



The Override

Every Landman Wants One!

Volume V, Issue 1

January 2010



Los Angeles Association of Professional Landmen

Presidents Message

**Thomas G. Dahlgren,
Warren E&P, Inc.**

For most of us, the vacation season is over and we are back to work. If oil prices stay above \$70.00 per barrel, this should be a very good year. The deciding factor may be whether or not the State and Federal governments try and balance their budgets on the back of the oil industry. We must be diligent in our lobbying efforts to ensure that legislators understand our needs. I recently attended CIPA's Environmental Committee meeting in early November 2009 at Breitburn's office in downtown Los Angeles. About 30 persons were in attendance showing that more and more oil operators are paying attention to political and regulatory events. Please encourage your managers or clients to take a more active roll both financially and by participation in the issues facing our industry.

From my own experience in working within the Los Angeles community, one of the keys to success has been maintaining good relations with the neighbors surrounding each and every oil/gas facility and wells. Attending



neighborhood council meetings and local civic functions, plus sponsoring high profile successful after school programs, has increased goodwill and kept the complainers to a minimum.

We have also found that voluntarily keeping LA City Council staff managers apprised of proposed drilling programs, facility upgrades, site improvements, completed pipeline/well integrity programs and well abandonments helps them counter false claims made by individual neighbors, more importantly from environmental organizations. Keeping City staff "in-the-know," makes it appear they are monitoring and making sure oil operators are minimizing their impact to the community. This is great PR and much appreciated by City staff.

LAAPL's first luncheon meeting in 2010 is our joint meeting with the Geological Society on January 28th at the Grand on Willow Street in Long Beach. We ask all LAAPL members show up around 11:00 AM to discuss and approve chapter business issues. See you at the "Grand" and have a good year! Tom Dahlgren

SPEAKER FOR JANUARY'S JOINT LUNCHEON

Reservoir-Scale Seismic Stratigraphy: A Call to Integration



Bruce Hart is currently Director of the Shale, Seal and Pressure Systems Group at ConocoPhillips in Houston. He has a Bachelor's Degree from McMaster University,

a Master's Degree from the Université du Québec à Rimouski, and a Ph.D. from the University of Western Ontario. He pursued a career in research at the Geological Survey of Canada, Penn State, The New Mexico Bureau of Mines and Mineral Resources and McGill University prior to joining ConocoPhillips in August 2008.

He has taught courses and workshops on 3-D seismic interpretation for industry professionals in Cairo, Calgary, Copenhagen, Houston, Kuala Lumpur, London, New Orleans, The Hague, Vienna, and elsewhere. His current work focuses on the relationships between shale depositional processes and hydrocarbon seals, source rocks, and pressure systems.

Inside This Issue:

Presidents Message	1
Luncheon Speaker	1
Editor's Corner	2
Lawyer's Joke of the Month	3
Treasury Report	3
Guest Article	4
Scheduled Luncheon Topics	3
Chapter Board Meeting	3
New Members and Transfers	3
Special Events	8
Case of the Month	6



Editor's Corner

Joe Munsey Newsletter Chair

Southern California Gas Company
A cheerful Happy New Year to all!
Trusting all enjoyed the holidays –
Christmas or Chanukah.

Wow, did we get the best gift we could have ever hoped for in the oil/gas industry laid at our feet just before the holidays? Climate change is a hoax! For the record and according to the emails, the climate change folks were spreading the prank via hot air. Hooray for the numbskulls who let the cat “outta the bag.” On second thought, perhaps we should not call the person a numbskull but thank our lucky stars the “inconvenient truth” was finally told to the chagrin of wanna-be-macho man Al Gore. Anyone who needs a consultant to tell them how to dress to impress the Dunkin’ Donut coffee drinking crowd deserves nothing less than to be the shrill for the arts and croissant crowd. Certainly would not want to invoke the Starbuck crowd as yours truly does his time in line waiting for a cup-of-joe.

The Climate Armaged-donians were not going to let a good Apocalypse ruse slip into the dust bins of history without a fight. In fact, there was no fight to speak of, they just kept to the story line and did not miss a beat. We all know the biggest lie ...“the check is in the mail,” but this snafu is about to lead the pack in “the best of lies” category.

You ask why I write this stuff, I am glad you asked; I’ll tell you why – they are all ma-ad. Here is another story to make you just laugh or weep:

As the ever vigilant Editor of this fine publication, we attempt on occasion to alert our reading audience those tales of the bizarre coming from liberals. Of course, the liberal camp has taken to using the moniker “progressives.” Oh, never heard that term before? Well, go back to the granddaddies of liberalism in the late 19th century and the early 20th century and viola; they were called progressives back then. Same crowd different name. But. I. Digress. Days before the email leaks I happened upon an article in the November 30th, 2009, issue of Forbes titled, “Drop That Burger.” The sub-title was, “Biotech whiz Pat Brown makes the global warming case against animal farming.”

Here we have the story of a Stanford Professor who is a sharp cookie; it was he who invented the DNA microarray, a tool that measures how cells make use of their DNA. Ok, he has the credentials of being bright. Let’s hear his next bright idea.

Professor Brown et al have concluded that since cows, chickens and their sort have a much larger impact on greenhouse gas than cars, trucks and planes in the world, it is time, [Are you ready for the lie?] to be become a vegetarian/vegan to combat global warming. Oh, forgot to mention, one of his cronies suggest changing from bovine to canine meat. I kid you not. It is time to hide Rover from the climate control crowd – they want him for their next quarter pounder.

The article goes to cite more of Professor Brown drivels about the food industry’s upstream and downstream operations; could not resist using some oil/gas industry jargon. Keeping that thought in mind of raising edible animals, the good professor warns of dire consequences if we continue down that path. We have heard that before. We quote him, “You’d better start thinking ahead. You’d better seriously start investing and trying to find alternatives in order to stay alive.” Blah. Blah. Blah. Um, Professor Brown, might I remind you are tenured, you never

have to meet a payroll, you can take sabbaticals and get paid at the same time. Need a raise? Tell the Regents to raise tuition and the liberal controlled state houses, er progressives, to raise taxes. All is so simple in the Climate Armaged-donians’ world. We’re not gonna survive with what you’re feeding us, now.

