

THE WILDCATTER

MICHAEL LATE BENEDUM CHAPTER

AMERICAN ASSOCIATION OF PROFESSIONAL LANDMEN



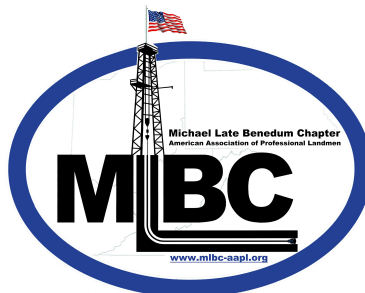
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LETTER FROM THE PRESIDENT

As we approach the holiday season and the end of 2020 I wish I were able to write an article that is filled with a list of the great events we orchestrated or gloat about all of the great things our organization has accomplished this year, as it has year over year since inception. Unfortunately, we find ourselves in a similar situation as we did back in March. COVID-19 still runs rampant throughout our communities, people are suffering, businesses are suffering, and without question our industry is no exception. But there is hope! Investors are slowly reentering the oil and gas sector. Most companies I speak with are optimistic of their 2021 plans. I've seen job postings, new permit applications, new well production data, and a fair amount of activity in mergers and acquisitions. These are all positive signs for our industry and for our members.

No doubt this has been a difficult year fueled by a global pandemic, political tension, and low commodity prices. Instead of boring you with data and hypotheticals about what I think, instead I'd like to tell you what I'm thankful for.

- I'm thankful for the ability to live in the greatest country in the world.
- I'm thankful for my loving family.
- I'm thankful for the ability to work as a land professional.
- I'm thankful for the continued support of our sponsors, volunteers, and our members.
- I'm thankful for the relationships and comradery experienced through my connections at the MLBC and AAPL.
- I'm thankful for my health.

"EVEN THOUGH THIS YEAR
HAS BEEN ESPECIALLY
DIFFICULT, I AM CHOOSING
TO BE GRATEFUL FOR
WHAT I HAVE, TO LOOK
FORWARD-NOT BACK, TO
CONTINUE TO EMBRACE
THIS LIFE AND TO BE THE
BEST ME I CAN BE."



MLBC PRESIDENT, ANTHONY ROMEO

The list could go on for pages. Even though this year has been especially difficult, I am choosing to be grateful for what I have, to look forward-not back, to continue to embrace this life and to be the best me I can be. I urge you to do the same.

Now I'd like to review a brief wish list for the coming year.

- I wish for \$5 gas.
- I wish for every MLBC member, past or present, to prosper as they navigate their career as a land professional.
- I wish for the members that have moved on to other sources of work to find success on their new journey.
- I wish for peace amongst Americans.
- I wish for a cold winter.
- I wish for a cure for COVID-19.
- I wish for our members to find gainful employment.
- I wish for the ability to safely have a social gathering amongst our members.

Again, the list could go on for pages. Thank you to all that serve and participate in the MLBC functions and for continuing to provide support to members.

Happy Holidays and Happy New Year!

2020

MLBC CORPORATE SPONSORS

PLATINUM

Babst | Calland
Attorneys at Law



ST STEPTOE
& JOHNSON
P L L C

GOLD



Holland
RIGHT OF WAY


Cabot Oil & Gas

Halo
Land Management

SILVER


KIEFABER & OLIVA
L L P

VORYS
Higher standards make better lawyers.®

BRONZE

 **P2iLandMan**

2020 CORPORATE SPONSORSHIP LEVELS



PLATINUM: \$5,000 PER YEAR

Benefits of Platinum Sponsor:

- 4 meeting passes for every MLBC event in 2020 (excluding charity events)
- Logo in every membership email
- One full page ad in the Wildcatter
- One half page ad in the Wildcatter
- Recognition at every educational event
- Full page ad on sponsorship page on website
- MLBC swag bag (including 4 polos)

GOLD: \$2,500 PER YEAR

Benefits of Gold Sponsor:

- 3 meeting passes for every MLBC event in 2020 (excluding charity events)
- Logo in every membership email
- One full page ad in the Wildcatter
- One half page ad in the Wildcatter
- Recognition at every educational event
- Full page ad on sponsorship page on website

SILVER: \$1,500 PER YEAR

Benefits of Silver Sponsor:

- 2 meeting passes for every MLBC event in 2020 (excluding charity events)
- Logo in every membership email
- One full page ad in the Wildcatter
- One half page ad in the Wildcatter
- Recognition at every educational event

BRONZE: \$750 PER YEAR

Benefits of Bronze Sponsor:

- 1 meeting pass for every MLBC event in 2020 (excluding charity events)
- Logo in every membership email
- One half page ad in the Wildcatter
- Recognition at every educational event

To secure a corporate sponsorship, advertise in The Wildcatter, or if you have questions, please contact Abby Veigel at abbyveigel@mlbc-aapl.org. Please contact Harry Heinbaugh at Harry.Heinbaugh@percheronllc.com for dinner meeting sponsorships.

