

## **Michael O'Brien**

Interviewed in his home on O'Brien Hollow Road, Doddridge County, WV

On October 29, 2013

Also present: Carrie Nobel Kline

Michael O'Brien: My name is Michael O'Brien

Michael Kline: We never ask people their age, but maybe you'd tell us your date of birth?

MO: 1944, Oct. 2<sup>nd</sup> 1944. 68, 69. Another one snuck by. Live in Doddridge County, back in a hollow.

MK: Start out and tell us a little bit about your people and where you were raised.

MO: My dad was a government meat inspector. So we moved around a bit. He worked in the meat packing houses. Lived in southern Florida and southern Virginia. I finished high school in southern Virginia. I've got two brothers, older brothers. When I finished high school I went to stay with my grandmother in Baltimore City, where I was born, originally. And I went to live with my grandmother to get rich and educated in the city. Typical story. Didn't get a whole lot of either one.

1:08 Spent 10 years in the city. First five years in Baltimore were like, "Boy, aint this fun?" Run hard, play hard. Last five years were like, "How do I get out of here?"

So I met Nancy, who's my wife, at this point. We started looking for land. Went all through upstate New York, through West Virginia a couple times. Delaware, Maryland area, Virginia. And we walked back in this hollow, with my brother and his partner, and bought it forty years ago. Been back here ever since. Have four children, all grown. Four grandkids. That's it.

MK: Tell us, your kids are, what are their names?

MO: Maggie, Rider, Morgan and Casey. A girl and three boys. Range from 27 to 34 years of age. Out and about in the world. Trying to figure out what all they want to do.

2:26 MK: I wanted to ask you--. You said you walked back in this place. What was it? You looked over most of the MidAtlantic region for land. What was it about this particular place?

MO: Yeah, the first thing was it was really hard to get into. You couldn't hardly get into the road to the property, because it was so rutted up and destroyed. At that time I didn't realize it, it's because there's an old gas well back here. And the gas company had been using it to work that old well back here. What we loved about it was the seclusion and isolation of it. And coming from the city, the more difficult it was to get back in here, the more we felt we had more seclusion, and could get back in here and just--.

When we first moved back here we used to argue about who was going to go out and get the groceries, or if we'd do laundry once in a while. We cooked with wood, heated with wood, for a year before one of my neighbors told me there's free gas of that free well. So then I hooked up the gas, and we used gas lights and gas refrigerator. And didn't have electric for about nine and a half years, and just stayed back here with the gas. We felt that we were in 7<sup>th</sup> heaven.

3:50 Obviously, we wanted to leave the hustle bustle, the direction of everything was going on in the city at that time. I had a small garage business, a little three car garage business for about three years, and I sold that and moved out here. And we just loved the simplicity. That's what we were looking for. My brother and his partner left after the first couple of years. My wife and I built a cabin on the other side, the hill, I say, just the other side on the flat. And when they left we came back down to the main house here. They had it and we remodeled it and lived here.

Our kids were born here in the house. We did home birth. I was slowly getting into farming. A number of people who lived around here would come up and ask me if I wanted to go learn how to butcher a pig or a cow. They had an idea of what I was hoping to do.

5:12 My theory was, if I worked it the way my grandparents did that I wouldn't be in debt and I could stay out of that whole, I considered, a game, of being in debt. And so I worked with horses and ponies and mules, and I did the farming that way. I remember putting hay in the barn down here one evening, and I came up, and I was talking to my wife, and I just told her, "I can do this, but it's going to make me old fast." The labor. And working it that way.

Later when I got a low interest loan to buy some equipment and cattle, I said to my wife at that time, "There's obviously a reason for technology." But what happens is then I start farming, almost like a 40 miles radius in this county, because there's hardly any flat ground. So I have to cover big areas in order to do the farming. So I actually just end up working to pay that debt. And I'm back into that game again,

which made it easier for me as far as labor was concerned because of using the equipment. But it doesn't make it easier in the amount of what you have to do in order to make enough money to pay for the equipment. So you're just caught in it again. Hoping to get it all paid for, so one day you can scale it all reasonable and you can do--.

6:49 So eventually I, with the four kids, went back to college, got my degree when I was 41. Nanc kept working the farm with the kids so I could go to school and take classes and pick back up on my degree. I had quit in my junior year at the University of Maryland. When the kids were little I just looked at Nanc and I said, "The farm alone's not going to protect my family. I've got to get some credentials." I went to work for the mental health systems, for people with mental retardation. And I got the degree and I ended up running a group home at one time. I ran day programs, and I ended up being a state advocate.

Basically what I've always done is I work a job, not longer than four and a half years. I will work for a period of time, I'll look at my wife and see if I can come home and farm again. And she says, "Sure." And I will come home and farm until we run out of money. And then I go back to work. And that's the cycle I did all these years.

8:00 I'm fortunate, not lucky because I don't believe in luck, I'm fortunate because my wife Nancy has really loved the farming also and has been my partner in this whole thing. I've seen a lot of couples come and go and split up over this, but we were able to really enjoy doing it together. And the kids always say, "Dad, we'd love to help you. But there's no money in it." So they went off and about. Still searching for what they want to do.

I remained in contact with the people in Baltimore who were good friends of mine. My brother set up the business deals. What I did was I raised pork, lamb and beef off of the farms I worked. And I guaranteed no hormones, no antibiotics. At that time there was a really limited market. In fact most of the people I know were sort of becoming vegetarian, so I knew this wasn't the avenue to be going as far as increasing business. But I would cut up enough wood to pay for the gas. My wife and kids would do all the packing and grinding. I'd do the cutting up. We'd wrap it, pack it down in a big box full of dry ice, and I'd drive it over to the city, and my brother would have people lined up and I'd put it in their freezers. That would give me enough money to carry me into the winter. The hay I'd put up in the summertime. I would sell the excess hay through the winter. That would keep us going until I could get back into the hayfields again. And that's how the cycle worked, how I was able to keep the family going.

10:00 What we learned to do was to live the simplest that we could. We'd live on \$6 [to] \$9,000 a year. Some people come to visit me and say, "How could you live like this? How could you raise your kids like this?" And I don't invite them back too often. And other people that come to visit me say, "Mike, you're like a millionaire with everything you have." So I think that basically says it, it's just somebody's view of what I'm doing and whether it increases my quality of life or not. And Nancy and I always felt like it has increased our quality of life in what we've done.

MK: So simple living.

MO: Absolutely. Still to me less is more. To me that still is a big part of the answer to everything. Now, to get the rest of the culture on that page, it just doesn't seem like it's ever going to be. Maybe it will be, but it just doesn't seem like everybody can get away from the consumption. So everything's geared for that consumption.

11:15 Our whole culture is based up upon a planned obsolescence, consumer society. The whole thing is geared towards that. Things are made to break down so that therefore the factories can keep churning it out. My grandmother used to have a washing machine that I got years later out of her basement and it was still able to use. But we've been through like three washing machines. And everything is like that. It's almost like you're paying rent on the refrigerator and the washers, ect. And that's the obsolescence of things.

I knew it when I ran the garage business. The vehicles. The money was being used to make a \$5,000 vehicle, say. It takes \$15,000 to repair it piece by piece. So there's this whole game that's going on. What's so difficult is it does produce employment. You know, when we get into the oil and gas, that's, people's lives is booming out here, in a certain group of individuals. The small businesses who's renting trailers to the people who moved in, the waitresses, the gas stations. If anybody's not employed right now it's because they don't want to work. There's that much work. It's plentiful.

12:50 There's that side of the whole issue. Of what the boom out here is doing as far as increasing the economy. I'm just not certain that it increases the quality of our lives, because then you look at the road systems and how much the tax base is going to have to afford, etc. So now the gas companies just keep saying to me, "Just hold on, and we'll get this fixed up and we'll get this done." But that's not what we're seeing. That's not what we're feeling. There's more damage being done to the roads, etc., and we can't get them repaired, and can't get

things fixed up. Right now it's still in the frenzy stage, where everything's still booming.

