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MORGAN COUNTY
COMMON PLEAS COURTS
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IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO

STATE OF OHIO, ex rel.
ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

CASE NO. CV-82-132

Plaintiff

v.

Judge Daniel

RESOURCES PLUS CORP., et al.

Defendants

CONSENT JUDGMENT

The Complaint having been filed on October 4, 1982, and with Plaintiff and Defendants Resources Plus Corporation, Lemon, G.N.C. Energy Corporation and Behymer having consented to this Consent Judgment without trial or adjudication of any issue of fact or law herein or admission of any of the allegations contained in such complaint,

NOW, THEREFORE, before the taking of testimony, upon the pleadings, and upon consent of the above-stated parties, it is ORDERED, ADJUDGED and DECREED as follows:

I

This Court has jurisdiction over the parties consenting to this decree, and over the subject matter of this action. The complaint states a claim upon which relief may be granted under Chapter 1509, Revised Code.

II

This Consent Judgment applies to Defendants Resources Plus Corporation and Lemon, their agents, employees, and successors, and to all persons, firms, corporations, and other entities having notice of the Judgment and acting in privity with such Defendants.

III

Defendants Resources Plus Corporation and Lemon are ordered to remove all saltwater currently in the pit on the Behymer property and properly dispose of the saltwater by December 6, 1983.

Defendants Resources Plus Corporation and Lemon are enjoined from placing additional saltwater and other oil field waste in the pit on the Behymer property unless the pit is modified so as to comply with Rule 1501:9-3-08 of the Administrative Code. Said defendants are further ordered to refrain from creating or placing saltwater or other oil field waste in any other pit unless such other pit is on the site of and associated with a well drilling or fracturing operation which will occur within one hundred eighty days of the creation of the pit.

IV

Paragraph III of this Consent Judgment, as applied to Defendant Resources Plus Corporation and Lemon shall expire within two years after its journalization, unless, upon hearing, the court finds a particular defendant in contempt of any of the provisions of the Consent Judgment within such two year period in which case the judgment shall not so expire as against such defendant. In any event, paragraph III of the Consent Judgment shall expire within five years after journalization of the judgment as to each and every defendant regardless of a finding of contempt by the court within such five year period.

V

If inclement weather makes it impossible for Defendants Resources Plus Corporation and Lemon to comply with this order, their counsel, upon motion, may request a reasonable extension of time to comply with the order.

VI

Defendants shall pay court costs.

VII

The Court retains jurisdiction for the purpose of making any order or decrees necessary to carry out this Judgment.


ROBERT M. DANIEL
Judge, Court of Common Pleas

11-16-83
Date

APPROVED:

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ATTORNEY GENERAL OF OHIO

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