Back to the real world of finding enough oil and gas to keep the world economies going, we have a joint meeting with the Los Angeles Basin Geological Society on Thursday, January 28th at The Grand on Willow Street in Long Beach. In his only appearance in California, the renowned Dr. Bruce Hart will be discussing 3-D seismic interpretations.

Bring a guest and meet me at The Grand on Willow Street.

2009–2010 Officers & Board of Directors

Thomas G. Dahlgren
President
Warren E&P
562-307-7001

Stephen Harris
Vice President
Oxy of Long Beach, Inc./THUMS of Long Beach
562-624-3241

Jennifer Evans
Secretary
Aeneas, Inc.
949-500-8346

Charlotte Hargett
Treasurer
Plains Exploration & Production
323.298.2206

Joe Munsey, RPL
Local Director
Southern California Gas Company
714-634-3143

L. Rae Connet, Esq.
Local Director
Independent
PetroLand Services

Joel W. Miller
Past - President
Transamerica Minerals Co.
310-533-0508

Joe Munsey, RPL
Editor
Southern California Gas Company
714-634-3143

Randall Taylor, RPL
Publisher
Taylor Land Service, Inc.
949-495-4372

Joel W. Miller
AAPL Director
Transamerica Minerals Co.

Lawyers' Joke of the Month

**Jack Quirk, Esq.
Bright and Brown**

These are from a book called, "Disorder in the American Courts," and are things people actually said in court, word for word, taken down and now published by court reporters, who had the torment of staying calm while these exchanges were actually taking place.

ATTORNEY: Can you describe the individual?

WITNESS: He was about medium height and had a beard.

ATTORNEY: Was this a male or a female?

WITNESS: Guess.

ATTORNEY: Is your appearance here this morning pursuant to a deposition notice which I sent to your attorney?

WITNESS: No, this is how I dress when I go to work.

ATTORNEY: Doctor, how many of your autopsies have you performed on dead people?

WITNESS: All my autopsies are performed on dead people.

ATTORNEY: ALL your responses MUST be oral, OK? What school did you go to?

WITNESS: Oral.

ATTORNEY: Do you recall the time that you examined the body?

WITNESS: The autopsy started around 8:30 p.m.

ATTORNEY: And Mr. Denton was dead at the time?

WITNESS: No, he was sitting on the table wondering why I was doing an autopsy on him!

ATTORNEY: Doctor, before you performed the autopsy, did you check for a pulse?

WITNESS: No.

ATTORNEY: Did you check for blood pressure?

WITNESS: No.

ATTORNEY: Did you check for breathing?

WITNESS: No.

ATTORNEY: So, then it is possible that the patient was alive when you began the autopsy?

WITNESS: No.

ATTORNEY: How can you be so sure, Doctor?

WITNESS: Because his brain was sitting on my desk in a jar.

ATTORNEY: I see, but could the patient have still been alive, nevertheless?

WITNESS: Yes, it is possible that he could have been alive and practicing law.

CHAPTER BOARD MEETINGS

The Board of Directors will hold a board meeting at The Grand at Willow Street Conference Center. As a reminder, we have a joint meeting with the Los Angeles Basin Geological Society on January 28, 2010, at The Grand at Willow Street Conference Center in Long Beach.

The Board of Directors schedules meeting on the third Thursday of the month at 11:00 AM at the Long Beach Petroleum Club. Board meeting dates coincide with the LAAPL's luncheons.

Issue discussed at the November board meeting:

- Accounting for WCLI expenses.

Voting for approving additional expenses incurred by Randall Taylor for professional services rendered for work on the LAAPL website will take place prior to the joint meeting.



SCHEDULED LAAPL LUNCHEON TOPICS AND DATES

January 28th, 2010

Joint Meeting With

Los Angeles Basin Geological Society

Bruce Hart, Ph.D.

ConocoPhillips

"Reservoir-Scale Seismic Stratigraphy:
A Call to Integration"

March 18th, 2010

Speaker

Javier Rivera Carbone, Esq.

"Contractors vs. Employees Update"

Officer Nominations

May 20th, 2010

Speaker – TBD

Officer Elections



Treasurer's Report

As of 11/4/2009, the LAAPL account showed a balance of	\$ 9,897.41
As of 1/18/2010	\$ 9,325.41
Merrill Lynch Money Account shows a total	\$11,096.90

New Members and Transfers

Our Chapter Board of Directors welcomes the following new members to the Los Angeles Chapter:

None to Report

Transfers

None to Report

LAAPL Call for Annual Dues

**Charlotte Hargett, Land Technician
Plains Exploration & Production
Company LAAPL Treasurer**

Per Chapter by-laws, a Notice for Dues was recently sent out to LAAPL Chapter Members. Renewal is \$40.00; please send your renewal notices along with your payment as follows:

Charlotte Hargett
LAAPL Treasurer
Plains Exploration & Production
Company
5640 S. Fairfax Avenue
Los Angeles, CA 90056



**Randall Taylor, RPL
Petroleum Landman**

Taylor Land Service, Inc.
30101 Town Center Drive
Suite 200
Laguna Niguel, CA 92677
949-495-4372

randall@taylorlandservice.com

DRAMATIC OIL COMPANY

*“Reprinted With Permission from The Petroleum Age © June 2005, The American Oil & Gas Historical Society.
All Rights Reserved.”*



In January 1864, John Wilkes Booth made his first of several trips to Franklin, Pa., where he purchased a lease on the Fuller farm. Maps of the day show the three-acre strip of land on the farm, about one mile south of Franklin and on the east side of the Allegheny River.