13:40 It's a gold rush out here. There's so much wealth. Antero told me that Doddridge County is the third richest reserve of oil and gas in the world. I looked at them and I said, "The world? Come on guys. We're talking Saudi Arabia, Kuwait, etc." They looked at me and said, "Mike, the world. This is the third richest reserve in the world. This county." And so everybody's coming in to do the drilling and to get it set up. A lot of people say, "Why doesn't the government step in and do something?" Well, they're obviously all involved, players in this. I mean, if you're drilling million dollar wells, and that's what's been quoted to me, at least it takes that to drill on the deep wells. And you're drilling on million dollar wells and gas is at an excess, and it's being sold at the lowest it's ever been. Well then obviously there must be some kind of write offs going on, something to create those kinds of investments. So everybody, I think, is at the table. We just don't know what's going on.

15:00 My biggest complaint a lot with the oil and gas people, and they were here last week, is doing business with them is like a poker game. They deal the cards. They're looking at my cards as they deal the cards. And then they hold their cards real close, and I never get to see their cards. So to do business with people like that. I told them what I've learned out of all this. And I know a number of people in the oil and gas fields, people that do the dozer work. They're all friends of mine. In our conversations, etc. what I've learned is the first stage, to me, is to gather as much information as you possibly can, the second stage is to find out what your legal rights are.

And as a land owner, and I don't own the minerals, now that's a key piece. As a land owner, the one thing I can do to help protect the land that I am so attached to is in the environmental aspect. So I go through the Department of Environmental Protection and etc. So I try to learn all the legality of what should be done in case they're doing the drillings or right of ways. So the second stage is to figure out what is my legal protections. The third stage of what I've learned is what's the best business deal that I can possibly do in the negotiations that go on.

17:08 And the fourth stage, to me, is the most important. Is you need to make sure that you can live with this. Whatever decision you make, you make sure you live with it for the rest of your life. Because it's going to be the rest of my life, whether it's wells drilled or right of ways. The bottom line is I have to decide if this is something I'm going to live with. Now in 2 '07, they came in on me. Now I signed a disclosure act that I can never reveal what happened in the stage of

negotiations of the shallow wells that came in on me. And the first stage that came in on me was the shallow wells- 3-6,000 feet of drilling.

18:00 So what happened in 2 '07 - I got word from the people in the community that the oil and gas industry were looking at my property to drill. I don't own the minerals, so I'm like, what is happening? They got an old well on my property. *They*, meaning the gas company, has an old well sitting on my property. So another gas company makes a deal because that gives them the leasing right. The old company has the leasing right, make a deal between the two of them. Comes in, they bulldoze the trees down, cut the hillside out, and they drill they well. And they come down and they sit on my porch, and they say, "Sue us. We'll give you \$1,500 for the site."

Now when I first started I looked at 'em. I said, "Fellas." There was a surveyor and an oil and gas fellow. And I said, "Fellas, let's just sit on the porch out here for a little while." And we sat out here in this hollow, the bowl, it's shaped like a bowl at the end of my property, and I live at the end of a road. And I said, "Fellas, let's just sit here real quiet for awhile."

19:12 So we sat. It was a pretty day, I remember that. I just looked at them and I said, "Are you going to destroy all this?" And the surveyor, the fellow doing all the surveying looked at me and said, "Yes." And the fellow representing the oil and gas company looked at me and said, "Mike, let's not say 'destroy' this. Let's say 'change.'" I looked at him and said, "You're right," because whether you call it destroyed or whatever, that's interjecting my feelings about something. Because what you're really going do is change it, change it to what we're sitting and knowing right now."

And I said, "What it comes down to, is whether I'm going to be able to live with the change." So the day they left my porch was the day the battle began. I realized all of a sudden, "I've got to gather all the information I possibly can. I've got to start learning what leasing right is, who's got it, why do they have it, and I started realizing that the history in West Virginia dates way back to the legislature to where the minerals were separated out. A lot of this was done back during the Depression when people really were needing. And they separated it out. I started realizing that the laws were all in their favor.

20:35 One hearing I went to I looked at the judge and I said--. Here's a bunch of lawyers from the oil and gas company sitting at one table, and here I was sitting here by myself. I looked at the judge and I said, "Well the first thing, everything you're saying is going right over my

head." And the judge looked at me and he said, "Mike it's made to go over your head." He said, "But I'm going to listen to what you have to say."

Carrie Kline: He said what?

Mike: "It's made to go over your head. But I'm going to listen to what you have to say. So I just said, "The thing that gets me is you have the communities involved, industries involved, and your private ownership of land and the minerals are involved in this whole process. The thing I have problems with is how come all the laws are in the favor of..." and I pointed over to the table where the lawyers for the oil and gas were. I said, "How come all the laws are in their favor? How come there's almost contempt for the landowner at this point?" I said, "I have a hard time with that."

And he looked at me and the judge shook his head "yeah." He said, "Yep. That's the way this game has been set up." Again back to the poker game. This is the way the poker game's set up.

21:40 Okay, so I had to realize, "What do I have to do about it? And I told the oil and gas, "If I could find the Spotted Owl, I'd find the Spotted Owl. If I can do whatever I can do to protect my land, I'm going to do it." So I started looking into the environmental piece. So the whole time when the drilling increased, and that's when I got ahold of somebody who wrote the surface landowners, the manual for surface owners, and I was using that as a guide. A lawyer had written that for legal aid, and I was using that for guide. And then I got the environmental protection heavily involved to make sure that I could protect my property.

22:35 And when I went and got a lawyer, [slight sound of papers rustling], the lawyer basically said to me, "Mike, you're going to lose everything you have." And she said, "I'll give you an example of how they're going to beat you." She says, "They're going to break you. They're financially going to break you." And she said "I'm going to give you an example of how they're going to do it. Right now they're setting up a disposition in different parts of the state. So I'll have to travel over and take a disposition with them. I'll have to travel to another part of the state for any witnesses you have and etc. And just in that alone, the finances of what you're going to have to put up..." She said, "You need to have to negotiate with them. Or they're going to financially bust you. They're going to take your farm."

23:20 The sad part about the whole thing was, one, trying to find good legal help. To me, I said once that a lawyer was sometimes almost

more difficult than dealing with the oil and gas company. The oil and gas company—I knew where they’re coming from, with their greed, and their need to take whatever they could from underneath the ground, in the process of hurting...and I say changing, let’s put it that way, *changing* the surface of the ground around me. But the lawyer was supposed to be representing me, I’m dealing with the same greed. And the cost of what she charged me. She never quoted a single legal case. And that’s her job as a lawyer, is to quote legal cases. Not write some kind of a letter about how much Mike loves his land. I can write that. But if I pay, and I paid her \$18,000, you know? We went to one hearing down in Charleston. She walks in one minute before the hearing. She looks at me, and she says, “We’re going to lose this.”

24:39 And she charged me \$5,000. And when we walked out of the hearing, we’re standing in the garage saying I didn’t.... And the judge even said to her, “Do you have laws to quote, even on a national scale, around the country that you can use in your argument?” And she didn’t.

So when I’m in the garage talking to her after that hearing, she looks at me and says “I didn’t want to spending all my time researching because it would have cost you so much more.” So she lost it. And when we went down to the negotiating hearing later with the oil and gas company on these shallow wells, I told her, “If I wasn’t sick—” I had cancer. I’d been diagnosed with stage four cancer at the time. I had a stomach tube and all that. And I’m sitting there looking at her. And I said, “If I wasn’t so sick, I’d just fire you, you know, and find somebody that could represent me. I’m too sick to go search somebody else out.” And who is there? This was recommended to me, to get her.

