



# The Override

Every Landman Wants One!

Volume VII, Issue I

January, 2012



Los Angeles Association of Professional Landmen

## Presidents Message

**Joe Munsey, RPL**

### Southern California Gas Company

Welcome back from the holidays. May you have a wonderful and prosperous New Year.

We kindly remind you, our chapter meeting is actually a joint meeting with the Los Angeles Basin Geological Society, an event that has become a tradition between the organizations each January. If you glance over to your right and note the luncheon speaker, the distinguished Dr. W. C. Rusty Riese, will be addressing the luncheon crowd on a topic of interest to all in the industry.

Please observe the meeting will not be held at the Long Beach Petroleum Club but rather at the same location as last January which is The Grand at 4101 East Willow Street, Long Beach, CA.

We are pleased to announce a new column will be appearing in our award winning newsletter. The prolific writer and expert on eminent domain matters, Brad Kuhn, Esq., of Nossaman LLP, will be addressing surface and rights of way issues. We



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welcome Brad and Nossaman LLP to our team of writers.

To arouse your keen interest in reading this fine publication, we have a bit of tantalizing information to share with our readers. We are in discussions with the Law Firm of Luna & Glushon to provide a column which will report on legislative issues affecting our industry here in California. Once we finalize the format with Luna & Glushon, look forward to this new column beginning in our March issue.

Since we are no longer taking up space in the Opinionated Column of "The Override," I feel compelled to offer observations on the recent EPA buffoonery in regards to its recent "testing" of the wells they drilled in Pavillion, Wyoming. However, rather than I doing the honors, we leave you with the statement from Oklahoma Republican Senator Jim Inhofe after the EPA's Pavillion report was released, "EPA's conclusions are not based on sound science but rather on political science."

Of course, the debacle of last week's announcement axing the Keystone Pipeline weighs heavy on the oil and gas industry collective minds; perhaps George Orell explains the reasoning of "those in charge" better than I. "Some ideas are so stupid only intellectuals believe them."

I should be so brash to explain the situation to these "wunder-wonks," "May you freeze in the dark." To the rest of the American public, "I feel your pain."

## Meeting Luncheon Speaker



**"Oil Spills, Ethics, and Society: How do they intersect and Where are the Responsibilities?"**

**AAPG Distinguished Ethics Lecture, 2011-2013**

**Dr. W. C. Rusty Riese** is a geoscientist based in Houston, Texas. He is widely experienced having worked in both minerals and petroleum as a geologist, geochemist, and manager during more than 39 years in industry. He participated in the National Petroleum Council evaluation of natural gas supply and demand for North America which was conducted at the request of the Secretary of Energy and in the more recent analysis of global supply and demand requested by the same agency. He is currently a member of the American Association of Petroleum Geologists Committee on Resource Evaluations, and a member of the House of Delegates.

Dr. Riese is currently an Adjunct Professor at Rice University, the Colorado State University, and the University of New Mexico, where he sits on the Caswell Silver Endowment advisory board. He is a fellow in the Geological Society of America and the Society of Economic Geologists.

He earned his PhD from the University of New Mexico in 1980; his M.S. in geology from the same university in 1977; and his B.S. in geology from the New Mexico Institute of Mining and Technology in 1973.



## The Opinionated Column

**Stephen T. Harris, CPL**  
**Independent**

We have a New Year! Hosanna in the Highest!

That is the most emotion I will decant for this piece. Let's start with the bad news for the first part of 2012. Johnny Otis died Tuesday and Etta James died this morning. As our resident Landman musician, Larry Hickok opined, "the world is a little better because they were here."

The Keystone Pipeline Project is now dead. The TransCanada Keystone XL Pipeline Project would have been the longest pipeline in this hemisphere, and created thousands of permanent jobs, not to mention more crude oil in the country's pipelines. The State Department and one of my more liberal landmen friends prefer to low-ball the jobs and subtract the Warren Buffet loss of railroad jobs, but that analysis tortures the facts with extraneous surplusage. Having close to another million barrels of oil flowing through the North American grid is one million less Arab barrels – plain and simple.

Other bad news falls along the lines of the Iranians provoking military response by stopping traffic through the Strait of Hormuz; the Marcellus litigation now over fracking causing micro-quakes (good for hysteria impulses); and the recent report from the SPE that there has been an absolute decline in the ranks of U.S. petroleum engineers over the past 25 – 30 years. Within 10 – 15 years, **at least half of** our most experienced engineering

professionals will be retiring.

My ebullience notwithstanding, I anxiously point out some good oil industry news:

A report from Deloitte Center for Energy Solutions indicates eight out of ten citizens of our country link shale gas with job creation and economic revival. In fact, shale gas production supported more than 600,000 jobs in 2010, a number that is projected to grow to nearly 870,000 by 2015.

There was an article in the New York Times on January 11, 2012, stating the UAE has nearly completed an oil export pipeline from Abu Dhabi, on the Persian Gulf, to the Gulf of Oman, bypassing the Strait of Hormuz. Given the fact that 17 million bbls of oil transit the Strait daily; this is a significant development.

According to an article in *Exploration & Production*, January 6, 2012, an alternative to carbon capture and storage technology turns emissions into useable byproducts through a process called carbon mineralization. This has the potential of carbon capture being as easy as turning CO<sub>2</sub> into baking soda.

There is a recent *Wall Street Journal* report discussing a "non-green" jobs bonanza through domestic energy production. The U.S. Labor Statistics reported recently the U.S. jobless rate remains a dreadful 9%, but that oil and gas production has boomed, thanks to private investment. Oil and gas production now employs some 440,000 workers, an 80% increase, or 200,000 more jobs, since 2003. Oil and gas jobs account for more than one in five of all net new private jobs.

*The Economist* on December 28, 2011, reported the U.S. daily oil consumption of 19 million b/d may no longer be supplied mostly by foreign sources as is today. Rather, by 2020 the U.S. and Canada together may be producing 22 million bbls/day. That may actually start a process that leads to energy independence.

The cellulosic ethanol fuel production, which was supposed to reach 250 million gallons in 2011 (by Congress mandate), actually produced only 6.6 million gallons. This is important not just for showing the posteriors of Congress in their numbing mental contortions for votes, but also for illuminating the dystopia caused by government subsidies.

There are more fusillades from the Climate lobby as to how much harm we humans are to the galaxy, but professional oil and gas folks most likely have some idea of geology. Studying geology and temperature readings on a 4.5 billion year old planet is instructive as to what this hairball of a planet is all about. The current rage is the proliferation of CO<sub>2</sub>, with supercilious attempts to regulate our breathing. I thought a snapshot of just the last 1,000 years as to CO<sub>2</sub> might be instructive. Below is a chart excerpted from at least one widely recognized authority as to causes of climate change (note: for PC, I used climate change instead of global warming to not offend Joe Munsey bowing to his predilection for punctiliousness). That study can be downloaded in a PDF format from

[www.sciencebits.com/files/articles/GACV3No1Veizer.pdf](http://www.sciencebits.com/files/articles/GACV3No1Veizer.pdf)

and it discusses another perspective of climate change from celestial drivers over a billion year period.

