



Michael Late Benedum Chapter

American Association of Professional Landmen

The Take-Off

February 2016

MLBC

P.O. Box 955

Bridgeport, WV 26330

PRESIDENTIAL ADDRESS

Transparency, as in open communication and accountability. That was the theme of the MLBC's January lunch meeting. Instead of the usual business update followed by a speaker covering a land-related topic, we chose to have several Officers, Directors, and Committee Chairs provide an in-depth review of the Association affairs. When current Education Chair, Mark Mudrick, proposed this type of meeting I was a bit skeptical and concerned that the members wouldn't be interested unless we followed the standard. Well, as it turned out we had over 165 attendees register – a huge turnout for a luncheon! Regardless of whether the members showed up for the presentation, or whether they were there to network, we had a great meeting and accomplished our goal of providing transparency.

In this issue of *The Takeoff*, current Director and Finance Chair, Jeremy White, digs in to the Association finances and explains how revenue is generated and what expenses exist. As Jeremy mentioned during the January lunch, a common misnomer is that the MLBC makes a bunch of money off monthly dinners and lunches, when in fact most meetings are a break-even, perhaps even sometimes we operate at a loss. For anyone who's curious how the MLBC has about \$200K in the bank, check out Jeremy's article.

Speaking of that \$200K, did you know over half is invested in an interest-bearing savings account? Current Treasurer, Britney Crookshanks covered that during her Treasurer's Report during the lunch.

Why is the MLBC sitting on \$200K? We touched on this during the lunch, but probably could've spent a little more time on it. The answer is simple, to give back to the members. What I mean is that even during the worst of industry times the Association needs to remain solvent and continue providing members with educational and networking opportunities. We recognize that many of our peers are seeking employment, or companies have cut back on education reimbursement, but recertification credits are needed by many and networking is desired by all. This year's day-long seminar in March is a perfect example of how the Association is working for the members. The seminar will be offered at a discounted rate for MLBC members and is going to provide many recertification credits.

Your Executive Committee is working for you. A great deal of planning is required throughout the year to make sure you feel like you're getting your "bang for your buck." From education to networking to having fun, we hope you see the value in maintaining membership in this great Association.

Aaron R. Yost, CPL
President 2015-2016

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Upcoming events

[Click Here to Register](#)
February Dinner Meeting
February 18, 2016
Undos
St. Clairsville, OH

[Click Here to Register](#)
Full Day Seminar
March 10, 2016
Hilton Garden Inn
Canonsburg, PA

[Click Here to Register](#)
March Dinner Meeting
March 10, 2016
Hilton Garden Inn
Canonsburg, PA

MLBC Director's Report

On December 5-6, 2015 I attended the Quarterly Board of Director's meeting at the Hotel Montleone in New Orleans. It was a busy weekend, from the lively roundtable discussion and reception on Saturday, thru the BOD meeting the following day.

Many folks lamented there are many landmen (and abstractors) looking for work. Unfortunately, the down cycle continues and has become worse as of this writing, obviously a result of falling oil and natural gas prices. Some local (especially smaller) AAPL associations are struggling.

The following summary includes, in particular, items which may be of local interest.

AAPL Headquarters: More than 160 folks attended an open house at 800 Fourier Street November 11th. The Fort Worth Association hosted the ExComm for dinner. The closing recently took place on the former headquarters building on Fossil Creek Blvd.

Our Compeers to the South: The Appalachian Association of Professional Landmen was dissolved and in its stead, the **Southern Appalachian Association of Professional Landmen (SAAPL)** was accepted as an affiliate. The BOD's vote was unanimous.

Membership: As of November 13th **Total Membership was 17,504.** To break it down, there were 13,486 Active Members; 1,394 Active New Members; 1,739 Associate Members; 389 Associate New; 165 Senior Members; 287 Student Members; and 44 Golden Lease/Lifetime.

Form 610-2015 JOA: Significant changes have been made to the 610-1989 Form, with respect to horizontal modifications introduced in 2013. Rather than report on what transpired during the recent board meeting, I refer you to two excellent articles in the January/February *Landman* magazine. The first one is written by AAPL's Christopher Halaszynski, Director of Education and Member Services. The second is an article by the Form 610 Revision Task Force, chaired by Fred MacDonald, of MacDonald & Miller Mineral Legal Services PLLC in Salt Lake City, Utah.

Accreditation: The accreditation committee has reviewed the application submitted by Marietta College and has had follow up discussions for clarification and concerns. As of December 6th the committee was not ready to make a recommendation. Status is pending.

Government Affairs: Russell Cohen, Government Affairs Analyst, continues to crank out informative weekly reports. These can be found on the AAPL website. Along these lines the tax committee is actively monitoring an ongoing federal employee misclassification and tax audit case, Perez v. Holland Acquisitions, Inc. et al, brought by the U.S. Department of Labor in Federal District Court of Pennsylvania. Also of local interest, the Bureau of Land Management has received numerous expressions of interest from oil and gas operators desiring to explore/develop potential reserves in the Wayne National Forest. The Marietta Unit is situated within 31,900 acres in the Ohio counties of Washington and Monroe.

Social Media: Paul Nielson has handed over his *Landnews*, (Landmen networking) now available on AAPL's website. Features include the ability to submit for posting: resumes/jobs, company/address changes, travel tips, births, obituaries, and last but not least, Landman stories.

2014-2015 Fiscal Audits:

Audit reports for NAPE and a combined AAPL/NAPE Audit are complete. The reports were approved by the board.

MLBC Director's Report Continued

AAPL Upcoming Local Events:

Due Diligence Seminar - March 4th DoubleTree Hilton Meadowlands, Washington, PA. 5 CPLRPL/RL credits available.

Seminar - Marketable Title: Understanding Run Sheets, Title Opinions and Curative.
March 31st Pittsburgh Airport Marriott Hotel, Coraopolis. 4 CPLRPL/RL credits available.

Field Landman Seminar - April 7th Pittsburgh Airport Marriott Hotel, Coraopolis. 2 CPLRPL/RL credits available. Free to current members; \$50.00 to NON-members, which may be applied to first years AAPL membership. Note change in policy; there will be a "cash bar" which will be closed during the presentations.

NAPE Summit is scheduled for February 10-12, 2016, with keynote speakers former New York City Mayor **Rudy Giuliani** and former Dallas Federal Reserve Bank President **Richard Fisher**.

AAPL 62nd Annual Meeting - Orlando, Florida, June 15-17

Many folks in our area are planning to attend, with some making a family vacation out of it. It's drivable for many of us within the MLBC footprint. As always, featured will be excellent speakers, seminars, networking opportunities and fun!

Publications: The committee is looking for articles for consideration to publish in the *Landman* and *Landman 2* magazines. Please submit articles to Andrea Spencer, of the AAPL staff at aspencer@landman.org.

The next board meeting is scheduled for March 19-20 in Tucson, Arizona. Please contact me at bruce.turner@steptoe-johnson.com if you have concerns, questions or suggestions. Thanks.

Bruce Turner
National Director Representing MLBC

www.mlbc-aapl.org

January Luncheon Meeting Sponsors

Larkspur Land Group

Steptoe & Johnson

Thank You For Your Support!

Ethics and E-mail – Practical Tips for Professionalism

Ethics touches every aspect of our lives – our decision-making, our demeanor, and even our daily interactions with others. So, you could say ethics plays a large role in our overall level of professionalism – the true professional exercising a high degree of ethics in everything he or she does. One often neglected area of professional, ethical conduct lies in something we all do every day – **e-mail**.

Whether tech-savvy or not, each one of us has at one time or another fallen victim to a lack of judgment, accidental “reply-all,” or miscommunication of some kind. As a refresher, here are a few tips that can help us all to be a little more professional and ethical in our e-mail communication:

Clear Subject Line: Every e-mail should include enough information in the subject line to clearly identify what’s being discussed. Each item or thought in the subject line should be separated by punctuation – such as _ or /. Example: “ABC Oil Co._Yost County, PA_TMP 1-55-147_Smith Lease” OR “Abstract 98765_Missing Heirs Petition.” This not only focuses the reader on the issue, but assists all involved in locating the e-mail many months, or even years, later when using various search functions.

Lost In Translation: You wrote, “Ok. Sure.” You meant, “Ok. That sounds good to me. Let’s do it.” The reader took it as, “Yeah. Whatever. I don’t really care.” It’s been said that communication is 7% verbal and 93% non-verbal; in other words, most of what we understand from a particular message comes from facial expressions, tone of voice, etc. E-mail has none of those factors, so quite often what we meant, and typed, comes across in a much different tone. To avoid a miscommunication, take the time and put forth the effort to use the *exact* words that carry the tone in which you intended to convey. One recommendation is to use language “one step nicer” than you would when communicating verbally. This will avoid unnecessary aggravation and potential conflict in the future.

