



“THE TAKEOFF”

**NEWS FOR LANDMEN
MARCH 2010 EDITION**

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"... Under my plan of a cap-and-trade system, electricity rates would necessarily skyrocket ..., coal-powered plants, you know, natural gas, you name it, whatever the plants were, whatever the industry was, they would have to retrofit their operations. That will cost money. They will pass that money on to consumers." – Barack Obama

THE PRESIDENTIAL ADDRESS

Well it's Monday, and I am acutely aware that the deadline for my monthly comments is approaching fast. Unfortunately for those who may be reading this, I'm searching desperately for something good to write about.

Last week I attended the annual Ohio Oil & Gas Association Winter Meeting. All the speakers delivered very thoughtful, fact filled and enlightened presentations on the various issues facing the oil and gas industry. Friday, Michael Steele, Chairman of the Republican National Committee, gave a closing luncheon assessment of the current state affairs in Washington, D.C., and how he believes they may affect our industry.

Then on Sunday, I ruined my day by watching the news channels, following the commentary from both sides on the national health care debate. No matter where you stand on health care, one thing is painfully obvious. If the powers that be can proceed on such a controversial and divisive issue, with questionable voting tactics, "Cap-and-Trade" cannot be far behind.

I believe we live in the greatest nation on earth, so I hate to be pessimistic. One of the things that has made it great is the ability and/or obligation for everyone to express their opinions and be involved in the processes that effect the governing of each and every one of us. If you are not currently active in this process, get involved and if you are involved, don't let up. These are serious times. Your livelihood, and the livelihood of hundreds of thousands of families connected to the oil, gas and coal industries, will likely depend on it.

Back to business, our March meeting in Charleston, WV, had an attendance in excess of 250 land professionals. This may well have been a record attendance for a monthly meeting. Special thanks to Tom Lane, partner with Bowles, Rice, McDavid, Graff & Love LLP, for his presentation on Mineral vs. Royalty Interests.



Hope to see you at the Hilton Garden Inn, Pittsburgh/Southpointe, on April 8th for the all day seminar and dinner meeting.

Richard W. Dailey, CPL
President

WHAT'S COMING UP

Our next meeting is April 8, 2010 at the Hilton Garden Inn –Southpointe in Canonsburg, PA. The MLBC and NALA (Northern Appalachia Landman's Association) will jointly host a full day seminar and dinner speaker. Darryl Griwatz and Aaron Hubbard have lined up a very informative seminar for the day and Bill Zagorski of Range Resources –Appalachia LLC (“Father of the Marcellus”) will be the speaker after dinner. A seminar flyer is attached for your review. The fee for the seminar and dinner will be \$75 for members and \$150 for non-members. If you are not a member and submit your MLBC application for membership with your registration, you may attend for the member rate of \$75. Make sure your membership application is received by April 1st.

This seminar will have a limited seating capacity of 180 attendees, so early registration will be required and all registrations must be prepaid via the online “PayPal” system received by MLBC or before the end of business on April 1st. Online payment access will be removed from the MLBC website when the total registration reaches 180. As the Easter holiday weekend begins on Friday, April 2nd, a number of people will be away from their offices and with a limited capacity at the seminar and dinner, we must have our final count by Monday, April 5th. A “waiting list” will be established for persons that did not get registered by April 1st. You will be advised if space is made available on or before April 7th. If capacity is not fully subscribed for the seminar, walk-ups will be accepted the day of the seminar. Late registration will be \$100 for members and \$150 for non-members.

You may register for “dinner only” for \$50 per person. Again, seminar registrants will have priority and will be registered first. If seminar registrants will not be attending the dinner, additional space at dinner may be available.