The 1863 theater season had brought the 24-year-old aspiring actor the fame he had long pursued. For years, he had struggled in the shadows of his renowned thespian father, Junius, and brothers, Edwin and Junius, Jr.

Booth had opened his stage career in 1855 at the Charles Street Theatre in Baltimore and became a member of the Richmond Theatre in 1858. Unlike the rest of his family, he would become a Confederate sympathizer as audiences in Richmond adopted him as one of their own. They loved the energy he brought to his Shakespearean performances – his sword fights and dangerous leaps from balconies.

Popular success followed on stages in Baltimore, New York, and Boston. “Star of the first magnitude,” “the youngest star in the world,” and “the most handsome man on the American stage” became commonplace praise in theatre columns. Booth’s meager fortunes changed and after years of just getting by, he suddenly found himself earning \$20,000 in the theater season – the equivalent of over \$300,000 today.

Booth began spending his newfound

wealth. Acquaintance John Simonds, a teller at Boston’s Mechanics Bank, assisted Booth in the purchase of a choice \$8,000 lot in Boston’s exclusive Back Bay area.

A devoted son, Booth had the property titled in his mother’s name, Mary Ann Booth. He also bought \$1,500 worth of Boston Water Co. shares, as well as \$3,000 in U.S. bonds and \$1,000 in Philadelphia bonds.

Riding the crest of his financial success, he wrote to friend Edwin Keach, “My goose does indeed hang high.”

Pennsylvania Actor-Oilman

In late 1863, Booth performed at the Cleveland Academy of Music, managed by his friend John Ellsler. With local news-papers full of tantalizing stories of the oil boom in Venango County, Pa., Booth convinced Ellsler and associate Thomas Mears to join him in a new investment. Together, they formed the “Dramatic Oil Company.”

In January 1864, Booth made his first trip to Franklin, Pa., where much of the oil excitement was centered. There he purchased a 3.5-acre lease on the Fuller farm. The Venango County Recorder’s Office, Deed Book Z, page 309, subsequently detailed their agreement:

“between Thomas G. Mears of the city of Cleveland, State of Ohio, and Teresa Wilhelmina, his wife, parties of the first part, and Joseph H. Simonds of the Borough of Franklin, County of Venango and State of Pennsylvania, in trust for himself and John A. Ellsler of the city of Cleveland, State of Ohio and John Wilkes Booth of the city of New York, to be held as part for the sum of \$4000 lawful money of the USA all that certain piece or parcel of land situate in the township of Cranberry, County of Venango, and the State of Pennsylvania...”

The Dramatic Oil Company hired an experienced driller, Henry Sires.

When first introduced to John Wilkes Booth at a typically grimy field location, Sires apologized for his oily handshake, to which the gentlemanly Booth replied, “Never mind, that’s what we are after.”

They named their first well Wilhelmina in honor of partner Thomas Mears’ wife and drilling began in the summer of 1864. The well proved costly and difficult, but a depth of 1,900 feet, to the partners’ delight, it came in as a producer. Although the price of crude oil often fluctuated greatly, that summer it was selling for about \$16 to \$20 a barrel.

Believing his fortune would be made in the Pennsylvania oilfield, Booth drew his last paycheck as an actor and left the Boston stage on May 28, 1864, to focus exclusively on the oil business.

Shooting the Well

By June of 1864, Booth had invested another \$1,000 of his now substantially diminished cash for a 1/30 share in a Boston Oil Well Company lease (later Botolph Oil & Mining Company) on Hyner farm of Pithole Creek.

Two months after Booth’s death, the famous “Homestead Well” would come in on this property, yielding 500 barrels a day and making many fortunes.

Meanwhile, the Dramatic Oil Company’s Wilhelmina well was producing about 25 barrels of oil daily -- but was beset with problems and mounting costs.

Booth and his partners finally determined that “shooting” their well could increase its production. At the time, this technique required that a large quantity of black powder be

*Dramatic Oil Company
.continued on page 5*

Dramatic Oil Company
continued from page 4

detonated deep in the well.

Successful shooting would fragment an oil-bearing formation and enable far more oil to be extracted from the well. Booth and his partners gambled. They lost.

Thomas Mears' son Frank later recorded, "...the well was 'shot' with explosives to increase production. Instead of accomplishing that, the blast utterly ruined the hole and the well never yielded another drop."

John Wilkes Booth's dreams of oil wealth abruptly and permanently collapsed. He had lost over \$6,000 in the Wilhelmina well. Booth left the oil region in July 1864 -- no longer the wealthy entrepreneur he had been just 18-months earlier. A few weeks later, Booth checked into Baltimore's Barnum Hotel.

In this hotel, the Lincoln conspiracy first began to take shape with Booth's boyhood friends and former Confederate soldiers, Michael O'Laughlen and Samuel B. Arnold.

Over the next eight months, the plan would evolve from kidnapping to assassination, culminating in Ford's Theater on April 14, 1865, when Booth assassinated President Abraham Lincoln. His own life ended with a bullet when the Union cavalry caught up with him 12-days later, about 60 miles south of Washington, DC.

History is left to wonder what path John Wilkes Booth and the nation might have taken, had only his venture into Pennsylvania's booming oilfields succeeded.



EDUCATIONAL CORNER

Congratulations go to several members of the Los Angeles Association of Professional Landmen who have obtained their Registered Professional Landman designation:

**Randall Taylor, RPL, of
Taylor Land Service, Inc.**

**Joseph D. Munsey, RPL, of
Southern California Gas Company**

Need continuous education credit? You can generally earn them by attending our luncheons based upon speaker and subject matter. Listed below are continuous educational courses available for the first quarter of 2010.

