

CLERK OF COURTS

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IN THE COURT OF COMMON PLEAS

PERRY COUNTY, OHIO

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

CASE NO. 19262

Plaintiff,

v.

JUDGE JOHN TAYLOR

ROCKY PETROLEUM CORPORATION
and
RICHARD C. SPENCER,

Defendants.

CONSENT JUDGMENT

The complaint having been filed by Plaintiff, State of Ohio on April 12, 1985 under Chapter 1509 of the Ohio Revised Code, and Plaintiff and Defendants Rocky Petroleum Corporation and Edna Mae Spencer, Executrix of the Estate of Richard C. Spencer, deceased, having consented to the entry of this consent judgment without trial, this Court ORDERS and DECREES:

I

This Court has jurisdiction over the parties and the subject matter of this case. The complaint states a claim upon which relief can be granted to Plaintiff against Defendants under Chapter 1509 of the Ohio Revised Code.

II

Defendants Rocky Petroleum Corporation and Edna Mae Spencer, Executrix of the Estate of Richard C. Spencer, deceased, shall pay to Plaintiff State of Ohio a civil penalty of Eight Thousand Dollars (\$8,000.00) for the violations of law alleged in the Complaint. Payment of the civil penalty shall be made by certified check or money order payable to the Treasurer of the State of Ohio and delivered to Plaintiff's Counsel within five (5) days of the entry of this Consent Judgment. Said civil penalty shall be in full satisfaction of any liability of Defendants for the violations of Chapter 1509 asserted in the complaint.

permit number 3642 and located in Monday Creek Township, Perry County, Ohio to be plugged in accordance with Chapter 1509 of the Ohio Revised Code and the rules promulgated thereunder. In addition, the well shall be plugged under the supervision of and subject to the approval of the Division of Oil and Gas in accordance with the following specifications:

A. The well shall be plugged with a prepared clay. A clay slurry shall be placed in the well bore in the following intervals:

1. from total depth of 2880 feet to a minimum of 2330 feet;

2. from 2100 feet to a minimum of 1700 feet across the top of the Big Lime;

3. from the 7 inch casing seat at 1002 feet to a minimum of 520 feet;

4. from the 8 inch casing seat at 485 feet to 30 inches below grade level. If the base of the 8 inch surface casing is cemented in place the surface casing directly above the cemented portion shall be ripped and recovered. Clay shall be placed from the 7 inch casing seat to the top of the 8 inch casing, and from the depth of the parted 8 inch casing to within 30 inches below grade level.

B. During the plugging operation, the 5-1/2, 7 and 8 inch casing strings shall be withdrawn from the borehole. When a string of casing has been withdrawn by either removing the casing from the casing seat or parting the casing above the casing seat, an approved precast concrete plug shall be lowered in place on the casing seat or on the parted casing point. A brush and rock bridge or a mechanical plug shall be placed at a depth of 2100 feet to provide the base for a plug at the top of the Big Lime.

C. The 36 feet of 10 inch drive pipe shall be left in the borehole and cut off 30 inches below grade level.

E. All fluids recovered from the well during the plugging operation shall be contained within liquid-tight steel tanks. The fluids shall be removed and disposed of in accordance with Section 1509.22 of the Ohio Revised Code immediately upon completion of the plugging operation.

F. The quantity and quality of all materials used in plugging the well shall be approved by the Division of Oil and Gas.

G. Once commenced, plugging operations shall proceed with all due diligence until the well is plugged to the satisfaction of the Division.

H. If unexpected downhole problems render the above described plugging program impossible or impracticable to complete, Defendants must present, in writing, to the Division of Oil and Gas, an alternate plugging program. The Division must approve the alternate plugging program, in writing, before it may be implemented.

IV

Defendants shall give the Division of Oil and Gas advance notice of the commencement of plugging operations sufficient to enable a representative of the Division to be present during those operations. Under no circumstances shall the notice to the Division be less than ninety-six (96) hours.

V

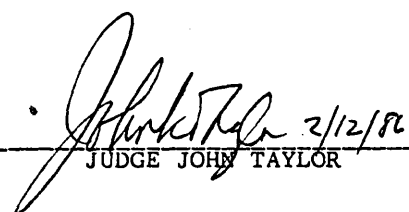
Defendants shall commence plugging operations within ninety (90) days of the filing of this Consent Judgment.

VI

Defendants shall restore the Donofrio no. 1 wellsite in accordance with Section 1509.072 of the Ohio Revised Code.

VII

Defendants Rocky Petroleum Corporation and Edna Mae Spencer, Executrix of the estate of Richard C. Spencer, deceased, shall pay the costs of this action.


JUDGE JOHN TAYLOR

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