

House Amd. #3 8/4[adopted 9-12]- Notice Requirements

Delegates Manchin, Fleischauer, Ireland, Anderson and Campbell move to amend the bill as follows:

On page 49, section 10, line 11, immediately following the semicolon, by deleting the word "and",

AND

On page 49, section 10, line 13, at the conclusion of that paragraph, by adding the following at the start of a new line:

"(6)The owners of record of the surface of any tract immediately adjacent to any tract where the well work is to be conducted or other land disturbance is to occur;

(7) Any surface owner or water purveyor who is known to the applicant to have a water well, spring or water supply source located within 2500 feet of the center of the existing or proposed well pad which is used to provide water for consumption by humans or domestic animals."

AND

On page 49, section 10, line 19, immediately following the word "code", by striking out the remainder of the paragraph and inserting a period.

AND

On page 50, section 10, line 6, at the beginning of that paragraph, by inserting a new subsection "d" and a new subsection "e" which provide as follows:

"(d) With respect to immediately adjacent surface landowners,

surface landowners or water purveyors with water supplies within 2,500 feet of the center of the existing or proposed well pad location, notification shall be made on forms and in a manner prescribed by the Secretary sufficient to identify, for such persons, the rights afforded them under sections eleven and fourteen of this article, and the advisability of taking their own prealteration survey.

(e) Prior to filing an application for a permit for a horizontal well under this article, the applicant shall cause to publish in the county which the well is located or is proposed to be located a Class II legal advertisement as described in section two, article three, chapter fifty-nine of this code, containing such notice and information as the secretary shall prescribe by rule, with the first publication date being at least ten days prior to the filing of the application."

AND

On page 50, line section 10, line 6, at the beginning of the paragraph, by redesignating the provisions of that paragraph as subsection "(f)", and redesignating the remaining subsections of section 10 as subsections (g) through (j) accordingly.