

AMERICAN ASSOCIATION OF PROFESSIONAL LANDMEN



Past and Present members of the Marietta College Energy Land Management program attended the September dinner meeting.

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LETTER FROM THE PRESIDENT



MLBC PRESIDENT, ROB GREINER

What is Purpose?

What is Purpose? By definition, purpose is the reason for which something is done or created or for which something exists. Purpose may be defined as a meaningful intention to achieve something while making a positive mark. During my involvement in the MLBC, I have witnessed the practice of purpose on many occasions and carried out by many different individuals. Based on the purpose as set forth in the organizational by-laws, the MLBC duly upholds its purpose and its members are to be applauded.

MICHAEL LATE BENEDUM CHAPTER OF AMERICAN ASSOCIATION OF PROFESSIONAL LANDMEN By-laws

ARTICLE IV Purpose

The Association is organized as a local association of the AAPL and adopts, ratifies and confirms the purpose, By-laws and Code of Ethics thereof, except as otherwise stated herein. In addition, this Association is organized for the purposes of:

- 1. Fostering fellowship among members
- 2. Furthering the landman's profession through educational activities
- 3. Maintaining a professional and ethical membership
- 4. Impressing upon the membership their role as representatives of the land profession in their interactions with the public
- 5. Providing members with opportunities for community service

Upon reflection, I resolutely value the purpose of this organization and commend the many who are involved and the innumerable before us that built this organization into what it is today. Michael L. Benedum, two years prior to his death in 1959 made the following statement in the Fifth Codicil to his Last Will and Testament and per the Claude Worthington Benedum Foundation, "this statement reflects Mr. Benedum's charitable intentions".

Excerpts from the Fifth Codicil to the Last Will and Testament of Michael L. Benedum

The disposition of a not inconsiderable estate is never an easy assignment. It has been a thorny & laborious problem for me because, recognizing my frailty & inadequacy, I have not been able to lose sight of the awesome responsibility involved.

If I could have looked upon my material goods as personal property, belonging to me alone, my task would have been immeasurably lighter. But I have never regarded my possessions in that light. Providence gives no fee simple title to such possessions. As I have seen it, all of the elements of the earth belong to the Creator of all things, and He has, as a part of the Divine Purpose, distributed them unevenly among His children, holding each relatively accountable for their wise use and disposition. I have always felt that I have been only a trustee for such material wealth as Providence has placed in my hands. This trusteeship has weighed heavily upon me. In carrying out this final responsibility of my stewardship, I have sought to utilize such wisdom and understanding of equity as the Creator has given me. No one with any regard for his responsibility to his God and his fellow man should do less. No one can do more.

As I have seen it, life is but a proving ground where Providence tests the character and mettle of those He places upon the earth. The whole course of mortal existence is a series of problems, sorrows & difficulties. If that existence be rightly conducted, it becomes a progress towards the fulfillment of human destiny. We must pass through darkness to reach the light.

Throughout my adult life, day by day & year by year, I have been instilled with the conviction that wealth cannot be measured in terms of money, stocks, bonds, broad acres or by ownership of mine and mill. These cannot bear testimony to the staple of real excellence of man or woman. Those who use a material yardstick to appraise their wealth and foolishly imagine themselves to be rich are objects of pity. In their ignorance and misanthropic isolation, they suffer from shrinkage of the soul.

All of us aspire to a higher and better life beyond this, but I feel that the individual who seeks to climb the ladder alone will never find the way to Paradise. Only those who sustain the faltering ones on the rungs above and extend a helping hand to the less fortunate on the rungs below, can approach the end with the strength of sublime faith and confidence.

At the end of life each of us must face the great teacher that we call death. Stern, cold & irresistible, it walks the earth in dread mystery and lays its hands upon all. The wealth of empires cannot stay its approach. As I near my rendezvous with this common leveler of mankind, which takes prince and pauper alike to the democracy of the grave, I do so with resignation to the will of God, and with faith in His eternal justice.

Life has been sweet to me...sweet in the loved ones that have been mine, sweet in the friends who have surrounded me & rewarding in the opportunities that have come my way. I could not leave this earth with any degree of happiness and satisfaction if I felt that I had not tried to bring some of these joys to those less fortunate than I have been.

We know not where seed may sprout. In the poorest and most unregarded child who seems to be abandoned to ignorance and evil, there may slumber virtue, intellect and genius. It is our duty to sow and to nurture, leaving it to others to harvest the fruits of our efforts.

While I am conscious that my love for the land that gave me birth has been an influence in guiding the disposition of my estate, there are other practical reasons why I have favored my native state of West Virginia. It is not that I am unmindful or unappreciative of my adopted home of Pennsylvania, but rather that I have sought to appraise and balance the needs of each and the available potential for supplying those needs.

