

#### AMERICAN ASSOCIATION OF PROFESSIONAL LANDMEN

#### WINNER OF THE AAPL BEST NEWSLETTER - LARGE ASSOCIATION AWARD



Rob Greiner and Daniel Cooper pose with 2020-2021 AAPL President, Lester Zitkus, as they receive the Best Newsletter-Large Association award for The Wildcatter.

## Vol. 2 Issue 4 | August 2021

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### **LETTER FROM THE PRESIDENT**



MLBC PRESIDENT, ROB GREINER

"Leaders are made, they are not born. They are made by hard effort, which is the price all of us must pay to achieve any goal that is worthwhile." - Vince Lombardi

On July 17th, the MLBC turned 62 years old! I am honored to follow in the footsteps of the 61 men and women that led before me as President of the MLBC. This organization was built and sustained on strong leadership and this past year, we were fortunate to have a great leader. Anthony Romeo dedicated much time and effort leading this organization through numerous challenges and what I'll call, unchartered territory during his term as President. In his first Wildcatter Presidential Address, Anthony touched on a few things that I'd like for us to reflect on.

First, Anthony informed the membership that he and Jeremy White met to discuss how the organization would provide opportunities to its members during such erratic times. Secondly, Anthony penned that he never imagined while working his way through the ranks of the MLBC that his term as President would begin during a worldwide pandemic coupled with an industry downturn. Finally, Anthony encouraged each of us to work on self-development by diversifying skill sets, taking advantage of educational events and staying connected with our fellow landmen. Brian Tracy once said: 'Leaders think and talk about the solutions, followers think and talk about the problems.' Excellent leadership Anthony!

During Anthony's term as President, we faced numerous adversities that stopped many leaders dead in their tracks. However, Anthony led our organization from the front and I am reminded of a quote by Zig Ziglar, "the greatest of all mistakes is to do nothing because you think you can only do a little." Our organization could have sidelined all educational events, cancelled all charity fundraising, nixed our seminars and even our monthly committee meetings. However, because of Anthony's great leadership, our organization hosted numerous virtual educational events and raised nearly twenty thousand in charitable donations. Again Anthony, I thank you and applaud your success as our leader. In late June, I attended the AAPL Annual Meeting. Overall, the diverse educational offerings presented by industry leaders and experts was quite valuable and my favorite was a luncheon panel discussion. Leadership was discussed during this luncheon panel and I'll share what I consider to be wise words from two former AAPL Presidents. James Perkins stated "listening is the key to leadership" and Scott Stone mentioned "leadership is not asking someone to do what you wouldn't do yourself". Also, during the meeting, Jeremy White was recognized as the recipient of the Best Member Communication Award and the MLBC was recognized as the recipient of the Best Newsletter-Large Association. It is always great for the MLBC to receive national recognition and I congratulate Jeremy and our Newsletter Committee on a job well done.

We kicked off the new fiscal year in July with a summer social at Club Leaf and Bean in Washington, PA. Special thanks to Campbell Development, Dickie McCamey, Honor Resources, and Percheron for sponsoring the event. Two of our annual charity events are quickly approaching. The Fall Golf Outing on August 27th and the Fall Charity Clay Shoot on October 1st. Registration is open for both and sponsorships are still needed. Our next dinner meeting will be held on September 9th in Marietta, Ohio followed by the Annual Appalachian Land Institute on October 4th and 5th. Details and registration will be forthcoming for both events.

On behalf of the 2021-2022 Executive Committee, we encourage your involvement and welcome your ideas. Please reach out to join a committee or bring a new idea to the table. I sincerely thank the membership for the opportunity to serve as the MLBC President and I look forward to the year ahead. With the help, support and involvement of our 575 members, I am confident that together, we will persevere.

Rob Greiner, RPL President 2021-2022



## PLATINUM

GOLD









## SILVER











## PLATINUM: \$5,000 PER YEAR

Benefits of Platinum Sponsor:

- Logo on the corporate sponsor board at every meeting along with the meeting sponsor board (virtually or in person).
- Logo in every edition of The Wildcatter and the bottom of every membership email.
- Receive three meeting/dinner passes for each meeting for one year.
- Receive one free Full Page advertising ad in The Wildcatter per year.
- Receive one free Half Page advertising ad in The Wildcatter per year.
- Logo on Golf Outing sponsorship boards.

## SILVER: \$1,500 PER YEAR

#### Benefits of Silver Sponsor:

- Logo on the corporate sponsor board at six meetings (virtually or in person)
- Logo in every edition of The Wildcatter and the bottom of every membership email.
- Receive one free Half Page advertising ad in The Wildcatter per year.

