

THE WILDCATTER

MICHAEL LATE BENEDUM CHAPTER

AMERICAN ASSOCIATION OF PROFESSIONAL LANDMEN



Vol. 1 Issue 3 | April 2020

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Legislative & Regulatory Update
Upcoming Events

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I'm not sure if anyone remembers the 1989 comedy classic "The Dream Team". If you haven't seen it and you enjoy good ol' comedy, I would recommend it. This classic stars Michael Keaton, Christopher Lloyd, Peter Boyle, and others. Without going too deep into it, Michael Keaton's character, who was a compulsive liar with a history of anger issues, was in an army surplus store trying to negotiate the price of a pair of pants and a shirt for one of his fellow escaped hospital patients — Peter Boyle's character. The fact that Boyle's character had a strange Jesus fixation, which caused him to occasionally disrobe in public (because "we are all naked in the sight of the lord") played a direct part in Keaton needing to negotiate the purchase of the aforementioned pants and shirt.

When the surplus store owner wasn't buying Keaton's story — that they were an undercover law enforcement unit that had tracked some Libyan terrorists to a bagel shop around the corner and they just needed to get some pants on the Colonel— Keaton said, "Alright. The truth is, we are four escaped mental patients trying to find our doctor. All I'm asking you is, how far can we stretch that clothing dollar?"

For some reason that line has always stuck with me. I've even used it in my own negotiations. My wife and I still joke about the time we were still newly married, on our way to the beach to meet some friends, and just got exhausted from driving late at night. We decided to find a hotel room to rest. We didn't have much money, so stopping and getting a hotel room was a pretty big decision for us back then. We pulled in and I went to the counter and asked if they had any vacancies. The manager said yes and quoted me a price. I don't remember what it was — maybe \$100 or so. I looked at him and said, "My wife and I haven't been married long. We don't have a lot of money. We aren't going to use any of your amenities. We just need to sleep for a little while, take a shower, and leave. All I'm asking is — how far can we stretch that lodging dollar?" To my delight, he knocked like 40% off!

If I'm ever sitting across from any of you in a negotiation, and I say something like "How far can we stretch that lease bonus dollar?", you'll know where that line came from.



"In this market, our focus is on keeping costs low, providing plenty of networking opportunities, and getting timely education to our members in an affordable manner."



MLBC President, Jeremy White

The months of 2020 are starting to tick off, and we here on the MLBC Board continue to think of ways to provide our fellow members with the most value for their membership dollar. In essence, we keep asking ourselves: "How far can we stretch that membership dollar?". In this market, our focus is on keeping costs low, providing plenty of networking opportunities, and getting timely education to our members in an affordable manner.

If you didn't get a chance to meet up with us at the Parlay Lounge on February 13th, you should have been there. About 70 or so of us got together with plenty of food and drinks flowing, for free! We can't stretch the dollar more than providing networking opportunities at no charge. We followed that up in March with a FULL day seminar, complete with breakfast, lunch, and a cocktail hour — for \$95 to our members. Now, in this month of April, we have another social event at the Mountaineer Tap House in Morgantown. As a board we have discussed it and decided to also make this event available to our members at no charge! So here is another prime opportunity to get out, have some food and drinks on the MLBC, and talk to other land professionals.

The MLBC also has some additional educational and networking opportunities in the works, and we will do our part to keep them affordable and accessible— so please stay tuned. It is my sincere hope that everyone will take advantage of these opportunities and I'll see you there. In the meantime, we'll be stretching that membership dollar!

LETTER FROM THE PRESIDENT

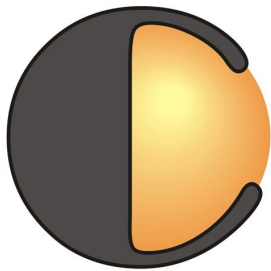
MLBC CORPORATE SPONSORS 2020

PLATINUM

Babst | Calland
Attorneys at Law



GOLD



Campbell Development L.L.C.



SILVER



KIEFABER & OLIVA
LLP



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

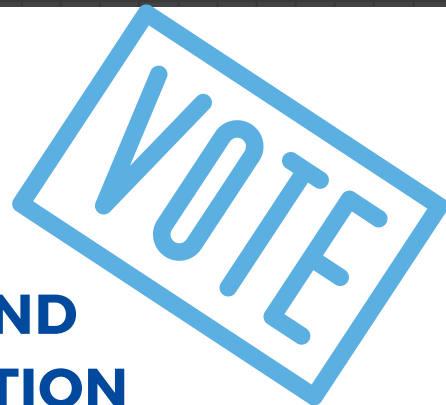
Benefits of Bronze Sponsor

- 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.



2020-2021 OFFICER AND LOCAL DIRECTOR ELECTION



By Rob Greiner, MLBC Secretary

The arrival of April means several things: Old Man Winter is stepping aside to make room for chirping birds, bulbs are blooming, trees are budding, outdoor sports are back and it's time to elect our Officers and Local Directors. As a member of the MLBC, I encourage you to read and understand our By-Laws. The By-Laws set forth important details on a number of topics including our election process.