California Conservation, Capture, Pooling and Unitization

Presented by Halfmoon Seminars

When: February 19th, 2010

Where: Santa Barbara

Location: Hotel MarMonte 805-963-0744

RL/RPL Continuing Education Credits: 6.0

CPL Recertification Credits: 6.0

For information regarding speakers, topics and cost please click here.

Winter Land Seminar

Presented by American Association of Professional Landmen

When: February 10, 2010

Where: Houston, TX

Topic: Joint Operating Agreements and Exploration & Participation Agreements

RL/RPL Continuing Education Credits: 6.0

CPL Recertification Credits: 6.0

For information regarding speakers, topics and cost please go to www.landman.org.

WI/NRI Calculation Workshop

Presented by American Association of Professional Landmen

When: February 20, 2010

Where: Tulsa, OK

RL/RPL Continuing Education Credits: 6.0

CPL Recertification Credits: 6.0

For information regarding speakers, topics and cost please go to www.landman.org.

West Coast Land Institute

When: TBD

Where: TBD

Location: TBD

RL/RPL Continuing Education Credits: TBD

CPL Recertification Credits: TBD



CASE OF THE MONTH

NINTH CIRCUIT UPHOLDS THE FOREST SERVICE'S INTERPRETATION OF THE MINERAL MANAGEMENT STANDARD AND GUIDELINE (MM-1)

Siskiyou Regional Education Project v. United States Forest Service

(Case No. 06-35332, 9th Cir., May 7, 2009)

By Thierry R. Montoya, Esq. & Ardno, Yoss, Alvarado & Smith

Appellant Siskiyou Regional Education Project ("SREP"), an environmental group, challenged the Forest Service's interpretation of the MM-1, a standard and guideline contained within the Northwest Forest Plan, alleging that any mining activity within "riparian reserves" of the national forest, must be preceded by the filing of a comprehensive document known as a "plan of operations," regardless of the scale of that particular activity's impact on the environment. The Miners that conducted mining activities in the Siskiyou National Forest countered that the Forest Service was not authorized to require a "plan of operations" for any mining activity when that requirement is found within a forest plan issued pursuant to the National Forest Management Act ("NFMA"). Appreciating the tension between these competing positions, the Forest Service issued a memorandum on February 5, 2002, that interpreted the forest plan for the Siskiyou National Forest so as to prevent the conflict with the current Forest Service regulations. As the Forest Service explained, MM-1 would have required a plan of operations for mining activities in riparian reserves only when the Forest Service determined that such operations were "likely to significantly retard or prevent attainment of the Aquatic Conservation Strategy." In response to cross-motions for summary judgment, the district court granted summary judgment for the Forest Service, holding that the Miners' claims were moot in light of the Forest Service's policy of requiring a plan of operations when the mining operation posed a risk of significant surface disturbance. The district court also granted summary judgment in favor of the Forest Service in response to SREP's suit holding that the Forest

Service's narrow interpretation of MM-1 was reasonable and, thus, entitled to deference. The Ninth Circuit upheld the district court's holding.

Background


The NFMA requires the Forest Service to prepare for each forest a management plan that contains standards and guidelines specifying how the forest will be managed. The Forest Service first adopted a plan for the Siskiyou National Forest in 1989. That plan was amended in 1994, to allocate millions of acres of federally-administered lands within the range of the northern spotted owl. The National Forest Plan also established an "Aquatic Conservation Strategy" that is designed to protect fish habitat and to restore riparian and aquatic ecosystems. The Aquatic Conservation Strategy designed certain streams and watersheds as "riparian reserves." Riparian reserves are at risk due to suction dredge mining activities as these take place in streams.

The NFP standards and guidelines restrict certain activities within riparian reserves or key watersheds. However, with respect to the relationship between the NFP's standards and guidelines and existing laws and regulations, the standards and guidelines do not apply where they would be contrary to existing law or regulation.

NFP standards and guideline MM-1, at issue in the present case, provides:

"Require a reclamation plan, approved Plan of Operations, and a reclamation bond for all mineral operations that include Riparian Reserves. Such plans and bonds must address the costs of removing facilities, equipment, and materials; recontouring disturbed areas to near-mining topography, isolating and neutralizing or removing toxic or potentially toxic materials, salvage and replacement of topsoil, and seedbed preparation and revegetation to meet Aquatic Conservation Strategy Objectives."

In isolation, MM-1 seems to require a plan of operation for all mineral operations that include riparian reserves. Unlike section 228.4 that draws a distinction between mining operations that require only a notice of intent and those that require a more comprehensive plan of operations, MM-1 fails to draw this distinction. To address the tension between section 228.4 and MM-1, the Forest Service issued its February 5, 2002 memorandum. This memorandum required plans of operation in riparian reserves when the mining activities were found to be "likely to cause significant disturbance of surface resources" or would otherwise trigger the regulatory requirement that a plan of operations be submitted. The February 2002



Case of the Month
continued from page 6

memorandum explained that applying MM-1 to mineral activities which do not cause significant surface disturbance would be “contrary to law and regulation.”

SREP sued the Forest Service, challenging the Forest Service's interpretation of NFP standard and guideline MM-1 and the Part 228A regulations, claiming that the Forest Service's failure to require plans of operation for all mining activities in riparian reserves violates NFMA. The Miners moved to intervene in SREP's suit. All parties later filed cross-motions for summary judgment.

Court's Rationale

The 9th Circuit first addressed the Forest Service's claim that it lacked jurisdiction as there was no “final agency action for which there is no other adequate remedy in a court.” The Forest Service argued that under the terms of the APA, SREP was expressing nothing more than general dissatisfaction with the Forest Service's decision to limit the application of MM-1. The 9th Circuit rejected this argument holding that SREP's complaint referred to specific instances of suction dredge mining operations that took place without an approved plan of operations in waterways administered by the Forest Service. SREP's complaint further alleged that the Miners had mined their claims and intended to continue doing so, all without a reclamation plan or bond. These allegations challenge specific instances of the Forest Service's actions taken pursuant to its interpretation of MM-1, representing, therefore, more than generalized attacks to Forest Service action or inaction.

