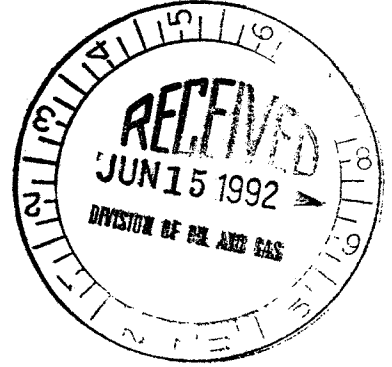


BEFORE THE OHIO OIL AND GAS BOARD OF REVIEW

MCFIN OIL COMPANY, :
Appellant. :
v. :
DONALD L. MASON, CHIEF :
DIVISION OF OIL AND GAS :
Appellee. :

APPEAL NO. 361



ORDER

Upon Joint Notice of Withdrawal filed by Appellant and Appellee, the Board HEREBY DISMISSES Appeal No. 361.

Alan H. Coogan*
Alan H. Coogan

Benita Kahn
Benita Kahn

Gail Ignatz-Hoover*
Gail Ignatz-Hoover

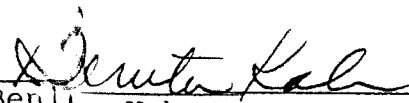
James H. Cameron*
James H. Cameron

William G. Williams*
William G. Williams

* per authorization granted in telephone conference 6/3/92

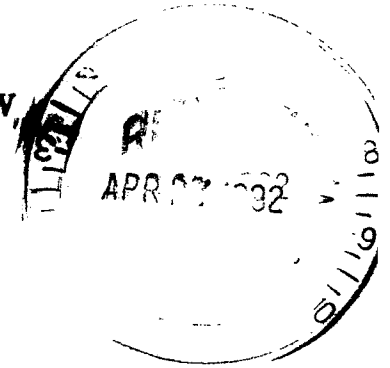
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was served on J W. Findley, Sr., McFin Oil Company, 558 Greenhurst Drive Pittsburgh, PA 15243-2030 and Ray Studer, Assistant Attorney General, Division of Oil and Gas, Environmental Enforcement Section, 4435 Fountain Square, Building A, Columbus, Ohio 43224 by certified U.S. Mail, postage prepaid this 12 day of June, 1992.



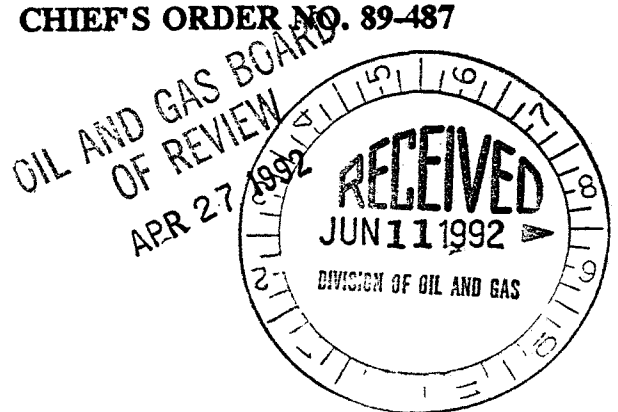
Benita Kahn

BEFORE THE OIL AND GAS BOARD OF REVIEW
DEPARTMENT OF NATURAL RESOURCES
STATE OF OHIO



MCFIN OIL COMPANY)
)
 Appellant,)
)
 v.)
)
)
 DONALD L. MASON Chief,)
 Division of Oil and Gas,)
 Department of Natural Resources)
)
 Appellee.)

