



**Department of
Natural Resources**
ohiodnr.gov

Mike DeWine, Governor
Jon Husted, Lt. Governor
Mary Mertz, Director

August 22, 2024

Oil and Gas Land Management Commission
2045 Morse Rd, Building D-3
Columbus, Ohio 43229
Commission.Clerk@oglmc.ohio.gov

Re: Notice of Nomination 24-DNR-0005 and
Nomination 24-DNR-0006
Leesville Wildlife Area
Comments of the Ohio Department of Natural Resources

Dear Commissioners:

I am writing on behalf of the Ohio Department of Natural Resources (ODNR) regarding Nomination 24-DNR-0005 and Nomination 24-DNR-0006 encompassing a total of approximately 127.511 acres and located within the boundaries of the Leesville Wildlife Area. ODNR has undertaken a thorough review of these nominations and has gathered input from multiple divisions. In accordance with R.C. 155.33, ODNR offers the following comments, with recommended special terms and conditions that are necessary due to the specific conditions related to these parcels.

Introduction and Background

Leesville Wildlife Area

The Leesville Wildlife Area encompasses 394 acres in Carroll County. Acquisition of the Wildlife Area began in 1944, and additional land was obtained as funds became available. ODNR parcels within the Wildlife Area were purchased with federal funding under the Wildlife Restoration Act (16 U.S.C. §§ 669); in addition to these parcels, ODNR manages (by agreement) the area around Leesville Lake, which is owned by the Muskingum Watershed Conservancy District (MWCD).

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At Leesville, ODNR has conducted expansive management work in an effort to maintain habitat diversity, including: planting thousands of conifers; protection and improvement of the woodlands; selecting areas which will be allowed to return to woodland through natural succession; clear-cuts on small blocks of mature timber; and management of existing open fields. The area is primarily home to forest species, including deer, wild turkey, ruffed grouse, and bobcats. The cottontail rabbit and all furbearers common to the region can also be found at Leesville, and black bears have also been sighted on the Wildlife Area.

While hunting is the major recreational use, Leesville provides excellent opportunities for hiking, fishing, nature study, and bird watching. Visitors will also find a wide variety of plant communities, a diversity of songbirds, and an abundance of woodland animals. Additionally, MWCD's Leesville Lake, which is surrounded by the Wildlife Area, provides opportunities for fishing and recreational boating.

State Lands Leasing

In 2011, the Ohio Legislature passed H.B. 133, which created a nomination process for the leasing of state-owned lands for oil and gas development. These provisions were amended in 2021 (H.B. 110) and the process today exists in Revised Code Sections 155.30 through 155.37. Revised Code 155.33(A)(2) authorizes any person or state agency to nominate a formation in a parcel of land owned or controlled by a state agency for exploration and development of oil or natural gas. This Commission then considers the nomination based on the factors set forth in R.C. 155.33(B)(1). Included in these considerations are any comments made by the state agency that owns the parcel of land (155.33(B)(1)(g)) and any special terms and conditions that the state agency includes in the comments or objections that the agency

believes are appropriate for the lease of the parcel of land because of specific conditions related to the parcel (155.33(B)(1)(i)).

Nomination 24-DNR-0005

On June 24, 2024, the Commission received Nomination #24-DNR-0005, which included one 62.49-acre parcel located within the boundaries of the Leesville Wildlife Area. The nomination includes one proposed well pad to be located approximately 1,833 feet (2.76 miles) from the nominated parcel.

Nomination 24-DNR-0006

On June 24, 2024, the Commission received Nomination #24-DNR-0006, which included one 65.021-acre parcel located within the boundaries of the Leesville Wildlife Area. The nomination includes one proposed well pad to be located approximately 2.32 miles from the nominated parcel.

ODNR Comments

ODNR respectfully submits the following comments as the state agency that owns and controls the parcel within Nominations 24-DNR-0005 and 24-DNR-0006. Included with these comments are proposed terms and conditions (attached as “Addendum to Standard Lease”) that ODNR believes are appropriate for the leases of the parcels because of the specific conditions at Leesville Wildlife Area.

In addition to the comments below, ODNR requests that any awarded bids be subject to the attached “Addendum to Standard Lease.”

Due to potential effects on water quality and quantity, ODNR is requesting additional terms and conditions to protect water resources within the Wildlife Area. (See proposed “Addendum to Standard Lease”)

ODNR is committed to ensuring protection of its water resources across the State, including nearby Leesville Lake, which contains muskellunge, largemouth bass, and channel catfish. Protection of these water resources is imperative to the visitors to Leesville.

To ensure a quality experience for visitors to the Wildlife Area, as well as for safety reasons, ODNR is requesting limitations on certain oil and gas activities during specific hunting seasons. (See proposed “Addendum to Standard Lease”)

During the primary fall and spring hunting seasons (November 1 – December 15; April 20 – May 1), a large number of hunters visit Leesville. During this time, use of firearms and other equipment for hunting could result in adverse impacts to persons nearby, and limiting activities near to the Wildlife Area could greatly reduce the probability of such incidents. Additionally, loud noise and light pollution emitting from certain oil and gas operations has the potential to interrupt hunting activities, which are only authorized in these narrow windows of time.

ODNR requests certain limitations on operations during these windows in order to protect the quality of the Leesville Wildlife Area during these high-use times.

Due to the noise generated during the construction, drilling and fracking process, ODNR is requesting additional terms and conditions. (See proposed “Addendum to Standard Lease”)

Ohio Wildlife Areas, including Leesville, are mostly rural in nature and changes in the level and type of noise will be particularly noticeable, especially when

visitors are accustomed to quiet or only a few familiar and intermittent sources of noise. Those visiting Leesville to observe wildlife or seeking a quiet hike on a trail by foot may be affected by the extended day and night operation of well sites if not carefully controlled.

Hunters especially rely on the quiet stillness of Wildlife Areas, grassland, and wetland. A variety of wild game including deer, wild turkey, rabbit, squirrel, and ruffed grouse are abundant at Leesville. Increases in noise may cause temporary or permanent displacement from certain areas of the park; if nests and dens are abandoned, populations could decline.

Due to ODNR's obligations to comply with the terms of the federal grant used to purchase the Wildlife Area, ODNR is requesting the additional terms and conditions. (See proposed "Addendum to Standard Lease")

The parcels nominated in 24-DNR-0005 and 24-DNR-0006 were acquired by ODNR using a federal grant under the Wildlife Restoration Program (16 U.S.C. §§ 669). In order to maintain compliance with federal regulations (50 C.F.R. § 80) and the terms of the grant, any change in the use and/or disposition of these parcels requires approval of the U.S. Fish and Wildlife Service. ODNR requests that the Commission require the bidder to provide assistance to ODNR so that ODNR is able to comply with the terms of this program as a condition of entering into the leases. In order to assist the Commission in evaluating this request, ODNR has attached to these comments documents related to the grant agreement and ODNR's obligations under the terms of the grant.