ARTICLE X

Election of Officers and Local Directors

Section 1. Qualifications

A. President

1. To have been an Active member of the Association for the preceding two years
2. To have served as Vice President the preceding year.

B. Vice President, Secretary, Treasurer

1. To have been an Active member of the Association for the preceding two years
2. To have served on the Executive Committee as either an Officer or Local Director for two years

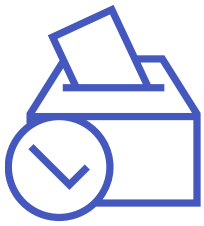
C. Sergeant-at-Arms and Local Director

1. To have been an Active member of the Association for the preceding two years
2. To have served on a Committee for two years

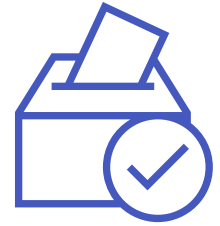
If no member shall qualify for the Sergeant-at-Arms and Local Director positions, the Executive Committee may waive one or more of the qualifications.

Section 2. Procedure

Each presiding officer shall be automatically nominated to the next higher office for the following year. Additional nominations for all offices, except that of the President, shall be in writing and submitted to the Nominating Committee Chairman on or before February 15 of the election year. The Nominating Committee shall review the nominations and provide to the Secretary its recommendations. The Secretary shall present the Nominating Committee's recommendations to the Executive Committee on or before March 30 of the election year. Thereafter, the Executive Committee shall recommend to the Secretary the approved list of nominees for the final ballot. The Secretary shall prepare the final ballot on or before April 20 of the election year. The final ballot shall be posted on the Association's website and emailed to the members on or before May 1 of the election year. Electronic votes shall be received by the Election Committee on or before May 31 of the election year. The election of officers shall be by a majority of the voting members.



2020-2021 OFFICER AND LOCAL DIRECTOR ELECTION



The terms of office of the officers and local directors of the Association shall be for a period of twelve (12) calendar months beginning July 1 and ending June 30 of the following year. This term shall be contingent upon all officers and local directors serving until such time as their respective successors are duly elected.

In adherence with Article X of our By-Laws, Jeremy White as President appointed a Nominating Committee which consists of three past Presidents. An email blast was sent out in early February requesting that nominations be made in writing and submitted to the Nominating Committee Chairman on or before February 15. Shortly thereafter, I as Secretary, received the following recommendations as set forth by the Nominating Committee.



**President
Anthony Romeo**



**Vice President
Rob Greiner**



**Secretary
Justin Nixon**



**Treasurer
Lhag Bowers**



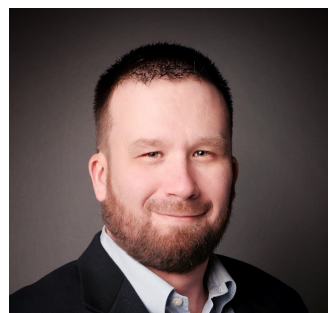
**Sergeant at Arms
John Catsonis**



**Director
Kevin Pierson**



**Director
Stacy Tichy**



**Director
Danny Cooper**



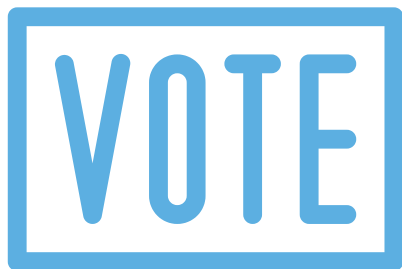
**Director
Ben McKinney**



2020-2021 OFFICER AND LOCAL DIRECTOR ELECTION

Next, the recommendations were presented to the Executive Committee and in turn, the Executive Committee by a vote of 6-4, approved the recommendations for final ballot. Per the By-Laws-Article X., Section 2, a ballot will be prepared on or before April 20. Furthermore, the final ballot shall be posted on the MLBC website and emailed to all members on or before May 1. Jeremy White will appoint a three-person Election Committee to account for and record all votes when received. Electronic votes shall be received by the Election Committee on or before May 31 of the election year. The election of officers shall be by a majority of the voting members.

Voting is a big part of our democracy in the United States. Many things in the country are decided by voting and elections. It's, therefore, surprising that many people choose to stay away from the ballot; even though they could determine the future of the country. Unfortunately, the same applies to the MLBC and our annual election; a majority fail to cast their vote. It is my hope in writing this article that you now have a better understanding of our election process. Keep an eye out, the ballot will be posted soon and you will receive an email requesting your electronic vote. As a reminder, you will have until May 31 to cast your vote and I encourage you to do so.



An aerial photograph of a lush green valley with a winding river, a road, and forested hills under a sunset sky. The Holland Services logo, consisting of three white curved lines above the text, is overlaid on the image.

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MLBC Awards Program



The MLBC Awards Committee is calling for nominations for our 2019-2020 Awards Program. The MLBC established its awards program in order to recognize members for achieving excellence in the land profession here in the Appalachian Basin. The presentation of awards will occur at the MLBC Dinner Meeting in Morgantown, WV, at the WVU Alumni Center on June 18, 2020. The MLBC Awards categories are as follows:

Best Member Communication

The award for Best Member Communication was established to recognize the best single communication by an MLBC member during the year. The communication may be written or oral, but if oral, a written transcript must be submitted. The communication may be to the MLBC, to AAPL, or to the industry but must pertain to the land profession. The individual must be a member of MLBC for his or her entry to be considered.

