purchase, these acres were subject to an existing oil & gas lease, granted by a previous landowner in 1978. Thus, while the Accettolas' 18.56-acre parcel is included within the drilling units for the Cutter Wells, the Accettolas are not the lessors of the oil & gas rights committed to the Cutter Well drilling units.

## THE LAW

1. Pursuant to O.R.C. §1509.36, the Commission will affirm the Division Chief if the Commission finds that the order appealed is lawful and reasonable.

2. O.R.C. §1509.062(A)(1) provides:

The owner of \* \* \* an existing well \* \* \* that has no reported production for two consecutive reporting periods as reported in accordance with section 1509.11 of the Revised Code \* \* \* shall plug the well in accordance with section 1509.12 of the Revised Code, obtain temporary inactive well status for the well in accordance with this section, or perform another activity regarding the well that is approved by the chief of the division of oil & gas resources management.

3. O.R.C. §1509.01 defines the "owner" of an oil & gas well as:

(K) "Owner," \* \* \* means the person who has the right to drill on a tract or drilling unit, to drill into and produce from a pool, and to appropriate the oil or gas produced therefrom either for the person or for others, \* \* \*.

4. O.R.C. §1509.11 provides in part:

The owner of any well \* \* \* that is producing or capable of producing oil or gas shall file with the chief of the division of oil and gas resources management, on or before the thirty-first day of March, a statement of production of oil, gas, and brine for the last preceding calendar year \* \* \*.

5. O.R.C. §1509.062(A)(2) provides:

If a well has a reported annual production that is less than one hundred thousand cubic feet of natural gas or fifteen barrels of crude oil, or a combination thereof, the chief may require the owner of the well to submit an application for temporary inactive well status under this section for the well.

6. O.R.C. §1509.12 provides in part:

(B) When the chief finds that a well should be plugged, the chief shall notify the owner to that effect by order in writing and shall specify in the order a reasonable time within which to comply. No owner shall fail or refuse to plug a well within the time specified in the order. Each day on which such a well remains unplugged thereafter constitutes a separate offense.

## **FINDINGS OF FACT**

1. Big Sky Energy is the current registered owner of the Cutter #1 Well and the Cutter #2 Well. The Cutter Wells are located in Trumbull Township, Ashtabula County, Ohio. The Cutter Wells were drilled in 1978 by a previous well owner. Production records from the earliest days of these wells' operation were not introduced into evidence. However, in the 1990's these wells were owned by Green Energy, Inc., and did report production of small quantities of natural gas.

2. Big Sky is an Ohio corporation that has operated in this state for many years. Mr. Robert Barr is the President of Big Sky, and is responsible for Big Sky's day-to-day operations. Mr. Barr and his family are affiliated with several other Ohio corporations involved in the oil & gas industry. Mr. Barr testified that Big Sky Energy's business model is to acquire old, neglected oil & gas wells, and attempt to rehabilitate such wells and return them to production. Big Sky has successfully rehabilitated several wells in Ohio. Big Sky is the registered owner of approximately 282 wells. Of these 282 wells, the Division estimates that approximately 44 wells have not reported production in the past several years.

3. In 2001, Big Sky purchased the Cutter Wells from Green Energy, Inc., and these wells have been registered to Big Sky since 2001.

4. In February 2012, the Division received a citizen complaint from Intervenor Lorrie Accettola. Mr. Accettola asserted that the Cutter Wells had not produced oil or gas for several years, and that production equipment was not in place to operate these wells. Mr. Accettola asked the Division to investigate the status of these wells. In response to Mr. Accettola's complaint, on February 17, 2012, Division Inspector Kohl visited the Cutter well sites. At that time, Inspector Kohl noted: (1) that surface equipment was not in place to operate these wells, and (2) that the wells were idle and not actively producing oil or gas. At the time of this inspection, the production statements on file with the Division showed that: (1) the Cutter #1 Well had not produced any oil or gas since 2005 (*i.e.*, had not reported any production for six years), and (2) the Cutter #2 Well had not produced any oil or gas since 2004 (*i.e.*, had not reported any production for seven years).

