

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

REDMAN OIL CO., INC.

Appellant,

v.

DONALD L. MASON, Chief,
Division of Oil and Gas

Appellee.

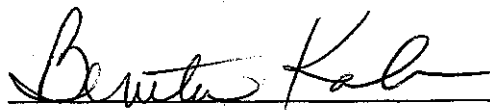
APPEAL NO. 462

REVIEW OF CHIEF'S ORDER
NO. 91-157

ENTRY

The Oil and Gas Board of Review has received and reviewed the Joint Motion for Consent Decision filed by the parties 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. 462.

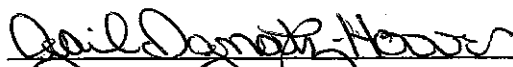
JAMES CAMERON



BENITA KAHN



WILLIAM TAYLOR, Chairman



GAIL IGNATZ-HOOVER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing entry was forwarded by ordinary U.S. mail, postage prepaid, this 20th day of May, 1993 to A. Brian Dengler, Arter & Hadden, One Columbus, 10 West Broad Street, Columbus, Ohio, 43215-3422, and Joan I. Fishel, Assistant Attorney General, Division of Oil and Gas, 4435 Fountain Square, Bldg. A, Columbus, OH 43224.


BENITA KAHN, Secretary

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

OIL AND GAS
OF REVIEW
MAY 07 1993

REDMAN OIL CO., INC.)

Appellant,)

v.)

DONALD L. MASON, CHIEF)
Division of Oil and Gas)

Appellee.)

APPEAL NO. 462

REVIEW OF CHIEF'S ORDER
NO. 91-157

JOINT MOTION FOR CONSENT DECISION

Now come the parties to the above 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,

REDMAN OIL COMPANY, INC.
(I have the authority to sign
and do so in my capacity as
President)

LEE FISHER
ATTORNEY GENERAL OF OHIO

By: 

HOWARD ATHA, PRESIDENT
Redman Oil Company, Inc.
6685 Doubletree Avenue
Columbus, OH 43229
Appellant

By: 

JOAN I. FISHEL
Assistant Attorney General
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Counsel for Appellee

By: 

R. BRIAN DENGLER
Arter & Hadden
10 West Broad Street
Columbus, OH 43215
(614) 221-3155
Attorney for Debtor in Possession

CONSENT DECISION

With Chief's Order No. 91-157 having been issued to Redman Oil Co, Inc. (Redman) on April 1, 1991, and that Order having been appealed by Redman and docketed as Appeal No. 462, the parties agree to the following facts:

1. Attached to Chief's Order No. 91-157 was a list of wells of which Appellant was the statutory owner. That list is attached to this Consent Decision as Exhibit A. Attached as Exhibit A-1 is a list of Permit Numbers that had been included as wells owned by Appellant on Order No. 91-157 but in fact no wells had ever been drilled. Attached as Exhibit A-2 is a list of wells that were erroneously listed on Chief's Order No. 91-157 as being owned by Appellant.

2. Appellant has no bond and is not in compliance with R.C. 1509.07.

3. On July 22, 1988 certain creditors filed an involuntary bankruptcy petition against Appellant in Case No. 2-88-03704, United States Bankruptcy Court, Southern District of Ohio, Eastern Division. Grouped within that bankruptcy case were the affiliated companies of Coshocton Pipe Company (Coshocton) and Worthington Oil Company (Worthington). Both Coshocton and Worthington are under Chief's Orders to plug for lack of surety and these orders are currently before this Board as Appeal Nos. 450 and 461, respectively. Similar Consent Decisions have been filed in those appeals.

4. As part of that bankruptcy proceeding, Appellant's interests in some of the wells that had been listed in Exhibit A were sold to Mission Gas, an entity registered with the Appellee with Bond No. 4339. A list of the wells acquired by Mission Gas is attached hereto as Exhibit B.

5. Attached hereto as Exhibit C is a list of wells that the Appellant will plug.

6. The remaining wells that have not been sold to Mission Gas or that Appellant will not plug are listed on Exhibit D.

7. 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:

A. Appellant Redman Oil, Inc., consents to the entry of this Consent Decision and waives 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.

B. 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.

C. Appellant agrees to transfer the wells on Exhibit D, and any other wells which it owns but were not included on Chief's Order 91-157, to entities that are properly bonded under R.C. 1509.07 on or before January 1, 1993. No such transfers will be recognized by the Division until a Form 7 has been filed and approved.