Friend of MLBC Award

The Friend of MLBC Award was established to recognize a company or individual that has made significant contributions to the betterment of the MLBC in any way deemed worthy of recognition.

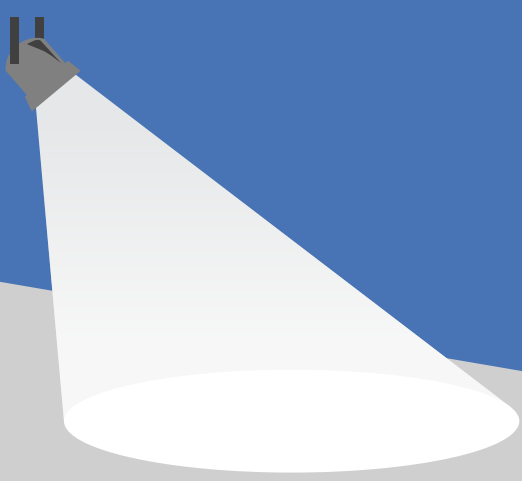
J. W. Findley Lifetime Achievement Award

The J. W. Findley Lifetime Achievement Award was named after the organizer of the inaugural MLBC meeting held on July 17, 1959, and the organization's first President. The award is the highest and most distinguished honor of our association. The award was established to recognize an MLBC member who has demonstrated excellence and integrity in contributing to our association and our profession. Current MLBC officers are excluded from nomination

Landman of the Year Award

To be presented to a MLBC member who honored and distinguished the land profession through demonstrated leadership, integrity, and his/her contribution to the industry, the community, and the profession during calendar year 2019. Current MLBC Officers are excluded from nomination.

Please submit all nominations to the MLBC Awards Committee Chair, Jeremy White. You may email to: jwhite@eqt.com or, Mail hardcopy to: MLBC Awards - PO Box 955, Bridgeport, WV 26330. Nominations should include the name of the individual making the nomination, the name of the nominee and a brief description in support of the nominee. Descriptions or letter of support for the nominee should be limited to one page. In order to be considered, all nominations must be received by the Awards Committee Chair by no later than May 1, 2020 at 5:00 PM EST.



MEMBER SPOTLIGHT



THE MLBC RECOGNIZES
PAST PRESIDENT
MARK A. ACREE, CPL

PAST PRESIDENT MEMBER SPOTLIGHT

MARK A. ACREE, CPL

Interview by John Catsonis, MLBC Director

It is with great excitement we are able to feature Mark A. Acree, CPL in the April edition of the MLBC Wildcatter. Mark has an incredible history and has contributed immensely to the advancement of our industry as a whole and to the efforts of landmen nationwide and within the Appalachian Basin. The MLBC is lucky to have Mark as a past President and it is with great pleasure we share our brief conversation with him to our membership.



MLBC:

When were you President of our organization?

MARK ACREE:

2011-2012

MLBC:

What years did you serve in office?

MA

2008-2014 (Treasurer through National Director).

MLBC:

Are you still actively involved in our organization?

MA:

Occasionally. I have spread my attention and resources between several social, professional and charitable organizations.

MLBC:

How has our organization changed over the years?

MA:

Since joining the MLBC, it has experienced a large growth pattern, primarily in the last dozen years due to the shale industry expansion. More people came into the land profession in the late 1990s and early 2000s as industry expansion into a more robust natural gas business took seed in the Appalachian region, plus technology advanced the opportunities for drilling. Price escalations in late 2000's and the attraction of venture capital and private equity rose and created vast growth. The MLBC also found deeper ties to the region including more social and charity events.

MLBC:

Tell us a little bit about your career, your current position, past positions and some of your land-work experience.

MA:

I have been in the oil and gas industry for 40 years. I started at the bottom of the land profession and with patience, experience and hard work, began a slow climb into more supervisory and leadership positions. I have worked many of the oil and gas producing regions of the U.S., and the past 25 years in the Appalachian region.

After various mid-level supervisor positions, I was promoted to VP- Land of Range Resources – Appalachia, having joined the company in 1996. In 2010, I joined a small start-up company as Chief Landman, a title rarely used in the land professional, but signifies the experience and successes of a tenured and experienced landman. In 2012, I was asked to join Noble Energy when they ventured into the Appalachian region for the first time. I was one of two Senior Managers

MARK ACREE

MEMBER SPOTLIGHT

continued



MARK ACREE:

hired to establish the company's presence in the region and set up a new organization, growing from a small team to over 200 in the region, with 70-plus employees in the Land Department. After corporate downsizing in the spring of 2015, I set up a consulting business in mid-2015 as Three Rivers Resources. In the summer of 2017, I was again asked to join an oil and gas start-up and soon became a partner in the company as its VP – Land, and with the assistance of a small team, expanded the land organization to about 25. We worked hard to establish a presence in the region and ready a significant inventory of deep Utica wells and units for drilling. Again, with 2019 entering another period of downsizing due to bad commodity prices, the company laid off a number of employees to reduce overhead. With the slowdown of the industry, I am now back to consulting and working with a few industry colleagues to evaluate a variety of drilling, acquisitions and alternate investments as a member of Fusilier Resources, LLC, an investment group.

