

Publications

Oil and Gas Alert: New Due Dates for Ohio Unitizations

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On May 8 the Ohio Division of Oil and Gas Resources Management (the Division) made several changes to its Procedural Guidelines for Unitization Applications filed under Section 1509.28 of the Ohio Revised Code. The changes below will undoubtedly present new challenges to applicants submitting applications to the Division.

120 Day Due Date and the Division's Review of the Application

- Applicants must file the application *120 days prior* to the posted hearing date
- Applicants must file a complete application within 45 days of the posted hearing date
- Requested hearing dates will not be granted to applicants that fail to meet the due dates or file a complete application

Hearing Notification

- Applicants must publish notice of the hearing in a newspaper of general circulation in the area where the proposed unit will be located and provide the Division with certified proof of such publication
- The newspaper ad must run for 5 consecutive days at least 3 weeks prior to the scheduled hearing date
- The published notice must contain the following:
 - Name of proposed unit
 - Each township and county where the proposed unit is located
 - Name and contact information of the applicant
 - The date, time and location of the hearing
 - If the application includes an unleased mineral owner for whom no address can be located, the notice must include a statement to that effect with reference to the parcel(s) and known ownership information

- The following statement: “For further information regarding this hearing, please visit the Division of Oil and Gas Resources Management's website at www.oilandgas.ohiodnr.gov.” *(Please note: this website is not yet launched.)*

Other Additions to the Application

- Applications must include an affidavit attesting to the fact that the applicant holds a valid lease agreement for all of the acreage that the applicant claims to have under lease
- Applications must include a copy of the executed working interest agreement for each committed working interest partner in the proposed unit
- Contact affidavits must now also include the address at which the contact was made or attempted and the response given by the unleased mineral owner when contacted