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Meeting Focuses on Landowners' Rights

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A massive crowd ascended upon the Holiday Inn Express in Elkins Friday evening for a meeting to discuss landowners' rights regarding recent inquiries by several gas and oil companies to purchase minerals on their properties. The crowd was so large, the meeting had to be moved next door to the H.W. Daniels Post 29 American Legion.

The West Virginia Farm Bureau and West Virginia Surface Owners Rights Organization sponsored the meeting to provide information to landowners who have recently received offers for oil and gas leases and also those who do not currently own their property's mineral rights. State Sen. Clark Barnes, R-15th District, served as moderator for the event. Sen. David Sybolt, R-14th District, and Senate candidate Mike Ross were also at the meeting.

Several hundred area landowners have received letters from representatives of Chesapeake, Marathon, Magnum and Crown to lease their properties' mineral rights. Folks from Randolph, Barbour, Tucker, Grant, Pocahontas, Preston and other adjoining counties came to the meeting to learn about their rights as property owners.

Even after the meeting was moved to the American Legion, more than 150 people were turned away at the door. After the meeting began, American Legion member Carmen Metheny addressed the audience saying the state fire marshall had called and said the building was exceeding capacity and asked for 50 more people to voluntarily leave.

During the evening, David McMahon, of the West Virginia Surface Owners Rights Organization and Charles Wilfong, president of the West Virginia Farm Bureau spoke to the audience about a variety of issues including landowners rights, how to handle offers from companies, the environmental impact on the property and how to collectively bargain.

"If you decided to enter into an agreement, it is a very serious step," McMahon said. "Do not let them rush you. The more they want to rush you, the more you want to go to somebody else. It's land use versus money. The money is attractive enough, but remember this land will be left to the next

Article Photos



(CU and The Inter-Mountain/Ben Simmons)

CONCERNED CITIZENS — Several hundred landowners attended a meeting at the H.W. Daniels American Legion Post 29 Friday evening to discuss their rights regarding recent inquiries by several gas and oil companies to enter into lease agreements to drill for minerals on their properties. The meeting was initially scheduled for the Holiday Inn Express in Elkins, but had to be relocated to facilitate all the people. Still then, more than 200 people were turned away.

generations. The land may be worth something to you, but what they are doing may be worth more to them. Get them to pay you what it's worth to them ... Get the landmen competing. Get your neighbors together and work to get offers. Do what you can and remember to get everything in writing."

Jason Alexander of Grant County came to the meeting because he is concerned about his grandfather's property. He said his grandfather is 90 years old and owns more than 450 acres of land and includes mineral rights. He said someday the land will be his and he's concerned for the future.

"I came to see what the royalties should be and what other people are being offered," Alexander said. "My grandfather is elderly and I don't want to see him get taken advantage of."

Following the meeting, Barnes told The Inter-Mountain he was surprised by the large turnout. He said efforts would be made to have another meeting for the folks who were turned away Friday.

"The energy business is a big business and it's expanding," Barnes said. "There is a lot of opportunity, but when there is a lot of opportunity in a business there is also a lot of opportunity for unscrupulous people to get into that business. So, we're not trying to characterize the oil and gas business certainly as villainous, but what we're dealing with right now is some unscrupulous people out there that have the opportunity to take advantage of the people that I am concerned about that live in my district."

Barnes said has heard several stories from landowners regarding terrible consequences of agreements with gas companies. However, he said he has also seen good results.

"We just want to make sure people are not taken advantage of," Barnes said. "I am going to do everything that is in my power to give these people an opportunity to become educated in this before they take the next step."

Barnes said he often gets comments from folks who have signed a lease for a small amount of money and discover they have been taken advantage of. He also hears from people who own surface rights to a property, but do not own the mineral rights.

"There are some terrible travesties that are going on out there in regards to people who own surface rights, but do not own their mineral rights," Barnes said. "When people do not own their own mineral rights, then our state law is lax in protecting the surface owners. Our laws were set up decades ago to benefit large out-of-state investors to allow them to extract minerals and gas and things and it really trounced the rights of surface owners.

"Unfortunately our state law isn't in a position where we can protect our landowners. It's very, very important that landowners know what rights they do have in regards to people coming on their property. You can't deny the owner of the property that is underground, access to his property, but what we have to do is, we have to strike a balance and we're very interested in striking a balance and making sure that people are not taken advantage of, and unfortunately we see some of that," Barnes said.

For more information regarding landowners rights visit the West Virginia Surface Owners Rights Organization's Web site at www.wvsoro.org or call 346-5891.

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