

83 NOV 29 P 1:10

IN THE COURT OF COMMON PLEAS  
LICKING COUNTY, OHIO

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

CONSENT JUDGMENT

Plaintiff,

CASE NO. 83 L 76923

v.

JUDGE LAUGHLIN

CARL E. SMITH  
Box 1069  
2805 E. Ray Drive  
Zanesville, OH 43701

Defendant.

CONSENT JUDGMENT

The complaint having been filed on September 29, 1983,  
and plaintiff State of Ohio and defendant Carl E. Smith having  
agreed to this entry,

NOW, THEREFORE, upon the pleading and the consent of  
the above-stated parties, this Court ORDERS, ADJUDGES, AND  
DECREES 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 of the Ohio Revised Code.

II

This Consent Judgment applies to defendant, his agents,  
employees, and successors, and to all persons, firms, corpor-  
ations, and other entities having notice of the Judgment and  
acting in privity with the defendant.

III

Defendant Carl E. Smith is permanently enjoined from  
releasing saltwater and other oil field wastes in an uncon-

trolled manner from tanks located near the No. 1 well on the Paul Osborn lease, Lot 13, Perry Township, Licking County, Ohio.

IV

Defendant Carl E. Smith is permanently enjoined from disposing of saltwater and other oil field wastes in this State other than in a manner approved by the Chief of the Division of Oil and Gas.

V

Within thirty days of the date of the filing of this entry, defendant shall restore the surface affected by the improper disposal of saltwater at the above-described site. This provision in no way relieves the defendant of his obligation to comply with Section 1509.072 (B) of the Ohio Revised Code regarding restoration to be performed upon plugging of the named well.

VI

Defendant Carl E. Smith shall pay a civil penalty of five hundred dollars. Payment shall be made within ten days of the filing of this entry by delivering to counsel for the State a check in that amount payable to "Treasurer, State of Ohio." Defendant shall pay court costs.

VII

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

*Neil M. Laughlin*  
JUDGE, COURT OF COMMON PLEAS

11-29-83  
DATE

APPROVED:

*Carl E. Smith*  
CARL E. SMITH  
Defendant  
2805 E. Ray Drive  
Zanesville, OH 43701

Nov. 22, 1983  
DATE

ANTHONY J. CELEBREZZE, JR.  
ATTORNEY GENERAL OF OHIO

By: *Rebecca M. Kimball*  
REBECCA M. KIMBALL  
Assistant Attorney General  
Counsel for Plaintiff State of Ohio  
Bldg. A., Fountain Square  
Columbus, OH 43224

Nov. 15, 1983  
DATE