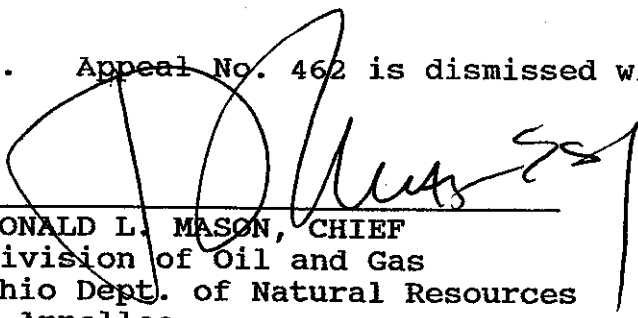
D. If Appellant does not comply with Paragraph C of this Consent Decision by January 1, 1993, it shall properly plug and abandon the wells on Exhibit D, and any other wells which it owns but were not included on Chief's Order 91-157, on or before April 1, 1993. Appellant shall complete all work on the wellsites in a prudent and workmanlike manner, and in compliance with the requirements of R.C. Chapter 1509. and associated administrative rules.

E. Of all the wells that are listed on the Exhibits labeled "C" to the Consent Decisions of either Appellant, Coshocton, or Worthington, at least one well must be properly plugged and abandoned by either Appellant, Coshocton or Worthington every thirty days, with the first well to be plugged by April 30, 1993. Appellant has the option of transferring the wells on Exhibit C to a properly bonded entity. All wells on Exhibit C are to be plugged or transferred by May 31, 1994. Requests for weather-related extensions must be made in writing to the Division.

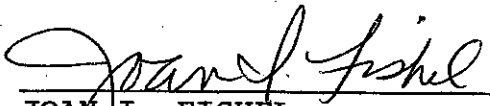
F. Nothing in this Consent Decision shall be construed so as to prejudice the right of the Division of Oil and Gas to issue other decisions and orders to enforce the provisions of R.C. Chapter 1509. and associated administrative rules.

G. 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.

H. Appeal No. 462 is dismissed with prejudice.



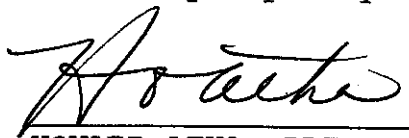
DONALD L. MASON, CHIEF
Division of Oil and Gas
Ohio Dept. of Natural Resources
Appellee



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

REDMAN OIL COMPANY, INC.
(I have authority to sign and do
so in my capacity as President)

By:



HOWARD ATHA, PRESIDENT
REDMAN OIL COMPANY, INC.
6685 Doubletree Avenue
Columbus, OH 43229
Appellant

EXHIBIT "A"

<u>County</u>	<u>Permit No.</u>	<u>County</u>	<u>Permit No.</u>
Morgan	3773	Morgan	2987
Morgan	3775	Morgan	2988
Morgan	3776	Morgan	2989
Morgan	3777	Morgan	3073
Morgan	3778	Morgan	3090
Morgan	3779	Morgan	3125
Morgan	3797	Morgan	3126
Morgan	3801	Morgan	3133
Morgan	3804	Morgan	3134
Morgan	3808	Morgan	3291
Morgan	3810	Morgan	3292
Morgan	3813	Morgan	3295
Morgan	3814	Morgan	3337
Morgan	3815	Morgan	3339
Morgan	3772	Morgan	3460
Morgan	3774	Morgan	3488
Morgan	3828	Coshocton	5298
Washington	8303	Morgan	3293
Morgan	3805	Morgan	3489
Washington	8307	Morgan	3649
Morgan	3806	Morgan	3650
Morgan	3812	Morgan	3706
Morgan	3771	Morgan	3338
Morgan	3753	Morgan	3340
Morgan	3721	Morgan	3465
Morgan	3744	Morgan	3294
Morgan	3746	Morgan	3809
Morgan	3752	Morgan	3745
Morgan	3802	Morgan	3807
Morgan	3811	Coshocton	5299
Morgan	2784	Morgan	3754
Morgan	2785	Morgan	3675
Morgan	2786	Morgan	3795
Morgan	2982	Morrow	3772
Morgan	2986	Coshocton	2144