Registration for the seminar and/or dinner can be accomplished via our online reservation system at www.mlbc-aapl.org, if you are paying for more than one person or someone other than the one named on the paying credit card please e-mail that information to reservations@mlbc-aapl.org or by fax to (866) 604-7266, by the end of business on April 1st. The online payment option (PayPal) available on the MLBC website at www.mlbc-aapl.org will be terminated when the registration reaches 180 or by 5 pm on April 1st for this event, so get your reservation in early.

Seminar Schedule:

7:30 AM Seminar check-in opens
8:20 AM Seminar welcome
8:30 AM Seminar morning session begins
11:30 AM Lunch
12:30 PM Seminar afternoon session begins
4:30 PM Seminar ends

Dinner Meeting:

3:00 PM Executive Committee Meeting
4:30 PM Registration opens
5:00 PM Social Hour
6:00 PM Dinner
6:50 PM Business Meeting
7:00 PM Speaker

A LOOK FORWARD

The May 2010 meeting will be in Wheeling WV. The day will begin with our Second Annual Charity Golf Tournament benefiting the WV Children’s Hospital and the Juvenile Diabetes Foundation in memory of Louie Ferrari (see MLBC website for golf flyer). Golf will be at Oglebay and the dinner will be held at the Wheeling Island Resort and Casino. Plan to stay for the day enjoying golf (lunch provided) and a great evening of fellowship with the AAPL President, Rimmer Covington speaking after dinner.

The June 2010 meeting will be back at Bridgeport Conference Center in Bridgeport WV. The dinner will include the announcement of the 2010-2011 officers, the scholarship award for the Michael Late Benedum Chapter Scholarship at Glenville State College (GSC) and the donation to the West Virginia Oil & Gas Museum. We expect to have a representative of GSC talk about the Land program and any initiatives. We hope to have a contingency of GSC students attend this meeting.

SHOW ME THE MONEY

(A/K/A THE TREASURER’S REPORT)

Rich Robb reports the chapter to be in good financial standing with a present balance of \$40,962.62 as of March 23, 2010. .

If you were not aware, the Treasurer is responsible for registration at MLBC seminars and meetings, which means recruiting a number of volunteers to assist in the process. If you are a meeting sponsor and would like to provide a group to assist, or if you would just like to throw your hat in the ring and assist in this process, please contact Rich Robb at 412-217-5897. Registration normally includes up to 4 people who can arrive early for the seminars and meetings. Volunteering is a great way to participate in the activities of the MLBC and it is greatly appreciated.

REGIONAL DIRECTOR'S REPORT

The AAPL Board of Director's Quarterly Meeting was held on Sunday, March 21, 2010 in Louisville, Kentucky. The primary issues of discussion are summarized below:

- **Winter NAPE 2010.** Winter NAPE 2010 was another huge success with 13,550 registrants and 1,638 booth rentals. Due to poor economic conditions and soft commodity prices, attendance was down 6.3% and booth rentals were down 9% from the preceding year.
- **Summer NAPE 2010.** Summer NAPE 2010 will be held on August 19-20, 2010 at the George Brown Convention Center in Houston, Texas.
- **Winter NAPE 2011.** Winter NAPE 2011 is scheduled for February 17-18, 2011.
- **AAPL Director of Education Resignation.** Richard Rosprim tendered his resignation as AAPL's Director of Education. Rosprim will remain on a consultant basis until a replacement can be found. Under Rosprim's leadership, both the quality and quantity of AAPL education opportunities expanded significantly. The MLBC thanks Richard Rosprim for a job well done and wishes him well in retirement.
- **AAPL EVP Search Committee.** As most of you are aware, in September of 2009, Robin Forte resigned as the Executive Vice President (EVP) of AAPL. The Search Committee lead by Steven Wentworth, AAPL First Vice President, has interviewed six (6) viable candidates and has recently reduced the field to two (2) candidates. The Search Committee informs we should have a new EVP in place prior to the June annual meeting in Vail, Colorado.
- **Dallas Association Recommendation.** Bill Rex, Director of DAPL, recently sent an open letter to all AAPL Directors recommending a Task Force be established to investigate the procedures AAPL implemented at the time it formed a separate NAPE Executive Vice President position. After several hours of heated discussion, it was determined the AAPL Executive Committee acted appropriately and in accordance with AAPL bylaws. The AAPL Board of Directors voted to ratify the Executive Committee's decision to create a new NAPE Executive Vice President position and to create a separate office in Dallas, Texas for NAPE.
- **New Slate of Officers for 2011.** The Board of Directors voted to adopt the slate of officers proposed by the AAPL Nominations Committee. The slate of officers is as follows:

