

BEFORE THE OIL AND GAS BOARD OF REVIEW

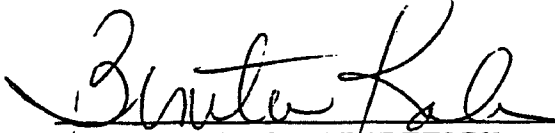
DEPARTMENT OF NATURAL RESOURCES

ESTATE OF ELMER MCDOUGAL :
Appellant, :
v. : APPEAL NO. 502
DONALD L. MASON, Chief : CHIEF'S ORDER NO. 92-120
Division of Oil and Gas :
Ohio Department of Natural :
Resources :
Appellee. :

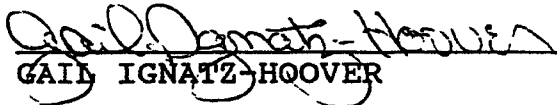
ENTRY AND ORDER

The Oil and Gas Board of Review has received and reviewed the parties' Joint Motion for Consent Decision and finds it well taken. Accordingly, the Board hereby ADOPTS the Consent Decision. There being no issue of law or fact that needs to be heard, the Board hereby dismisses Appeal No. 502 with prejudice.


ALAN COOGAN, CHAIRMAN


BENITA KAHN, SECRETARY


JAMES H. CAMERON


GAIL IGNATZ-HOOVER

WILLIAM TAYLOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was served by regular U.S. Mail, postage prepaid this 15th day of March, 1993 upon L. Kent Riethmiller, 110 North Main Street, Woodsfield, Ohio 43793, and Joan Fishel, Assistant Attorney General, Division of Oil and Gas, Environmental Enforcement Section, Bldg. A, 4435 Fountain Square Drive, Columbus, Ohio 43224.


BENITA KAHN, SECRETARY

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

JOHN O. MCDOUGLAL, Executor
OF THE ESTATE OF ELMER
MCDOUGAL,

Appellant

v.

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

Appellee.

OIL AND GAS BOARD

13 1992

REVIEW OF CHIEF'S ORDER
NO. 92-120

JOINT MOTION FOR CONSENT DECISION

Now come the parties to this action with their Joint Motion for Consent Decision and respectfully request this Board to adopt the attached Consent Decision and dismiss the instant appeal with prejudice.

Respectfully submitted,

LEE FISHER
ATTORNEY GENERAL OF OHIO

L. Kent Riethmiller

L. KENT RIETHMILLER
110 North Main Street
Woodsfield, OH 43793
(614) 472-0717
Counsel for Appellant

By:

Joan I. Fishel

JOAN I. FISHEL
Assistant Attorney General
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Bldg. A, 4435 Fountain Sq.
Columbus, OH 43224
(614) 265-6939
Counsel for Appellee



B. On or about May 6, 1992, Appellant filed an appeal of Chief's Order No. 92-120 with the Oil and Gas Board of Review. This appeal was docketed as Appeal No. 502.

C. Prior to hearing of any issue of law or fact in this appeal, an agreement was reached between the parties to this action which disposed of the need of hearing on this matter.

NOW, THEREFORE, in settlement of this matter, the parties hereby agree to the following:

1) Appellant John O. McDougal, Executor of the Estate of Elmer McDougal, consents to the entry of this CONSENT DECISION and waves 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 parties to this action, their agents, officers, employees, assignees, heirs, and successors in interest.

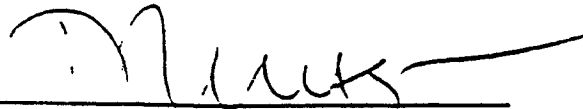
3) Appellant agrees to plug the oil and gas well identified as Permit No. 3575, Well No. 1, on the Elmer McDougal lease in Salem Township, Monroe County, Ohio on or before February 28, 1993.

4) Appellant shall complete all work on the wellsite in a prudent and workmanlike manner, and in compliance with the requirements of R.C. Chapter 1509 and the rules adopted thereto.

5) Nothing in this CONSENT DECISION shall be construed so as to prejudice the right of the Division of Oil and Gas to issue other decisions and orders to enforce the provisions of Revised Code Chapter 1509 and Chapter 1501 of the Ohio Administrative Code.

6) All parties to this action state that they have read this CONSENT DECISION, understand its terms, have the ability to comply with its terms, and agree to comply fully.

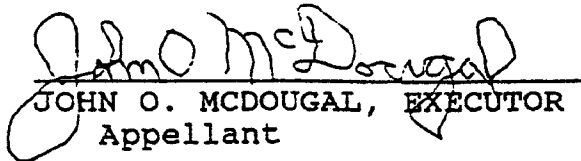
7) Appeal No. 502 is dismissed with prejudice.



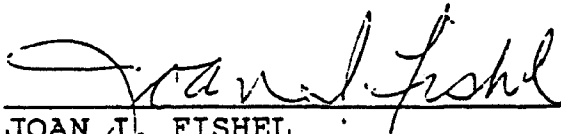
DONALD L. MASON, Chief
Division of Oil and Gas
Ohio Dept. of Natural Resources
Appellee

ESTATE OF ELMER MCDOUGAL

By:



JOHN O. MCDOUGAL, EXECUTOR
Appellant



JOAN I. FISHEL
Assistant Attorney General
Environmental Enforcement Section
Division of Oil and Gas
Bldg. A., 4435 Fountain Square
Columbus, OH 43224
(614) 265-6939
Counsel for Appellee



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Attorney at Law
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Counsel for Appellant

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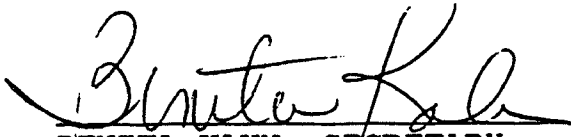
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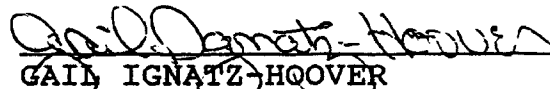
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ALAN COOGAN, CHAIRMAN


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WILLIAM TAYLOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was served by regular U.S. Mail, postage prepaid this 18th day of March, 1993 upon L. Kent Riethmiller, 110 North Main Street, Woodsfield, Ohio 43793, and Joan Fishel, Assistant Attorney General, Division of Oil and Gas, Environmental Enforcement Section, Bldg. A, 4435 Fountain Square Drive, Columbus, Ohio 43224.


BENITA KAHN, SECRETARY