

BEFORE THE OIL AND GAS BOARD OF REVIEW
STATE OF OHIO




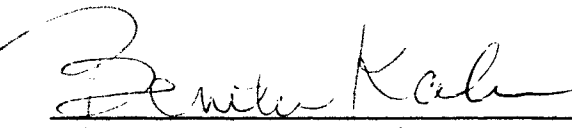
WORTHINGTON OIL CO., INC.,)
)
 Appellant,)
)
 v.)
)
 J. MICHAEL BIDDISON, Chief,)
 Division of Oil and Gas,)
 Ohio Dept. of Natural Resources,)
)
 Appellee.)

APPEAL NO. 393
REVIEW OF CHIEF'S ORDER
NO. 90-27

ENTRY AND ORDER

This matter came for hearing before the Oil and Gas Board of Review on June 27, 1990. Prior to the hearing, the parties hereto reached an agreement that disposed of the need for a hearing of this matter. Now before this Board is the parties' Joint Motion to 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

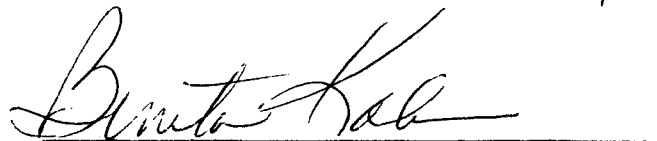

WILLIAM G. WILLIAMS

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 3rd day of July, 1990.


BENITA KAHN, Secretary

The undersigned hereby certifies that a copy of the foregoing document was served upon Scott E. Farkas, 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 3rd day of July, 1990.


BENITA KAHN, Secretary

BEFORE THE OIL AND GAS BOARD OF REVIEW

STATE OF OHIO

WORTHINGTON OIL CO., INC.,)	
)	
Appellant,)	
)	
v.)	APPEAL NO. 393
)	
J. MICHAEL BIDDISON, Chief,)	REVIEW OF CHIEF'S ORDER
Division of Oil and Gas,)	NO. 90-27
Ohio Dept. of Natural Resources,)	
)	
Appellee.)	

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. 90-27 was issued to appellant Worthington Oil Co., Inc., ordering appellant, its successors, assignees, and agents, to cause the Number One (1) well on the Jacoby Lease, Permit No. 3271, located in North Bloomfield Township, Morrow County, Ohio, to be properly plugged and abandoned. Chief's Order No. 90-27 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. 90-27.

B. On February 14, 1990, appellant filed an appeal of Chief's Order No. 90-27 with the Oil and Gas Board of Review in accordance with R.C. Chapter 1509 and the rules promulgated thereunder.

C. On June 27, 1990, this appeal was scheduled for hearing before the Oil and Gas Board of Review; however, 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 Worthington Oil Co., 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 signatories hereto, their agents, officers, employees, assignees, heirs, and successors in interest.

3. Appellant Worthington Oil Co., Inc. agrees to either place the well described above in Paragraph A into production, make it capable of production, or properly plug and abandon, all to the satisfaction of the Division of Oil and Gas, **on or before July 27, 1990**, in accordance with R.C. Chapter 1509 and the rules adopted thereunder.


4. Appellant Worthington Oil Co., Inc. 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.


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. Appeal No. 393 is dismissed with prejudice.

Respectfully submitted,

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

By:  6/27/90
SCOTT E. FARKAS 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

 6/27/90
JEFFREY HOUSE Date
Arter & Hadden
One Columbus, Suite 2100
Ten West Broad Street
Columbus, Ohio 43215
Counsel for Appellant