### Michael Late Benedum Chapter

AMERICAN ASSOCIATION OF PROFESSIONAL LANDMEN

February • 2018

### **2017 Year in Review**

The MLBC had another successful year providing our members with quality educational and networking opportunities

#### **Networking & Social Events in 2017:**

- Spring Top Gun Clay Shoot at Hunting Hills \$7,500: In scholarships to WVU's Country Club- awarding the traveling Top Gun trophy
- Springtime social at Bartini Prime in Morgantown, WV with live music and great
- Spring golf at Oglebay Resort and member
- Summer Top Gun Clay Shoot at Hunting Hills Country Club
- Celebrated the MLBC's 58 year anniversary at the location of the first MLBC meeting!
- Summer picnic and family event at Washington Wild Things baseball game
- Fall golf at Valley Brook Country Club

#### **Contributions to our Community:**

- Land & Energy MGMT students
- 32.00: Continuing education credits from MLBC sponsored events
- \$22,000: Raised for WVU Veterans Law Clinic
- \$27,500: Raised for Big Brother Big Sisters of greater Pittsburgh
- \$175,000: Donated to WVU Children's Hospital over 8 years

#### **Upcoming in 2018:**

- February 15, 2018- Dinner Meeting at Bridgeport Conference Center
- March 8, 2018- All Day Seminar at Hilton Garden Inn at Southpointe
- April 12, 2018- Dinner Meeting at the Parkersburg Art Center
- Continued monthly meetings providing members educational opportunities





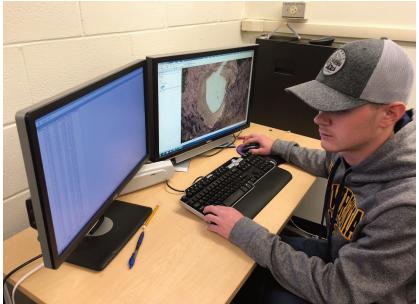
Another amazing year with MLBC! Looking forward to 2018 See inside for: Goals for the New Year • Upcoming Events

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MLBC P.O. Box 955 Bridgeport, WV 26330

www.mlbc-aapl.org



Research in Energy Land Management at WVU See PG. 9



Everyone had a blast at our Winter Social! See PG. 12



Stay up-to-date with text messages from MLBC See PG. 16

# president



Jeremy D. Preston, RPL

Social networking is perhaps the most important cornerstone of the MLBC. This facet of our organization's purpose is often overlooked, undervalued or even sometimes discarded altogether. Insert old adage here...It's not what you know, it's who you know! Of course, in practicality, you're going to need to know a

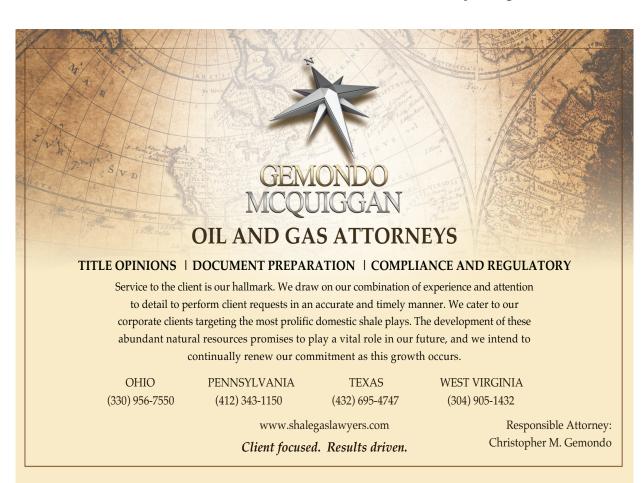
thing or two as well. To be highly regarded otherwise may not bode well for your career. However, a strong working knowledge of your field coupled with a diverse professional network is a powerful combination.

The MLBC strives to provide a diverse slate of social and professional networking opportunities throughout the year. From social hours at our dinner meetings to recreational settings at our golf outings and clay shoots to full on social events such as Bartini, Tropics and the recent Winter social at Seven Springs Mountain Resort. These are valuable opportunities both to individual and to the companies they represent. Do not be fooled into thinking that online socializing can replace in-person interaction. The personal connections made at these events extend well beyond the close of the bar. These relationships are the foundation of success and the

future of our industry.