Proofread: Before you send the e-mail, take the time to proofread. You’ll not only catch grammatical errors that “spellcheck” won’t catch, but you’ll likely see thoughts that didn’t come across clearly. You can quickly redraft that particular sentence or point and save yourself from spending a lot more time trying to explain later when the recipient, quite boggled, begins asking questions. The more clearly you communicate in writing, the more professional you’ll appear.

Organize Your Thoughts: If your e-mail discusses a complicated matter, take a few seconds before you begin and organize your thoughts – jot them down. When you write them in the e-mail, organize them by paragraphs, bullet points, or headings. If you’re describing a situation, try organizing by 1) briefly recapping the facts (and only what the reader *needs* to know), 2) presenting the question or issue you need to address, and 3) offering one or more solutions the recipient can choose from. If you’re requesting approval for something, provide all relevant details in a bulleted format. If you’re addressing multiple issues, use headings. A client or supervisor’s worst nightmare is an e-mail with a single, block paragraph that rambles – if a decision needs to be made, make it *easy* for them to catch up to speed with you.

Whoops!: If you haven’t answered an e-mail, keep it marked as “unread” so you don’t forget. Add recipients last, just in case you accidentally hit “send.” Double-check your recipients before you send – don’t be the person who e-mails confidential information to a competitor! Don’t “reply-all” unless you’ve double-checked the recipients – someone may have added one during the back-and-forth. Last but not least, *don’t e-mail when you’re angry* – you can’t “un-ring” a bell.

As “professional” landmen, we have a duty to represent the industry well in the way we act *and* the way we communicate. Let’s make the most of ourselves and choose our words carefully. As Mark Twain said, “The difference between the almost right word and the right word is . . . the difference between the lightning bug and the lightning.”



Fish and Wildlife Service Publishes Final Rule for Northern Long-Eared Bat

January 15, 2016 Posted By [Michael K. Reer](#)



On January 14, 2016, the U.S. Fish and Wildlife Service (“USFWS”) published in the *Federal Register* the [Final 4\(d\) Rule for the Northern Long-Eared Bat](#). USFWS issues such rules pursuant to Section 4(d) of the Federal Endangered Species Act in order to promulgate regulations that are tailored to the conservation needs of specific threatened or endangered species. The final 4(d) rule issued by USFWS for the Northern Long-Eared Bat prohibits the incidental take of the species in certain circumstances, including incidental takes resulting from tree cutting activities that: (1) occur within 0.25 miles of a known hibernaculum; or (2) result from the cutting or destruction of “known occupied maternity roost trees,” or any other trees within a 150-foot radius of the maternity roost tree during pup season (June 1 through July 31). The final rule replaces the [Interim 4\(d\) Rule](#) issued by USFWS on April 2, 2015.

As published on Babst Calland's ShaleEnergyLawBlog.com on January 15, 2016. Shale Energy Law Blog provides timely legal and business information on issues impacting the energy industry and specifically natural gas development, as well as articles published by the attorneys of Babst Calland. Shale Energy Law Blog is publicly distributed by Babst, Calland, Clements and Zomnir, P.C. for the general information of its readers. It is not designed to be, nor should it be considered or used as, the sole source of analyzing and resolving legal problems and matters and is not intended to give legal advice. If you have, or think you may have, a legal problem or issue relating to any of the matters discussed in the ShaleEnergyLawBlog.com, consult legal counsel.



AAPL CONTINUING EDUCATION OPPORTUNITIES

AAPL offers various educational programs, workshops and regional institutes for landmen as well as oil and gas professionals. The association also provides re-view and testing opportunities for those interested in obtaining RL, RPL and CPL certification designations.

February 25, 2016 - [Field Landman Seminar - Pittsburgh, PA](#)

March 4, 2016 - [Due Diligence Seminar- Washington, PA](#)

AAPL offers three certifications that are proven to enhance a member's credibility in the industry and to increase earning potential for landmen.

[Certified Professional Landman \(CPL\)](#) – The highest designation offered in the energy management industry, CPL certification is the standard by which landmen demonstrate their comprehensive competence, proficiency and professionalism in the landman field.

[Registered Professional Landman \(RPL\)](#) – The mid-level designation offered by AAPL, RPL certification distinguishes a landman as knowledgeable, experienced and professional.

[Registered Landman \(RL\)](#) – The initial level of certification, RL certification signifies a fundamental knowledge of the land industry as well as a landman's commitment to furthering their education.

For more information on why becoming a [certified landman is important](#), [click here](#).

Ohio Supreme Court Resolves Hupp v. Beck Energy Once and For All

January 21, 2016 Posted By [Leah LaFramboise](#)

The Ohio Supreme Court definitively [decided](#) a case that at one time threatened the validity of thousands of Ohio oil and gas leases. As previously [reported](#) in April of 2014, the Seventh District Court of Appeals overturned the decision of the Monroe County trial court in [Hupp v. Beck Energy Corp.](#), which originally held that a standard oil and gas lease form was void against public policy because it allowed a lease to be held in perpetuity. In January of 2015, the case was accepted for review by the Supreme Court of Ohio which issued a decision this morning affirming the District Court's ruling. The Court held that the leases were not void against public policy and could not be held in perpetuity because (i) delay rentals could only be used to maintain the leases during their stated primary term; (ii) the phrase "capable of being produced," as used in the lease referred to the potential for production from a well drilled on the leased lands rather than the lands themselves; and (iii) that production "in the judgment of the Lessee" also applied to production from an existing well and not possible production from the leased lands. The Court also declined to read an implied covenant of reasonable development into the leases as they required development to commence within a certain period and contained specific language disclaiming implied covenants.

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New MLBC Members – January 2016

First Name	Last Name	Employer	Member Type
Janice	Lobdell	Cabot Oil & Gas	Active
Vince	Gerrish	Cabot Oil & Gas Corporation	Active
Jeremy	Robertson	Honor Resources Company	Active
Mark	Pertz	Independent Contracted Landman	Active
Josh	Edman	JTE Management, LLC	Active
Adam	Allphin	KINETIC LAND SERVICES	Active
Cindy	Williams	Self	Active
Micah	Feather	Southwestern Energy	Active
Teri	Storey	Storey Land Service	Active
Russalle	Anthes	Western Land Services	Active
Mark	Kalchik	Western Land Services Inc.	Active

FACULTY POSITION
Assistant Professor in Energy Land Management
School of Natural Resources
West Virginia University



Academic Rank and Salary: The Energy Land Management Program in the School of Natural Resources at West Virginia University (Morgantown, WV) is seeking an individual with expertise in land management within the petroleum and natural gas industry, the coal industry, or other energy industry sectors to fill a nine-month tenure-track position at the rank of Assistant Professor. The position has a projected starting date of January 1, 2016. Summer salary may be available initially in order to establish a research program contingent upon availability of funds.

Responsibilities: The successful candidate will teach the following undergraduate courses: ENLM 150, Introduction to Energy Land Management; ENLM 200, Principles of Energy Land Management; and ENLM 450, Energy Land Management Strategic Planning. The incumbent will advise undergraduate students. The incumbent will be expected to collaborate with federal and state resource agencies and the industry to promote long-term partnerships focused on energy land management. The incumbent is expected to develop an annual internship program with the energy industry sector and work with both employers and students to maximize identified internship opportunities. Incumbent will also be expected to interact with the ELM Academic Accreditation body by attending annual meetings and submitting requested updates and reporting. They also will be expected to develop a vibrant externally funded, nationally and internationally recognized research program that complements existing program strengths in energy land management. Serve as liaison with the accreditation body.

Qualifications: An earned PhD or JD in engineering, law, business, resource economics, or a natural resource management discipline by the time of appointment, and documented teaching ability are required. The successful candidate must be able to effectively communicate with undergraduate students, clientele groups, and professionals in the field of energy land management. Ability to work within interdisciplinary groups that are cross-cutting among the energy sector is important. Applicants with expertise in the engineering, law, business, resource economics, or natural resource management disciplines are acceptable, but preference will be given to candidates with the credentials and interest to work across the energy sector.

Program: The Energy Land Management program at WVU is one of six program areas in the School of Natural Resources. The program offers a degree at the bachelor level. The program is housed within the Davis College of Agriculture, Natural Resources and Design.

