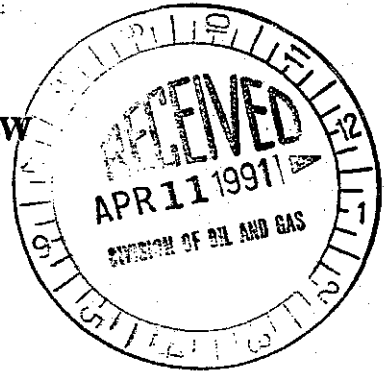


BEFORE THE OIL AND GAS BOARD OF REVIEW
DEPARTMENT OF NATURAL RESOURCES
STATE OF OHIO



PHILLIP BROWN OIL & GAS

Appellant,

v.

SCOTT KELL, Acting Chief,
Division of Oil and Gas, Department
of Natural Resources

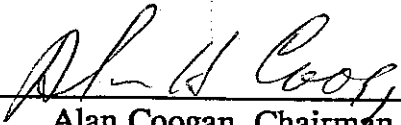
Appellee.

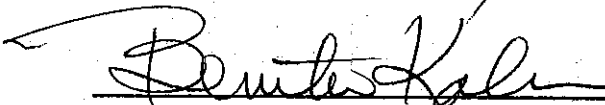
APPEAL NO. 417

CHIEF'S ORDER NO. 90-465

ORDER OF WITHDRAWAL

Upon joint request of the parties that the above captioned appeal be withdrawn,
Appeal No. 417 of Chief's Order No. 90-465 is hereby *DISMISSED*.


Alan Coogan, Chairman


Benita Kahn, Secretary


Robert Alexander


William G. Williams


Gail Ignatz-Hoover

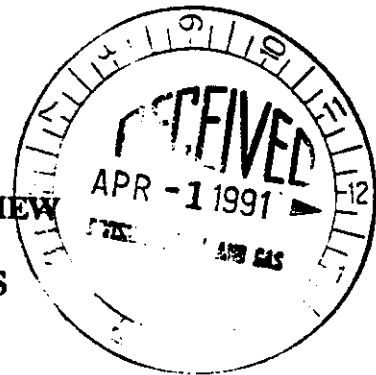
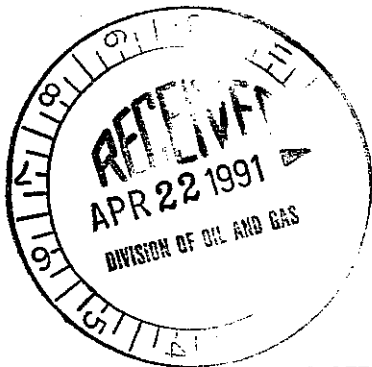
CERTIFICATE OF SERVICE

I hereby certify that, to the best of my knowledge, a copy of the foregoing Order was served, via certified United States Mail, postage pre-paid, this 28th day of January 1992, to Phillip H. Brown, president of Phillip Brown Oil & Gas at P.O. Box 338, Lowell, Ohio 45744.


BENITA KAHN

I hereby certify that, to the best of my knowledge, a copy of the foregoing Order was served, via regular United States Mail, postage pre-paid, this 28th day of January 1992, to counsel for appellee Chief of the Division of Oil and Gas, Ohio Department of Natural Resources, Assistant Attorney General Todd Musheff, Environmental Enforcement Section, at Fountain Square, Building A, Columbus, Ohio 43224.


BENITA KAHN



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

PHILLIP BROWN OIL & GAS

Appellant,

v.

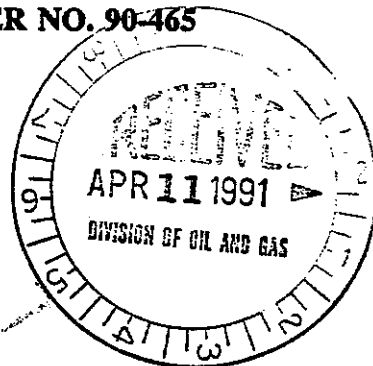
**SCOTT KELL, Acting Chief,
Division of Oil and Gas, Department
of Natural Resources**

Appellee.

APPEAL NO. 417

CHIEF'S ORDER NO. 90-465

**OIL AND GAS BOARD
OF REVIEW
APR 19 1991**



SETTLEMENT AGREEMENT AND JOINT NOTICE OF WITHDRAWAL

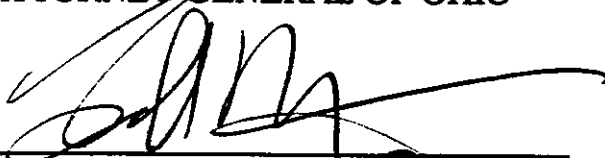
Now come appellant Phillip Brown Oil & Gas and appellee Chief of the Division of Oil and Gas and hereby jointly notify the Oil and Gas Board of Review that the instant appeal, Appeal No. 417, has been jointly resolved as follows:

- (1) Upon the filing of this settlement agreement, the parties jointly withdraw Appeal No. 417;
- (2) Upon the filing of this settlement agreement, the Chief of the Division of Oil and Gas shall amend Chief's Order No. 90-465, which is the subject of this appeal. A copy of amended Chief's Order No. 90-465 is appended hereto and incorporated by reference as if fully re-written herein;

- (3) Appellant Phillip Brown Oil & Gas hereby waives its right to appeal Amended Chief's Order No. 90-465, referred to in ¶2 of the instant settlement agreement;
- (4) Nothing in this Settlement Agreement and Joint Notice of Withdrawal shall be construed to limit the right of the Division of Oil and Gas to issue other decisions and orders and to enforce R.C. Chapter 1509 and the rules promulgated and orders and terms and conditions of permits issued thereunder.

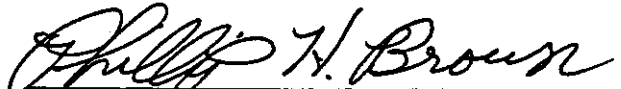
Respectfully submitted,

LEE FISHER
ATTORNEY GENERAL OF OHIO



TODD M. MUSHEFF
Assistant Attorney General
Environmental Enforcement Section
Division of Oil and Gas
Fountain Square, Building A
Columbus, Ohio 43224

Counsel for Appellee Chief of
the Division of Oil and Gas



PHILLIP H. BROWN
President—Phillip Brown Oil & Gas
P.O. Box 338
Lowell, Ohio 45744