| <u>Office</u> | <u>Nominee</u> | <u>Company</u> |
|-----------------------|---------------------------|-----------------------------|
| President | Steven D. Wentworth, CPL | EOG Resources, Inc. |
| First Vice President | Jack C. Richards, CPL | Devon Energy Corporation |
| Second Vice President | Eric D. Stinson, CPL | Lario Oil & Gas Company |
| Third Vice President | Todd Liebl, CPL | Cabot Oil & Gas Corporation |
| Secretary | Gregory M. Riedl, CPL/ESA | Harold J. Anderson, Inc. |
| Treasurer | J. Brooks Yates, Jr., CPL | Ventex Oil & Gas, Inc. |

Ballots will be mailed to all AAPL members in the very near future.

- **Membership.** Current AAPL Membership is 11,303. New members for period April 1, 2009 to February 26, 2010 is 946.
- **Financials.** AAPL continues to operate on a sound financial basis. The AAPL Balance Sheet for period ending December 31, 2009 has increased from \$10,410,753 to \$16,049,972. The Education Foundation, Inc. has an Ending Fund Balance of \$2,526,080 for period ending December 31, 2009. The Landman Scholarship Trust has an Ending Fund Balance of \$1,279,273 for same period.
- **AAPL Presidential Visit.** The MLBC is pleased AAPL President, Rimmer Covington, will be attending the MLBC dinner meeting on May 13, 2010 in Wheeling, WV following our charity golf outing. Rimmer has proven to be an excellent leader and ambassador for AAPL. He will give the MLBC membership an update on all AAPL activities.
- **AAPL Annual Meeting.** The Annual Meeting will be held in Vail, Colorado on June 16-19, 2010. The AAPL Education Committee has arranged an excellent line up of speakers. The Annual Meeting Committee has arranged superb recreational and tour activities. Please mark your calendars to attend this exceptional AAPL event!

Respectfully submitted:
Gregory A. Zerkel
MLBC Regional Director

BEFORE THE BOARD

The Nominating Committee made its recommendations for the slate of officers and directors for the upcoming 2010-2011 election. The names were read at the February and March meetings and will be read again at the April meeting, along with accepting nominations from the floor at each meeting. Please refer to Article IX of the MLBC By-Laws for the process.

The 2010-2011 slate of officers includes:

Brad McPherson, President
Mark Acree, Vice President
Rich Robb, Secretary
Chuck Heilmann, Treasurer
Cynthia Torbeck, Sergeant at Arms
Darryl Griwatz, Director
Cecil Ray, Director
Aaron Yost, Director (New)

The Executive Committee voted to award a \$750 donation to the West Virginia Oil & Gas Museum's in 2010, a \$5,000 award to the 2010 Michael Late Benedum Chapter Scholarship at Glenville State College and \$5,000 to be split between the charities at the golf tournament.

If you have any issues that require attention, please contact any of the Executive Committee members. Your comments and/or questions will be addressed at the next meeting.

EDUCATION FORUM

MLBC is always looking for topics of interest to our membership. Please contact any of the Executive Committee members if you have topics, issues or seminar suggestions for future meetings.

The January/February issue of the AAPL Landman magazine includes several good articles. Check these out for some good reading.

