



# Michael Late Benedum Chapter

American Association of Professional Landmen

## The Take-Off

June 2015

MLBC  
P.O. Box 955  
Bridgeport, WV 26330

### PRESIDENTIAL ADDRESS

From the very beginning of my tenure with the education committee to my current position, it has been nothing less than an honor and privilege to work with the MLBC. This year has been tremendously successful in so many ways. We have incorporated our new Veterans Committee to focus involvement of military veterans and our organization. We have strengthened our relationship with the AAPL through encouraging our membership to join both organizations, promoting AAPL educational events, and partnering with other regional organizations. Our bylaws committee introduced revised bylaws that were voted on and accepted by our membership. These revisions ensure a healthy future for our organization and emphasized our commitment to ethics and integrity. We contributed over \$95,000 to charitable organizations in our region. The MLBC is continuing in its commitment to the land professionals of this region and the communities that they work in. Being part of this organization is an honor and a privilege that I do not take lightly. I am honored to have served as the president over this past year and look forward to another great year under the leadership of Aaron Yost and the rest of the executive committee. If you are a land professional that is new to the industry or our organization I want to give some helpful advice. A good name is worth more than silver and gold – take this to heart. Your honesty and integrity will get you further than any nice resume, outfit, or smooth talking. Network – Use the MLBC and other land organizations to help grow your contacts and network. Be aggressive in reaching out to potential clients and colleagues. Be a part of the team – The MLBC made a huge impact on my career because of my willingness to work and assist where I could. Don't hesitate to let anyone on the executive committee know of your interest to help. Thanks for a great year and lets help make 2015-2016 an even better one!

Anthony D. Farr, RPL  
President 2014-2015

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### Upcoming events

#### [Click Here to Register](#)

*Officer Induction– Dinner Meeting  
June 11, 2015  
Erickson Alumni Center  
Morgantown, WV*

#### [Click Here to Register](#)

*Pirates Game  
July 24, 2015  
PNC Park  
Pittsburgh, PA*

# Legislation Update

The first half of the year has seen some significant court cases and legislation affecting the oil and gas industry in Pennsylvania, Ohio and West Virginia. All three states will be deciding on a way to cure missing or abandoned mineral or oil and gas interests.

## Pennsylvania

Pennsylvania's version of the Dormant Mineral Act was introduced as House Bill 67 in January to amend PL 1134, No 115 and referred to the Environmental Resources and Energy Committee. This bill is being watched closely by the oil and gas industry as will affect interest ownership in Pennsylvania. The bill, like the Ohio version, deems an Oil and Gas estate to be dormant after twenty years if no production/storage has occurred, a permit has been issued or a document transferring the interest has been recorded. The vague language in the bill raises questions about when the twenty year period starts but does give operators and landowners a process to cure missing or abandoned interests.

Pennsylvania is still the only state without a production based severance tax but two new bills have been introduced to address this. House Bill 500 and HB 87 both propose a 3.5% tax per unit produced but HB 500 also adds a 3.5 cent flat rate to the 3.5%/unit produced. Both are in addition to the "Impact Fee" already in place.

Senate Bill 147, introduced by Senator Yaw, amends the Oil and Gas Lease Act of 1979 (P.L.183, No.60) to mandate the lessee to pay the lessor royalties greater than \$100.00 within 120 days of production. It also gives more transparency to Joint Ventures by allowing landowners to see the parties involved, contact information and who is responsible for what. This was passed by the Senate and referred to the House Environmental Resources and Energy Committee on February 2.

House Bill 600 establishes the Pennsylvania Grade Crude Development Advisory Council to provide technical expertise on conventional oil and gas operations in PA. The proposed Council will be composed of members from academia and the public and private sectors who will advise the DEP on any regulations relating to Title 58 (Oil and Gas).

## Ohio

The ambiguity surrounding Ohio's Dormant Mineral Act (ODMA) is being challenged in five cases before the Ohio Supreme Court. Appellate arguments for *Dodd et al v. Crosky et al* (2013-1730) and *Corban v. Chesapeake* have already been heard but *Walker v. Noon et al* (2014-803) and *Chesapeake v. Buell* (2014-67) are currently in front of the judges. The final case, *Eisenbarth v. Reusser* (2014-1767) will be heard by the court this year.

Several major questions have arisen from the four cases and deal with the nuts and bolts of the law's language. A major issue with all of the cases is whether a lease is a title transaction and can be considered a savings event as defined by the Marketable Title Act. Also at issue is the twenty year time frame where a savings event needs to occur to preserve the interest. Eisenbarth specifically deals with the 20 year period from the 1989 version of the ODMA. Arguments have been made for all possible situations and it appears the Court will wait to hear all of the cases before making a collective decision possibly resulting in a rewrite of the law.

## West Virginia

The West Virginia Legislature has two bills affecting the Oil and Gas industry and one law signed by Governor Tomblin in February. Senate Bill 280, signed by Governor Tomblin on February 5, 2015, amends §22-6A-7,

## Legislation Update Continued

known as the Natural Gas Horizontal Well Control Act, and provides a standardized process to allow operators to transfer permits provided certain requirements are met.

