

BOARD OF OIL AND GAS REVIEW  
DIVISION OF OIL AND GAS



DEPARTMENT OF NATURAL RESOURCES, STATE OF OHIO

BAY STATE EXPLORATION COMPANY  
P. O. Box 100  
Chestnut Hill, Mass.  
02167

Appellant

APPEAL NO. 219

vs

RENEE J. HOUSER, CHIEF  
Division of Oil & Gas  
Ohio Department of Natural Resources  
Fountain Square  
Columbus, Ohio 43224

Appellee

Appearances:

For Appellant: Mr. F. A. Horgos, Pres.  
Bay State Exploration  
Company  
250 Boylston St.  
Chestnut Hill, Mass.  
02167

For Appellee: Anthony J. Celebresse,  
Jr., Attorney General  
By: John MacGuire  
Asst. Attorney General  
Fountain Square  
Columbus, Ohio 43224

CERTIFIED TRUE AND CORRECT COPY

William G. Williams  
William G. Williams, Secretary  
Ohio Oil and Gas Board of Review

*20 Franklin Co.  
CPC*

## ENTRY

This matter came on for hearing before the Oil and Gas Board of Review on March 5, 1987, in the First Floor Conference Room, Building E, Fountain Square, Columbus, Ohio, pursuant to a Notice of Appeal filed by the Appellant. The appeal was taken from the Order of the Chief, Division of Oil and Gas, No. 86-365, to the Oil and Gas Insurance Company dated November 20, 1986, regarding the forfeiture of Bond No. BD 34-000141-04.

## ISSUES

The specific issue raised in this Appeal is whether the Chief of the Division of Oil and Gas lawfully and reasonably ordered the forfeiture of the bond after the Order of the Chief to Bay State Exploration to plug or produce the Barnett No. 1, Freeland No. 1, T. & L. Scanlan No. 1, C. and R. Fout No. 1, and E. Fout No. 1 wells in Jackson Township, Vinton County, Ohio.

## FINDINGS OF FACT

Based on the testimony of the witnesses and the documents submitted and accepted by the Board, the Board makes the following findings of fact:

1. The Appellant, Bay State, failed to appear for its appeal at the prior hearing before the Board on the order to plug or produce the wells in question or they were part of a settlement agreement.
2. The Appellant has neither plugged or produced the wells in question pursuant to the Order of the Chief.

3. The remedy of bond forfeiture follows from and out of the prior failure to comply with the order to plug or produce.

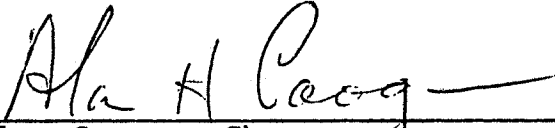
4. Appellant has failed to submit a plan for plugging of the wells or has failed to carry out the settlement agreement regarding plugging the wells.

5. The Oil and Gas Insurance Company did not appear jointly or separately with the appellant.

6. The prior order of the Board in Appeal 86-183 was not appealed and stands as a valid order as to the plugging of the wells.

Based on these findings of fact, the Board of Oil and Gas Review ORDERS that Appeal 219 is hereby DISMISSED and that the Adjudication Order No. 86-365 be and hereby is AFFIRMED.

This order is effective this 5th day of March, 1987.

  
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Alan Coogan, Chairman

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Beatrice Wolper

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Robert H. Alexander

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