

Surface owners and mineral owners essay examples

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Surface land owners generally get a raw deal on the use of land as compared to the mineral owners. In many states, the mineral owners are allowed to drill the minerals as it is their right without any grant from the surface owner. The law is supposed to balance the rights of the mineral owner and the surface owner so that the surface owner is compensated for the damages on the property or the reduction in the value of the surface property. The cost of the personal property in terms of wear and tear should also be compensated.

There are several limits that should be placed on the operators before they enter the premises. The operators should make some reasonable contact with the surface owners before entering their premises. According to McHarg (77), the operators should carry identification with themselves whenever they visit the property and be able to introduce themselves properly to the surface owners. The operators should also answer the queries by the surface owner courteously and promptly.

Limits should also be placed on the operator's ability to extract resources in the property. The operator should extract the resources in a manner that it does not pollute the environment and does not interfere with the form of livelihood of the surface owner without compensation. When the activities of the operator interfere with the activities of the surface owner, the operator is required to compensate the surface owner. The operator is also required to minimize the damage on the property while conducting his or her activities. The situation between the operators and the surface land owners is not fair. The situation is not fair as in most cases the surface owners are not compensated, and the property may be damaged or destroyed. The surface

owner can be compensated if the activities being conducted by the surface operator damages the surface property in such a manner that the surface owner is not able to benefit from it any longer.

Works cited

McHarg, Aileen. Property and the Law in Energy and Natural Resources. Oxford: Oxford University Press, 2010. Print.