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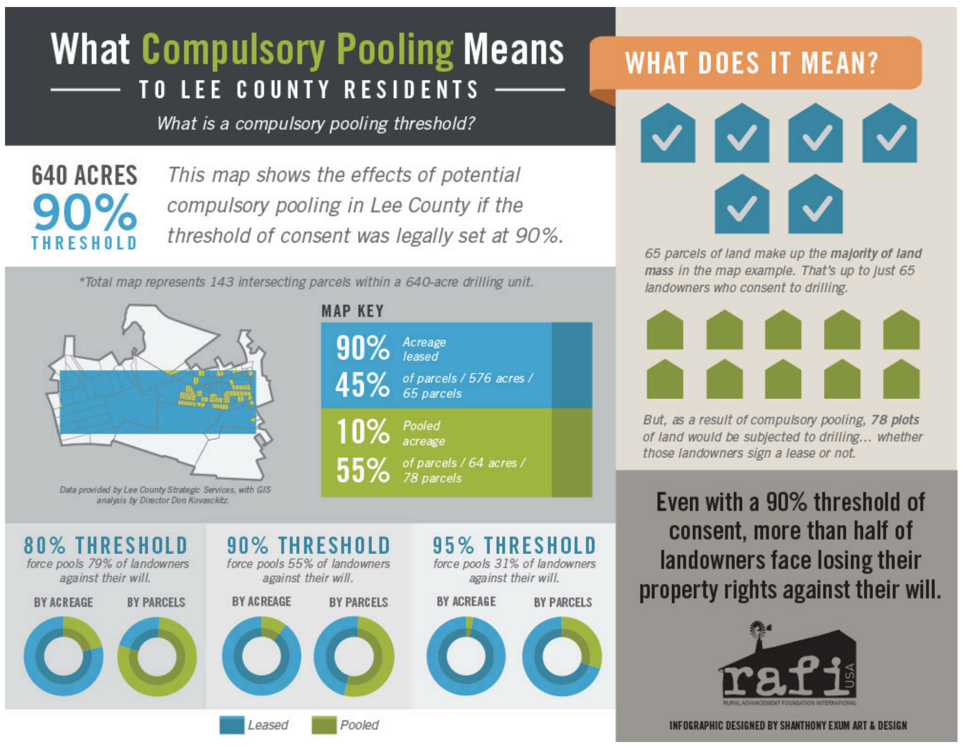
What is Forced Pooling?

Forced pooling, known as **"compulsory pooling"** in North Carolina, gives states the right to compel non-consenting landowners into leasing their oil and gas rights. §113-393 makes forced pooling legal in North Carolina but does not detail when forced pooling may be employed. Most states require that a certain percentage of surrounding land be voluntary leased before forced pooling can take place. North Carolina's statute sets no such requirement, nor does North Carolina's statute detail the process for forced pooling, leaving landowners to wonder how their property could be impacted by forced pooling.

What Would Forced Pooling Mean in North Carolina?

Simply requiring a majority of the acreage in a drilling to be voluntarily leased would not protect landowners from forced pooling in North Carolina. The Compulsory Pooling Study Group, of which RAFI was a member, studied forced pooling in 2013. The Study Group's findings show that even when 90 percent of the <u>*acreage*</u> in a drilling unit is voluntarily leased, more than half of the <u>*parcels*</u> in a drilling unit may still be vulnerable to forced pooling.



How Can North Carolina Protect Landowners from the Impacts of Forced Pooling?

Forced pooling should not be used in North Carolina's unconventional gas environments where hydraulic fracturing, also known as "fracking," may be used to extract natural gas. Such a prohibition has precedent in other states. Pennsylvania[1] and West Virginia[2] do not allow companies to take gas from landowners who have not voluntarily signed a lease agreement.

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1 Pennsylvania § 79.33
2 West Virginia §22C-9-7