



{¶1} This is an appeal from a Washington County Common Pleas Court judgment that dismissed the complaint filed by Wilson Energy, LLC and Robert R. Wilson, plaintiffs below and appellants herein. Appellants assign the following errors for review:

FIRST ASSIGNMENT OF ERROR:

"THE TRIAL COURT COMMITTED REVERSIBLE ERROR BY DISMISSING THE PLAINTIFFS' CASE ON THE PLEADINGS WHERE THE PLAINTIFFS CREDIBLY ALLEGED THAT THE DEFENDANTS' LARGE-VOLUME, HIGH-PRESSURE, WA[S]TE-FLUID INJECTION OPERATIONS HAVE COLLECTIVELY CAUSED FLOODING DAMAGE TO THE DEVELOPMENT OF PLAINTIFFS' MINERAL ESTATE."

SECOND ASSIGNMENT OF ERROR:

"THE TRIAL COURT COMMITTED REVERSIBLE ERROR BY REFUSING PLAINTIFFS LEAVE TO AMEND THEIR COMPLAINT WHERE THE ALLEGATIONS PLAINLY GAVE RISE TO COGNIZABLE CLAIMS FOR DAMAGES."

{¶2} This appeal is a companion case to *Bethel Oil and Gas, LLC, et al. v. Redbird Development, LLC, et al.*, 2024-Ohio-xxxx (4th Dist.), and we consolidated the cases for purposes of oral argument. This appeal involves the same issues and the same essential underlying facts that we considered in *Bethel Oil and Gas*. Other than the differences in the parties' names and the property alleged to be damaged, the complaint and the parties' trial court and appellate briefings nearly are mirror images.

{¶3} Consequently, for the sake of efficiency, and based upon the reasons set forth in our opinion in *Bethel Oil and Gas*, we sustain appellants' first assignment of error, overrule appellants' second assignment of error as moot, reverse the trial court's judgment, and remand this matter for further proceedings consistent with this opinion and with our opinion in *Bethel Oil and Gas*.

JUDGMENT REVERSED AND  
REMANDED FOR FURTHER  
PROCEEDINGS CONSISTENT WITH  
THIS OPINION AND WITH THE  
OPINION IN *BETHEL OIL AND  
GAS*.

## JUDGMENT ENTRY

It is ordered that the judgment be reversed and remanded for further proceedings consistent with this opinion and with the opinion in *Bethel Oil and Gas, LLC, et al. v. Redbird Development, LLC, et al.*, 2024-Ohio-xxxx (4th Dist.). Appellants shall recover of appellees the costs herein taxed.

The Court finds there were reasonable grounds for this appeal.

It is ordered that a special mandate issue out of this Court directing the Washington County Common Pleas Court to carry this judgment into execution.

A certified copy of this entry shall constitute that mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

Smith, P.J. & Wilkin, J.: Concur in Judgment & Opinion

For the Court

BY: \_\_\_\_\_  
Peter B. Abele, Judge

## NOTICE TO COUNSEL

Pursuant to Local Rule No. 14, this document constitutes a final judgment entry and the time period for further appeal commences from the date of filing with the clerk.