

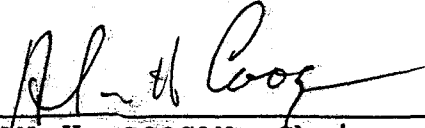
**BEFORE THE OIL AND GAS BOARD OF REVIEW**  
**FRANKLIN COUNTY, OHIO**

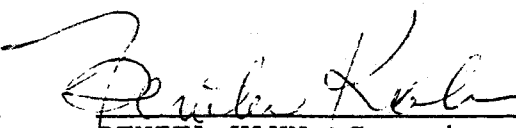
**COSHOCTON PIPE COMPANY,** )  
 )  
 ) **Appellant,** )  
 )  
 ) **v.** )  
 )  
 ) **J. MICHAEL BIDDISON, Chief,** )  
 ) **Division of Oil and Gas,** )  
 ) **Ohio Dept. of Natural Resources,** )  
 )  
 ) **Appellee.** )

**APPEAL NO. 391**  
**REVIEW OF CHIEF'S ORDER**  
**NO. 90-26**

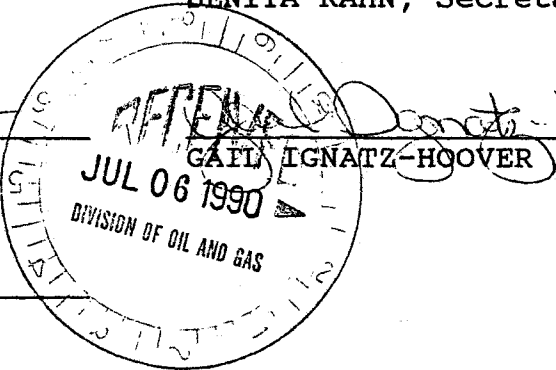
**ENTRY AND ORDER**

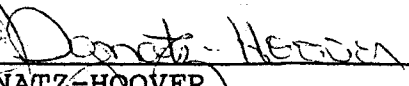
This cause came for hearing before the Oil and Gas Board of Review on March 13, 1990. At the hearing, the parties hereto reached an oral agreement that disposed of the need for a hearing of this matter. Now before this Board is the parties' Joint Motion for Consent Decision. The Board has reviewed the Joint Motion and finds it well-taken. The Board hereby adopts the Consent Decision submitted by the parties hereto and dismisses the above appeal with prejudice.

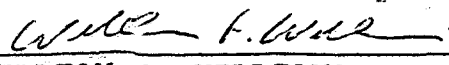
  
\_\_\_\_\_  
ALAN H. COOGAN, Chairman

  
\_\_\_\_\_  
BENITA KAHN, Secretary

  
\_\_\_\_\_  
ROBERT H. ALEXANDER



  
\_\_\_\_\_  
GAIL IGNATZ-HOOVER

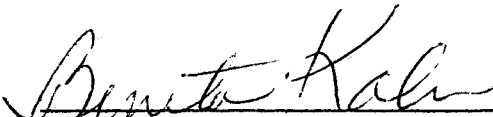
  
\_\_\_\_\_  
WILLIAM G. WILLIAMS

**CERTIFICATE OF SERVICE**

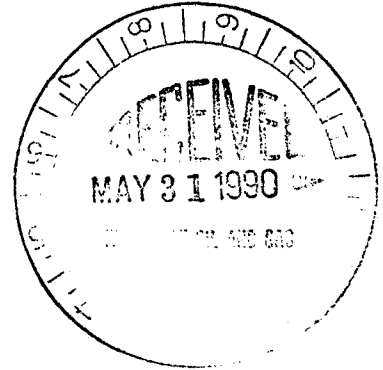
The undersigned hereby certifies that a copy of the foregoing document was served upon Jeffrey C. House, Arter & Hadden, One Columbus, Ten West Broad Street, Columbus, Ohio 43215, by Certified Mail, postage prepaid, this 3<sup>rd</sup> day of July, 1990.

  
\_\_\_\_\_  
BENITA KAHN, Secretary

The undersigned hereby certifies that a copy of the foregoing document was served upon Laura J. Steffee, Assistant Attorney General, Environmental Enforcement Section, Division of Oil and Gas, Building A, 4435 Fountain Square Drive, Columbus, Ohio 43224 by regular U.S. mail, postage prepaid, this 3<sup>rd</sup> day of July, 1990.

  
\_\_\_\_\_  
BENITA KAHN, Secretary

BEFORE THE OIL AND GAS BOARD OF REVIEW  
FRANKLIN COUNTY, OHIO



COSHOCTON PIPE COMPANY, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 J. MICHAEL BIDDISON, Chief, )  
 Division of Oil and Gas, )  
 Ohio Dept. of Natural Resources, )  
 )  
 Appellee. )

APPEAL NO. 391  
REVIEW OF CHIEF'S ORDER  
NO. 90-26

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 February 2, 1990, Chief's Order No. 90-26 was issued to Appellant Coshocton Pipe Company ordering Appellant, its successors, assignees, and agents, to cause the Number Two (2) well on the J. Fry lease, Permit Number 3912, located in Perry Township, Morrow County, Ohio, to be properly plugged and abandoned. Chief's Order No. 90-26 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. 90-26.

B. On February 9, 1990, Appellant filed an appeal of Chief's Order No. 90-26 with the Oil and Gas Board of Review in accordance with R.C. Chapter 1509 and the rules promulgated thereunder.

C. On March 13, 1990, this appeal came for hearing before the Oil and Gas Board of Review and at that hearing, 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 Coshocton Pipe Company consent to the entry of this Consent Decision and waives any objection or further right to appeal he 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 signatories hereto, their agents, officers, employees, assignees, heirs, and successors in interest.

3. Appellant Coshocton Pipe Company expressly denies the allegations described in Chief's Order No. 90-26.

4. Appellant Coshocton Pipe Company agrees to place the well described above in Paragraph A into production or make it capable of production to the satisfaction of the Division of Oil and Gas, on or before June 15, 1990.

5. Appellant Coshocton Pipe Company shall give written or oral notice within forty-eight (48) hours to the Division of Oil and Gas when the referenced well has been either placed into production or been made capable of production.

6. In the event the referenced well has not been either placed into production or made capable of production, to the

satisfaction of the Division of Oil and Gas by June 15, 1990, Appellant Coshocton Pipe Company, its successors, assignees, and agents, shall cause the well to be properly plugged and abandoned by July 16, 1990.

7. 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 provisions of R.C. Chapter 1509 and Chapter 1501 of the Ohio Administrative Code.

8. Appeal No. 391 is dismissed with prejudice.

Respectfully submitted,

ANTHONY J. CELEBREEZE, JR.  
ATTORNEY GENERAL OF OHIO

By: Laura J. Steffee 5-31-90  
LAURA J. STEFFEE Date  
Assistant Attorney General  
Environmental Enforcement  
Section  
Division of Oil and Gas  
Building A,  
4435 Fountain Square Drive  
Columbus, Ohio 43224  
(614) 265-6939  
Counsel for Appellee

By: Jeffrey C. House  
JEFFREY C. HOUSE Date  
Arter & Hadden  
One Columbus, Suite 2100  
10 West Broad Street  
Columbus, Ohio 43215  
(614) 221-3155  
Counsel for Appellant