25:34: She was supposed to be one of the better. And I talked to the man who wrote the surface manual later. And I said to him, I said, “You know, you did the recommendation.” I said—I really shouldn’t do this, because I shouldn’t be dealing with stereotypes, but I call her “a New York lawyer.” And what I mean by New York lawyer is the CEOs of Wall Street and the bank. It wasn’t the kind of job they did that they gave themselves bonuses, you know? It’s what they think of themselves that they gave themselves bonuses. And she’s the same thing. It’s what she thinks of herself is what she charged me for. It’s got nothing to do with what she produced for me. So you can hear the tension in my voice building, because, my feeling is, the people that are battling the oil and gas companies, you need to clean this up. You need to look at that element that’s supposed to be representing or involved in your process and make sure that that doesn’t happen to people.

26.33 I expect other lawyers to drag her in. You know, I had another lawyer say to me, "It's unethical what she did." She even had all the monies that were supposed to come to me. She had it arranged that it would be sent to her. And she would disperse the monies to make sure that she got her money before I got anything. I called the other people from the other law firms that were representing the oil and gas companies. I said, "You don't do that." And they said, "Yeah we were wondering what was going on." They said, "We can't talk to you. It's a conflict of interest." I said, "You send me the money and I'll pay her. And I did. I paid her, even though it still infuriates the hell out of me. But to me, that piece has got to be cleaned up.

27:15 I mean, if some landowner is looking for some kind of legal help to represent, we need to make sure that that exists for them, in a way that gives them protection. And it's not another part of this whole exchange of monies. And that's what's going on, whether it's this lawyer or this oil and gas company. You know, everybody's out there trying to get all that they can get. And then all of a sudden you've got to get out there to protect the surface of the land. I told the gas company, what's really difficult, on the guy that was tending this small well, and I told these fellows that had drilled these other wells out here, I said, "First of all, you're not my enemy, okay? That's where you really have to be careful with, because that's where people start getting hurt. Okay? And you're not my enemy. You're working a job. You're trying to take care of your family. You're just like me. And a lot of these fellows, I know them, you know? And I know their families. And their families have been going to school with my kids when they were little. (sigh)

28:12 But I look at them and say, "One of the difficulties is as a farmer I look at that land differently than you do. You don't see erosion. You don't see tree damage. But as a farmer over so many years, I'm more tied to that land. I'm going to see that land very differently. And to me I love that experience. I love being able to see my own land that way." I said, "I just don't see it as something to use and abuse and gain whatever wealth I can from it and move on."

I said, "That's what's happening and I just can't see it. I don't like it." (sigh) So when I worked with the environmental protection—. I was an advocate for awhile, so I knew— documentation, documentation, that's the other key piece, is you document everything. Every conversation you write down. You make sure you hold onto every email. I've got a cardboard box just full of documentation. (sigh) So when I was dealing with the environmental protection, and I was talking to the head of the supervisors of the state, I said, "Okay, we have all this documentation, okay? A pond's been polluted with some chemicals. I've got a documented a spring opened up in the ground that's polluted from a

frack pit. I've got all this documentation." I said to the head of the supervisors, I said, "Where's the enforcement? I mean we have to have the other piece of this puzzle. Where's the enforcement for the landowners?"

29:37 "Because that's the only thing that I would go to to protect my land is the environmental piece." (sigh) And he said, "Well call this number. That's the spill line number." And he said, "Call this number and talk to this person." I called the number, and I've got it written down in there who it was. I'd have to search through to find it. But I called the number and I'm talking to the fellow. And he said, "I'm a retired police officer and I'm Homeland Security." And he said, "This is my supervisor's name and number. If you'd rather talk to him you can. He's Homeland Security." I said, "Well I'm not going to talk to you guys." I said, "I'm going to call back to Belcher who's one of the supervisors of the state." I said "I'll talk to the DEP. I'll talk to them." And they said "No, don't call them anymore. Don't email them. Email us and call us from this point on." (sigh) So I just hung the phone up. I knew I'd hit a stone wall there.

30:30 So the gas companies said to me, said, "Mike, we didn't have anything to do with this. We don't know what's going on. And now I've been turned over to Homeland Security. So I said, "Well it's partly easy to understand. If you've got somebody that's banging heads with the state, the state has told me that this is good for the state, it's good for the industry, it's good for jobs.

Michael: What's good?

Mike: The oil and gas industry.

CK: And who told you that?

MO: The finance man underneath Joe Manchin when Joe Manchin was Governor. I was down there with something with the disability community, I was talking to his head finance man. I can't remember his name, but if I had a list of names I could come up with it. And I was talking to him. Basically what I said was—At that time the gas and oil boom was just really starting. And I said, "If there's tremendous amounts of revenue coming in on the drilling, the severance money and etc. of oil and gas," I said, "you as a state, what do you do?" And that's when they explained to me, "It's good for the state, the jobs are good for the state. We need this, and etc."

31:46 So my .... was, and they said they've like doubled in the amount of income that they were bringing in with the oil and gas for the state.

And I said, "Well you've doubled." But the gas at that time had tripled. That's when gas was really jumping. It was going really high in a selling. I said, "It's tripled." I said, "This doesn't seem like to me..." And what I was arguing was with the people I was to represent with disabilities, they were cutting them. And I was saying, "Why are you cutting them? You know, you're not going to the right places to get the monies." That was my argument at that time. That's when they told me their position of the state with the oil and gas. So I knew I was running up against a pretty hard wall.

32:33

MK: Which was the position of the state with regard to the industry? What did they say that was exactly?

MO: Is that it's producing tremendous amounts of revenue for the state. It was like feelings aren't going to help. It was like, "Back off." You know? That was the feeling I was having every time I went to talk to somebody. It was, "Back off, this is good for the state." So what I was going to say was when I was talking to the gas companies, they said, "Mike, we didn't have anything to do with this Homeland Security business with you and etc." I said, "Well partly what you have to understand is if you have somebody over here that's banging heads like crazy with the authorities in power who are overseeing tremendous amount of wealth, and here somebody is banging heads with them, they're going to want to check it out. They don't know what fanatical views I may have and etc." So I understood when they were saying, "Hey, you talk to us from now on." But what it did is that it just stopped everything I was able to do from the environmental piece. But I understood where they were coming from, and the protection of (sigh) of the bigger picture of people.

34:00 You know, there's a lot of people out here that said...it's real tough because...in this process, what I've learned is, you know, you're little land owner and your little business owner, that's really the foundation of what an awful lot of this nation was built upon. It's really a major piece of this private ownership things. So when I see that the laws are made that you just can't do the protection of that. A lot of people said to me, and I have to think about that it certainly came into my mind, "Where do I draw the line...in the sand?" You know, you're coming on my property. You're coming on my property! You're taking my property away from me. Using whatever laws you want. Where do I draw the line in the sand?"

34:59 And a lot of people were saying, "Draw it Mike. Draw it." Well yeah, sure. I draw the line in the sand, I end up in jail the rest of my life, and they're still bulldozing the hell out of this place. I mean that's just not the answer. So it's like, how to use every legal means that you can use to battle this, to make them give you some kind of respect and negotiate with you in some way. It's like a lawyer said to me one time. He said, "Mike, one thing with negotiations is if it's really working well, everybody leaves and nobody's really totally happy." And it's true. That's what I found. But it's how at least to get something established that I have some kind of say so in this. Because when I first started off I had no say so. And I was being told I had no say so, as a landowner. In the disclosure act I can't sit down and say what all I negotiated for. But it's like I went out to a rally once about people from Wetzel and Lewis and Doddridge were at the park talking about all the oil and gas that's going on. I just said, and I'll say it again, is that

36:10 "The first thing I want to do is apologize to my neighbors and the people around me, because I can't disclose what I negotiated for, okay? But the other thing I'll say is, in my life, anybody that says there's something I shouldn't know, then that's what I really want to make sure I find out. And I think that's true in this case too. But they're doing that a lot. I say "they" again, I can't do that. The different, larger oil and gas coming in with the Marcellus are coming in now. They're putting in three right of ways. One access road and two right of ways they want to put across me, my property at this point (sigh).

