

**BEFORE THE  
OIL & GAS COMMISSION**

PAUL A. GRIM,

Appellant,

-vs-

DIVISION OF MINERAL RESOURCES  
MANAGEMENT,

Appellee.

Case No. 744

Review of Chief's Order 2004-100

**ORDER OF THE  
COMMISSION GRANTING  
JOINT MOTION FOR  
CONSENT DECISION**

The Oil & Gas Commission has received and reviewed the parties' Consent Agreement and finds it well taken. Accordingly, the Commission hereby **ADOPTS** the Consent Agreement. There being no outstanding issues of law or fact, the Commission hereby **DISMISSES** appeal no. 744, with prejudice.

Date Issued: 5/9/05

  
\_\_\_\_\_  
WILLIAM J. TAYLOR, Chairman

  
\_\_\_\_\_  
JOHN A. GRAY

  
\_\_\_\_\_  
JAMES H. CAMERON

\_\_\_\_\_  
MARILYN ENNIS

**DISTRIBUTION:**

John H. Pettorini  
Mark G. Bonaventura

BEFORE THE  
OIL & GAS COMMISSION

PAUL A. GRIM,	)	Case No. 744
	)	
Appellant,	)	
	)	
v	)	Review of Chief's Order
	)	No. 2004 -100
DIVISION OF MINERAL RESOURCES	)	
MANAGEMENT,	)	
	)	
Appellee.	)	

**RECEIVED**

**APR 29 2005**

**OIL AND GAS  
COMMISSION**

CONSENT AGREEMENT

Now come the parties, Appellant Paul A. Grim ("Appellant") and Appellee Division of Mineral Resources Management ("Division"), and in order to settle the instant appeal stipulate to the following facts and conditions.

**FACTS:**

1. Paul A. Grim is the "owner", as that term is defined in R.C. 1509.01(K), of the following oil and gas wells ("subject wells") which are located in Knox Township, Vinton County, Ohio.

Permit No. 163-00410	Brooks Garfield No. 1
Permit No. 163-00408	Brooks Garfield No. 3
Permit No. 163-00409	Brooks Garfield No. 4
Permit No. 163-00407	Brooks Garfield No. 5

2. Inspections by the Division found the subject wells to be incapable of production; therefore, pursuant to Revised Code 1509.12 and Revised Code 1509.072(B), these wells are required to be plugged and the well sites restored if not placed into production. As a result of these inspections, Chief's Order 2004-69 was issued ordering Appellant to place the subject wells into production or to plug the wells. Subsequently, when Appellant failed to comply with Chief's Order No. 2004-69, Chief's Order No.

2004-100, which is the subject of the instant appeal, was issued forfeiting Appellant's bond.

3. The subject wells have not been plugged or placed into production as required by law

**CONDITIONS**

4. Prior to plugging the wells by the time set forth below, Paul A. Grim shall obtain permits from the Division to plug the subject wells.

5. Paul A. Grim shall plug the subject wells and restore their well sites in accordance with the requirements of Ohio's oil and gas laws and in accordance to the following time schedule:

Permit No. 163-00409	Plugged by end of May, 2005	Restored by mid-Sept.
Permit No. 163-00408	Plugged by end of June, 2005	Restored by mid-Sept.
Permit No. 163-00410	Plugged by end of July, 2005	Restored by mid-Sept.
Permit No. 163-00407	Plugged by end of Aug., 2005	Restored by mid-Sept.

6. Paul A. Grim agrees to pay \$1000 as a penalty for violating Revised Code 1509.12. After Paul A. Grim has signed this Consent Agreement, a check made payable to Division in the amount of \$1000 shall be mailed to counsel for the Division along with the return of this Consent Agreement to Division's counsel.

7. For each deadline regarding the plugging of a well which is not met and/or for each deadline regarding the restoration of a well site which is not met, Paul A. Grim shall pay \$500 for each well which is not plugged or each well site which is not restored as required by the above-established deadlines. In addition, for each additional month or part of a month in which a deadline for the plugging of a well or restoration

of a well site is not met, Paul A. Grim shall pay an additional \$100 for each month or part of a month in which a deadline is not met.

8. Paul A. Grim shall be responsible to follow-up at each well site to insure full compliance with the requirements of R.C. Chapter 1509 and Ohio Administrative Code Chapter 1501, including but not limited to the establishment of vegetative cover to bind the soil and prevent substantial erosion. If necessary, Paul A. Grim will reseed the sites until proper growth occurs.

9. The schedule established by this Consent Agreement is based upon the fact that, at the present time, there is not evidence of contamination, pollution or substantial erosion occurring. In the event, contamination, pollution or substantial erosion is discovered at any of the wells or well sites, the terms of this agreement for that particular well or well site is not applicable and Paul A. Grim will take immediate action to prevent future contamination, pollution or substantial erosion and will take required actions to remediate any contamination, pollution or substantial erosion which has occurred.

10. All work on the wells or well sites shall be performed in a prudent and workmanlike manner and in compliance with the requirements of R.C. Chapter 1509 and Chapter 1501 of Ohio Administrative Code.

11. If Paul A. Grim timely performs all of these conditions, the Division will rescind its bond forfeiture order - Chief's Order 2004-100.

12. In the event that Paul A. Grim fails to meet any of these conditions, the Division will forfeit Paul A. Grim's bond without further notice by the Division. Paul A. Grim waives any rights of appeal from such bond forfeiture.

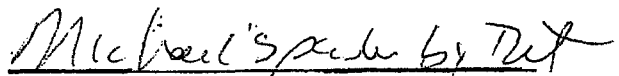
13. Nothing in this Consent Agreement shall be construed so as to prejudice the right of the Division of Mineral Resources Management to issue other decisions and orders to enforce the provisions of R.C. Chapter 1509 and Ohio Admin. Code Chapter 1501, including the seeking of injunctive relief and civil penalties for the failure to comply with this Consent Agreement.

14. In the event of any default of the conditions set forth herein, the Division may elect all remedies it deems appropriate. Further, in the event of default, Paul A. Grim, its officers, assigns and successors-in-interest agree that, in any litigation brought by the Division to enforce this Consent Agreement, venue shall be proper in the Court of Common Pleas for Franklin County, Ohio.

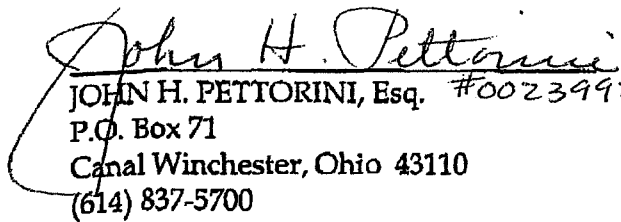
15. The instant appeal is dismissed with prejudice.



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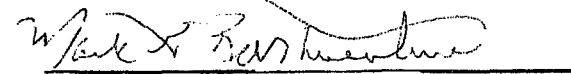


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