

1 STATE OF OKLAHOMA

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

3 SENATE BILL 556

By: Justice

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5  
6 AS INTRODUCED

7 An Act relating to oil and gas; amending 52 O.S.  
8 2001, Section 318.3, which relates to negotiation of  
9 surface damages; modifying certain notification  
10 procedures; requiring notice of certain oil and gas  
11 operations to be included in notice; modifying date  
12 for commencement of certain negotiations; and  
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 52 O.S. 2001, Section 318.3, is  
16 amended to read as follows:

17 Section 318.3 Before entering upon a site ~~for~~ to commence oil  
18 or gas drilling, ~~except in instances where there are non-state~~  
19 ~~resident surface owners, non-state resident surface tenants, unknown~~  
20 ~~heirs, imperfect titles, surface owners, or surface tenants whose~~  
21 whereabouts cannot be ascertained with reasonable diligence,  
22 operations, the operator shall give to the each surface owner and  
23 surface tenant of record who is locatable through reasonable  
24 diligence a written notice of his the intent to drill containing or  
conduct other oil and gas operations. Such notice shall contain a

1 designation of the proposed location with a certified plat showing  
2 the total area covered, location of well, location of work over rig  
3 anchors, area of overburden storage, final site requirement, roads  
4 and any other items necessary for location of the well within the  
5 section and the approximate date that the operator proposes to  
6 commence drilling or other oil and gas operations.

7 Such notice shall be given in writing by certified mail ~~to the~~  
8 ~~surface owner~~. If the operator makes an affidavit that he or she  
9 has conducted a search with reasonable diligence and the whereabouts  
10 of ~~the~~ a surface owner or surface tenant of record cannot be  
11 ascertained or such notice cannot be delivered, then constructive  
12 notice of the intent to drill may be given in the same manner as  
13 provided for the notice of proceedings to appoint appraisers.

14 Within ~~five (5)~~ ten (10) days of the date of delivery or service  
15 of the notice of intent to drill or commence other oil and gas  
16 operations, it shall be the duty of the operator and the surface  
17 owner to enter into good faith negotiations to determine the surface  
18 damages.

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

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21 52-1-169 MJM 3/6/2009 5:17:39 AM  
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