One of the most renowned characteristics of Michael Late Benedum was that he always left the ladder in place for others to climb along with him. This is a common principle shared among the MLBC leadership and many of our members. How can we help if we do not know who you are? Step outside your comfort zone and start interacting with other people in the industry. Reach out, attend and connect.

2018 schedule will The provide many opportunities for networking as well as education. Be sure to check our calendar and make plans to attend. If you would like to suggest an event in your area please feel free to contact myself, Abby, one of the ExCom members, or Chris Helmick, our planning committee chairman, via email chelmick@eqt.com. We look forward to seeing you at one of our upcoming 2018 events!



# corporate SPONSOFS

#### **MLBC Corporate Sponsors**

#### Platinum

































Silver

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Higher standards make better lawyers.®



**LEWIS GLASSER** 







### Corporate Sponsorship levels

#### 2018 Corporate Sponsorship Levels

#### Platinum \$5,000.00 per year

Benefits of Platinum Sponsor

- Logo on the corporate sponsor board at every meeting along with the meeting sponsor board.
- Logo on the back of every Takeoff and the bottom of every membership email.
- Receive three meeting/dinner passes for each meeting for one year.
- Receive one free Full Page advertising ad.
- Receive free Half Page ad in the Takeoff per year.
- Logo on Golf Outing sponsorship boards.

#### Gold \$2,500.00 per year

Benefits of Gold Sponsor

- Logo on the corporate sponsor board at every meeting
- Logo on the back of every Takeoff and the bottom of every membership email
- Receive one free Half Page advertising ad in the Takeoff per year.
- Logo on Golf Outing sponsorship boards.

#### *Silver* \$1,500.00 per year

Benefits of Silver Sponsor

- Logo on the corporate sponsor board at six meetings
- Logo on the back of every Takeoff and the bottom of every membership email.
- Receive one free Half Page advertising ad in the Takeoff per year.

#### Bronze \$750.00 per year

Benefits of Bronze Sponsor

- Logo on the corporate sponsor board at three meetings
- Logo on the back of every Takeoff

#### Advertising in the TakeOff

Full page ad \$500 per month, Half page ad \$250 per month

#### **Dinner Meeting Sponsorship**

Cost \$250.00 per meeting. Companies will receive advertising at the dinner meeting as well as your logo displayed on our website for the month of the meeting you sponsor.

To secure a corporate sponsorship, advertise in the Take-Off, or if you have questions please contact Abby Veigel at abbyveigel@mlbc-aapl.org. Please contact Lhag Bowers at Lhag.Bowers@percheronllc.com for dinner meeting sponsorships.

# legislative update

By Ryan Pankiewicz, Legislative Committee Chair

reetings and welcome to the New Year. There has been a lot of action regulatory affecting landmen in the region. Ohio Eclipse Res.-Ohio, LLC v. Madzia (Case No. 17-3145), the U.S. Court of Appeals for the Sixth Circuit (Ohio) granted Eclipse the right to drill a wellbore through Madzia's access property to certain resources, despite a subsurfaceeasement agreement subsequently conveyed by Madzia to Eclipse, noting that the easement did not modify the original oil and gas lease that authorized the transportation of oil and gas from other lands because the subsurface-easement agreement did not modify the lease.

Actions in PA included: Brenco Oil, Inc. v. Blaney (Case No. 17-3938) Federal court for Eastern PA reminds us why it's important to correctly run title and disclose, disclose, disclose any relationships. Blaney did not properly identify title holders to the property in question and then when Brenco sold the oil and gas Blaney's firm represented both

sides. The court noted the conflict should be handled by Pennsylvania Rules of P r o f e s s i o n a l Conduct. http://www.paed.uscourts.gov/documents/opinions/17d0843p.pdf

In Allegheny County Ford v. Oliver (Case No. 670 WDA 2016), the Pennsylvania Superior Court held, in a case involving a disagreement over a deed's validity pertaining to certain mineral rights, that a plaintiff challenging the validity of a voidable deed had four years to bring a declaratory judgment action. Somehow Ford never saw the deed after they sold the parcel to Oliver and never followed up until they were approached for oil and gas leasing.