To ensure that ODNR receives a fair share of the proceeds from the production

from wells in the leasehold that is in line with the current fair market value in the surrounding region, ODNR is requesting additional economic incentives be included. (See proposed “Addendum to Standard Lease”)

Per the terms of Section 9 of the Standard Lease Agreement, and as required by R.C. 155.34(A)(1)(b), the standard landowner royalty applied to any lease entered into pursuant to this process provide for a one-eighth (or 12.5%) gross landowner royalty. The Commission has approved an additional economic incentive for previous nominations. ODNR respectfully requests that the Commission continue to include this provision as a special term and condition to the lease.

To ensure that the eventual lessor is an operator in good standing, and because the identity of the nominating party and any bidders remains confidential pursuant to R.C. 155.33 until the bid is awarded. ODNR is requesting that the Commission perform the following compliance reviews:

1. Review of ODNR, Division of Oil and Gas Resources Management records for any violations of Ohio Revised Code Chapter 1509 and Ohio Adm. Code 1501:9;
2. Review of Ohio EPA records for any violations of the Ohio Revised Code and Ohio Administrative Code that Fall within the Ohio EPA’s regulatory authority;
3. Review of the U.S. EPA records for any violations of the United States Code or the Code of Federal Regulations that fall within the U.S. EPA’s regulatory authority;
4. Review of Ohio’s consumer complaint database for any violations of Ohio’s consumer protection laws.

Thank you for your consideration of ODNR's comments and proposed terms and conditions. ODNR looks forward to working with the Commission to comply with the requirements of Ohio law while staying faithful to our mission to ensure a balance between the wise use and protection of our natural resources for the benefit of all.



Mary Mertz
Director, Ohio Department of Natural Resources

ADDENDUM TO STANDARD LEASE

Due to the specific conditions related to the Leesville Wildlife Area, ODNR respectfully requests that the Commission apply the following Terms and Conditions as an Addendum to the Standard Lease, which was adopted by the Commission on April 17, 2023, as set forth in Ohio Adm.Code 155-1-01:

A. General Notification Provisions

1. Any reference to “ODNR” or “Department” in the lease addendum refers to the Ohio Department of Natural Resources.
2. All required notices and contact related to operations regulated under R.C. Chapter 1509 and Ohio Adm.Code 1501:9 and referred to in this lease shall be made to the Division of Oil and Gas Management, Ohio Department of Natural Resources, unless otherwise specified.

B. Compliance with Provisions of the Wildlife and Sport Fish Restoration Program

1. For every parcel subject to the lease agreement that is encumbered by the Wildlife and Sport Fish Restoration Program, Lessee shall cooperate with, and provide all necessary assistance to, ODNR in order to aid ODNR’s compliance with the requirements of the program as set forth in 50 C.F.R. § 80 and all requirements of the grant agreement or grant documents, at Lessee’s cost. This includes assisting ODNR’s compliance with the National Environmental Policy Act (NEPA) and any other federal compliance required under the terms of the grant agreement.
2. Lessee shall coordinate with the appropriate staff at ODNR at each step of the process, including staff at the Division of Wildlife, until ODNR has satisfied all requirements of the federal grant agreement.

C. Well Pad Location

Lessee agrees to evaluate the location of a well pad to be used for development of the Leased Premises under this Lease for purposes of ensuring the safety of visitors to the state property and to adhere to the following:

1. No vertical well pad may be located within 500 feet from any Facility (as that term is defined below), as calculated from the edge of the well pad.
2. No horizontal well pad may be located within 1,000 feet from any Facility (as that term is defined below), as calculated from the edge of the well pad.
3. Prior to commencement of well pad construction, Lessee shall submit to ODNR, Office of Real Estate and Land Management, a plan to address the aesthetic impacts of the well site on any portion of the well site that can be seen from the boundaries of the Leesville Wildlife Area.

4. With Lessor's approval, Lessee may develop wells on the leased premises from a well pad that has been constructed prior to the date of the nomination of the parcel subject to the lease agreement, even if the well pad is located closer than 1,000 feet from any Facility (as that term is defined below). Lessee shall submit to ODNR, Office of Real Estate and Land Management, documents identifying the location of the well pad and a statement as to why use of the existing well pad is more economically responsible and environmentally protective.
5. **"Facility,"** for the purpose of this Addendum, means a site designated by the Ohio Department of Natural Resources for recreational use and/or lodging on state-owned land or to support recreational use and/or lodging at the time the state property was nominated under R.C. 155.33. This includes, but is not limited to: designated beaches, trails, trail heads, boardwalks, boat launches, docks, golf courses, disc golf courses, shooting ranges, public hunting areas, historical sites or structures; buildings utilized by ODNR staff; visitor centers, nature centers, camp stores, picnic facilities, playgrounds, splash pads, lodges, cabins, restrooms, shower houses, and campgrounds; and all public entrances and exits to the property.

D. Protection of Water Resources

1. Water Testing:

- a. Lessee will sample and test all wells and sources of water, including Leesville Lake, within a distance of 3,000 feet of the surface location of any well under the following occurrences:
 - i. Prior to the drilling of any well in the unit governed by this lease; and
 - ii. Between sixty (60) and ninety (90) days of the completion of each well or group of wells drilled under this lease.
- b. Prior to engaging a contractor for these services, Lessee and ODNR, Office of Real Estate and Land Management, shall agree on the contractor chosen to perform water sampling and testing.

2. **Damage to Surface Water and Ground Water:** Lessee shall be solely responsible for damage, disturbance, contamination, or injury to any groundwater on the Leased Premises caused by Lessee or Lessee's agents and/or employees and shall correct any such damage at its own costs.

3. **Freshwater Impoundments and Liners:** The lease shall include provisions for freshwater impoundments and liners, which provisions ensure the highest level of environmental protection. These provisions shall include, but not be limited to, the following:

- a. Lessee shall have no right to dig any pits on the Leased Premises;

- b. Any impoundment created after the date of this Lease shall: (i) conform to all applicable regulatory requirements (state, local, and federal); and (ii) promptly after completion of operations any backfill and the liners shall be removed and the impoundments shall be drained, prepared for burial, back filled, grated, and planted within ninety (90) days (weather permitting). Lessee shall promptly notify ODNR and all applicable regulatory authorities if any impoundment lining is torn, punctured, or otherwise breached, allowing any fluid contained in an impoundment or designated to be contained in an impoundment to seep, leak, or overflow through or around the liner.