The difficulty I have with all of this, is, just in one of the many difficulties, is these larger companies didn't come in and sit down. We were sitting down and talking with some of my friends the other day. And we're not sure anybody on a local level and a county level, has any control of this at all. That knows what's going on at all. I went down to the County Commission once. "Put a moratorium on this. Put a hold on this. Take a look at this. I'm not saying 'shut it off.' But take a look, make sure it's safe. Make sure the profits are going so it's spread to everybody, including the community. And look out for the interest of the community.

37:36 I mean we're the third richest oil and gas reserves, and even if we're not, we're close to that. I mean, we should be riding around and looking at some of the finest health care systems, school systems, road systems, etc. and we're not. None of that's happening at this point. So that was my appeal to the County Commission, but I could tell when I left that it just wasn't going to happen. I could just tell...by the feeling, feedback towards me. As time's gone by. I'm not sure anybody on a county level has any input. I mean, if they do, none of us seem to know who it is.

38:10 So when these big companies are coming in, you'd think in a business sense they'd sit down with the county saying, "This is what we have proposed. This is what we're hoping for. This is what's going to be to your advantage, the jobs." But then go broaden it to the school systems, etc. "And this is what we're hoping to take out from underneath the ground. This is the way we're hoping to do it safely," and then be answerable in some way, whether it's a committee, a group of people, the leaders of this county, landowners, whoever. But everybody should have some kind of input in it. But the way it's done, you have these larger companies coming in—. You think they're competing against each other, right? I even question that sometimes. I'm not sure they're not sitting back in the same board rooms, because when they come to me with certain proposals it's all of a sudden one backs off and another one jumps in. And it's like, "Are you guys in all cahoots?" Because that's the way it feels as a landowner.

39:18 And then they'll go to neighbors, and they'll wave money at people, large sums of money, and get them to sign, and see if they can get these others to sign in case they need it there. They feel like I'm a headache to them so they're trying to figure out how to go around me. (sigh) So one company said, "If you don't give us this right of way to where we can bulldoze, actually a big enough area off that ridgeline, the tank trucks and huge tractor trailers can go through there and do drilling right on the other side of you." I said, "You want to build a highway on me so you can go drill right across my property with all this industry." I said, "Where's the reward system to me? You know, you're not doing anything for me." And they said, "Well if you don't let us do that we'll just put it on the other side of your fence."

40:09 So that's the kind of bullying they do. You know, "If you don't let us play ball, we'll go down, your neighbor will let us have it. And you're going to lose out on all that money. Look at all that money you're going to lose out on. At the same time, "[If ] you don't let us come alongside your property we'll drop right over your fence-line, and do it right alongside the other side of you. So you're going to put up with it anyway. So why don't you take the money?" And that's the kind of dealings that keep going on out here. To me, it's good business for them. But I wouldn't call it good business. It's not the kind of business dealings I like to have. So I just continually ask them, "What do you got planned?" I keep trying to pull, and it takes me forever to get the pieces of information from different people so I can finally begin to realize, they want to run a 24-inch gas line across this ridgeline, and they want to run a 1- inch water pipe from the Ohio River right alongside the same gas line.

41:09 I said, "Well the only reason you'll be running a water line is for drilling. You know, you're not going to a car wash for God's sake." I told 'em that. I said, "It's for drilling. So where are you drilling? Why don't you give me...?" I say, "We talk about transparency. Give me the picture of what you're planning, what you're hoping, so I know what piece of the clog I am in this whole process. So I have an idea of what you want. You just tell me, 'Oh, we don't have anything planned right now, but we could do it later,'" is their response.

"So you're going to run a gas line, a high-powered, pressured gas line, across my property, and a water line, and yet I know one gas company wants to drill the well right on the other side of my fence. So I'm going to okay this water line, and you're going to wave a check at me, thinking I'm just going to grab this up, because you're waving money at me, and then you're not telling me I'm going to be dealing with some major industry sitting right on the other side of my fence-line? I can sit on my porch, and I'm going to have to tolerate and put up with all of this huge drilling operation? But you won't tell me that.

42:15 You won't tell me where those water lines are going." But I was finally able to get a map from one of the gas companies, to where I saw...the fellow said, "Okay, we're pretty sure we want to put this pad and this pad and maybe this pad." And so over a period of many months I've been able to gather enough information, and then...a lot of times neighbors aren't talking with each other. Well in this case we're talking with each other. And we're saying, "Okay, what have they been coming saying to you?" And some of my neighbors have already signed. Now they're upset that they signed, because they realize, they're realizing they're throwing a lot more money at me, trying to get me to sign. So they're feeling like they got less than what they should have. And it just goes on and on. So we'll see where this goes. I don't know.

So they asked me, they said, "The bottom line, Mike, is what will it take? What will it take? To get you to sign? So we can come through you?" Because it's going to cost them a huge sum of money to go around me. But I own enough land to where that's going to...and the way my land sits. Well I looked at my wife later and I said, "Nancy, what they don't understand is what it would take, they can't give me." And that's my health. They can't give me my health back after battling that cancer, and I also had brain surgery, etc. "They can't give me any of that back."

43:36 And I said, "That's the one thing that I'd like to have." So they're talking dollars and sense, what will it take? And I just looked at them and I said, "Millions. Millions and millions. You're going to make me, to

take my land, I've got to match this someplace else. And I haven't been able to see it, I haven't been able to do that. How are you going to match memories?" That's what I was told when they first came in here and drilled on me. A friend of mine said, "The one thing they can't take is your memories, Mike. You know, they can take your land, but they can't take your memories."

44:10 I think it's real important to watch the stress levels, because this stuff can eat you alive. I mean, it can get you sick...over it. So watch the stress levels, and just try to deal with it the best that you can. The gas companies that first came in and drilled some wells, they did talk about trying to match this property elsewhere, and they couldn't come up with something. And I've looked, said, "Okay, where do you go? You know? Where do you go to get away from all this?" And to me it's just what I want to get. There's other people who probably are so glad it's here and want to jump in and will bulldoze the hell out of their places and do whatever and reap tremendous amounts of profit. And there are friends of mine who have done that.

And I went up to one fellow I know, when this first started. And I heard that they gave him \$1.3 million for six acres. Now I went to him. I said to him, "If what I heard is true, that what's coming for you on your ground that you own, congratulations, if that's what you want. If that's your decision...congratulations." I'm not going to stone that individual for making that decision. I'm not going to stone other people on the decision they made. I have to come down to what decisions I'm going to make. And how I'm going to live with them the rest of my life. So far the experiences I've had, and so far I've had four different gas companies with right of ways or shallow wells on me right now. Four different ones. And not a single one of them have lived up to what they agreed to.

45:58 So, if the big guys come in with their big wells, why am I going to believe all of a sudden they're going to live up to something? Nobody's living up to it. When they first come in and talk to you it's like, "We'll work with you Mike. We'll do whatever you want. We'll set this up." And then once they get the foot in, and they get it up, and they move on down the road, you can't hardly get 'em back.

MK: Are your neighbors experiencing that kind of thing who are trying to deal with them?

MO: Some...What they do is some of my neighbors' families—A large number of my neighbors' families work in this field somehow, whether it's tending wells. Or what they do is they go and they recruit local people to be the land management people who are coming and making

the deals with you. Okay? So when somebody walks in the door it's like, "Hey. You know me, I know you." Well now they work for the gas company. And I say to them, you know, "It's who are you getting your paycheck for is who you're going to be representing. You're not going to be looking out for my interest." And they say, "Oh yeah we are, Mike. Yeah we are."

47:11 Well that hasn't happened, you know? So a lot of the people I know, uh, are tied into it somehow. They may be renting trailers to the people that are coming in. Their kids may be working for it. So they see the positive results of increasing the economy and their economy. They also believe—I hate to use "they" again, because it really breaks down individually so much. But, okay, if they want to put that 24-inch pipeline across my property....that's forever...that pipeline sitting there, you know. They're saying that's a right-of-way, they're paying you so much. First they want to start off saying they're paying you in linear feet. And I feel sorry for the people when this first started, because a lot of them agreed to the linear footage. And what you need to take a look at is how much actual acreage this ground's being used.