Under PA Act 43 of 2017 starting January 01, 2018 anyone that pays Pennsylvania-source non-employee compensation or business income to a non-resident individual or disregarded entity that has a non-resident member is required to file a Federal Form 1099-MISC. Also, anyone leasing Pennsylvania real estate who makes a lease payment in the course of their trade or business to a non-resident lessor is required

to withhold from such payments.

In regard to royalties and mineral ownership, in Kidder v. Montani Energy, LLC et al. (Case No. 16-0119), the West Virginia Supreme Court of Appeals held that deeds which reserved the right to royalties on production and marketing after drilling but were devoid of language regarding control over the drilling or production or marketing conveyed a royalty interest. Then in Niverth v. Equitrans, L.P. (Case No. 400 WDA 2017), the Pennsylvania Superior Court denied landowner claims alleging that leases violated the Minimum Royalty Act or court precedent on the deduction of post-production costs. Finding in favor of the lessee, the court held that the landowners never evidence of their royalties as the lease authorized deductions for post-production costs and thus the court refused to grant a

Finally, for our tri-state area regarding landman licensing: PA-no further action on Senate Bill 835; OH- extension filed into late January on OHSC Case 2017-0448 Dundics v. Eric Petroleum.

## member spotlight



Harry Heinbaugh, RPL

In the February edition of the MLBC Takeoff we had the opportunity to speak with Harry Heinbaugh about his career in the oil and gas industry. Harry is an employee of Percheron, LLC where he is a Project Manager for the firm. He has been with Percheron, LLC for over ten years. Harry studied Marketing at

Harry studied Marketing at Penn State University where he received a Bachelor of Business Administration focused in Marketing. He currently resides in Westmoreland County, Pennsylvania with his wife Alissa of 22 years; together they have two children, Josh, who is a Sophomore at Penn State University and Matt who is a Freshman in High School.

When not working Harry said that he enjoys sporting-clays and that he is involved in Boy Scouts. His son, Josh, is an Eagle Scout and Matt is a Life Scout, which is one step away from Eagle. Harry is currently serving as the Troop's Advancement Chair and Merit Badge Counselor.

Harry began his career in the in the oil and gas industry as Curative Landman for Mason Dixon Energy. Since that time, he has gained experience primarily working in Pennsylvania and West Virginia on title-curative, lease-curative and lease acquisition. Harry has managed curative, leasing, lease-title, certified-title, and due-diligence projects.

diligence projects.

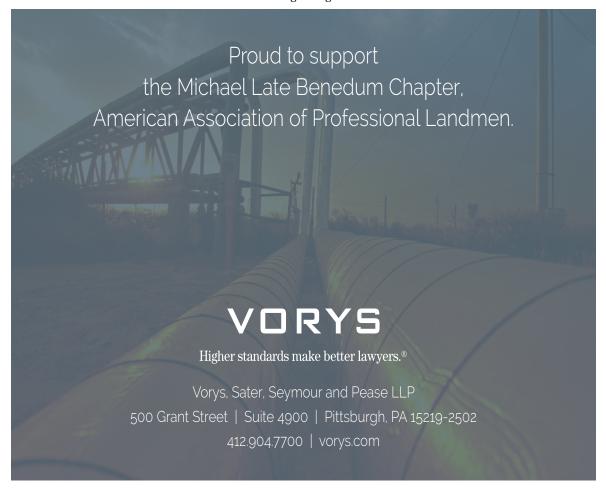
When asked if Harry has a mentor in the oil and gas industry he shared "Greg Zerkle gave me my start in the industry, I had been in the lumber industry for 14 years when the housing market crash came in the beginning of 2008. He

(Greg) took a chance on me and started me in curative, in order for me to learn a little bit about everything on the energy side of the business." Harry also shared that Lhag Bowers and Aaron Yost have guided him along the way as well.