PIONEER AWARD PRESENTATION

BY DANIEL COOPER, NEWSLETTER COMMITTEE CHAIRMAN



Stacy Tichy and I had the pleasure of presenting the AAPL Pioneer Award to the Oil and Gas Museum in Parkersburg, WV. The presentation was made on November 17th to Paul Hoblitzell, President of the Oil and Gas Museum. Please see the newspaper article below regarding the presentation. A special thank you to my parents for holding up flashlights to allow us to take pictures as the museum was undergoing some renovations and there was no electricity in the building that day. Also below is a picture of the Michael Late Benedum display at the museum where the Pioneer Award will be displayed. I encourage every member to go and tour the museum. From the displays inside the museum that contain numerous pieces of oil and gas memorabilia, to the antique oilfield equipment surrounding the outside of the building, it is truly an educational experience.



Michael Late Benedum display
at Oil and Gas Museum in
Parkersburg, WV

Museum to display award given to 'the Great Wildcatter'

BY JESS MANCINI, STAFF REPORTER

The Oil and Gas Museum has been given an award posthumously presented to a famous wildcatter.

The American Association of Petroleum Landmen presented its Pioneer Award to Michael Late Benedum, a businessman who made his fortune in oil and gas. Benedum, who created the Benedum Foundation, was born in Bridgeport, W.Va., and died in 1959 in Pittsburgh.

The Michael Late Benedum Chapter of the American Association of Petroleum Landmen decided to give the 2019-2020 Pioneer Award to the museum where it can be on display, chapter representative Daniel Cooper, a registered professional landman, said.

The award will be on display at the Michael Late Benedum exhibit at the Oil and Gas Museum, museum President Paul Hoblitzell said.

Benedum, known as the Great Wildcatter, rose from humble beginnings. Among the companies he created and developed in the early 20th Century were the Transcontinental Oil Co., the Plymouth Oil Co., Hiawatha Oil and Gas Co., Big Lake Oilfield and Bentex Oil Corp. He was in Fortune Magazine's list of the wealthiest Americans.

"He made all his money in the oil and gas business. Pretty much all over the world," Hoblitzell said.

In 1944, he and his wife, Sarah, created the Claude Worthington Benedum Foundation, named after their only child who died in 1918 at the age of 20. The foundation has since donated hundreds of millions of dollars to organizations and causes.



Photo by Jess Mancini

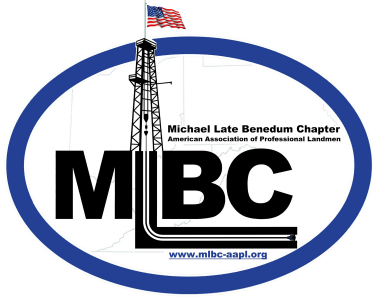
Oil and Gas Museum President Paul Hoblitzell, center, holds the Pioneer Award from the American Association of Petroleum Landmen that was posthumously presented to Michael Late Benedum, known as the Great Wildcatter. The Michael Late Benedum Chapter Tuesday gave the award to the Oil and Gas museum to be displayed at the Michael Late Benedum exhibit at the Oil and Gas Museum. From left, Stacy Tichy and Daniel Cooper, representatives of the Michael Late Benedum Chapter.

Benedum had a significant impact on oil and gas development in the region and, through the foundation, continues to improve the lives of residents in West Virginia, Pennsylvania and beyond, Hoblitzell said.

The Michael Late Benedum display was created in the days when the Oil and Gas Museum was established in the early 1990s, Hoblitzell said.

"They've been good to us over the years," he said.

The museum also has started a fund drive to replace windows and is soliciting donations of \$1,000 per window, Hoblitzell said.



MLBC MEMORIES



**Patrick Turner, Thomas Long, Rob Greiner and
Blake Thatcher at the MLBC 50th Anniversary Gala**



PRESIDENTIAL MEMORANDA

Memorandum on Protecting Jobs, Economic Opportunities, and National Security for All Americans

— ECONOMY & JOBS

Issued on: October 31, 2020



October 31, 2020

MEMORANDUM FOR THE SECRETARY OF STATE

THE SECRETARY OF THE TREASURY

THE SECRETARY OF DEFENSE

THE ATTORNEY GENERAL

THE SECRETARY OF THE INTERIOR

THE SECRETARY OF AGRICULTURE

THE SECRETARY OF COMMERCE

THE SECRETARY OF LABOR

THE SECRETARY OF TRANSPORTATION

THE SECRETARY OF ENERGY

THE UNITED STATES TRADE REPRESENTATIVE

THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION
AGENCY

THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND
BUDGET

THE ASSISTANT TO THE PRESIDENT FOR NATIONAL
SECURITY AFFAIRS

THE ASSISTANT TO THE PRESIDENT FOR ECONOMIC
POLICY
THE CHAIRMAN OF THE COUNCIL OF ECONOMIC ADVISERS
THE DIRECTOR OF THE OFFICE OF SCIENCE AND
TECHNOLOGY POLICY
THE CHAIRMAN OF THE COUNCIL ON ENVIRONMENTAL
QUALITY
THE ADMINISTRATOR OF THE OFFICE OF INFORMATION
AND REGULATORY AFFAIRS

SUBJECT: Protecting Jobs, Economic Opportunities, and National Security for All Americans by
Ensuring Appropriate Support of Innovative Technologies for Using Our Domestic Natural
Resources

By the authority vested in me as President by the Constitution and the laws of the United States of
America, I hereby direct the following:

Section 1. Purpose. This memorandum sets forth policies related to protecting American jobs,
economic opportunities, and national security by ensuring appropriate support of hydraulic
fracturing and other innovative technologies for the use of domestic natural resources, including
energy resources. In support of these policies, this memorandum directs certain officials to assess
the potential effects of efforts to ban or restrict the use of such technologies.