I cannot close my eyes to the realistic consideration that Pittsburgh and Pennsylvania abound in riches, having a citizenship in which men of great wealth are more common than rare. West Virginia is in a less fortunate position. There can be no question but that its needs are much greater than those of my adopted home. Consequently, in making specific provisions for West Virginia institutions, I have done so in good conscience, with a sense of equity & with recognition of a responsibility to distribute my estate in a way that will bring the greatest good to the greatest number. This decision was not made lightly or impetuously.

Conscious that in this Codicil to my Last Will & Testament, I am figuratively speaking from the grave, and that the great book of my account with the Creator has been closed beyond change or amendment, I submit my soul to His tender mercy, and my memory to the generosity & compassion of my fellow man.

Signed by Michael L. Benedum on the 15th day of June 1957

That my fellow MLBC Members is purpose and what an honor to be part of such an incredible organization named after such a purposeful and God fearing landman. Fervently, I believe that the purpose of Mr. Benedum shines bright 62 years later and our namesake would be humbly proud of this chapter named in his honor.

Robert K. Greiner MLBC President 2021-2022



PLATINUM

GOLD





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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.
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- Receive one free Half Page advertising ad in The Wildcatter per year.
- Logo on Golf Outing sponsorship boards.

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- Receive one free Half Page advertising ad in The Wildcatter per year.
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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.



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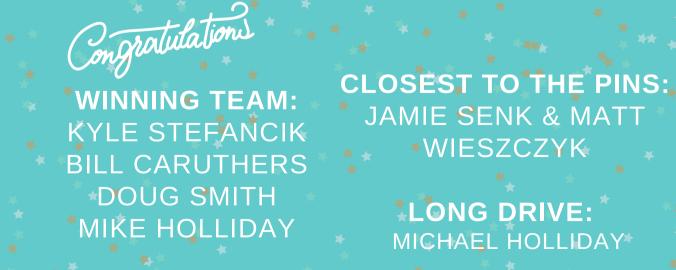
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2021 FALL MLBC CHARITY GOLF OUTING CEDARBROOK GOLF COURSE IN BELLE VERNON, PA FRIDAY, AUGUST 21, 2021

90 GOLFERS RAISED \$7,000 FOR BIG BROTHERS BIG SISTERS OF GREATER PITTSBURGH!









2021 FALL MLBC CHARITY GOLF OUTING 🐌

A HUGE THANK YOU TO ALL OF OUR SPONSORS!



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2021 FALL MLBC CHARITY GOLF OUTING 🗜



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2021 FALL MLBC CHARITY GOLF OUTING 🗜



RYAN HEASTER, HARRY HEINBAUGH, SETH JARVIS, BRANDON ALLEN



TIM SURMICK, CALEB CAMPBELL, BILL CARUTHERS, TODD FLEMING











THE WILDCATTER





Member Spotlight: Jim Kane

Tell us a little about yourself.

I am a Pittsburgh area native who enjoys golfing, snowboarding, fly fishing, and triathlons in my free time. After obtaining my undergraduate degree from The Catholic University of America in Washington D.C., I returned to Pittsburgh to pursue my law degree at Duquesne University. I currently reside in the North Hills of Pittsburgh with my wife and two daughters.

Who are you currently employed or contracted with?

I am a partner of Cassidy Anderson & Kane, P.C.

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 have been working in the oil and gas industry since 2009, primarily in Pennsylvania, West Virginia, and Ohio. I belong to the AAPL (including both local chapters of MLBC and NALA) and to the Energy and Mineral Law Foundation. I have also been active with the PITROW group, IRWA Chapter 88.

Tell us about your first position in the industry.

My first position in the industry was working as a landman for an independent broker. What started as a position primarily focused on addressing curative items prior to drilling quickly turned into title researching and leasing throughout central and southwestern Pennsylvania.

What areas of the industry do you have experience in?

My time in the industry has included everything from leasing to preparing title status for drilling units in house. Currently, at Cassidy Anderson & Kane, my practice focuses on title and due diligence for oil and gas, pipelines, coal, solar, and wind operations.

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

My first job in the industry was working with Larry Edelstein. Larry has remained a friend, colleague, and constant source to bounce ideas off of. During my time with Atlas/Chevron, my current partner, Renee Anderson, became both a friend and mentor to me and has remained so to this day. In addition to Larry and Renee, I had the pleasure of working with Mike Hartzell in the mentorship program at Chevron. Mike was an invaluable resource in learning about all the moving parts of our industry and helped to shape my career path at and beyond my time at Chevron.

How long have you been a member of the MLBC. Do you currently have any certifications through the AAPL? I have been a member of the MLBC since 2014.

What benefits have you found as a member of the MLBC? What are your favorite aspects?

One of the most obvious benefits to the MLBC is the access to continuing education and the relationships that you can form through the events. While I always appreciate the CLE credits, my favorite aspect is the events and consistent opportunity to grow my relationships with other professionals in the energy industry.

