

FILED
MORGAN COUNTY
CLERK
NOV 21 AM 8 48

IN THE COURT OF COMMON PLEAS

MORGAN COUNTY, OHIO.

STATE OF OHIO, ex rel.)
LEE FISHER)
ATTORNEY GENERAL OF OHIO,)

Plaintiff,)

v.)

B & B ENTERPRISES, et al.,)

Defendants.)

CASE NO. CV-89-1

JUDGE ROGER JONES

JUDGMENT ENTRY

This matter came for hearing on plaintiff State of Ohio's Charges in Contempt against defendants B & B Enterprises, Branham Well Management, Inc., Raymond Branham, and John E. Branham on November 4, 1991. Defendant Raymond Branham appeared on behalf of himself, Branham Well Management, Inc., and B & B Enterprises. However, defendant John E. Branham failed to appear before this Court. The Court admitted evidence entered by plaintiff State of Ohio and, at the end of the contempt hearing, held that defendants were in contempt of the lawful order of this Court issued August 8, 1990, in that defendants failed to fully comply with the Journal Entry and Consent Order and complete the required compliance work with respect to eight (8) non-compliant oil and gas wells. Thus, defendants are in contempt of Revised Code Chapter 1509 for their blatant violations of this Court's lawful Order and

of Ohio's oil and gas laws. Therefore, plaintiff's Charges in Contempt of Court having been filed on October 18, 1991, and hearing having been held on said charges on November 4, 1991, it is **ORDERED, ADJUDGED** and **DECREED**:

1. Defendants are in contempt of court and said contempt is blatant;

2. Defendants shall pay a fine of One Hundred Dollars (\$100.00) per day, per well, for each day that each of the eight (8) non-compliant wells remains in non-compliance with this Court's Journal Entry of August 8, 1991. Said fine shall be in effect on the date of filing of this Judgment Entry. Defendants shall pay the fine to plaintiff State of Ohio by delivering to plaintiff State of Ohio's counsel of record, Laura J. Steffee, Assistant Attorney General, for payment into the State Treasury, a certified check in the full amount of the fine on Friday of each week, beginning on the first Friday following filing of this Judgment. The check shall be made payable to the order of "Treasurer, State of Ohio." If any or all of the fine is not paid to plaintiff State of Ohio, on Friday of each week, defendants shall pay interest on the balance unpaid at the statutory rate of 10 percent (10%) per annum;

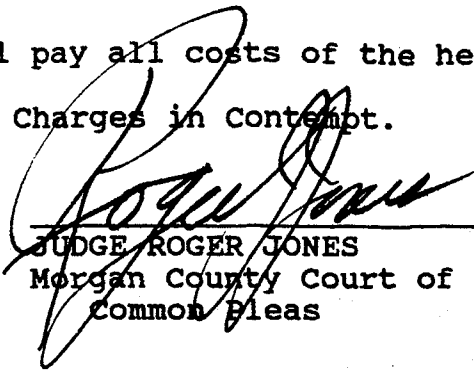
3. Defendants shall cause work to be completed on each of the eight (8) non-compliant wells in accordance with the Journal Entry and Consent Order, to begin immediately, with notification

to be given to the Division of Oil and Gas, also in accordance with the Journal Entry and Consent Order;

4. All work to be done shall be completed in accordance with the Journal Entry and Consent Order with respect to the eight (8) non-compliant wells and all work to be performed shall be to the satisfaction of the Division of Oil and Gas. The eight (8) non-compliant wells are as follows:

- a. Permit No. 3132, Well #9, on the Pinell and Carey Lease, Windsor Township, Morgan County, Ohio;
- b. Permit No. 3293, Well #10, on the Pinell and Carey Lease, Windsor Township, Morgan County, Ohio;
- c. Permit No. 2885, Well #2, on the Branham Lease, Marion Township, Morgan County, Ohio;
- d. Permit No. 3585, Well #2, on the Sperry Farms Lease, Pleasant Township, Knox County, Ohio;
- e. Permit No. 3475, Well #2, on the Merillat Lease, Morgan Township, Knox County, Ohio;
- f. Permit No. 3586, Well #5, on the Merillat Lease, Pleasant Township, Knox County, Ohio;
- g. Permit No. 3610, Well #3, on the V. Merillat Lease, Pleasant Township, Knox County, Ohio;
- h. Permit No. 3612, Well #1, on the G. & A. Hunter Lease, Pleasant Township, Knox County, Ohio;

5. Defendants shall pay all costs of the hearing on plaintiff State of Ohio's Charges in Contempt.




JUDGE ROGER JONES
Morgan County Court of
Common Pleas

11/20/91
Date

APPROVED:

LEE FISHER
ATTORNEY GENERAL OF OHIO


By: LAURA J. STEFFEE (0040589)
Assistant Attorney General
Environmental Enforcement
Section, Div. of Oil and Gas
Bldg. A, 4355 Fountain Sq. Dr.
Columbus, Ohio 43224
(614) 265-6939