Enough said. We have been at high CO<sub>2</sub> levels before. Note how the warming cycle was followed by a "little ice age" that lasted until around 1950.

Finally, and in the spirit of alacrity and brevity, I will mention only one more piece of good news to kick off the New Year. It appears that we citizens, the nota bene driver of this country, will actually have a choice to pontificate on for our elected leaders between two stark redoubts of thinking. On the one hand, there are those that believe

*Opinionated Column*  
*continued on page 3*

## 2011–2012 Officers & Board of Directors

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Golf Chair  
Terry Allred, RPL  
Zodiac Energy  
661-873-4662

Nominations Chair  
TBD

## OUR HONORABLE GUESTS

Maria Parcell, SCE  
Celia Richardson, OXY  
Perry Schultz, Independent  
Jeff Admon, Independent  
John Mark Williams, Independent

## Opinionated Column continued on from 2

the Federal government needs more largesse to insulate those from hard work and independence, and the other side that would be happy if the Federal Government was run by McDonalds or Jack in the Box (In-N- Out did not sound right). I personally believe we all have a choice between hot dogs and hamburgers and right and wrong. That is our way.

If we have peaked your interest in geology and engineering, please attend the combined meeting with LABGS and LAAPL this week; there is always something of interest landmen may learn from the rock hounds.

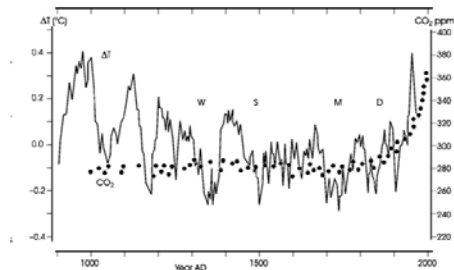


Figure 12. The temperature change ( $\Delta T$ ) and  $CO_2$  records of the last millennium from a Greenland ice core (GISP2). Temperature was calculated from the 50 year smoothed record as  $T(^{\circ}C) = 0.6906 \delta^{18}O - 13.68$ . The  $\delta^{18}O$  database is available at <http://ftp.ngdc.noaa.gov/paleo/icecore/greenland/summit/gisp2/isotopes/d18o1yr.txt>. The detailed structure showing the coincidence of cold intervals with sun activity minima (W to D: Wolf, Spörer, Maunder, Dalton) may or may not be statistically valid because of the noisy nature of the proxy signals, but the overall trend is confirmed also by the borehole temperature profiles (Dahl-Jensen et al., 1998). Adapted from Berner and Streif (2000).

## Early Bird Reminder for LAAPL Annual Dues

**Sarah Downs**  
**Downchez Energy, Inc.**  
**LAAPL Treasurer**

Sarah Downs, Chapter Treasurer will be calling for dues late Spring; which will be due by June 2012 for the 2012 – 2013 year. Cost, a mere \$40.00.

## LAAPL Member has Article Published in LANDMAN

The LAAPL Board of Directors, Committee Chairs, and LAAPL members, congratulate Noemi Cruz, Esq. of the Law Firm of Luna & Glushon and her fine article, "Loan to Own? How to Keep Your Oil/Gas Well Out of Your Lender's Grasp Until the Court Rules," for appearing in the latest publications of the AAPL's Landman.



## Treasurer's Report

As of 10/27/2011, the LAAPL account showed a balance of \$19,685.62

Deposits	\$935.00
Total Checks, Withdrawals, Transfers	\$1,297.19
<b>Balance as of 1/01/2012</b>	<b>\$ 19,323.43</b>
Merrill Lynch Money Account shows a total	\$11,096.90

## New Members and Transfers

### Jason Downs, Downchez Energy, Inc. Membership Chair

As a Los Angeles Association of Professional Landmen member, you serve to further the education and broaden the scope of the petroleum landman and to promote effective communication between its members and government, community and industry on energy-related issues.

### New Members

Christopher Paul Cucchiara, Oxy USA, Inc.

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### Transfers

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## Event Article Joint Luncheon

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### LAAPL and LABGS Hold Annual 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 26th

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, CA

Contact:

Tawnya Hildabrand, Secretary,  
Los Angeles Basin Geological Society  
714-454-7149

[Tawnya\\_Hildabrand@oxy.com](mailto:Tawnya_Hildabrand@oxy.com)

Or online at [www.labgs.org](http://www.labgs.org).



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## Get Ready...Set....Go!

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### (Nominations for LAAPL 2012 - 2013 Officers)

It is that time of the year to start considering a run for a LAAPL Chapter Officer for the 2012 - 2013 term. The following offices are open:

President<sup>1</sup>

Vice President

Treasurer

Secretary

LAAPL Local Director

LAAPL Local Director

<sup>1</sup>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.

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## Lawyers' Joke of the Month

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### Jack Quirk, Esq. Bright and Brown

This is the story of a frantic blonde passenger flying in a two-seater airplane with just the pilot. The pilot has a heart attack and dies. Blonde passenger frantically calls a May Day: "May Day! May Day! Help me! Help me! My pilot had a heart attack and is dead. And I don't know how to fly. Help me! Please help me!"

Suddenly she hears a voice over the radio saying: "This is air traffic control. I have received your message and I will talk you through it. I've had a lot of experience with this kind of problem. Now, just relax. Everything will be fine! Now give me your height and position."

She says, "I'm 5'4" and I'm in the front seat."

"O.K." says the voice from the tower. "Repeat after me: Our Father. . . Who art in Heaven. . . ."

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## LAAPL Board to Appoint Nominations Committee

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The LAAPL's Board of Directors will be appointing its Nominations Committee to seek out qualified candidates for officers. The officers will serve from July 1st, 2012 - June 30th, 2013. For all qualified members interested in submitting their names as candidates are encouraged to contact the committee members:

Per Section 7 (7a) of the By-laws, the membership will be provided with a list of nominees for officers for Vice President, Secretary, Treasurer and two (2) Directors at the March meeting. Further nominations from the floor will also be accepted at the March meeting. Members whose names are placed in nomination must give prior consent to be nominated and by mail or email up to May 1, 2012.

The election will take place at the last regular meeting of the Association this fiscal year, which is scheduled for May 17, 2012.

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## Save the Date Mickelson Golf Classic

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### Terry Allred, RPL Zodiac Energy LLC

### Michelson Golf Classic Chair

Golf in Malibu Anyone? The 2012 LAAPL Mickelson Golf Classic has been scheduled for August 10, 2012 at the Malibu Golf Club. Last year's tournament was the best attended LAAPL golf tournament in years. Most importantly, the LAAPL was able to contribute \$6,829 to the R. M. Pyles Boys Camp! Tournament details and sponsorship information will be circulated to members later this year.....but mark your calendars now!!