House Bill 2722 was referred to the House Finance Committee and requires lessees to make royalty payments greater than within 120 days of production. Royalty payments not made on time will be subject to interest equal to prime plus 2%.

Delegates McGeehan and Zatezalo introduced House Bill 2890, referred to the Committee on Energy and later the Judiciary, dealing with abandoned, missing or unknown mineral owners. As in the Ohio version and proposed Pennsylvania version a mineral interest can be deemed abandoned if a title transaction, including a lease, has not occurred. Furthermore any production, storage, record of unitization or separate tax assessment would also be considered an event holding the property. If none of this occurs the minerals owners are also allowed to file an Affidavit of Preservation to maintain their interest. Since coal is king in West Virginia special accommodations were made if coal and minerals are severed together. When the coal is mined but a savings event does not occur with the minerals then the interest is deemed abandoned.

We will be keeping close watch on these and any new cases and bills that come up.

Danny Germain, Jr.

Complete Title Solutions, President

*Special thanks to Rob Greiner, Danny Cooper and Albert Macre of Mid-West Land Services for their help on the Ohio update.*



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# The Kentucky Oil and Gas Modernization Act of 2015

**The Basics.** The Kentucky Oil and Gas Modernization Act of 2015 was enacted by the Kentucky General Assembly during the 2015 Legislative Session and will take effect on June 24, 2015. The legislation provides regulatory certainty to the Commonwealth's oil and gas industry with regard to horizontal development of deep formations. The legislation was also designed to modernize and strengthen Kentucky's oil and gas regulations and will create new sections of Kentucky Revised Statutes 353.500 and 353.720. The Act was signed by Governor Steve Beshear on March 19, after clearing the legislative process without a dissenting vote.

**What do you need to know?** The new regulations establish the parameters governing the drilling, permitting, spacing, and reclamation of deep well exploration in Kentucky, as well as creating an abandoned storage tank reclamation program and establishing the requirement for [FracFocus](#) chemical disclosure.

- **805 KAR 1:100 provides the information necessary for owners and operators to comply with requirements related to drilling deep vertical and deep horizontal wells in the Commonwealth. A deep well is generally defined as any well drilled deeper than 4,000 feet (subject to the exception stated within K.R.S. 353.510 (15) and (16).) Some of the highlights addressed are:**
  - The drilling and spacing of vertical deep oil and gas wells, horizontal unitization and pooling for deep well reservoirs, the reformation of drilling units and the testing of water sources near deep wells employing high-volume horizontal fracturing by employing a water-quality testing protocol to require baseline water quality testing.
  - The permitting and spacing of "Wildcat wells," which are now defined as "any deep vertical or horizontal well (a) drilled with the intent of discovering or producing hydrocarbons from a formation or formations not previously productive of oil or gas well within 10,000 feet of its location or (b) drilled under such proven geological conditions that, even though located within 10,000 feet from the nearest deep well previously productive of oil or gas, will not, if completed successfully, produce from a previously productive pool."
- **805 KAR 1:130 establishes the requirements for the drilling, cementing, plugging, gas detection, blow-out prevention and casing of a well.**
- **805 KAR 1:140** identifies the requirements for permitting directional and horizontal wells and sets up a deep well commission that will be responsible for the reviewing and permitting of any deep well.
- **805 KAR 1:170** establishes "Best Management Practices" for oil and gas well site reclamation. It requires a reclamation plan rather than a proposal, **specifies the content of the operations and reclamation plan, creates the form on which that plan is to be filed, and provides for the form on which well transfers are indicated.** The Act further establishes reclamation bonding for deep horizontal wells, their minimums, conditions and blanket bonds.
- **FracFocus.** The Act addresses FracFocus disclosure for high-volume horizontal well hydraulic fracturing fluid and the Act establishes: notice and the method of notice for high-volume horizontal fracturing; required informational disclosures to the cabinet for a vendor or service provider conducting high-volume horizontal fracturing treatments; an exemption for disclosure of trade secrets; the requirement for vendors to provide information to the chemical disclosure registry unless pro



# The Kentucky Oil and Gas Modernization Act of 2015 Continued

tected by trade secret status and to provide the method for claiming trade secret status; the requirement for a release by director or vendor to health professionals under specified conditions and with a confidentiality agreement; the requirement for a release by director to deal with an emergency spill or discharge and nondisclosure of information further with specific procedures; that information disclosed not be deemed publicly available or a waiver of trade secret claim; required notification to parties by the cabinet if the cabinet receives a request for chemicals under the Open Records Act and provides a procedure for the notification of vendors and operators who assert confidential treatment status; and clarification that the review of a determination of release of information under the Open Records Act not be a part of judicial review.