Harry has been a member of the MLBC since January of 2014 and a member of the AAPL since May of 2012. He currently holds RPL Certification. When asked how he has seen the MLBC change over time Harry said "The biggest change I've seen during my time is the MLBC's involvement in the local colleges. I currently have two members of my crew that have graduated from WVU, with a Bachelor of Science in Energy Land Management." Harry also assists the MLBC with their sponsorship efforts where he is assisting Lhag with the Bowers sponsorship opportunities.

Please say hello to Harry at the MLBC events or if you happen to see him in the field or local courthouse.

By: John Catsonis Marketing Committee



# sounding OFF

### **Goals for the New Year**



By: Christa Dotson, Esq., RPL MLBC Secretary

here is just something appealing about a new year isn't there? It's an opportunity to reflect upon the past and start anew with personal goal setting and development. It is a time for hope, new adventures and new opportunities. As you approach this new year, what professional goals and opportunities will inspire you? Whatever goals you hope to achieve, please remember that the MLBC is here to help our members make this year great!

#### **Goal Setting**

Take some time to reflect upon the professional development you would like to achieve during the year. Write down achievable short terms goals (quick wins) as well as long term achievements (stretch goals). Think of the steps you must take throughout the year to achieve those goals and write them down. Give yourself a realistic timeline for accomplishing the short-term objectives that will lead to your long-term goals. You are much more likely to achieve your personal goals if you set yourself up for success by having a plan to achieve them.

#### Networking

**MLBC** great The is a organization for building professional network to help achieve your goals. One of the essential elements of a long and prosperous career is building a strong network. You can find mentors, supporters and friends among our membership. Be sure to attend the MLBC's monthly dinner meetings or luncheons. Introduce yourself to new contacts and the MLBC Executive Committee. Let us know what we can do to help you in reaching your goals for the year.

#### **Continuing Education**

The MLBC holds educational seminars throughout the year. Additionally, we generally offer one continuing education credit at most dinner meetings or luncheons. Consider whether or not advancing your knowledge base will assist in obtaining your career goals and objectives? The educational events offered by the MLBC are very inexpensive compared to offerings

by many other organizations and entities. It has been the goal of the MLBC Executive Committee to keep pricing for events as low as possible to entice our members to build and maintain a strong knowledge base. Is there a topic we could address that would help in achieving your goals for the year? If so, please let any member of the Executive Committee or Education Committee know.

#### Certification

The American Association of Professional Landmen (AAPL) offers RL, RPL and CPL certification opportunities. These certifications are a great way to set yourself apart from the competition. When reviewing your goals for this year and beyond, please do not overlook this opportunity to demonstrate your dedication to the profession. Obtaining a certification can be a great way to more rapidly achieve your professional goals.

The MLBC offers numerous opportunities for enhancing professional development. As you develop your goals and plans for the coming year, please take advantage of all the opportunities our organization affords to our membership. While the goals that you set may be personal for you, please know that we are with you each step of the way!

# Research in Energy Land Management at

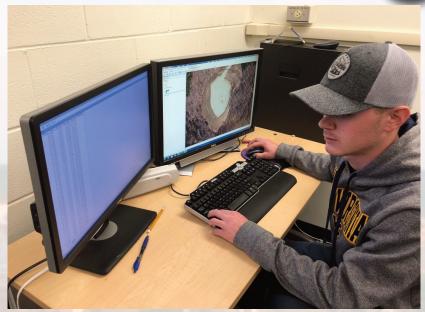


By: Reid Croft

Energy Land Management ("ENLM") program at West Virginia University offers a curriculum focused on producing skillsets that relate directly to the land profession and are highly valued by energy companies developing resources in the United States. students take course work in real property, title research, surface rights, mineral estates, natural resource management, and business: however, opportunities also exist for students to engage in scholarly research.

Dr. Shawn Grushecky leads the research within the ENLM program with aide from undergraduate students in the major. Research provides undergraduate students with an opportunity to think outside of their traditional coursework box and allows them to experience portions of the industry they may not study during their tenure at WVU. An example of this research is a well-site development project that was jointly funded by Noble Energy and West Virginia University's Hardwood Research Trust (HRT).

