

BEFORE THE OIL AND GAS BOARD OF REVIEW

DEPARTMENT OF NATURAL RESOURCES

STATE OF OHIO

MASON DRILLING.

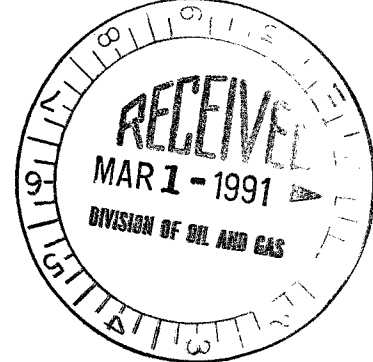
Appellant,

v.

CHIEF, Division of Oil  
and Gas, Ohio Department  
of Natural Resources

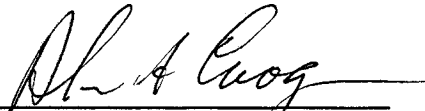
Appellee.

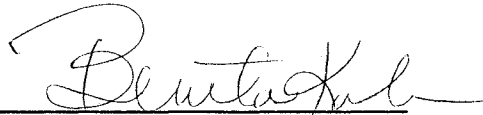
APPEAL NO. 410



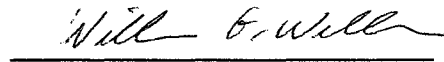
ORDER


The instant cause comes before the Board upon appellee Chief's Motion to Dismiss for mootness. Upon consideration of the Motion and the memoranda of the parties, the Board finds that a decision in this appeal can not provide any relief to the appellant because the relief sought—namely that a smudge not have to be maintained during the drilling of the Hershberger-Erb #1 well—is no longer available since appellant already drilled the relevant well to total depth. The instant action, therefore is moot, appellee's Motion is well taken and the instant appeal is hereby *DISMISSED*.

  
Alan Coogan, Chairman

  
Benita Kahn, Secretary

  
Robert Alexander

  
William Williams

  
Gail Ignatz-Hoover

CERTIFICATE OF SERVICE

I hereby certify that, to the best of my knowledge, a copy of the foregoing Order was served, via certified United States Mail, postage pre-paid, this 27<sup>th</sup> day of ~~1991~~ February 1991, to counsel for appellant Mason Drilling, Samuel Steimel, at 111 South Clay Street, Millersburg, Ohio 44654.

  
BENITA KAHN

I hereby certify that, to the best of my knowledge, a copy of the foregoing Order was served, via regular United States Mail, postage pre-paid, this 27<sup>th</sup> day of February 1991, to counsel for appellee Chief of the Division of Oil and Gas, Ohio Department of Natural Resources, Assistant Attorney General Todd Musheff, Environmental Enforcement Section, at Fountain Square, Building A, Columbus, Ohio 43224.

  
BENITA KAHN