5. On February 17, 2012, the Division issued Notices of Violation ["NOVs"]<sup>2</sup> to Big Sky regarding both Cutter Wells. Inspector Kohl testified that Big Sky was ordered to plug or produce the Cutter Wells. The NOVs established compliance deadlines of April 27, 2012.

6. Big Sky did not plug or produce the Cutter Wells by the compliance deadline of April 27, 2012.

7. On August 1, 2012 and September 9, 2012, Division Inspector Kohl returned to the Cutter well sites, and observed: (1) that Big Sky had not plugged the Cutter Wells by the NOV compliance deadline of April 27, 2012, (2) that Big Sky had not produced the Cutter Wells by the NOV compliance deadline of April 27, 2012, (3) that the conditions at the two well sites had not changed since Inspector Kohl's February 2012 inspection, (4) that essential surface equipment was either missing or not connected to the wells, and (5) that the Cutter Wells were not actively producing, and appeared to be incapable of producing, oil or gas. By September 2012, Big Sky was more than four months delinquent in meeting the NOV compliance deadline of April 27, 2012.

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<sup>2</sup> The enforcement actions issued on February 17, 2012 were identified by Inspector Kohl as notices of violation, but were issued on forms entitled "Compliance Notice." Inspector Kohl testified that such notices are issued to inform a well owner that wells are not being operated in compliance with Ohio law and to order remedial or corrective actions.

8. Statements of production on file with the Division show that for the twelve reporting periods that have passed since Big Sky acquired the Cutter Wells in 2001: (1) the Cutter #1 Well has reported production of only 26 mcf [thousand cubic feet] of natural gas, and (2) the Cutter #2 Well has reported production of only 25 mcf of natural gas.<sup>3</sup> Statements of production on file with the Division establish that for the two reporting periods immediately preceding the issuance of the Chief's orders under appeal (*i.e.*, for 2011 and 2012), the Cutter Wells reported no production.

9. In September 2012, Big Sky applied for temporary inactive status for both Cutter Wells. The Division denied Big Sky's applications in November 2012. Big Sky did not appeal the Chief's denials of these applications to the Oil & Gas Commission.

10. The Division again inspected the Cutter well sites on May 1, 2013 and July 5, 2013. During these inspections, Division Inspector Kohl reported that conditions at the well sites had not changed since the initial issuance of the NOVs in February 2012. By the July 5, 2013 inspection, Big Sky was more than fourteen months delinquent in its compliance with the NOVs.

11. On August 14, 2013, the Division Chief issued Chief's Order 2013-37 to Big Sky Energy, finding that: (1) the Cutter #1 Well had not reported any production in the two preceding reporting periods, (2) the Cutter #1 Well was not in production, (3) Big Sky was not in the process of rehabilitating the Cutter #1 Well, and (4) Big Sky had not been granted temporary inactive status for the Cutter #1 Well.

12. Chief's Order 2013-37 required Big Sky to either: (1) plug and abandon the Cutter #1 Well, or (2) transfer this well to a properly bonded and insured owner. Big Sky was ordered to take one of these actions within thirty days of Big Sky's receipt of Chief's Order 2013-37. Big Sky did not meet this compliance deadline. Big Sky appealed Chief's Order 2013-37 to the Commission, and Chief's Order 2013-37 is the subject of appeal number 851 and this decision.

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<sup>3</sup> "Commercial" production of natural gas is considered 100,000 mcf of gas, as will be discussed *infra*.

13. On August 14, 2013, the Division Chief issued Chief's Order 2013-38 to Big Sky Energy, finding that: (1) the Cutter #2 Well had not reported any production in the two preceding reporting periods, (2) the Cutter #2 Well was not in production, (3) Big Sky was not in the process of rehabilitating the Cutter #2 Well, and (4) Big Sky had not been granted temporary inactive status for the Cutter #2 Well.