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## SCHEDULED LAAPL LUNCHEON TOPICS AND DATES

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January 26th

[4TH Thursday]

Annual Joint Meeting with

Los Angeles Basin Geological Society  
W.C. "Rusty" Riese, Past Vice President  
of AAPG

"Oil Spills, Ethics and Society:  
How They Intersect & Where the  
Responsibility Resides"

March 15th

John Harris, Esq.

Meyers Nave

May 17th

Paul Cowdery, Parcel Quest

"Assessing Minerals"

Officer Elections



### Randall Taylor, RPL Petroleum Landman

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## **Southern California Gas Company Demonstrates Natural Gas Vehicle "Fueling Station in a Box"**

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*November 16, 2011*

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### **Technology is First in the U.S.**

On Oct. 25, SoCalGas launched the field demonstration of a new natural gas vehicle fueling technology that aims to significantly reduce costs and increase performance. The testing of the Galileo Microbox - a streamlined compressed natural gas "fueling station in a box" - is part of SoCalGas' research and development efforts to advance innovative technologies to benefit customers and the region. The modular fueling station technology offers the potential for lower construction and maintenance costs, faster vehicle fueling, minimized installation time and a smaller physical footprint.

The Microbox, developed by Galileo Corp. and used extensively internationally, is being showcased for the first time in the United States at SoCalGas' Riverside customer service base. The compact, self-contained fueling station provides compressed natural gas at about \$2 per gasoline gallon equivalent to vehicles operated by the city and county of Riverside, AT&T, SoCalGas as well as regional school bus and taxi companies and consumer vehicles.

### **SoCalGas Helps Advance New Technology**

"Compressed natural gas is a clean, domestically produced transportation fuel offering significant costs savings to customers," said Hal Snyder, SoCalGas vice president of customer solutions. "Our goal with this demonstration project is to help advance new technology that will reduce up-front capital costs for cities, counties and private operators looking to build compressed natural gas fueling stations."

The city of Riverside is a leader in the use of clean-burning natural gas to power its fleet of 250 vehicles, including 60 sedans, 73 pickups, 39 vans and buses, 13 street sweepers, 25 refuse trucks and 39 other heavy-duty trucks.

"Riverside has proven time and again how much we value innovation, technology and environmentally responsible solutions," said Riverside Mayor Ron Loveridge, who also serves on the California Air Resources Board and the South Coast Air Quality Management District Governing Board. "This ground breaking fueling station makes again a positive statement for our region's progressive efforts to preserve our environment."

### **Clean Technology = New Jobs**

The advancement of clean technology also helps to create new jobs in the emerging green renewable market.

"SoCalGas' alternative energy investment further underscores California's overall commitment to having the most dynamic energy portfolio in the world," said Governor's Office of Business and Economic Development Director, Joel Ayala. "Earlier this year, Riverside Mayor Ronald Loveridge and San Diego Mayor Jerry Sanders joined with my office to announce the expansion of a regional Innovation Hub and this is the type of technology and investment our regional innovation clusters seek to enhance."

### **Fueling Station in a Box**

Modular fueling station technologies, like those being developed by Galileo Corp., contain all the primary components required for a refueling facility in a single, factory integrated enclosure the size of a small shipping container. Hence, the nickname "station in a box."

This technology takes 20 percent less space and can be installed faster than traditional facilities with separate components that must be installed on the site, thereby offering the potential to significantly reduce capital cost and construction time.

### **California and SoCalGas - On the Road to More NGVs**

Southern California currently has nearly 300 compressed natural gas fueling stations serving more than 17,000 natural gas-powered vehicles. SoCalGas over the next few years is adding 1,000 new natural gas-powered trucks to its fleet and has begun upgrading and expanding its 13 company-owned public-access compressed natural gas stations. The company also is a member of "Drive Natural Gas," a national collaborative made up of North American natural gas utilities and producers focused on advancing natural gas as a fuel for all sectors of transportation, including cars, trucks, busses, and marine and mining equipment.

**THIRD CIRCUIT GIVES NATURAL-GAS PRODUCERS IMPORTANT AMMUNITION FOR OBTAINING EXPEDITED INJUNCTIVE RELIEF FROM THE COURTS**



*J. Nicholas Rajan, Esq*

*By J. Nicholas Rajan, Esq. and George A. Bibikos, Esq.  
Law Firm of K & L Gates LLP*

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*George A. Bibikos, Esq.*

**Introduction:** A federal court of appeals in the Marcellus Shale area has provided natural-gas producers an important tool to use when surface owners interfere with their rights to drill. In *Minard Run Oil Co. v. U.S. Forest Service*, --F.3d --, 2011 WL 4389220 (3d Cir. Sept. 20, 2011), the Third Circuit’s precedential opinion underscored that natural-gas producers may be able to establish the irreparable harm necessary to obtain an injunction or temporary restraining order simply by demonstrating that they have been prevented from drilling without meeting a more demanding standard. The court’s decision was noteworthy in two respects.

First, the court provided additional support for natural-gas producers and other mineral owners to obtain a temporary restraining order or other injunctive relief from the courts in order to stop others from impeding drilling efforts. Oftentimes, producers are thrust into disputes with surface owners and governmental actors who have taken steps to hinder drilling. Unfortunately, producers many times are required to resort to litigation in order to press their rights, including asking courts for emergency injunctive relief, which includes proving to the court that they have suffered “irreparable harm.”

In *Minard Run*, the court expressly recognized that irreparable harm can result simply from the fact that a producer is prevented from exercising its right to drill, a holding that provides natural-gas producers more ammunition for obtaining emergency injunctive relief in order to prevent governmental actors, surface owners, and other entities from taking any action that might hinder a producer’s ability to extract natural gas. Indeed, after *Minard Run*, a producer may be able to argue that it has suffered “irreparable harm”—a key element in obtaining an injunction—any time it has been prevented from extracting natural gas.

Second, the court reaffirmed the well-established principle that, where the mineral estate and surface estate are severed, the mineral estate remains the “dominant” estate. In other words, the mineral owner retains the right to use as much surface land as reasonably necessary to extract minerals, and the mineral owner need not obtain consent or approval before entering land to mine for minerals.

**The Court’s Decision:** On June 1, 2009, *Minard Run Oil Company*, as well as several other parties, brought suit against the U.S. Forest Service (the “Service”)—the surface owner of the property in the region—among other related persons and entities. *Minard Run*’s complaint alleged that, as a result of a prior settlement agreement between the Service and some environmental groups, the Service had imposed a de facto drilling ban in the region until an environmental impact study could be completed. *Minard Run* challenged the Service’s authority to implement a change in policy under the National Environmental Policy Act and the Administrative Procedure Act.