Location: The West Virginia University main campus is located in Morgantown, a small city of 30,000 in the Appalachian Mountains on West Virginia's northern border adjacent to Pennsylvania. Morgantown was named a top 10 college town in 2013 by the American Institute of Economic Research and was ranked number 2 in Milken Institute's 2013 Annual Index of Best Performing Cities—Small Metros. West Virginia University is the state's major research, doctoral degree granting, land-grant institution. It serves over 29,500 students in 184-degree programs offered by 14 academic schools and colleges.

Salary: Salary for the position is competitive and commensurate with experience and qualifications.

Application: Electronic submission of application with supporting credentials (letter of application, curriculum vitae, and the names, addresses, phone numbers, and email addresses of a minimum of four professional references) can be made at <https://wvu.taleo.net/careersection/faculty/jobdetail.ftl?job=01614>

Review of applications will begin on **March 1, 2016** and will continue until the position is filled.

Website: <http://naturalresources.wvu.edu/>

West Virginia University encourages applications from and nominations of women, disabled individuals, veterans, and members of minority groups.

An Equal Opportunity/Affirmative Action Employer

FACULTY POSITION
Teaching Assistant Professor/Teaching Instructor in Energy Land
Management
School of Natural Resources
West Virginia University



Academic Rank and Salary: The Energy Land Management Program in the School of Natural Resources at West Virginia University (Morgantown, WV) is seeking an individual with expertise in land management within the petroleum and natural gas industry, the coal industry, or other energy industry sectors to fill a nine-month, non-tenure-track position at the rank of Teaching Instructor or Teaching Assistant Professor, depending on the incumbent's qualifications. The position has a projected starting date of January 1, 2016.

Responsibilities: The successful candidate will teach the following undergraduate courses: ENLM 250 Managing Non-Technical Risks; ENLM 300 Ethics/Negotiations; ENLM 441 Applied GIS/Energy Land Management, and other classes as assigned. The incumbent will advise undergraduate students. The incumbent will plan and host special guests for Energy Land Management lectures and lead interaction between faculty, guests, and students. The incumbent will be expected to collaborate with federal and state resource agencies and the industry to promote long-term partnerships focused on energy land management. The incumbent is expected to serve as lead instructor for the ELM internship course (ENLM 491), which includes working with employers to ensure completion of student internship projects and engaging faculty, staff, and students during ENLM student internship presentations. .

Qualifications: An earned Master's degree, PhD, or JD in engineering, law, business, resource economics, or a natural resource management discipline by the time of appointment, and documented teaching ability are required. The successful candidate must be able to effectively communicate with undergraduate students, clientele groups, and professionals in the field of energy land management. Ability to work within interdisciplinary groups that are cross-cutting among the energy sector is important. Applicants with expertise in the engineering, law, business, resource economics, or natural resource management disciplines are acceptable, but preference will be given to candidates with the credentials and interest to work across the energy sector.

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What Does a Finance Chair Do Anyway?

The only thing worse than being blind, is having sight but no vision. That famous quote of Helen Keller effectively illustrates the difference between sight and vision. Sight is simply the ability to see what is in front of us. Vision, however, is in the mind. It allows us to be proactive and plan for the future. With vision in mind, the MLBC board created the position of Finance Chair a couple years ago. As the MLBC's first Finance Chair, my first order of business was to create a budget. That begs the question - why now?

In the not too distant past, the MLBC had far fewer members. Meetings had 30-40 people. And just like at Cheers, everybody knew your name. There were dinner meetings most months with a dinner speaker. At the end, someone would ask if the money collected from registrations was enough to cover the bill. If we came up short, you'd see landmen throwing in cash to pay for the rest of the bill and that was the extent of the budgeting.

Let's flash forward to modern day. The past decade or so, particularly in the last 6-8 years, membership has blossomed. The MLBC has over 1500 members. Meetings started having as many as 300 people. And unlike Cheers, everybody may or may not know your name. More money started flowing in. Meeting sponsorship also starting growing. With all of that come growing pains.

With vision in mind, more thought was given to how we can provide greater benefit to our membership. The MLBC started offering more educational opportunities – regular all-day and half day seminars. We started thinking about the future and began to explore supporting colleges who offer disciplines related to landwork, which started with Glenville State College and now has moved to the accredited programs of WVU and Penn State. Thoughts also moved to charity – how can we give back to the communities in which we work and also get more recognition for our group and industry?

All of this requires money and a great deal of planning and organization. It requires vision. It had always been strictly a volunteer organization, but the MLBC had grown into such a large organization that it was too much for landmen to manage in their "spare time". So, the decision was made to bring on a consultant, Tara White, who had experience with managing non-profit organizations and has proved to steer the MLBC in the right direction.

The bank account consistently grew. With all the activities the MLBC is involved in, the decision was made to finally have an actual budget. We had been riding a wave – like everyone else in the basin – but things can't grow forever, right? Eventually, what goes up must come down. We wanted to be prepared for that. The money in the MLBC's account is not the President's, or the Executive Committee's personal fund. It's yours. It's all of ours. As such, we have to be good stewards of it. We have a fiduciary responsibility to make sure we provide the things highlighted in our Mission Statement for our members, and at the same time, preserve funds to maintain the organization for the future.

So, let's get on to the budget. How did we arrive at the current budget? How much money does MLBC take in? Where does all the money go?

The first misconception that I would like to clear up is one I hear quite often. "What do you guys do with all the money you make on meetings?" Well, the MLBC doesn't profit from meetings. So it doesn't have any money from the meetings to do anything with. Myth debunked.

To give you the most current example, take this January's luncheon. The most accurate numbers I have are that the cost for this luncheon was \$4,395.00. There ended up being about 165 registered attendees.

What Does a Finance Chair Do Anyway? Continued

That translates into a cost of \$26.64 per person. How much did you pay if you were there -\$25.00? That leaves the MLBC with a deficit of \$270.60 on this luncheon. Now, factor in that some of the attendees didn't pay to register because they came on a courtesy registration via their company's corporate sponsorship, which we greatly appreciate and it allows us to provide some of the other educational opportunities, etc., but that makes the actual figure for the luncheon more like a negative \$400.00 or so net for this meeting.

Our current Sponsorship Chair recently came up with the idea of having "Luncheon Sponsors". I'd like to take this time to thank Steptoe & Johnson and Larkspur Land Group for sponsoring the January luncheon. With their sponsorship, MLBC should come out around \$100.00 to the good. Usually, that is the case with meetings. MLBC sometimes makes a few bucks, sometimes it loses a few, but our goal is to make the meetings revenue neutral.

Midyear 2013 MLBC had \$105,200.00 in the bank. In 2014 it had \$152,623.56 and today as we sit here it has \$197,957.61. So how has the MLBC's bank account continued to grow if it doesn't make money on meetings? The MLBC simply has two revenue streams – membership dues and corporate sponsorships. As mentioned, over the past several years, membership has continued to grow - as well as sponsorship interests. Our budget for this year was based upon an estimated \$70,000.00 in membership dues and \$54,000.00 in corporate sponsorships for a total of \$124,000.00. This budget is less than what MLBC's revenues have been the past couple years. For instance last year, revenues outside of meetings and charity events amounted to \$136,750.00. Why did we plan a smaller budget? Because we wanted to be conservative, anticipating a decline in membership and perhaps sponsorship interest as companies tighten their belts in this newer climate we find ourselves in. This has proved to be an accurate prediction as both have declined. Unfortunately, sometimes vision has to be used to anticipate the negative as well.

In an effort of full disclosure, here is what MLBC's first actual budget looks like:

MLBC Budget	
	Adopted 2015-2016 Budget
Income	
Membership Dues	70,000.00
Corporate Sponsorships	54,000.00
Total Income	124,000.00
Expenses	
Charitable Donations	15,000.00
Scholarship Program	7,500.00
Admin./Management Expenses	45,000.00
Web Costs	3,000.00
Office Material Expenses	6,000.00
President's Discretionary Fund	5,000.00
Accountant Fees	1,100.00
Meeting Supplement	15,000.00
Miscellaneous	5,000.00
Education Expenses/ Speaker Gifts	2,500.00
Total Expenses	105,100.00
Surplus to Carry Over	18,900.00

What Does a Finance Chair Do Anyway? Continued

The MLBC has also switched to a new accountant and employed the use of new online accounting software so that we can better track expenditures and classify them. In previous years, without a budget, it was difficult to track exactly where the money was really going. By classifying each type of expenditure we will know if we are staying within each budgetary line item.

