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IN THE COURT OF COMMON PLEAS, MORGAN COUNTY, OHIO

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THE STATE OF OHIO, ex rel., :
ANTHONY J. CELEBREEZE, Jr., :
ATTORNEY GENERAL, :

Plaintiff, :

Case NO. CV-87-40

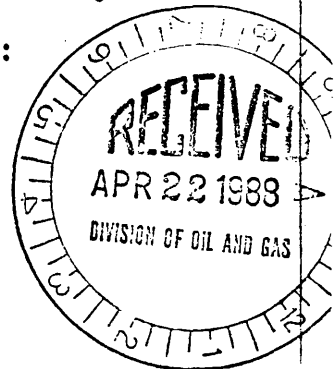
-v- :

JUDGMENT ENTRY

R. & W. ENERGY, et al., :
Defendants. :

No objections having been filed within fourteen (14) days of the filing of the Referee's Report in this matter, the Referee's findings of fact being sufficient for the Court to make an independent analysis of the issues and to apply appropriate rules of law in reaching a judgment order, and the Court, upon independent analysis of the issues, finding the Report to be without any error of law or other defect, the Report of the Referee in this matter is hereby ADOPTED.

Pursuant to the Recommendations of the Referee, as set forth in his Report, it is ORDERED, ADJUDGED, AND DECREED that, pursuant to Ohio Revised Code Section 1509.33, a civil penalty be and is hereby ASSESSED against Defendants, jointly and severally, for the damages caused by the statutory violations as set forth in the Complaint, upon which Summary Judgment has previously been rendered with respect to liability only, as follows:



WELL

Fussner #1	O.R.C. Sec. 1509.22(A)	\$10,000.00
Fussner #1	O.R.C. Sec. 1509.22(A)	10,000.00
Fussner #1	O.R.C. Sec. 1509.072	5,000.00
Fussner #1	O.R.C. Sec. 1509.072	5,000.00
Fussner #1	O.R.C. Sec. 1509.03	4,000.00
Johnson #4	O.R.C. Sec. 1509.22(C)	\$ 4,000.00
Johnson #4	O.R.C. Sec. 1509.22(A)	10,000.00
Johnson #4	O.R.C. Sec. 1509.22(A)	10,000.00
Johnson #4	O.R.C. Sec. 1509.072	5,000.00
Johnson #4	O.R.C. Sec. 1509.072	5,000.00
Johnson #4	O.R.C. Sec. 1509.03	4,000.00
Abel #2	O.R.C. Sec. 1509.22(A)	\$10,000.00
Abel #2	O.R.C. Sec. 1509.072	5,000.00
Abel #2	O.R.C. Sec. 1509.072	5,000.00
Abel #2	O.R.C. Sec. 1509.03	4,000.00
Abel #2	O.R.C. Sec. 1509.03	4,000.00
Fussner #2	O.R.C. Sec. 1509.22(A)	\$10,000.00
Fussner #2	O.R.C. Sec. 1509.22(A)	10,000.00
Fussner #2	O.R.C. Sec. 1509.072	5,000.00
Fussner #2	O.R.C. Sec. 1509.03	4,000.00
Abel #3	O.R.C. Sec. 1509.22(A)	\$10,000.00
Abel #3	O.R.C. Sec. 1509.072	5,000.00
Abel #3	O.R.C. Sec. 1509.03	4,000.00
Abel #3	O.R.C. Sec. 1509.03	4,000.00
Wilson #JW-17	O.R.C. Sec. 1509.22(C)	\$ 4,000.00
Wilson #JW-17	O.R.C. Sec. 1509.22(A)	10,000.00
Wilson #JW-17	O.R.C. Sec. 1509.072	5,000.00

It is further ORDERED, ADJUDGED, and DECREED that the interest on the Civil penalty assessed against Defendants hereinabove shall accrue at the rate of Ten Percent (10%) per annum from the date of the filing of this Judgment Entry to the date the penalty is paid.



William H. Safronek, Judge.

PROOF OF SERVICE

I hereby certify that copies of the foregoing Judgment Entry were mailed by regular U.S. Mail to Mr. Scott E. Farkas, Assistant Attorney General, Division of Oil and Gas, Department of Natural Resources, Fountain Square, Columbus, Ohio 43226 and to R. & W. Energy at 710 Robin Road, Rockwall, Texas on this 19th day of April, 1988.

William H. Safranek

William H. Safranek, Judge.