The district court agreed with *Minard Run*, and it granted a preliminary injunction that enjoined the Service from altering its prior policy and requiring the environmental impact study as a precondition to the exercise of oil and gas rights in the region.

The Third Circuit affirmed the district court’s opinion. The court initially reaffirmed the well-established principle that, where the mineral estate and surface estate are severed, the mineral estate remains the “dominant” estate. The court stated that “[a]lthough the mineral owner must show ‘due regard’ to the rights of the surface owner, the mineral owner need not obtain consent or approval before entering land to mine for minerals.” Against this legal backdrop, the court held that the National Environmental Policy Act and the Administrative Procedure Act did not permit the Service to enact its de facto drilling ban.

The Third Circuit also affirmed the district court’s preliminary-injunction order. In addressing whether *Minard Run* and the other plaintiffs established irreparable harm sufficient to obtain a preliminary injunction, the court held that they did.

*Case - Oil & Gas*

*continued on page 7*

Case - Oil & Gas  
continued on from 6

Specifically, the Court concluded that “where interests involving real property are at stake, preliminary injunctive relief can be particularly appropriate because of the unique nature of the property interest.” The court reasoned that, under Pennsylvania law, oil and gas resources are subject to the “rule of capture,” which permits an owner to extract oil and gas even when extraction depletes a single oil or gas reservoir lying beneath adjoining lands. Accordingly, because a moratorium on new drilling deprived mineral owners in the region from being the first to capture the oil and gas, the court found that the drilling ban would cause these owners to potentially lose oil and gas to other landowners drilling on adjoining private lands that are not subject to the moratorium. The court held that depriving Minard Run and other mineral-rights owners of the unique oil and gas extraction opportunities afforded them by their mineral rights constituted irreparable harm.

**Conclusion:** The Third Circuit’s decision in Minard Run is noteworthy in its discussion of the Service’s statutory authority in enacting its de facto drilling ban. But the decision has broader significance to natural-gas producers because of its reaffirmation of the dominance of the mineral estate and its holding that producers and other mineral-estate owners can obtain emergency relief and establish “irreparable harm” by simply showing that they have been denied extraction opportunities.

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Venoco is an independent energy company engaged in the acquisition, development, and exploration of oil and natural gas properties primarily in California. The company was founded in 1992 in Carpinteria, California and has grown to be one of the largest independent producers of oil and natural gas in California.

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*“Venoco will celebrate 20 years in business in 2012 and I continue to be enthusiastic about the industry and the future of the company. Our employees are a dynamic, experienced, and engaged group who take great pride in making Venoco better. They, along with a solid base of long-lived assets, great opportunity in the Monterey Shale and legacy assets, make our future look bright.”*  
~Tim Marquez, Founder and Chairman

VQ  
LISTED  
NYSE

**CALIFORNIA COURT OF APPEAL CONFIRMS VALUATION METHOD FOR PRIVATE UTILITIES IN PUBLIC RIGHTS-OF-WAY**

*By Bradford B. Kuhn, Esq.,  
Law Firm of Nossaman LLP  
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A new published California court of appeal decision may be important for private utility companies with respect to the valuation of their possessory interests in public rights-of-way for property tax assessment purposes. The case, Charter Communications Properties v. County of San Luis Obispo, provides that when assessing the fair market value of a utility's possessory interest, the County tax assessor will likely be able to disregard the utility's agreed-upon remaining term of possession and instead assume a much longer anticipated term of possession to match reality. This, in turn, means private utility companies should expect to see higher property tax assessments.

**Background:** Under article 13, section 1 of the California Constitution, property is generally assessed as a percentage of its fair market value. Private possessory uses of public property may also be assessed for property tax purposes. With respect to private utilities in public rights-of-way, such possessory rights are typically valued by capitalizing the annual rent. The annual rent is based on the franchise fee paid in exchange for the utility's possessory interest for (1) the remaining term or (2) the anticipated term.

The term of possession therefore becomes very important for valuation purposes, as the longer the term of possession, the greater the present value. In the past, the assessor typically relied on the franchise agreement between the public entity and the private utility company in determining the remaining term. As terms came closer to expiration, private utility companies were taxed less and less.

**The Charter Decision:** In *Charter*, the private utility company had between four and eight years remaining on its franchise agreements with the County for the placement of its television cables in public rights-of-way. Instead of using this remaining term for valuation purposes, the County assessor instead valued the private utility's possessory interest by assuming a much longer anticipated term of possession (15 years).

*Charter* challenged the assessor's valuation methodology, as it resulted in over half-a-million dollars of increased assessment. *Charter* claimed there was no basis to deviate from the agreed-upon remaining term and assume a longer anticipated term of possession. The trial court held that the assessor appropriately relied on an extended anticipated term as opposed to the parties' stated remaining term, concluding that the evidence demonstrated that these types of franchise agreements are routinely renewed indefinitely, and in fact *Charter* expected its cables to remain in-place indefinitely.

The Court of Appeal affirmed, also concluding it was appropriate for the County assessor to assume a much longer anticipated term for valuation purposes. Despite the stated length remaining for its franchise term, there was no question that the utility provider would have its franchise renewed and the utilities would remain in place well into the future.

Private utility companies will now need to seriously analyze their property tax bills and determine the valuation methodology employed by the assessor. If the assessor deviated from the stated remaining franchise term, the utility provider will need to decide whether the deviation is supported. Mr. Kuhn can be reached at [bkuhn@nossaman.com](mailto:bkuhn@nossaman.com).

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# Stanford Petroleum Investments Funds

*Photo courtesy of Andreas Mulch*

## Investing in Energy to Support Education and Research



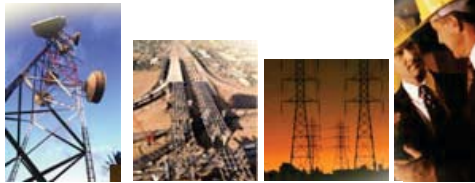
“Today’s computational capacity and the availability of large volumes of data from ground-based observations and satellites offer new opportunities for understanding how the Earth system works and how human activities interact with Earth processes. The Stanford Center for Computational Earth and Environmental 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**, Founding 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/alumni/support/pif> or call or email David Gordon, Executive Administrator, Petroleum Investments Committee, Stanford School of Earth Sciences, at (650) 723-9777 or [dsgordon@stanford.edu](mailto:dsgordon@stanford.edu) to see how you can help.





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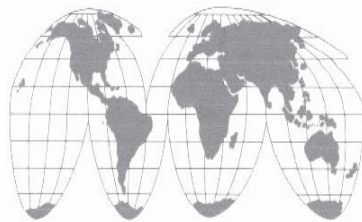
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## Educational Corner

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### EDUCATIONAL CORNER

#### **Jason Downs, Downchez Energy Education Chair**

AAPL is proud to host its Fundamentals of Land Practices and RPL review and exam in Los Angeles, CA on Mon. Feb 13 & Tues. Feb 14. The seminar and RPL review will together be presented on Monday, Feb. 13, from 8 a.m. to 5 p.m., while the optional exam will be held on Tuesday, Feb. 14 from 9-11 a.m.