- **The Kentucky Abandoned Storage Tank Reclamation Program.** The Act also establishes the “Kentucky Abandoned Storage Tank Reclamation Program” to begin the process of reclaiming abandoned tank battery facilities. This regulation defines when a tank is deemed abandoned and eligible for the program; specifies the purpose of the program; identifies the expenses that can be paid for out-of-pocket moneys; allows the cabinet to contract for services and enter into agreements for services; creates a right of entry to inspect or to conduct work on an abandoned storage tank; specifies procedures for notice before entering lands; and authorizes the cabinet to recover costs for removal and remediation of an abandoned storage tank from owners or responsible parties.

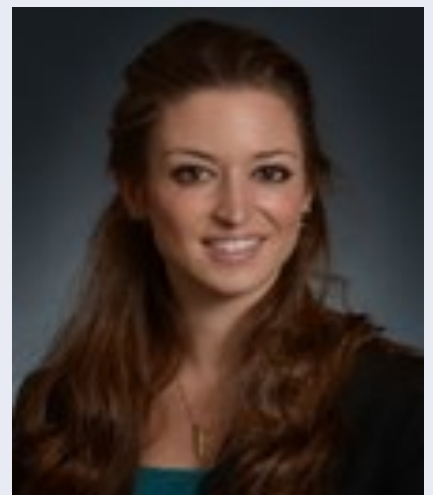
**How can I find about more?** [Click here](#) to access and download full copies of the legislation. More information is also available on the website of the Kentucky Legislature. [Click here](#) to read Senate Bill 186. [Click here](#) to read House Bill 386. [Click here](#) for the link to the June Energy Webcast.

**How can your voice be heard?** The legislation is in the public comment phase and the Cabinet will be accepting comments until June 1, 2015. If you would like assistance with the submission of any comments, we would be glad to help. Any independently submitted comments should be directed to Michael Mullins, DNR Regulatory Coordinator, #2 Hudson Hollow, Frankfort, KY 40601 or emailed to [michael.mullins@ky.gov](mailto:michael.mullins@ky.gov), prior to June 1, 2015.

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J. Kevin West



Sarah Lange

# LANDMAN 101: PRINCIPLES, INTEGRITY AND WORK ETHIC

by Mark A. Mudrick, Esq., RPL

In my Navy days, I had a crew chief that was fond of the expression, “It takes a hundred attaboys to make up for one aw-shit.” To me, that meant to carefully consider my conduct in every situation; to hold firm to a set of core values. As a Landman for several years now, I’ve come to learn a great deal about the proud history of our profession and those that have come before us. All of us should feel a great responsibility in keeping with the highest traditions of our profession.

How many of you out there get sleepy during those hard-to-come-by ethics talks at our industry events? Why do most Landman do so very well on the ethics portion of the RPL exam, and still, examples of poor conduct abound? In the moment, perhaps we simply don’t give ourselves enough time to consider the ethical side of the equation in our decision making process; self-interest takes the driver’s seat. When we hear about a bad decision / poor conduct, each of us can spot the issue immediately, after the fact. For the remainder of this article, I plan to climb high atop my soapbox and point out instances of poor conduct / bad decision making that I’ve witnessed in the last few years. None of us are infallible, but think about these examples and what you should do if and when you are confronted with similar situations.

**What to wear?** As an independent contractor working in the courthouse or in the field, by all means, dress appropriately. You’re not going to wear a suit if you’re going to be flipping through grantor / grantee books today, but don’t wear the concert tee with the pot leaf on the back either. Perhaps more subtly, always leave the flip flops at home. I was told once that, “I’m a Landman, I don’t wear a tie.” I get that, but if you are coming to an office for the first time to interview for an open position, wear a tie. Also, if you are working in the office for the day, dress like you work in the office every day; business casual depending on the office.

**To accept or not to accept, that is the question.** Don’t take a position if you don’t intend to keep it for some extent. We have all experienced the results of a down market lately. Openings are few and far between with lots of competition and with lower rates being offered than we are used to. You would think that more competition for fewer positions would lead to stronger crews and increased productivity. However, lower rates have put many in a job-search mode constantly looking for “something better.” Even in good times, we all see those resumes of the higher-day-rate seekers who spend years jumping from one service provider to another in search of \$25 more on the day. I could talk about this issue for another 5,000 words, but let me just say that we work in a very small industry. There is something to be said for company loyalty, and, in the long term, you will find yourself rewarded (compensated) better by finding a home and proving your value as a Landman.