Exhibit "A" - Page 2

<u>County</u>	<u>Permit No.</u>	<u>County</u>	<u>Permit No.</u>
Morgan	3674	Morgan	1392
Morgan	3703	Morgan	1394
Morgan	3803	Morgan	1395
Noble	3117	Morgan	1396
Coshocton	2469	Morgan	1398
Coshocton	2595	Morgan	1399
Coshocton	2617	Morgan	1401
Morgan	1177	Morgan	1403
Morgan	1182	Morgan	1407
Morgan	1185	Morgan	1411
Morgan	1187	Morgan	1413
Morgan	1190	Morgan	1414
Morgan	1195	Morgan	1425
Morgan	1199	Morgan	1426
Morgan	1211	Morgan	1442
Morgan	1216	Morgan	1443
Morgan	1218	Morgan	1446
Morgan	1225	Morgan	1447
Morgan	1231	Morgan	1448
Morgan	1232	Morgan	1515
Morgan	1246	Morgan	1516
Morgan	1248	Morgan	1517
Morgan	1265	Morgan	1518
Morgan	1286	Morgan	1519
Morgan	1344	Morgan	1531
Morgan	1348	Morgan	1574
Morgan	1350	Morgan	1581
Morgan	1352	Morgan	1583
Morgan	1370	Morgan	1584
Morgan	1381	Morgan	1585
Morgan	1382	Muskingum	4777
Morgan	1383	Muskingum	4778
Morgan	1387	Muskingum	5222
Morgan	1390	Muskingum	5223
Morgan	1391	Coshocton	2144

PERMIT NUMBERS INCLUDED IN CHIEF'S ORDER 91-157
FOR WHICH WELLS WERE NOT DRILLED

<u>County</u>	<u>Permit No.</u>	<u>Lease Name</u>
Morgan	3773	Mabel Combs #2
Morgan	3775	Mabel Combs #4
Morgan	3776	Alva Pickenpaugh #1
Morgan	3777	H. Devitt/C. Devitt Unit #1
Morgan	3778	H. Devitt/C. Devitt Unit #3
Morgan	3779	Herbert L. Devitt #2
Morgan	3797	Emily S. Hennessey et al #1
Morgan	3801	Harry D. Lowe #1
Morgan	3804	Scott Harmon Unit #1
Morgan	3808	Macklem-Wheeler Unit #1
Morgan	3810	Wayne Blackburn #1
Morgan	3813	Hardesty-Beatty Unit
Morgan	3814	Garrett-Nelson Unit #3
Morgan	3815	Macklem-Wilson Unit #1
Morgan	3772	Mabel K. Combs #1
Morgan	3774	Mabel K. Combs #3
Morgan	3828	Dora Nelson #1
Morgan	3805	Carl Devitt #1
Morgan	3806	Wilbur F. Scott #1
Morgan	3812	Nelson-Scott Unit #2
Morgan	3771	Carl Devitt #2
Morgan	3753	Hettie Parmiter #1A
Morgan	1426	Nellie Beatty #2
Morgan	1531	Stephenson-Davis #1
Morgan	1574	O.D. Baker #2
Morgan	1583	Ellis Miller #3
Muskingum	4777	Raymond Dillon #2
Washington	8303	Daniel Metz #1
Washington	8307	Clyde Knoch #3
Noble	3117	Rawleigh Lowe #4-B

ERRONEOUSLY LISTED ON CHIEF'S ORDER 91-157

<u>County</u>	<u>Permit No.</u>	<u>Lease Name</u>
Morgan	1232	Silvus #1
Morgan	1246	Pennock Brothers #1

WELLS TRANSFERRED TO MISSION GAS

<u>Permit No.</u>	<u>County</u>	<u>Lease Name</u>
3674	Morgan	Willey-Binion-Hook/Ohio Power
3803	Morgan	Owen G. Reed/Ohio Power
1195	Morgan	Harold Scott/Richard Biehl
1218	Morgan	J.O. Miller/J. Oran Miller
1344	Morgan	Willis Garrett/Ben Gittleman
1350	Morgan	McGonagle/Snyder/Reed
1352	Morgan	Campbell/Dingey
1370	Morgan	Dingey-Ferguson (G&E Ferguson)
1381	Morgan	Dwight Hall/Richard Biehl
1382	Morgan	Dee Dunkle
1383	Morgan	Leslie Stephenson/Richard Biehl
1387	Morgan	Reed Richey/Lucille Richey
1390	Morgan	Leona Rex
1391	Morgan	Leslie Stephenson/Richard Biehl
1392	Morgan	Leona Rex
1394	Morgan	Beatty-Dingey
1395	Morgan	Lucille Richey
1396	Morgan	Dwight Hall/Richard Biehl
1398	Morgan	Richey-Dunkle
1399	Morgan	Mable Wilson/Ben Gittleman
1407	Morgan	Hess-Hess/Clarence Hess
1411	Morgan	Lowe-Greer/Donavon Lowe etal
1414	Morgan	Stout-Ray/Vaughn Stout etal
1425	Morgan	J.B. Bigley
1442	Morgan	Mable Wilson/Ben Gittleman
1443	Morgan	Ellis Miller/Richard Biehl
1446	Morgan	William Ward
1447	Morgan	James Carrick/Ben Gittleman
1448	Morgan	O.D. Baker/Richard Biehl
1515	Morgan	Margaret Spillman/Ben Gittleman
1517	Morgan	John Palmer/Ben Gittleman
1518	Morgan	Ethan Hall/Ben Gittleman
1519	Morgan	John Palmer/Ben Gittleman
1581	Morgan	C.O. Engle/Ben Gittleman
1584	Morgan	W.S. Binion/Ben Gittleman
1585	Morgan	James Carrick/Ben Gittleman
1516	Morgan	Bessie Simmons
3746	Morgan	J.B. Bigley/Ohio Power
3752	Morgan	William Wortman/Ohio Power
3802	Morgan	C.B. Willey/Ohio Power
3811	Morgan	Ethel Lowe/Ohio Power
2784	Morgan	Willis Garrett/Ohio Power
2785	Morgan	Sadie Lawrence/Ohio Power
2786	Morgan	Harley Little/Ohio Power
2986	Morgan	E.C. Thorla/Ohio Power
2987	Morgan	D.K. Hook/Ohio Power
2988	Morgan	D.K. Hook/Ohio Power