Sec. 2. Background. Our country has been favored with abundant land, wildlife, and natural
resources. Americans have rightly seen this abundance as both an opportunity and a responsibility.
Our blessings have rightly been a great source of national pride and gratitude. As we enjoy these
bounties, we are also bound by a responsibility of stewardship to use, protect, and preserve them
for future generations.

Among the greatest of our blessings are our energy resources, which all too often we take for
granted. Our Nation has untold potential to deliver energy to provide us with the necessities —
light, heat, cold, food, and water, to say nothing of modern telecommunications — for our daily
lives at home and at work, and our travel from place to place. Reliable, affordable energy is
essential for running our homes, businesses, farms, factories, health care facilities, and schools,
and is critical to every sector of our economy, including our energy-intensive and trade-exposed

industries. Access to dependable, inexpensive sources of energy is a cornerstone of our well-being, of our economic strength and global competitiveness, and of our national security.

One of the great success stories of our time has been the development of hydraulic fracturing (often known as “fracking”) and other technologies to facilitate the extraction of natural resources from the earth. Hydraulic fracturing is a process that provides access to reservoirs of natural gas and petroleum by opening rocks deep underground. When coupled with horizontal drilling and other new technologies, fracking has opened up new sources of inexpensive, reliable, abundant energy for our country. It has also produced jobs and economic opportunities for many Americans.

In a report issued in October 2019, the Council of Economic Advisers (CEA) estimated that by lowering energy prices, the use of fracking and other innovations had saved United States consumers \$203 billion per year, or \$2,500 in annual savings for a family of four. These savings disproportionately benefit low-income households, which spend a larger share of their income on energy bills, representing 6.8 percent of income for the poorest fifth of households compared to 1.3 percent for the richest fifth of households. The CEA estimated that greater productivity had reduced the domestic price of natural gas by 63 percent as of 2018; had led to a 45 percent decrease in the wholesale price of electricity; and had reduced the global price of oil by 10 percent as of 2019.

The transformation wrought by technologies such as fracking is not only the result of America’s natural abundance and Americans’ capacity for scientific discovery and practical invention. It is also a testament to our Nation’s greatest resource: our hardworking men and women. Energy workers have dedicated their lives to an industry that is essential to the modern world, and their labors have demonstrated their talent, perseverance, and courage. Even in the midst of this unprecedented pandemic, essential energy workers have continued to ensure that our Nation has the energy that it needs to survive and to flourish. We owe these workers our gratitude. We also owe them appropriate respect and support for their careers, their livelihoods, and their families.

It should be emphasized that technologies such as fracking — when used lawfully and responsibly, with appropriate attention to environmental, health, and safety protections — are vital not just to our domestic prosperity but also to our national security. Shortly after I entered office, I issued Executive Order 13783 of March 28, 2017 (Promoting Energy Independence and Economic Growth), which directed an immediate review of all agency actions that potentially burdened the development or use of domestic energy resources. That order also rescinded certain actions of the previous Administration that, in my judgment, were not consistent with the national interest and

the Nation's geopolitical security. As a result of new technologies and my Administration's continued push for energy independence, our country recently became a net energy exporter for the first time since 1952, as well as the leading producer of oil and natural gas in the world. We are no longer beholden to foreign countries upon which we had depended for decades for the survival of our way of life. This achievement is a great accomplishment for our country, which should not be taken for granted.

Now that we have achieved a dominant position in energy production, powerful voices in the United States, echoed by countries such as China and Russia, are clamoring for policies that would undermine that position, forgetting the very real costs and risks of energy dependence. Some of these voices call for using legislative or regulatory mechanisms to ban, or sharply restrict, the use of fracking and other technologies. In my view, such proposals are not responsible and would be harmful to the economic and national security of the United States.

Sec. 3. Policy. It is the policy of the Federal Government to aggressively protect and enhance American jobs, economic opportunities, and national security for all Americans by ensuring appropriate support of innovative technologies for using our domestic natural resources more efficiently and responsibly, including environmental protection and restoration technologies. Before taking actions that may jeopardize such innovation, responsible officials should carefully consider the impacts on American citizens.

Sec. 4. Assessing the Domestic and Economic Impacts of Undermining Hydraulic Fracturing and Other Technologies. (a) Within 70 days of the date of this memorandum, the Secretary of Energy, in consultation with the United States Trade Representative, shall submit a report to the President, through the Assistant to the President for Economic Policy (who shall act in coordination with the Assistant to the President for National Security Affairs), assessing:

(i) the economic impacts of prohibiting, or sharply restricting, the use of hydraulic fracturing and other technologies, including the following:

(A) any loss of jobs, wages, benefits, and other economic opportunities by Americans who work in or are indirectly benefited by the energy industry and other industries (including mining for sand and other minerals);

(B) any increases in energy prices (including the prices of gasoline, electricity, heating, and air conditioning) for Americans (including senior citizens and other persons on fixed incomes) and businesses;

(C) any decreases in property values and in the royalties and other revenues that are currently available to private property owners; and

(D) any decreases in tax revenues, impact fees, royalties, and other revenues currently available to the Federal Government, to State and local governments, and to civic institutions (including public schools, trade and vocational schools, community colleges, and other educational and training institutions; hospitals; and medical clinics);

(ii) the trade impacts of prohibiting, or sharply restricting, the use of hydraulic fracturing and other technologies, including impacts on United States exports of liquefied natural gas (LNG) and other energy products, as well as exports of other commodities that may be affected by increases in transportation costs; and

(iii) such other domestic or economic impacts as the Secretary of Energy deems appropriate.