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 serve on the Executive Committee for the Northern Appalachian Landman's Association and am on the Board of Trustees for the Energy and Mineral Law Foundation. Additionally, I serve as the Spring Golf Committee Chair for MLBC.



SEPTEMBER DINNER MEETING: AN EVENING AT THE GALLEY SEPTEMBER 9, 2021 - MARIETTA, OH



MLBC President, Rob Greiner, giving opening remarks.

A beautiful evening greeted meeting attendees as the MLBC conducted its September dinner meeting in Marietta, OH at The Galley which was only a few blocks away from the campus of Marietta College. The students in the Energy Land Management program at Marietta College were the guests of the evening and the MLBC was honored to host 11 students who are presently in the program or had graduated recently. Those in attendance enjoyed getting to know the students and were also treated to a good meal and an interesting presentation from Dan Corcoran from Thiesen Brock. His presentation entitled, Dealing with Ohio Landowners, presented the argument from the viewpoint of the landowner and the attorneys that represent them. This was certainly a different perspective and was a valuable learning experience for all in attendance. Overall a great evening spent with colleagues and the students of Marietta College. The MLBC wishes them well in their endeavors this year!



Dinner speaker, Dan Corcoran, giving his presentation.



Meeting attendees sharing some conversation before dinner.



Thank you to our sponsor!



Tina Thomas provided some information about Marietta College's energy land management program.



Dealing with Ohio landowners

Dan Corcoran 424 Second Street Marietta, Ohio 45750 740-373-5455

SEPTEMBER DINNER MEETING: AN EVENING AT THE GALLEY







2021



PENNSYLVANIA MAKING A RENEWED PUSH TO OPEN THE DOORS TO COMMUNITY SOLAR PROJECTS

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The Commonwealth of Pennsylvania is experiencing an influx of renewable energy development. Solar energy projects are becoming more economically viable even in the northern portion of the continental United States as technology improves and government incentives drive investment. The amount of land used in these projects varies by type, but bigger projects can encompass hundreds-or even thousands-of acres of property under negotiated options, leases, or purchase agreements. While the renewable energy land acquisitions have not reached the fever pitch of oil and gas leasing during the Marcellus boom, land professionals seasoned by the boom are a great resource for renewable energy companies entering the Commonwealth. This article summarizes broad classifications of solar development and highlights the potential for increased community-scale solar development in Pennsylvania.

There are three broad classifications of solar development by size: rooftop solar, community solar and utility-scale (or grid-scale) solar. Rooftop solar is a form of "distributed" solar. These types of residential or small commercial solar energy generation systems are connected "behind the meter," which means the energy is used directly on-site. Community solar consists of mid-size solar arrays connected to the electricity distribution grid. Community-scale solar electricity is distributed "behind the meter," but does not necessarily need to be used onsite. Multiple community members can subscribe to a community solar program and receive the benefit, even if the subscribers are not on the site where the power is generated. Finally, utility-scale solar projects generate electricity that feeds into the transmission grid. These are often the biggest projects by land area and may encompass hundreds of acres.

While utility scale solar and rooftop solar development has recently increased in Pennsylvania, community-scale development could receive a push by either of two bills in the Pennsylvania General Assembly: Pennsylvania House Bill 1555 and Senate Bill 472. Under both bills, a "community solar facility" is generally defined as a project that 1) generates electricity by means of solar photovoltaic devices [i.e., solar panels] with a capacity that does not exceed 5,000 kilowatts (5 megawatts) of alternating current, 2) is located within Pennsylvania, 3) connects to and delivers electricity to a distribution system operated by an electric distribution company, 4) has at least two subscribers with no single subscriber subscribing to more than 50% of the facility's output, 5) credits the generated electricity to the subscribers' bills, 6) may be located remotely from a subscriber's premises, and 7) must be owned or operated by a community solar organization. The bills allow the benefits of a medium range capacity project (up to 5 megawatts) with offsite subscribers.

These materials are public information and have been prepared solely for educational purposes. These materials reflect only the personal views of the authors and are not individualized legal advice. The authors and Steptoe & Johnson PLLC cannot be bound either philosophically or as representatives of their various present and future clients to the comments expressed herein.



Although parallel bills were previously introduced in 2019 in both the Pennsylvania House of Representatives and Senate, neither bill passed despite apparent bipartisan support. HB 1555 and SB 472 represent a renewed effort to bring community solar projects to the Commonwealth. The House Consumer Affairs Committee held a hearing for HB 1555 on August 26, 2021, at the Penn State Brandywine Campus. Testimony was received by individuals from the Solar Energy Industries Association (SEIA), PECO Energy Company, SOL Systems, IGS Energy, Enel North America, Community Energy, Coalition for Community Solar Access, and ARM Group. House Consumer Affairs Committee Chairman <u>Jim Marshall</u> (R-Beaver/Butler) stated in connection with the hearing that "[w]ith solar energy rising in popularity for customers, it is critical to hear how it could benefit the Commonwealth.... Our goal is to gather as much information on technology and energy in order to provide our consumers with reliable energy and reliable information for them to make an informed energy choice."