One of the other comments I hear is – “MLBC has too much money. It needs to be spent.” Well, quite honestly I feel, and I know many board members feel, that this is a somewhat short-sighted view. As I’ve outlined, we feel that planning for the future and being good stewards of the money for leaner years is more important than simply spending it all and giving it away while we have an abundance. I think the wisdom of that is starting to show and will continue to show in the near future. Speaking to that point further, as a local chapter of the national AAPL, we try to mirror many of the policies and procedures they have put into place.

AAPL has about \$30,767,967.00. Approximately \$24,228,450.00 of that is invested. With 17,607 members, this works out to about \$1,744.00 on hand per member.

By comparison, the MLBC has about \$197,957.61 on hand. In 2014 the decision was made to place \$100,000.00 in an interest bearing bank account. It’s not drawing a lot of interest, but we wanted to keep the money liquid in case we need to tap into it – while still at least growing some. With 1,592 members, this works out to about \$124.35 on hand per member.

I make this comparison, or contrast I suppose, only to put things in perspective. A successful organization needs to have a significant cash reserve to maintain constancy and continue to provide adequately for its membership – even in the lean times. I hope that is what we are accomplishing.

As this year wraps up, we will look to see how our actual expenditures match up with our budget, we’ll look to see where things are headed, and we will adjust the budget accordingly. In the meantime, if you have any questions, if you have ideas on other ways we can spend MLBC funds to better serve our members, please feel free to contact me at jwhite@eqt.com.

Here’s to a successful 2016 for the MLBC and its members!

Jeremy White
MLBC Director and Finance Chair



Michael Late Benedum Chapter

American Association of Professional Landmen

8th Annual MLBC Spring Charity Golf Outing

Friday, May 13, 2016 @ 11:30am

Oglebay Resort, Wheeling, West Virginia

Benefiting WVU Children's Hospital and

Children's Hospital of Pittsburgh

- WHERE:** Oglebay Resort in Wheeling, West Virginia
(Palmer and Jones Courses)
- WHEN:** Friday, May 13, 2016
- STARTING TIME:** 11:30 am
- COST:** \$175 per player, which includes Greens Fee, Cart, MLBC Logo Shirt, Box Lunch, Social Hour, BBQ Dinner/MLBC Meeting, Raffle Prizes, and Awards
- FORMAT:** 4 Person Scramble
- AWARDS:** 1st - 4th Place Teams on each course
Men's and Women's Long Drive on each course
Closest-to-Pin on all Par 3s
- PRIZES:** Raffle Prizes To Be Given Away At Dinner

Official registration will open March 31st, but you can email Jeff Junstrom at jjunstrom@tuckerlaw.com to reserve your team today!

We Look Forward To Seeing You at Oglebay!

*Individuals not playing golf may still attend BBQ Dinner. Monthly MLBC meeting will follow dinner.



IF THE ENERGY INDUSTRY GETS A SECOND CHANCE.....

This is a wake-up call to oil, gas, and coal company management and is written with a sincere thanks for all the good they, as industry leaders, have done over the years. And... over the last thirty plus years, I have watched the oil and gas industry make a lot of mistakes but I have also proudly witnessed the industry as a whole... and a few remarkable individuals and companies pioneer supreme contributions to drilling, completion, safety, and environmental improvements and techniques which have resulted in our nation once again having the opportunity to be energy self-sufficient, as well as contribute to the welfare, sustainability, and viability of not just our industry and workers, but also of our nation and world. Whether we are allowed to continue in this enviable position may well depend upon several factors addressed below.

Our nation – both the populace and the leadership – must realize that energy independence is not simply a luxury.... it is paramount to our being able to sustain our position as a world leader, but also to be able to help the countries and peoples of the world who depend upon us. Granted.... we, as a nation, need to be more selective in setting parameters for the disbursement of our help, but as Americans, we cannot turn our backs on the plights of nations and people in true distress. Energy independence is a major factor in the sustainability of our nation's status and can only be achieved by insuring that our energy industry is receiving a fair price for the oil, gas, and coal.

THE FIRST STEP is to insist on legislation which would place an embargo fee on imported oil which would immediately result in increased employment across every spectrum of American industry and business while helping to decrease our dependence on foreign oil and thus our obligation to choose sides in Mid-East religious squabbles to which we should not be party.

SECONDLY, the industry itself needs to modify the way it employs and trains employees. Far too many jobs and job duties have been segregated which has resulted in an extreme loss of efficiency, increased labor costs, heightened layoffs and bulging unemployment rolls (regardless of what the sitting national executive office says)... not even to delve into the detrimental complexities of the effects on the entirety of the United States economy, tax base, families, and individuals... and certainly not to dismiss the decreased knowledge level base of most newer oil and gas industry workers. Paying workers too much is another problem this industry. We need to train, attract, and keep cradle-to-the-grave knowledge based employees.

THIRDLY, over-borrowing money or issuing new stock to raise funds for unworthy or over hyped projects at the expense of existing stockholders needs to stop. The oil and gas... or coal... isn't going anywhere and if the cost of the project does not make sense when compared to the risks and projected profitability, the cautionary bells and whistles need to be heard by the company management sooner than later. And the stockholders need to raise their collective voices by supporting companies which show the kind of prudence we like to see in our own family finances. Paying too much for acreage, staffing, drilling, completing, and long-term operation costs will never make the project profitable. I've often said I would rather have a dry hole than a marginal well and I stick by that (*even though I don't want the dry holes*)! Just because one company is paying far too much in acreage costs does not mean that the company's world will end if they don't keep up. There is much to be said for deliberate and steady growth as opposed to the flash-in-the-pan and gone tomorrow energy companies and the losses sustained by plummeting stock prices due to management's poor judgment and inefficient methods.

LASTLY, keep your older, proven, and more experienced staffers in place to train younger or less experienced personnel. You cannot grow 30 years of experience, wisdom, and insights overnight and to be competitive in the coming markets, employees must be more well rounded and experienced than we are allowing them to be in today's energy industry as a whole.

Paula Fleming, CPL
MLBC Member

Note: This is an "op-ed" piece of a generalized nature and may not necessarily reflect the view of MLBC or AAPL.

MLBC – QUESTIONS FROM THE FIELD



Dear Morgan and Andy:

I am a landman in West Virginia trying to acquire a right of way from a landowner. The landowner is an older woman. She has a daughter who is probably 28 and does not work. The issue I am having is that the daughter wants to negotiate on behalf of her mom. In fact, I can't even talk to the mom – I have to go through the daughter. Can I do this? Is the daughter able to grant a right of way on her mom's behalf? Does it matter that the daughter lives at home with her mom (on the property where I need a right of way)? Thanks – Frank

Hello Frank – The only person who can grant you a right-of-way is the person who owns the land over which you want the right-of-way, so if Mom is the only owner, then only Mom can grant you the right-of-way, regardless of whether Mom and Daughter live under the same roof. The only way Daughter can grant you the right-of-way is if Mom has signed a Power-of-Attorney in which she has appointed Daughter to act as her agent or her attorney-in-fact. If Mom has done this, then Daughter has Mom's permission to sign real estate documents, like right-of-way agreements, on Mom's behalf. Before you close the deal on the right-of-way, however, you'll want to see the signed Power-of-Attorney and make sure that it really does give Daughter the right to sign real estate documents on Mom's behalf. You'll also want to record the Power-of-Attorney when you record the right-of-way agreement, so that later title searches show that Daughter had Mom's permission to grant the right-of-way to you on Mom's behalf. If there is no Power-of-Attorney, then Daughter can only be a go-between, carrying information from you to Mom and from Mom back to you, but Mom will have to sign the right-of-way agreement.

www.mlbc-aapl.org

Dear Morgan and Andy,

I read an article in the Pittsburgh Business Times about something called estoppel by deed. Would you explain what this is? Thank you. BT

Hello BT - The doctrine of estoppel by deed involves fairness. Basically, when a landowner conveys property that she did not have title to (or was defective) to a grantee, and later that landowner acquires good title, the title immediately inures to the benefit of the grantee. In other words, if Morgan thought she owned 10 acres, and she conveyed 10 acres to Andy and warranted to him that she owned the 10, but she actually only owned 6 acres – if she later acquires the other 4 acres, she cannot say “Ha ha Andy! You have to deal with me again for the other 4 acres.” Andy can raise estoppel by deed and she would be estopped from essentially getting a windfall. Andy gets the whole 10 acres.