Filter socks are the most common method of erosion control and sediment perimeter control utilized during well and midstream infrastructure development in West Virginia. Federal and state regulations specify the use of composted or seasoned wood material be used





Top photo: Undergraduate research assistant Zackery Whisler working in ArcMap on well pad project Bottom: Example of silt sock use on-site

When well pad sites are cleared

during filter sock construction. and grubbed, trees are chipped and disposed of or stockpiled on

#### Research in Energy Land Management at WVU



site. Rather than use these on-site wood chips for filter socks, commercially purchased composted chips must be hauled on to well sites and used to fill filter socks. If companies could use chips created on-site instead of composted chips it is possible to significantly reduce capital costs, truck traffic, and disposal costs for woody material generated on-site. These would all have positive environmental impacts on the communities that the land profession engages.

The objective of this research project was to compare the effectiveness of chips produced onsite material versus traditionally composted wood chips controlling sediment transport as well as other chemical and physical parameters. Initial results indicate minimal difference in the physical and chemical filtering properties of composted versus chips created on site. Likewise, initial results show little difference in the filtering efficiency or filtering time between woods-run and composted material. This indicates that the use of wood chips created during well site and midstream development activities could be used with little deleterious impacts on the environment.

Multiple students were engaged in the filter sock research project, exposing them to real-world aspects of energy development. Junior ELM student Reid Croft, who has participated in undergraduate



Undergraduate Research assistants operating silt sock testing apparatus

research said, "It never occurred to me that something like filter socks could have such an impact on operations; it would be exciting to see this regulation changed as a result of the findings of this project." This process allows students to understand current regulations that shape energy development and how they can

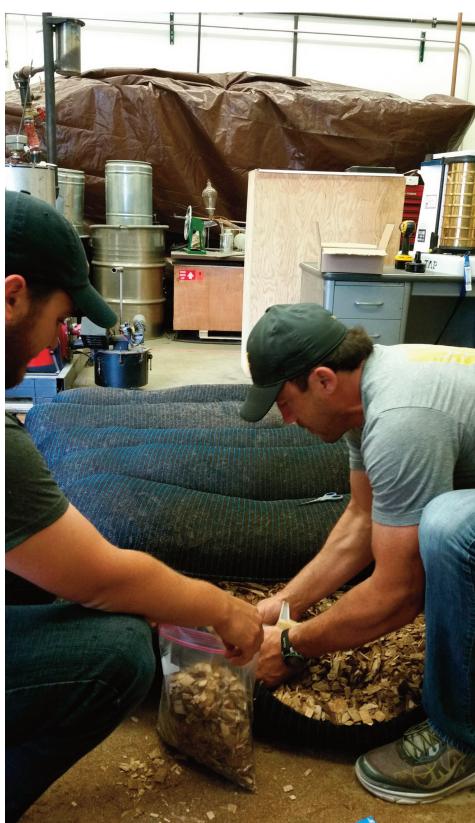
#### Research in Energy Land Management at WVU

impact a company's bottom line. Most students only think about leasing and drilling costs, projects such as these help students understand that there are a multitude of cost components that go into development. Likewise, it also educates students on the process of site development making them more educated communicators both with lessors and the communities they serve.

Research is also being conducted to understand the disturbance characteristics related to unconventional development. In the current phase of the project, senior Undergraduate Research Assistant Zackery Whisler is working in a GIS system to better understand patterns of unconventional development in West Virginia.

"I am creating an expansive geodatabase in a GIS for wells in West Virginia. Using the well database, I created buffers around every well pad. This was done to help determine the actual number of unconventional pads in WV. Each of these pads is being analyzed individually to determine the state of land disturbance. If disturbance was present, the limits of disturbance or 'LOD' was digitized to find the total area. presence/absence of disturbance and the LOD will be combined with production data so that an accurate estimate of energy produced per acre disturbed can be assessed," said Whisler.

Zackery stated that one of the things he is most interested in finding out from this research is the amount of energy that is produced compared to the overall disturbance of land. He said, "We know a lot about the land disturbance associated with other energy sources and we know that it is far less with oil and gas but it is important to know exactly how much less."