14. Chief's Order 2013-38 required Big Sky to either: (1) plug and abandon the Cutter #2 Well, or (2) transfer this well to a properly bonded and insured owner. Big Sky was ordered to take one of these actions within thirty days of Big Sky's receipt of Chief's Order 2013-38. Big Sky did not meet this compliance deadline. Big Sky appealed Chief's Order 2013-38 to the Commission, and Chief's Order 2013-38 is the subject of appeal number 852 and this decision.

15. Mr. Robert Barr testified that in or around September of 2013, Big Sky undertook some improvements to the Cutter #1 Well.

16. Division Inspector Kohl returned to the Cutter well sites on January 7, 2014. Inspector Kohl confirmed that some improvements had been made to the Cutter #1 Well. However the surface equipment for the Cutter #1 Well was not fully connected and operational. Inspector Kohl testified that, in January 2014, based upon field conditions, the Cutter #1 Well remained incapable of production.

17. Division Inspector Kohl also inspected the Cutter #2 Well on January 7, 2014. Inspector Kohl testified that the condition of this well had not changed since his initial inspection in February 2012. Inspector Kohl testified that, in January 2014, based upon field conditions, the Cutter #2 Well remained incapable of production.

18. Mr. Barr testified that Big Sky Energy intends to transfer the Cutter Wells to LJB Marketing. LJB Marketing is an Ohio corporation, which was incorporated by Mr. Robert Barr. The Barr family is affiliated with LJB Marketing, and Mr. Barr testified that he would likely be the person responsible for the day-to-day operation of the Cutter Wells, if the Division were to approve transfers of these wells to LJB Marketing. Applications to transfer the Cutter Wells had not been filed with the Division at the time of hearing.

## DISCUSSION

The Division is the permitting and regulatory authority for all oil & gas operations in Ohio. Division inspectors are charged with inspecting oil & gas well sites to determine whether oil & gas operations are being conducted in accordance with Revised Code Chapter 1509 and the rules promulgated thereunder. In this case, the Division's initial inspection of the Cutter well sites in February 2012 resulted from a citizen complaint.

Ohio oil & gas law requires the owner of an oil & gas well to file a statement of production with the Division on an annual basis. *See O.R.C. §1509.11*. Pursuant to O.R.C. §1509.062(A)(1), if an existing well has not reported production for two consecutive reporting periods, the Chief may order that well to be plugged or placed into temporary inactive status.

Evidence of production from the Cutter Wells was presented at hearing in the form of summaries of the production reports filed with the Division for these wells. (*See Division Exhibits 1 & 2*.) Although the wells were drilled in 1978, the production summaries entered into evidence covered only the period from 1985 for the Cutter #1 Well and from 1992 for the Cutter #2 Well. As Big Sky purchased these wells in 2001, the production summaries submitted into evidence covered the entire period during which Big Sky has been the registered owner of these wells.

During the reporting periods for which the Commission received summary information, it appears that the Cutter Wells were never "commercially" productive.<sup>4</sup> At the time of the Chief's issuance of Chief's Orders 2013-37 and 2013-38, Big Sky had owned the Cutter Wells for approximately twelve years. During this twelve-year period, Big Sky reported production of only 26 mcf of natural gas from the Cutter #1 Well, and only 25 mcf of natural gas from the Cutter #2 Well.

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<sup>4</sup> "Commercial production" is not specifically defined by statute. However, O.R.C. §1509.062(A)(2) provides:

If a well has a reported annual production that is less than one hundred thousand cubic feet of natural gas or fifteen barrels of crude oil, or a combination thereof, the chief may require the owner of the well to submit an application for temporary inactive well status under this section for the well.

The Commission has viewed these minimum amounts – 100,000 mcf of gas or 15 barrels of crude oil – as the threshold for "commercial production." (*See Meridian Energy Company, et al. vs. Division, case no. 832 [November 3, 2011]*).