As in 2019, the current bills are receiving a bipartisan push toward passage. <u>Based on a report</u> made available by the PA Community Solar Economic Alliance, there are 235 community solar projects already planned across 48 Pennsylvania counties with a projected economic impact of \$1.8 billion dollars. With community solar providing a potential direct benefit to constituents in so many counties, it is understandable to see why there is bipartisan support for community solar. According to openstates.org, HB1555 has <u>46 sponsors</u> (16 Republican and 30 Democrat) while SB472 has <u>20 sponsors</u> (8 Republican and 12 Democrat).

If either HB1555 or SB472 are signed into law, Pennsylvania will likely experience an influx in community solar projects. Those projects generally involve land title work along with leasing and acquisition negotiations. Developers will find that the permitting process in the Commonwealth is very local-even though these projects are allowed by state law, siting and land use regulations are set at the county or municipal level. As such, there may be a lot of opportunity for land professionals to assist developers with obtaining options for projects in multiple jurisdictions.

Steptoe & Johnson PLLC's Renewable Energy Team will continue to monitor these developments and is happy to discuss any questions.



AAPL DIRECTOR'S REPORT

By: Britney Crookshanks, Regional Director



On September 19th the AAPL hosted a quarterly Board of Director's Meeting in Cleveland Ohio which allowed participants to attend virtually or in-person. The AAPL shared, as of June 30, 2020 the association's total assets were \$45,706,165 and they had approved a \$100,000 donation to the Educational Foundation to assist with disaster relief requests. AAPL updated the Board on the special task force created to oversee implementation of the 2021-2023 Strategic Plan which includes realigning to the 6 main goals for the association being:

- 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

The Task force updated they are in the process of working with the AAPL Bylaws & Policy Committee alongside of a consulting firm, Associations Options to revise and update the existing AAPL Policy Manual. The Task Force has also been working with existing committees to evaluate and help differentiate roles and responsibilities of committees and AAPL staff. AAPL announced Le'Ann Callihan's promotion to Vice President of AAPL & NAPE, Russell Cohen's promotion to Director of Government Affairs and Drew Guntert as NAPE Director. AAPL understands the need to maintain connections and increase communications to local associations and has hired Deanna Young who will serve as the Affiliates & Volunteers Relations Manager. Deanna will be the direct connection between local associations and the AAPL.

The Accreditation committee reported there are two new programs seeking approval being the University of Texas Permian Basin Bachelor of Business Administration in Energy Land Management and Texas Tech University Interdisciplinary Master of Science in Energy. The Advisory Landman Connection committee has expressed the need for volunteers as mentors and mentees for the program. It is a great program with connections throughout the country to landmen both independent and in-house. If you have any questions about the program, let me know. The forms committee is working diligently to include content relatable to renewables and the Tax Issues Committee is working to update the Independent Contractor toolkit. The NAPE Operators Committee reported there were more than 4,000 registrants during Summer NAPE and the 2022 Winter NAPE is all set to take place in Houston February 8-11.

(Continued)



AAPL DIRECTOR'S REPORT

By: Britney Crookshanks, Regional Director



The Certification Committee has been preparing recommendations for member applications for the certification programs. There was a lot of discussion about the educational requirements needed to sit for the CPL certification exam. The current certification requires all CPL's to possess a 4-year degree but there have been different time periods were AAPL members were able to provide years of experience in lieu of a degree. The Board has asked Directors to seek input from local members regarding opinions and feedback of this requirement. The Executive Committee voted in favor of motion to create a second option for members to sit for the CPL, which would require 15 years of experience in place of a degree. Feel free to reach to me directly for any further discussion.

The next board meeting will take place in Charleston, South Carolina December 10-12. If you have any questions or any items that you would like for me to bring up to the board, please do not hesitate to reach out. As your Regional Director, I am here to represent MLBC and YOU!



SEPTEMBER BOARD MEETING

The AAPL's recent quarterly board meeting took place in Cleveland, OH on September 17-19. The MLBC, being the closest regional chapter, took advantage of this event and decided to sponsor the board reception alongside Halo Land Management. The MLBC also provided a 30 ounce tumbler and a power bank with our logo to every board member that attended the board meeting. Four MLBC members attended the board reception. The host hotel, the Hilton Cleveland Downtown, provided a wonderful view of Lake Erie and the Rock n Roll Hall of Fame and the Cleveland Browns stadium. Many in attendance had never been to Cleveland, so kudos to the AAPL for picking such a great venue and unique town to host the board meeting.



Thank you to our sponsors!



Gathering for dinner after the board reception are (L-R) Rob Greiner, RPL, MLBC President, Grant Johnson, RPL; Trinidad Hernandez, CPL; Allyson Howard, CPL; Daniel Cooper, RPL; Jim Devlin, CPL, AAPL President, Caryl Devlin and Carl Campbell, CPL.





