

BEFORE THE OIL AND GAS BOARD OF REVIEW

DEPARTMENT OF NATURAL RESOURCES

STATE OF OHIO

ATLAS ENERGY GROUP, INC., :
Successor by Merger of Ohio :
Industrial Energy, Inc., :
Appellant, :
vs. : APPEAL NO. 26
THE STATE OF OHIO, Acting by :
and Through the Chief of the :
Division of Oil and Gas, :
Appellee. :

Appearances: For the Appellant -- Bruce E. Smith
Geiger & Teeple
404 First National Bank Bldg.
Alliance, Ohio 44601
For the Appellee -- William J. Brown
Attorney General
By Stephen P. Samuels
Assistant Attorney General
30 East Broad Street
Columbus, Ohio 43215

ENTRY AND ORDER DISMISSING APPEAL

This matter came on for hearing before the Oil and Gas Board of Review on March 19, 1980, at 10:00 a.m. at Fountain Square, Building C, Columbus, Ohio, pursuant to a Notice of Appeal dated January 24, 1980 and filed herein on January 25, 1980, by the Appellant appealing from Adjudication Order No. 234 issued by Andrew S. Skalkos, Chief of the Division of Oil and Gas on January 24, 1980. The case was submitted to the Board on the record and the argument and briefs of counsel.

Adjudication Order No. 234 is an order requiring Ohio Industrial Energy, Inc., succeeded to by merger as Atlas Energy Group, Inc. ("Atlas"), to plug and abandon a certain well, known as the Brainard - McAllister No. 2 well

located in Champion Township, Trumbull County, Ohio. The Order was issued pursuant to Section 1509.12 of the Ohio Revised Code.


Subsequent to the hearing, on April 22, 1980, the Board was informed by letter from counsel for Atlas that the subject well had been plugged in accordance with the rules and regulations of the Department of Oil and Gas. Atlas also requested that this appeal be dismissed. On April 28, the Board was informed by letter from Chief Skalkos that Atlas did in fact plug and abandon the subject well and also requested that the Board consider the matter closed.

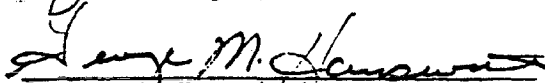
Pursuant to Section 1509-1-09 of the Rules of Practice and Procedure of the Board an appeal may be withdrawn upon application of appellant or the Chief and upon the concurrence of the Board. Since requests for withdrawal have been received by both parties it is the decision of the Board to dismiss this appeal with prejudice.


NOW, THEREFORE, it is hereby ordered that the appeal is dismissed with prejudice and that Adjudication Order No. 234 is hereby affirmed.


3rd day of July, 1980.

OIL AND GAS BOARD OF REVIEW


James J. Morgan, Chairman


George M. Hauswirth, Secretary


Robert W. Alexander


Arie Janssens


Lance W. Schneier

