

**BEFORE THE
OIL & GAS BOARD OF REVIEW**

HALWELL COMPANY,
(BT ENERGY CORPORATION)

Appellant,

-vs-

DONALD L. MASON, CHIEF,
DIVISION OF OIL & GAS,

Appellee.

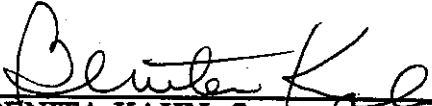
Appeal No. 598


Review of Chief's Order 96-209


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

The Oil & Gas Board of Review has received and reviewed the parties' proposed Consent Decision and finds it well taken. Accordingly, the Board hereby **ADOPTS** the Consent Decision. There being no outstanding issues of law or fact, the Board hereby **DISMISSES** appeal no. 598, with prejudice.

Date Issued: 2/26/97


BENITA KAHN, Secretary


JOHN A. GRAY


WILLIAM J. TAYLOR, Chairman

JAMES H. CAMERON

*RECUSED
GAIL IGNATZ-HOOVER

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Raymond Studer

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

BT ENERGY CORPORATION)
(HALWELL CO.))
Appellant,)
v.)
DONALD L. MASON, Esq., Chief,)
Division of Oil and Gas)
Ohio Department of Natural)
Resources,)
Appellee.)

APPEAL NOS. 593 & 598

CHIEF'S ORDER NOS. 96-197
AND 96-209

RECEIVED

DEC 03 1996

DIVISION OF MINES
AND RECLAMATION

CONSENT AGREEMENT

Now come the parties, appellant, BT Energy Corporation and appellee, Donald L. Mason, Chief of the Division of Oil and Gas, who, in order to settle the administrative proceedings captioned BT Energy Corp. (Halwell Co.) v. Donald L. Mason, Chief, Division of Oil and Gas presently pending before the Oil and Gas Board of Review as Appeal No. 593 (Chief's Order No. 96-197) and BT Energy Corp. (Halwell Co.) v. Donald L. Mason, Chief, Division of Oil and Gas presently pending before the Oil and Gas Board of Review as Appeal No. 598 (Chief's Order No. 96-209), stipulate to the following facts and conditions:

FACTS

1. BT Energy Corporation is the owner of the oil and gas wells known as the Cooperrider Well No. 2, Permit 4492, the Cooperrider Well No. 3, Permit 4863, both of which are located in Pike Township, Perry County, Ohio and the Huck Well No. 6, Permit 1752, located in Meigsville Township, Morgan County, Ohio.

2. Inspections by the Division of Oil and Gas on or about June, 1995 found that the Cooperrider Well No. 2, the Cooperrider Well No. 3 and the Huck Well No. 6 were incapable of producing oil and gas in commercial quantities.

3. On or about June 30, 1995, BT Energy Corporation requested permission to delay the production or plugging of these wells. Permission was given by the Division to delay plugging until June 30, 1996.

4. Inspections by the Division in July, 1996 found these wells had neither been put into production nor plugged and were incapable of production. As of the signing of this Consent Agreement these wells have not been plugged or placed into production.

5. Chief's Order 96-209 was issued on or about August 8, 1996 by the Chief of the Division of Oil and Gas requiring BT Energy Corp. to either place the Cooperrider Well No. 2 and the Cooperrider Well No. 3 into production within 10 days of the receipt of that Order or to cause those wells to be plugged and abandoned within 30 days of receipt of the Order. Certified mail service of Chief's Order 96-124 was signed for on or about August 12, 1996.

6. Chief's Order 96-197 was issued on or about July 26, 1996 requiring BT Energy Corp. to either place the Huck Well No. 6 into production within 10 days of the receipt of that Order or to cause

that well to be plugged and abandoned within 30 days of receipt of that Order. Certified mail service was signed for on or about July 29, 1996.

7. The Cooperrider Well No. 2 and the Cooperrider Well No. 3 were not placed into production within 10 days of the receipt of Chief's Order 96-209. Nor, as of the execution of this Consent Agreement, have these wells been plugged and restored.

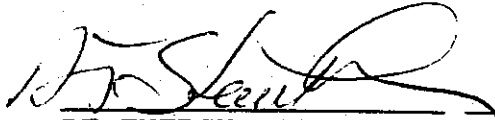
8. The Huck Well No. 6 was not placed into production within 10 days of the receipt of Chief's Order 96-197. Nor, as of the execution of this Consent Agreement, has this well been plugged and restored.

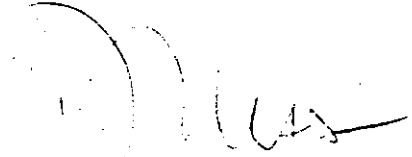
CONDITIONS

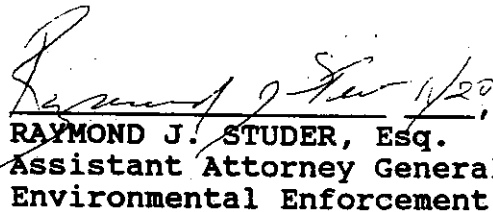
9. By December 28, 1996, BT Energy Corporation shall either place into production or plug in accordance with the requirements of R.C. Chapter 1509. and Ohio Admin. Code Chapter 1501. the Cooperrider Well No. 2, the Cooperrider Well No. 3 and the Huck Well No. 6 and shall restore, in accordance with the requirements of R.C. 1509. and Ohio Admin. Code 1501., the wellsite for each well plugged within 6 months of plugging. In the event a reason develops which BT Energy Corporation feels prohibits the producing or plugging of any of these wells or the restoration of any wellsite within the time set forth herein, BT Energy Corporation or its authorized agent shall contact Richard Shockley, the Regional Administrator of the Ohio Division of Oil and Gas. Mr. Shockley or his appointed representative will inspect the appropriate wellsite and determine if additional time should be granted.

10. This appeal is dismissed with prejudice.

11. 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.


_____, 1996
BT ENERGY CORP.
By A.T. Stautberg, Jr. its
President and Director who
has authority to enter into
this agreement and bind
BT Energy Corp.


_____, 1996
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_____, 1996
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