AAPL PRESIDENT JAMES T. DEVLIN, CPL, DELIVERS LETTER TO PRESIDENT BIDEN'S NATIONAL SECURITY ADVISOR IN RESPONSE TO THE ADMINISTRATION'S ORDER TO LOWER GASOLINE PRICES



August 16, 2021

The Hon. Jake Sullivan National Security Advisor The White House 1600 Pennsylvania Avenue, NW Washington, D.C. 20500

Dear Mr. Sullivan:

On behalf of the nearly 11,000-member American Association of Professional Landmen (AAPL) and our 41 affiliated local associations across North America, I am writing to you to express our concern with your statement made on August 11, 2021, in which you and President Biden called upon OPEC+ nations to increase oil production in order to lower gasoline prices in the United States.1 Echoing your statement, on August 12, 2021, President Biden told the nation, "I want to make sure that nothing stands in the way of oil price declines leading to lower prices for consumers [...] We also made clear to OPEC - the major oil exporting nations of the world - that the production cuts made during the pandemic should be reversed as the global economy recovers, in order to lower prices for consumers."2

Not only was this plead to adversarial nations embarrassing, but reckless, because it imperils American security at a time when our nation has finally reached near energy independence from countries that wish to do America harm.

As reported by non-partisan Real Clear Energy, America would not be where it is today without the utilization of our abundant natural resources and energy production. While many presidents who came before him shared the collective goal of achieving and maintaining American security and independence, President Biden and his Administration are acting in direct contradiction of those interests. In March of this year, the U.S. Department of Energy reported that the U.S. imported 6.1 million barrels of crude oil from Russia, the highest level in nearly 10 years. March also marked a milestone for Russia, which became our third-largest oil exporter. To make matters worse, June crude imports from Russia were reported at a staggering 7.5 million barrels, or nearly 30% higher than they were even in the highest month under President Trump (May 2019).3

But sadly, these dangerous trends were avoidable. Since his inauguration, President Biden has stood in the way of providing safe and affordable energy for the United States. In fact, on day one, the Biden administration declared war on the traditional energy industry, first by cancelling the Keystone XL pipeline permit just minutes after being sworn in, and by the stroke of a pen killing more than 10,000 American jobs4, and later by issuing Executive Order No. 13990 which imposed a "temporary" pause on new federal oil and gas leasing while the U.S. Department of the Interior "reviewed" the program.5 This latter action – with a supposed 60-day timeline – has now run well past all dates directed by the Executive Order as well as assurances provided by Interior Secretary Debra Haaland in sworn congressional testimony. Today, the "temporary pause" has exceeded 200 days.

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The above highlights the inevitability that President Biden's deliberate actions would lead to groveling before countries - who wish harm to the United States - to bolster our nation's energy supplies when such a foreign policy was unthinkable just months ago due to the productivity of the domestic energy industry. If President Biden's "Build Back Better" plan means increasing reliance on adversarial nations for oil, it may be time to reassess the policy goals rather than increasing America's security threats at home while the American consumer suffers in the face of increased inflation.

This sentiment has been echoed by industry leaders and stakeholders who are confused by a foreign policy that puts America last and imperils its citizens. "Calling for increased OPEC+ oil production demonstrates the fallacy of the White House Federal lands energy ban," said Christopher Guith, Senior Vice President at the U.S. Chamber of Commerce's Global Energy Institute. "We need to let the U.S. produce oil under the world's strictest environmental standards and boost our economy instead of Russia's and the Middle East." According to Salena Zito, CNN political analyst and energy industry reporter for the Washington Examiner, "The energy industry in the United States has been one of the most robust sectors in our economy, leading right before the pandemic, we produced more oil than any other country in the world and we were self-sufficient in that area. Not only was that a job creator, and not only just directly within the energy industry but also the downstream industries that support it and the communities that then thrive on it and the school districts that benefit from it. But it also was very important in national security, which is why I thought it was curious today the national security head was telling, essentially begging the OPEC countries to produce more oil."

Unfortunately, these policy decisions have resulted in a nearly 42 percent jump in gasoline prices in just seven short months. According to AAA, states like California, Colorado, Idaho, Utah, and Wyoming have seen prices unheard of since 2012.8 While President Biden feigns ignorance as to the "sudden" rise in gasoline prices, cancelling the Keystone XL pipeline permit - mere hours into his presidency - telegraphed to the energy industry, and the hard-working men and women who serve those industries, that the administration has declared war on its own American companies. The administration's passive acquiescence to our stance against the Nord Stream 2 pipeline running from Russia to Europe is yet another example of putting American Energy last and increasing the environmental risks and a bit of a "Not in My Backyard" approach the administration seems to be advocating. This, coupled with an indefinite pause on new federal oil and gas leasing, signals to traditional energy companies - many of whom employ AAPL's members - that the United States is closed for business. Even worse, these moves imperil our national security at a time of foreign instability as the Taliban regains control in the Middle East.