Turning to the Forest Service's interpretation, the 9th Circuit held that the Service's February 2002 Memorandum interpreted MM-1 narrowly, concluding that a broader interpretation would result in a conflict between MM-1 and section 228.4. The 9th Circuit, relying on *Forest Guardians* and *Hells Canyon Alliance* held that the Forest Service's interpretation of these ambiguous forest plan directives was entitled to deference.

SREP alleged that the mandatory language of MM-1 was not contrary to the discretionary elements of section 228.4(a). SREP argued that MM-1 “simply makes the decision for the line officer that mining in a riparian reserve requires a plan of operations.” SREP was hoping to convince the Court that this blanket requirement imposed a supplemental guideline that is consistent with, and not contrary to, section 228.4(a). Although SREP's argument had some merit, the 9th Circuit agreed with the Forest Service's assessment that the meaning of MM-1 was ambiguous. Specifically, the first part of MM-1 requires plans of operations for all mineral operations involving riparian reserves. This language conflicts with section 228.4(a), adopted long before MM-1, requiring a plan of operations only when a district ranger determines that the proposed mining operations will likely cause significant disturbance of surface resources. As the NFP provides that any standard and guideline, MM-1 included, shall not apply when contrary to existing law or regulation, the Forest Service correctly determined that MM-1 was ambiguous as it was susceptible to different interpretations.

The Forest Service's interpretation did not violate Congressional intent and could not be deemed plainly erroneous or inconsistent. The Forest Service's interpretation was consistent with Congress's long held interest in the development of mineral resources. The Forest Service's Memorandum recognized that that mining rights may not be unreasonably restricted in the performance of Forest Service duties. Rather, the Memorandum required plans of operation for mining activity that might cause disturbance of surface resources, and only requires a notice of intent for such activities that are not likely to do so.

Regarding the Miner's claims, the district court properly dismissed Barton's claims as moot as the Forest Service's current interpretation of MM-1 inures to Barton's benefit. Regarding Hobb's claim, the district court's decision to strike Hobb's claims pursuant to Fed. R. Civ. Proc. 12(f) was correct as Hobb's intervention was limited to the “remedial phase” of the litigation. However, Hobbs' answer improperly raised issues related to the merits of the litigation.

Conclusion

Suction dredging is a popular method of gold mining that can harm endangered fish and ecosystems. This decision supports the Forest Services ability to balance mining uses with fish and wildlife interests by granting district rangers the discretion to decide whether mining activities would significantly disturb surface resources.

SPECIAL EVENT

LAAPL AND LABGS HOLD JOINT LUNCHEON

The Los Angeles Association of Professional Landmen and the Los Angeles Basin Geological Society will hold its joint luncheon in January. Please note the date of the luncheon is the fourth Thursday of January and the location is at The Grand at Willow Street Conference Center.

When: Thursday, Jan 28nd

Time: 11:30am

Cost: \$20 with reservations

\$25 without reservations

Meeting Place: The Grand at Willow
Street Conference Center

4101 East Willow Street

Long Beach

Contact: Thomas G. Dahlgren,

LAAPL Chapter President

Warren E & P

Telephone: (562) 307-7001

ARTICLE

GET READY...SET....GO!

(Nominations for LAAPL 2010 -
2011 Officers)

It is that time of the year to start considering a run for a LAAPL Chapter Officer for the 2010 – 2011 term. The following offices are open:

President¹

Vice President

Treasurer

Secretary

LAAPL Local Director

LAAPL Local Director

AAPL Region VII Director²

¹ Per Section 7(3) the Vice President shall succeed to the office of the President after serving his or her term as Vice President and shall hold the office of President for the next twelve (12) months.

² Not an elected position – by Board appointment.

OIL, GAS, MINERAL AND GEOTHERMAL LAND CONSULTING

Title Searching, Examining, &
Curative

Title / Ownership Summaries

Drillsite Titles / Reports

Land Availability Checks

Lease Negotiations

Division Orders

Pooling Agreements & other Land
Contracts

Farmin / Farmout / Joint Ventures

Permitting / Regulatory
Compliance

Due Diligence Studies

Resource Management

Acquisitions & Divestitures

Asset Identification, Scheduling
and Marketing

Revenue Analysis & Recovery of
Lost Revenue

Environmental Studies

Rights-of-Way / Easements

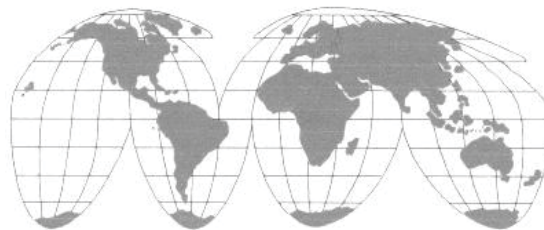
Federal and State Land Record
Searches

PETRU CORPORATION

A FULL SERVICE LAND COMPANY

TIMOTHY B. TRUWE, PRESIDENT

Registered Professional Landman
Registered Environmental Assessor



Serving the needs of the

Title, Resource, Environmental, Mining and Right-of-Way Industries;
Legal, Engineering and Land Planning Professions;
Government; Lending and Trust Institutions; Water Purveyors;
Utilities; Real Estate Companies; and the Individual
and Business Communities

**250 S. Hallock Drive, Suite 100
Santa Paula, CA 93060-9646**

(805) 933-1389 Voice

(805) 933-1380 Fax

Visit us at:

<http://www.PetruCorporation.com>

or send e-mail to:

Petru@PetruCorporation.com

TITLE INDUSTRY, REAL ESTATE AND ENGINEERING SERVICES

Title Searching, Examining &
Write-Ups

Title Engineering / Property Legal
Descriptions

Property Inspections

Title Research / Consulting

Special Title Projects

Locate / Plot Easements

Property Ownership / Rights

OTHER SERVICES

Land / Lease Administration

Expert Witness

Right-of-Way Consulting

Natural Resource Consulting

Environmental Studies

Administrative & Management

Property / Historical Use

Investigations

Asset Verification & Management

Regulatory Compliance

Subdivision / Parcel Map

Compliance

Water Rights

Trust Asset Management

Assistance

Map Drafting / AutoCad



Stanford Petroleum Investments Funds

Photo courtesy of Andreas Mulch

Investing in Energy to Support Education and Research



“Today’s computational capacity and the availability of large volumes of data from ground-based observations and satellites offer new opportunities for understanding how the Earth system works and how human activities interact with Earth processes. The Stanford Center for Computational Earth and Environmental Science will enable the development of sophisticated models to address questions about energy and freshwater resources, natural hazards, climate change, and other global issues.”

