

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 2239

By: Jett

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6 AS INTRODUCED

7 An Act relating to the Corporation Commission;
8 amending 17 O.S. 2001, Section 519, which relates to
9 the Oklahoma Brine Development Act; clarifying
10 language; and providing an effective date.

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

13 SECTION 1. AMENDATORY 17 O.S. 2001, Section 519, is
14 amended to read as follows:

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

1 Such notice shall be given in writing by certified mail to the
2 surface owner. If the operator makes an affidavit that he has
3 conducted a search with reasonable diligence and the whereabouts of
4 the surface owner cannot be ascertained or such notice cannot be
5 delivered, then constructive notice of the intent to drill may be
6 given in the same manner as provided for the notice of proceedings
7 to appoint appraisers set forth in Section 22 of this act.

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

12 SECTION 2. This act shall become effective November 1, 2009.

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