



West Virginia Surface Owners' Rights Organization

Surface Owners' News

Volume 2, Issue 2

www.wvsoro.org

Under the Dome 2009

Surface Owners' Bill of Rights Introduced in the Senate; House Version Expected Soon

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& Julie Archer, julie@wvsoro.org

We all know that there are few protections in state law for West Virginia surface owners. A new legislative session has begun and there are two bills that can give landowners more say in the location of wells and access roads and other matters related to oil & gas exploration on their property. One is the Surface Owners Protection Act (SB 478), based on laws in New Mexico. It is a step up from current law, but our own Surface Owners' Bill of Rights (SB 374) has been reintroduced with some small modifications.

Both bills provide additional notice to surface owners and require a time period to allow for negotiation of a pre-drilling "Surface Use and Compensation Agreement" between the driller and surface owner. However, our bill gives more notice and requires the driller to offer to meet face-to-face with the landowner. The Surface Owners' Bill of Rights also gives surface owners the right to purchase gas at cost from wells on their land, would compensate them for the market value of the property taken for well sites and access roads instead of letting the drillers pay us pasture value for a potential or future home site and would let landowners choose types of road construction and re-vegetation.

We will be monitoring the Surface Owners' Protection Act (SB 478), but of course focusing on getting our bill, the Surface Owners' Bill of Rights (SB 374), passed. Unfortunately, both bills will have to be considered and passed by three committees before reaching the Senate floor for a vote. Both have been triple referenced to the Energy, Industry & Mining Committee, Judiciary and then to Finance. SB 374 sponsors are Senators

Larry Edgell (D-Wetzel), Randy White (D-Webster) and Jeff Kessler (D-Marshall. Senators Kessler and White are also sponsors of SB 478, along with Senators Clark Barnes (R-Randolph), Truman Chafin (D-Mingo) and Erik Wells (D-Kanawha).

As we go to press, the House version of these bills has yet to be introduced, although sponsors have already been secured. We have 11 sponsors (the maximum) for the Surface Owners' Bill of Rights — Delegates Bonnie Brown (D-Kanawha),

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Join Us for WV SORO Day at the Legislature March 17, 2009

WV SORO day will be held on March 17, 2009 at the State Capitol. This is a great opportunity to come down and show support for the Surface Owners' Bill of Rights. Legislators will only be impressed by a strong turnout, so we hope you can attend.

We'll gather in the Governor's Press Conference Room (located in the Secretary of State's Office, Room 157-K) at 9AM for refreshments and a short legislative briefing before heading out to speak with legislators. We'll meet back at the Press Conference Room for a media event at 2PM.

Our lobby team will be available throughout the day to direct and guide you to the right places. (If you arrive after 10AM please call Norm (304) 881-8664 or Julie (304) 610-9094 to meet up .We recommend you contact your legislators in advance to schedule an appointment for that day. Please contact us if you want help arranging your meeting, if you need a ride to Charleston or are willing to bring others from your area.

Please e-mail info@wvsoro.org or call (304) 346-5891 by Sunday, March 15, if you plan to attend WV-SORO Day -- we want to be sure to have plenty of refreshments on hand.

Bill of Rights Introduced

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Sam Argento (D-Nicholas), Barbara Fleischauer (D-Monongalia), Mike Manypenny (D-Taylor), Dale Martin (D-Putnam), Clif Moore (D-McDowell), Ricky Moyer (D-Raleigh), Brady Paxton (D-Putnam), Dan Poling (D-Wood), Mary Poling (D-Barbour) and Ralph Rodighiero (D-Logan). We expect the bill to be assigned to Energy, Industry & Labor, Economic Development & Small Business (one committee with two chairs) and Judiciary.

Read on to learn more about what you can do to improve our chances of getting the Surface Owners' Bill of Rights passed this year. We also encourage you to sign up for our E-list so we can send you updates on the bill throughout the legislative session, and get other important information to you more quickly. Email updates are faster, more frequent, and often discuss something that needs action before paper mail can get to you. E-mail info@wvsoro.org to get on the list.

Contact Your Legislators

Please keep up your calls, letters and e-mails to your legislators. It does make a difference and gives us more credibility in their eyes. Ask them to support the Surface Owners' Bill of Rights.

Address Letters to:

The Honorable _____

West Virginia Senate/House of Delegates

Building 1, State Capitol Complex

Charleston, WV 25305

Call toll-free: 1-877-565-3447

On the web: www.legis.state.wv.us where you can find legislators' e-mails. Or e-mail any legislator at cglagola@mail.wvnet.edu. Be sure to include legislators' names in the subject line so your e-mail can be delivered.

Petitions Presented in the Senate; Please Keep Them Coming!

The day after our bill was introduced, Senator Edgell turned in the first batch of petitions in support of the Surface Owners' Bill of Rights with signatures from Doddridge, Ritchie, and Harrison counties. We intend to submit petitions throughout the session, including on WV SORO Day, to focus attention on and demonstrate support for our issue. Please keep collecting signatures and sending them in. The petition is available on the next page. Call or e-mail info@wvsoro.org to request additional copies.

WV SORO Related News Briefs

Senator, Delegate Give Identical Floor Speeches

The same day the Surface Owners' Bill of Rights was introduced, Senator Walt Helmick (D-Pocahontas) and Delegate Brent Boggs (D-Braxton) gave word-for-word, identical floor speeches in support of the oil & gas industry (visit <http://www.wvpubcast.org/newsarticle.aspx?id=8356> to listen).

WV SORO Founder on *Talkline* with Hoppy Kercheval

WV SORO founder Dave McMahon went head-to-head with Corky DeMarco, Executive Director of the WV Oil & Natural Gas Association (WVONGA) on *Talkline*. Host Hoppy Kercheval was gracious enough to provide us with audio from the show and it is available at www.wvsoro.org for those who weren't able to tune in.

**A Petition to the Honorable Joe Manchin, Governor of WV
and Honorable Delegates and Senators of the WV Legislature**

We, the undersigned, as surface owners of property in West Virginia, do hereby petition you to introduce and support a "Surface Owner's Bill of Rights" to:

- Aid surface owners in having their existing common law rights recognized and respected by oil and gas well drillers;
- Give surface owners more say in where wells, access roads, and pipelines are placed; and
- Ensure surface owners receive fair and equitable compensation for their inconveniences and losses.

Name	Address	E-mail/Phone Number

Please return completed petitions to: WV-SORO, 1500 Dixie Street, Charleston, WV 25311



WV Surface Owners' Rights Organization
1500 Dixie Street
Charleston, WV 25311
www.wvsoro.org

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WV-SORO Day at the Legislature

***When?* Tuesday, March 17, 2009**

***Where?* State Capitol, Charleston, WV**

***Why?* To Support Surface Owners' Rights**

9AM to 10AM ~ Gather in Governor's Press Conference Room

(located in the Secretary of State's Office, Room 157-K; coffee & danish provided)

10AM to 2PM ~ Lobbying, Meetings with Legislators

2PM ~ Press Conference on Surface Owners' Bill of Rights

Contact us at (304) 346-5891 or info@wvsoro.org for more information