(b) In preparing the report described in subsection (a) of this section, the Secretary of Energy and the United States Trade Representative shall consult with the Secretary of the Treasury, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, the Chairman of CEA, the Chairman of the Council on Environmental Quality, and such other officials as the Secretary of Energy and the United States Trade Representative deem appropriate.

Sec. 5. Assessing the National Security Impacts of Undermining Hydraulic Fracturing and Other Technologies. Within 70 days of the date of this memorandum, the Secretary of Energy shall submit a report to the President, through the Assistant to the President for National Security Affairs (who shall act in coordination with the Assistant to the President for Economic Policy), assessing the national security impacts of prohibiting, or sharply restricting, the use of hydraulic fracturing and other technologies. This report shall include an assessment of potential impacts on Russian and Chinese energy production, consumption, and trade activities, and on the energy security of United States allies, that may be attributable to changes in United States exports of LNG and other energy products. In preparing this report, the Secretary of Energy shall consult with the Secretary of State,

the Secretary of Defense, the United States Trade Representative, and such other officials as the Secretary of Energy deems appropriate. This report may be combined, as appropriate, with the report required by section 4 of this memorandum, in which case the combined report shall be submitted to the President through the Assistant to the President for National Security Affairs and the Assistant to the President for Economic Policy.

Sec. 6. Reinforcing Executive Order 13211. (a) Executive Order 13211 of May 18, 2001 (Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use) provides that agencies “shall prepare” detailed Statements of Energy Effects when undertaking certain agency actions that are likely to have a significant adverse impact on the supply, distribution, or use of energy. Such Statements “shall describe” “any adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increased use of foreign supplies) should the proposal be implemented” and “reasonable alternatives to the action with adverse energy effects and the expected effects of such alternatives on energy supply, distribution, and use.” In order to enhance compliance with Executive Order 13211, I direct the Director of the Office of Management and Budget (OMB), through the Administrator of the Office of Information and Regulatory Affairs (OIRA), to review the record of compliance with that order by agencies (as defined in that order) and to provide new guidance, as appropriate, concerning the implementation of and compliance with that order.

(b) Within 30 days of the date of this memorandum, the Director of OMB shall, as appropriate, identify for the President, through the Assistant to the President for Economic Policy (who shall act in coordination with the Assistant to the President for National Security Affairs), agencies on which the Administrator of OIRA intends to focus attention to ensure robust compliance with Executive Order 13211.

Sec. 7. Definition. For purposes of this memorandum, the terms “hydraulic fracturing” and “fracking” shall have the meaning assigned to “hydraulic fracturing” in 40 C.F.R. 60.5430.

Sec. 8. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) The Secretary of Energy is hereby authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP

PROGRESS STARTS WITH PARTNERSHIP.

WE AGREE.

Chevron and AMBU Land celebrate many great relationships and memories we have made together. Wishing all MLBC members a safe, healthy, and prosperous 2021!





MEET THE MARIETTA COLLEGE LANDMAN ASSOCIATION BOARD

The 2020 spring semester saw the graduation of the MCLA's officers: Tyler Lajko, Ross Keller, Andrew Barker, and Skylar Secrest. This fall semester has brought new leadership to the Marietta College Landman Association. The Covid-19 pandemic and outbreak at the college has presented trouble with new guidelines. Covid-19 has cancelled many of our plans this semester, but with news of a vaccine in the works, hopefully we will be able to be more active as a club next semester. Here is a little bit about some of the newly elected officers in MCLA.

AARON PETERMAN, PRESIDENT FROM: ELIZABETH, WV

WHY DID YOU CHOOSE LAND AND ENERGY MANAGEMENT AND WHAT DO YOU ASPIRE TO BE?:

When I was in high school I originally wanted to become a petroleum engineer. Then I found out that I would be spending most of my time in an office doing some form of calculus. So I started looking into geology or land management because I knew I wanted to go into the oil and gas industry. With those two narrowed down I decided I would want to become a landman because it encompasses all areas of an oil company and I like all aspects of the oil and gas business. One of my goals is when I graduate college to get a job as a landman. With experience from my previous internships, I really enjoy being out in the field and building relationships with landowners along with the business and economics side of being a landman.

BREVIN WEBB, VICE PRESIDENT FROM: CHESAPEAKE, OH

WHY DID YOU CHOOSE LAND AND ENERGY MANAGEMENT AND WHAT DO YOU ASPIRE TO BE?:

I've always had an interest in the oil and gas business. After finding Marietta College and getting recruited to play Football, I found Land & Energy Management and I was set. I have previously worked for Eastham's & Associates, mainly operating with Land Surveying but having a significant role in working with the Engineers and Planners on a multitude of projects. I have aided in the services of Boundary / Cadastral, ALTA / ACSM, Geodetic, Topographic, Hydrographic, FEMA Flood Elevation Certificates and Construction Surveys. After college, I hope to continue working in some form of Land Acquisition, but I never turn down an opportunity to try something new.