## GOLD: \$2,500 PER YEAR

Benefits of Gold Sponsor:

- Logo on the corporate sponsor board at every meeting (virtually or in person).
- Logo in every edition of The Wildcatter and the bottom of every membership email.
- Receive one free Half Page advertising ad in The Wildcatter per year.
- Logo on Golf Outing sponsorship boards

## **BRONZE: \$750 PER YEAR**

#### Benefits of Bronze Sponsor:

- Logo on the corporate sponsor board at three meetings (in person or virtually).
- Logo in every edition of The Wildcatter.

### ADVERTISING IN THE WILDCATTER:

Full Page Ad Half Page Ad \$500.00/month \$250.00/month

### Dinner Meeting Sponsorship

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

For more information or to purchase a Corporate Sponsor package or advertise in the The Wildcatter, please contact Abby Veigel @ <u>abbyveigel@mlbc-aapl.org</u>. Please contact Harry Heinbaugh at <u>harry.heinbaugh@percheronllc.com</u> for dinner meeting sponsorships.



# JUNE 6TH AWARDS CEREMONY

As a member of the Awards Committee, I had looked forward in great anticipation to this day. A day that the MLBC was finally able to meet together again in person. A day that our organization was able to recognize members and supporters of the MLBC for their accomplishments and their sponsorship over the past 2 years. Circumstances out of our control had forced the MLBC to cancel last year's awards presentations, so this event was locked and loaded with plenty of recognition and applause. And to say the event was a success and well received by all in attendance was an understatement. It speaks volumes for our membership and those that had put some much of their time and effort into planning this event.

The evening began with social time that ran long as we were able to catch up with old acquaintances and forge new friendships. The award winners from the 2019-2020 fiscal year were honored first and that segment of the evening was capped off with a speech from the 2019-2020 J.W. Findley Award winner, Cecil Ray, who humbly noted that success is created by the people you place around you and encouraged everyone to always be mindful on being a great role model and mentor to those you encounter in the industry. To those of us that have had the privilege to know and work with Cecil Ray, you know this is a mantra he practiced well during his career.

The evening continued with award presentations for the 2020-2021 award winners culminating with a fantastic speech from the 2020-2021 J.W. Findley award winner, Doug Richards. Doug, who served as the MLBC President from 1979-1980, ended his speech by recapping his time in the MLBC and relayed that often the hat would be passed around at events to cover costs. He praised the MLBC for its present day efforts and sound fiscal presence and compared the MLBC to an old house that he had come back to visit and told the crowd "You've taken good care of the old home place."



INCOMING MLBC PRESIDENT, ROB GREINER (RIGHT), PRESENTS ANTHONY ROMEO AN AWARD AS RECOGNITION OF HIS 2020-2021 PRESIDENCY.



2021-2022 EXECUTIVE COMMITTEE

The presidential gavel was passed from Jeremy White, 2019-2020 President, to Anthony Romeo, 2020-2021 President, and finally to Rob Greiner, the incoming 2021-2022 President as the evening progressed. Many thanks to Jeremy and Anthony for their valued contributions to the MLBC! Rob ended the evening with a recognition of the incoming 2021-2022 Executive Committee and Committee Chairs along with his introductory remarks to those in attendance. Best wishes to Rob, the entire Executive Committee, and the Committee Chairs as we forge ahead creating another fantastic year.

Daniel Cooper MLBC Local Director



# 2019-2020 AWARD WINNERS



J.W. FINDLEY LIFETIME ACHIEVEMENT AWARD: CECIL RAY



LANDMAN OF THE YEAR AWARD: RHONDA SHANNON





BEST MEMBER COMMUNICATION: JEREMY WHITE

FRIEND OF THE MLBC: CABOT OIL & GAS



# 2020-2021 AWARD WINNERS



J.W. FINDLEY LIFETIME ACHIEVEMENT AWARD: DOUG RICHARDS



LANDMAN OF THE YEAR AWARD: DAVID STOCKMAN





BEST MEMBER COMMUNICATION AWARD: NIK TYSIAK

FRIEND OF THE MLBC AWARD: LENINGTON, GRATTON AND ASSOCIATES, LLP



# LAND MANAGEMENT

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# NATIONWIDE EXPERIENCE >> APPALACHIAN BASIN EXPERTISE

# SERVICES AND SOLUTIONS >>>

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## **Michael Late Benedum Chapter**

American Association of Professional Landmen

## **MLBC FALL CHARITY GOLF OUTING**

FRIDAY, AUGUST 27, 2021 REGISTRATION OPENS @ 7:30AM SHOTGUN START @ 9:00AM CEDARBROOK GOLF COURSE, BELLE VERNON, PA WWW.CEDARBROOKGOLFCOURSE.COM

Registration is now open for the 10th Annual MLBC Fall Charity Golf Event! This year's event will be held at Cedarbrook Golf Course. Cedarbrook Golf Course offers 36 holes of championship golf, and is conveniently located at the I-70 and Rt 51 interchange in Belle Vernon, PA. Individual Golfers will be \$150.00. That price includes breakfast, hot dog and chips at the turn, BBQ dinner and prizes!

