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ELK RIVER CONCRETE PRODUCTS OF MONTANA • HELENA, MONT. 59601 • (406) 442-8060

EXHIBIT No. 10
Date 2-3-05
BILL No. SB 258

S - 258

PROJECT Mr Chairman & Committee DATE 2-3-05

I am David McMillen a land & mineral owner in Richland Co.

I rise in opposition to S-Bill 258

We have 6 oil wells on our land, three of them I don't have mineral rights on. I have received from $6500.00 to $14000.00 apiece for these locations. Each location has different damage because of the different terrain & length of road etc.

The oil co. told us what they wanted to pay for the location, and we told them what we wanted, then we compromised & came to an agreement.

I believe the old law worked very well for both of us, and I didn't have to pay an appraiser, or a lawyer, or go to court to get it done. If I had to pay for those people I wouldn't have much of the damage money left, if any.

I believe this bill will hurt the oil industry out of Richland Co., because N.D. is only a few minutes away and they don't have this hoop to jump thru.

I also think it will cost our small towns and the state of Mt. millions of dollars & many jobs.

This old law has worked very well for me and my neighbors, and it will work anywhere in the State, so "If it ain't broke don't fix it"

Thank You
David McMillen