MEET THE MARIETTA COLLEGE LANDMAN ASSOCIATION BOARD



DRAKE NEUBERGER, TREASURER
FROM: NORWALK, OH

WHY DID YOU CHOOSE LAND AND ENERGY MANAGEMENT AND WHAT DO YOU ASPIRE TO BE?:

I am currently majoring in Land and Energy Management and minoring in Petroleum Engineering and Accounting. I originally came to Marietta College to pursue a degree in Petroleum Engineering but figured out it was not the right fit for me after my freshman year. Since joining the landman program I have found something I truly enjoy studying and will pursue a career in in the future. Upon graduation from Marietta College I am not quite sure what exactly I would want to do, or where; I just hope to obtain a job in the oil and gas industry.



BRYCE HILVERDING, SECRETARY
FROM: WATERFORD, OH

WHY DID YOU CHOOSE LAND AND ENERGY MANAGEMENT AND WHAT DO YOU ASPIRE TO BE?:

My interest in the oil industry from being around it my entire life is what led me to choose Marietta College. Before coming to Marietta I was unaware of the Land and Energy Management profession, after learning more and more about what the job of a landman entails, it was an easy choice to switch majors. Seeing what a landman does for a company made it an easy choice deciding on what I wanted to be in the future. After choosing the land profession, after graduating I aspire to become a CPL with the hope of becoming the head of all land operations of a company.



Member Spotlight: Tyler Murray

Tell us a little about yourself.

Six years ago, I was a finance major at WVU. Every few weeks, my (now wife) and I would drive down to her parents' house in Pleasants County. My wife would always have to drive because my eyes were glued to the drilling activity along Rt 50. After hearing about a new 4-year degree program being offered at WVU called Energy Land Management, I just had to go for it. Fast forward to May of 2016, I was the first graduate of the program (the guinea pig) and was able to get started as a landman shortly thereafter. In my free time, you can either find me wandering around Lowe's or shooting the sporting clays course at Hunting Hills.

Who are you currently employed or contracted with?

Percheron, LLC

How long have you worked in the oil and gas industry? What states do you have experience? Tell us about any other land organization you belong.

I've been working as a landman for the past four years. My experience has mostly been in WV, but I've done a little bit of work in PA and OH as well.

Tell us about your first position in the industry.

My first project as a landman was buying leases in Tyler County, WV. It took me some time to get into the groove, but I quickly learned how good it felt to get ink on the paper. After getting a lease signed, I'd hop into my beat up F150 and cruise Rt.7 smiling ear to ear. I knew a career in finance wouldn't get me that type of gratification, and that I had made the right choice with my ELM degree.

What areas of the industry do you have experience in?

Leasing, ROW acquisition, title curative, and A&D

Do you have a mentor in the industry? Can you provide details?

I've had several mentors throughout my time in the industry - Marc Acree, Perry Cunningham, Harry Heinbaugh, Lhag Bowers, Justin Nixon, Christa Dotson, Chuck Dornetto, and Anthony Romeo, just to name a few. These folks have played a critical role in my development as a landman, and I owe them all a debt of gratitude.

Do you serve the MLBC, AAPL, or any other organizations in an executive capacity and/or serve as a committee chair? Are you a member of any committees?

I am the committee chair for the MLBC's Clay Shoot Committee.

According to Article IV, Item #5 of the By-laws of the MLBC, one of the organizational purposes of the MLBC chapter is "Providing members with opportunities for community service." Have you ever initiated or participated in events or service projects within the community that achieve this purpose?

Yes, through the MLBC I've been able to work behind the scenes on charity events that drive funding for critical services within the local community.

AAPL UPDATES

MEMBER NEWS



NAPE Summit Moves to August 2021

Due to the ongoing challenges presented by COVID-19 and concern for the health and safety of attendees, exhibitors, sponsors, partners, staff and the community, the NAPE Operators Committee has decided to move NAPE Summit to August 2021.

NAPE Summit will take place in person **Aug. 18-20, 2021**, at the George R. Brown Convention Center in Houston and virtually **Aug. 9 – Sept. 3, 2021**, on the [NAPE Network](#).

NAPE remains dedicated to providing the place for oil and gas professionals from across the industry to gather together to learn, connect and do business safely. As many details of the event were previously finalized, NAPE organizers are working to ensure the current hybrid [event schedule](#) — including the [Global Business Conference](#) speaker lineup and [NAPE Charities Keynote](#) event — will take place in August.

We look forward to seeing you in Houston and virtually on the NAPE Network in August!

Don't forget, AAPL Active members may be able to take advantage of the [Professional Development Assistance Program](#) and reduce the registration fee up to \$300 on the NAPE Summit Business Conference or virtual registration.

Please request assistance prior to registering. Reimbursements will not be issued.

**Available for Active members in good standing for at least two years.*



Michael Late Benedum Chapter

American Association of Professional Landmen

You are cordially invited to submit your nominations and entries for AAPL's 2020-2021 Awards, which recognize members and local associations achieving the highest standards of excellence in the land profession.