Once again, this event will be for the benefit of the Big Brothers Big Sisters of Greater Pittsburgh, which the MLBC has supported over the last ten years. The MLBC, with the generous support of our sponsors and members, has been able to donate over \$200,000 to this great charity over the years. See your sponsorship dollars at work by visiting <u>www.bbbspgh.org.</u>

> Please contact MLBC Fall Golf Chair Steve Carr (stevecarr@dudley-land.com) with any questions.



## **Michael Late Benedum Chapter**

American Association of Professional Landmen







## Sponsorship Opportunities

#### Presenting Sponsor - \$2000

One golf foursome in the event, Tent on the course, MLBC Newsletter Recognition, Name/logo on all event related emails, prominent advertisement as presenting sponsor at the event

#### CPL Sponsor - \$750

Tent on the course, signage on tee box. name/logo on all event related emails, advertisement at the event

#### **RPL Sponsor - \$500**

Prize sponsorship for raffles after golf, name/logo on all event related emails, advertisement at the event

#### RL Sponsor - \$250

Your Company name/logo will be posted on a sign in a visible location on one of the tee boxes as well as recognition at dinner. (Must obtain a CPL Sponsorship to set up a tent at a tee box)

#### **Personalized Sponsorships**

If you are looking for a more personalized way to reach individual golfers, contact us and we can show you available options, or we would be happy to pass out your company swag (ex. Tumblers, golf towels, golf balls)



#### SPONSORSHIP OPPORTUNITIES

\*Available\* Key Sponsor- \$7,500 - Three four-person teams, logo banner at lodge, logo on sponsorship board at entry, 2021 Veterans Charity Clay Shoot Polo shirts for 12 team members.

\*Available\* Platinum Sponsor- \$2,500 - Two four-person teams, logo on sponsorship board at entry, 2021 Veterans Charity Clay Shoot Polo shirts for 8 team members, one station sponsorship.

\*Available\* Gold Sponsor- \$1,500 - One four-person team, logo on sponsorship board at entry, 2021 Veterans Charity Clay Shoot Polo shirts for 4 team members, one station sponsorship.

\*Available\* Silver Sponsor- \$500 - Logo on sponsorship board at entry, one station sponsorship.

\*\* All sponsorship levels are welcome to set up a hospitality tent in designated areas on-course or next to the lodge.

Please contact Joe Cunningham at jcunningham@nne-llc.com or Chuck Dornetto at cdornetto@nne-llc.com for sponsorship opportunities.



## **Past MLBC Veterans Charity Clay Shoots**















## **Past MLBC Veterans Charity Clay Shoots**









### About the WVU Law Veterans Advocacy Law Clinic

There are approximately 170,000 veterans that currently reside in West Virginia, many with acute and unique legal needs related to their military service or return to civilian life. In the clinic, law students have the opportunity to represent the West Virginia veterans in litigation before administrative agencies and courts on benefits, discharge upgrades, employment claims and other civil matters. In addition, students can represent local and national organizations in non-litigation matters relating to the legal needs of veterans, including regulatory and legislative reform efforts, media advocacy, and strategic planning.

For more information, visit:

https://www.law.wvu.edu/clinical-law/clinics/veterans-advocacy

## **AAPL 67TH ANNUAL MEETING**



Arlington, TX served as the host city for the 67th AAPL Annual Meeting from June 23-26. The host hotel for the meeting was Live! by Loews, which was situated close to the Dallas Cowboys AT&T Stadium and the newly built, Globe Life Park, where the Texas Rangers play. The hotel offered great views of the Cowboys stadium and was connected to Globe Life Park. An excellent host venue in every way for the Annual Meeting festivities!