Over my career I have had great opportunities to build, lead and mentor teams, including many new and up-in-coming land professionals in the industry. Having started in the oil and gas industry as an accountant, I was provided opportunities to move into and gain great experience in gas marketing, lease records, division orders, records management, land management, leasing, drilling program management, pipeline development, acquisitions and divestitures, systems engineering and development, and career development and mentoring. I specifically enjoy the challenges of A&D, including negotiations, contracts, evaluations and due diligence projects.

MLBC:

Do you have a favorite land story, project, area of interest in the oil and gas industry?

MA:

Early in my career as a landman, an executive told of a story in Louisiana where he was leasing a large landowner in the 1980s. He had driven out to see a landowner to negotiate a lease. He just happened to be driving the owner of his company's new Cadillac, as his vehicle was in service. After talking to the landowner for a couple hours at the dinner table, they cut a deal. Before leaving the landowner, the owner had to look over the new Cadillac and told the landman he "really" liked the car and was never able to afford one. Upon returning to the company's office, and return of the boss's new Cadillac, he told the company owner about the landowner's admiration of his Cadillac and how he had always wanted one. A few days later, after preparing the lease forms, he and the company owner returned to the landowner driving a new Cadillac of a different color than the company owner's car. They completed the lease form and in place of a draft for the lease bonus, the company owner presented the keys to the new Cadillac to the landowner. The landowner's face lit up and the deal was done. While this is a good story, and you can find many of these types of stories in the old days of the oil patch, the outcome of this lease was many more acres leased because of the efforts of the landowner with the new Cadillac, plus the full development of the new prospect became the cornerstone of the company. Moral: A good landman can read the situation and along with building a relationship, determine the real value of a deal and how it can be fostered.

My favorite area of interest is A&D projects. I like the negotiations, preparation and due diligence aspects of these projects. In my career, I have worked on and successfully closed over a billion dollars in transactions, resulting in tremendous value being added for my employer, as well as exploration, drilling and production opportunities for the future.

MLBC:

Are there any particularly memorable areas you have been able to visit due to your land career?

MA:

I have worked on projects involving a dozen producing states and visited many interesting areas over the years. While leasing, negotiating joint ventures, preparing due diligence and closing transactions, I have been able to travel to most of the major producing cities and experience the culture of those regions (New Orleans, Lafayette, Denver, Santa Fe, San Antonio, Houston, Dallas, Oklahoma City, Tulsa, Calgary). Such transactions have also taken me to major financial cities outside of the oil patch like New York, Chicago, Boston, Atlanta, Seattle and Montreal. Being involved in the AAPL as a Director, Committee Chairman and Trustee, has also afforded me the opportunity to travel to many destinations (coast to coast) I would not have normally made the effort to explore. All have unique aspects and interesting venues. Also, being a part of an industry that tends to compensate successful people at a high level, has afforded me the opportunity to visit destinations I would not otherwise be able to afford. I am grateful for my career and the years of experience and leadership afforded me.

MLBC:

What do you see happening in the future of oil and gas and in the Appalachian Basin?

MARK ACREE

MEMBER SPOTLIGHT

continued



MARK ACREE:

While oil and gas will exist for many years, I feel the industry is changing and its focus will be more on the development of assets with many trades, joint ventures and acquisitions occurring over the next 3 to 5 years. I hope new oil and gas plays will develop, but with the overabundance of fossil fuels, commodity prices will dictate the nature of future drilling and production in a way not contemplated by the industry over the past 10 to 12 years. U.S. energy independence has rewarded America, but the cost of success is now being seen in the decline of the industry. Coupled with the country's focus on alternative energy and depending on the outcome of the next election cycle, oil and gas could be changed forever. I do believe alternative sources of energy should be and have been pursued by all Americans (and the world), but at a pace that makes sense and will not disrupt the industry and profession.

MLBC:

If you could offer advice to a young land professional, or peer, what would you say?

MA:

In becoming a well-trained land professional, make sure to gain experience in a broad range of land opportunities. Starting from the bottom may seem hard, but it has benefits. A degree from a reputable Land Management Program can't hurt. Field work is essential to gain an appreciation of the issues landman have to address. Crosstrain in lease records, division orders, records management, GIS, land systems, title, leasing, unit configurations, surface, permitting, and regulatory work early in your career, followed by opportunities to work on projects involving exploration, drilling, production, pipelines, and due diligence in acquisitions and divestitures. Make sure you are also considering other energy opportunities outside of oil and gas. Many landmen have found experience in leasing and right-of-way procurement in wind, solar, coal, hard minerals, cellular, electricity and gas transmission and utilities, and telecommunications to be exciting and evolving areas of expertise. Further, learn how to lead teams and manage people and processes. Both will create avenues for career growth.

MLBC:

Are there any ways the MLBC can improve as an organization and offering service to our members?