E. Secondary Containment

1. For purposes of this addendum, “Secondary Containment” shall have the same meaning as defined in Ohio Adm.Code 1501:9-4-01(BBB).
2. Secondary Containment shall be used on each well site drilled, completed, or producing from the leased premises during all phases of operation, including drilling, well construction, hydraulic fracturing, flowback, and production. Lessee shall provide Secondary Containment for all substances, including solid wastes, fluids, and other regulated substances that could be harmful to the environment, including the transferring of these substances. Stormwater shall be removed as soon as possible and prior to reducing the secondary containment volume by ten (10%) percent. Secondary Containment shall be constructed with manufactured products that must be sufficiently impervious, able to contain spilled materials, and be chemically compatible with the material stored within the containment to prevent contained materials from coming in contact with the ground.
3. Lessee must comply with Ohio Adm.Code 1501:9-4-06(C)(4) for volume of secondary containment.
4. The Secondary Containment shall be maintained during its lifetime to ensure functionality.
5. Lessee shall provide ODNR with the plan for Secondary Containment prior to commencement of pad construction.

F. Noise and Light

1. Where a well pad to be used for development of the Leased Premises under this Lease relates to a horizontal well (as defined in R.C. 1509.1(GG)) and the well pad is located less than 2,000 feet from any boundary line of the Leesville Wildlife Area, Lessee shall conduct a third-party sound study by a third party agreed to by Lessor and shall construct, in accordance with any third-party recommendations resulting therefrom, perimeter sound walls during the drilling and completion phase around the well pad or other specific pieces of equipment.

2. Lessee shall use best efforts to limit sound pollution during drilling and completion activities for any wells on this parcel, including but not limited to: limiting use of Jake brakes on trucks; use of low-noise exhaust mufflers on equipment utilizing disk brakes on drilling rigs instead of drum brakes where practical; and orientation of equipment on the well pad to direct exhaust noise from generators and pumps away from all recreational areas.
3. Once a well is in the production phase, Lessee shall use best efforts to limit noise-intensive activities such as flaring and blowdowns.

G. Restrictions on Construction, Drilling, and Completion Schedules

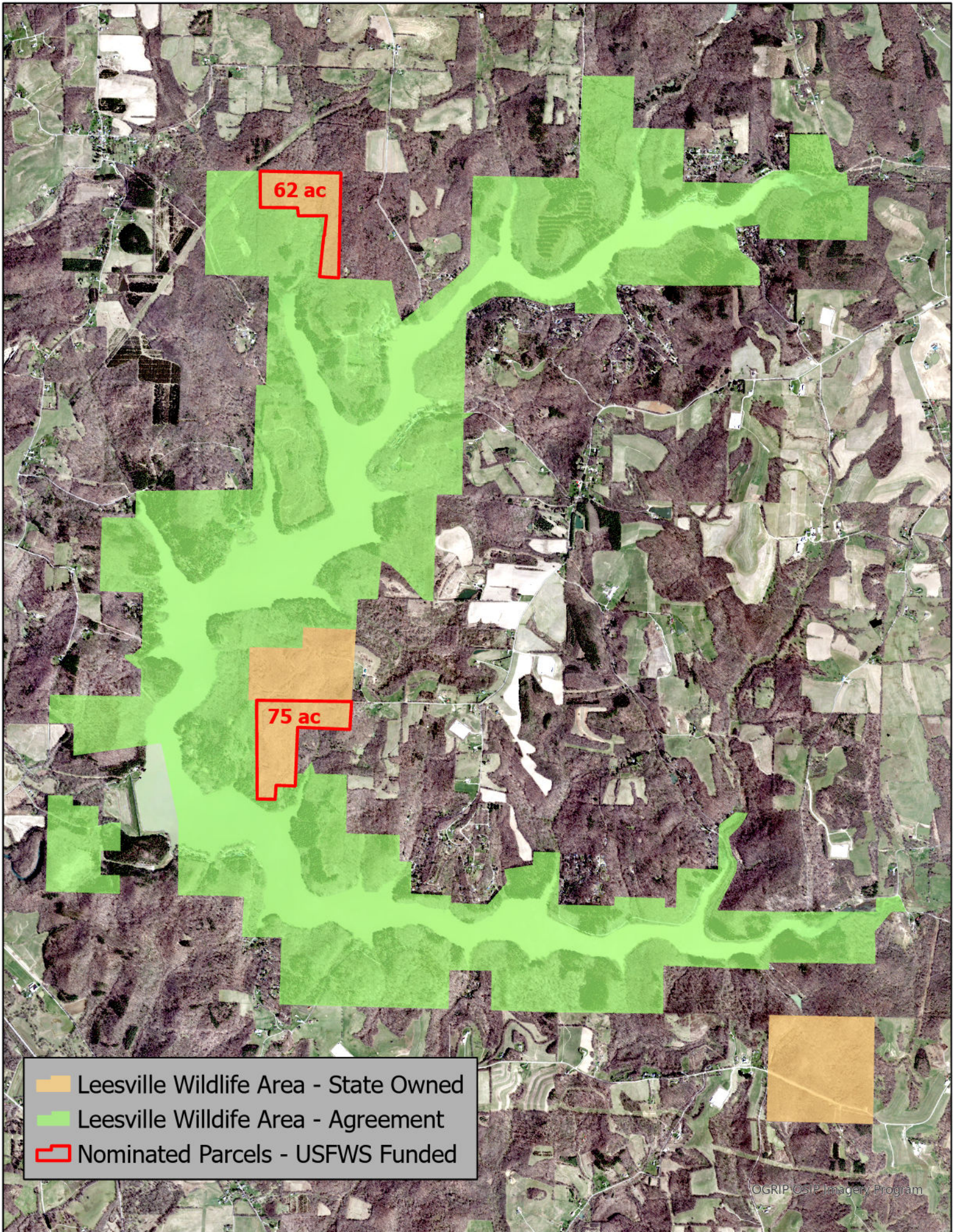
1. Except as expressly authorized in writing by Lessor, Lessee shall not conduct any construction, drilling, and completion of lands under the leased premises during the following periods of time: April 20-May 1 and November 1-December 15.
2. Lessee shall provide ODNR, Office of Real Estate and Land Management with a monthly construction and/or operation schedule during the construction, drilling, and completion phases.

