

SENATE BILL NO. 525

BY SENATOR ALLAIN

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

AN ACT

To enact R.S. 30:28(I), relative to drilling permits; to require notice to landowners affected by certain drilling operations; to provide terms, conditions, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:28(I) is hereby enacted to read as follows:

§28. Drilling permits; issuance; fees; location plat; notice and hearing; funds from drilling permit fees

* * *

I.(1) The commissioner, in accordance with the Administrative Procedure Act, shall promulgate rules, regulations, and orders necessary to require an operator, agent, or assigns, to provide a single notice to the surface owner of lands on which drilling operations are to be conducted. For the purposes of this Subsection, such notice shall be referred to as the "pre-entry notice". The rules, regulations, and orders to be promulgated pursuant to this Subsection shall include the following:

(a) The pre-entry notice shall be sent to the surface owner no less than thirty days prior to construction operations of a drilling location on the property by the operator for the purpose of commencing drilling operations on the well described in the pre-entry notice. Such notice shall be provided in the form required by the commissioner. No subsequent notice to the surface owner shall be required.

1 **(b) The pre-entry notice shall include the following:**

2 **(i) The contact name, email address, and phone number for the**
3 **operator.**

4 **(ii) The proposed well name and pad location including section,**
5 **township, range, and surface plat of the pad location, if available.**

6 **(iii) A statement that operations will commence sometime later than**
7 **thirty days after the date of the notice.**

8 **(c) No pre-entry notice shall be required to be given to a surface owner**
9 **who has a contractual relationship with the operator.**

10 **(d) Upon application, the commissioner may, without notice or hearing,**
11 **waive the pre-entry notice or reduce the thirty-day requirement for such notice**
12 **in the event the thirty-day delay would result in the loss or termination of a**
13 **mineral lease, or in the event of such other emergency circumstances as the**
14 **commissioner may deem appropriate for such waiver.**

15 **(e) No pre-entry notice shall be required for preparatory activities such**
16 **as inspection, surveying, or staking, provided that nothing herein and nothing**
17 **in the rules promulgated under the provisions of this Subsection shall be**
18 **construed as altering or reducing the doctrine of correlative rights or altering**
19 **or reducing the operator's obligation to conduct his operations with due regard**
20 **for the rights of the surface owner.**

21 **(f) No pre-entry notice shall be required to drill additional wells on an**
22 **existing drilling pad on the property so long as the operator does not expand the**
23 **drilling pad or access road.**

24 **(g) Such other matters as the commissioner may deem necessary or**
25 **appropriate to implement the one time pre-entry notice required by this**
26 **Subsection.**

27 **(2) A surface owner, for the purpose of this Subsection, shall mean the**
28 **person or persons shown in the assessor's rolls of the parish as the owner of the**
29 **surface rights for the land for which a pre-entry notification would be required.**

30 **(3) After receipt of the pre-entry notice, the surface owner shall make no**

1 alterations to a completed drilling location with the malicious intent to interfere
2 with the drilling operations for which the owner received the pre-entry notice.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____