

OIL AND GAS BOARD OF REVIEW

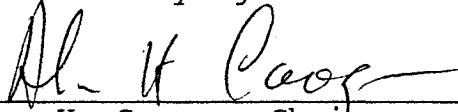
STATE OF OHIO

INTERNATIONAL ENERGY)
CONSULTANTS, INC.,)
)
Appellant,) Appeal No. 412
) Chief's Order No. 90-358
v.)
)
SCOTT KELL, ACTING CHIEF)
Division of Oil and Gas,)
Ohio Department of Natural)
Resources)
)
Appellee.)

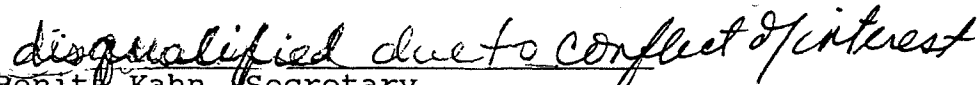
ORDER

The Appellant and Appellee filed a Joint Request for Continuance on the hearing scheduled for Wednesday, February 27, 1991, on Appeal No. 412.

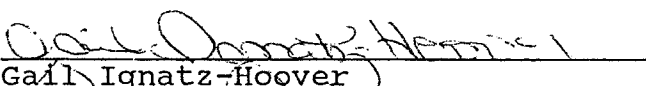
The Board has considered this continuance and the representation of the parties that this Appeal No. 412 should be settled with a consent order. Therefore, the Board finds the motion well taken and hereby grants the Joint Motion for Continuance.



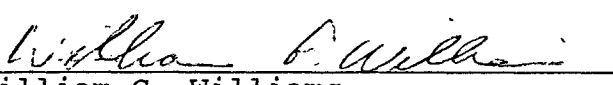
Alan H. Coogan, Chairman

disqualified due to conflict of interest


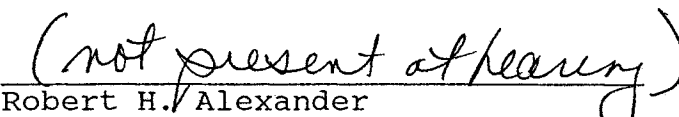
Benita Kahn, Secretary



Gail Ignatz-Hoover



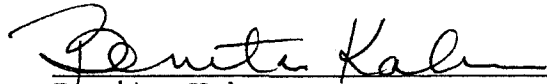
William G. Williams

(not present at hearing)


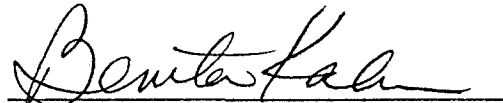
Robert H. Alexander

CERTIFICATE OF SERVICE

I hereby certify that, to the best of my knowledge, a copy of the foregoing Order was served, via certified United States Mail, postage pre-paid, this 28th day of February, 1991, to John K. Keller, Vorys, Sater, Seymour & Pease, 52 East Gay Street, Columbus, Ohio 43215.


Benita Kahn

I hereby certify that, to the best of my knowledge, a copy of the foregoing Order was served, via regular United States Mail, postage pre-paid, this 28th day of February, 1991, to counsel for appellee Chief of the Division of Oil and Gas, Ohio Department of Natural Resources, Assistant Attorney General Todd Musheff, Environmental Enforcement Section, at Fountain Square, Building A, Columbus, Ohio 43224.


Benita Kahn

OIL AND GAS BOARD
OF REVIEW
APR 1 1991

BEFORE THE OIL AND GAS BOARD OF REVIEW
STATE OF OHIO

INTERNATIONAL ENERGY)
CONSULTANTS, INC.,)
)
Appellant,)
)
v.)
)
SCOTT R. KELL, Acting Chief,)
Division of Oil and Gas,)
Ohio Dept. of Natural Resources,)
)
Appellee.)

APPEAL NO. 412
REVIEW OF CHIEF'S ORDER
NO. 90-358

JOINT MOTION FOR CONSENT DECISION

Now come the parties to the above action with their Joint Motion and respectfully request this Board to adopt the following Consent Decision and dismiss the instant appeal with prejudice.

WHEREAS:

A. On May 4, 1990, Chief's Order No. 90-358 was issued to appellant International Energy Consultants, Inc., ordering appellant its successors, assignees, and agents, to cause the No. Three (3) well on the Fry lease, Permit No. 3028, located in Benton Township, Monroe County, Ohio, to be properly plugged and abandoned. Chief's Order No. 90-358 further ordered all work to properly plug and abandon the above-referenced well must be completed in a prudent and workmanlike manner within thirty (30) days of receipt of Chief's Order No. 90-358.

B. On June 11, 1990, appellant filed an appeal of Chief's Order No. 90-358 with the Oil and Gas Board of Review in accord-

ance with R.C. Chapter 1509 and the rules adopted pursuant thereto.

C. Prior to the hearing of any issue of law or fact, an agreement was reached between the parties to this action which disposed of the need for a hearing of this matter.

NOW THEREFORE, in settlement of this matter, the parties hereby agree to the following:

1. Appellant International Energy Consultants, Inc., consents to the entry of this Consent Decision and waives any objection or further right to appeal it may have with respect to this appeal for the purpose of settling the claims alleged in the appeal.

2. The provisions of this Consent Decision shall apply to and be binding upon the parties to this action, their agents, officers, employees, assignees, heirs, and successors in interest.

3. Appellant agrees to transfer of R.C. 1509.01(K) ownership of the above-described well in accordance with R.C. Chapter 1509, and, in particular, R.C. 1509.31, by filing a "Form 7" with the Division of Oil and Gas, **on or before August 1, 1991.**

4. In the event transfer of R.C. 1509.01(K) ownership of the above-described well has not occurred **on or before August 1, 1991,** appellant, its agents, officers, employees, assignees, heirs, and successors in interest shall cause the above-described well to be properly plugged and abandoned in accordance with R.C.

Chapter 1509 and the rules adopted pursuant thereto by September 1, 1991.

5. Nothing in this order shall be construed so as to prejudice the right of the Division of Oil and Gas to issue other decisions and orders and enforce the provisions of R.C. Chapter 1509 and Chapter 1501 of the Ohio Administrative Code.

6. All parties to this action state that they have read and fully understand this Consent Decision and agree to comply with it fully.

7. Appeal No. 412 is dismissed with prejudice.

Respectfully submitted,

LEE FISHER
ATTORNEY GENERAL OF OHIO

By: Laura Steffee by telephone 4/1/91
LAURA J. STEFFEE *Anthony J. Guiliani* Date
Assistant Attorney General
Environmental Enforcement Section
Division of Oil and Gas
Bldg. A, 4435 Fountain Sq. Drive
Columbus, Ohio 43224
(614) 265-6939
Counsel for Appellee

Anthony J. Guiliani 4/1/91
ANTHONY GUILIANI Date
Vorys, Sater, Seymour & Pease
52 E. Gay St., P.O. Box 1008
Columbus, Ohio 43216-1008
Counsel for Appellant