- 1) Exploring Common Legal Issues in U.S. Shale Play by Michael Byrd, Louis Davis, Ben Welmaker and James Sonnier
- 2) Land Description Errors: Recognition, Avoidance and Consequences by John Peck and Christopher Steadham
- 3) Geological CO2 Sequestration: Who Owns the Pore Space by Owen Anderson
- 4) Advise to Young Landmen: Get Involved, Be Professional, Take Initiative by Jonathan Tyner

These articles can be found on the AAPL website at www.landman.org/landmanarchive. Search for the article by title or author. If you are not an AAPL member, consider joining AAPL for the benefits of the magazine and contacts.

The AAPL is contemplating a couple of seminars in the Appalachian region in 2010. The following subjects are available:

1. WI/NRI – 1 Day (6 CE credits)
2. JOA – 1 Day (6 CE credits)
3. Title Curative – Half Day (4 CE credits)
4. Applied Field Land Practices – 1 day (6 CE credits)
5. Fundamentals of Land Practices (with RPL exam if demand merits) – 1 day (7 CE credits, 1 ethics)

Please contact Darryl Griwatz or Aaron Hubbard if you would like to see certain classes hosted in this region.

MEMBERSHIP

The 2010 membership renewal period has expired. If you have not renewed, the renewal fee will be \$75 to be reinstated. The current membership application is located on the MLBC website at www.mlbc-aapl.org.

The MLBC website will soon contain an updated version of the membership listing. Please use this resource if you can not find yours or others information in the directory. Please report any errors or omissions to Chuck Heilmann at CHeilmann@egt.com.

The following applications for membership in the MLBC are currently in review.

| Member Name | Company Name |
|-----------------------|-------------------------------|
| Vickie Allman | S&A Property Research |
| Jacob M Biehl | Hawkeye Record Search |
| Bethany A. Bisceglia | Honor Resources |
| Richard Cooper | Honor Resources |
| Charles R. Davis, Jr. | Honor Resources |
| A. J. Dereume | Interstate Gas Marketing, Inc |
| Nichole Edwards | S&A Property Reseach |
| Nicole Elliott | S&A Property Research |
| Vadenna Fogarty | Honor Resources |
| Wilbur Hammond, III | Mason Dixon |
| Thmoas Kocher | Precision Oil & Gas, Inc. |

| Member Name | Company Name |
|-----------------------|---------------------------|
| Jerry o. Lee | Honor Resources |
| Nancy B Lovell | Honor Resources |
| Daphoe Maschiano-Kime | Honor Resources |
| Renee' Matheny | Precision Oil & Gas, Inc. |
| Thomas R. Rundell, II | CNX Gas, LLC |
| David C. Sheridan | Honor Resources |
| Stacy Somerville | S&A Property Research |
| Franklin Winter | |
| Sarah A. Worsham | Tri-Energy Land, Inc |
| Bruce Worsham, II | Tri-Energy Land, Inc |

Pursuant to the new by-laws, the prospective new member's names are being published for the required 30-day period at the end of which, barring any credible protests filed against an individual, they will be voted in as new members. If you have any questions regarding your membership please contact Chuck Heilmann at 304-348-5314 or by email to CHeilmann@eqt.com.

YOUR CHAPTER NEEDS YOU

Please remember, this is your Chapter. The strength of the MLBC is in its people. While the officers and executive committee members of the Chapter are elected to serve the needs of the organization, we look forward to and encourage volunteerism for many of the important and necessary committee positions. Volunteers are always welcome to participate in registration for meetings and seminars. Please see any of the Chapter's officers or directors to express your interest in participating in our organizations activities.

THANK YOU, THANK YOU, THANK YOU

A hearty **Thank You** to our meeting sponsors for the March 2010 event. These sponsors provide a welcome atmosphere to our social interaction.