H. Safety and Emergency Notifications

1. Lessee shall provide a written emergency response plan for units in which at least a portion of the Leased Premises are included.
2. Lessee shall provide ODNR, Office of Real Estate and Land Management with specific plans for notification in the event of an emergency during any phase of the well operations for units in which at least a portion of the Leased Premises are included.
3. New steel shall be used in well casings to isolate fracking zones from aquifers at shallower depths.

I. Additional Economic Incentives

In addition to the landowner royalty owed under Section 9 of the Lease, Lessee shall pay to Lessor additional consideration equal to the greater of _____ (___%) of the Oil and Gas produced from the Leased Premises. It is agreed between Lessor and Lessee that, notwithstanding any language herein to the contrary, all consideration accruing to the Lessor under this provision shall be paid without deduction, directly or indirectly, for any and all pre-production and postproduction costs and/or expenses, including but not limited to those relating to producing, gathering, storing, separating, treating, dehydrating, compressing, processing, transporting, and marketing the Oil and Gas produced hereunder. The computation of the Lessor's payment under this provision shall include any additional consideration, if any, paid to Lessee for natural gas liquids.



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

PROJECT AGREEMENT

STATE OHIO

PROJECT No. _____
(Not to be filled in)

CONTRACT No. I-6fw-

MEMORANDUM OF AGREEMENT made this 20th day of April, 1943

by and between Ohio Division of Conservation and Natural Resources

constituting for the purpose hereof, the Fish and Game Department of the State of Ohio

_____, hereinafter called the Fish and Game Department, and the Secretary of the Interior, hereinafter called the Secretary, under and pursuant to the provisions of the Act of Congress approved September 2, 1937 (50 Stat. 917), entitled "An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes":

WHEREAS the Fish and Game Department of said State submitted on the 20th day of April, 1943, a preliminary project statement, which was approved by the Secretary on the _____ day of _____, 19____, for the proposed initiation of a project hereinafter described; and

WHEREAS the Fish and Game Department, in accordance with the Rules and Regulations promulgated by the Secretary, has furnished surveys, plans, specifications, and estimates for said project, and

WHEREAS the Secretary has approved said surveys, plans, specifications, and estimates, and the sum of Thirty-five Hundred and no/100 Dollars (\$ 3500.00) as the total estimated cost of said project, and has certified to the Secretary of the Treasury that the sum of Two Thousand, Six Hundred and Twenty-five and no/100 Dollars (\$ 2625.00) is the share of the United States payable under said Act on account thereof, which does not exceed the authorized Federal pro rata share of the approved total estimated cost thereof:

Now, THEREFORE, in consideration of the premises and of the several promises to be faithfully performed by each, as hereinafter set forth, the State Fish and Game Department and the Secretary do hereby mutually agree as follows:

FUNDS AT THE DISPOSAL OF THE FISH AND GAME DEPARTMENT

ARTICLE I.—Funds for the use of the Fish and Game Department to conduct said project have been made available in the following manner, to wit:

(a) By the State Thirty-five Hundred Dollars (\$3500.00) Sec. 1433.
(Include amount, date, and cite statute, if any)

(b) From other sources _____

PROJECT DESCRIPTION

ARTICLE II. This agreement covers one of the following types of projects, as described in detail in said surveys, plans, and specifications:

(a) Wildlife Survey and Investigation Project:

1. Title of Project: _____
2. Location: _____
(State-wide or specific area)
3. Project No. _____
(As shown on preliminary project statement)
4. Specific Objectives: _____

(b) Land Acquisition Project:

1. Name of Project: Leesville Restoration Unit
2. County: Carroll
3. Project No. 29-L
(As shown on preliminary project statement)
4. Wildlife species to be primarily benefited: Raccoon, squirrel,
rabbit, deer and grouse.
5. Acres estimated to be purchased under this agreement: 233.5

(c) Development Project:

1. Name of Project: _____
2. County: _____
3. Project No. _____
(As shown on preliminary project statement)
4. Wildlife species to be primarily benefited: _____

5. Type of Development: _____

STATE - OHIO

PROJECT NO. 29-1

PRELIMINARY PROJECT STATEMENT
AND
PLANS, SPECIFICATIONS AND ESTIMATES
FOR
LAND ACQUISITION
as required by
FEDERAL AID IN WILDLIFE RESTORATION ACT

April 20, 1943

The Secretary of the Interior

Washington, D. C.

Sir: The State of Ohio, pursuant to the provisions of the Act of Congress approved September 2, 1937 (50 Stat. 217), entitled "An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," and to the Rules and Regulations of the Secretary of the Interior made and published thereunder, does hereby submit by its Division of Conservation and Natural Resources, constituting the State Fish and Game Department, this combined preliminary project statement and plans, specifications and estimates for the wildlife-restoration project described herein, which it is proposed to carry on under the provisions of said Act and said Rules and Regulations, and for which Federal aid is requested out of the appropriation made to said State by the Secretary of the Interior under the provisions of said Act.

1. Name of Project: Leesville Restoration Unit.
2. County: Carroll.
3. Nearest Town: Leesville. Distance and Direction: Three miles north-east of town.
4. Wildlife species to be primarily benefited: Raccoon, squirrel, rabbit, deer and grouse.
5. Planned administration of project area:
 - (a) Portion of the area to be set aside as refuge: Portions of the lands surrounding the Leesville Reservoir will be set aside as refuges with the balance open to supervised hunting. The location of both of these tracts makes them desirable as additions to the land already owned by the State through the M.W.C.D. as they will tend to round out the entire area, make for more regular and easily administered boundaries, provide some upland

in connection with the lake margin and make possible a broader and more diversified restoration program.

(b) What protection will be afforded wildlife: Refuge areas will be posted and protected against trespass and poaching. The land to be purchased will be included in the game management program which is being conducted on lands owned by the Muskingum Watershed Conservancy District surrounding the lake.

(c) What uses will be made of the land other than for game propagation: None.

6. Wildlife restoration development planned: Inclusion in game management plan for the Leesville Reservoir lands involving food patch planting; planting of wildlife food trees and shrubs; improvement of fence rows; creation of some den houses in timber stands where natural dens are insufficient and inadequate, and the controlled harvest of wildlife surplus.

The McCully tract lies in close proximity to a wildlife refuge now being maintained around a boys' camp on Leesville Lake and can add materially to the program being conducted there.

7. Boundaries (legal description and map): See map attached which shows lands to be acquired and their relation to lands owned by the State or M.W.C.D.