Because now they're starting to talk to you about looking at it and purchasing it more by the acreage. So you have to compare the two sums of money if you're thinking about accepting the money. So I looked at 'em and they're up to over \$22,000 an acres to me right now, to purchase a right of way. So I said to them, I said, "But that right of way is there forever. I can't build on it. I can't build near it. 24-inch line is too dangerous. You can't build on that line at all. You can't grow trees. So it's good for pasture. So as a farmer, that's tempting for me. "Here, we'll clear that for you. We'll seed it just right." Well all the other gas companies I've been dealing with who are oiling me, they haven't lived up to anything. So I don't trust it.

49:05 So if I do deal with them, I've got to get every T crossed and every I dotted, and I've got to do that for an extended period of time with them. Because once they doze it and seed it and leave, you think, "Well my gosh, that looks great, with all that lime fertilizer spread on there, and that grass looks real pretty." Well now, next year, it's not growing, because it's clay. There's no topsoil. They can't get the topsoil. It takes so many years, hundreds of years, to build that topsoil out there on the tops of those ridges. And they just cleaned that off. And where they pile the topsoil over there to push it back on, well it's inches of topsoil that they've taken off, and they can't spread it back over there. So by the time they lime, fertilize and seed it, it looks real pretty that first year when it comes jumping up. The second year it's dying out. The third year it's all going to be your responsibility to keep it going, because you're growing stuff on hard clay at that point.

50:04 And you're going to have to rebuild that whole humus on top of that, on top of that ground. That takes a long time to do that. So when they say, "Hey we're gonna build you a real pretty pasture," that's not all real true. So I asked them, I said, "Okay, you build a 24-inch line up there, on this ridge across from my house. What's the explosiveness of that line? If that line blew—God forbid it would. You say it's good for fifty years. Well fifty years is nothing, in the scheme of things. To me, it's my lifetime. But to my children, and I want to leave this place for my children, etc. I say to them, "Don't you think, with all the 4-inch and 6-inch and 8-inch gas lines that are running all over these properties from these old wells, don't you think they came in and told the people they would maintain those lines and they'd always keep those lines up?" I said, "I can walk out here and show you more leaks in the air of gas lines than anything right now. I can take you out here right now and show you leaks. So why am I gonna trust that they're gonna do a real good maintenance on that line?"

51:07 So I said, "Okay, even if you do a real good line, Heaven forbid, something could happen. Now down near Charleston, a line blew, and it melted a four lane down there. So it does happen, okay? So if you got a 24- inch line up there, what's the explosive value of that line? Is my house down here in danger? How far can that blow? One fellow from the gas company told me, he said—I don't know if it's the truth, it's what he told me. He said their company has a 46-inch line up in Pennsylvania. And he asked their engineers the explosive value if that line blew, what would it damage on each side of that line? And he said that they quoted to him a mile on each side of that line. I said, "Where that line's running, do all those people know that?" He said, "No."

I said, "Okay, you go back to your engineer and you ask me, you tell me..what they say that line...because it's a danger to me on my property. So I need to know. Because you may only say, 'Well we want a 90-foot right-of-way, but we're just gonna reduce it down to fifty foot. That sounds like they're doing you a favor. But they damage ninety feet of it. They're gonna use fifty forever for the line, the right of way. But the explosiveness of that, what's the danger of that? Because that actually encompasses everything on each side of that line on your property. And you need to be aware of that. Because you don't want to put a barn, you don't want to be [inaudible] any buildings near that." So they said they'd get back to me. None of them ever have gotten back to me. Now what they'll tell me, the one company said, "Mike, the line could blow and rip, and I've seen it rip so it just goes straight up in the air, so I can't tell you if it goes this way or that way." So that's their answer. They won't give me a straight answer of how much ground that actually encompasses on that 24-inch line. What they do say is

that on a 24-inch line you're so much better than a small lines because those large lines can handle all those compressed gases and those little lines haven't been able to handle it.

53:13 Well that kind of logic doesn't make a whole lot of sense to me. It doesn't make much sense at all to me. So I just....I'm still really....leery of what they're telling me and how safe it all is. Because I have had my own water systems damaged. Um...and I do have leaks from the old companies that are here...so. At this point, we just haven't been able to negotiate anything for them to come on my property. Now one company did look at me and say, "Mike, on the right of way issue, that....they have to have your permission as a landowner to come across your property." And he said he worked in Virginia, he worked in Ohio and Pennsylvania. He said, "Now, in one of the states, the Feds got involved and did do an eminent domain, and put the line through, anyway." 'Cause that's my concern. Right now, they're saying they'll go around me, etc. and if I don't want to play ball with them and I don't want the money, they'll go around me. But what concerns me is if they view that eminent domain in any way, and then force their way across me anyway. I'm not sure that they won't do that anyway.

Right now there's enough drilling and enough excess gas and etc. that they can still drill more, but I'm not sure what's coming on down the road. I don't know if that's gonna be coming at us as landowners or not. So they just keep coming and talking to me. And each time they come talk to me they say, "This is the last offer we're gonna offer." And each offer gets a little bit bigger, to see what they'll entice me with.

55:00 The other thing I really believe is, and I've said this to all the oil and gas companies, and I say this to my neighbors and the people in the community, is that West Virginia seems to be a very industrialized state. Uh...that when I first battled the oil and gas companies, before I realized that this is the third richest reserve because the Marcellus shale. Before that, I was told that West Virginia is the richest state east of the Mississippi River, in natural resources. Because of coal, timber and natural gas, and that was my argument. And it's like, man, we're the third richest ...I mean we are *the* richest state east of the Mississippi River in natural resources. And when I was down at Governor's office talking about people with disabilities, um, yeah we're 48<sup>th</sup> at that time of per capita income. So my argument at that time with the state government at that time was...what the hell's goin' on?

56:00 If we're one of the wealthiest states in the whole East Coast, and we're one of the poorest in capita income, what's happened here? What's goin on? Where is the representatives of this state. And that was my argument back then. Since then, the Marcellus has come in,

that's when they say we're the third richest in the world at this point. We probably have even moved up past that at this point. The other thing that everybody is speculating, there's two other issues I don't think are being pointed out. Is one, what if they change the tax base and the paths, so that they'll become industrial and they can tax them differently? A lot of people are wondering that. Are they gonna flip that around? Is that something that everybody's not aware of now that can hit them later? Because one of the gripes is, you get the right of way and get the paths set up, and I as a landowner pay the taxes on it. You know, you're using it but I'm paying the taxes on it. The other scare is what if they change the tax base and start making in higher? You know, for industrial purposes. So that right of way will be taxed higher than the rest of your land. There's a lot of people that have that question.

57:14 MK: you mean even if the landowner doesn't grant the right of way...

MO: Right, or has granted the right of way...

MK: They'll tax the potential of it...

MO: Um hm..could.

MK: Irrespective of what actually...

MO: We don't know...We just...I think everybody's just feeling that...We don't know what's gonna come of this. And how are we represented? We don't feel like we are. I know somebody that was gonna build a cabin. He's got a well drilled. The Marcellus path is coming in. And it's in that area to where that well is drilled, and he's hanging them up because if you have a water well that you can hold 'em up on the drilling. Well he's being sued by the EQT for loss of revenue.

CK: EQT?

MO: Yeah, and you can ask—You can talk—. His name's Pat Heaster, and they're suing him as a landowner for their loss of revenue, because he's holding them up on the drilling. (sigh) So that's happening right now. Everybody's watching that to see what's coming.