Moreover, according to Forbes, "It seems instructive at this point to note that neither Biden or Sullivan issued any similar request to America's own producers of oil and gas, who could, if they wanted to, significantly ramp up oil production here in the United States."9 This fact was echoed by Texas Gov. Greg Abbott when he tweeted soon after your statement, "Texas can do this. Our producers can easily produce that oil if your Administration will just stay out of the way. Allow American workers-not OPEC-produce the oil that can reduce the price of gasoline. Don't make us dependent on foreign sources of energy." In fact, as of 2020, the United States had "actually achieved one measure of energy independence." According to data from the U.S. Energy Information Administration, "Over the 10 months ended May of 2020, the United States exported more energy than it imported" which was the "equivalent to about 20.8 billion gallons of gasoline."10 AAPL members and the oil and gas industry are more than ready to meet any challenges faced at home without putting our economy and citizens at risk.

I call upon the Biden administration to reconsider this misguided policy of increasing our reliance on adversarial foreign nations for our energy needs when we have abundant domestic supplies at home. As we emerge from a global pandemic, it is more vital than ever that we build back prosperity for hardworking American families while strengthening longstanding foreign policy to protect America's national security rather than weaken it.

Respectfully, James T. Devlin, CPL President



FOOTNOTES

1 Statement by National Security Advisor Jake Sullivan on the Need for Reliable and Stable Global Energy Markets (The White House; August 11, 2021); <u>https://www.whitehouse.gov/briefing-</u> room/statements-releases/2021/08/11/statement-by-national-security-advisor-jake-sullivan-onthe-need-for-reliable-and-stable-global-energy-markets/

2 "Biden says OPEC must raise oil output to 'lower prices for consumers'" (MarketWatch; August 11, 2021);<u>https://www.marketwatch.com/story/biden-says-opec-must-raise-oil-output-to-lower-prices-for-consumers-11628710037</u>

3 "Why Is the Biden Administration Attacking America's 'Energy Independence?'" (Real Clear Energy; July 28, 2021); <u>https://www.realclearenergy.org/articles/2021/07/28/why is the biden administration attacking a</u> <u>mericas energy independence 787549.html</u>

4 "Ted Cruz pumps up Keystone job numbers" (Washington Post; January 26, 2021); <u>https://www.washingtonpost.com/politics/2021/01/26/ted-cruz-pumps-up-keystone-job-</u>numbers/

5 Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (Executive Order No. 13990; Presidential Actions; The White House; January 27, 2021), <u>https://www.whitehouse.gov/briefing-room/presidential-</u> <u>actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-</u> <u>science-to-tackle-climate-crisis/</u>

6 "Biden asks OPEC what?" (POLITICO; August 12, 2021); https://www.politico.com/newsletters/morning-energy/2021/08/12/biden-asks-opec-what-797110

7 "Joe Biden ''put his foot on the neck' of the energy industry, now he wants more oil: Salena Zito" (Fox News; August 12, 2021); <u>https://www.foxnews.com/media/joe-biden-energy-industry-more-oil-salena-zito</u>

8 Gas prices hit new highs – these states saw the largest weekly increase (NBC Michigan; July 20, 2021); <u>https://www.woodtv.com/news/national/gas-prices-hit-new-highs-these-states-saw-the-largest-weekly-increase/</u>

9 "Suddenly Worried About Gas Prices, Biden Wants OPEC+ To Produce More Oil" (Forbes; August 12, 2021); <u>https://www.forbes.com/sites/davidblackmon/2021/08/12/suddenly-worried-about-gas-prices-biden-wants-opec-to-produce-more-oil/?sh=3be6a3111131</u>

10 "Forget peak oil: America's booming oil industry has allowed the US to achieve a type of energy independence" (Business Insider; September 25, 2020); <u>https://www.businessinsider.com/us-oil-exports-higher-imports-country-energy-independence-2020-9</u>



MEMBER NEWS

Tell Congress to oppose the \$3.5 trillion budget plan targeting the oil and gas industry

Right now, Congress is finalizing a reconciliation budget plan that specifically targets the oil and gas industry and our profession by proposing massive tax measures that will be devastating for domestic energy production and crush American jobs.

The plan includes rollbacks and elimination of long-standing exemptions and tax credits that facilitate environmentally sound domestic energy production:

- Intangible Drilling Cost Deductions
- Percentage Depletion
- · Amortization of Geological and Geophysical Costs
- Marginal Well Tax Credit
- Passive Loss Exception

And this budget plan also includes new harmful taxes and costly fees while also deteriorating the economic benefits of developing domestic oil and gas from public lands, such as:

- Increasing the onshore royalty rate up to 20% on federal leases
- · Raising the minimum bid fee per acre on federal leases
- · Mandating royalties be paid on extracted methane from federal lands
- Cutting federal lease terms to 5 years versus the current 10-year term
- · Imposing idle well fees on federal lands
- · Increased rental rates to \$100/acre on federal lands
- Imposing a new \$500 billion methane and greenhouse gas tax on domestic producers

This will severely impact American oil and gas producers (and the landmen that work for them), our county's energy security, and our domestic economy at the very time Americans are trying to rebuild after a global pandemic.