Rob Greiner and I along with Aaron Yost and Britney Crookshanks attended the event. Aaron served as the Chairman of the AAPL Awards Committee while Britney was making her debut as our AAPL Director. Below is a picture of us at the Opening Session



The Welcome Reception Venue



Rob Greiner, Daniel Cooper, Britney Crookshanks and Aaron Yost

The Welcome Reception was the kickoff event and it was a really cool evening! It was held in an outdoor venue at the host hotel. Despite the Texas heat playing havoc on the attendees who chose to wear business casual attire (like myself!), the event was a great success with a great deal of networking and industry discussions taking place. Attendees even had the chance to take a picture with an actual Texas Longhorn. Your current MLBC President, Rob Greiner, actually secured a picture with the southern bovine, so ask him to see it at our next event! The next day began with an Opening Session and Awards Ceremony. This part of the Annual Meeting is primarily focused on recognizing the achievements of AAPL members and their chapters. highlighting service milestones for AAPL members and providing recognition for graduating students. This year, the MLBC was honored as an organization and one of our members received individual accolades. The MLBC was awarded with the Best Newsletter -Large Association for the August 2020 edition of The Wildcatter. Jeremy White awarded Best was Member Communication for his contribution in the February 2020 edition of The Wildcatter entitled "Black Clouds, Silver Linings and Guatemalans." It was a great honor to see the MLBC receive such great recognition with the AAPL!! We are featuring Jeremy's article again in this edition of The Wildcatter to honor his achievement.



Opening Session Keynote Speaker, Jimmie Cho

The keynote speaker for the Opening Session was Jimmie Cho from the Southern California Gas Company. Mr. Cho initially provided the attendees some background on who Southern California Gas Company was and the size and scope of their service area....quite impressive! He then spoke on a variety of topics from energy's future to corporate slogans to the interdependence of renewable energy and natural gas to energy storage and its affordability outlook. He tied all this back into how energy is transitioning constantly and being aware of those transitions will serve our industry well. He did all of this without the use of his slide presentation which he told the crowd he left in his office in Southern California. Also quite impressive!



Outgoing AAPL President, Lester Zitkus, hands the gavel to the incoming AAPL President, Jim Devlin

The day continued with a luncheon and business meeting. The business meeting was conducted by the incoming AAPL President. Jim Devlin after closina remarks and a transfer of the gavel by the outgoing President, Lester Zitkus. Mr. Zitkus is to be commended for steering the AAPL through a rough year with all the interruptions brought about in 2020 and deserves a ton of credit for his leadership and determination to keep the membership as connected as possible. Mr. Devlin laid out his vision for his presidency which includes increasing access to AAPL's library of forms, an analysis of AAPL's business operations and a focus on increasing attention to input from the local organizations and chapters under the AAPL umbrella. I look forward to Mr. Devlin's presidency and wish him all the best.

The remainder of the day was filled with various classes about acquisitions/divestitures, ethics and a class on what steps to take after drilling a well. One of the benefits of the AAPL Annual Meeting are these classes, which provide interesting topics and the continuing education credits needed to maintain certifications are in abundance.

Friday saw more classes including a very interesting Comparative Title Law class that conducted a comparison of title law in Oklahoma, Texas, New Mexico and Louisiana. However, the highlight of the day was a panel discussion comprised of past Presidents of the AAPL.



Past Presidents Panel Discussion

The past Presidents included David Cape, Michel Curry, Pamela Feist, James M. Perkins, Jr., Scott Stone and Steve Wentworth, Carl D. Campbell moderated the discussion. Those who attended were treated to a delightful conversation between six captivating individuals that had equal doses of humor, insight and advice to share with the crowd. They also were given the opportunity to share their memories from their time as President of the AAPL. Overall, it was one of my favorite events of the entire Annual Meeting.



The band, Stratosphere, playing at the Landman Bash

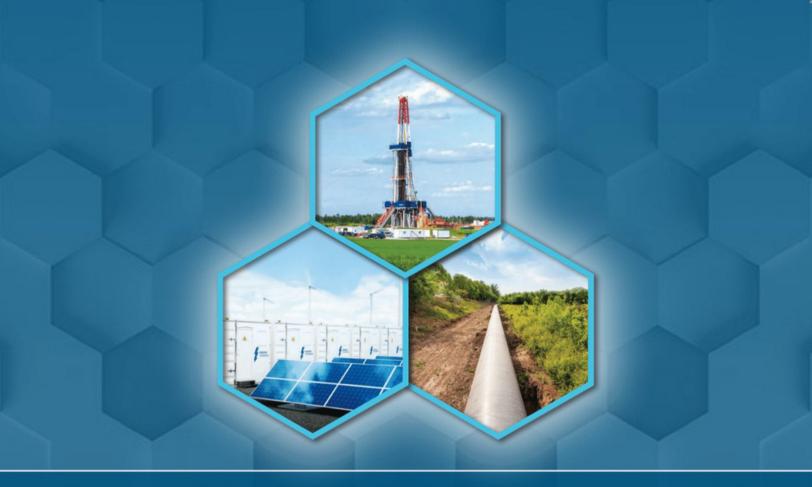
Friday ended with the Landman Bash that was a little different this year. Since the host venue was connected to the Texas Rangers ballpark (which is an indoor stadium and a fantastic venue and I urge you to check it out if you are ever in Arlington), the organizers decided that the attire should be baseball related or at least from your favorite sports team. It was an outdoor event with hotdogs and hamburgers complete with a party band called Stratosphere that played some great tunes. Two big screen televisions were on either end of the stage which allowed partygoers to also watch the baseball game going on inside the stadium. It was a fantastic end to a wonderful Annual Meeting.