EQT
Pardee Minerals

Eneergy Corp of America (ECA)
TS Dudley

Steptoe and Johnson
Arnold L Schulberg

SUPPORT YOUR LOCAL

The MLBC website contains information on how to order the MLBC 50th Anniversary commemorative Izod Cool FX Performance Pinstripe Sport Shirt. Cost is \$50.00, plus shipping if not picked up at a meeting. Additionally, MLBC logo denim shirts are now available for \$30, if picked up at meetings. These come in Kakay or Maroon. Check the Takeoff or MLBC website for further information.

Also, limited supply of commemorative MLBC 50th Anniversary golf towels and wine glasses are also available for purchase on the website for \$15 and \$5, respectively, plus shipping.

Schedule of Events 2009 - 2010

| Date | Location | Topic | Speaker |
|--------------------|--|--|--|
| September 11, 2009 | Southpointe Golf Club Hilton Garden Inn Pittsburgh/Southpointe | 50 th Celebration | 50 th Anniversary Presenters and MLBC Board members |
| October 8, 2009 | Marriott Hotel Charleston, WV | GPS/GIS | Range Resources GIS staff and Precision Laser and Instrument |
| November 12, 2009 | Blennerhassett Hotel Parkersburg, WV | Regulations and Restoration and Oil & Gas Production Primer | WV DEP Representatives and Matt Vavro |
| February 11, 2010 | Bridgeport Conference Center, Bridgeport, WV | Marcellus Shale Fracturing | Peter Rottler of Schlumberger |
| March 11, 2010 | Marriott Hotel Charleston, WV | Mineral Verses Royalty title distinctions in WV | Tom Lane |
| April 8, 2010 | Hilton Garden Inn Pittsburgh/Southpointe, Canonsburg, PA | Full Day Seminar and Dinner speaker on Marcellus Shale Play | Seminar speakers and Bill Zagorski of Range Resources |
| May 13, 2010 | Wheeling Island Resort and Casino Wheeling, WV | Charity Golf Outing and AAPL President | Rimmer Covington |
| June 10, 2010 | Bridgeport Conference Center, Bridgeport, WV | Induction of New Officers and GSC Scholarship Award | MLBC President and GSC Executives |

Officers and Executive Committee

| | | |
|----------------------------|--------------------------|--|
| <i>President</i> | Richard Dailey, CPL | daileyland@ee.net |
| <i>Vice President</i> | James B. McPherson, CPL | brad.mcpherson@cabotog.com |
| <i>Secretary</i> | Mark A. Acree, RLP | macree@rangeresources.com |
| <i>Treasurer</i> | Richard B. Robb | richrobb@comcast.net |
| <i>Sergeant at Arms</i> | Charles E. Heilmann, CPL | CHeilmann@eqt.com |
| <i>Executive Committee</i> | Cynthia L. Torbeck, CPL | cindy@hawkeyerecords.com |
| | Darryl H. Griwatz, CPL | darryl@HonorResourcesCompany.com |
| | Rex Cecil Ray | cray@eqt.com |
| <i>President Emeritus</i> | Jeffrey A. Brown, CPL | jeff.brown@pardee.com |

Committee Chairs

| | | |
|---------------------|-----------------------------------|--|
| National Director | Greg Zerkel, CPL | gzerkel@mdenergy.com |
| Certification | James E. Talkington, Jr., CPL/ESA | jeta@Verizon.net |
| Membership | C.E. "Chuck" Heilmann | CHeilmann@eqt.com |
| Meeting Coordinator | Mark A. Acree, RLP | macree@rangeresources.com |
| Education | Darryl H. Griwatz, CPL | darryl@HonorResourcesCompany.com |
| | Aaron Hubbard | ahubbard@mdenergy.com |
| Historian | Frederick J. Kent, CPL | KentFrederick@Hotmail.com |
| Ethics | Judson K. Byrd, RLP | Jud@flintridgeenergy.com |
| Financial | James B. McPherson, CPL | brad.mcpherson@cabotog.com |
| Meeting Sponsors | Rex Cecil Ray, CPL | cray@eqt.com |