**But I really need to get that lease / But I really need to be ethical in my dealings with those landowners.** More and more recently, I’m seeing a dichotomy in the approach of many lease buyers, neither of which is proper. The first is the self-interested buyer who tries to stay ethical if possible, but has no problem crossing the line to get that ink. If you have no idea what the plans are for a well location or have not been authorized to disclose such plans, should you be telling a landowner that they won’t be able to see or hear anything from their corn field? Or, should you haphazardly go into royalty payment scenarios post production without any research and client approval? It seems obvious that the answer to both questions is no, but what will you do when you are at the landowner’s kitchen table and the questions come up? You need to have a plan. At the other end of the spectrum are those buyers who seem to think they are representing the landowner. Understand that we are not to lie, we are not to makeup answers to ques-

## LANDMAN 101: PRINCIPLES, INTEGRITY AND WORK ETHIC CONTINUED

by Mark A. Mudrick, Esq., RPL

tions that we don't know, and we must address issues brought up by the landowner. However, as a lease agent, your job is to get the best deal for the client you are representing. What that means is that we don't pull out the approved lease addendum riders for the landowner like it's a buffet. We don't offer our maximum authorized bonus-per-acre immediately as a shortcut to the negotiation process or because we feel that even our maximum bpa is not fair.

**The office romance.** After a miserably failed first marriage, I'm certainly no expert on relationships, but we all know a story about a career forever tarnished or ruined because of these types of situations. My suggestion, proceed at a glacial pace. If it's meant to be, it will be. If you're the guy or girl that doesn't understand red light / green light behavior in an office setting, well then my words won't likely save you. At all costs, try to avoid getting into romantic situations with folks that directly report to you and vice versa. Think about the consequences!

In closing, here is the bottom line, what would your mother think?

### *Where it All Began*

On April 23, 2015, the MLBC hosted a fundraiser event at the Parkersburg Art Center to benefit the Oil & Gas Museum of West Virginia located in Parkersburg, WV. The evening was to honor the late David McKain, the founder of the Oil and Gas Museum and raise awareness of the needs of the Museum. Donations were received from companies, private individuals and a silent auction was held during the event raising \$22,000.00. Paul Hoblitzell, President of the Oil, Gas and Industrial Historical Association spoke at the event and said the funds raised will allow work to be done to the roof, windows and heating system at the Oil & Gas Museum in Parkersburg, WV. Mr. Hoblitzell thanked the MLBC and said we will always have friends at the Oil & Gas Museum.

Many thanks to the members and friends of the MLBC who contributed to making the Where It All Began Gala a success!

Gala Planning Committee













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## MLBC – QUESTIONS FROM THE FIELD

W

elcome to the inaugural issue of “**Questions From the Field.**” I am excited about this first issue, and hope you find the information below useful. This column came about as a result of a conversation I had several months ago with my friend, Tim Dowd, an Oklahoma City attorney. Tim emailed me a copy of the OCAPL newsletter containing a new column authored by him, entitled “Questions from the Field.” He has had a great response and suggested that I offer the same service to our Appalachian counterpart.

Tara and the other board members agreed that this might be a beneficial addition to the newsletter. So, I present to you the latest MLBC column, **Questions from the Field.** (I totally plagiarized this title from Tim).

[This is the newest addition to the Newsletter. Morgan has agreed to address member questions each month - so please support her offer by submitting any questions you may have. To submit your questions, please email Morgan at [Morgan.Griffith@Steptoe-Johnson.com](mailto:Morgan.Griffith@Steptoe-Johnson.com), and reference “**Questions from the Field**” in the subject line. Your submission will remain anonymous and referenced in the article by initials, nicknames, or aliases.]

---

Dear Morgan,

I have a question for you. I am seeing Deeds of Trust (in WV) where, for example, Bill and Dave sign a Deed of Trust with Bank for a loan of \$200K – and “grantors presently assign to lender all of grantors’ right, title and interest in and to all present and future leases on the property and all rents from the property.”

In this instance, the Deed of Trust is dated January, 2013, and the lease was taken from Bill and Dave in June of 2013.

Do I need to worry about this language – from my oil and gas company’s standpoint? Do I need to tell it that the Bank ‘owns’ the lease now, and pay the Bank royalties?

J.M.

Dear J.M.,

*It is my opinion that since the Deed of Trust was made (and presumably recorded) prior to the lease, the lien would take priority over the lease and, therefore, the lessee should secure from the bank (or trustee) a subordination of the lien of the Deed of Trust to the terms of the lease. This would also deal with the issue of the Assignment of Rents provided for in the Deed of Trust.*

*However, changing your facts (which I as author can freely do), if the lease was made prior to the Deed of Trust, I do not think that the lessee has any obligation to the bank in the Deed of Trust. In order to compel the lessee to make any payments to the bank, the bank and the grantor in the Deed of Trust would need to notify the lessee of any such Assignment of Rents with the request that payments pursuant to the lease be made to the bank. Typically, the Deed of Trust will only require that payments be made to the bank in the event there is a default in the performance of the Deed of Trust.*

Good luck –

Morgan

DISCLAIMER: The information contained in this article is for educational purposes only and does NOT constitute legal advice, and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The contents are intended for general information purposes only. Anyone needing specific legal advice should consult an attorney. For further information about the content of any article in this newsletter, please contact the author.

Local West Virginia E&P companies get the spotlight in an excellent article by Hart Energy Publishing's *Oil and Gas Investor*.

# Oil and Gas Investor

## WEST VIRGINIA RISING

*With a long-time Pennsylvania track record, Marcellus Shale activity gains traction in West Virginia, where operators find economics comparable.*

Article by Steve Toon

Photography by Mike Robinson

Click the link below to possibly read about your company.

