§ 15-304. Forfeiture and cancellation of oil, gas or mineral land leases. 1. When any oil, gas or mineral land lease given on land situated in any county of New York state and recorded therein becomes forfeited, terminates or expires by its own terms, the lessee, or where the lessee has assigned its interest, the assignee, within thirty days after the date of the forfeiture, termination or expiration, shall provide to the current owner of the land which is subject to the lease, without cost to such owner, a document in recordable form cancelling the lease as of record in the county where the leased land is situated.

2. If any lessee, or its assignee fails to cancel a lease, as provided for in subdivision one of this section, the current owner of the land which is subject to the lease may:

(a) serve notice upon the lessee, and if actual or record notice of their identity exists, to its assignee, that such lease be cancelled as of record, and stating that if such release is not executed within thirty days of the service of such notice, the lease will be terminated and no longer of any effect. Such notice shall also state;

(i) the names and addresses of the lessor and lessee if contained in the lease;

(ii) the name and address of the person giving notice and a statement as to his interest;

(iii) the state, county and city or town where the leased premises is located along with the location and a general description of the property as contained in the lease;

(iv) if located in a unit, the name or description of the unit if known;

(v) if there is a well on the leased land, the name or number of the well if known;

(vi) the date of the execution of the lease; and

(vii) the date of termination of the lease and the basis of such termination.

(b) service of such notice demanding a release shall be effected either personally, by certified mail to the lessee's, and where the lease has been assigned, the assignee's, last known business address, or, if service cannot be made with due diligence by the prior two methods, by publication once a week for three weeks in a newspaper of

general circulation in the county where the leased land is situated;

(c) If the lessee or its assignee claims that the lease is still in full force and effect, either of these parties shall, within thirty days of the service of such notice of demand to cancel the lease, file an affidavit with the recording offices of the county wherein the land is situated. Such affidavit shall state that the lease is in full force and effect and a copy of such affidavit shall be delivered to the person serving the demand within ten days of the filing of the affidavit;

(d) If such affidavit is not filed within the required time, the current landowner may file a copy of the original notice to the lessee or assignee and an affidavit of service thereof with the recording officer of the county in which the leased land is situated, and by such filing the lease shall be cancelled and of no further effect.

4. For purposes of this section, the term "mineral" shall not include salt, as defined by subdivision eighteen of section 23-0101 of the environmental conservation law.

5. For the purposes of this section, where the landowner is not the owner of the oil, gas or mineral rights, the reference to "landowner" shall be deemed to mean the owner of such oil, gas or mineral rights.

6. This section shall apply to all leases entered into before, on or after the effective date of this section.