8. Cover type percents:

McCully Tract:

(1)	Wild hay or pasture	5%
(2)	Timber	45%
(3)	Brush	50%

Ashley Tract:

(1)	Agriculture (tillable land 25% which has not been farmed for 6 years)	
(2)	Wild hay or pasture	20%
(3)	Timber	10%
(4)	Brush	25%

9. Land improvements: There are no buildings nor improvements on the McCully tract. On the Ashley tract there are a four-room cottage type house and a combination garage and granary in fair condition, located 160 feet north of a gravel road that crosses the property from east to west in the north-central part. These buildings could be built for approximately \$3000.00, having a present value to the area, if considered as a farm, from \$1000.00 to \$1200.00 and a salvage value of approximately \$200.00.

10. Land uses: The McCully tract has been unused for fifteen years or longer, with no farming, grazing or logging having been conducted. It is considerably eroded and the wooded portion is very rough and rocky.

The Ashley tract shows neglect, rather than abuse of the land. The soil is fairly fertile and agriculture was conducted on a profitable basis until about six years ago. This area with its interspersed cover and open areas on which food patches can be planted makes it invaluable to our wildlife habitat restoration program.

11. Timber: The timber on both areas is predominantly oak-hickory type. The timber now standing could be harvested for ties and mine props. From such harvest \$150.00 could be realized from the McGully tract and \$1000.00 from the Ashley tract.

12. Tracts in Unit: (a) Two. (b) 66.5 acres (Nora McGully) and 167 acres (Lila G. Ashley) - an average acreage of 117.

13. Tract ownership: Both tracts have been optioned. Private ownership only is involved.

14. Land rentals:

(a) Farm rentals \$3.00 to \$4.00 per acre.
 (b) Grazing lands 1.00 " "
 (c) Hay lands 2.00 " "

15. Purchase possibilities: See item 13 above. Copies of options will be furnished upon request.

16. Salient facts:

Name of Owner	Tract		Appraised Value		Option Price	
	No.	Acres	Per Acre	Total	Per Acre	Total
Nora McGully	1	66.5			\$ 5.00	\$ 332.50
Lila G. Ashley	2	167.	\$ 15.00	\$2505	14.90	2500.00
						\$2832.50

17. List of estimated overhead acquisition costs:

(a) Land examination \$ 100.00
 (b) " negotiations 50.00
 (c) Boundary survey and monumenting 200.00
 (d) Title abstracting and vesting 100.00
 (e) Total \$450.00

18. Estimated total cost of project:

(a) Lands (See item 16) \$2832.50
 (b) Other (" " 17) 450.00
 (c) Total \$3282.50
 Contingency fund 217.50
 Total cost of project \$3500.00

The foregoing four pages, constituting preliminary project statement and plans, specifications and estimates for Project 29-L, submitted by the State of Ohio on April 28, 1943, are approved with the understanding that the Fish and Wildlife Service will conduct an appraisal of the lands herein optioned to determine the reasonableness of option prices and that the extent of Federal participation of project costs shall be determined after consideration of the findings of said appraisal.

Approved: Date May 5, 1943

HAROLD L. ICKES, SECRETARY OF THE INTERIOR

By: /s/ Albert M. Day
Acting Director, Fish and Wildlife Service

C O P Y

PROSECUTION OF PROJECT

ARTICLE III.—The Fish and Game Department will carry said project through to final completion in strict compliance with said plans and specifications, will directly supervise all labor and construction, which shall include adequate inspection throughout, subject at all times to inspection and approval by the Secretary or his agent, in accordance with the laws of said State, the rules and regulations of the Secretary and the following conditions.

(a) It is agreed that any construction work on the project will be performed by contract when practicable. Such construction work as may be performed by force account shall be paid for on the basis of the estimate as approved by the Secretary, except that where the total actual cost is ascertained to be less than the estimate so approved, the total Federal payments shall not exceed the Federal pro rata share of such total actual cost.

(b) Should the funds listed herein as the total estimated cost be insufficient to finish the proposal, it is agreed that additional projects will be submitted as funds become available until the unit is finally completed, and in the case of lands, that the State will take sufficiently long options of purchase or lease purchase agreements at appraised values acceptable to the Secretary to obligate the vendors for a period estimated to be sufficient to consummate acquisition. In the event that any lands cannot be otherwise acquired at appraised values acceptable to the Secretary, the State { ~~will~~ } agree to acquire said lands by condemnation.

(c) Research work conducted under this project shall be continuously correlated with other research studies conducted by the State and Federal Governments to avoid duplication.

(d) Personnel employed from funds provided under this project shall be selected on the basis of competency and perform their duties in a manner acceptable to the Secretary.

UNITED STATES PRO RATA SHARE OF THE COST OF SAID PROJECT

ARTICLE IV.—The United States pro rata share of the actual cost of said project shall not in any event exceed the sum of Two Thousand, Six Hundred and Twenty-five and no/100 Dollars

_____ (\$ 2625.00) certified to the Secretary of the Treasury as above mentioned, which does not exceed the authorized Federal pro rata share of Thirty-five Hundred and no/100 Dollars

_____ (\$ 3500.00) the approved total estimated cost of said project.

PAYMENTS

ARTICLE V. The Secretary shall draw warrants on the Secretary of the Treasury:

- (a) Upon completion of said project (X)
 - (b) From time to time as work progresses (____)
- (Indicate by x)

for payment to Ohio Division of Conservation and Natural Resources
(State Treasurer, State Comptroller, or Fish and Game Department)

hereby designated by the State Fish and Game Department for that purpose and authorized under the laws of said State to receive public funds, of such sums as shall not, together with previous payments, exceed the United States pro rata share, as above specified, of the value, as determined by the Secretary after inspection of lands, labor, materials and other items of expense incurred in connection with said project.

The Secretary reserves the right to withhold such sum as he may deem necessary to insure completion of the project in compliance with said plans and specifications.

MAINTENANCE OF PROJECT

ARTICLE VI. The Fish and Game Department will maintain said project in compliance with said Act of Sept. 2, 1937, out of funds which have been or will be made available therefor by said State in the manner herein set forth, to wit:

Section 1433, General Code of Ohio

(Include reference to statute, if any, authorizing funds and probable amount annually available.)

The Fish and Game Department will use every means within its power to insure proper and permanent maintenance of said project.

In witness whereof, the parties have hereunto affixed their signatures, the Fish and Game Department on the day and year first above written.

Ohio Division of Conservation & Natural Resources
(Official Title of Fish and Game Department)

Approved:

By

HAROLD L. ICKES
SECRETARY OF THE INTERIOR

Don Watson
Conservation Commissioner

(Title of Officer)

By

Albert M. Day
Acting Chief, Bureau of Biological Survey
JP Division, Fish & Wildlife Service

(Date)

May 5, 1943

UNITED STATES DEPARTMENT OF THE INTERIOR
Office of the Secretary

CERTIFICATE OF APPROVAL OF PLANS, SPECIFICATIONS, AND ESTIMATES

(Under "An Act to provide that the United States shall aid the States in wildlife-restoration projects and for other purposes," approved September 2, 1937, 50 Stat. 917.)