Partying the night away!

The Annual Meeting is a fantastic way to see people in the industry from across the country, to attend some educational events with some great topics and to gain an understanding of the reach and scope of the AAPL which works tirelessly to promote and protect the oil and gas industry. I encourage every member to take the opportunity in the future to go to an Annual Meeting. You will not regret taking the time to attend.....the next Annual Meeting is in Chicago.

Daniel Cooper, MLBC Local Director



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## **AAPL DIRECTOR'S REPORT**

By: Britney Crookshanks, Regional Director



AAPL has been extremely busy over the last year redirecting resources to support virtual educational opportunities and essentially taking the association 100% virtual as the pandemic continued to rage throughout the nation in 2020. This past June 23rd-26th, AAPL was able to host the first in-person event since the beginning of the COVID nightmare, being the AAPL's 67th Annual meeting in Arlington Texas. The event was packed full of educational opportunities, awards ceremonies, Board of Directors meeting and welcoming the incoming leadership for the upcoming year. The event was wildly successful as so many Landmen were able to connect and catch up after a year or longer of being secluded to virtual meetings. The energy level was high and people were excited to be back together again.

Throughout 2020 and into 2021 AAPL has not only had to evolve to better support a shift in how to provide member benefits, but they have also undergone a critical review of current goals and focus points of the association. During the Board of Directors meeting Lester Zitkus as President of AAPL presented the Associations 2021-2023 Strategic Plan. This plan revolves around 6 main goals for the association.

- 1. Excellence Advance the culture and structure of AAPL to ensure excellence
- 2. Education Position AAPL as the go-to resources for information, certification, and training.
- 3. Value Deliver and promote world class member value to attract and retain membership.
- 4. **Diversity and Inclusion** Build and foster a diverse and inclusive organization that is representative of both cultural and professional diversity in members and leadership
- 5. Advocacy Promote the profession through elevating the voices of land professionals
- 6. Sustainability Ensure the financial security and longevity of the Association

AAPL leadership is currently working with a company who specializes in restructuring and organizing associations and companies based on their strategic plans. The current by-laws, policies and committees are being reviewed and updated based on AAPL's evolved goals and needs. The board and membership will be updated as progress is made to achieve these goals over the next two years. AAPL also adopted and approved a new Anti-discrimination and Harassment policy to support the ongoing efforts of Diversity and Inclusion within the association. AAPL has also amended the definition of Landwork to include not just fossil fuels as the source of energy but to expand to include all sources of energy.

The next AAPL quarterly board meeting will be in Cleveland Ohio on September 19. If there are any concerns, suggestions or questions you have for AAPL, please do not hesitate to reach out to me. I am excited about the opportunity to serve as your Regional Director. The MLBC has been very special to me for the last 15 years and I am honored to represent you and the rest of MLBC at the national level!



#### AAPL BEST MEMBER COMMUNICATION AWARD

## BLACK CLOUDS, SILVER LININGS, AND GUATEMALANS

This article originally appeared in The Wildcatter - Volume 1, Issue 2. This article and its author, 2019-2020 MLBC President Jeremy White, were recently presented with the AAPL Best Member Communication Award at the 67th AAPL Annual Meeting held on June 23-26 in Arlington, TX. We would like to commend Jeremy on this accomplishment!

I had a supervisor once who said, "Things can always be worse, and if they can't get worse, they can only get better." As I write this letter, the stock of the company for which I work is trading at \$7.40, down from \$21.86 a year prior, which was down from around \$32.00 the year before that. Depressing? Yes. Unique? No. The reality is that most everyone in the oil and gas patch is feeling the pain resulting from an oversupply of the products we help produce and as a result, depressed prices and depressed stock values. Several bankruptcies have been announced, as well as asset divestitures. In this environment it can be very easy to dwell on the negative. I'm sure you know the type of person who will find a black lining in every silver cloud, a person who is always focusing on the negative. Those people are a drain, and it seems like I run in to them much more frequently now in this market.