Dr. Grushecky (right) and undergraduate research assistant Reid Croft (left) taking sample of wood chippings for lab testing

# Winter Social

# RECAP

The MLBC sends a huge thank you to those who braved the snow storm to join us at Seven Springs this weekend. I think I speak for all of those who were in attendance in saying that Buddy Flip and his opener Ray Zawodni did not disappoint. The room was full of laughter all night long. Helmick Chris and Stacy Tichy and their planning committee did a fantastic job at planning the event. The venue was perfect and the food was delicious! Earlier in the day, members participated in a winter Clay shoot at Seven Springs. Steve Kennedy took home the prize with a score of 83 with Rich Robb close behind with an 82. Thank you again to all of those who participated.







Top Photo: Jeremy Preston takes some shots during the Winter Clay Shoot.
Bottom Photo Top Right: Katelyn Preston, Jeremy Preston, Chris Helmick, Britney Crookshanks, Sabrena McKinney, Stacey Tichy, Abby Veigel. Bottom Left: Stacey Tichy, Britney Crookshanks, Abby Veigel

## upcoming events

- February 15, 2018 Dinner Meeting at Bridgeport Conference Center
- March 8, 2018 All Day Seminar at Hilton Garden Inn at Southpointe
- April 12, 2018 Dinner Meeting at the Parkersburg Art Center
- April 27, 2018 Spring Social at Tropics in Morgantown
- May 11, 2018 Spring Charity Golf Event at Oglebay
- June 7, 2018 Dinner Meeting at Morgantown Marriott at Waterfront Place

The MLBC will be hosting its annual All Day Seminar on March 8, 2018 at the Hilton Garden Inn at Southepoint. The Seminar will begin at 8am with a continental breakfast and will include presentations from 7 different speakers with lunch served. The seminar will provide the opportunity obtain RL, RPL and CPL credits. A happy hour will follow the seminar along with dinner. Registration coming soon.



Veteran's Charity Clay Shoot I October 12, 2018

## executive committee

#### 2017-2018 EXECUTIVE COMMITTEE



President Jeremy Preston, RPL EQT Production jpreston@eqt.com



**Director** Robert Greiner, RPL Percheron robert.greiner@percheronllc.com



Vice President Britney Crookshanks, CPL Infinity Natural Resources bcrookshanks@infinitynr.com



**Director** Justin Nixon EQT jrnixon25@gmail.com



Secretary Christa Dotson, RPL Northeast Natural Energy cdotson@nne-llc.com



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National Director Aaron R. Yost, CPL Percheron Energy aaron.yost@percheronllc.com



**Seargent-At-Arms** Anthony Romeo, CPL Northeast Natural Energy aromeo@nne-llc.com



President Emeritus John Kimbleton, CPL Dominion Energy John.K.Kimbleton@dominionenergy.com



Executive Assistant
Abby Veigel
MLBC
abbyveigel@mlbc-aapl.org

# committee chairs

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Ethics: Justin Nixon	jrnixon25@gmail.com
Finance: Adam Morgan	adam.morgan@cabotog.com
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Newsletter Committee: Rob Greiner	robert.greiner@percheronllc.com
Photography: Michael Kalany	vnalak@amail.com

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# new members

#### December 2017

First Name	Last Name	Employer	Member Type	Sponsoring Member
Deanna	Allen	H3LLC	Associate	White, William
Danny	Bosley	EQT	Associate	Vaillancourt, Shawn
Kevin	Boyer	Ohio Valley Land Services	Active	Nabuda, Daniel
Richard	Corcovilos	Terra Services	Associate	Knopp, Jason
Cody	Cottrell	Cottrell Land Services	Active	Jarvis, Seth
Kevin	Cruz	Cruz Land Services	Active	Worley, Bernie
Meronaca	Davis	Prosper Mineral Brokers, LLC	Active	Morrison, Bryce
Rick	Lee	Dudley Land Company	Active	Jackson, Tim
Jason	Lucas	Steptoe and Johnson	Associate	Grimes, Melissa
Quinn	McCall	EdgeMarc Energy Holdings	Active	DeLallo, David
Wade	Powell	WAP Land Services	Active	Powell, Travis
Daniel	Rossi	Adirondack Resources, LLC	Active	Wallace, Christopher
Grant	Stetz	Blackwatch Oil and Exploration, LLC	Active	Carr, Steve
John	Weber	Self	Active	Heilmann, Charles