Act now to stop this harmful bill package from becoming law. Contact your representatives today before it's too late. Time is running out!





Michael Late Benedum Chapter

American Association of Professional Landmen

In Remembrance: James A. Bibby III

It is with sincere sadness that we share the passing of a fellow MLBC member. James was an active member of the MLBC in the 1980's and beyond. James Atkinson Bibby III was born to James Atkinson Bibby Jr. and Helen Kathryn Oesterle in Charleston, West Virginia on March 16, 1948.

James attended Charleston High, but finished his high school years at Linsly Military Academy in Wheeling, West Virginia. Upon graduation, he attended West Virginia University where he obtained a Bachelors of Arts and a Master's Degree in Public Administration. With a thirst for knowledge, he obtained a second Master's Degree later in life, in International Studies from St. Thomas University in Houston, Texas. After his tenure at West Virginia, he also worked at the West Virginia Capitol as a Land Delinquent Claim Officer, which was the impetus for his career as an Oil & Gas Landman.

He began his career as a Landman at Equitable Resources, a competitive Oil and Gas Company. He soon moved to Texas in 1992 with his two daughters and wife, which soon became three daughters. He had many positions in many companies, but working at Challenger Minerals were some of his fondest years. James ended his career as Director of Land at Knight Oil Tools in Houston, Texas. Throughout his years of working as a Landman, James built a large circle of dedicated friends. He was an intelligent and bright mind, who thrived off his relationships with his family, friends, and colleagues.

A man who enjoyed the tenets of life, he was a wine connoisseur, a TV buff who enjoyed Law & Order and other criminal shows. Additionally, he loved outdoor activities such as fishing, walking, and tailgating at the WVU Football games. He loved telling stories of his childhood where he was the baby boy among older sisters that pranked him often, but loved him tremendously. James was an active member of The Fellowship at Cinco Ranch, where he built many friendships, especially with his weekly life group. James' pride and joy were his three daughters. He was their number one supporter in every endeavor they encountered. He often joked about how, "Everyday is daughter day in my household"!

James was a walking textbook on history and politics. He loved to debate the issues, but, he always maintained a position of cool and calmness.





2021 VETERANS CLAY SHOOT

The 2021 MBLC Veterans Charity Clay shoot was held on Friday, October 1st, at the Hunting Hills Shooting Preserve in Dilliner, PA. The weather could not have been more perfect, with bright, clear skies and temperatures that started out chilly but reached the low 70s by mid-day. After a full round of shooting clays, attendees were treated with a steak lunch, door prizes, raffles and a live auction event.



Thanks to all in attendance and our sponsors, the **MLBC raised and donated \$14,000** to the WVU Law Veterans Advocacy Clinic. This year's sponsors included Lenington, Grafton, & Associates, Precision Oil and Gas, Three Rivers Royalty, Babst Calland, Steptoe and Johnson, Tenmile Land, Campbell Development, Purple Land Management, Shuman, Inc., Percheron, Brighton Resources, Halo Land Management, Claire Sergent Walls, & Honor Resources.

Special recognition is given to Tyler Murray, the Clay Shoot Chairman, and his committee members Michael Kalany, Joe Cunningham, and Chuck Dornetto. Their efforts and participation contributed significantly to the success of this event.



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Posing with the donation check to the WVY Veterans Law Clinic are back from I-r: Rob Greiner, Joe Cunningham, Nicole McConlogue, Mike Kalany, Chuck Dornetto and front from I-r: Zach Ramey, Jed Nolan, and Tyler Murray





























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WVU ENERGY LAND MANAGEMENT PROGRAM UPDATE

BY STEFANIE P. HINES, JD, CPLTA – TEACHING ASSISTANT PROFESSOR IN ENERGY LAND MANAGEMENT



The WVU ELM program seeks to become a national leader in diversity for its Energy Land Management Program by increasing the overall diversity of its program. The diversity goal is to reflect overall racial demographics within the United States. Currently, U.S. demographics indicate that the U.S. is made up of over 30% racial minority.

To build a diverse student body, WVU ELM has created an ongoing weeklong, immersive summer camp held on the campus of WVU called E3: Energy, Environment and Excitement. This camp will introduce underrepresented minority students, who live and study outside of typical recruitment areas for WVU and land programs, to careers in energy and land management. Participants will learn about potential well-paying careers in energy, build their college aspirations, and familiarize themselves with WVU, its campus, and the ELM program at Davis College.

