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Division of Oil and Gas

BEFORE THE

OIL & GAS BOARD OF REVIEW

HALWELL COMPANY,
Appellant,

-vs-

DONALD L. MASON, CHIEF,
DIVISION OF OIL & GAS,
Appellee.


[REDACTED]

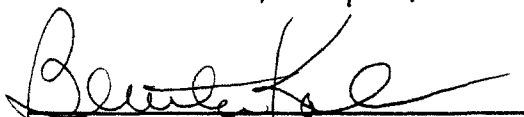
Review of Chief's Order 96-199

ORDER OF THE BOARD
GRANTING JOINT MOTION
FOR CONSENT DECISION

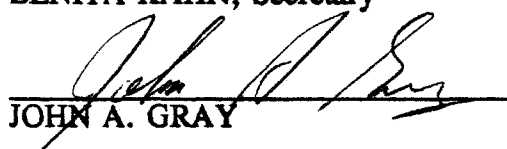
The Oil & Gas Board of Review has received and reviewed the parties' proposed Consent Decision and finds it well taken. Accordingly, the Board hereby ADOPTS the Consent Decision. There being no outstanding issues of law or fact, the Board hereby DISMISSES appeal no. 595, with prejudice.

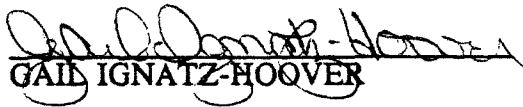
Date Issued: 2/26/97


WILLIAM J. TAYLOR, Chairman


BENITA KAHN, Secretary

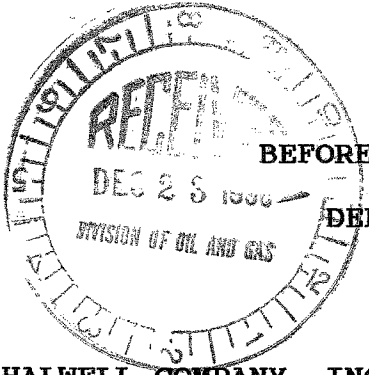
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BEFORE THE OIL AND GAS BOARD OF REVIEW

AND GAS BOARD
OF REVIEW
DEC 03 1996

DEPARTMENT OF NATURAL RESOURCES

STATE OF OHIO

HALWELL COMPANY, INC.)

Appellant,)

v.)

DONALD L. MASON, Esq., Chief,)
Division of Oil and Gas)
Ohio Department of Natural)
Resources,)

Appellee.)

APPEAL NO. 595

CHIEF'S ORDER NO. 96-199

CONSENT AGREEMENT

Now come the parties, appellant, Halwell Company, Inc. and appellee, Donald L. Mason, Chief of the Division of Oil and Gas, who, in order to settle the administrative proceeding captioned Halwell Company, Inc. v. Donald L. Mason, Chief, Division of Oil and Gas presently pending before the Oil and Gas Board of Review as Appeal No. 595 (Chief's Order No. 96-199), stipulate to the following facts and conditions:

FACTS

1. Halwell Company, Inc. is the owner of the oil and gas well known as the Reef No. 1A well, Permit 2435, which is located in Green Township, Monroe County, Ohio.

2. Inspections by the Division of Oil and Gas found that the Reef No. 1A well was incapable of producing oil and gas in commercial quantities.

3. On or about February 21, 1995, Halwell Company, Inc. requested permission to delay the plugging of the Reef No. 1A well. Permission was given by the Division to delay the production or plugging of the Reef 1A well until May 31, 1996.

4. Inspections by the Division after May 31, 1996 found that the Reef No. 1A well had been neither put into production nor plugged and was incapable of production.

5. Chief's Order 96-199 was issued on July 25, 1996 by the Chief of the Division of Oil and Gas requiring Halwell Company, Inc. either to place the Reef No. 1A well into production within 10 days of the receipt of the Order or to cause the Reef 1A well to be plugged and abandoned within 30 days of receipt of the Order. Certified mail service of Chief's Order 96-199 was signed for on July 26, 1996.

6. The Reef No. 1A well was not placed into production within 10 days of the receipt of Chief's Order 96-199 nor was it produced within 30 days of its receipt. As of the execution of this Consent Agreement, this well has not produced nor been plugged and restored.


CONDITIONS

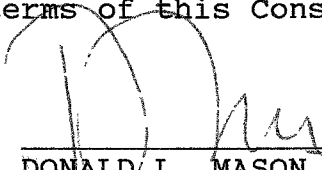
7. By December 28, 1996, Halwell Company, Inc. shall either place into production or plug, in accordance with the requirements of R.C. Chapter 1509. and Ohio Admin. Code Chapter 1501., the Reef No. 1A well and shall restore, in accordance with the requirements of R.C. 1509. and Ohio Admin. Code 1501., the wellsite for this well within 6 months of its plugging. In the event a reason

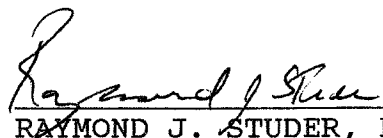
develops which Halwell Company, Inc. feels prohibits the producing or plugging of the Reef 1A well or the restoration of its wellsite within the time set forth herein, Halwell Company, Inc. shall contact Richard Shockley, the Regional Administrator of the Ohio Division of Oil and Gas. Mr. Shockley or his appointed representative will inspect the Reef 1A well and wellsite and determine if additional time should be granted.

8. This appeal is dismissed with prejudice.

9. The Division of Oil and Gas reserves all rights to enforce R.C. Chapter 1509. and Ohio Admin. Code Chapter 1501. including but not limited to the filing of a civil action seeking injunctive relief and civil penalty for the failure of Halwell Company, Inc. to comply with the terms of this Consent Agreement.


_____, 11/22, 1996
HALWELL COMPANY, INC.
by Eddy L. Biehl, its
President and Director
who has the authority
to enter into and bind
Halwell Company, Inc.


_____, 1996
DONALD L. MASON, Esq.
Chief, Division of Oil & Gas
4383 Fountain Sq., Bldg. B-3
Columbus, OH 43224


_____, 11/20, 1996
RAYMOND J. STUDER, Esq.
Assistant Attorney General
Environmental Enforcement Sec.
Division of Oil and Gas
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Columbus, OH 43224
(614) 265-6939