

1 *House* BILL NO. *367*  
 2 INTRODUCED BY *Justin Day Linn*  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND THE STATUTE  
 5 OF LIMITATIONS ON DAMAGE TO REAL PROPERTY CAUSED BY OIL OR  
 6 GAS OPERATIONS; AMENDING SECTION 93-2607, R.C.M. 1947."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 9 Section 1. Section 93-2607, R.C.M. 1947, is amended to  
 10 read as follows:

11 "93-2607. Two-year limitation--exceptions--damage from  
 12 oil and gas operations--eight years. Within two years:

13 1. An action upon a liability created by statute other  
 14 than a penalty or forfeiture.

15 2. An action for injury to or for waste or trespass on  
 16 real or personal property; provided that, when the waste or  
 17 trespass is committed by reason of underground work upon any  
 18 mining claim, the cause of action shall not be deemed to  
 19 have accrued until the discovery by the aggrieved party of  
 20 the facts constituting such waste or trespass; and further  
 21 provided, that an action for injury to real property caused  
 22 by operations under an oil or natural gas lease may be  
 23 brought within eight (8) years.

24 3. An action for taking, detaining, or injuring any  
 25 goods or chattels including actions for the specific

1 recovery of personal property.  
 2 4. An action for relief on the ground of fraud or  
 3 mistake, the cause of action in such case not to be deemed  
 4 to have accrued until the discovery by the aggrieved party  
 5 of the facts constituting the fraud or mistake.  
 6 5. An action for killing or injuring stock by a  
 7 railroad corporation or company."

-End-

Approved by Committee  
on Judiciary

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INTRODUCED BY JACOBSEN, DAY, LILLY

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SPACING, DRILLING, EQUIPPING, PRODUCING, OR OTHER OPERATION  
RELATED TO oil or natural gas lease may be brought within  
eight (8) years.

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railroad corporation or company."

-End-

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-End-

THIRD READING  
Corrected 4/21/75

March 24, 1975

SENATE COMMITTEE OF THE WHOLE  
AMENDMENTS TO HOUSE BILL NO. 367

That House Bill No. 367, third reading, be amended as follows:

1. Amend page 1, section 1, lines 11 and 12.

Following: "limitation"

Strike: "--exceptions -- damage from oil and gas operations --  
eight years"

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