**By Morgan Griffith, Esq., RPL
MLBC Member**

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MLBC SCHEDULE

<u>Date</u>	<u>Location</u>	<u>Speaker</u>	<u>Topic</u>
February 18, 2016	Undos St. Clairsville, Ohio	Congressman Bill Johnson	Legislative Updates
March 10, 2016	Hilton Garden Inn Canonsburg, PA —Seminar	Hot Topics in the Appalachian Shale Play	
May 13, 2016	Oglebay Resort Wheeling, WV	Spring Charity Golf Event	
June 2, 2016	Lakeview Resort Morgantown, WV	Officer Induction & Awards Ceremony	

Landmen struggle for degree program

*Pathway to Professionalism
Chapter 3 - The AAPL Story.*

*Originally Published in the
American Association of Pe-
troleum Landman in June
1985.*

-Remember When Series-

Ask any longtime member of AAPL what is one of the most important achievements of the organization, and probably, without hesitation, he will list the establishment of the petroleum land management degree program. Certainly this goal was settled firmly in the minds of those early members as they struggled to increase the strength and prestige of not only AAPL but of landmen in general. As a matter of fact, the idea of establishing a degree program goes further back than the creation of AAPL.

Groundwork for the program had been laid as early as July 1954. It seems only natural today that early discussions and correspondence on organizing a national association should be generously sprinkled with references to establishing a petroleum land management degree program. Typical of these exchanges was a letter T. H. Kaplyn wrote to George Bixler. Kaplyn stressed that landmen had made great strides toward becoming specialists in their own right. He said that landmen borrowed from several

professions in order to succeed in their own distinctive field.

"He needs to be part lawyer, geologist, engineer, scout, psychiatrist, salesman, horsetrader, and diplomat, and there is no particular academic curriculum designed to fit his needs," wrote Kaplyn. "More and more we are realizing the need for a different type of educational background for the fledgling landman, yet, as far as I know, not one constructive step is being taken toward remedying the situation."

Kaplyn felt that steps should be taken immediately to correct this deficiency.

"It does not require any great clairvoyance to visualize the saving in manpower that any company could realize if it could hire a man with a degree that carried with it the fundamentals of the many-sided background required of a competent landman, thus saving several years of training. Does this sound a little fantastic? No more so, I dare say, than would a degree in animal husbandry or home economics would have seemed some 50 years ago," said Kaplyn.

His sentiments were echoed by those early members. They faced many obstacles in their pursuit of a prestigious standing for their profession.

"We weren't considered professionals, really. We all felt like we were doing a lot of service for our companies, but we were not getting a lot of recognition," said charter member Elmer Hamilton of Houston.

Maybe the landmen were a little touchy on the issue. Certainly some of their statements indicate that.

"Landmen were not considered really professional. We were called leasehounds and we detested that," said David Turner of Oklahoma City, another AAPL charter member. "That placed us



AAPL Education Committee's former chairman Phil McGowan, left, and incoming chairman Walter E. Belt, Jr., right, welcome to the professional fold University of Texas PLM graduate Kenneth H. Sparks. The year is 1960 and Sparks is the fifth graduate of the program.

in about the same category as used car salesmen. We *had* to improve our professional image."

Even before George Brown assumed the first presidency he had established an education committee. Its task was simply stated. Come up with a degree program and find a university that would accept the program. Those two things proved to be more than simple; however, it was something that the members knew had to be done, and done quickly.

The AAPL membership even passed a resolution calling for work in the educational field. Part of that resolution said that the AAPL sought to "further the development of well academically trained landmen by presenting to the several colleges and universities a list of courses that the Executive Committee of the association feels would accomplish this end."

John Nunn of Midland was appointed chairman of the Education and Publicity Committee for 1955-1956. He asked Keith Bennett to serve on that committee. Bennett later became a workhorse in getting the first PLM program established at the University of Oklahoma. Men with lesser enthusiasm might have retreated, thrown up their hands, and said forget it. Not Bennett. He felt strongly about the education program.

"We had so many people coming into the field who had no experience and didn't know what an oil and gas lease was. We had to take many of them by the hand and train them," Bennett said. "I thought what a shame that this course was not being taught at any place by anybody. At a very tender age myself, I was wanting to train others when I barely knew what I was doing." Bennett speaks in a slow drawl, combs his short, brown hair neatly, and smokes a

pipe. He was graduated from the University of Oklahoma in 1949; however, it was during 1945 and 1946 that the seeds of becoming a landman were planted in his mind. He was in the Army, assigned to the U.S. Real Estate Division of the Corps of Engineers. He served as a real estate claims officer in Zamboanga, Davao, and Cotabato of Mindanao and Manila of Luzon in the Philippines.

During the summer of 1948, he became acquainted with title work, lease buying, coloring of plats and other phases of the oil leasing business in Mt. Vernon, Illinois. That convinced him that he wanted to become a petroleum landman.

"Continental Oil Company accepted me as a trainee in 1949, and soon after that, while processing leases and scouting, I became acquainted with other men who were doing similar work. They were having a very hard time trying to understand the overview," said Bennett. "The landwork which I had been exposed to earlier and the curriculum at OU made the assignments much more interesting and rewarding."

So Bennett knew the value of any kind of education tied to landwork. It proved to be the impetus for his tireless efforts in initiating a PLM program at some college or university.

He contacted the deans of the business and law schools at the University of Colorado to investigate their interest in offering a course for petroleum landmen. They were interested. However, the curriculum at that time did not include some of the courses recommended for a PLM program so further work was deferred.

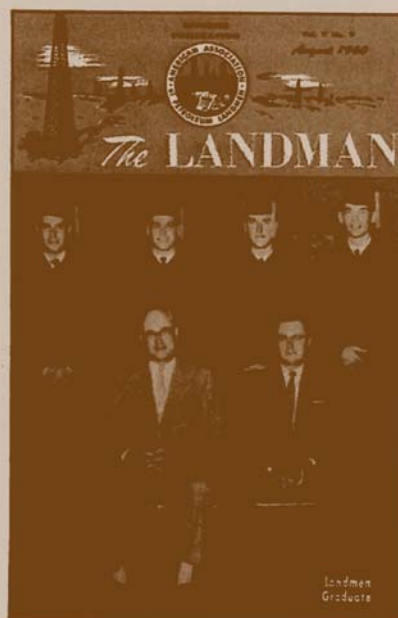
The second annual AAPL meeting was held in Denver. J. P.

McGowan was named chairman of the Education Committee. The committee's work was restricted so it was not until the third annual meeting at San Antonio in 1957 that another AAPL resolution backing a degree program was passed.

The resolution said:

"Whereas, it is the desire of the American Association of Petroleum Landmen to continue our support of the Education Committee in establishing in our colleges and universities a course of study which will merit a petroleum landman's degree."

The education program was well on its way by that time. At a meeting in Denver in February 1956, C. D. Fleet, Jr., then executive vice president of AAPL, said Bennett and Nunn had already done extensive spade work. He said Bennett had been in contact with the University of Oklahoma and the University of Texas with regard to initiating a course in which a student could receive a degree in petroleum



University of Oklahoma professor William Keown and Dean Horace Brown, left and right, mark a milestone in AAPL's history in 1960 with OU's first four PLM graduates — Gary Boren, Frank Spooner, Bill Brodnax, and Phil Houser.

landwork. Fleet said Bennett reported that both schools were very receptive to the idea.

Fleet quoted liberally from a report Bennett had made to the Education Committee when answering questions posed by Dr. W. H. Keown of the University of Oklahoma. Bennett, who reported contacting outsiders in the education field as well as local landmen, had experienced some difficulties.

Fleet reminisced on the plight of Bennett in dealing with both universities. A multitude of professions were seeking programs at the universities: steamfitters, hotel operators, and the dairy association among others. "Every organization would like to have a university course of study, and here we come with a similar request," he remembered

Bennett lamenting. Bennett reported that "John Dunn and I firmly believe that we can overcome that without any difficulty whatsoever, because we have written or talked with chairmen of the Board of Regents of both universities and they are solidly for it."

Bennett remembers those days of bargaining for a degree program at the universities. "Actually, it took something more than knowledge to get the program started. It took some brazen displays of self confidence. Some landmen call that 'guts.'

"I just picked up the telephone and called the president of the university (Oklahoma) and asked to be put on the agenda for the next board meeting. I told him I wanted to present an idea for a

series of courses that would help young men become better landmen," said Bennett. "That became the backbone of this organization, really, to develop education programs for the young as well as some of us oldtimers."

There was much discussion between university officials and the landmen before that first meeting. In a letter to Bennett in June 1956, Horace B. Brown, dean of the College of Business Administration at Oklahoma, voiced concerns over the courses that would be used.

