

**BEFORE THE
OIL & GAS COMMISSION**

DALTON SMITH,

Appellant,

-vs-

DIVISION OF MINERAL RESOURCES
MANAGEMENT,

Appellee.

Case No. 756

Review of Chief's Order 2006-36

**ORDER OF THE
COMMISSION DISMISSING
APPEAL**

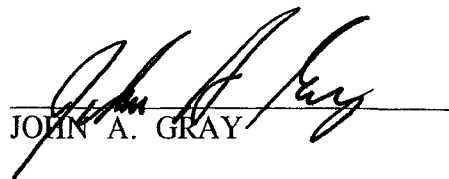
Appearances: Linda S. Lease Guran, Counsel for Appellant Dalton Smith; Mark G. Bonaventura, Assistant Attorney General, Counsel for Appellee Division of Mineral Resources Management.

Upon Notice of Dismissal filed by Appellant, the Commission hereby
DISMISSES appeal no. 756, with prejudice.

Date Issued: 8/28/06



WILLIAM J. TAYLOR, Chairman



JOHN A. GRAY

JAMES H. CAMERON

M. HOWARD PETRICOFF, Secretary


TIMOTHY C. McNUTT

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OIL AND GAS COMMISSION
STATE OF OHIO

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AUG 16 2006

**OIL AND GAS
COMMISSION**

DALTON SMITH)
2252 North Cleveland-Massillon Road)
Bath, Ohio 44210)

ORDER NO 2006-36

Appellant)

vs.)

NOTICE OF DISMISSAL OF
APPEAL TO MODIFY ORDER

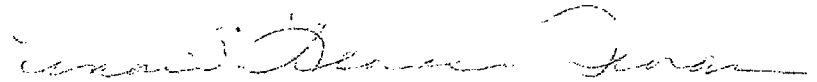
MICHAEL L. SPONSLER)
Chief of the Division of Mineral)
Resources Management)
Building H-2)
2045 Fountain Square Drive)
Columbus, Ohio 43229)

Appellee)

Now comes Appellant, DALTON SMITH (hereinafter also referred to as "SMITH"), and for cause, enters his notice of dismissal of appeal to modify order in regard to order no. 2006-36.

On or about August 9, 2006, the Ohio Department of Natural Resources terminated Order 2006-36 as indicated by the Order by the Chief attached hereto as Exhibit "A" and incorporated by reference herein.

Respectfully submitted,



Linda S. Lease Guran, Esq. #0038886
Attorney for Appellant, DALTON SMITH
1312 Country Club Road
Akron, Ohio 44313
330.836.5150
lsguran@neo.rr.com

**BEFORE THE
OIL & GAS COMMISSION**

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Review of Chief's Order 2006-36

-vs-

DIVISION OF MINERAL RESOURCES
MANAGEMENT,

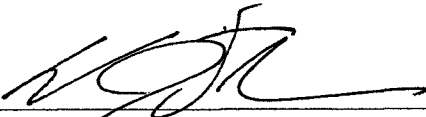
**ORDER OF THE
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Appellee.

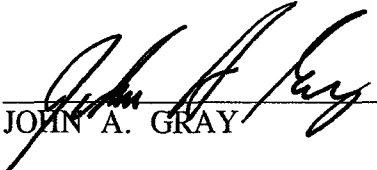
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Date Issued: 9/28/06



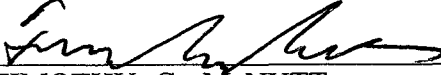
WILLIAM J. TAYLOR, Chairman



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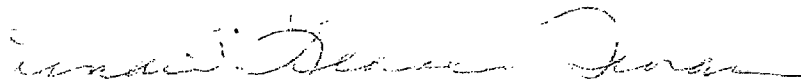
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Respectfully submitted,



Linda S. Lease Guran, Esq. #0038886
Attorney for Appellant, DALTON SMITH
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Akron, Ohio 44313
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lsguran@neo.rr.com

September 1, 2006

Representatives of the parties to:

Dalton Smith vs. Division of Mineral Resources Management, #756

John C. Brown vs. Division of Mineral Resources Management, #758

A.W. Tipka Oil & Gas vs. Division of Mineral Resources Management, #760

You have received an Order from the Oil & Gas Commission dismissing your appeal. The Order was incorrectly dated 09/28/06. The correct date should have been 08/28/06. Attached is a corrected order. I apologize for any confusion or inconvenience. If you have questions or concerns, please contact me at 614-262-1269.

Linda Osterman
Assistant to the Commission Secretary
Oil & Gas Commission
2045 Morse Road
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Columbus, Ohio 43229
614-262-1269
614-262-1306 (fax)
linda.osterman@dnr.state.oh.us

Distribution:

Linda S. Lease Guran
John C. Brown
John K. Keller, W. Jonathan Airey, Gregory Russell, Michael J. Settineri
Mark G. Bonaventura