<http://www.oilandgasinvestor.com/west-virginia-rising-783086>

Like the article? See below for subscription information to Oil and Gas Investor.  
contact Chris Cimpson at [ccimpson@hartenergy.com](mailto:ccimpson@hartenergy.com) 713-260-5206.

*\*In addition to providing daily analysis of trends and industry events, our editors interpret the news to highlight opportunities for you, whether your company explores for petroleum or provides finance, capital and advisory services to oil and gas operators. <http://www.oilandgasinvestor.com/ogi-exclusives>*



# 2015 MLBC Spring Charity Golf Tournament Benefiting WVU Children's Hospital

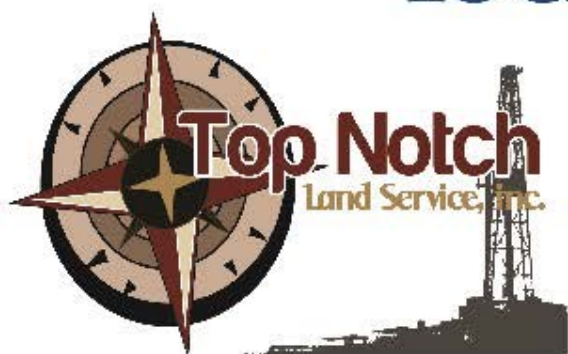
The Michael Late Benedum Chapter ("MLBC") of AAPL once again held a hugely successful charity golf event benefiting West Virginia University Children's Hospital. On Friday, May 8, over 200 golfers tee'd it up on the links of Oglebay Resort's Palmer and Jones Courses in Wheeling, WV. 2015 marked the 7th year for the spring charity event and thanks to the donations of our members and member companies the MLBC donated \$30,000 to the hospital this year. This brings the total to over \$150,000 in seven years!

The monetary support the MLBC has provided to the hospital has been split between the building-expansion fund and the Friends of the Neonatal Intensive Care Unit ("Friends of NICU"). Ruby Memorial Hospital on the campus of West Virginia University is home to WVU Children's Hospital and is currently undergoing major renovations, including the construction of a dedicated entrance to the Children's Hospital. Some of the money we donate as an organization is assisting with this project. The other area of the hospital we support is the Friends of the NICU. The NICU is where seriously ill newborns are cared for and treated before being released to go home with their families. Some infants might require only a few days stay, while others might spend their first birthday in the NICU, never having been home. The Friends of the NICU provides comforting support to the infants as well as to the families of the infants. Friends of the NICU started a cuddler program for the children whose parents aren't able to be with them, they provide sensory calming isolette covers for the premies, informational packets for parents so they have an idea what to expect, and family meals. The entire state of West Virginia, southwest Pennsylvania, eastern Ohio and western Maryland is extremely fortunate to have this hospital and its' world-class staff in close proximity to care for the many children that require medical treatment.

We couldn't have asked for a better day on the course! It was a beautiful sunny day that afforded a ton of laughs, networking and spectacular golf in the Mountain State. We had great corporate sponsors, on-course games, a shoot-out after dinner, awards and raffle prizes. Prior to Bobby Nicholas and Cheryl Jones from the hospital accepting the check for \$30,000, Mr. Nicholas sang *God Bless America*. Following the check presentation Corby Anderson and Andrew Restanio took 1st and 2nd place, respectively in the shoot-out and both donated their winnings back to the hospital. Over 30 raffle prizes were given away and we presented awards to the top four teams on each course as well as skill prizes for closest to pins and long drives.

A special thanks to all our sponsors whose donations benefited the hospital and provided on-course refreshments. To the volunteers, Sharon Kyle, Tara White, Lori Naser, Patrica Blaney, Anthony Farr, Mike Kalany and Mark Acree. Your help made the event a huge success. Also to Tracey Modispaugh with Precision Oil and Gas for raising \$1,000 and donating to the hospital. And to T.S. Dudley Land Company for setting up a skill game on the course which raised over \$700 for the hospital.

TUCKER | ARENSBERG  
Attorneys





# CONGRATULATIONS TO ALL OUR WINNERS!

## Palmer Course

### 1<sup>st</sup> Place –50

Tim Stinson  
Jim Ellis

### 2nd Place –54

Sam McLaughlin  
Tim Surmick  
Peter Binotto  
Mike Holiday

### 3<sup>rd</sup> Place –55

Paul Smith  
Rhonda Shannon  
Clayton Ferguson  
Nick Eddy

### 4<sup>th</sup> Place –56

Kevin Pierson  
Travis Edmondson  
Kaitlyn Lee  
Keith Zabela

## Jones Course

### 1<sup>st</sup> Place –53

Cara Davis  
Stephanie Skeen  
Bill Eischeid  
J. Pepe

### 2nd Place –53

Nate Russell  
Jarred Detweiler  
Broc Skeen  
Caleb Ward

### 3<sup>rd</sup> Place –55

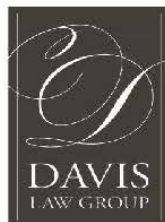
Chris Carlson  
Steve Watson  
Ryan Moore  
Cass Burkett

### 4<sup>th</sup> Place –56

Corey Powell  
Andrew Cutright  
Mark Johnson  
Skip Heiskell

Be proud that we work in an industry with such great people that are willing to donate their time and money to help the children and their family's right here in our backyard.