Nominations may be submitted online or by mail. Visit the Awards/Nominations section of our website for online award descriptions, submission process and downloadable entry forms.

Entries may be submitted online or mailed to:

Aaron R. Yost, CPL
AAPL Headquarters
800 Fournier St.
Fort Worth, TX 76102

Deadline for all entries is Jan. 10, 2021.

Every individual nominated or submitted for an award must be a member of AAPL, except for the Pioneer Award.

Self-nominations will not be accepted for individual awards.

The categories are:

- Lifetime Achievement Award
- Landman of the Year Award
- Local Association of the Year Award
- Pioneer Award
- Best Newsletter/Bulletins (Large/Medium/Small)
- Best Member Communication
- Best AAPL Director's Communication
- Best Published Article in an AAPL Publication
- Face of the Industry Award
- Largest Growth Percentage of AAPL Membership (Large/Medium/Small)
- Largest Percentage of AAPL Membership (Large/Medium/Small)

Special Awards:

- Education
- AAPL Committee Member
- Community Service
- Other

The committee will disqualify an entry if it does not meet the established guidelines. Read the description of each category carefully to ensure your entry belongs in that category.

By reviewing the [Awards Nomination Forms](#) posted on the website, you will see what criteria will be utilized for judging.

- Each local association award entry must include a completed "Awards Nomination Form" attached to the top of the entry. Entries submitted without this form will be disqualified. Upload is available online.
- Each nomination for individual awards should include the nomination form. Upload is available online.
- Each entry for individual awards should also include an attached photograph (suitable for publication) of the nominee. Upload is available online.
- Each local association entering any category should submit a copy of its logo. Upload is available online.
- Please be as specific as possible in making your recommendations. While some Awards Committee members may be personally acquainted with the nominee or his/her achievements, other committee members will have to rely on the facts presented in the nomination to make their decisions.
- All nominations are limited to one 8½-by-11 typewritten page with no smaller than 12-point font, unless otherwise stated on the entry form.

The 2020-2021 AAPL Awards will be presented at the 67th Annual Meeting in June 2021 in Banff, Alberta.

Please contact me at Aaron.Yost@percheronllc.com if you have any questions. Aaron R. Yost, CPLAAPL Awards Chairman

Campbell Development, LLC

...thirteen years of excellence.



BETTER LAND SERVICES

COMPETITIVE RATES

Now in our thirteenth year of business, our corporate vision continues to focus on investing in our employees and contractors; adding value to our clients; and providing insight and innovation to the land and energy industries.

CLEAR COMMUNICATION

Campbell Development, LLC is a nationwide, full service land company that provides better land services to the energy, real estate and utility industries.

EXCEPTIONAL SERVICES

We offer upstream, midstream and downstream support, including project management, abstracting, heirships, due diligence, take offs, division orders, mapping, leasing, permitting, curative, drafting, imaging, accounting support, reclamation, CAD, consulting and more.



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MEMBER NEWS

Call for 2021-22 AAPL Officer Nominations

Once again, it's time to begin planning for AAPL's next leadership team. This important process begins with the selection of the 2021-22 slate of officers. After it is vetted and approved, that slate will be submitted to the entire membership for affirmation, and then that officer team will lead our organization for the 2021-22 term, starting July 1, 2021.

Michel Curry, CPL, is the Nominating Subcommittee chairman and has formed a committee of your peers — representing various regions of our association across the country — to create AAPL's 2021-22 slate of officers.

Nominations may be submitted online or by mail. Visit the [Officer Nominations](#) section of our website to review the criteria and submit your nomination.

Your voice matters, and your association is depending on you to help assemble the next officer team to continue leading us toward a bright future for all members.

The current first vice president will be nominated as president; therefore, we request your recommendations and nominations for the following positions:

- First Vice President
- Second Vice President
- Third Vice President
- Secretary
- Treasurer

All nominations must be received **by January 10, 2021.**

**[Review criteria and
submit a nomination](#)**



LEGISLATIVE & REGULATORY UPDATE

By Nikolas Tysiak, Legislative and Regulatory Chairman

Happy Thanksgiving and Merry Christmas to all of you out there in MLBC land! There have been several developments affecting the oil and gas industry as a whole in our region, and then some interesting employment-related developments in other oil and gas areas that may be worth noting for those of you that are not afraid to travel.

In Ohio, there has been further movement in the on-going saga of litigation surrounding the Dormant Mineral Act and the Marketable Title Act. On September 29, the Ohio Supreme Court granted review in two cases addressing application of the Ohio Dormant Mineral Act and Ohio Marketable Title Act in *Peppertree Farms, L.L.C. v. Thonen* (consolidated cases) and *Fonzi v. Miller*. In the *Peppertree Farms* cases, the Court will address whether the Ohio Dormant Mineral Act supersedes and controls over the Ohio Marketable Title Act as to the termination of severed oil and gas interests. The *Fonzi* case will address several issues related to the application of the Ohio Dormant Mineral Act, "including the level of due diligence required before serving a notice of abandonment by publication."