O.R.C. §1509.062(A)(1) requires that, where an owner of a well has not reported production for two consecutive reporting periods, the owner shall:

\*\*\* plug the well ....., obtain temporary inactive well status for the well ... , or perform another activity regarding the well that is approved by the chief of the division of oil and gas resources management.

For the two reporting periods preceding the issuance of the orders under appeal, neither of the Cutter Wells reported any production. Notably, at the time at which the Chief's orders under appeal were issued, the Cutter #1 Well had not reported any production for seven consecutive years, and the Cutter #2 Well had not reported any production for eight consecutive years.

In September 2012, Big Sky applied for temporary inactive status for these wells. Those applications were denied by the Chief in November 2012.

The production records for 2011 and 2012 alone would support the Chief's decision to order the plugging or transfer of the Cutter Wells pursuant to O.R.C. §1509.062(A)(1).<sup>5</sup> However, the Commission also received evidence at hearing confirming that the Cutter Wells were not in a productive state at the time at which the Chief's orders were issued. The testimonies of Division Inspector Kohl and Division Supervisor Hill, as well as the testimonies of Mr. Accettola and Mr. Clay, described wells that were in disrepair and not equipped for production. Photographs entered into evidence, depicting the field condition of these wells in 2013 and early 2014, support a determination that the Cutter Wells were incapable of production.

Generally, wells that are found to be "incapable of producing oil or gas in commercial quantities" qualify for plugging. (*See Michael L. Kiser, dba Bootstrap Oil vs. Division, case no. 775 [November 21, 2008]; Chieftain Energy Corporation vs. Division, case nos. 734, 735 & 741 [February 6, 2006]; Alsid Oil & Gas vs. Division, case no. 650 [January 11, 1999]*). The plugging of non-productive wells is intended to protect the environment, other oil & gas producing strata, and public health and safety.

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<sup>5</sup> Transferring the Cutter Wells to another owner qualifies as "perform[ance] of another activity regarding the well that is approved by the chief of the division of oil and gas." O.R.C. §1509.062(A)(1).

Based upon evidence presented as to the lack of reported production from the Cutter Wells, as well as evidence regarding field conditions at the Cutter well sites, it was not unreasonable or unlawful for the Division Chief to order the plugging or transfer of the Cutter Wells.

The Commission is aware that Big Sky Energy is in the business of acquiring neglected wells, and attempting to rehabilitate these wells. Certainly, the operator must be afforded some time to evaluate purchased wells in order to determine if the wells should be plugged or rehabilitated. However, in these cases, Big Sky has had thirteen years to evaluate the Cutter Wells and to develop plans for these wells. This is certainly adequate time. Moreover, Big Sky was aware of the Division's concerns with regard to these wells as early as February 2012. Indeed, since February 2012, Big Sky has been under orders to plug or take other appropriate actions with regards to these wells. Big Sky failed to comply with the Division's enforcement orders for approximately eighteen months. The Chief's issuance of orders requiring the plugging or transfer of the Cutter Wells in August of 2013 was not unreasonable or unlawful.

## **CONCLUSIONS OF LAW**

1. Pursuant to O.R.C. §1509.36, the Commission will affirm the Division Chief if the Commission finds that the order appealed is both lawful and reasonable.
2. Big Sky Energy, Inc. is the registered owner of the Cutter #1 Well and the Cutter #2 Well. *O.R.C. §1509.01(K)*.
3. The evidence presented at hearing established that, at the time of the Chief's issuance of Chief's Orders 2013-37 and 2013-38, Big Sky Energy had not reported production from the Cutter #1 Well and the Cutter #2 Well for the two preceding reporting periods. The evidence presented at hearing further established that, at the time of the Chief's issuance of Chief's Orders 2013-37 and 2013-38, Big Sky Energy had not reported production from the Cutter #1 Well for seven consecutive reporting periods and had not reported production from the Cutter #2 Well for eight consecutive reporting periods. *O.R.C. §1509.11; O.R.C. §1509.062(A)(1)*.