The AAPL Fundamentals of Land Practices seminar is a one-day program designed for experienced landmen desiring to review some of the basics of our business. It is well suited for both the field landmen and the in-house landmen who want to learn more about land practices. It can serve as a primer for those starting out in landwork, but the focus is on a more experienced audience. The material presented will build on the foundation acquired on-the-job and will solidify skills recently acquired.

Please see flyer attached at the bottom of this January LAPPL Newsletter.

This is a great opportunity to get your name out in the landman community through the following publications. These publications post the recipients of newly acquired R.P.L. certification and/or list those as R.P.L. certified in the directory.

#### **The Landman Magazine — AAPL's flagship publication**

Without question, the Landman has established itself as the key magazine of the oil, gas and minerals land management profession. Each bimonthly issue reaches land management decision makers at all levels of responsibility. The publications department has focused on maintaining the Landman magazine as an editorially credible vehicle saturated with savvy content that addresses primary land issues while preserving a proper balance of association news and information relating to peripheral areas of concern. An electronic version of the Landman is available in the Members Only section of the Web site.

#### **Landman 2 Mini-Magazine — Clear, concise communication vehicle**

This bimonthly publication is produced to communicate information covering the petroleum/mineral land profession to AAPL. An electronic version of the Landman 2 is available in the Members Only section of the web site.

#### **Landman's Directory (printed and online) — Important tool for landmen**

The Directory has proven to be an excellent tool for landmen and others in the energy industry. This expansive resource guide provides immediate fingertip access to the association's membership base in a clear and organized manner. And with the implementation of the online version of the Directory, the value of this publication is increased tenfold. With the online directory, landmen have access to a network of more than 12,000 peers with a click of the mouse. The information online is updated daily, and the search feature makes finding a landman by his name, geographic location or company a snap.

Need continuous education credit? Listed below are continuous educational courses available for the first quarter of 2012. The American Association of Professional Landmen (AAPL) is committed to providing education seminars and events that support our membership base. In Addition, you can generally earn credits by attending our luncheons based upon speaker and subject matter. [www.landman.org](http://www.landman.org)

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## Educational Corner, continued

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### JANUARY 2012

#### **JOA Workshop**

When: January 10th – 11th, 2012  
Where: Shreveport, LA  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 14.0  
CPL Recertification Credits: 14.0  
CPL/ESA Ethics Credits: 0.0

#### **Oil and Gas Titles Workshop: Ownership Reports & Title Opinions**

When: January 21st, 2012  
Where: Midland, TX  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 7.0  
CPL Recertification Credits: 7.0  
CPL/ESA Ethics Credits: 0.0

#### **Field Landman Seminar**

When: January 25th, 2012  
Where: Midland, TX  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 2.0  
CPL Recertification Credits: 2.0  
CPL/ESA Ethics Credits: 0.0

#### **Pooling & Unitization**

When: February 6th, 2012  
Where: Houston, TX  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 7.0  
CPL Recertification Credits: 7.0  
CPL/ESA Ethics Credits: 0.0

#### **WI/NRI Workshop**

When: February 10th, 2012  
Where: Oklahoma City, OK  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 6.0  
CPL Recertification Credits: 6.0  
CPL/ESA Ethics Credits: 0.0

#### **Fundamentals of Land Practice and Optional RPL Exam**

When: January 13th – 14th, 2012  
Where: Los Angeles, CA  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 7.0  
CPL Recertification Credits: 7.0  
CPL/ESA Ethics Credits: 0.0

#### **Fundamentals & Land Practices (RPL Exam)**

When: January 12th – 13th, 2012  
Where: Houston, TX  
RL/RPL Continuing Education Credits: 7.0  
CPL Recertification Credits: 7.0  
CPL/ESA Ethics Credits: 0.0

#### **Oil & Gas Land Review (CPL/RPL Exam)**

When: January 25th – 28th, 2012  
Where: Lafayette, LA  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 18.0  
CPL Recertification Credits: 18.0  
CPL/ESA Ethics Credits: 1.0

#### **Advanced Contracts: Property Provisions of the JOA**

When: January 26th, 2012  
Where: Austin, TX  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 7.0  
CPL Recertification Credits: 7.0  
CPL/ESA Ethics Credits: 0.0

### FEBRUARY 2012

#### **Applied Land Practices**

When: February 9th, 2012  
Where: San Antonio, TX  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 7.0  
CPL Recertification Credits: 7.0  
CPL/ESA Ethics Credits: 0.0

#### **WI/NRI Workshop**

When: February 11th, 2012  
Where: Tulsa, OK  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 6.0  
CPL Recertification Credits: 6.0  
CPL/ESA Ethics Credits: 0.0

#### **Oil and Gas Land Review (CPL/RPL Exam)**

When: February 28th – March 2nd, 2012  
Where: Shreveport, LA  
This institute is accredited by AAPL  
RL/RPL Continuing Education Credits: 18.0  
CPL Recertification Credits: 18.0  
CPL/ESA Ethics Credits: 1.0

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## Educational Corner, continued