"It seems to me that we cannot tell at the present moment how many hours or how many courses this will result in. There is no magic, of course, in a particular number, and I am sure that we are both agreed that the objective is simply to cover the field adequately and supply the men in training with the information and know-how that they need for professional experience as landmen," wrote Brown. "Of course, this is an



University of Texas associate professor and PLM sponsor Dr. Kenneth W. Olm, center, talks with Robert J. Schumacher and Kenneth Stout in 1964 after speaking to members of the Abilene APL on A Successful Experiment in Professional Education.



Don A. Nichols presents a company check for scholarships to Willard A. Burton, Jr., mineral land management coordinator at the University of Colorado.



Dr. Mike Maggard, PLM faculty advisor at the University of Texas in 1973, presents a company scholarship to C. V. Dickson.



Dr. Burt K. Scanlan, associate professor and PLM coordinator at the University of Oklahoma.

James C. Tinkler, professor and advisor at the University of Houston-Downtown.



Nick Woodward, longtime PLM coordinator at the University of Texas, and 1977 AAPL President J. F. (Jeff) Womack. At right, Dr. John Kline, longtime MLM coordinator at the University of Colorado.



area in which textbooks are not available, and I presume that other teaching materials are nonexistent, or at least in limited supply."

A curriculum proposal had been made in a letter from Othel D. Westfall, then acting dean of the Oklahoma School of Business Administration. He considered the merits of several of the courses, subsequently suggested that business law covering partnerships and corporations might be more valuable to landmen than a business law course covering negotiable instruments and sales.

Efforts continued at refining the course work. AAPL committee members working on the project retained their enthusiasm through the bolstering efforts of fellow landmen. One of those landmen was Tom Sealy, a Midland attorney and then chairman of the Board of Regents at the University of Texas.

"Presently most companies require at least a bachelor of arts or science degree of their landmen. Although some of the best I've ever known never got through the seventh grade, that is not typical. Some companies are requiring that they have law degrees. People might wonder why, but I'm constrained to think that down the road, perhaps nearer than you think, there will be developed a curriculum for landmen, or a land management course if you

prefer, with a degree in land management," Sealy had said in June 1956.

His feelings were echoed. Miller Waggoner, second president of AAPL, voiced similar statements that year. "This venture, in my opinion, is one of the most outstanding projects that we have confronting us, and I feel that we should certainly use sound judgment, but expedite this project and

work toward trying to get this project initiated by these two schools for the fall term of 1957, if at all possible."

At an AAPL board meeting in Fort Worth in September 1956, Hamilton Rogers, a charter member, offered a motion that "we go on record in favor of our educational program with each officer and director responsible for contacting colleges and universities in his area relative

to establishment of petroleum landwork courses on a prerequisite or elective basis."

In view of this support, as well as the exhaustive efforts of so many working behind the scenes, nobody was really surprised when the AAPL board met in New Orleans in June 1958, and announced that it was all over but the final ribbon tying. Those were the words of Paul Miller of Oklahoma City in making a



1959 scholarship recipients at the University of Oklahoma, pictured with AAPL members, are, l-r, Mike Powers, Louis F. (Bud) Goza, John H. Folks, William F. Brodnax, Gary K. Boren, Roger W. Trekell, David L. Bole, W. Frank Spooner, C. H. Burke, M. W. Hankinson (AAPL president), and Dean Horace Brown.



1959 scholarship recipients at the University of Texas are, front row l-r, Kenneth Sparks, Billy E. Crumpler, Daryl D. Baxter, Richard R. Hammons, William T. Orr, Thad W. Thomas, Owen Lancaster, Harold D. Carter, Jacob I. Morrow, Richard Schulze, Gordon R. Morris, and Frank W. Yantis; back row l-r, Robert Stewart, Thomas Cassin, Jan E. Rehler, G. K. Taggart, E. S. Graham, Edward Snodgrass, Joe Archer, Robert K. Pigg, Don C. Edwards, Donald Harrell, John F. Guillett, and Ralph V. St. John.



Dr. Walter Richard Rooney, University of Houston-Downtown chairman of business and commerce, was instrumental in developing the PLM program at UH.

report for the Education Committee. He reported on another event that had proven what AAPL thought of education — the first, and highly successful, petroleum land course conducted by the Extension Division of the University of Oklahoma.

Bill Majors, an early member of AAPL and active participant on the Education Committee, had helped with that event. He recalled helping to organize the five-day institute and agreeing to serve as one of the lecturers.

"We thought we would do well to have a few sign up for this thing," said Majors. "We were going to discuss such things as leasing records, on-the-ground lease plays, farmouts and farmins and things like that."

Longtime supporter Julian J. Rothbaum presents 1963 outstanding PLM senior award to OU student Fred H. Hallman.



Majors, and others connected with the institute, shared their astonishment when the reservations began pouring in. They were finally shut off at 400.

"The funny thing was, these weren't all landmen. They were secretaries, IRS employees, and other people who worked with landmen. They just wanted to learn more about the field themselves," said Majors. "That was when we realized that education for landmen would go. Although we had an Education Committee from the time AAPL was formed, many members of the local associations questioned the need for a PLM program. The response to our extension school proved an interest in continuing education for landmen."

So this sunny report was made. When Paul Miller also reported that the University of Oklahoma had elected to institute the curriculum developed by the Education Committee of AAPL he was greeted with loud applause. The two resolutions he offered to back these actions were seconded by Tarz Marsh and Bill Howell and passed unanimously. The strength of approval was

indicated by the wording in the resolutions. One read:

"Whereas, from the very inception of its organization, one of the prime and most nurtured objectives of the American Association of Petroleum Landmen has been to foster and encourage the offering of the course of training by colleges and universities, which would provide a curriculum for an appropriate course of training leading to a degree which would qualify a student to become a petroleum landman; and

"Whereas, as a result of a most gratifying cooperative effort between representatives of this association and the faculty of the university, the University of Oklahoma has now undertaken, through its College of Business Administration, to offer such a course of study for the benefit of prospective landmen to commence with the fall semester, 1958.

"Now, therefore, be it resolved that the American Association of Petroleum Landmen extends to the University of Oklahoma its hearty congratulations in that this university is the first college or university in the United States to offer a fully accredited course of training, as above described; and

"Be it further resolved that this association, after a review of the course to be offered, is of the opinion that it would give a superior academic background for the individual possessed of native talents requisite to becoming a petroleum landman and for this reason, this association offers to the University of Oklahoma its full cooperation and agrees to assist in any way, where it is possible to do so, the efforts of the university in making such a course available."

Though there would still be



Dr. William Keown and his wife Betty are surrounded at a 1979 program given in his honor by alumni of the University of Oklahoma PLM program. Dr. Keown received a framed plaque of the business cards of donors to his retirement fund — all graduates of the program he helped to initiate.

some discussion about the curriculum, Bennett felt optimistic about the outcome. He predicted that after a series of meetings, a list of courses suitable for both sides could be drawn.

"We feel certain that with the necessary changes, revisions, and hair-pullings, that we will come up with a package deal setting up money, books, and teachers and start our first classroom work in the fall term of 1958," he said.

One problem that he identified was developing opportunities to publicize information explaining the role of landmen in the energy exploration industry.

"(On) June 1, 1956, AAPL has 1,442 members. Our organization is new. We seem unknown to ourselves as well as to the outside world," he said. "So again, I say, we must publicize the landman. AAPL is considering getting some men on television programs such as *What's My Line?*, *I've Got a Secret*, and *To Tell the Truth*.

But, Bennett said he was not worried about attracting students to the PLM program.

"Many landmen may take some of the courses. In Houston alone we have 395 members in our landmen's association. Many have sons who are potential candidates for the program. Most of the estimated 14,000 landmen have children or know people who have children," he said. "We will go to high schools and talk to seniors. We can tell them about landwork and invite them to some of our meetings. I am not worried about where our students are coming from."

The profession's primary concern — securing course approval at a major university — had been accomplished, and by September 1958 brochures

were being distributed by the university's College of Business Administration. These brochures described the petroleum land management degree programs, the opportunities in the profession, and subsequent responsibilities:

"Young men who are eager to get in on the ground floor of the oil business are profiting from a close and harmonious rein between the University of Oklahoma and the American Association of Petroleum Landmen.

"The program is aimed at producing men who not only know their p's and q's in geology, business, and petroleum engineering, but who understand

that landmen represent their companies to the public. Dr. William H. Keown and David Ross Boyd, professors of business management, stress that petroleum landmen must be versatile.

"Their main job is to acquire for their companies the right to drill, which means arranging for the leasing of land from its owners. Landmen are the principal contacts between companies and the land-owning public. In addition to arranging leases, they also arrange the settlement of claims against their companies. For example, a claim might arise over damage to crops caused by the seepage of salt water.