Exhibit B

WELLS TRANSFERRED TO MISSION GAS

<u>Permit No.</u>	<u>County</u>	<u>Lease Name</u>
2989	Morgan	D.K. Hook/Ohio Power
3125	Morgan	Floda Duskey
3126	Morgan	Floda Duskey
3133	Morgan	Davis-Massey/Ohio Power
3134	Morgan	W.C. Brothers/Ohio Power
3291	Morgan	Edgar Smiley/Ohio Power
3292	Morgan	W.D. Brock/Ohio Power
3295	Morgan	Paul Hopkins/Ohio Power
3337	Morgan	Bryson-Garvin/Ohio Power
3339	Morgan	Stotts-Kirby/Ohio Power
3460	Morgan	Bryson-Garvin/Ohio Power
3293	Morgan	Mary Hancher/Ohio Power
3706	Morgan	Owen Reed/Ohio Power
3338	Morgan	C.W. Drummond/Ohio Power
3340	Morgan	Davis-Massey/Ohio Power
3465	Morgan	John St. Harper/Ohio Power
3294	Morgan	John St. Harper/Ohio Power
3809	Morgan	William Garris/Ohio Power
3745	Morgan	Bigley-Garris/Ohio Power
3807	Morgan	Beatrice Cox/Ohio Power
3754	Morgan	Dwight Stephenson/Ohio Power
3675	Morgan	Sherlock-Scott/Ohio Power
3795	Morgan	Hess/Clarence Hess
1418	Morgan	Blair-Tennent
1357	Morgan	Henderson (same as Dye-Reed)
1400	Morgan	Henderson
1384	Morgan	Ellis Miller/Richard Biehl
3341	Morgan	John Palmer/Ohio Power
3744	Morgan	William Garris/Ohio Power
2982	Morgan	Sadie Lawrence/Ohio Power
3703	Morgan	Hess/Clarence Hess
3649	Morgan	Swank-Wortman
3650	Morgan	Dale Greer
6283	Coshocton	Boy Scouts of America
1401	Morgan	M. & J. Henderson
1348	Morgan	Galen Ferguson

WELLS TO BE PLUGGED

<u>Permit No.</u>	<u>County</u>	<u>Lease Name</u>
2617	Coshocton	C.C. Ungurean
1248	Morgan	Charles Wagner
1216	Morgan	Delmar Wilson
3772	Morrow	Howard & Betty Smith

Exhibit C

REMAINING WELLS

<u>County</u>	<u>Permit No.</u>	<u>Lease Name</u>
Morgan	3073	Hope Ray, etal
Morgan	3090	Hope Ray, etal
Morgan	3489	Hope Ray, etal
Morgan	3488	Joseph Slivka
Morgan	1199	Miller Clark
Morgan	1225	Miller Clark
Morgan	1265	Shirley Clark
Morgan	1182	Alice Mae Davis
Morgan	1190	Alice Mae Davis
Morgan	1187	Frank Hardesty
Morgan	1177	Ivan Morris
Morgan	1286	Miller Keith
Morgan	1185	Alice Mae Davis
Morgan	1211	J.O. Miller
Morgan	1231	Albright-Clark-Remleigh
Coshocton	2595	Tri-Mac #2
Coshocton	5298	Martha Marlatt #1
Coshocton	5299	Martha Marlatt #2
Coshocton	2469	Edward & Davis Ross #1
Morgan	1403	