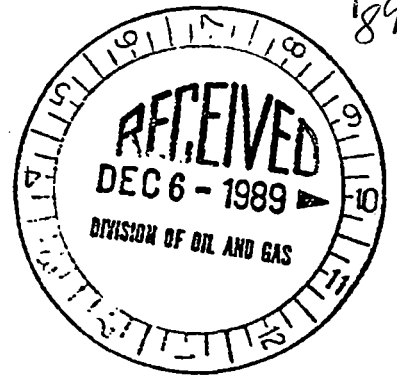


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IN THE COURT OF COMMON PLEAS

MORGAN COUNTY, OHIO



STATE OF OHIO, ex rel: 03 DEC 8 PM 3 03
ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO,

Plaintiff,

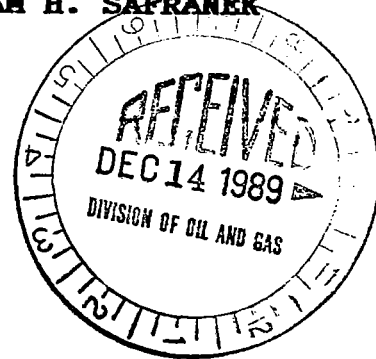
v.

EAGLE MOUNTAIN ENERGY
CORPORATION, et al.,

Defendants.

CASE NO. CV-89-149

JUDGE WILLIAM H. SAFRANEK



JOURNAL ENTRY AND

CONSENT ORDER

This complaint having been filed on October 4, 1989 under Chapter 1509 of the Ohio Revised Code; and Plaintiff State of Ohio, and Defendants Eagle Mountain Energy Corporation and Kenneth L. Brooks, having consented, without trial or adjudication of any issue of fact or law herein, to the entry of this Consent Order;

THEREFORE, before the taking of any testimony, upon the complaint and the consent of parties hereto, this Court hereby **ORDERS** and **DECREEES** as follows:

I

This Court has jurisdiction over the parties and the subject matter of this case pursuant to Chapter 1509 of the Ohio Revised Code. Venue is proper in this Court. Defendants consent to the entry of this decree and waive any objection they may have with respect to the sufficiency of the complaint for the purpose of settling the claims as alleged in the complaint.

II

The provisions of this Consent Decree shall apply to and be binding upon the signatories hereto, their agents, officers, employees, assignees, heirs and successors in interest.

III

Plaintiff has alleged that Defendants have violated certain R.C. Chapter 1509 sections and Ohio Administrative Code rules at the well drilled under Permit No. 4118, Morgan County.

IV

Without admitting any alleged violations, Defendants shall pay to Plaintiff State of Ohio a civil penalty of Six Thousand Dollars (\$6,000.00) into the State Treasury, by delivering to plaintiff's counsel a certified check in that amount, made payable to the order of "Treasurer, State of Ohio" on or before January 31, 1990. Such civil penalty shall be in full satisfaction of any claimed liability of Defendants for all violations of Chapter 1509 asserted in the Complaint, together with any other possible violations relating to or arising from the drilling, completion or 1509.072(A) restoration of the well known as the McFerren No. 2 well.

DKK

V

This Court retains jurisdiction of this action for the purpose of making any order or decree it may deem necessary to carry out this Consent Order.

VI

Defendants agree to pay all costs of this action to date.

VII

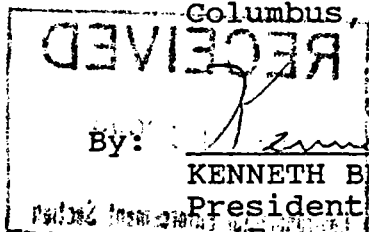
Defendants state that they have read and fully understand this Journal Entry and Consent Order and agree to comply fully with it.

William H. Safranek
JUDGE WILLIAM H. SAFRANEK
Morgan County Common Pleas Court

APPROVED:

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

By: Scott E. Farkas
SCOTT E. FARKAS
Assistant Attorney General
Environmental Enforcement Section
Division of Oil and Gas
Building A, Fountain Square
Columbus, Ohio 43224



By: Kenneth Brooks
KENNETH BROOKS
President, Eagle Mountain
Energy Corporation

John K. Keller
JOHN K. KELLER
Counsel for Defendant

By: Kenneth Brooks, President (title)
EAGLE MOUNTAIN ENERGY CORPORATION