

# Who Does a GOOD Forced Pooling Statute Hurt or Help?

## Mineral owners who . . .

- Own all interests in a tract of land and just don't want to lease because:
  - they are holding it for better prices or future generations
  - they are against what drilling is doing to land and communities. . . . . Pooling hurts
- Own partial interests and just don't want to lease because:
  - they are holding it for better prices or future generations
  - they are against what drilling does . . . . . Pooling is better than partition suits
- Own all interests in a tract, and want to lease, but
  - can't get leased or drilled because neighbors won't. . . . . Pooling helps
- Own partial interest and want to lease and can't get leased or drilled because:
  - other owners with interest in same mineral tract won't lease. . . . . Pooling helps
- Own partial interest and want to lease and can't get drilled or leased because:
  - neighbors won't lease. . . . . Pooling helps
- Own all or partial interest in a tract,
  - want to negotiate lease terms for what the lease is worth to the company
  - and company won't give those terms – only what neighbors will sign . . . . . Pooling helps
- Own all or partial, want to extort more than what worth to company to lease. . . . . Pooling hurts

## Surface owners:

- Helps surface owner if provisions in bill:
  - regarding unit spacing and well spacing eliminate unnecessary extra well pads.
  - no surface disturbance can be forced on a tract in the force-pooled unit. [Not in draft bill.]
  - no surface disturbance can be forced on a surface owner of a forced tract. [In draft bill.]
  - Missing and unknown mineral tracts revert to surface owner (as is already the case in missing heirs leasing statute).
  - Some of royalty due to missing and unknown heirs goes to plug thousands of orphaned wells.

## Hurts surface owner if . . .

- The driller already has rights put a horizontal well pad on their surface due to a lease signed by the surface owner (sometimes) or their predecessor (unusual), or a there is a provision in the deed to the surface owner or their predecessor specifically giving those rights (rare).
- The driller that wants to put a pad on the surface owner's land is one of the companies that SAYS it has rights to drill horizontal wells on the surface owner's land without getting the surface owner's permission, and the surface owner is not willing or able to take on the company in court. (Some companies do say that, some do not. WVSORO believes it is NOT true.)