

**BEFORE THE
OIL & GAS COMMISSION**

LOMAK PETROLEUM, INC.,

Appellant,

-vs-

DIVISION OF OIL & GAS,

Appellee.

Appeal No. 646

Review of Chief's Order 98-18

**ORDER OF THE
COMMISSION GRANTING
JOINT MOTION FOR
CONSENT DECISION**

The Oil & Gas Commission has received and reviewed the parties' Joint Motion for Consent Decision and finds it well taken. Accordingly, the Commission **ADOPTS** the Consent Decision. There being no outstanding issues of law or fact, the Commission hereby **DISMISSES** appeal no. 646, with prejudice.

Date Issued:

4/22/98


WILLIAM J. TAYLOR, Chairman


JAMES H. CAMERON


JOHN A. GRAY


GAIL IGNATZ-HOOVER


BENITA KAHN, Secretary

DISTRIBUTION:

Elwood McDaniel
Ray Studer

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

LOMAK PETROLEUM)

Appellant,)

v.)

DONALD L. MASON, Esq., Chief)
Division of Oil and Gas)
Ohio Department of Natural)
Resources,)

Appellee.)

APPEAL NO. 646

CHIEF'S ORDER NO. 98-18

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CONSENT AGREEMENT

Now come the parties, appellant, Lomak Petroleum, Inc. and appellee, Thomas G. Tugend, Acting Chief of the Division of Oil and Gas, who, in order to settle the presently pending administrative proceeding captioned Lomak Petroleum, Inc. v. Donald L. Mason, Chief, Division of Oil and Gas stipulate to the following facts and conditions:

FACTS

1. Lomak Petroleum is the owner of the oil and gas well known as the McKenzie No. 1 well, Permit 554, located in Richland County, Springfield Township.

2. The McKenzie No. 1 well is incapable of producing oil and gas in commercial quantities.

3. Chief's Order 98-18 was issued by the Chief of the Division of Oil and Gas requiring that the subject well either be placed into production within 10 days of the receipt of that Order or plugged and abandoned within 30 days of receipt of the Order.

4. The subject well has not been plugged or placed into production.

CONDITIONS

5. By July 30, 1998, Lomak Petroleum shall either place into production or plug in accordance with the requirements of R.C. Chapter 1509, and Ohio Admin. Code Chapter 1501. the McKenzie No. 1 well. Extensions of time due to unforeseeable circumstances may be granted by the Chief in writing for good cause shown.

6. Lomak Petroleum shall be responsible to follow-up at the McKenzie No. 1 well site to insure full compliance with the requirements of R.C. Chapter 1509, and Ohio Admin. Code Chapter 1501., including but not limited to the establishment of vegetative cover to bind the soil and prevent substantial erosion. If necessary, Lomak Petroleum will reseed the site until proper growth occurs.

7. All work on the well site will be performed in a prudent and workmanlike manner and in compliance with the requirements of R.C. Chapter 1509, and Chapter 1501. of the Ohio Admin. Code.

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 R.C. Chapter 1509 and Ohio Admin. Code Chapter 1501. including the seeking of civil penalties for the failure to comply with this Consent Agreement.


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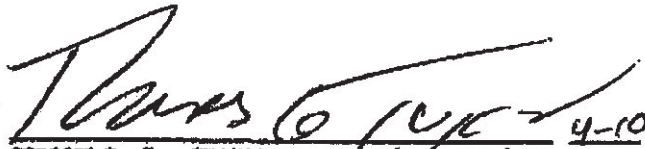
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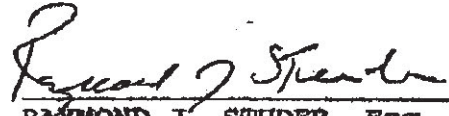
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COMMISSION

9. Appeal 646 is dismissed with prejudice.

10 The Division of Oil and Gas reserves all rights to enforce R.C. Chapter 1509. and Ohio Admin. Code Chapter 1501. including but not to the right to file a civil enforcement action seeking injunctive relief and civil penalty for noncompliance with this Consent Agreement.


_____, 1998
LOMAK PETROLEUM
By Elwood McDaniel,
Operations Manager, who
has authority to enter into
this agreement and bind
Lomak Petroleum


_____, 4-10, 1998
THOMAS G. TUGEND, Acting Chief
Division of Oil & Gas
4383 Fountain Sq., Bldg. B-3
Columbus, OH 43224-1362


_____, 4-10, 1998
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