MA:

The MLBC, NALA, SALA and AAPL, exist to serve the members. Supporting the needs of the member is paramount and should always be in the minds of the MLBC leadership. Education should lead this effort, followed by social matters and charity. While things are good, both the organization and members do well and prosper. But, in a downcycle, and particularly the current market situation, the MLBC should work to provide low cost (or no cost) valuable education to members, and social situations that create networking opportunities. The MLBC has the funds to provide such opportunities and I feel these should be initiated immediately. Those with employment, can generally afford \$50 dinners and more expensive seminars, while those unemployed, must make determination on paying necessary living expenses versus attending dinners and meetings. In raising support for dinners, seminars and golf events, I believe, during these hard times, efforts should be made by the MLBC Ex-Com to keep the cost down and provide opportunities for its members to network and educate themselves for the future.

MLBC:

Who has been your biggest influence/mentor? Tell us about him or her.

MA:

Jeff Bynum (now deceased), former Senior VP of Land at Range Resources, was my boss and mentor for almost 15 years and a real influence on my career and life. Our successes increased the Range organization and company assets many-fold over the greatest years of growth Range Resources had seen since the inception of the original company in 1977. Mr. Bynum was a good leader, mentor and friend. His particular interest was in contract preparation and project development. He was capable of writing most agreements from scratch and developing and redeveloping documents in a manner that greatly improved the language and intent of agreements. I learned a great deal from his tutelage and finding the best ways to review, negotiate, prepare and finalize complex agreements, as well as complete due diligence in an expeditious and economical manner.

MLBC:

How long have you been a member of the MLBC?

MARK ACREE

MEMBER SPOTLIGHT

continued

MARK ACREE:

Since 1997 (I think)

MLBC:

How long have you held your CPL designation?

MA:

8 years

MLBC:

What are your plans for the future?



MA:

While the oil and gas industry is once again in a downward spiral, and corporate rightsizing has been necessary over the past couple of years, those of us having been displaced with many years of experience and successful leadership skills, must look for alternative means of support or move into early retirement. While I am not ready to retire, I hope that my experience and successes will be relevant to the right company and new opportunities will develop, but until then, I will be offering my experience and skillset as a consultant. The industry will certainly lose a large number of professionals during the downcycle, and hopefully, we need to utilize highly experienced landmen to rebuild and lead the next upswing in the industry. I have also begun additional education in alternative energy to make sure my skills and experience are valuable.

MLBC:

Feel free to share anything you would like.

MA:

In 2019, AAPL held the Annual Meeting in Pittsburgh, in which I served as the Annual Meeting Committee Chairman. Pittsburgh has not been on the radar for annual meetings very many times in the past, with the last Pittsburgh annual meeting taking place in 1998. I was honored to lead an outstanding committee responsible for such a great success. I have also been privileged to serve MLBC and AAPL for many years in committee and leadership positions building long lasting relationships and networking with many talented Landmen, attorneys, land professionals and those working hard for the AAPL and MLBC in staff positions.

I have thoroughly enjoyed my career, the colleagues and friends made over the years, and my association with the MLBC. Many changes have taken place over the years, and the MLBC should be focused on the future needs of the association and how the association can benefit, protect and preserve the integrity of the land professional and its hard-working members. I suggest continued recruitment of experienced landman and land professionals to the leadership of the association to maintain a strong and viable organization.



AAPL DIRECTOR'S REPORT

Christa Dotson, Esq., RPL

The AAPL Quarterly Board Meeting was held at the Marriott Louisville Downtown in Louisville, Kentucky on March 8, 2020. The AAPL Board was welcomed into town with a visit to the famous Churchill Downs – home of the Kentucky Derby. Board members were able to tour the Kentucky Derby Museum and watch a film about the history of horse racing at the venue.

Annual Meeting

AAPL leadership is keeping a close eye on the coronavirus in regard to this year's annual meeting in Huntington Beach, CA. The meeting is scheduled for June 17-20, 2020. Presently, AAPL intends to move forward with the meeting as scheduled. A message to membership regarding same will be sent shortly. Should conditions necessitate some schedule change in order to keep members safe, the AAPL is prepared to do so. More information to follow in the months leading up to the event.

Definition of "Landwork"

AAPL Board Members voted to expand the definition of "landwork" to include those working in renewables or other energy sources. This change must now go before the full AAPL membership. The exact language will be published in the next Landman magazine. Basically, the new language will read as follows: "Landwork" shall mean the actual performance or supervision of any one or more of the following functions: (A) Negotiating for the acquisition or divestiture of Minerals or real property associated with or connected to energy sources..." (emphasis added). This change will be carried on throughout all appropriate sections of the bylaws.

Education

The AAPL is continuing to offer free streaming educational programming to its members. Additionally, AAPL has discontinued in person educational events at this time. AAPL is looking to increase the number of educational offerings available via webinar/online. There are several upcoming educational events via webinar including:

- Surface Use and Access Webinar on 3/24/2020
- Dealing with Difficult and Challenging Owners...and Finding Solutions Webinar on 4/1/2020
- Understanding and Researching Surface Rights Webinar on 4/15/2020
- Managing Your Lease When Production Ceases Webinar on 4/29/2020

Additional educational offerings from AAPL can be found online at www.landman.org

Membership

As of February 17, 2020, the AAPL has 15,358 total members. Of those, membership status is as follows:

Active	13,289
Associate	1,316
Retired	91
Senior	176
Student	486



AAPL DIRECTOR'S REPORT

continued

Did you know?

