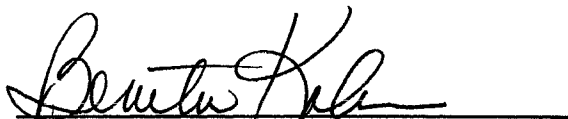



BEFORE THE OHIO OIL AND GAS BOARD OF REVIEW


EDWIN GREEN :  
Appellant. : Appeal No. 519  
v. : Chief's Order No. 92-210  
RICHARD J. SIMMERS, :  
ACTING CHIEF :  
DIVISION OF OIL AND GAS, :  
Appellee. :

ORDER

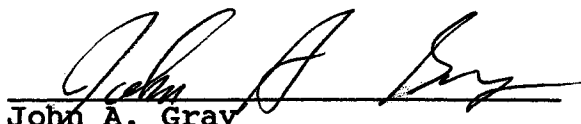
Having read and considered the Joint Motion for Consent Decision filed by Appellant and Appellee, the Board HEREBY DISMISSES Appeal No. 519 with prejudice.

  
Benita Kahn

  
William J. Taylor

  
Gail Ignatz-Hoover

  
James H. Cameron

  
John A. Gray

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was served on Marion Moran, 10273 Licking Valley Rd., N.E., Fazeysburg, Ohio 43822 and Raymond Studer, Assistant Attorney General, Division of Oil and Gas, Environmental Enforcement Section, 4435 Fountain Square, Building A, Columbus, Ohio 43224 by regular U.S. Mail, postage prepaid this 29 day of September, 1994.

  
Benita Kahn

BEFORE THE OIL AND GAS  
BOARD OF REVIEW

EDWIN GREEN	)	
	)	
Appellant	)	
	)	
v.	)	APPEAL NO. 519
	)	
RICHARD J. SIMMERS,	)	CHIEF'S ORDER 92-210
Acting Chief	)	
Division of Oil and Gas	)	
	)	
Appellee	)	

CONSENT AGREEMENT

Now come the parties Marion Moran and Appellee, Richard J. Simmers, Acting Chief of the Division of Oil and Gas, who, in order to settle the administrative proceeding captioned Edwin Green v. Richard J. Simmers, Acting Chief, Division of Oil and Gas presently pending before the Oil and Gas Board of Review as Appeal No. 519 (Chief's Order 92-210), stipulate to the following facts and conditions.

**FACTS**

1. Marion Moran is an owner of the following wells:

<u>Well</u>	<u>Township</u>	<u>County</u>	<u>Permit No.</u>
Frost Heirs No. 6	Perry	Licking	146
Frost Heirs No. 14	Perry	Licking	2851
Frost Heirs No. 7	Perry	Licking	5490

2. Chief's Order 92-210 was issued by the Chief of the Division of Oil and Gas to Dale Denman, Marion Moran and Edwin D. Green on October 2, 1992 ordering the wells listed above to be properly plugged and abandoned due to their being incapable of producing oil and gas in commercial quantities.

3. Edwin D. Green filed a timely appeal from Chief's Order 92-210 and that appeal has been assigned Oil and Gas Board of Review Appeal No. 519.

4. Dale Denman and Marion Moran failed to file an appeal within the time set forth in Ohio Revised Code Section 1509.36.

5. On or about December 7, 1993 Marion Moran caused the wells listed above to be plugged.

6. As of the date of this agreement, the wells have not been restored as required by Ohio law.

#### **CONDITIONS**

In order to settle this matter the parties hereby stipulate and agree to the following:

7. By September 1, 1994, Marion Moran shall restore the wells listed above in accordance with the requirements of Chapter 1509 of the Ohio Revised Code and Chapter 1501 of the Ohio Administrative Code including but not limited to the establishment of vegetative cover to bind the soil and prevent substantial erosion. If necessary, Marion Moran will reseed the sites until proper growth occurs.

8. Nothing in this CONSENT AGREEMENT 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.

9. The parties state that they have read this CONSENT AGREEMENT, understand its terms, have the ability to comply with its terms, and agree to comply fully.

Richard J. Simmers  
RICHARD J. SIMMERS, Acting Chief  
Division of Oil and Gas  
Ohio Dept. of Natural Resources  
Appellee

Raymond J. Studer  
RAYMOND J. STUDER  
Assistant Attorney General  
Environmental Enforcement Sec.  
Division of Oil and Gas  
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Marion R. Moran  
MARION MORAN  
10273 Licking Valley Rd., N.E.  
Frazeyburg, OH 43822