APPEAL NO. 361
CHIEF'S ORDER NO. 89-487



SETTLEMENT AGREEMENT AND JOINT NOTICE OF WITHDRAWAL

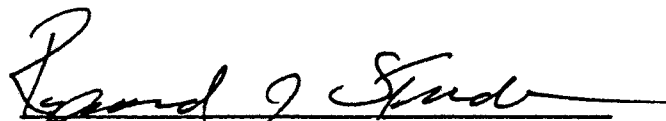
Now come appellant McFin Oil Company and appellee Chief of the Division of Oil and Gas and hereby jointly notify the Oil and Gas Board of Review that the instant appeal, Appeal No. 361, has been jointly resolved as follows:

- (1) Upon the filing of this settlement agreement, the parties jointly withdraw Appeal No. 361;
- (2) The parties agree that the Roth #3 well is currently in compliance with Chief's Order No. 89-487;
- (3) Upon the filing of this settlement agreement, the Chief of the Division of Oil and Gas shall amend Chief's Order No. 89-487, which is the subject of this appeal. A copy of amended Chief's Order No. 89-487 is appended hereto and incorporated by reference as if fully re-written herein;

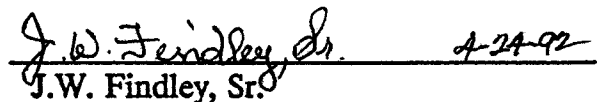
- (4) Appellant McFin Oil Company hereby waives its right to appeal Amended Chief's Order No. 89-487, referred to in 13 of the instant settlement agreement;
- (5) Nothing in this Settlement Agreement and Joint Notice of Withdrawal shall be construed to limit the right of the Division of Oil and Gas to issue other decisions and orders and to enforce R.C. Chapter 1509 and the rules promulgated and orders and terms and conditions of permits issued thereunder;
- (6) The plugging of the Roth wells shall be undertaken in compliance with Ohio and Federal OSHA rules and regulations.

Respectfully submitted,

LEE FISHER
ATTORNEY GENERAL OF OHIO



RAYMOND J. STEDDER
Assistant Attorney General
Environmental Enforcement Section
Division of Oil and Gas
Fountain Square, Building A
Columbus, Ohio 43224
Counsel for Appellee Chief of
the Division of Oil and Gas



J.W. Findley, Sr.
Operator and Co-Owner—
McFin Oil Company
558 Greenhurst Drive
Pittsburgh, Pennsylvania 15243-2030
(412) 531-1321

ODNR

OHIO DEPARTMENT OF
NATURAL RESOURCES

Fountain Square
Columbus, Ohio 43224

AMENDMENT TO CHIEF'S ORDER:

ORDER NO. 89-487

TO: McFin Oil Company
558 Greenhurst Drive
Pittsburgh, PA 15243

RE: Permit No. 601, Well #3, Roth Lease,
Permit No. 668-1, Well #7, Roth Lease,
Permit No. 668-2, Well #8, Roth Lease,
Clay Township, Tuscarawas County, Ohio.

SUBJECT: Amendment to Chief's Order No. 89-487/Plugging Required

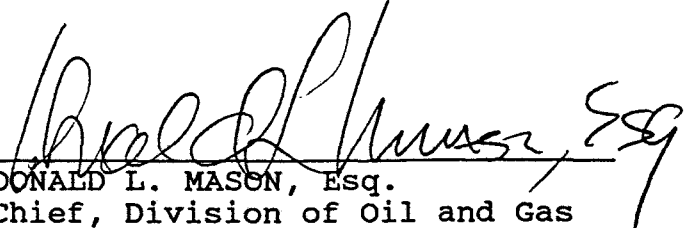
The following amendment to Chief's Order No. 89-487 is made and entered upon the records of the Division of Oil and Gas as the result of the Joint Notice of Withdrawal filed in Appeal No. 417 before the Oil and Gas Board of Review.

Chief's Order No. 89-487 shall be amended to read as follows:

BE IT ORDERED:

- (7) All work to properly plug and abandon the Roth #7 and Roth #8 wells must be completed in a prudent and workmanlike manner **by June 30, 1992**. All work to properly restore the Roth #7 and Roth #8 wellsites must be completed in a prudent and workmanlike manner **by July 30, 1992**.
- (8) McFin Oil Company shall comply with applicable Ohio and Federal Occupational Safety and Health Administration rules and regulations.

4/20/92
Issue Date


DONALD L. MASON, Esq.
Chief, Division of Oil and Gas

JAS:ac

cc: Rick Simmers, Northern Region Supervisor
Jay Cheslock, District Supervisor
Mark Moreland, Inspector
Well File

CERTIFIED MAIL NO.
P 521 232 470