The AAPL has established a Professional Development Assistance Program that reduces the registration cost of AAPL events – including the Annual Meeting - by up to \$300? The program is designed for AAPL Active Members in good standing for at least two years who have not received financial assistance more than twice in the past calendar year. Visit www.landman.org and click the “Professional Development” tab to apply.

AAPL Quarterly Board Meeting

The next AAPL Quarterly Board Meeting will be held in conjunction with the Annual Meeting in June 2020. Please do not hesitate to reach out if there are particular topics you would like for me to address at the next meeting. I can be reached at cdotson@nne-llc.com or 304.212.0416.



Britney Crookshanks, AAPL Secretary and MLBC Past President, presents to the AAPL Board



Christa Dotson, AAPL Director, with her husband, Ryan, at Churchill Downs during the AAPL Quarterly Board Meeting

OIL AND GAS LAND REVIEW

The Oil and Gas Land Review is a fast-paced, intensive study of the topics covered by the CPL and RPL certification exams. Lectures will be interactive and enhanced with problem-solving sessions. It is highly acclaimed as a thorough land review and an excellent means of preparation for the CPL and RPL exams. This class covers the following topics: real property law and land descriptions, contract law, conveyancing, interest calculations, oil and gas lease, ethics, pooling, joint operating agreement, well trades, federal leases and units, environmental, offshore, mineral landwork and federal taxes on oil and gas income.

CERTIFICATION OPPORTUNITY*

This seminar covers material included on the RPL and CPL exams. Testing opportunities are available at this seminar. See schedule on next page for testing times.

OIL AND GAS LAND REVIEW: REGISTRATION PRICING

AAPL Member 3-day Review Only	\$500
AAPL Member 1-day Review and RPL Exam*	\$300
AAPL Member 3-day Review and CPL Exam*	\$450
AAPL Member RPL Exam Only*	\$100
AAPL Member CPL Exam Only*	\$125
Non-member Review	\$600
Accredited Program Student	\$0
Professional Development Assistance	\$0

** No study materials are included in this registration; study guide may be purchased separately at landman.org*

^Please note that your certification application must be approved before you may register for the CPL or RPL exam.

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Learn more and register at landman.org/education



OIL AND GAS LAND REVIEW: SCHEDULE

DAY 1: TUESDAY

CPL AND RPL REVIEW

7:30 am	Registration & Continental Breakfast
8:00 am	Real Property Law, Land Descriptions & Contract Law
12:00 pm	Lunch break (not provided)
1:00 pm	Conveyancing, Interest Calculations and Oil & Gas Lease
4:00 pm	AAPL and Ethics
4:50 pm	RPL Exam Instructions
5:00 pm	Adjourn

DAY 2: WEDNESDAY

CPL REVIEW

7:30 am	Continental Breakfast
8:00 am	Pooling and Joint Operating Agreements
12:00 pm	Lunch break (not provided)
1:00 pm	JOA continued and Well Trades
3:00 pm	Negotiations
5:00 pm	Adjourn

RPL EXAM (OPTIONAL)

8:45 am	RPL Exam Prep
9:00 am	RPL Exam Begins
11:00 am	RPL Exam Ends

DAY 3: THURSDAY

CPL REVIEW

7:30 am	Continental Breakfast
8:00 am	Federal Onshore
10:15 am	Environmental
11:15 am	Offshore/OCS
12:00 pm	Lunch break (not provided)
1:00 pm	Mineral Landwork
2:00 pm	Federal Taxes on Oil & Gas and GIS
3:00 pm	Adjourn

DAY 4: FRIDAY

CPL EXAM (OPTIONAL)

7:15 am	CPL Exam Prep
7:30 am	CPL Exam Book 1 Begins
11:00 am	CPL Exam Book 1 Ends
11:30 am	CPL Exam Book 2 Begins
3:00 pm	CPL Exam Book 2 Ends

RPL EXAM (OPTIONAL)

7:15 am	RPL Exam Prep
7:30 am	RPL Exam Begins
9:30 am	RPL Exam Ends

► TEST TAKERS!

If attending the RPL review/exam, you will attend the RPL review on Tuesday and have the option to test on either Wednesday or Friday.

If attending the CPL review/exam, you will attend the CPL review Tuesday through Thursday and test on Friday.