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### MARCH 2012

#### **Intro to Field Land Practices & Optional RPL Exam**

When: March 1st – 2nd, 2012

Where: San Antonio, TX

RL/RPL Continuing Education Credits: 14.0

CPL Recertification Credits: 14.0

CPL/ESA Ethics Credits: 0.0

#### **2012 Mining & Land Resources Institute**

When: March 15th – 16th, 2012

Where: Reno, NV

RL/RPL Continuing Education Credits: 11.0

CPL Recertification Credits: 11.0

CPL/ESA Ethics Credits: 0.0

#### **Advanced Contracts**

When: April 9th, 2012

Where: Oklahoma City, OK

This institute is accredited by AAPL

RL/RPL Continuing Education Credits: 7.0

CPL Recertification Credits: 7.0

CPL/ESA Ethics Credits: 0.0

#### **Applied Land Practices**

When: April 16th, 2012

Where: Bismarck, ND

This institute is accredited by AAPL

RL/RPL Continuing Education Credits: 7.0

CPL Recertification Credits: 7.0

CPL/ESA Ethics Credits: 1.0

#### **AAPL Annual Meeting**

When: TBD, 1st or 2nd week of June

Where: San Francisco, CA

#### **58th Annual Rocky Mountain Mineral Law Institute**

When: July 19th – 21st, 2011

Where: Newport Beach, CA

#### **Advanced Contracts: AMI's and Special Issues Related to JOA's and Farmouts**

When: March 7th, 2012

Where: Oklahoma City, OK

This institute is accredited by AAPL

RL/RPL Continuing Education Credits: 7.0

CPL Recertification Credits: 7.0

CPL/ESA Ethics Credits: 0.0

#### **Oil & Gas Land Review, CPL/RPL Exam**

When: March 20th– 23rd, 2012

Where: Pittsburgh, PA

RL/RPL Continuing Education Credits: 18.0

CPL Recertification Credits: 18.0

CPL/ESA Ethics Credits: 1.0

### APRIL 2012

#### **Oil & Gas Land Review (CPL/RPL Exam)**

When: April 11th – 14th, 2012

Where: Midland, TX

This institute is accredited by AAPL

RL/RPL Continuing Education Credits: 18.0

CPL Recertification Credits: 18.0

CPL/ESA Ethics Credits: 1.0

#### **Working Interest/ Net Revenue Interest Calculations Workshop**

When: April 27th, 2012

Where: Pittsburgh, PA

This institute is accredited by AAPL

RL/RPL Continuing Education Credits: 6.0

CPL Recertification Credits: 6.0

CPL/ESA Ethics Credits: 0.0



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## Educational Corner, continued

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Continuing education credits are available via home-study. To receive credits for a home study course:

1. Download or print the course (PDF format)
2. Answer the questions
3. Submit the answers along with the appropriate fee

Home Study Courses cost: \$7.50 per CE credit

### #100 Environmental Awareness for Today's Land Professional

10 ESA, 10 CPL, 10 RPL (\$75)

### #101 Due Diligence for Oil and Gas Properties

10 CPL, 10 RPL (\$75)

### #102 The Outer Continental Shelf

5 CPL, 5 RPL (\$37.50)

### #104 Of Teapot Dome, Wind River and Fort Chaffee: Federal Oil and Gas Resources

5 CPL, 5 RPL (\$37.50)

### #105 Historic Origins of the U.S. Mining Laws and Proposals for Change

4 CPL, 4 RPL (\$30)

### #106 Going Overseas: A Guide to Negotiating Energy Transactions with a Sovereign

4 CPL, 4 RPL (\$30)

### #108 Water Quality Issues: Safe Drinking Water Act

(SDWA)/Clean Water Act (CWA)/Oil Pollution Act (OPA)

4 ESA, 4 CPL, 4 RPL (\$30)

### #109 Common Law Environmental Issues and Liability for Unplugged Wells

4 ESA, 4 CPL, 4 RPL (\$30)

### Ethics Courses

Two ethics courses are available (4 questions total @ \$15 per question answered). One (1) ethics point for each question answered.

#103 Ethics Home Study (van Loon) - 1 or 2 questions

#107 Ethics Home Study (Sinex) - 1 or 2 questions



# **Fundamentals of Land Practices**

## **and Optional RPL Review & Exam**

**February 13<sup>th</sup> & 14<sup>th</sup>, 2012  
Hyatt Regency Century Plaza  
Los Angeles, CA**

- **Course Covers**
  - Real Property Law
  - Land Descriptions
  - Contract Law
  - Conveyancing
  - Oil & Gas Lease
  - Interest Calculations
  - Ethics
  
- **Fundamentals Seminar on Monday, Feb. 13<sup>th</sup>**
  
- **Optional RPL Exam on Tuesday, Feb. 14<sup>th</sup>**





# AMERICAN ASSOCIATION OF PROFESSIONAL LANDMEN

www.landman.org

## Fundamentals of Land Practices and Optional RPL Exam

**Feb. 13<sup>th</sup> & 14<sup>th</sup>, 2012 – Hyatt Regency – 2025 Avenue of the Stars – Los Angeles, CA**

The American Association of Professional Landmen invites you to its Fundamentals of Land Practices Seminar and optional RPL review and exam in Los Angeles, CA on February 13 & 14, 2012. The program will be held at The Hyatt Regency Century Plaza: 2025 Avenue of the Stars, Los Angeles, CA 90067, (310)228-1234.

The seminar and RPL review will together be presented on Monday, Feb. 13, from 8 a.m. - 5 p.m., while the optional exam will be held on Tuesday, Feb. 14, at 8:45 a.m.; test takers will have from 9-11 a.m. to complete the exam.

The AAPL Fundamentals of Land Practices seminar is a one-day program designed for experienced landmen desiring to review some of the basics of our business. It is well suited for both the field landmen and the in-house landmen who want to learn more about land practices. It can serve as a primer for those starting out in landwork, but the focus is on a more experienced audience. The material presented will build on the foundation acquired on-the-job and will solidify skills recently acquired.

This is a fast-paced, interactive seminar, designed to better equip landmen with the knowledge necessary for success.

The day-long seminar covers details about the very basics of land work – real property law, contract law, land descript

ions, conveyancing, interest calculations, the oil and gas lease, and ethics.

**This day also covers the review material included on the RPL Exam.**

A bound book of class materials will be provided to all participants.

The advance registration fee for the one-day seminar is \$250 for AAPL members and \$375 for non-members.

The advance registration fee for the RPL review and RPL exam is \$300; only AAPL members are eligible to sit for the exam.

The class is open to the first 50 registrants; confirmations will only be emailed once payment is received in full.

**Each registrant should bring a basic hand-held calculator.**

### RPL EXAMINATION

You **must be an active AAPL member** and fully qualify to become an RPL to sit for the exam.

The workbook, ***Oil and Gas Land Study Guide***, will be shipped to all of those pre-registered for the RPL exam. The exam will be offered Tues. Feb. 14, from 8:45-11:00 a.m. at The Hyatt Regency Century Plaza: 2025 Avenue of the Stars, Los Angeles, CA 90067.

**Fundamentals of Land Practices and  
Optional RPL Review Exam Schedule**

**Monday, February 13, 2012**

7:30 AM	Registration & Continental Breakfast
8:00	Welcoming Remarks and Course Overview Frank Klam, CPL
8:30	Real Property Law Land Descriptions Contract Law
12:00 PM	Lunch ( <i>provided</i> )
1:00	Conveyancing Interest Calculations Oil & Gas Lease AAPL & Ethics
4:45	RPL Exam Instructions Stephanie Rickels AAPL
5:00	Adjourn

**Tuesday, February 14, 2012 (Optional RPL Exam)**

8:45 AM	Exam Prep Stephanie Rickels
9:00	Exam Begins
11:00	Exam Ends

*Note: Schedule subject to change*

## **Instructor**

### **A. Frank Klam, CPL**

Frank graduated from University of Texas with Honors with a degree in Petroleum Land Management in 1972. He started his career with Amoco Production Company and later worked for Anadarko Petroleum Corporation as a Division Landman for the Houston Onshore and Offshore Divisions, and as Vice President of Land for North Central Oil Corporation. He became an Independent in 1985, and now specializes in due diligence for producing property acquisitions.