To

THE SECRETARY OF THE TREASURY, AND

THE STATE FISH AND GAME DEPARTMENT OF THE STATE OF OHIO

Pursuant to the act above cited, I hereby certify--

FIRST. That in accordance with the provisions of said act, I have approved the plans, specifications, and estimates submitted by the State Fish and Game Department of the State of Ohio for a wildlife-restoration project, designated in the records of this Department as Project No. 29-L, State of Ohio.

SECOND. That in accordance with said provisions I have approved the sum of \$ 500.00 as the total estimated cost of said project, and the sum of \$ 2,625.00 as the share of the United States, payable under said act on account of such project, which does not exceed the authorized Federal pro-rata share of said total estimated cost.

Done at the city of Washington, this 5th day of May
one thousand nine hundred and forty-three.

SECRETARY OF THE INTERIOR.

By Albert M. Day
Acting Director, Fish and Wildlife Service.


~~Appendix~~
~~P. 29~~

UNITED STATES DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
PROJECT AMENDMENT NO. _____State Ohio
Project No. 37-1
Contract No. 1-478-1243
Date May 5, 1943To: The Secretary of the Interior
Washington, D. C.

Amendment of the above identified project is hereby requested as indicated below:

Item No. (1)	Item (2)	Latest Approved Estimate (3)	Changes Requested		Revised Cost Estimate (6)
			Add (4)	Deduct (5)	
8a	LANDS:				
8b	New Mcully (U.P.)	\$ 332.50		\$ 20.05	\$ 312.45
	Dorothy S. Ashley, heir of Lila G. Ashley (L.A.)	2,500.00			2,500.00
9a	OTHERS: (CONTS):				
9b	Examination and negotiations	150.00		150.00	
9c	Surveying, title abstracting and vesting	300.00	\$170.05		470.05
10	CONTINGENCY FUND	217.50			217.50
	Totals	\$3,500.00	\$170.05	\$170.05	\$3,500.00

REASONS FOR AMENDMENT: (Use reverse side or additional forms if necessary) The cost of surveying these tracts was in a greater amount than anticipated due to the rough terrain and brushy lines. We are requesting that the funds remaining from the purchase of the Mcully tract and the amount unused under 9a "Examination and negotiations" be transferred to item 9 b where it is needed to cover the overrun in surveying costs. Practically all of the contingency fund will likewise be used to cover the cost of item 9b, as the State will maintain the corners as a part of the survey work.

Approved: Date Feb. 6, 1945Ohio Division of Conservation & Natural Resources
Fish and Game Department

Harold L. Ickes, Secretary of the Interior

By

Title Conservation CommissionerBy Acting Director, Fish and Wildlife Service

Approved: Date _____

By

Regional Director, Fish and Wildlife Service

9/12/44

3-1590
1-41

UNITED STATES DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

CONTROL ESTIMATE

State Ohio

To: Conservation Commissioner

Project No. 22-1

Ohio Division of Conservation and Natural Resources

Contract No. 1-67-6243

Columbus, Ohio

Date May 4, 1943

Tabulated below is a breakdown of the cost estimate to be used by the State in classifying expenditures made in the prosecution of the above-identified project:

Item No. (1)	Item (2)	Amount (3)
	LABOR:	\$
6a	Harry McFally (U.P.)	252.00
6b	Edna G. Ashley (L.S.)	2,508.00
	OTHERS COSTS:	
9a	Examination and negotiations	150.00
9b	Surveying, title abstracting and vesting	250.00
10	CONTINGENCY FUND:	217.80
	Total Estimated Cost	\$3,568.00

Expenditures charged to an individual item of cost should not exceed the approved amount provided for the item plus a reasonable overrun, if such overrun is available from the contingency fund.

Fish and Wildlife Service

By Joseph T. Harley
Acting In Charge Apportionments
and Statistics.

FA-Ohio
Project 29-L
Leesville Restoration
Unit

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

OFFICE OF REGIONAL DIRECTOR
643 PARK SQUARE BUILDING
BOSTON, MASSACHUSETTS

REGION 5

NEW ENGLAND STATES
NEW YORK
PENNSYLVANIA
NEW JERSEY
DELAWARE
MARYLAND
DISTRICT OF COLUMBIA
VIRGINIA
WEST VIRGINIA
OHIO

May 12, 1943.

Mr. Edwin P. Rinehart, Coordinator,
1013 Wyandette Building,
Columbus, Ohio.

Dear Ed:

The combined preliminary project statement and plans, specifications and estimates, project agreement and certificate of approval thereof, covering the Leesville Restoration Unit land purchase, were approved by Acting Director Day on May 5, and the usual copies for the State's files are enclosed.

You will note that the approval is conditional and was made "with the understanding that the Fish and Wildlife Service will conduct an appraisal of the lands herein optioned to determine the reasonableness of option prices and that the extent of Federal participation of project costs shall be determined after consideration of the findings of said appraisal."

At present we are hoping that some arrangements may be made whereby appraisal of the lands involved may be made in the not-too-distant future.

Sincerely yours,

S. B. Locke
S. B. Locke,
Regional Director.

Enclosures.
c.c. Land Acq.



3-1071

1-40

Total

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF BUREAU OF LAND MANAGEMENT
CHIEF FEDERAL AID PROJECT 29-1

MIGRATORY BIRD REFUGE

Type

29-L

ACQUISITION EXAMINATION REPORT

Name Lila G. AshleyNo. 6State OhioCounty CarrollAcreage 163.00Examined June 1948

193

Report by Emile Abbati

Legal description

Being a tract of land in Orange TownshipNearest town Leesville, OhioDistant 3 milesDirection SouthwestOffered by Lila G. AshleyAddress ---Price \$14.50

Incumbrances

Right-of-way for public road

Occupants

None

Buildings and improvements

Farm unit

Reservations

None

Soil Composition

Sandy loam

Productive quality

Good

Water

Small streams rise on the area

Average size of growth: Diameter of timber (breast high)

about 10 inches

Height of young growth

35 feet

Density

70 percent

Value per acre, land

\$ 7.35

Value per acre, timber

\$ 1.57

Value per acre, Impts.