The MLBC thanks everyone for their continued support of this event!









## New MLBC Members – April 2015

| First Name | Last Name   | Employer                         | Member Type |
|------------|-------------|----------------------------------|-------------|
| Patrick    | Stivers     | Independent                      | Active      |
| Misty      | Hart        | Independent                      | Active      |
| Victoria   | Olson       | Independent                      | Active      |
| Ken        | Winkelman   | Independent                      | Active      |
| Andrew     | Lewis       | Independent                      | Active      |
| Alexander  | Schaffer    | Independent                      | Active      |
| Louis      | Arrico      | Independent                      | Active      |
| Nick       | Bush        | Ally Land Services               | Active      |
| Lara       | Carollo     | Carollo Land Services, LLC       | Active      |
| Michael    | Dixson      | Contract Land Staff              | Active      |
| Mike       | Morgan      | DPS Land Services                | Active      |
| Joshua     | Wilson      | Energy Corporation of America    | Active      |
| Jarred     | Detweiler   | EQT Corporation                  | Active      |
| Rebecca    | Heater      | EQT Production                   | Associate   |
| Andrew     | Restanio    | EQT Production Company           | Associate   |
| Dedrick    | Pitter      | Ex Nihilo Creations, LLC         | Associate   |
| Nate       | Wilson      | Great American Energy Land Mgmt. | Active      |
| Kristen    | Harvey      | Honor Resources Company          | Active      |
| Barbara    | Leimkrehler | Honor Resources Company          | Associate   |
| Chris      | Lindsey     | Jay Bee Oil and Gas Inc          | Associate   |
| Jarrett    | Rinehart    | Larkspur Land Group LLC          | Active      |
| Stephen    | Slaughter   | Larkspur Land Group, LLC         | Active      |
| Andrea     | Kerr        | Paloma Resources                 | Active      |
| Nichole    | Rector      | Precision Oil & Gas, Inc.        | Associate   |
| Jessica    | FitzGerald  | Range Resources                  | Active      |
| Tamra      | Martin      | S & A Property Research LLC      | Associate   |
| Tom        | Cacchione   | Thomas F. Cacchione, PA          | Active      |
| Carol Sue  | Testerman   | Tioga Resources, LLC             | Active      |
| Kathleen   | Paris       | Tioga Resources, LLC             | Associate   |
| Curtis     | Testerman   | Tioga Resources, LLC             | Associate   |

## New MLBC Members – May 2015

| First Name  | Last Name  | Employer                         | Member Type |
|-------------|------------|----------------------------------|-------------|
| Bennett     | Wood Jr.   | BOP Land Services, LP            | Active      |
| Zachary     | Sullivan   | Bow & Arrow Land Company         | Active      |
| Christopher | Daniels    | Chevron                          | Active      |
| Mitchell    | Limbert    | Chevron                          | Active      |
| John        | Seeds      | Dickie, McCamey & Chilcote, P.C. | Associate   |
| Gene        | Jazwinski  | Dickie, McCamey & Chilcote, PC   | Associate   |
| Joseph      | Kelly      | EdgeMarc Energy Holdings, LLC    | Active      |
| Caitlin     | Thomas     | EQT Production                   | Associate   |
| Ryan        | Miller     | Kastner Heritage Group           | Active      |
| Stacy       | Ineman     | Purple Land Management           | Active      |
| Anita       | Jennings   | Texhoma                          | Active      |
| Hilary      | Cartwright | Texhoma                          | Associate   |
| Kristi      | Kisner     | Texhoma                          | Associate   |
| Joshua      | Somerville | Texhoma Land Consultants LLC     | Active      |
| Bernard     | Marshall   | WVU College of Law               | Associate   |



## LIVING BEYOND ETHICS

During the winter of 2014 five year old Nailla Robinson was abducted from her school in West Philadelphia by a woman posing as her mother. An intense search was begun and an amber alert was initiated. Early the following morning a man by the name of Nelson Mandela Myers, a city sanitation worker, was walking down his street on his way to work in another area of Philadelphia. As he walked past a school playground he heard whimpering and went to investigate. He found little Nailla under one of the slides, crying and shivering, wearing only an adult's T-shirt. He called the police and stayed with the little girl until they arrived and the ambulance transported her to the hospital.

In a city that averages nearly one murder every day of the year, this act of kindness was particularly noteworthy. Mr. Myers was invited to attend the next city council meeting to receive an award. The council members were present as was the mayor and the press. The various council members took turns giving speeches about what a heroic deed Mr. Myers had done.