Jerry M. Harris, Director, Center for Computational Earth and Environmental Science, Professor and Former Chair, Department of Geophysics, Stanford University; Director, Stanford Wave Physics Laboratory; Past Distinguished Lecturer, Society of Exploration Geophysicists, American Association of Petroleum Geologists, and Society of Petroleum Engineers.

The alumni-managed Stanford Petroleum Investments Funds own, manage, and acquire producing oil and gas royalties and other energy investments. Income from these investments provides essential discretionary funding in support of energy and environmental education and research and other programs of the Stanford School of Earth Sciences. The Petroleum Investments Funds provided seed funding to help launch the Stanford Center for Computational Earth and Environmental Science.

If you would like to sell or donate producing oil and gas royalties or learn more, visit <http://earthsci.stanford.edu/support/pif> or call or email David Gordon, Associate Dean, Stanford School of Earth Sciences, at (650) 723-9777 or dsgordon@stanford.edu to see how you can help.



AEGON® USA Realty Advisors

AEGON is an institutional capital provider seeking upstream, reserve-based investment opportunities. We provide capital to established fund managers as well as experienced management teams seeking institutional capital for the first time. We look for strategies involving lower risk equity or debt financings, and operating teams with an "acquire and exploit" strategy. AEGON has committed over \$400 million to the domestic energy business since 2002.

We offer:

- An experienced energy investment team
- Professional guidance for new management teams in identifying and implementing a suitable strategy and structure
- Full manager discretion within structured parameters



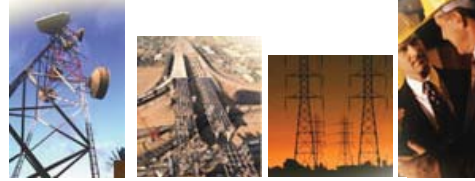
Transamerica Minerals Company (an affiliate of AEGON) owns nearly 400,000 acres of mineral rights in California and several other western and mid-continent states. TMC assets generate royalties from 500 producing oil and gas wells located primarily in California and Oklahoma. In addition, TMC provides AEGON with an experienced oil and gas asset management team providing a solid foundation for AEGON's direct energy investment initiatives.

Neil B. Madsen, Senior VP
AEGON USA Realty Advisors
4333 Edgewood Road NE
Cedar Rapids, IA 52499
319.355.2561
nmadsen@aegonusa.com

Terry L. Allred, VP
Transamerica Minerals Co
1899 Western Way, Suite 330
Torrance, CA 90501
310.533.0508
terry.allred@transamerica.com

SPECTRUM

Land Services



**"Beyond Service ...
Solutions"**

Corporate Headquarters
725 Town & Country Rd.
Suite 410
Orange, CA 92868
Tel: (714) 568-1800
Fax: (714) 568-1805

Los Angeles Office
2501 Cherry Avenue
Suite 270
Signal Hill, CA 90755
Tel: (562) 426-6713
Fax: (562) 426-6893

San Diego Office
100 E. San Marco Blvd.
Suite 428
San Marcos, CA 92069
Tel: (760) 510-5944
Fax: (760) 510-5945

Visit us on the web: www.spectrumland.com



VENOCO, INC. IS PROUD TO SPONSOR THE *Los Angeles Association of Professional Landmen*

Pat Moran, Land Manager, So. California
Thomas Clark, Land Manager, Sacramento Basin
Craig Blancett, Senior Landman
Sam Steele, Senior Landman
Mark Wilson, Senior Landman
Vanita Menapace, Right of Way Specialist
Mark Hooper, Mapping Technician
Patricia Pinkerton, (Contract Senior Landman)
Harry Harper, (Senior Land Mngr., Special Projects)

Venoco is an independent energy company primarily engaged in the acquisition, exploration and development of oil and natural gas properties. It has headquarters in Denver, Colorado and regional offices in Carpinteria, California and Houston, Texas. Venoco operates three offshore platforms in the Santa Barbara Channel, has non-operated interests in three other platforms, operates three onshore properties in Southern California, has extensive operations in the Northern California's Sacramento Basin and operates 18+ fields in the Texas Gulf Coast and South Texas. Venoco is publicly traded on the New York Stock Exchange under the symbol "VQ".

Corporate HQ, 370 17th Street, Suite 3900, Denver, CO 80202, Tel: 303 626-8300

6267 Carpinteria Avenue, Carpinteria, CA 93013
805 745-2100

1021 Main Street, Suite 2500, Houston, TX 77002
713 533-4000

www.venocoinc.com



MAVERICK PETROLEUM, INC.