Funny thing — you know where I didn't seem to run into those negative people? The January MLBC Dinner Meeting in Southpointe, PA. I'm not just saying that either. I talked to many people, several of whom were currently looking for employment, and everyone was positive and generally upbeat. In fact, when it came time for me to welcome the crowd and get folks to take their seats, the crowd was so lively and loud that I pretty much had to yell to get their attention. I love it. That's the way it should be. I'd like to thank everyone who came out on that cold evening in Southpointe. In addition to the networking and catching up that went on, Nik Tysiak gave a very good presentation on the tax sale maze and somehow made that topic more entertaining than it should be. I enjoyed the positivity in the room, and a handful of us went next door for beers afterwards. In the midst of this downturn, it felt a little like the "good ole' days". To highlight even more positivity, I know of at least one person who found their next job by speaking to someone at their table during that meeting. Congratulations!

In keeping with the topic of staying positive, sometimes it helps to look back and think about some of the good we have done and some of the positive experiences we have had. I encourage you to do that regularly. This industry has changed people's lives. Not only has it provided above average employment for us, it has literally been life changing for many of the people we have come in contact with. I'll take this opportunity to share with you one of my experiences.

I was managing a leasing project that was right in front of the drilling rig, so to speak. One of my direct reports (for the sake of protecting names, we'll call her Judy), came to me to explain a situation that was developing with one of her landmen in the field (we'll call him Tom). Tom had been trying to track down an heir to an oil and gas interest and had determined they lived somewhere in Guatemala, but he couldn't determine where or if they were still alive. After much detective work - Tom is a diligent landman after all - he found a relative who lived in Los Angeles and established communication. It turns out that the Guatemalan couple were alive and well. I'll call them the Garcias in order to protect their identity. I know that may seem like a generic name, but that's actually the second most common surname in Guatemala, so I didn't arrive at it randomly. Mrs. Garcia had inherited the interest via intestate succession from her father who was a West Virginia born soldier stationed in Guatemala for a while. I'll let you connect the dots there.

#### CONTINUED

The couple spoke no English; however, Tom was able to communicate through the nephew. Apparently, we were not the first oil and gas company to locate them. They had a bad experience with whomever they had dealt with before and were purposely being unresponsive because of their trust issues. Once Tom earned their trust however, they determined they wanted to come all the way to West Virginia to execute the lease, rather than handle it at home. They were not materially well off, but their nephew helped them with the travel cost. Tom arranged for a meeting at his brokerage's office. The nephew, his wife, and the Garcias all arrived at Tom's office to execute the lease bonus money to their trust issues, they would only execute if we immediately wire transferred the lease bonus money to their bank in Guatemala. As you can imagine, this created some difficulty for Judy and I to arrange, but we got everything set up ahead of time. Judy and I were waiting at our office for word that the documents had been executed and then we would finalize the wire transfer.

The call came in. Tom said the Garcias were NOT going to execute the lease. We were in disbelief! How and why would a couple come all the way from Guatemala to execute a lease only to leave empty handed? Judy and I had to find out for ourselves. She called Tom back and said "Don't let them leave! We are heading to your office immediately."

We arrived at his office shortly thereafter and were greeted by the nephew. Keep in mind that the Garcias don't speak a word of English, and my Spanish is extremely limited at best. The nephew and his wife served as translators for the conversation that ensued. He calmly explained that they would not be executing the lease at that time because the tax burden for a non-citizen was much more than they had planned for. Since Mrs. Garcia was the child of a US serviceman, she had an expedited path towards US citizenship. It is something she had always wanted to do, but in all her years she never had. This was her opportunity. She could even have her own tax ID and pay her taxes as a US citizen at a lower rate. She would go through this process and execute the lease after becoming a citizen, which would take about a year. I understood their position, but the problem was that I needed that lease now - not in a year!

After some thinking, I reviewed the budget and determined we could come up with a little more money (robbing Peter to pay Paul sort of thing). I asked them if they would execute the lease if we agreed to "gross up" the bonus payment so that after taxes, they still went home with the total they were hoping for. They seemed confused and wondered why we would agree to do that. For them, waiting another year was no big deal. However, as you know, for us in the land business, time is money. They were overly appreciative and agreed. Now the problem became the wire transfer. We had already set things up through our accounting department and all that work would need redone, which would take another day. They agreed to come back the next day while we got all the new documents in order for the transfer. Judy got to work that afternoon. She was going to be off the next day, but she had everything teed up for us and ready to go.