When they had finished they asked Mr. Myers, who was sitting in the audience, if he had anything to say. He rose from his chair and simply said, "I was just doing what a good man is supposed to do" and sat down. The newspaper said his words brought silence to the chamber. You see, Mr. Nelson Mandela Myers is a man of *integrity*. The politicians were not used to that, and they were silenced!

Few, if any, characteristics are more important for a land agent to possess than integrity. But what is it? As a frame of reference we need to briefly consider two closely related words – morality and ethics. To many people ethics and morality are synonymous. There is, however, a subtle, but distinct difference. Morals define personal character, while ethics stresses a social system in which those morals are applied. In other words, morals are the underlying beliefs and rules often taught to us by our parents, church or society that govern or should govern all aspects of our lives.

Ethics, on the other hand point to standards or codes of behavior expected by the group to which a person belongs. The AAPL has a Code of Ethics which the MLBC endorses and accepts through its by-laws. In most cases the ethics of the group we choose are compatible with our morals, but not always. For example, consider a criminal defense attorney. It is likely that his or her moral code finds murder immoral, but the ethics of the legal profession demands that the lawyer vigorously defend the murderer even when he knows that the murderer is guilty. In this case legal ethics overrides morality to uphold a legal system in which the accused are given a fair trial.

Let us consider another example a little closer home. You may believe that taking something that doesn't belong to you is immoral. However, the code of ethics to which you subscribe may open you to the possibility of participating in a condemnation proceeding in which an individual's personal property is being confiscated for a gas pipeline or interstate highway.

So what is integrity? Integrity is a personal choice, an uncompromising and predictably consistent commitment to honor our moral, ethical and spiritual values. For the land professional integrity is where the rubber meets the road!

Consistency is the key to integrity because whether we know it or not we face ethical and moral choices daily. There is no integrity in saying one thing and doing another. To be predictable to ourselves and others, our spoken and written words must be consistent with our subsequent choices of action or

## LIVING BEYOND ETHICS CONTINUED

behavior. Issues of trust are fundamentally important in our personal relationships as well as in the wider world of commerce where the honoring of contractual agreements is fundamental to our profession.

In the gray areas where right and wrong are not immediately obvious or truth remains elusive, integrity requires us to spend a serious commitment of time and energy in moral reflection. Integrity acts like a strong beacon in a storm to unerringly guide our actions through our inner struggles and external conflicts. And its priceless reward is peace of mind and true dignity. Just as the body needs oxygen to survive, the soul needs integrity. As we become more discerning, we learn to feel its rightness in our gut, and to know deep inside that we're making the honorable choices.

Let us briefly consider a few key character traits of integrity.

1. **HONESTY.** Truthfulness is more than not telling outright lies. Truthfulness is a refusal to mislead others. An honest person knows that neglecting to tell the truth or remaining silent can also be forms of lying. People with integrity remain honest when honesty isn't the easiest road to take.
2. **RESPONSIBILITY.** People with integrity take responsibility seriously and do all they can to complete assigned tasks. They do not fly under the radar, but embrace opportunities to do the right thing and lead others to do the same.
3. **RELIABILITY.** Persons with integrity do what they say they are going to do. They follow through on commitments and can be trusted to complete important projects.
4. **FAIRNESS.** People with integrity avoid personal bias by being alert to the consequences of their decisions and choosing the right and equitable thing, so that to the extent possible, all parties stand to benefit.
5. **DUTY.** An ingrained sense of duty compels a person with integrity to act without being intimidated by fear or tempted by the promise of reward, no matter what the degree of difficulty or inconvenience. Duty influences us to willingly honor our commitments and our fidelity.

We all face moral or ethical dilemmas from time to time, and the honorable choice is not always easy or obvious. When this occurs, perhaps we would be well served to think of Mr. Nelson Mandela Myers and ask ourselves, *what would a good man or a good woman do?*

***Douglas J. Richards is Sr. Vice President of Honor Resources Company and has been a member of MLBC since 1974.***



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## 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.

### [Pooling Seminar - Pittsburgh, PA](#)

July 31, 2015



[www.mlbc-aapl.org](http://www.mlbc-aapl.org)

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### ***Dinner Meeting Sponsorship***

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To secure a corporate sponsorship, advertise in the Take-Off, or if you have any questions please contact Tara White @ [twhite@mlbc-aapl.org](mailto:twhite@mlbc-aapl.org). Please contact Jeremy White at [jwhite@eqt.com](mailto:jwhite@eqt.com) for dinner meeting sponsorships.

