

## **H.B. 100 PROPONENT TESTIMONY – DALE DIETRICH**

OHIO HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE

Tuesday, September 17<sup>th</sup>, 2019 – 11:00 A.M. – Room 017

Thank you, Chairman Vitale, Vice Chairman Kick, Ranking Member Denson and Members of the House Energy and Natural Resources Committee for the opportunity to speak to you today on H.B. 100.

My name is Dale Dietrich and I am a landowner in Salem Township, Monroe County, Ohio. I am here to ask that you and this committee move H.B. 100 through committee and onto the full House for a vote.

As a landowner, I am right now in a court case where grandchildren of a former landowner say they are the owners of ½ of the oil and gas minerals of 96 acres of my present lease. They say they inherited the mineral rights from their grandfather who owned the land back in 1966.

When this whole shale play state in our area, I, along with 10 other landowners, founded a small committee to study and learn of our minerals on our properties. One of the first things that we were made of aware of in leasing was to make sure that you owned the minerals on your property. The property that I own I received from my Dad after he passed in 2005. Right before he died, I worked with him to lease this property to a company in Pennsylvania. The property has been in the Dietrich name since 1997 and there was never any energy activity in this area until 2010. We had no problems with that lease and with that, I thought I would have no problems leasing the same ground again.

In October 2011, my attorney faced an overload of land cases, so I hired a second attorney to help research for ownership. After his research, and following all the rules of the 1988 and 2006 DMA, I received a record that I did own these minerals and recorded it in our courthouse. In August of 2012, I leased my ground and the lease was recorded with no problems.

June of 2018, I received a letter from a local attorney representing the grandchildren, stating that there was a question on 96 acres of my property and that with the Supreme Court ruling of Corban vs. Chesapeake, they own 50% of the minerals. I spoke to my regular attorney and he advised me with the ruling of the Corban case, that this case changes everything in the DMA of 2006. I had paid \$5,500.00 to the research lawyer to prove that I own all the mineral rights, but now with this ruling, I do not. I am not the

only person in our county with this problem. I know of three other cases. One person lost 8 acres to a person in Oklahoma, one lost theirs completely, and the other lost  $\frac{1}{4}$  of theirs to someone in California.

Please, for the sake of landowners in Ohio in the future, please pass HB 100 so that landowners can own all of their property, not just the surface.

Thank you for your consideration. I am happy to address any questions that you may have.