

BEFORE THE OHIO OIL AND GAS BOARD OF REVIEW

SIMCO EXPLORATION CORPORATION, :

Appellant. : Appeal No. 541

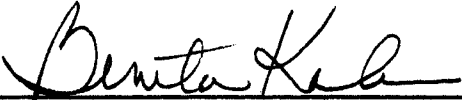
v. : Chief's Order No. 93-204

RICHARD J. SIMMERS, :  
ACTING CHIEF :  
DIVISION OF OIL AND GAS, :

Appellee. :

ORDER

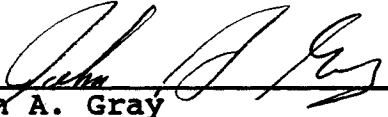
Having read and considered the Joint Motion for Consent Decision by Appellant and Appellee, the Board HEREBY DISMISSES Appeal No. 541 with prejudice.

  
\_\_\_\_\_  
Benita Kahn

  
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William J. Taylor

  
\_\_\_\_\_  
Gail Ignatz-Hoover

  
\_\_\_\_\_  
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John A. Gray

Date Issued: 5/23/96

DISTRIBUTION:

Stephen J. Svetlak  
Ray Studer

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

SIMCO EXPLORATION CORP.	)	
	)	
Appellant,	)	APPEAL NO. 541
	)	
v.	)	REVIEW OF CHIEF'S ORDER
	)	93-204
RICHARD J. SIMMERS,	)	
Acting Chief	)	
Division of Oil and Gas,	)	
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. Simco Exploration Corp. is an "owner" as that term is defined in R.C. 1509.01(K) of the Weaver-Gauch No. 1 well, Permit No. 3973 located in Miller Township, Knox County, Ohio.

B. On August 5, 1993, Chief's Order No. 93-204 was issued to appellant Simco Exploration Corp. requiring appellant to either place into production the Weaver-Gauch No. 1 well, Permit No. 3973, Miller Township, Knox County, within ten (10) days of receipt of said Order or properly plug and abandon said well within thirty days of receipt of Chief's Order No. 93-204, which Order was issued because the referenced well was found to be incapable of producing oil and/or gas in commercial quantities.

C. On or about September 7, 1993, appellant filed an appeal of Chief's Order No. 93-204 with the Oil and Gas Board of Review pursuant to R.C. 1509.36.

D. An agreement has been reached between the parties to this action which disposes of the need for a hearing of this matter.

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

1. Appellant Simco Exploration Corp. consents to the entry of this Consent Decision and waives any objection or further right to appeal it may have with respect to this matter 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 Simco Exploration Corp. shall properly plug and abandon the Weaver-Gauch No. 1 well, Permit 3973, Miller Township, Knox County, Ohio, and complete final restoration at the wellsite, to the satisfaction of the Division of Oil and Gas, on or before July 13, 1994. Appellant, having considered all financial, weather, labor, equipment, materials and supplies problems which may arise, represents that said July 13, 1994 deadline can still be met.

4. Appellant shall give written or oral notice to the Division of Oil and Gas at least forty-eight (48) hours prior to any work commencing on the above-described well.

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

6. Simco Exploration Corp.'s failure to comply with any of these deadlines herein imposed shall constitute a breach of this entire agreement, giving the State the opportunity to seek appropriate relief. In the event of any default of the terms of this Consent Agreement, the Division may elect any and all remedies it deems appropriate.

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


8. All parties to this action state that they have read and fully understand this Consent Decision and agree to comply with it fully.


9. Appeal No. 541 is dismissed with prejudice.

Respectfully submitted,

LEE FISHER  
ATTORNEY GENERAL OF OHIO

SIMCO EXPLORATION CORP.

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