\$ 5.42

Total value per acre

\$ 14.72

Total value of tract

\$ 2,399.36

Recommended price per acre

\$ 14.50

Recommended total price

\$ 2,362.50

Remarks:

(OVER)

Type	Area by type	Value per acre	Res. Disc. at 5%	Total Value
Agriculture, Class II	2.00	\$35.00		\$70.00
Agriculture, Abandoned	20.00	10.00		\$200.00
Grazing, Class II	18.00	20.00		\$360.00
Brush-Grazing, Class III	22.00	7.00		\$154.00
Reproduction Class I	5.00	2.00		\$10.00
Reproduction Class II	17.00	1.00		\$17.00
Reproduction Class III	25.00	1.00		\$25.00
Understory Hardwood type	27.00	3.00		\$81.00
TOTALS	106.00	27.25		\$2,892.00

TABLE No. 2—STAND PER ACRE OF PRODUCTS

Species	Average stand per acre	Stumpage value per unit	Stumpage value per acre
Mixed oak, hickory, white, & soft maple	250 ft.	\$6.00	\$1,500.00
Forest products	100 ft.	0.20	\$20.00
TOTALS			\$1,520.00

RECAPITULATION

Value per acre, lands	17.25
Value per acre, improvements	5.42
Value per acre, products	1.37
Total value	\$14.04

RECOMMENDATIONS

It is recommended that this tract be purchased at \$14.00 per acre, without reservation.

Total value of tract \$14.04
 (Signature) _____
 Asst. Land Valuation Engineer

UNITED STATES DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

OHIO FEDERAL AID PROJECT 23-1

Tract Name: Lila G. Ashley

Tract No. (4)

163.00 Acres

Value

House, 1-story, 20x20x10, Fair condition, About 20 Yrs. Old \$400.00

Weatherboard siding

Gable roof, asphalt shingles

Terra Cotta block foundation

Has 7x20x15 cellar, terra cotta walls and dirt floor

Has 1 double flue built to ground with fireplace.

Interior, 4 rooms. Walls and ceilings plaster, lath, and paper. Floors good softwood. Interior trim and doors good condition.

Porch 8x12x6-10, Fair condition

Open; Shed roof, asphalt shingles

Concrete pier foundation

Porch 8x12x6-10, Poor condition

1/2 board siding, balance open

Shed roof, asphalt shingles

Concrete pier foundation

Remarks: This house was in excellent condition 3 years ago, when vacated. However, vandals have broken all the windows and doors and made holes in walls. House is repairable and habitable.

1 Well about 50 feet deep, drilled, with pump

75.00

Poultry House 20x10x7, Fair condition

Board siding; Shed roof, corrug roll

Foundation, stones; board floor

Barn 18x20x14, Good condition

Shed roof, board siding; Gable roof, corrug roll

Stone pier foundation

Plank floor, full left

Corn Crib 20x10x8-9, Fair condition

Board siding; Shed roof, Galv. iron

Foundation, terra cotta tile filled with concrete

Board floor

5.00

Granary and Wall house 16x20x12, Good condition

Matched board siding; Gable roof, wood shingles

Foundation, terra cotta tile filled with concrete

Plank floor, full left

145.00

Total

\$860.00

(Cont'd.)

Total Brought Forward	\$900.00
<u>Poultry House 16x20x4-8, Poor condition</u>	15.00
Cave siding, double walls	
Shed roof, wood shingles, very poor	
Wood pole foundation	
Dirt floor	
Total Value of Buildings	<u>\$875.00</u>
Total Value of Orchard	9.00
12 fruit trees @ \$3.75	
5 fruit trees @ \$1.80	
TOTAL VALUE OF IMPROVEMENTS	<u>\$884.00</u>
AVERAGE VALUE OF IMPROVEMENTS	\$5.42

Appraised by

Emilio Abbiate
Ass't Land Valuation Engineer

3-1071

1-40

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MIGRATORY-BIRD REFUGE

ACQUISITION EXAMINATION REPORT

Name **Hora McCully** No. **18** State **Ohio** County **Carroll**
 Acreage **65.50** Examined **June 1941** Report by **193**
 Legal description **Being a tract of land in Monroe Township**

Nearest town **Lancaster, Ohio** Distance **4 miles** Direction **Southwest**
 Offered by **Hora McCully** Address **ATATOT** Price **\$5.00**

Incumbrances **None**
 Occupants **None** (Name and address)

Buildings and improvements **None** (Dwellings, outbuildings, fences, etc.)

Reservations **None**

Soil: Composition **Sandy loam** Productive quality **Good**

Water **Small streams rise on area**

Average size of growth: Diameter of timber (breast high) **8 inches**

Height of young growth **35 feet** Density **75 percent**

Value per acre, land **\$32.3**

Value per acre, timber **\$**

Value per acre **\$6.55** Total value of tract **\$**

Recommended price per acre **\$8.00** Recommended total price **\$327.50**

Remarks: **(slit)**

(OVER)

Type

Res. Disc.
at 5%

Total Value[illegible]

TABLE NO. 2—STAND PER ACRE OF PRODUCTS

[illegible]

RECAPITULATION

[illegible]

RECOMMENDATIONS

It is recommended that this tract be purchased at \$5.00 per acre, without reservations.

02.752

(Signature) _____

(Title)

~~Ac's Land Reclamation Program~~ 01977

SUPPLEMENTAL REPORT

The two tracts comprising this project are located in the Muskegon Watershed Conservancy District in the Townships of Orange and Monroe in Carroll County, Ohio.

The Lila G. Ashley tract is a grazing farm which has been vacant for the past three years. The land is rolling and ideal for grazing. The hill tops are flat and can be readily cultivated. As a matter of fact practically all the cultivated land in this section of Ohio is on hill tops.

The soil is a sandy loam and is well drained. The land has not been cultivated for the past three years but is partially grazed. Although the farm has been unattended for a short period it has not as yet grown up to brush and weeds so as to hinder plowing or grazing of the land.

The buildings on the land are of excellent construction. However, vandals have broken the windows in the house as well as removed the columns from the porch, and made holes in the partition walls. The damage appears to be greater than it actually is. The house is worth repairing.

The barns and outbuildings are also of excellent construction but have not been wrecked. They have nevertheless depreciated a good deal during the past few years because of neglect.

The timber land on this tract is principally young growth with a few acres supporting merchantable timber. The stands are chiefly made up of mixed oak with a scattering of other hardwoods. The value assigned to the reproduction is based on the soil value, plus the value of the merchantable and near merchantable timber thereon. In this locality a limited number of pines and pine timber are found as well as rough lumber for the steel and ceramic mills nearby. Timber of this type can be harvested from trees as small as 10 inches d.b.h.

The Fern McGully tract is practically all woodland with several patches of brush-grazing. This land is grazed to a limited extent.