4. The evidence presented at hearing established that, at the time of the Chief's issuance of Chief's Orders 2013-37 and 2013-38, the Cutter #1 Well and the Cutter #2 Well were idle, were not producing oil or gas in commercial quantities, and were incapable of producing oil or gas. *State of Ohio v. Baldwin Producing Corporation, no. 76AP-892 (Court of Appeals, Franklin County [March 10, 1997])*.

5. The evidence presented at hearing established that, at the time of the Chief's issuance of Chief's Orders 2013-37 and 2013-38, the Cutter #1 Well and the Cutter #2 Well had not been plugged or produced as required by the Division through enforcement orders, had not been transferred to another owner, and had not been approved for placement in temporary inactive status. *O.R.C. §1509.04; O.R.C. §1509.062(A)*.

6. The Chief may require the plugging or transfer of an oil & gas well, where the Chief determines that the owner of an oil & gas well has not reported production from the well for two consecutive reporting periods. *O.R.C. §1509.062(A)(1)*.

7. The Chief may require the plugging of an oil & gas well, where the Chief determines that an oil & gas well is idle or incapable of producing oil & gas in commercial quantities. *O.R.C. §1509.12(B); Chieftain Energy Corp. vs. Division, supra*.

8. Based upon the evidence presented at hearing, it was neither unlawful nor unreasonable for the Chief to issue Chief's Order 2013-37 or Chief's Order 2013-38.

9. Appellant Big Sky Energy, Inc. did not present sufficient evidence to refute the Division's findings that Big Sky Energy had not reported production from the Cutter #1 Well or the Cutter #2 Well during two consecutive reporting periods.

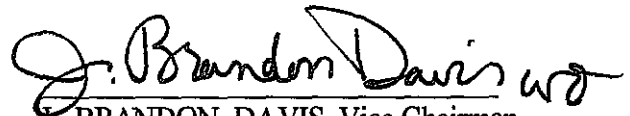
10. Appellant Big Sky Energy, Inc. did not present sufficient evidence to refute the Division's findings that the Cutter #1 Well or the Cutter #2 Well were idle, and not producing, in August 2013, and that these wells should be plugged and abandoned or transferred to a properly bonded and insured owner.

## ORDER

Based upon the foregoing findings of fact and conclusions of law, the Commission hereby **AFFIRMS** the Division's issuance of Chief's Order 2013-37 and Chief's Order 2013-38.

Date Issued: 2/13/2014

  
ROBERT S. FROST, Chairman

  
J. BRANDON DAVIS, Vice Chairman

  
JEFFREY J. DANIELS, Secretary

## INSTRUCTIONS FOR APPEAL

This decision may be appealed to the Court of Common Pleas for Franklin County, within thirty days of your receipt of this decision, in accordance with Ohio Revised Code §1509.37.

### DISTRIBUTION:

Gino Pulito, Chris Caffarel, Via E-Mail [ginopulito@hotmail.com] & Certified Mail # 91 7199 7030 3939 0707  
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& Inter-Office Certified Mail # 6729  
Lorrie & Lori Accettola, Via E-Mail [lorace1@yahoo.com] & Certified Mail # 91 7199 7030 3939 0714  
Willis Clay, Via E-Mail [louie4695@windstream.net] & Regular Mail

# BEFORE THE OIL & GAS COMMISSION

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-vs-	:	
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DIVISION OF OIL & GAS RESOURCES	:	2013-38 (the Cutter #1 & #2 Wells)
MANAGEMENT,	:	
	:	
Appellee.	:	
	:	
and	:	<b><u>INDEX OF EVIDENCE</u></b>
	:	<b><u>PRESENTED AT HEARING</u></b>
LORRIE & LORI ACCETTOLA,	:	
	:	
Intervenors.	:	

**Before:** Robert S. Frost

**In Attendance:** Jeffrey J. Daniels, J. Brandon Davis

**Appearances:** Gino Pulito, Chris Caffarel, Counsel for Appellant Big Sky Energy, Inc.; Jennifer Cleary, Kristina Tonn, Assistant Attorneys General, Counsel for Appellee Division of Oil & Gas Resources Management; Lorrie & Lori Accettola, Intervenors, *pro se*; Willis Clay, *Amicus, pro se*.