#### January 2018

First Name	Last Name	Employer	Member Type	Sponsoring Member
Anne	Carine	Mark A. O'Neal & Associates	Active	Kleevic, Clayton
Danielle	Pollini	Arsenal Resources	Active	Godbey, Greg
Brittany	Dean	Arsenal Resources	Associate	Swartz, Mitchell
Jerry	Owens	Owens & Associates, LLC	Active	Adkins, Richard
Christopher	Moses	Premier Energy Services	Associate	Moses, Theresa
Heather	Falleroni	Stickles Mineral Land Services	Associate	Spitznagel, Daniel

Total Members: 1,153
Active: 804
Active, PP: 28
Honorary: 9
Total Active: 841
% Active: 72.94%

Associate: 239 Student: 73



### MLBC Broadcast Text Messaging The MLBC Technology Committee is excited to

The MLBC Technology Committee is excited to announce that we now have the ability to communicate to our membership via text message. Beginning this month we will begin communicating via a text message sent to your mobile phone number associated with your membership record. Messages will be sent on a limited basis (one or two per month) and reserved for major announcements/events.

To ensure that you are able to receive text messages from the MLBC please *log in to your member profile* and make sure you have a valid number entered in the "Broadcast Text Phone" field. Members not wishing to receive text messages from the MLBC may opt out by logging in to their member profile and un-checking the "SMS Text List" option.

This new text messaging system is part of the MLBC's ongoing effort to better connect to the membership via technology.

# membership information



Michael Late Benedum "The Great Wildcatter"

The MLBC membership application is located on the website at www.mlbc-aapl.org. Please check your information on the website prior to submitting your renewal. The MLBC website has an updated version of the membership listing. Please use this resource if you can not find yours or others information in the directory. Please report any errors or omissions to Abby Veigel at abbyveigel@mlbc-aapl.org.

Notice of the application(s) of all potential Chapter members shall be published in the next regularly scheduled monthly Chapter "Takeoff" newsletter. Active members shall have the opportunity during a period of thirty (30) days following the first publication to object to the potential members' application.

Such objections to membership approval may be submitted to any member of the Executive Committee and shall be in writing. The Executive Committee shall

take any such objection under counsel in the next regularly scheduled monthly Executive Committee meeting. A decision to accept or reject the membership application shall be determined by a majority vote at such meeting. The Executive Committee shall notify the applicant in writing of rejection. Application for membership in the Chapter shall be subject to the approval by a majority vote of the Executive Committee at a regularly scheduled meeting, after the aforementioned thirty (30) day newsletter publication period, and shall require the signed approval by the acting President of the Executive Committee, as evidence of the Committee's approval. Names of any and all newly approved members shall be read at the following regularly scheduled general meeting of the Chapter.

## membership renewal

The MLBC is only as strong as its members and we greatly appreciate any time that you have been able to devote to the MLBC over the past year, whether that has been attending an event, encouraging someone else to join, being a corporate sponsor or by simply paying your dues and being a member. As the positive momentum in our industry continues, it is our sincere hope that you will continue your membership and involvement. The MLBC serves as the Appalachian Basin's hub for the oil and gas industry and our events are the birthplace of opportunity for aspiring professionals looking to further entrench themselves within their respective fields, we hope to see you there.

The MLBC Website, www.mlbc-aapl.org is a great link to stay up to date with our schedule of events or to learn more about the organization. In addition, numerous resources are available through the site.

The MLBC Job Board is a great tool for Job Seekers and Employers alike. The MLBC Photo Album features photos from past events and is accessible under the resources tab.

If you experience any problems using the website or if you have any suggestions, please contact Jeremy Preston via e-mail at JPreston@eqt.com.