MLBC SPRING SOCIAL

FRIDAY, APRIL 24, 2020



TAP HOUSE

MOUNTAINEER
TAP HOUSE

5:30-9:00PM

FREE FOR
MEMBERS

Join the MLBC for our Spring Social

- Register online at www.mlbc-aapl.org
 - Appetizers and drinks provided
 - Free for MLBC members

Mountaineer Tap House

453 Oakland Street / Morgantown, WV 26505

(Evansdale ~ near Alumni Center)

February Happy Hour at the Parlay Lounge



Huntington Beach

C A L I F O R N I A

AAPL 66th ANNUAL MEETING

Professional Development and Land Conference

JUNE 17–20, 2020

Hyatt Regency Huntington Beach Resort + Spa

▶ **REGISTRATION IS OPEN**

Register today! Hotel and room block will sell out quickly

▶ **PROFESSIONAL DEVELOPMENT ASSISTANCE**

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▶ **34 POTENTIAL CE/CLE CREDITS**

Keynote Speaker Colin Fenton | Tudor, Pickering, Holt & Co.
Keynote Speaker Jimmy Choo | SoCalGas



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LEGISLATIVE & REGULATORY UPDATE

By Nikolas Tysiak
Legislative and Regulatory Chairman

As West Virginia's regular 2020 legislative session closed on March 7th, there were several new laws enacted affecting our membership and the oil and gas industry as a whole.

On March 2nd, the West Virginia legislature passed Code Section 36-4-9b, requiring oil and gas lessees to execute a release or other documentation of termination within 60 days of expiration or termination of operations. If a lessee fails to provide such a termination document, the lessor is provided procedures by which to have the lease deemed terminated.

On March 6th, a new Article 4 was added to West Virginia Code Chapter 39A, allowing for the recording of documents submitted to County Clerk offices in fully electronic formats. This eliminates the need for bringing paper documents physically to courthouses for recording.

On January 13th, several sections were added to Article 1, Chapter 14 of the West Virginia code, detailing a new method for the West Virginia State Auditor to track and maintain a list of state-owned lands in every county, with the assistance of the several County Clerk offices.

On March 6th, a new tax credit was created for manufacturing companies locating themselves in West Virginia that use natural gas as a raw material. See W. Va. Code Section 11-13FF-1, et seq.

Also on March 6th, the legislature amended various sections of the West Virginia code dealing with unknown heirs, allowing moneys collected but not claimed to be distributed to the Oil and Gas Reclamation Fund, instead of the Surface Owners as previously indicated (HB 4088).

In HB 4090, passed on March 3rd, the legislature passed new laws allowing for a new Oil and Gas Abandoned Well Plugging Fund, to be funded via the West Virginia severance tax.

HB 4091 was passed to take effect on March 5, 2020, allowing for an expedited permitting process to become available to oil and gas operators.

Changing gears to Ohio, on January 21st, the Supreme Court of Ohio accepted an appeal of *West v. Bode* from the 7th Circuit Court of Appeals. There has been an on-going conflict in Ohio surrounding the interaction and applicability of both the Ohio Marketable Title Act ("MTA") and the Ohio Dormant Mineral Act ("DMA") in so far as ownership of severed mineral interests are concerned. In the trial case, the applicability of the MTA to mineral interests were called into question, based on an argument that the DMA was the only proper way to "clear" title issues arising from severed minerals. The trial court agreed that the DMA was the exclusive remedy, and that the MTA was not applicable to severed mineral interests. The 7th Circuit court of appeals disagreed, finding no significant discrepancy between the two. This decision differs from some of the other courts of appeals in Ohio. Many practitioners are hoping that the Supreme Court will finally bring some closure on the issue of whether the DMA is the exclusive remedy for severed mineral title problems, or if both the DMA and the MTA can be utilized.

LEGISLATIVE & REGULATORY UPDATE

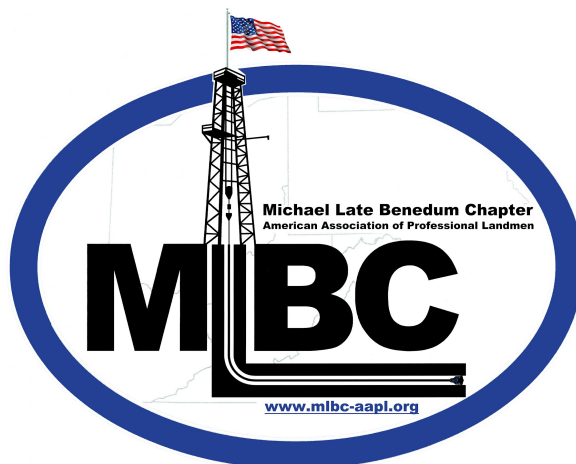
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In Pennsylvania, the US 3rd Circuit Court of Appeals effectively set guidelines for use of expert testimony for the purposes of property valuation, including pipelines. It is believed that this case would be universally applicable to all kinds of property valuation in Pennsylvania, including various easements and possibly severed mineral interests. *UGI Sunbury LLC v. A Permanent Easement for 1.7575 Acres, et al*, Case No. 18-31216 and 18-3127, (3rd Cir. February 11, 2020). In another case, it was determined that the Delaware River Basin Commission's deliberative process privilege did not outweigh the rights of others and compelled the release of documents that were relevant to such Commission's decision prohibiting natural gas wells within the Delaware River Basin. *I Snyder Bros., Inc. v. Pennsylvania Public Utility Commission*, the commonwealth court addressed a question arising from the payment of impact fees on certain vertical wells. The court found that the notice from the PUC was inadequate in this case, and that penalties and interest on the impact fees were not allowed (Case No. 1043 C.D. 2015).