## **WITNESS INDEX**

### **Appellant's Witnesses:**

Robert Barr, Sr. Direct Examination; Cross Examination

### **Appellee's Witnesses:**

Stephen Riley Direct Examination; Cross Examination  
Jerry Kohl Direct Examination; Cross Examination  
Tom Hill Direct Examination; Cross Examination

**Intervenors' Witnesses:**

Willis Clay  
Lorrie Accettola

Direct Examination; Cross Examination  
Statement on Record; Cross Examination

**EXHIBIT INDEX**

**Appellee Division's Exhibits:**

Appellee's Exhibit 1	Production Report; Big Sky Energy, Inc., Cutter #1 Well; Years 1985 – 2012 (2 pages)
Appellee's Exhibit 2	Production Report; Big Sky Energy, Inc., Cutter #2 Well; Years 1992 – 2012 (2 pages)
Appellee's Exhibit 3	Complaint Status Report; citizen complaint from Loreto Accettola; complaint date February 1, 2012, updated through February 6, 2012 (1 page)
Appellee's Exhibit 4	Compliance Notice No. 1342447713, Cutter #1 Well; issued February 17, 2012 (1 page)
Appellee's Exhibit 5	Compliance Notice No. 1190078706, Cutter #2 Well; issued February 17, 2012 (1 page)
Appellee's Exhibit 6	Facility Report, Cutter #1 Well; inspection date August 1, 2012 (1 page)
Appellee's Exhibit 7	Facility Report, Cutter #2 Well; inspection date August 1, 2012 (1 page)
Appellee's Exhibit 8	Facility Report, Cutter #1 Well; inspection date September 9, 2012 (1 page)
Appellee's Exhibit 9	Facility Report, Cutter #2 Well; inspection date September 9, 2012 (1 page)
Appellee's Exhibit 10	Facility Report, Cutter #1 Well; inspection date May 1, 2013 (1 page)

Appellee's Exhibit 11	Four Photographs, Cutter #1 Well; taken May 1, 2013 (4 pages)
Appellee's Exhibit 12	Facility Report, Cutter #2 Well; inspection date May 1, 2013 (1 page)
Appellee's Exhibit 13	Three Photographs, Cutter #2 Well; taken May 1, 2013 (3 pages)
Appellee's Exhibit 14	Facility Report, Cutter #1 Well; inspection date July 5, 2013 (1 page)
Appellee's Exhibit 15	Facility Report, Cutter #2 Well; inspection date July 5, 2013 (1 page)
Appellee's Exhibit 16	Chief's Order 2013-37; issued August 14, 2013 (3 pages)
Appellee's Exhibit 17	Chief's Order 2013-38; issued August 14, 2013 (3 pages)
Appellee's Exhibit 18	OPEN
Appellee's Exhibit 19	OPEN
Appellee's Exhibit 20	Facility Report, Cutter #2 Well; inspection date January 17, 2014 (1 page)
Appellee's Exhibit 21	Four Photographs, Cutter #2 Well; taken January 17, 2014 (4 pages)
Appellee's Exhibit 22	OPEN
Appellee's Exhibit 23	OPEN
Appellee's Exhibit 24	Facility Report, Cutter #1 Well; inspection date January 17, 2014 (1 page)
Appellee's Exhibit 25	Seven Photographs, Cutter #1 Well; taken January 17, 2014 (7 pages)