There follows in tabular form a listing of sales taken from the records of Carroll County. These sales cannot truly be called comparable. However, the first three on the list approximate the lands in question. The remainder of the sales have better buildings, and the land is now under cultivation.

Emilio Abbiati
Emilio Abbiati

Asst Land Valuation Engineer

July 12, 1943.

**COMPARABLE SALES SINCE 1936 CANNON COUNTY, OHIO RECORDS
APPLICABLE TO LILA S. ASHLEY TRACT 4 AND MARY MCCULLY TRACT 5**

<u>Grantor</u>	<u>Grantee</u>	<u>Record Book:Page</u>	<u>Date</u>	<u>Acreage</u>	<u>Con- veyance</u>	<u>Con- sideration</u>	<u>Value Assessed Per Acre</u>	<u>Remarks</u>
Harold Deemer	Wendell B. Price	108 508	5-25-40	48.0	Warr. Deed	\$ 800/1	\$11.90	\$9.40 Woodland, no buildings
James E. Price	Myrtle A. Borden	103 488	12-6-39	115.0	Warr. Deed	1,000/1	8.86	15.03 Buildings assessed @ \$1.60
William Waterhead Cannonsway District	John Pasture	110 140	4-6-37	174.67	Con- demnation	5,000	30.03	15.45 Buildings assessed @ \$200
Alceus Baker et vir	Paul L. Schneider	110 140	6-10-43	99.30	Warr. Deed	4,000/1	40.04	23.07 Buildings assessed @ \$800
Ch. E. Rutledge et ux	Harvey G. Moore et ux	106 128	4-6-39	16.30	Warr. Deed	800/1	30.67	24.30 Buildings assessed @ \$400
Mary Estella Smith	John E. Smalley	106 820	11-19-42	131.00	Warr. Deed	3,000/1	34.79	17.00 Buildings assessed @ \$540
Lila S. Ashley Trust No. 4							11.51	Buildings assessed @ \$100
Mary McCully Trust No. 5							6.00	101 woodlands, no buildings

1. Sale price determined from USR Stamps, maximum value used.



STATE OF OHIO
DIVISION OF CONSERVATION AND NATURAL RESOURCES
DON WATERS, COMMISSIONER
COLUMBUS

DEPARTMENT OF AGRICULTURE
JOHN T. BROWN, DIRECTOR

JOHN W. BRICKER
GOVERNOR

April 24, 1944

Mr. E. P. Rinehart
1013 Wyandotte Building
Columbus, Ohio

Dear Mr. Rinehart:

I wish to advise that acquisition of the following tracts of land situated in Brush Creek Township, Jefferson Co., have now been completed and titles of such lands are now vested with the State of Ohio.

Leslie V. Griffith and Mary E. Griffith, 245.95 acres.

Foster Ray Grafton and Alma Opal Grafton, 62.86 acres.

W. C. Felton and Myrtle Irene Felton, 40.87 acres.

Kate M. O'Brien, 160.30 acres.

Mary Ida Lutton and Wm. R. Lutton, 151.91.

Ralph E. Keller, 317.23 acres.

Elmer Russell and Bertha Russell, 36.56 acres.

Elmer Russell, et al., 651.43 acres.

Purchase of the following tracts situated in Carroll County have also been completed and title taken in the name of the State of Ohio.

Nora McCully, 62.49 acres, situated in Monroe Township, Carroll County.

Dorothy G. Ashley, 171.64 acres, situated in Orange Township, Carroll County.

Yours very truly,

HFW:DH

/s/ H. F. West, Chief
Accounting & Budget Section

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Date Chile
Contract No. I-557-5843

Project No. 29-1
Voucher No. 1 Final

SCHEDULE OF ESTIMATES, EXPENDITURES, AND BALANCES

Period ending May 15, 1944

ITEM No. (1)	ITEM (2)	LATEST COST ESTIMATES (3)	EXPENDITURES			BALANCE (7)
			Previous Vouchers (4)	This Voucher (5)	Total (6)	
8a	LANDS: Rosa McGully (U.P.) Bertha G. Ashley, heir of Lila G. Ashley (L.S.)	\$ 512.50	-----	512.48	512.48	\$ 30.02
8b		2,500.00	-----	2,500.00	2,500.00	-----
9a	OVERHEAD COSTS: Examination and negotiations Surveying, title abstracting and vesting	150.00	-----	-----	-----	150.00
9b		525.34	-----	525.34	525.34	-525.34
10	CONTINGENCY FUND:	217.50	-----	-----	-----	217.50
TOTALS,		\$ 3,500.00	-----	3,335.69	3,335.69	\$ 164.31

Contingency fund balance shown above \$ 217.50
Less aggregate overruns shown above \$ 225.34
Contingency fund balance as adjusted \$ Overrun

Chile Division of Conservation
and Natural Resources

Fish and Game Department.

By _____
Title Chief, Accounting and Budget Section

19. Estimated time to complete project: 90 days following approval of the Federal Aid in Wildlife Restoration administration.
20. The State of Ohio will proceed with project completion activities as soon as notified that this project has been approved and funds set apart for work accomplished.
21. Amount of funds which will be available for initial work:

State: \$3500.00. Source: Ohio Division of Conservation and Natural Resources under authority of Sections 1433 and 1435-1 of the General Code of the State of Ohio.

22. Funds for maintenance to be provided by the State of Ohio, Division of Conservation and Natural Resources under authority of Section 1435 of the General Code.
23. Official, officials, or depository authorized by State law to receive public funds of the State and designated by the State Fish and Game Department to receive Federal funds for this project: Commissioner, Ohio Division of Conservation and Natural Resources, is authorized by State law to receive public funds of the State.
24. Name of State and Federal employees who examined the area:

R. S. Millar, Land Acquisition Agent
Ed. Windsor, Game Mgt. Section
Ezra. Butterfield, Project Leader
Regina Schwall, Game Mgt. Agent.

Bryce Browning, Sec'y. U.S.F.W.S.
Edwin E. Toot, County Game Protector
Edwin P. Rinehart, Coordinator

25. This statement covers all of the work to be performed under the entire land acquisition program planned for this area.

Assurance is given that the foregoing information is given to the best ability of the State Fish and Game Department and that all of the provisions of the State affecting the power and authority of the State Fish and Game Department to cooperate with the Federal Government in relation to this project have been fully complied with.

Respectfully submitted: Ohio Division of Conservation and Natural Resources

Approved: Date Apr. 26, 1943

By 
Conservation Commissioner

H. S. Blocke
Regional Director

Approved: Date _____
SECRETARY OF THE INTERIOR

By _____
Acting Director, Fish and Wildlife Service