58:19 Because what I keep asking the different fellow that do the leasing and do the shallow wells on me, "Can I keep them out of here? Can I keep the Marcellus people out from drilling a pad on me?" And most of them look at me and say, "Not for long." So I don't know. So

that's always a scary piece of all this, is, you know, they may find a legal right to set a pad right on my property. And then, with that...to look out for the mineral owners' interests under the ground, they have a right to come in and do the drilling to get what's underneath that ground. And then they have a right to get that product off of here, off the surface of that ground. So there's a right-of-way..so if they come in and do a pad, they legally may be able to set it up. And then they legally are gonna be able to get the excess to get it out, to get the gas out of here.

59:19 So that's another fear. Are they, like, just gonna come anyway? Right now they're just saying, "We'll just go and drop the line on the other side of your fence if you don't play ball with us." But I don't know...it's again back to what happened to me in the early stages of all this...is...when I was first battling this, I said, "We'll take it into court." Just like Pat's talking, the lawsuit he's got. And there's a lawsuit coming out of Salem right now, and they're saying they want a jury trial. What I learned, and this is what my lawyer told me. This is why she said, "They're gonna bust you," is because even if I take and go into a civil suit with a jury trial and win, which I was certain I would against the initial drilling, is that in a Civil Suit they can appeal it.

1:00:09 See I thought it was like a criminal court, and once a jury finds something then it can't be appealed. Well it's not, it's not true. I can take it into a jury hearing in a Civil Suit, on the lower level of things, and the gas companies can take it all the way to the State Supreme Court. That will bust people like me. Financially we can't do that. We can't battle.

CK: What about class action?

MO Well that's the only other hope is to try to get enough people involved to try to do a class...and that's what's happening

CK: A what?

MO:...a class action....that's what's happening in Salem right now, there's a class action suit coming against Antero [gas line rupture], and everybody's watching that one trying to figure out what's gonna happen, to see if it gives us some kind of leverage. But right now, the landowner doesn't feel like he has much...leverage of anything, except to be a big enough headache to where maybe they'll leave you alone.

MK: You said a while ago that the one thing they couldn't give you back was your health. The one thing they couldn't give you back your

health, I think, is what you said. Do you associate your illness in some way with...?

MO: Well all my kids do, and my wife does.

MK: Well tell me about...

MO: But I won't go there.

MK: Okay.

MO: Nah. Because it's too speculative on it. I laughed at the time, when I had the cancer diagnosed, because here I am, got the cancer diagnosed, and here they are drilling on my property, and the stress level is unreal. And I grinned. I would look at the fellow at the oil and gas. I said, "Boy if I could tie these two in, then I'd own your company. You know?" But, I can't do that.

1:52 Now does it play in with the stress? I'm sure it does. I'm sure that that's what I try to watch out for. I think if that's coming, that the stress level is damaging me physically. I better...I better do something quick. I better get the hell out of here. And that's what I'm telling everybody. I say "If this keeps on going the way it's going, there's a certain stage of what all's takes place, that I know I need to leave. Okay? During a lot of the drilling and the fracking that went on? I just take a tent and go. I just go camping, get away from here. And...because I know I've got to watch that stress level. I can see, with my wife too...with Nancy, how she stresses. It's just become a tremendous amount of stress. But to prove that, other than to know it for certain among ourselves, is the really difficult thing to do.

2:57 So I just don't go to...I kind of grin about it. But I know it plays into it. I know it does. I always say, "If they force into me, I've got to get out of here. I can't sit here and watch it. I can't sit here and wa....*I'm more scared of what I'll do. That's what I'm scared of.* I'm scared of how I'll react. You know, I said, "I may fight." It's fight or flight, right? That's the human emotion. So I think it's better to flight, but it's where you gonna go? I talked to some of the oil and gas guys, and I said something about, "I'll head for the Rockies." And they said, "Well we're looking at that too." And it's the truth. I mean, you know, where you gonna go? And I might find...I love West Virginia. I might find a beautiful hollow or a beautiful setting again someplace. I haven't been able to but if I did, Hell I don't know, they might be coming in with a major highway or a mall or something. But right now it's oil and gas. It's oil and gas. Part of it's the irony.

My gosh you read about it in history, the gold rush and etc. historically. And now all of a sudden I'm living to a piece of that. You know I'm really living in it. The same thing's taking place here. It plays upon people's greed tremendously, *tremendous*. It plays upon my own greed. And I said that to one of the fellows owns an oil and gas company when I was doing—talking with him about all this. I said, "You know, I got to deal with my own greed, you know? It brings it all up. And I got to take a good look at this."

MK: You mean your greed in wanting to hold on to the land that you've...

MO: It could be the greed of holding on to the land or it's like playing the lottery and all of a sudden you start spending the money in your head before you ever check the ticket. You know, it just plays with your mind, you know. They've come and waved—. The last offer was \$225,000. That can play with your head.

4:59 That can play with your head. But then when my wife and I went to fix fence where they're talking about it. I said, "Visualize it, let's visualize it, what they're talking about." And we just go off that mountaintop and say, "Nah. We got our own National Park." That's my call, that's my call. Or my wife and I will get in the car, and we'll drive over to an area that I talked to somebody who owns 80 acres, and they took 37 of it for the road, the Marcellus well, and the pit, to put the excess water in. And we drove--. So I said, "Let's drive over there. Let's see what these people are talking about and how nice it is." Because when they sit in my house and talk about, "Ah Mike you're gonna get this huge, beautiful rock road and everything else." "Let's go take a look at what they're talking about."

So we drive to the different sites to take a look, to see what it's like. And we come home, we say, "No way. No way, we don't *want* that." We don't want that. And then you got to play with your head, saying, "Okay, what are you doing, saying some righteous stand of ecology, that the land is important, more important, you know? So you got to sort it out and say "No. This is just my personal preference of what I think the quality of life is." I've got an absolutely beautiful, beautiful natural setting back here. I talked to the fellows that hunt on me, over the hill. And they just were bragging on me about what a beautiful place they have to hunt on. And they know I don't want any cigarette butts, I don't want anything. I don't want any cans, nothing else on my property, and to respect it, to show respect for it. So we'll see, we'll see where this goes. I don't know where this is gonna go yet.

6:50 The last offer that, you talk about \$225,000. But then you think in terms of \$225,000 and then you go and try to match where I live and etc. with the seclusion and isolation I have, and the beauty I have. They're not even close. They're not even close. It's not even funny. I told them, I said, "You throw money out there like it's big money." I said, "Hell, I can go buy a brand new pick up truck and a cattle trailer, and in ten years it will be sitting down at the barn totally depreciated... and well used, and you've still got my land." You know, it's like "Um mm. Land's too valuable. It's too precious." And that's the other thing, as a farmer, I'm a steward of the land. You know, I'm a steward of the land. So it's like I've got to protect it and look out for it. Same time try to manage it the best I can.

And that's the other decision I came too, is—Even in this interview, I was hesitant a little bit in my mind because I'm not out here to fix the world. I've been through that in the late sixties early seventies. And I'm not here to *fix* the world. You know? But I own 400 acres. And it takes all I can do just to protect this. Do the septic systems right, do the trash system right. To make sure the beauty of this that's been naturally given to me, how to protect it, and how to work it the best that I can. And not let economics dictate everything to me. (sigh)

8:32 And that's enough of a battle right there. If I could do that with this piece of ground. (sigh) you know? That—It's the best I can do.

MK: Tell me about the water on this land.

MO: A lot of really nice developed springs. For my livestock. I've got three ponds. One of them we swim in and fish in, up the end of the hollow. And that's the one that got damaged with the fracking process.

MK: The fracking process? In the pond.