# MLBC Corporate Sponsors

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## 2014-2015 EXECUTIVE COMMITTEE

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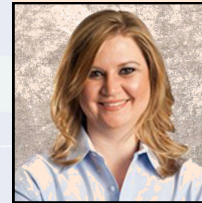
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**Vice President**

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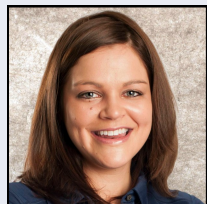
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**Treasurer**

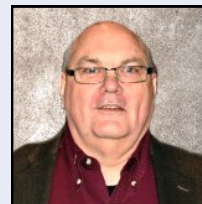
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**National Director**

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**Sergeant-At-Arms**

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**President Emeritus**

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**Executive Director**

Tara White  
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## 2014—2015 COMMITTEE CHAIRS

|                   |                                   |  |
|-------------------|-----------------------------------|--|
| Awards            | Bruce Turner, CPL                 | <a href="mailto:bruce.turner@steptoe-johnson.com">bruce.turner@steptoe-johnson.com</a> |
| Bylaws            | Chris Elswick                     | <a href="mailto:chris.m.elswick@gmail.com">chris.m.elswick@gmail.com</a>               |
| Certification     | James E. Talkington, Jr., CPL/ESA | <a href="mailto:jeta@frontier.com">jeta@frontier.com</a>                               |
| Education         | Christa Dotson, RPL               | <a href="mailto:cdotson@eqt.com">cdotson@eqt.com</a>                                   |
| Ethics            | Doug Richards                     | <a href="mailto:honordjr@aol.com">honordjr@aol.com</a>                                 |
| Fall Golf         | Steve Carr, RPL                   | <a href="mailto:steve.carr@tsdudley.com">steve.carr@tsdudley.com</a>                   |
| Finance           | Jeremy White, RPL                 | <a href="mailto:jwhite@eqt.com">jwhite@eqt.com</a>                                     |
| Historian         | David Aman                        | <a href="mailto:davidaman@consolenergy.com">davidaman@consolenergy.com</a>             |
| Marketing         | Jesse Zirillo                     | <a href="mailto:jzirillo@dmclaw.com">jzirillo@dmclaw.com</a>                           |
| Membership        | Lori Naser                        | <a href="mailto:lori.naser@ogta.com">lori.naser@ogta.com</a>                           |
| Directory         | Crystal Murphy                    | <a href="mailto:cmurphy@tioga-resources.com">cmurphy@tioga-resources.com</a>           |
| NAPE East         | Aaron Yost , CPL                  | <a href="mailto:aaron.yost@percheronllc.com">aaron.yost@percheronllc.com</a>           |
| Plate Program     | Ben King, RPL                     | <a href="mailto:benjaminking@suddenlink.net">benjaminking@suddenlink.net</a>           |
| Photography       | Marlene Heilmann                  | <a href="mailto:marheilmann@yahoo.com">marheilmann@yahoo.com</a>                       |
| Spring Golf       | Aaron Yost, CPL                   | <a href="mailto:aaron.yost@percheronllc.com">aaron.yost@percheronllc.com</a>           |
| Scholarship       | Justin Nixon                      | <a href="mailto:jrnixon@eqt.com">jrnixon@eqt.com</a>                                   |
| Sponsorships      | Jeremy White, RPL                 | <a href="mailto:jwhite@eqt.com">jwhite@eqt.com</a>                                     |
| Website /Job Bank | Jeremy D. Preston , RPL           | <a href="mailto:jpreston@eqt.com">jpreston@eqt.com</a>                                 |

## MLBC SCHEDULE

| <u>Date</u>               | <u>Location</u>  | <u>Speaker</u>                    | <u>Topic</u>             |
|---------------------------|--|-----------------------------------|--------------------------|
| <i>June 11, 2015</i>      | <i>Erickson Alumni Center<br/>Morgantown, WV</i>       |                                   | <i>Officer Induction</i> |
| <i>July 24, 2015</i>      | <i>PNC Park<br/>Pittsburgh, PA</i>                     | <i>Pittsburgh Pirates Game</i>    | <i>Social</i>            |
| <i>August 10, 2015</i>    | <i>Valley Brook Country Club<br/>McMurray, PA</i>      |                                   | <i>Fall Golf Outing</i>  |
| <i>September 10, 2015</i> | <i>Bridgeport Conference Center<br/>Bridgeport, WV</i> | <i>TBD</i>                        | <i>TBD</i>               |
| <i>October 1-2 2015</i>   | <i>Hilton Doubletree Hotel<br/>Washington, PA</i>      | <i>Appalachian Land Institute</i> |                          |
| <i>November 12, 2015</i>  | <i>Marriott Hotel<br/>Charleston, WV—Luncheon</i>      | <i>TBD</i>                        | <i>TBD</i>               |



## MEMBERSHIP INFORMATION

**Michael Late Benedum**



**“The Great Wildcatter”**

The MLBC membership application is located on the website at [www.mlbc-aapl.org](http://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](mailto: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](mailto:JPreston@eqt.com).



### JOB BANK

The direct link for MLBC Job Bank is [www.mlbcjobbank.com](http://www.mlbcjobbank.com). If you have any questions, please contact Jeremy Preston via e-mail at [JPreston@eqt.com](mailto: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](http://www.mlbc-aapl.org/VPhoto.php).