For background, in the consolidated cases *Peppertree Farms, LLC v. Thonen* (Case Nos. 2020-Ohio-3042 and 2020-Ohio-3043) the Court of Appeals, Fifth District, addressed a dispute over mineral rights purportedly reserved by deed and whether those reservations terminated upon the grantor's death. The Court held that they did terminate because the grantors failed to include words of inheritance in their reservation clauses. As a result, each grantor's reserved oil and gas interest did not transfer to his heirs and assigns. The Court noted that each of the deeds created "reservations" which included fee oil and gas interests. In making their finding, the Court relied, in part, on prior related Ohio Supreme Court case precedent "to find that whenever minerals are severed from the surface, two new and separate estates are created — a surface estate and a mineral estate. Thus, although the grantor had title to the oil and gas at the time he executed the subject deed, his reservation was deemed to be a 'reservation' because the severance created a new oil and gas estate."

In *Fonzi v. Brown* (Case No. 2020-Ohio-3631), the Ohio Court of Appeals, Seventh District, addressed a Dormant Mineral Act (DMA) case challenging whether reasonable due diligence was exercised in locating potential heirs before serving notice of abandonment by publication. In reversing the trial court's finding of reasonable due diligence, the Court held that the surface owner's failure to search for holders outside of Ohio when the severance deed indicated the grantors' specific township and county there, per se did not meet the reasonable due diligence standard under the Ohio DMA. We will continue to keep members informed of these cases as they progress.

On October 26, in *Crum v. Yoder* (Case No. 2020-Ohio-5046), the Ohio Court of Appeals, Seventh District, addressed a Dormant Mineral Act (DMA) case where the plaintiffs asked the trial court to deem their mineral interest not abandoned under the 2006 version of the DMA. Specifically, under the facts of the case, certain heirs argued the mineral interest was not abandoned because the 2011 notice of abandonment was invalidly served by publication and/or there was a savings event in a 1994 deed. The trial court ruled against the plaintiffs and the appellate court reaffirmed the trial court judgment "that the lack of an internet search alone is not necessarily fatal to a DMA abandonment." In the case, the surface owners searched the public records of Monroe County (where the property is located) and Belmont County, but found nothing identifying the heirs of the grantors who reserved the minerals in the 1990 deed. The heirs offered a title examiner's 2016 affidavit that a Google search located obituaries and gave the names and potential locations of the children into evidence, "but the Seventh District was not persuaded that an internet search was required." The Court also touched on issues of delivering notice of abandonment to one's own address and the distinction between the language of exceptions and reservations in the context of the DMA issue.

On September 30, in *Richards v. Hillgas* (Case No. 2020-Ohio-4717), the Ohio Court of Appeals, Seventh District, addressed disputes over oil and gas rights in multiple deed reservations that did NOT hinge on the DMA or MTA, discussed above. As to one of the deeds the Court found that while the deed clearly intended to convey the surface, "there is no specific exception or reservation language regarding the oil and gas rights" and accordingly, "Oil and gas rights must be excepted or reserved in a title transaction otherwise those rights transfer with the surface." The Court also found a genuine issue of material fact in the interpretation of another deed which excepted coal, as well as making determinations about successors in interest.

The Pennsylvania legislature has introduced a bill that could impact operations in the Commonwealth. On October 19, HB 2934 was introduced by Rep. Jennifer O'Mara (D). The bill would "create a Public Natural Resources Trust Fund, which would receive money from oil and gas developed on the over 385,000 acres of Pennsylvania land leased for such development. The money would be put into a trust fund and used for various conservation projects carried out by the Pennsylvania Departments of Conservation and Natural Resources, Environmental Protection, and Agriculture."

LEGISLATIVE & REGULATORY UPDATE (CONTINUED)

On the judicial front in Pennsylvania, a September 11 decision, in *Walls v. Repsol Oil and Gas USA, LLC* (Case No. No. 4:20-CV-00782), by the U.S. District Court for the Middle District of Pennsylvania, addressed a contract dispute between three Pennsylvanian landowners and one Texas oil and gas company over an oil and gas lease governing the use of land located in Tioga County. In 2002, Plaintiffs entered into the lease with Repsol's predecessor-in-interest, Victory Energy Corporation. Repsol now operates the Chicken Hawk Unit, a designated natural gas production unit, of which plaintiffs' property is a part. Repsol entered into negotiations for a pipeline right of way but the landowners rejected any agreement. Regardless, Repsol continued its pipeline installation. The plaintiffs claimed that the pipeline transports natural gas from production units that "do not unitize any of the Lease's leasehold acreage" and from other production units that do not neighbor the Lease's leasehold. The plaintiffs also alleged that the construction and installation of the pipeline was not authorized by the lease, and that they never granted Repsol the right to construct the pipeline. Here, the Court found the terms of the lease authorized such pipeline and it was not subject to a restriction as claimed. The Court also denied the landowners money damages because those were made "Without alleging facts to support their conclusory request for compensation."

In West Virginia, the Supreme Court of Appeals issued a decision in *EQT Production Company v. Antero Resources Corporation* (Case No. 19-0572, Filed on November 12, 2020), finding that a Top Lease to Antero took priority over an amendment and extension of a prior, EQT lease based on the recording statute (W. Va. Code §40-1-8). The recorded EQT memorandum of lease had no language regarding mandatory extensions or top lease provisions. Antero obtained its Top Lease prior to the end of EQT's primary term and filed a memorandum where the Lessor expressly promised not to extend the EQT lease. The Lessors and EQT subsequently executed a lease extension agreement and placed it of record. The Court found that the Lessors' promise with Antero preceded recording of the EQT lease extension and therefore had priority over the same, regardless of any terms that might exist in the underlying lease agreement with EQT.