Keith Bennett, a major mover in developing a degree program for landmen.



The Houston APL honored the first PLM graduating class at the University of Houston-Downtown in 1982.



Kimberly Voorhies, first graduate of the PLM program at the University of Southwestern Louisiana since its inception in 1981, earns the congratulations from Coordinator Dr. David Duhon.

"But, even here the responsibilities of landmen don't end. They need a knowledge of law and of their companies' needs. Moreover, they must keep on their toes and know who has leased what in their area.

"All in all, the college believes it has a going concern in the new curriculum. Dr. Horace B. Brown, dean of the College of Business Administration, is interested in receiving letters from any young men who wish to learn more about the studies in petroleum land management."

Dr. Keown gave a report on the early years of the PLM program when he addressed delegates to the 11th AAPL annual meeting June 1965 in Denver. He called them the tempestuous years.

"Eight students were enrolled," said Dr. Keown. "For practical reasons, the curriculum at the outset consisted of a combination of already existing courses. No new courses were designed, and no additional personnel were employed as instructors. This approach not only overcame the financial problems which the Education Committee had foreseen, but it also gained time in the approval of the program and avoided the resistance of some vested interests on the campus which could have seen this curriculum as being a *competitive threat*."

Keown was alarmed when more than 100 students enrolled in the PLM program that spring of 1960.

"Some of them came because the program was new, and some as a result of the missionary effort of men already enrolled; many came because they heard about summer jobs and full-time employment opportunities in this new field; and others decided to give PLM a whirl because they

were not doing well where they were. Thus, the new program attracted large numbers in a short time, some of whom were ill-suited or improperly motivated for this work. The problem of dealing with misfits probably needs no more elaboration since they also exist in industry, as we are all well aware," said Keown.

Keown did mention several problems. Maybe they should be called headaches. One came from the fact that many representatives in the petroleum industry — including landmen — thought the PLM graduates would be able to go to work immediately as landmen.

"It has taken many years of patient explanation to show that we are not trying to be a vocational school for landmen, but a university to develop

potential managers for the landwork in the oil industry," said Keown.

Keown spoke with pride, however, at how many of the PLM graduates had joined the ranks of the petroleum industry. Ninety-one percent of the then 150 graduates were in civilian employment in the oil industry.

"Figures show that our men are located throughout the oil patch, from Williston and Casper to Corpus Christi, and from Long Beach to Jackson and Columbus. Almost everywhere are men who know the PLM curriculum firsthand," said Keown.

He spoke fondly of relationships he had experienced as a result of the PLM program and its students.

USL
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**PETROLEUM
 LAND MANAGEMENT**

The Department of Management and Administrative Studies of the College of Business Administration offers a program of study in Petroleum Land Management. The degree earned in the four year program is Bachelor of Science in Business Administration with a concentration in Petroleum Land Management (PLM).

The PLM curriculum has been developed in cooperation with the American Association of Petroleum Landmen. It is a well planned course of study that provides a balance between Business and Science. Included in the curriculum are courses in geology, petroleum engineering, mineral law and notary public; as well as courses in business such as accounting, economics, finance, marketing and management. A unique feature of the curriculum is that it provides one semester of professional internship for each student. This requires each student to work with a professional landman under the supervision of the PLM coordinator. USL's PLM program is making news and receiving a great deal of attention from the oil industry, the academic community and the student body. It offers exciting career opportunities for both men and women who are interested in the oil industry. The USL program is one of the few in the nation (and the only one in Louisiana) that is accredited by the American Association of Petroleum Landmen (AAPL). The AAPL also sponsors several scholarships for deserving junior and seniors majoring in PLM.

Just what is a landman? The following is from the "Career" bulletin published by the American Association of Petroleum Landmen.

What to a Landman?

Most often, a landman is the business member of the natural resource (hard rock minerals, oil, gas and coal) team and is continually involved in obtaining the legal rights to explore for and produce natural resources. These rights are acquired by acquisition and negotiation from mineral owners in areas of geologic interest. He is further charged with the responsibility of managing and maintaining these mineral interests.

As in any industry, our nation's natural resource companies are business entities concerned with financial success; consequently, our management rely heavily on economic reviews of the natural re-

source proposals. With business backgrounds, landmen are equipped to transform scientific ideas into economic realities.

What does a Landman do?

Most landmen spend the majority of their time in acquisition, negotiation, and evaluation. However, opportunities in real property management and development, bank trust departments, advisory fields and management provide an almost limitless field of opportunities for the skilled landman.

What opportunities exist for a Landman?

Contrary to the publicized forecast that the United States is running out of oil, the world-wide energy supply demand situation has created a substantial increase in exploration efforts by natural resource companies. The demand for highly skilled members of the natural resource team has increased accordingly.

It is, now, more difficult to locate commercial sources of natural resources than it has been in the past, but new reserves of natural resources are being found and will continue to be found with the abilities of highly skilled individuals. This, we believe, sets the stage for a rewarding career in an industry that is bedrock to national security, our economic well being, and a better way of life.

**THE STUDENT ASSOCIATION
 OF PETROLEUM LANDMEN**

The AAPL was chartered in September, 1961

THE UNIVERSITY OF SOUTHWESTERN LOUISIANA

"We have shared occasions of joy and perplexity, of achievement, disappointment and sorrow, engagements, marriages, births, honors, poor grades, employment, rejection notices, illnesses and deaths," said Keown. "As one who has had the

good fortune to observe these young men during several critical years of their lives, I wish to record my gratitude for the opportunity which has been mine, and to commend each of them to you as a colleague in whom you can repose great confidence."

Keown strongly defended the PLM program and urged the AAPL members to intensify their support, vocally and financially. He said that many more students could and should

be enrolled in the program. In making his prediction about the future, he told delegates to the annual meeting a story about an old man who had an uncommon amount of common sense.

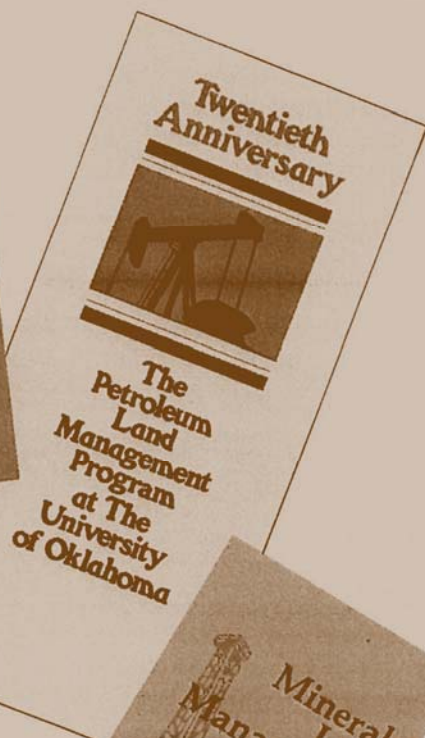
"The adults of the town sought his advice in their perplexities and his solution for their problems. Everyone marvelled at his wisdom, except the young. Adolescents were continually trying to stump him or catch him in an error. One day three boys heard the peep of a tiny bird that had apparently fallen from the nest. As they were taking the fledgling home to care for it, one of them had a brilliant idea. 'I'll cup it in my hands and ask the old man whether the bird I'm holding is dead or alive. If he says it is dead, I'll open my hands; if he says it is alive, I'll give a slight squeeze and let the body fall to the ground.'

"The others agreed and they hurried to the old man's house. When he came to the door, one of the boys said, 'We've found a baby bird that fell from the nest. I have it cupped in my hands. Tell us, wise man, is it dead or alive?'

"The old man looked at the excited boys and said, 'As you will.'

"The leadership of the AAPL for the next decade is in this room. Whether the future of education for landmen will be fruitful or futile — whether the PLM curriculum will be rare or well done — it's in your hands, gentlemen, to do 'as you will,'" Keown concluded.

Keown was a man of vision. He also was a man who welcomed a challenge as proven by his undertaking of the PLM program. He was a man who was loved by his students. Two of those were R. Michael Harris of Olney, Illinois, and Paul



Thompson of Dallas. They were classmates in the PLM program at the University of Oklahoma (class of 1966) and share a deep admiration for Keown. They delight in telling stories about how he helped them.

"I had never heard of this program," said Harris who was from southern Illinois. "I knew I wanted to be in the oil and gas business, but felt I was weak in science and math. One day my dad and I were watching OU play football on national television. When they introduced Jimmy Carpenter, he said he was majoring in a new curriculum — PLM. That got my attention."