On the National stage, California, Kansas, New Jersey, and West Virginia have begun the process of re-examining what makes a worker an independent contractor, as opposed to an employee. At the time of writing, none of the laws had been passed.

On February 12th, The federal government, through the Pipeline and Hazardous Materials Safety Administration ("PHMSA") released a final rule establishing new safety standards and reporting requirements for underground natural gas storage facilities. In addition, the federal Bureau of Land Management and the state of Wyoming are examining their protection schemes for the Greater Sage-Grouse, a ground-dwelling bird native to the western plains that is protected in the United States and placed at some risk by oil and gas exploration and production activities.

Nik Tysiak



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Upcoming Events

April 24, 2020

Social

Tap House – Morgantown, WV

May 7, 2020

Dinner Meeting

Wheeling Island Casino – Wheeling, WV

June 11, 2020

Scholarship & Awards Dinner

Erikson Alumni Center

July 10, 2020

Social

Tropics — Morgantown, WV

November 12, 2020

Luncheon

Bella Sera



STAY CONNECTED!

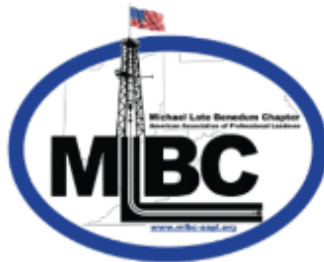
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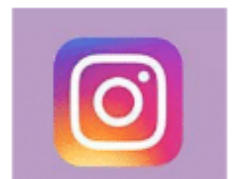
Michael Late
Benedum
Chapter
of AAPL



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2019-2020
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2019-2020



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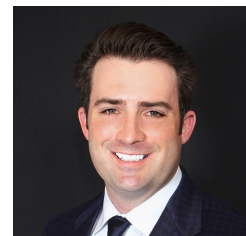


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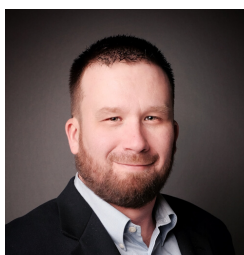
Meeting Planning:
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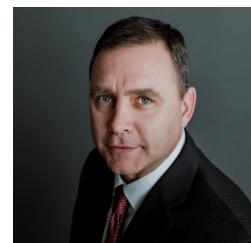
Women of the MLBC:
Amber Buric
ABuric@babstcalland.com



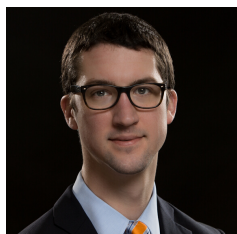
Fall Golf:
Steve Carr
SteveCarr@dudley-land.com



Newsletter Committee:
Daniel Cooper
daniel.cooper82@gmail.com



Sponsorship:
Harry Heinbaugh
harry.heinbaugh@percheronllc.com



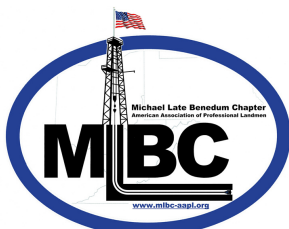
Spring Golf:
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junstrom@cassidy.com



Membership:
Ben McKinney
ben.mckinney@steptoe-johnson.com



Finance:
Robert Greiner
rgreiner@rkgconsultingservices.com



NEW MEMBERS

and CERTIFICATIONS



April 2020

First Name	Last Name	Employer	Member Type	Sponsoring Member
Tomi	Dunlevy	Cabot Oil & Gas	Associate	Morgan, Adam
Jesse	Place	Cabot Oil & Gas	Active	Diaz, Gianni
David	Richards	Lennington, Gratton, & Associates, LLP	Active	McElroy, Alexander
Chad	Lembo	Percheron LLC	Active	Heinbaugh, Harry
Angel	Pont	Steptoe & Johnson PLLC	Associate	McKinney, Benjamin
Michael	Hopkins	Williams	Associate	Stewart, Morgan
Bradley	Pitko	Holland Services	Associate	Greiner, Robert

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:

CPL

Cody Gilliam
Phillip Guerra
Sam Schwartzmiller

Total Members: 1,048

Active: 703
Active PP: 29
Honorary: 10

Total Active: 732
% Active: 69.85%

Associate : 223
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.



**This Chandor Portrait of Michael L. Benedum as well as the photo of Michael Benedum and His Plane, Bridgeport, W. Va on the cover page have been reprinted with the permission of the West Virginia and Regional History Center, West Virginia University Libraries*

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.

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 consideration in the next regularly scheduled Executive Committee meeting. A decision regarding the objection shall be made after consideration and by a majority vote at such meeting. The Executive Committee shall notify the applicant in writing of rejection.

The names of any and all newly approved members shall be added to the membership roll after the thirty (30) day period.

Dear Valued Members,

It's our hope that this newsletter finds you healthy during this pandemic. We know the stress that comes along with our current situation, so the Executive Committee of the MLBC has decided to postpone the final drop date of unpaid membership renewals at this time. It's our hope that this alleviates a small burden during these times. We will continue to work hard to bring you the support that you need in the upcoming months.

Sincerely,

The MLBC Executive Committee

