

ENROLLED HOUSE
BILL NO. 1462

BY: RICE of the HOUSE

and

EASLEY of the SENATE

AN ACT RELATING TO OIL AND GAS; AMENDING 52 O.S.
1981, SECTION 36.6, WHICH RELATES TO OWNERSHIP OF
GAS; CLARIFYING OWNERSHIP OF CERTAIN NATURAL GAS;
AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 52 O.S. 1981, Section 36.6, is amended to read as follows:

Section 36.6. All natural gas which has previously been reduced to possession, and which is subsequently injected into underground storage fields, sands, reservoirs and facilities, shall at all times be deemed the property of the injector, his heirs, successors or assigns; ~~and in.~~ In no event shall such gas be subject to the right of the owner of the surface of said lands or of any mineral interest therein, under which said gas storage fields, sands, reservoirs, and facilities lie, or of any person other than the injector, his heirs, successors and assigns, to produce, take, reduce to possession, waste, or otherwise interfere with or exercise any control thereover, provided that the injector, his heirs, successors and assigns, shall have no right to gas in any stratum, or portion thereof, which has not been condemned under the provisions of this act, or otherwise purchased. With regard to natural gas in a stratum, or portion thereof, which has not been condemned or otherwise purchased under the provisions of this act:

1. The injector, his heirs, successors and assigns shall not lose title to such gas if such injector, his heirs, successors or assigns can prove by a preponderance of the evidence that such gas was originally injected into the underground storage;

2. The injector, his heirs, successors and assigns, shall have the right to conduct such tests, at his sole risk and expense including, but not limited to, the value of any lost production of other than the injector's gas, as may be reasonable to determine ownership of such gas; and

3. The owner of the stratum shall be entitled to such compensation as is provided by law.

SECTION 2. This act shall become effective September 1, 1991.

Passed the House of Representatives the 24th day of April, 1991.

Speaker of the House of
Representatives

Passed the Senate the 10th day of April, 1991.

President of the Senate