

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2849

By: Rice

AS INTRODUCED

An Act relating to the Corporation Commission,
amending 17 O.S. 1991, Section 519, which relates
to surface damages; clarifying language relating to
surface damages; and providing an effective date.

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

SECTION 1. AMENDATORY 17 O.S. 1991, Section 519, is amended to read as follows:

Section 519. A. Before entering upon a site for brine well drilling, except in instances where there are non-state resident surface owners, non-state resident surface tenants, unknown heirs, imperfect titles, surface owners, or surface tenants whose whereabouts cannot be ascertained with reasonable diligence, the operator shall give to the surface owner a written notice of his intent to drill containing a designation of the proposed location and the approximate date that the operator proposes to commence drilling.

B. Such notice shall be given in writing by certified mail to the surface owner. If the operator makes an affidavit that he has

conducted a search with reasonable diligence and the whereabouts of the surface owner cannot be ascertained or such notice cannot be delivered, then constructive notice of the intent to drill may be given in the same manner as provided for the notice of proceedings to appoint appraisers set forth in Section ~~22~~ 521 of this ~~act~~ title.

C. Within five (5) days of the date of delivery or service of the notice of intent to drill, it shall be the duty of the operator and the surface owner to enter into good faith negotiations to determine the surface damages.

SECTION 2. This act shall become effective November 1, 1998.

46-2-8748

KSM