Thompson had just gotten out of the Air Force after a four-year hitch. He had married, had one child and another on the way, and was considering majoring in business prelaw. Then he met Keown.

"There was something about the man. He was a salesman. So I decided to get into the PLM program. I knew nothing about the oil industry, other than the people in it always had more money than I did," said Thompson.

Early in the history of the PLM programs at OU and UT student associations were organized. Industry speakers and guests were invited to the night meetings, which proved to be beneficial in several ways. The students got a chance to meet active landmen in the industry who could answer their questions about the type of work in which they would be involved, and the active landmen were able to meet the students and future landmen as potential employees and candidates for summer employment.

There were pressures on Keown in those early years. The

courses were constantly being questioned. Keown felt if a choice had to be made between a course like philosophy or a course on contracts, the course should be philosophy.

"His reasoning was that you could learn contracts after you got into the field, whereas you might not have that chance in philosophy," said Harris.

Thompson agreed.

"Dr. Keown wanted a well-rounded individual. He would tell a company, we are going to give you a person with a well-rounded education and if he doesn't go into the petroleum business, he can go into some other business. He can manage a Sears store, or a K-Mart, or something. But, he can go to work," he said.

Harris said Keown kept a close tab on all students, even after they left school. Such was the case with him. Although he quit the program and found a job,

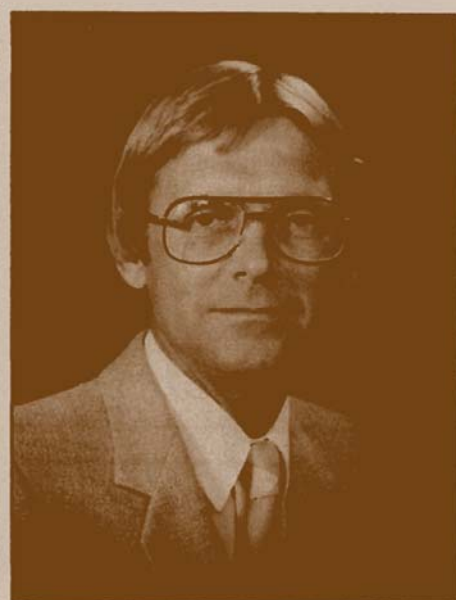
Keown kept writing him.

"He would say in his letters, 'When you come back.' It was never, 'If you come back,'" said Harris. "He contacted me one day when I was in Cleveland, Ohio, and convinced me I should re-enroll. I told him that I would fly down and check on it, but when I got there he already had my class schedule made out. Not only that, he had a newspaper page with a list of apartments that were for rent. The result was I registered, rented an apartment, and did all of that before I climbed on that plane and headed back for Cleveland at 4 p.m. I wasn't the only one he did that for; he did it for all of us."

Keown was only one of many who spent hours working on the PLM program. Burt Scanlan at OU has worked with the same enthusiasm. Dr. Kenneth Olm and Dr. William Maggard, professors, and Nick Woodward,



Paul Thompson, OU PLM graduate and current supporter of the program for future landmen.



Jake Morrow, Texas PLM graduate and longtime member of the Landman Scholarship Trust Committee.

professor and longtime landman, developed the successful University of Texas PLM program. Dr. John Cline was the sponsor at the University of Colorado's Minerals Land Management program, which helps fill the needs of students in the western United States.

One thing that those early professors had working for them from the very beginning was a scholarship program. This is attributed to the foresight of the AAPL members. At a board

Keith Carter, University of Texas PLM coordinator.



meeting in August 1958, Phil McGowan, chairman of the Education Committee, told AAPL president Thomas Kelliher that he had sent out letters asking for contributions to an AAPL scholarship fund. Contributions from the Houston and Amarillo associations totaled \$150 and \$100, respectively, and New Orleans was working hard to raise a healthy contribution.

It was at this meeting that Hamilton Rogers made a motion that AAPL offer five \$100 scholarships. He said that this would be an offering of "tangible profit of our interest in the PLM program." The scholarships were handled on a rather informal basis until September 1959 when the board, meeting in Amarillo, established the scholarship trust. By May 1965, Fleet reported that the Landman Scholarship Trust had resources of \$50,000.

AAPL members speak highly of the scholarships they award each year, which now amount to over \$55,000. Since Jake Morrow received one of those scholarships he knows the value of the awards. Maybe that is why he later served as chairman of the Landman Scholarship Trust

Committee for seven years.

He can tell many success stories. One is about a potential recipient whose grades were not very good. During the interview, the young man seemed very self-conscious.

"I finally called him out into the hall and talked with him. I told him that grades were not always the deciding factor on scholarships," said Morrow. "When we went back in, we voted to give him a scholarship."

Years later, he received a call from the young man. The call proved his feelings had been right. The man had graduated from college and is now a landman with one of the nation's large oil companies.

Michael Englert, a past chairman of the Landman Scholarship Trust Committee, was a recipient of a Getty Oil Company scholarship. It meant a lot to him.

"Difference in my college career? You better believe it made a difference. It paid my tuition and books and enabled me to spend more time studying than I would have had if I had had to be out chasing odd jobs," he said.

Englert said the Scholarship Committee travels to each of the eight colleges and universities that offer a PLM or MLM degree to interview scholarship applicants. He said choices are made on need and scholastic ability. The grants are in the \$1,000 range.

"Eighty-five percent of the students who are granted scholarships write letters of appreciation to us. So, yes, I think they are appreciated," said Englert.

There is no doubt that the PLM program has flourished. Looking at the number of students who apply for scholar-

Michael Englert, past scholarship recipient who later became a chairman for the Landman Scholarship Trust Committee.



ships proves this. But the need is even greater today, according to many AAPL members.

"It is a much more complex situation today. You need to be much keener and sharper, and, of course, you have to pay attention to your business," said Don Drury, an AAPL member since 1967. "Landmen have gone from basically being a lease-hound to somebody who had better be a good businessman."

Today's professors at the universities offering PLM majors think they are turning out graduates who meet that description. Jim Tinkler, PLM coordinator at the University of Houston/Downtown campus, talked about that.

"Basically, my students are not traditional students. They are transfers, and they may already have one degree and are seeking a PLM degree," said Tinkler who worked for many years as a professional landman before becoming an instructor. "We have about 150 in our program now."

He said the UH degree in PLM is a broadbased one.

"We have several of our graduates who today are out buying right-of-ways for a new tollroad in Houston. So they are very good generalists," said Tinkler. "I always say the proof of the pudding is when people ask you to get out of your area of specialization, and you can do it."

Keith C. Carter, PLM coordinator at the University of Texas, feels similarly.

"We turn out a student who has a good basic energy education with a solid introduction in the study of geology, petroleum engineering, and law," he said. "We feel we can shorten by several years the training needed to become a landman. And, yes, our students can function in

other areas, too." Regardless, the students love the program. Gregg Mudd, a senior at the University of Evansville, Evansville, Indiana, believed getting into the program had entirely changed his outlook about college.

"I had started out in engineering and was working as a junior engineer," said Mudd, 22. "I found out that wasn't exactly what I wanted to do, but I really didn't know which way to go from there."

Then he talked to a landman friend who convinced him of the merits of the new mineral land management program at the University of Evansville. Mudd changed his major immediately.

"Of course I like the money in the field, but that's not the whole thing. I like meeting new people and talking to them," he interjected. "In engineering, I was talking to a select group of people. On this job, well, I get to talk to people from all walks of life."

Mudd, a tall, rangy young man, seemed so serious as he sought to explain his emotions.

"You go down the highway, and you only get a view of the homes. But if you get off the highway, you get a view of the people and where they live," he said. "I like that. Being a landman gives me that opportunity."

Having played a hand in creating that opportunity for today's college students makes many of the oldtimers in the AAPL feel good. Bennett is one of those.

"When I go to one of the graduations and see these young grads, it makes me feel good and I am proud of them," he said. "The number of students we eventually attracted may have surprised some. But it didn't

surprise me. This is a money maker. It draws kids."

Statements like that are why when you ask veteran AAPL members to list some of the most important accomplishments of their organization, they will always mention PLM or MLM. They have done well with the program.

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 Tara White at twhite@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 for 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.



MLBC WEBSITE

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.



JOB BANK

The direct link for MLBC Job Bank is www.mlbcjobbank.com. If you have any questions, please contact Jeremy Preston via e-mail at JPreston@eqt.com.



PHOTO ALBUM

We would like to share our Photo Album with you to show you what MLBC has been doing throughout the year. The direct link for MLBC Photo Album is www.mlbc-aapl.org/VPhoto.php.