The next day, after executing the lease documents, we initiated the wire transfer. The Garcias didn't want to leave until they had confirmation from their bank that the money was in their bank, which took about four hours. During this time we spoke about our families, our hobbies, and many other topics. Up to this point, I thought the possibility still existed that they were just playing hardball and we were just being played by some slick negotiators.

#### CONTINUED

It was during this time, however, that they finally began to reveal what some of their plans were for the bonus money. They were going to help their son import half a dozen mushroom varieties from Hawaii and establish them in Guatemala to help with agriculture and food production. They have a mission they personally run and they feed around 150 individuals each week. They also provide shelter for the homeless. They had plans for expansion, so that they could help more people. The Garcias are about as genuine, humble, and good as anyone you would hope to meet. After the wire confirmation came through, goodbyes, best wishes, and hugs were exchanged all around. In the end, they offered to open up their home to my family so that we could come visit and they could give us a tour of the Guatemalan landscape. I'm still contemplating that when the kids get a little older.

A couple weeks later, I received this email from Mrs. Garcia:

"Respectful Mister White:

Wishing that in your daily performance you achieve the desired success.

We arrived in Guatemala terribly tired but our spirit brimming with joy for having met people as kind and sincere as you.

We are really worried that we still don't speak English and that is our emerging goal to be able to communicate openly.

We are very grateful to our Creator who allowed us to reach you and meet you personally.

Thank you for your sincerity, your honesty and your great help in achieving what has been accomplished.

With Jacobo and his wife Rossi we talked about the beautiful person you are. God bless you always.

We were very well impressed with \*Mr. Tom\*, because we saw in him a great quality of being human. Responsible and very active. Blessings to him too.

Looking forward to hearing from you with our appreciation and esteem, sincerely,"

Are you kidding me? If that is not a positive experience I don't know what is. I've been a part of many deals over the years, but that is one that will stick with me. I have no doubt it will stick with Tom and Judy as well. No doubt everyone else has positive experiences from their careers that they can reflect on too. Some of them may be life changing like this one was and some of them may less so. But they are good experiences nonetheless. As we navigate this downturn, take time to reflect on positive experiences. Take time to reflect on some of the successes of which you have been a part. Why not take a moment to share a positive experience or anecdote with someone else?

February 13th is a great time to do just that. The MLBC will be having a membership appreciation happy hour at the Parlay Lounge in Washington, PA. The cost to attend is free for members and prospective new members. It's our way of helping keep things positive and moving forward. My hope is that we have an even livelier crowd there than we had in Southpointe. Remember – at least one person landed a new gig at the meeting in January. That's certainly positive, and it's one of the reasons we are here. I'll see you in Washington!



## LEGISLATIVE & REGULATORY UPDATE

By Nikolas Tysiak, Legislative and Regulatory Chairman

Happy Summer to all the membership. Not a ton to report on this period, so more time for barbecues and other activities!

#### **PENNSYLVANIA**

On April 29, in SLT Holdings, LLC v. Mitch-Well Energy, Inc. (Case NO. 6 WAP 2020), the Pennsylvania Supreme Court addressed a case involving the claimed abandonment of leases. Litigants sought an equitable remedy under the abandonment doctrine but the Supreme Court fund that the interpretation of the lease terms fell more properly under a breach of contract analysis. In so doing, the Court reversed the trial court and returned the case back to trial for further proceedings. In short, the court held that, because SLT Holdings, LLC and the other appellees "had available to them a full and adequate remedy at law, through contract principles generally applicable to oil and gas leases, and through the specific provisions of the subject leases, we conclude it was error to provide recourse through applications of the equitable doctrine."

Sen. Steve Satarsiero (D) introduced SB 650 on June 7th. The bill would increase existing well setbacks of 500 feet from a building or private water well and 100 feet from a public water supply, surface water intake, reservoir or other water supply extraction point to 2500 feet and 5000 feet, respectively. It would also require a 5000 feet setback from schools and hospitals.

On June 11, a federal court dismissed a lawsuit by Republican state lawmakers that sought to overturn a ban on gas drilling and hydraulic fracturing in the Delaware River Basin, find that the plaintiffs lacked standing to sue. The court stated that the dispute "is primarily partisan and is best resolved through the political process." However, the court did allow the Pennsylvania municipal plaintiffs representing Carbon and Wayne Counties and Damascus and Dyberry Townships to proceed, giving them permission to re-file their suit by July 1, 2021, to give them a chance to "articulate how the moratorium actually injured them." See Yaw v. Delaware River Basin Commission (Case No. 2:21-cv-00119).