Frank has been active in both the local and national landmen associations, serving as President of HAPL in 1981 and as Chairman of the Publications Committee for AAPL. Frank has been married for 35 years and he and his wife, Carlee, have four children, and five grand children.

## **Course Outline**

### **Real Property Law**

The course starts with a thorough discussion of the types of property, various methods of acquiring title, the types of deeds and the attributes of warranty and special warranty deeds, the types of ownership and important differences, including life estates and remaindermen. This section also includes a review of the requirements to record documents and the various recording statutes. The section concludes with a brief discussion of the primary real property law differences between Louisiana and other states.

### **Land Descriptions**

This section discusses the three primary types of US land descriptions: Rectangular Survey (Township-Range), Metes and Bounds (and how to plat), and the various Texas land descriptions.

### **Contract Law**

The discussion on Contract Law will cover the basic elements of a contract, the types of contracts, requirements of a valid contract and the penalty for breach, offers and termination of offers, the legal capacity to enter into a contract, and the impact of fraud and misrepresentation in negotiating a contract (*oil and gas lease*).

### **Conveyancing**

How do we know who has the authority to lease and who has the right to receive royalties from production? This section will cover the basics of determining mineral and royalty ownership and includes a discussion of the "Duhig Rule" used in interpreting conveyances. A number of hands-on problems help solidify the material presented.

### **Oil and Gas Lease**

Starting with a review of the history of the oil and gas lease and the implied covenants of under the lease, this section continues to a complete review of each major clause of a typical oil and gas lease. The section is concluded with a series of questions that address most lease maintenance questions. A fully "marked-up" lease is included for easy reading and interpretation.

### **Interest Calculations**

How do you calculate gross and net acres, bonus payments, rental payments? How do you calculate a mineral interest? Net revenue interest? Working interest in a lease or well? This section will cover these definitions and, through a series of simple to complex problems, show how to make the various calculations.

### **Ethics**

This section covers the AAPL Code of Ethics and Standards of Practice which are the basis of conduct, business principles, and ideals for all AAPL members. Since there are no licensing requirements for landmen and since membership in AAPL is voluntary, these ethical standards are a key element of AAPL membership and being a professional landman.

### **Glossary**

The workbook includes an extensive glossary of many terms the field landman must know to conduct daily business.

### **Bibliography**

The workbook lists a number of publications that should be a part of every land professional's resource library. Many are out of print but used copies are often available on-line and from other sources.

## RPL Examination

You must be an Active AAPL Member and fully qualify to become a RPL to sit for the exam.

NOTE: Each applicant is responsible for ascertaining their qualifications (*via education /experience*) for becoming a RPL. Visit the AAPL website at [www.landman.org](http://www.landman.org) for information about the requirements and an application form. Taking the exam prior to approval of your RPL application is permitted if you believe you are qualified but will have no bearing on the approval of your application. You may take the exam before approval of your application at the risk of otherwise not being approved.

The optional RPL Examination covers the course material in **Chapters 1, 2, 3, 4, 5, 6, 7, and 8.** The exam will be offered Tuesday, Feb. 14, from 8:45-11:00 a.m. at the Hyatt Regency Century Plaza.

The RPL Exam is a comprehensive test of the skills and knowledge required of a landman with three or more years of experience. The review and the book cover most of the material on the exam but the prospective RPL is expected to bring to the table basic land skills.

**Each exam taker must bring a basic hand-held calculator to the exam (with extra batteries).**

**The results of your exam are not disclosed until your RPL application has been completed and approved by the AAPL Certification Chairman.**

## General Information

**Accreditation:** This program is accredited by AAPL for seven CPL, RPL, or RL continuing education credits, including one ethics credit.

**Transfers and Cancellations:** All requests for transfers and cancellations **must be made in writing** and all must be made before **Jan. 30, 2012**. Individuals may transfer their registration to another individual for this event at no additional charge. Transfers to another AAPL event

may be made for \$25 if made prior to **Jan. 30, 2012**. After that date, no transfers will be accepted.

Registrations may be cancelled for a refund, less a \$25 administration fee, if made prior to **Jan. 30, 2012**. After that date, no refunds will be granted. Registrants not entitled to a refund will receive a copy of the written materials.

AAPL retains cancellation rights. In the unlikely event of cancellation, AAPL will attempt to notify all pre-registrants.

**The deadline for transfers and cancellations is 3:00 p.m., Monday, Jan. 30, 2012.**

**The deadline for ALL pre-registrations is 10 a.m., Wednesday, Feb. 8, 2012.** After this date, registration will only be available and accepted on-site the day of and only if seats are available.

### **Registration Fees after Jan. 30, 2012:**

AAPL Members: \$300  
Non-AAPL Members: \$425  
RPL Review-Exam: \$350

**Special Needs:** If you have special needs addressed by the ADA, please notify us at least **two weeks** before the program.

### **Seminar Location:**

Hyatt Regency Century Plaza  
2025 Avenue of the Stars  
Los Angeles, CA 90067  
310-228-1234

### **AAPL Contact:**

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AAPL is proud to offer high-quality educational opportunities such as this at significantly lower costs to its members. For membership information, please contact the AAPL headquarters at (817) 847-7700.

# REGISTRATION FORM

(Please type or print legibly)



**Fundamentals of  
Land Practices**  
600FUND

Los Angeles, CA  
Feb. 13 & 14, 2012

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City, ST ZIP: \_\_\_\_\_

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Request for special needs: \_\_\_\_\_

**MAIL TO:**

**REMIT CHECK:**

AAPL  
P.O. Box 225395  
Dallas, TX 75222-5395

**REMIT CREDIT CARD :**

AAPL  
4100 Fossil Creek Blvd  
Fort Worth, TX 76137  
Fax: (817) 546-6441

**Registrations & Payment Received:**

**Thru 01/30/2012**

**After 01/30/2012**

**Fundamentals Seminar**

AAPL Member  \$250  \$300

Non AAPL Member  \$375  \$425

PLM/ERM Student  \$0  \$50

Tuition Assistance  \$0  \$50

*(AAPL members only)*

*(Request Attached)*

**RPL Review & Exam**

\$300  \$350

*Review on day 1 and*

*Exam on day 2 –*

*AAPL members only*

**ATTENTION: If you are paying by check, please note that AAPL cannot process your registration until the check has cleared; this delays your registration process by at least two days. AAPL recommends that you pay by credit card whenever possible to ensure quick reservation and confirmation.**

**AAPL Contact:**

Dondria Roozee  
(817) 847-7700

[droozee@landman.org](mailto:droozee@landman.org)

**TOTAL:** \_\_\_\_\_

**Payment Information**

Check  MasterCard  Visa  American Express

**Office Use Only**

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Exp. Date: \_\_\_\_\_ Card Security Code (CSC): \_\_\_\_\_

Name on Card: \_\_\_\_\_

Signature: \_\_\_\_\_

## ARE YOU QUALIFIED TO BECOME A RPL?

There are two scenarios that can apply when determining if you're eligible to obtain the RPL designation:

1. Applying **without** a 4-year Bachelors, Graduate, or Law Degree
2. Applying **with** a 4-year Bachelors, Graduate, and/or Law Degree(s)

### **1. Applying without a 4-year Bachelors, Graduate, or Law Degree**

Before completing the RPL Application, complete this questionnaire to determine if you meet the MINIMUM qualifications to apply for RPL status. Answer the following questions by marking each space with the appropriate number. Total your responses to see if you meet the requirements.