Complete Oil and Gas Land Services
1401 Commercial Way, Suite 200
Bakersfield, California 93309
Phone: (661) 328-5530
Fax: (661) 328-5535
glp@mavpetinc.com

Lease Availability Checks
Title Searching
Title Curative
Drillsite Title Reports
Lease Negotiations
Surface Damage Negotiations
In House Support

Division Orders
Due Diligence Work
Acquisitions and Divestitures
Right-of-Way Acquisitions
Complete 3-D Seismic Services
Well Permitting
Digital Mapping

Gary L. Plotner
President

BAPL President 1985-86 & 2003-04
AAPL Director 1988-90 & 2002-03 & 2004-07
Serving the Western United States since 1983

THE LAW FIRM OF

BRIGHT AND BROWN

GRATEFULLY ACKNOWLEDGES THE CONTINUING SUPPORT OF OUR FRIENDS AND CLIENTS IN THE OIL AND GAS INDUSTRY AS WE CONTINUE A TRADITION OF PRACTICE IN THE AREAS OF BUSINESS, REAL PROPERTY AND ENVIRONMENTAL LITIGATION; EXPLORATION AND PRODUCTION TRANSACTIONS; MINERAL TITLE REVIEW AND OPINIONS; LAND USE, ZONING, ENVIRONMENTAL AND OTHER PERMITTING AND ADMINISTRATIVE MATTERS.

550 NORTH BRAND BOULEVARD
SUITE 2100
GLENDALE, CALIFORNIA 91203
(818) 243-2121 OR (213) 489-1414
FACSIMILE (818) 243-3225

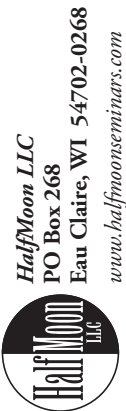


Clancy Cottman
President

T: 805 566 2900 x102
F: 805 566 2917
clancycottman@cs.com

Legacy Energy, Inc.
1135 Eugenia Place, Suite C
Carpinteria, CA 93013

PRESORTED
STANDARD
U.S. POSTAGE PAID
EAU CLAIRE, WI
PERMIT NO. 2016



Online
Registration is
Available

5 REASONS... You Won't Want To Miss This Seminar!

1. You'll examine conservation issues created by principles of oil and gas law.
2. You'll learn about statutory and voluntary pooling of oil and gas interests.
3. You'll get tips on unitization of oil and gas interests.
4. You'll study the authority and actions of the California DOGGR.
5. You'll learn about expanded DOGGR oversight of production facilities.

California Conservation, Capture, Pooling and Unitization

A one day program for attorneys, landmen, engineers, surveyors, geologists and title insurance professionals, where you'll:

- ▶ **Study** conservation issues created by principles of oil and gas law
- ▶ **Look** at statutory and voluntary pooling of oil/gas interests
- ▶ **Examine** unitization of oil/gas interests
- ▶ **Learn** about the authority and actions of the California DOGGR
- ▶ **Analyze** expanded DOGGR oversight of production facilities

Santa Barbara, CA
Friday, February 19, 2010

6.0 CLE Hours for California
Attorneys & Paralegals
6.0 CE Hours for Landmen
6.0 Continuing Education Hours for
Engineers, Geologists, Title
Insurance Agents, and
Surveyors

(See inside for details)



Seminar Agenda

Conservation Issues Created by Principles of Oil & Gas Law

J. Quirk

- ▶ Rule of capture; doctrine of correlative rights
- ▶ Limits on mineral-related use and improvement
- ▶ Joint lease and community lease
- ▶ Line well agreements
- ▶ Commingling agreements

California Pooling of Oil/Gas Interests

J. Harris

- ▶ Statutory pooling in California
- ▶ Voluntary pooling
- ▶ Lease provisions providing authority to pool
- ▶ Lessor's and lessee's perspective and concerns
- ▶ Pugh clause and good faith pooling
- ▶ Implementation of pooling and redeterminations
- ▶ Pooling for horizontal wells
- ▶ Farmout and joint operating agreement issues
- ▶ Unpooled interests
- ▶ Termination of pooled drilling units

California Unitization of Oil/Gas Interests

D. Ossentjuk

- ▶ Unitization: a solution to pooling issues
- ▶ Unitization agreements
- ▶ DOGGR potential action
- ▶ Naming a unit operator
- ▶ Development and production
- ▶ Spacing and placement of wells
- ▶ Lease values and unit shares
- ▶ Termination of unit

Authority and Actions of the California Division of Oil, Gas and Geothermal Resources (DOGGR)

K. Taylor

- ▶ Statutory mission and objectives
- ▶ Nuisance wells
- ▶ Mandatory spacing
- ▶ Unitization
 - Mitigate and avoid subsidence
 - Prevention of waste
- ▶ Idle and orphan wells
- ▶ Compulsory abandonment (*Termo v. Luther*)

Expanded DOGGR Oversight of Production Facilities

Panel

- ▶ (NEW) AB 1960 (Nava), eff. Jan. 2009, and (Proposed) DOGGR Implementing Regulations

Seminar Faculty

John “Jack” Quirk is a member of the law firm of Bright and Brown in Glendale. He represents both mineral owner/lessors and mineral lessee/operators in the negotiation and performance of oil and gas leases and other agreements unique to the exploration and production phases of the oil and gas industry. Mr. Quirk is considered one of the state’s leading practitioners in the area of oil and gas title. He was 1998-2000 co-chair for Southern California, of the Natural Resources subsection of the California State Bar Natural Resources Section. Mr. Quirk is the author of the *2008 Certification Manual: California Legal and Practice Summary for the National Association of Division Order Analysts*. He received a “Special Award—Education” at the June 2006 convention of the American Association of Professional Landmen. He joined with Cecilia Rendon of Bright and Brown at the 26th Annual West Coast Land Institute in presenting “To Protect and To Inform—A Recording Grab Bag.”