MO: Umm hmm, above the pond. And the old well was above the pond too. So all the years of swabbing that well and dumping the salts and whatever comes out of the ground, they were just dumping it onto the ground, at the time, all of those years. It just leaks. But a lot of it—But one time, see—A lot of people felt that it could absorb, the ecology could absorb it, you know, because it was a minimum amount being done. But now it's stepped up to the point that, you know, it's taken a beating. And one of the frack pits leaked [fingers drumming] down through the hollow, got to the pond. Now they cleaned the pond out. (sigh) But what's so difficult around all that is that I still have to make sure that the ground—What's been explained to me is lime, lime from the ground, the liming process, can break down a lot of the chemicals that are being used. So I got to continually do a lot of liming to make

sure that whatever is removed from that pond, that I can bring that back, so that things can grow back on that soil again. And that it can grab ahold and won't be polluted with a lot of chemicals.

10:30 And a lot of the difficulty is trying to figure out what chemicals it is, because they don't have to reveal it. So again there's the poker game. Who's holding the cards? I have to send in the lab tests, and then I have to do all the lab tests. And I have to, you know, keep working at it to bring it back to the best that I can. I just stocked it with a lot of minnows, and one of the fellows up out of the university that I talked to around ponds says that one good sign is that the fish are living, you know? That's the first good sign. So then he said, a week. Well I said, "What about eating the fish? I need to know if I can eat 'em or if people in the future can eat 'em." He said, "Well, we can test the fish." Well what we don't see in when they do the reclamation, you figure out the cost of all this, etc. you don't see the yearly things that still need to be done to make sure that everything gets in balance and it's real safe. That's gonna be my cost.

11:33 You know, to have the fish tested and etc. So, it just keeps adding up. So I've had a spring to where some chemicals were coming out of the side of the hill in the spring water. And I had that tested. And then I had it tested again and tested again over a number of years, to make sure that that spring is clean. And what I say to the people when I take it up to the water testing place up in Clarksburg is, you know, "Would you drink this? Because you can tell me, 'Hey yeah, this is all right.' Well, will you drink it? You got to tell me if this is good, clean water."

So supposedly the spring up there is doing...ok. It's alright at this point. It took a couple of years for the ground to clean out what was coming out from a frack job, up on the side of the hill. This spring got polluted. So it's supposed to be okay now. Pond's supposed to be okay now. So, we'll see. My biggest thing was any well sites around those water sources, you got to get that soil locked up. You've got to get it locked up.

MK: Locked up?

MO: So there's a good sod that will hold that ground, so that continual runoff, from the rains and the weather, just don't start leeching all of the soil, which just ends up being Shaley clay particles, washing down, gravelly mix, because most of the topsoil's washed away at that point. So I just say, you know, you've got to get that locked up; we've got to rebuild that sod, on any of those well sites. When you drive out, you can drive out by our garage down there, and you look over that culvert

pipe. My wife and I have cleaned that out with a shovel three times, to where the silt matter has washed down and then blocked off that—Well it's washed down off of that, that hill out there.

13:40 And it comes down through that gully. And until all that well site is locked up real good, with a good, sod base on it, you're gonna keep having those kinds of run offs.....

So then you got a state road, and you say, "Hey, the road's, the silt's washing up against the pipe. Needs some work, the road over the hill." EQT came in there. They shook hands with me. I didn't cross the T's and dot the I's enough. All of a sudden they pulled out. They said, "Well we paid, we put up enough bond money to fix this road." State road supervisor said that they released them. I went up and said, "Why'd you release them? The ditches are caved in, the rocks are washing off into the creek. The road was damaged. They ran bulldozers right down the road, and everywhere the tracks ran down the road the puddles formed, and the road gets eroded out and rotted.

I said, "How come you released 'em?" "Oh we're gonna fix that road." Yeah, it's been years and they haven't fixed the road. They haven't fixed a gravel based road, and it's just tore up by EQT.

So why, so why didn't EQT go back in and really do the job and fix it right? They have trouble with the contractors. And they were plugging a well, okay? They had to plug one of the wells that had been abandoned. That's another whole topic and story, is all the wells that are sitting around here that haven't been capped and haven't been concreted in and are abandoned, are sitting there. Now, every one of those old wells go down to different levels of aquifers, you know, through the ground. So if you frack huge amounts of explosions all up underneath the ground, and you haven't closed off those other areas, they say it's just gonna travel.

15:32 So the state's making them close off some of these wells. So EQT was supposed to go up past part of my property there, up past the neighbor's property, and the contractor did a horrible job. They brought in two more contractors trying to finish it up. But EQT's argument is, see, we're not drilling a well to where we're gonna make a profit off of it. Were having to seal in an old well that they have somehow bought under their leasing. So there's no profit to be made. So therefore all the damage that's done to cap that well, they don't see it's cost effective to fix the damage that they're doing. If I was drilling a brand new well, and I was gonna be producing large amounts of money, then they'll want to come back and throw some money onto that road system.

16:33 I said, "I see your point. You know, it's cost effective." I said, "But you destroyed the road." They know how to fix that road over there; it's still a mess. The taxpayers will foot the bill before all this is over with, and still footing the bill. I went down and checked the books at State Roads, and taxpayers have paid for over 50 tons of the rock to be put on that road. Because the damage that EQT did.

EQT said, "Well, we're bonded." They said, "Well we're released anyway. We're released on that." So it all sits with the State now. And it just isn't happening.

CK: Released?

MO: Umm hmm, somehow the State Supervisor releases them of their responsibility to fix that road up. That's what I was told.

CK: Why?

MO: That's what I asked him. "Why did you do that? You knew what was going on over there. You've been up there. You talked to me. Why'd you do it?" I asked one of the engineers in Clarksburg, I said "I know he's up for retirement. Is he hoping to go to work for the gas company? I don't know." You know? I hate to get that kind of paranoid thoughts, but what other reasoning? And I asked him, I said, "Why'd you release them? Why are you playing ball with the gas company to it's their advantage, and it's costing the taxpayers the money, and the people living on the road have to put up with it? How come? What's going on?"

17:50 And that's what we'll never find out. But you know, when I was in the mental health, and I was in management, okay, we'd sit in the backroom with the CEO of the company, who had already talked to a lawyer, and us supervisors we'd sit there and talk about what actions we may need to take, or whatever would be happening, and it already would have been very well thought through the process. And as a supervisor I would go out and carry that out. And for me not to think that that isn't happening on a bigger scale (laughs) with multi-millions of dollars being made in this State, I'd be a fool not to believe it.

And for me not to think that that's not happening on a national level, I'd be a fool not to think that. I'd be stupid not to think that. And when they come and say "Well we're not sure where pads are gonna go?" "You're gonna tell me you haven't mapped this all out? You're gonna tell me they haven't sat down and, and plotted and planned where

these lines are running, who they're hoping to go to and where they're actually gonna go, and how cost effective..."

19:05 These are business people. You're damn right they have. They just don't want to tell me anything, because they drop a pad, a Marcellus pad, right over my fence-line and make me put up with all the industry. That's the other thing I say to the oil and gas industry: "The State of Alaska takes  $\frac{1}{4}$  off the wellhead, and yet everybody's still profitable to keep drilling in the State of Alaska. West Virginia doesn't."

I went down the Governor's office, I said, "Why aren't you taking  $\frac{1}{4}$  off the wellhead?" I went down the County Commissioner's and said, "Why aren't you takin  $\frac{1}{4}$  off the wellhead?" Get a lawyer. Write a law. That's how it's done. It's not in a, ah eureka moment, ah wait a money, a lightbulb goes off. You know, it's for profit, it's for gain. So you get a law passed and written. You take  $\frac{1}{4}$  off the wellhead to do the schools and the healthcare systems and the rest of it.

20:01 So the oil and gas guy from Antero looked at me and said, "Mike, the State of Alaska owns most of the land, that's why they're taking  $\frac{1}{4}$ .." I said, "I own this land! Why aren't I gonna get  $\frac{1}{4}$ ?" Everyone of these Marcellus pads are being drilled on people's property. Why aren't they getting  $\frac{1}{4}$ ?" Because there's not pressure to make it happen.