The program is set to begin in July 2022. The camp will provide participants engaging STEM classes in land management and natural resources, work with innovative software and GIS programs, and take part in out of classroom adventure activities in nearby recreational facilities on WVU's campus and the Davis College Experimental Forest with Adventure WV.

This camp experience will highlight the culture and beauty of West Virginia while letting campers explore future careers in energy. It will build their college aspirations by exposing campers to the campus, university life, and the opportunities to study at WVU, the ELM program, and the Davis College.

We project camp attendance of up to 25 campers who would come from 8th and 9th grade. The camp will target this age group because it is a crucial time when students begin to make decisions about their future. This is the time when they are deciding about high school courses, college choices, and beginning to explore different majors and career choices.

This camp seeks to not only educate and recruit students but to introduce them to the people who work in the energy industry. We are lucky to have some amazing sponsors who are not only there to support this program financially but also to help create a partnership that will allow for mentoring and networking with the campers. The campers will also have the opportunity to work with current ELM students.

(CONTINUED)

Participation in E3 will give these minority students access to unique experience, resources, and relationships that are often unavailable in traditional college recruitment efforts for minority students. It will open doors and minds for these students, and it will give the ELM program, the Davis College, WVU and the energy sector greater diversity and the greater success that it brings.

This camp will also invigorate and inspire a new generation of talent for the energy industry. Creating a pipeline of diverse talent not only allows companies to diversify their talent pool but also a chance to work with people from areas that have traditionally not been well informed about energy and the energy industry. This is an important step in educating future generations.

We are excited and grateful for the growing list of supporters who have invested in this program and the positive impact it will have on our industry. Current sponsors include Equitrans Midstream Foundation, SWN, AAPL, and the Blankenship Initiative. Thanks to these amazing organizations, we can introduce the energy industry to a completely new generation and population of students.

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- In late August, the MLBC Foundation raised and donated \$7,000 to Big Brothers Big Sisters of Greater Pittsburgh. This donation was made possible by the generous sponsors and attendees of the MLBC Fall Charity Golf outing led by Steve Carr and his committee. Congratulations to the winning team comprised of Kyle Stefancik, Bill Caruthers, Doug Smith, and Mike Holliday.
- On September 9th, we held an educational dinner meeting at the Galley in Marietta, Ohio. Our guest speaker, Dan Corcoran of Theisen Brock spoke on the topic "Dealing with Ohio Landowners". Also, we were joined by Tina Thomas, the Energy & Land Management Program Director of Marietta College and 10 of their students.
- The AAPL was in Cleveland, Ohio in mid-September for their quarterly Board of Directors meeting. The MLBC in conjunction with Halo Land Management sponsored the evening cocktail reception. Compliments and gratitude were expressed by both Jim Devlin, President and Carl Campbell, First Vice President.
- We welcomed the first day of October with a beautiful day at the Hunting Hills Shooting Preserve. Approximately 80 shooters were in attendance and \$14,000 was raised for the WVU Veterans Law Clinic. Congratulations to Top Shooter George Moore. Special thanks to Tyler Murray and his committee members for an exceptional event.
- By the time you are reading this, our October Educational Dinner Meeting has most likely occurred. We welcomed guest speaker Dave Boyer of Mudrock Energy to Table 9 in Morgantown to speak on the topic of geology. Also encouraged to attend were students from the WVU Energy & Land Management Program led by Director Shawn Grushecky.
- Looking ahead, we wrap up our educational events for the year with a luncheon at the Bridgeport WV Country Club. This lunch event will take place on at 11AM on November 11th and we welcome guest speaker Katie Monroe of Jackson Kelly. Katie will be speaking on the topic "Common Estate Administration Issues in Appalachia covering WV, OH, and PA".

NEW MEMBERS & CERTIFICATIONS

OCTOBER 2021

Last Name

Morgan

First Name Rachel

Matthew Jones Employer **DPS Land Service Enrico Energy LLC**

Member Type Associate Active

Sponsoring Member Adam Morgan **Tanner Quiring**



SHO	OUT!

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

> Morgan Krasa, RPL Daniel Nabuda, RL

Total Members: 577						
Active: 3	364					
Active PP:	30					
Honorary:	10					
Total Active:	394					
% Active: 68	3.28%					
Associate :	89					
Student:	84					

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



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2021-2022

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MEMBERSHIP INFORMATION



Ya'll Come Back Now, Ya Hear?

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.



Despite a challenging year in 2021, the MLBC Foundation, Inc. was able to give back to the communities where the MLBC members live and work. This year the Foundation donated a total of \$31,000 to WVU Medicine Children's, The Magee Women's Hospital, Big Brothers Big Sisters of Greater Pittsburgh, and the WVU Veterans Law Clinic. The Foundation would like to thank all of the sponsors, event attendees and many others that contributed to the generosity that was bestowed to the organizations previously mentioned. We look forward to a great year in 2022!