#### <u>OHIO</u>

A public hearing on HB 152, designed to amend Ohio's forced pooling statutes and accompanying regulations, was held on June 16, 2021. The proposed regulations allowed for significant deductions of post-production costs from the interests of owners that were force-pooled into Ohio production units for oil and gas development. The bill has been in committee with the Ohio House since February. The June hearings experienced extensive opposition testimony, and has not since then been further discussed or advanced. We will continue to monitor the legislation, but it appears to have died in committee.

In July, a trial court in Belmont County awarded a \$40 million verdict against Rice Drilling D, LLC and Gulfport Energy for damages in a trespass case. The leases at issue were limited to develop oil and gas only from certain depths, and the operators had been previously found liable for violating the depth limitations in late 2020. The jury only decided on damages in July, awarding to the landowner, Tera, LLC, various damages, including punitive damages. Sources report there is some disagreement regarding the valuation of the gas improperly removed under the land in question, and the decision will likely be appealed to Ohio's 7th District Court of Appeals.

Thanks again, please don't hesitate to send any questions or comments to your legislative and regulatory committee.

MLBC Legislative and Regulatory Chair - Nik Tysiak



A GREAT VENUE, A PERFECT EVENING, SUPERB FOOD, AND GREAT COMPANY WERE JUST A FEW OF THE ACCOLADES BEING PASSED AROUND AS WE GATHERED FOR THE MLBC SUMMER SOCIAL AT CLUB LEAF AND BEAN IN CANONSBURG, PA. A WONDERFUL WAY TO KICK OFF THE 2021-2022 YEAR! ENJOY THE PHOTOS.



HOW DO WE PLAY THIS GAME?



EVEN MLBC PRESIDENT, ROB GREINER, ENTERTAINED THE CROWD!



HARRY HEINBAUGH, ROB GREINER, JUSTIN NIXON, TYLER MURRAY, JOHN CATSONIS, JONAH TAYLOR, SETH JARVIS, TYLER COMPSTON



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THE VENUE



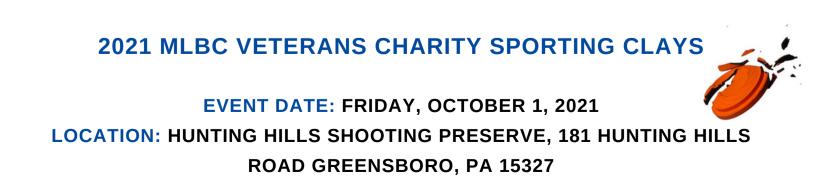
## 2021 MLBC FALL CHARITY GOLF OUTING

## EVENT DATE: FRIDAY, AUGUST 27, 2021 LOCATION: CEDARBROOK GOLF COURSE, 215 STATE ROUTE 981 BELLE VERNON, PA 15012

# 

## **DINNER MEETING - THE GALLEY IN MARIETTA**

## **EVENT DATE:** THURSDAY, SEPTEMBER 9, 2021 **LOCATION:** THE GALLEY, 203 2ND STREET MARIETTA, OH 45750



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2021-2022

Executive Committee



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#### THE WILDCATTER



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## **NEW MEMBERS & CERTIFICATIONS**

# **AUGUST 2021**

Duncan

First Name Last Name Wilks

Employer Marcellica **Resources LLC** 

**Member Type** Active

**Sponsoring Member Kyle Hardy** 





# SHOUT OUT!

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

> Mitchell Swartz, CPL Randall Randolph, RPL Jason Alridge, RL **Bethany Ware, RL**

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

Total Members: 574			
Active: Active PP: Honorary:	362 29 10		
Total Active:	391		
% Active:	68.12%		
Associate :	89		

Student: 84

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## **MEMBERSHIP INFORMATION**



The MLBC membership application is located on the website at <u>www.mlbc-aapl.org</u>. Please check your information on the website prior to submitting your renewal. The <u>MLBC website</u> 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 <u>abbyveigel@mlbc-aapl.org</u>.

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.



Thank you!

We are honored that The Wildcatter has received the Best Newsletter – Large Association Award from the AAPL. We would like to thank all of our sponsors, content providers and many others who have assisted and supported us on the path to creating a high quality newsletter for the MLBC membership. We take great pride in providing our leadership an avenue to communicate with our members with original and educational content, giving recaps of past MLBC events and notice of future ones, and providing information on what is happening on the national level to the MLBC every 2 months and we hope to continue improving with each new edition.

Sincerely, Daniel, Scott and Matt – MLBC Newsletter Committee