#### **A. Experience as a "Landman"**

(Article IIIA of Application) **Note: Do NOT count time in this section and in section B Other Land Experience.**

"Landman", as defined in Article II Requirements of Certification of the Certification Program which can be found in the "Landmen's Directory", is a person who has been primarily engaged in the performance of:

- Negotiations for acquisition or divestiture of mineral rights; and/or
- Negotiation of business agreements that provide for the exploration for and/or the development of minerals.

**Total Years of Experience as a "Landman" A \_\_\_\_\_**  
**(Full-time, actively engaged)**

**(MINIMUM of 4 required to be a RPL, including the immediate past 4 years)**

#### **B. Other Land experience**

(Article IIIB of Application) **NOTE: Do NOT double count time otherwise included in A above.**

Enter the number of years you have been primarily engaged in the performance of the following:

- Determining ownership in minerals through the research of public records;
- Reviewing the status of title, curing title defects and otherwise reducing title risk associated with ownership of interests in minerals;
- The management of rights and/or obligations derived from ownership of interest in minerals; and/or
- The unitization or pooling of interests in minerals.

**Total "credit years" for Land Work not involving negotiations as defined in "A" above Total years \_\_\_\_\_ X 50% = B \_\_\_\_\_**  
**(1/2 "credit year" for each full year worked) (Minimum of 1.0 can count as credit)**

**If the total of A and B are 5 credit years or greater, you are ELIGIBLE to apply for RPL**

**ARE YOU QUALIFIED TO BECOME A RPL?**

**2. Applying with a 4-year Bachelors, Graduate, and/or Law Degree(s)**

Before completing the RPL Application, complete this questionnaire to determine if you meet the MINIMUM qualifications to apply for RPL status. Answer the following questions by marking each space with the appropriate number. Total your responses to see if you meet the requirements.

**A. Experience as a “Landman”**

(Article IIIA of Application) **Note: Do NOT count time in this section and in section B Other Land Experience.**

“Landman”, as defined in Article II Requirements of Certification of the Certification Program which can be found in the “Landmen’s Directory”, is a person who has been primarily engaged in the performance of:

- Negotiations for acquisition or divestiture of mineral rights; and/or
- Negotiation of business agreements that provide for the exploration for and/or the development of minerals.

**Total Years of Experience as a “Landman”** A \_\_\_\_\_  
**(Full-time, actively engaged)**  
**(MINIMUM of 2 required to be a RPL, including the immediate past 2 years)**

**B. Other Land experience**

(Article IIIB of Application) **NOTE: Do NOT double count time otherwise included in A above.**

Enter the number of years you have been primarily engaged in the performance of the following:

- Determining ownership in minerals through the research of public records;
- Reviewing the status of title, curing title defects and otherwise reducing title risk associated with ownership of interests in minerals;
- The management of rights and/or obligations derived from ownership of interest in minerals; and/or
- The unitization or pooling of interests in minerals.

**Total “credit years” for Land Work not involving**  
**negotiations as defined in “A” above**      **Total years \_\_\_\_\_ X 50% =**      **B \_\_\_\_\_**  
**(1/2 “credit year” for each full year worked) (MAXIMUM of 3.0 can count as credit)**

**C. Education (Not required for RPL eligibility but counts towards requirements)**

(Article II of Application)

- A bachelor’s degree from an AAPL accredited university or college, enter “1.5”; \_\_\_\_\_
- A bachelor’s degree in natural resources or venture management from an AAPL accredited university or college, enter “0.5”; \_\_\_\_\_
  
- A degree from an accredited law school, enter “0.5”; \_\_\_\_\_
- An advanced degree in business or certain other selected programs approved by AAPL, enter “0.5”; \_\_\_\_\_

**Total Education credits (Maximum of 3 credits)** C \_\_\_\_\_

**Total credit years (Total A, B, C) \_\_\_\_\_**

If the **total** of A, B, and C are **5 credit years or greater**, you are **ELIGIBLE** to apply for **RPL**



## Registered Professional Landman Application Form



You are responsible for reading the current Certification Program, as amended, found in the AAPL Landman's Directory. A brief summary of the Program is listed below; however, in the event of a conflict between this summary and the Program, the Program shall prevail. The application must be legible, be submitted on the currently approved form, and be accompanied by a \$75.00 non-refundable application fee.

### REQUIREMENTS, DEFINITIONS, AND RULES

- I. In order to be qualified to become a RPL, you must:
  - a. Have at least 5 "Credit Years" of full-time experience as a Land Professional;
  - b. Be currently engaged, on a full-time basis, for at least the past four years, in the active performance of Negotiations Landwork;
  - c. Score at least 70 on all parts of the AAPL administered RPL exam;
  - d. Be an active member of AAPL for at least one year.
  
- II. A "Land Professional" is defined as a person who has derived a significant portion of income in the performance of Landwork.
  
- III. "Landwork" is defined as and credit years will be determined as follows:
  - a. Negotiations Landwork:
    1. Negotiating for the acquisition or divestiture of mineral rights; and/or
    2. Negotiating business agreements providing for mineral exploration and/or development.
  
  - b. Other Landwork:
    1. Determining mineral ownership through examination of public records;
    2. Reviewing status of title, curing title defects and otherwise reducing title risks in connection with mineral ownership;
    3. Managing rights and/or obligations derived from mineral ownership; and/or
    4. Unitizing or pooling mineral interests.
  
- IV. Education: The following credits (up to a **maximum** of 3 "credit years") are available for meeting certain education requirements. Although a college degree is **NOT** required for applying for the RPL, you will receive credits towards your work experience if you have a bachelor's degree as noted below in sub-bullet a.
  - a. One and one-half "Credit Years" will be awarded if you have earned a bachelor's degree from an AAPL approved college or university;
  - b. One-half additional "Credit Year" will be awarded if the bachelor's degree is from an AAPL approved college or university that emphasizes natural resources or venture management. The approved programs are: University of Oklahoma, Texas Tech University, University of Louisiana at Lafayette, University of Calgary, Western State College of Colorado, and Tulsa University.
  - c. One-half additional "Credit Year" will be awarded if you have earned a law degree from an accredited law school;
  - d. One-half additional "Credit Year" will be awarded if you have earned an advanced degree in business or certain other programs specified by the AAPL at an AAPL approved college or university.