Pennsylvania and Louisiana have both seen activity on employment issues surrounding the classification of workers as "employees" vs. "independent contractors," an issue relevant to many MLBC members in the Appalachian Basin and landmen nation-wide. On October 29, HB 716 was signed into law by Pennsylvania Governor Tom Wolf (D) after unanimous passage in the House and Senate. The bi-partisan bill creates a joint agency task force on employee misclassification. According to the sponsor's memorandum "The task force will investigate the practice and develop and implement a comprehensive plan to reduce misclassification in Pennsylvania. With this task force in place, we will be able to properly identify the scope of the problem and create a plan to solve it." Members of the bi-partisan task force include the Attorney General, the Secretary of Labor and Industry, the Secretary of Revenue, and appointees by the President Pro Tempore, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives. The first Task Force report will not be issued before March 2022. The Act is effective 60 days after signed.

In Louisiana, as part of the legislature's 30-day Special Session on October 6, SB 68 was introduced by Sen. Jay Luneau (D). The bill provides a definition of "employee" and provides an exemption from the definition of "employment" for those acting as independent contractors under the description provided.

As always, feel free to reach out to the MLBC Legislative and Regulatory Team with questions, comments, concerns or items of note.

Regards,
Nik Tysiak, Esq.
Babst Calland, Attorneys at Law

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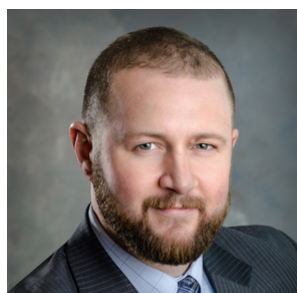
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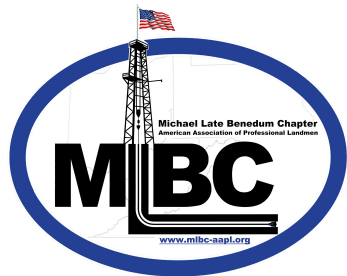
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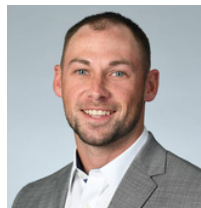
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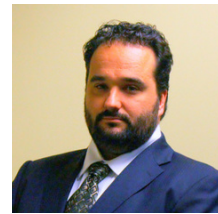
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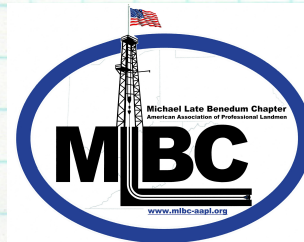
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NEW MEMBERS

and CERTIFICATIONS



December 2020

First Name	Last Name	Employer	Member Type	Sponsoring Member
Matthew	Gorby	Alpine Energy, LLC	Active	Anthony Romeo
Andrew	Barker	Diversified Gas & Oil Corporation	Associate	Anthony Romeo

New members are approved on a monthly basis. If the need arises to move along membership approval (ex. Ohio Landman Registration), please email Abby Veigel - abbyveigel@mlbc-aapl.org

SHOUT OUT!

Congratulations to the following members recently gaining their Certification through the AAPL:

Joshua Wilson, RPL

Dan Fischer, RL



Total Members: 709

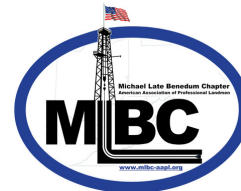
Active: 463
Active PP: 30
Honorary: 10

Total Active: 493

% Active: 69.53%

Associate : 123
Student: 83

MEMBERSHIP INFORMATION



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 cannot find yours or others information in the directory. Please report any errors or omissions to Abby Veigel at abbyveigel@mlbc-aapl.org.

Application for membership in the Association shall be subject to the approval by a majority vote of the Executive Committee at a regularly scheduled meeting and shall require the signed approval by the acting President of the Executive Committee, as evidence of the Committee's approval.

Notice of the approved application(s) of all potential Association member(s) shall be printed in the next regularly scheduled publication of the Association. Members shall have the opportunity for a period of thirty (30) days following the publication to object to the potential member's application.

The news article on Page 7 was reprinted by permission from the Parkersburg News and Sentinel and it appeared in the November 18th edition of the paper.

A SPECIAL MESSAGE FROM THE NEWSLETTER COMMITTEE:

We sincerely hope you have enjoyed the first volume of The Wildcatter! Our overall goal this past year has been to highlight Mr. Bendedum on the cover page and we felt that it was a fitting tribute to show the presentation of the Pioneer Award on the last issue of this inaugural volume. Please note that going forward, all volumes of The Wildcatter will only have 6 issues. Since we debuted The Wildcatter in December last year, it will be the only one with 7 issues. We are always open to new ideas, content suggestions and of course, more committee members. We want to also extend our gratitude to the Executive Committee for their assistance and support this past year and to all of the organizations and individuals who have provided sponsorships, advertising and content. Your contributions have been integral to our success and we extend a great round of applause to you all!

Wishing everyone a wonderful holiday season!!

Sincerely,

The Newsletter Committee (Daniel Cooper, Scott Legg and Matt McClelland)

thank you