John Harris is a principal with Meyers Nave in Los Angeles. Formerly a shareholder and chair of Richards, Watson & Gershon’s environmental, energy, oil and gas department; he brings more than 25 years of experience to Meyers Nave, advising both public agency and private clients throughout California on their rights, obligations, liabilities and opportunities under federal, state and local environmental laws and regulations. Mr. Harris has focused primarily on the problems of California producers, landowners and royalty owners, as well as the wide range of operational problems faced by exploration and production companies operating in California and in other states. Mr. Harris has helped clients in oil and gas lease negotiations and in sales of oil and gas producing properties, coal seam gas properties and pipelines. He is a member of the California Independent Petroleum Association and the Rocky Mountain Mineral Law Foundation. He serves as the California editor for the Oil and Natural Gas Exploration and Production Committee’s Annual Report included in the ABA Natural Resources, Energy and Environmental Law Section’s “Year in Review.”

David A. Ossentjuk is a partner in the Westlake office of Musick, Peeler & Garrett. He specializes in business and environmental litigation, environmental aspects of real estate transactions, including “Brownfields” projects, commercial and environmental insurance coverage matters, and oil and gas litigation and transactions. Mr. Ossentjuk represents clients in all types of environmental litigation, including governmental “multi-media” enforcement and private cost recovery actions. He also advises clients regarding oil and gas matters, including oilfield cleanup obligations, conveyance and title issues, and the regulations of the California Department of Conservation, Division of Oil, Gas & Geothermal Resources, and the California State Lands Commission. Mr. Ossentjuk has significant experience in the purchase, sale and development of environmentally impaired properties. He has negotiated environmental provisions in purchase and sale agreements, leases, joint venture agreements, and oilfield abandonment agreements.

Kristin Taylor received her law degree from the University of California, Los Angeles in 1996, and her undergraduate degree in Communication Studies from the University of California, Los Angeles, in 1993, graduating *cum laude*. Ms. Taylor has been with Bright and Brown in Glendale since 1997 and a partner in the firm since 2005. She has represented oil and gas industry clients and others in general business litigation matters, and in oil and gas, environmental and real property transactions. Ms. Taylor has represented both mineral owner/lessors and mineral lessee/operators in transactions and disputes involving various oil and gas contracts and agreements, including participation agreements, oil and gas leases and assignments, purchase and sale agreements and consulting/confidentiality agreements. In 2004, Ms. Taylor was involved, along with other members of the firm, in presenting “Contract Negotiations and Preparation in the Oil and Gas Industry: Drafting Complete and Unambiguous Contracts in California,” in Sacramento and Santa Ana.

Additional Information

▶ **Tuition:** \$259.00 for one, or \$239.00 each for 3 or more from the same company or firm registering at the same time. Please make check payable to **HalfMoon LLC**. Each registration includes one copy of *California Conservation, Capture, Pooling and Unitization*. **Pre-registration is recommended.** *Walk-in registrations will be accepted at the program if space is available.*

▶ **Send Registrations to:** HMS, P.O. Box 268, Eau Claire, WI 54702-0268. You may also register via fax at 715-835-6066, over the phone at 715-835-5900, or online at www.halfmoonseminars.com. **We do not send confirmations.** You will be contacted if any scheduling changes occur.

▶ **Date:** **Friday, February 19, 2010**

▶ **Location:** Hotel MarMonte • (805) 963-0744
1111 East Cabrillo Boulevard
Santa Barbara, CA 93103
(Call the Hotel MarMonte or HalfMoon LLC for directions.)

▶ **Schedule:** Registration 8:00 - 8:30 a.m.
Morning Session 8:30 - 11:45 a.m.
Lunch 11:45 a.m. - 1:00 p.m. *(On your own)*
Afternoon Session 1:00 - 4:30 p.m.

▶ **Continuing Education Credit:** The State Bar of California has approved HalfMoon LLC as an MCLE sponsor, and this program is certified for 6.0 CLE hours for attorneys and paralegals. The American Association of Professional Landmen has approved this activity for 6.0 RL/RPL continuing education credits and 6.0 CPL recertification credits, which includes no CPL/ESA recertification credits and no ethics credits. This seminar is designed for the professional enrichment of California engineers, geologists, surveyors and title insurance agents. Professional engineers, surveyors and geologists licensed in other states may be able to claim continuing education credit for attending this event. Please refer to specific state rules to determine eligibility, or contact HalfMoon LLC for assistance. *You may email inquiries to doug@halfmoonseminars.com or call HalfMoon at 715-835-5900.*

▶ **Cancellations:** If your schedule changes and you contact us at **least 48 hours** before the start of the seminar (CST), we will offer you a full tuition refund, minus a \$10.00 service charge for each registrant. If you contact us after that time, we will offer you a credit toward another seminar, or a credit toward the CD/manual package. *If you desire, you may send another person to take your place at the seminar.*

▶ **CD/Manual Package:** A full audio recording of this seminar is available for \$269.00, which includes shipping and handling. Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

CALIFORNIA CONSERVATION, CAPTURE, POOLING AND UNITIZATION Friday, February 19, 2010 — Santa Barbara, CA • Hotel MarMonte, 1111 East Cabrillo Blvd.

1. **Yes, I will attend - Santa Barbara, CA - Fri., February 19, 2010**
\$259.00 for a single registrant or \$239.00 each for 3 or more
from the same firm registering at the same time.
(Manual Included)

No, I am not attending. Please send me:

CD/Manual Package - \$269.00

Price shown includes shipping and handling. Product will ship
UPS; please include a physical address not PO Box.

2. **Please complete for each registrant:**

(Attach duplicate forms if necessary.)

Name: _____
Position: _____
Name: _____
Position: _____
Company/Firm: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone where we can reach you: (_____) _____ - _____

3. **I am making payment by:**

Check payable to HalfMoon LLC
(____ Yes, I was pre-registered by phone or fax.)

MC VISA AmEx Discover

Card No: _____ Expires: _____

Cardholder Name: _____

Signature: _____

E-mail Address *(for credit card receipt and program changes only):* _____

4. **Detach entire panel and send via fax to**
715-835-6066 or by mail to
HMS, PO Box 268, Eau Claire, WI 54702-0268.

I need special accommodations. Please contact me.

Program #10061

Thank you