

BEFORE THE OIL & GAS COMMISSION

FRANCIS SMITH,
dba RIDGEWAY RESOURCES,

Appellant,

-vs-

DIVISION OF MINERAL RESOURCES
MANAGEMENT,

Appellee.

: Appeal Nos. 739 & 740

:
: Review of Chief's Order 2004-27 &
: Chief's Order 2004-55


ORDER OF THE
COMMISSION DISMISSING
APPEALS


Appearances: Mark E. Leminger, Counsel for Appellant Francis Smith, *dba* Ridgeway Resources;
Robert Eubanks, Assistant Attorney General, Counsel for Appellee Division of Mineral
Resources Management.

Upon Motion to Withdraw filed by Appellant, the Commission hereby
DISMISSES appeal nos. 739 and 740, with prejudice.

Date Issued: 4/5/05


WILLIAM J. TAYLOR, Chairman


JOHN A. GRAY


JAMES H. CAMERON


MARILYN ENNIS

DISTRIBUTION:

Mark E. Leminger
Via Fax [330-674-4469] & Regular Mail

Robert Eubanks
Via Fax [614-268-8871] & Inter-Office Mail

**TO: Oil and Gas Commission
Benita Kahn, Secretary
c/o Vorys, Sater, Seymour & Pease
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008**

**RECEIVED
JAN 31 2005
OIL AND GAS
COMMISSION**

⋮

⋮

⋮

MOTION TO WITHDRAW APPEALS

NOW COMES Appellant, Francis Smith dba Ridgeway Resources, by and through his undersigned counsel, pursuant to Rule 1509-1-09 of the Rules of Procedure of the Ohio Oil and Gas Commission and moves this Commission to grant Appellant's request to withdraw the appeals filed by the Appellant and pending before the Oil and Gas Commission as Appeal Numbers 739 and 740. The appeals pertain to Chief's Order Numbers 2004-27 and 2004-55. The reason for this Motion is that the Chief Orders Numbers 2004-27 and 2004-55 have been terminated and the well which was the subject of the referenced orders has been transferred.

Respectfully submitted,

Critchfield, Critchfield & Johnston, Ltd.

By: 

Mark E. Leininger (#0065627)

138 East Jackson Street
Millersburg, Ohio 44654

leininger@ccj.com

PH: (330) 674-3055

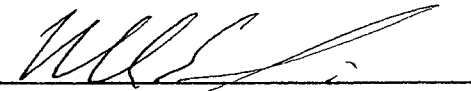
FAX: (330) 674-4469

Attorneys for Appellant

CRITCHFIELD,
CRITCHFIELD
JOHNSTON, LTD.
ATTORNEYS AT LAW
138 EAST JACKSON STREET
MILLERSBURG, OH 44654
674-3055

CERTIFICATE OF SERVICE

I hereby certified that the forgoing Motion to Dismiss the Appeals was served by certified mail, return receipt requested upon Michael L. Sponsler, Chief of the Division of Oil and Gas, at 1855 Fountain Square, Bldg. H-2, Columbus, Ohio 43224-1383, and upon Mr. Tom Tugend, of the Ohio Department of Natural Resources, at 2045 Morris Road, Building H-2, 2nd Floor, Columbus, Ohio 43229, and upon Robert Eubanks, Esq., Assistant Attorney General, 1930 Belcher Avenue, Building D, Floor 2, Columbus, Ohio 43224 on this 27th day of January, 2005.



Mark E. Leminger
Attorney for Appellant