But instead of my own personal greed, instead of my own personal greed of it, why isn't the county itself benefiting as a community of people. Let's take it one more step, instead of my own need. And it just doesn't happen. It just doesn't happen. I have this one picture. One of my boys is an artist, and I want him to draw it. In the old labor movements and etc.—You'd see them in the old labor movements in history written, and this is where it really comes from, where's the guy with a long coat and a hat on with "oil and gas" written on the hat. And he's got the big bag of crack corn hanging on his arm. And here's all the revenues. And that crack corn is from the oil and gas, and here he is just throwing it out like scratch to the chickens. And all the chickens represent the community, the landowner, the state road system, the politicians, and they're all peckin', and grabbing the little pieces of corn that are being thrown out. And to me that's what's going on. That's what's goin on.

21:27 I asked my boy to draw it up for the newspapers. But my other boy gets online on Facebook and he says "Dad, it's just humming about, you know, pros and cons. To me it's not an either or. To me, ecology. And if anybody wants to start arguing about "Well, it's a bunch of liberal do-gooders about ecology or why should you care about ecology?" Ecology is the future of our children. It's that simple, it's the

future of our children. And it's a protection along the line for our children. So that in itself. And I told somebody the other day, "If we just take the children and the elderly and come to an agreement about where our resources can go to resolve a lot of the problems we have there, let's just start there."

Instead of what I'm gonna get and what you're gonna get, and who's gonna get there. You know, if we just set that aside and target that, at least we'd be getting on the right track.

MK: A while ago you called it stewardship instead of ecology. Is there any difference between those two terms?

MO: It's not for me. It's not for me. To me it's a gift. My children are a gift, the land's a gift. And I need to take care of that. I need to protect it and look out for it. The ownership of things, that's all the legal ramifications of things. That's the game. You get this sign to protect this and say I own this. And when I was battling cancer I realized, "Come on." I mean, I'm layin' in the bed with stage four cancer and my brain surgery and all. What is it really all about?

23:15 And you can't take it with you. You know all those, you know. You reap what you sow, all the Biblical quotes, you know. It's all just right there. It's hitting us in the face. But we can't live by it. Or haven't. We're not.

MK: Over in Elkins we were amazed to hear about another explosion in the county this past Sunday. Did you hear about it?

MO: No, this past Sunday?

CK: Antero explosion, two people sent up to the hospital.

MO: And usually my center of information is the gathering of different people that I get together with and we go and sit around a restaurant and we really go at it politically. And it's a good healthy environment, and it's a good sharing of information. Like I said, I'm pretty reclusive, and I stay secluded a lot. So I wouldn't know unless I go out and talk with some people. Well that's what they said about the one that happened at Meathouse Fork out here. The County Commissioner said to me—This was a good while back, when that explosion took place. Is that he was shocked over how it was handled and not allowing the information out. And the County Commissioner told me that.

25:14 He said he was shocked over how that information is restrained and was taking place there. One of the County Commissioners said to

me, "Well I guess you just have this, the water tank trucks, you know, they really want these water lines to run because the amount of trucking that's going on is really aggravating the hell out of people. So they really want to set up these water pipelines to alleviate this truck traffic. That's one of the big pushes, on these right of ways, to get these water lines set up.

MK: Where do the people of West Virginia think that all this water is gonna come from?

MO: The Ohio River. And of course (sigh) it's amazing because it's someone from the oil and gas companies, you know, one of the land management said to me, he said that's his concern, is the use of the amount of water that's going into all the drilling. And how much can just actually be returned back to the surface, you know? I don't know if it's like 50 percent or something. The fellows in the fields say—. That's what I mean by frenzy, that it's such a frenzy going on, is nobody knows. Even the fellows in the fields they are shaking their heads. You know, it's like...earthquakes...happening....the use of how much water's being used....

MK: Under tremendous pressure.

MO: Yeah, tremendous pressure. Yeah even the fellows in the fields just shake their heads and say, "They don't know." They don't know. You know, it's just profits just driving it all at this point. It's just amazing.

MK: You have to wonder though, isn't the water, ultimately, the greatest resource of all? Even more—

MO: To me.

MK: --than oil or gas or coal or anything else? Isn't water ultimately the crowning resource of them all?

MO: When I was diagnosed with cancer my wife and I took the tent. We went out all through the West, out West. And were traveling around. Boy it really hits you, out West. I mean before you buy property you get deeded the reservoir of how much water you have coming down to your property. And you're either in the B section, the C section, or the D section of that reservoir. I mean the property—the water, yeah, is so —Out there it really hits you how valuable.

28:03 Over here—I loved coming back home to the green, here, of West Virginia, from being out West. I mean what's so difficult is seeing the amount of run-offs that are going into the rivers and the creeks

down here. It's really hard to watch it. Just solid mud. And you can just go up the road and see where the erosion's coming from.

I asked fellows who have been in the field. One guy's a dozer operator for the gas company forever. He's worked all through West Virginia, Pennsylvania. To me they're the real resource of information. And I told him, I said, "Is it just my imagination or is it when the rains come it just stirs the bottom up and that's why this looks so thick and muddy all the time now? Is that what's happening?" He said, "No Mike. You can go up to the high land, see where the drilling operation is to see where here all of a sudden it's coming out into the streams and the creeks." Or the shaping of the land itself when they haven't got the soil locked up tight enough and it's in, it's washing down. He said, "No Mike, you can see where it's coming from."

It's kind of like the explosions that happened on the pipeline that, I was gonna say, happened here a while back, and some people died out on one site out on Meathouse. When I was talking to the County Commissioner he said to me, "Well that's just part of what happens in the industry itself." And I said to somebody else, "You know, he probably can say that as long as it's not his relatives or kids, you know, that were in that." But then when you've been talking to guys who've been working in the industries all their lives, whether it's the coal industry or the factories on the Ohio River, you have a sign up there, so many days with no accidents and, you know, no fatalities, or whatever. So it's a little more acceptable sometimes to people than it is to me.

30:18 I just think we should slow it all up. Slow it up big time. And that was my argument. It's not like the factory can be moved overseas, or the cornfield can be put someplace else. It's here under the ground. So it's not going anywhere. So let's just slow this down right now. And let's make sure it's safe. And let's do it correctly. And let's do it with the interest of the community at heart, and not just paychecks, you know? It's a bigger picture than that. So that's my argument. Let's do that. But I just don't see it happening. I don't see it happening. And that's the frustrating part. That's when I go back to saying I'm just trying to do the best I can with this ground I have.

31:05 And try to make the best decisions that I can live with.

MK: Thank you very much.

Mike: Thank you. I always tell people sometimes, just don't get me started on oil and gas. I's down on the beach in the trailer with a guy beside me he was saying "I'm really glad to hear your perspective

about a landowner in West Virginia because I get up out of my camper, I go the town close to the library, I get the big picture of what's happening in the world, he walks the beach, he comes back, he's a broker. He said, "Mike all my money's been made in oil and gas." He said, "to hear you," he said, "we don't see that, we don't know that. We don't know what's going on. I'm just dealing with figures. He said but most all my wealth is comin from oil and gas right now." And he was saying the same thing, that they're just, you know, getting off the ground with the infrastructure. The gas pumps the gas vehicles, the plants. I don't think they're being honest, whether you saw it last night, Consul just sold three of their biggest mines to somebody. I just looked at my wife and said, "boy wouldn't you like to know what this deal is? Because I don't think they're being honest to the coal fellas working coal. It's gonna be phased out. You know they're already talkin about it, it's gonna go to the oil and gas. That's what's gonna be generating all that. You know, if you don't slide all that workforce into it, you know, you just kind of let them dangle out there. So why are those three big coal mines...who are they being sold to?

Consul's getting out. And then Consul's the ones wanting the right of way over here for the gas. They're getting in this. So it's like, again, what's goin on in the backrooms? The older I get. And the more I watch what goes on, and my life experiences, I'm not sure corporate doesn't run it all. Governments, armies. I'm not sure they don't run it all. How do you go up against that. I don't know, We'll see. Peacefully.