



# The Override

Every Landman Wants One!

Volume XI, Issue V

November, 2018



## Presidents Message

President  
**Mike Flores**

Championship Strategies, Inc

I want to begin by congratulating the WCLI Committee for another outstanding Institute. The speakers, accommodations, opening reception and Thursday's dinner were first class. In particular, LAAPL was well represented on the Committee by our own Joe Munsey, RPL and Sarah Bobbe, CPL. Thank you both for all of your efforts and a job well done.

At our last LAAPL meeting in September, we spent the entire meeting looking back, reviewing where we have been, reviewing our by-laws, and hearing from Sanford Starman, CPL, who regaled us with his early memories



of LAAPL and his attending meetings in downtown LA, way back when. By the way, Sanford, along with Allen Cook, CPL and David Chambers, CPL, were recognized in AAPL's Landman magazine as having been members of AAPL for 50 years. What a great accomplishment!

We also heard from Joe Munsey, RPL and Randall Taylor, RPL, who shared their early memories of LAAPL and the challenges of being a Landman. I then asked Jason Downs, RPL, Ernie Guadiana, Esq., and Sarah Bobbe, CPL to share their experiences of serving as president of LAAPL. So much can be learned by looking back, and it was informative to listen to everyone's experiences.

As to the future; of course, so much of our industry here in California is based on two major factors, 1) the price of oil, and 2) the legislative and regulatory restrictions that place limits on what the oil & gas industry can and cannot do. If we are sure of anything, it is the future price of oil is unknown, but what we can surmise, without much guessing,

[Presidents Message continued on page 2](#)

## Meeting Luncheon Speaker

### California Recording Statutes



**Cecilia E. Rendon, Esq.** of Bright and Brown, received her law degree from the University of California, Berkeley, Boalt Hall School of Law in 2003. She received her undergraduate degree in Sociology from Loyola Marymount University, graduating Cum Laude, in 2000. Ms. Rendon has been with Bright and Brown since 2006, and became a partner in 2013.

Ms. Rendon's primary focus has been on complex commercial litigation matters involving breach of contract, environmental, construction, and oil and gas. Ms. Rendon has represented clients in a wide range of business disputes in both state and federal courts. Prior to joining Bright and Brown, Ms. Rendon spent two years in the Los Angeles County Public Defender's Office where she tried numerous criminal cases to verdict.

During law school, Ms. Rendon was a judicial extern for the Hon. Robert M. Takasugi in the U.S. District Court for the Central District of California.

## Inside This Issue:

~ Click on a topic to take you to that article ~

|   |    |
|---|----|
| Presidents Message                            | 1  |
| Luncheon Speaker                              | 1  |
| Opinionated Corner                            | 2  |
| Scheduled Luncheon Topics                     | 2  |
| Joint Luncheon with LABGS                     | 2  |
| Chapter Board Meetings                        | 3  |
| Officers, Chairs, BoD                         | 3  |
| Treasury Report                               | 3  |
| Honored Guest                                 | 3  |
| Lawyer's Joke of the Month                    | 4  |
| AAPL Director Update                          | 5  |
| New Members and Transfers                     | 6  |
| AOGHS Accepts LAAPL Donation                  | 8  |
| Case of the Month - R of W                    | 10 |
| Guest Article - Recycling                     | 12 |
| Guest Article - 100 Percent Renewable Energy  | 14 |
| Case of the Month - O & G                     | 20 |
| Guest Article - Roughnecks of Sherwood Forest | 23 |



## Opinionated Corner

**Joe Munsey, RPL  
Director**

**Publications/Newsletter Co-Chair  
Southern California Gas Company**

*Ed. Note: If the first paragraph bears a resemblance from last year, it is.*

With this being the November issue of The Override, it means the last issue for this year. Ah - but it marks the beginning of the year's major holidays awaiting to be celebrated. Thanksgiving is at the doorstep ready to go into high gear and following close behind is Christmas and Hanukkah. Keeping with tradition, we alert you with the countdown figures for Hannukah and Christmas. As of the date writing this column, you have 48 days left to complete the "naughty or nice list" and get everything purchased before the big day arrives; for those who celebrate Hanukkah, you have less time, a mere 23 days.

One of our guest writers, Steve Goreham, in his article, "100 Percent Renewable Energy – Poor Policy for Electricity Rate Payers," discusses the possibilities of cities and states pursuing 100 percent renewable electricity may be laying the foundation for a future painful lesson.

So, the article shows a picture with a person wearing heavy winter gear sweeping snow off solar panels. Let us assume we are looking at a picture taken in a Northern State somewhere in the Midwest. Freeze that picture of sweeping snow off solar panels in the mind's eye.

According to the article, the City of Minneapolis is committed to 100% renewable electricity by 2030. Well, the state which boasts 10,000 lakes and stays in a deep freeze with snow fall most of the time must be figuring the future is bright and warm. Somebody,

somewhere in Minneapolis has figured the State of Minnesota is headed for many sunny and hot days as, say, El Centro, California experiences. Not sure if snow and solar panels play well together.

On the other hand, maybe a Minneapolis city council person found the magic rod Moses used to part the Red Sea and plans to raise the hands to heaven and cause the blistering winds and snow storms to part away from all solar panels during the winter months. Ok, there is probably some wind mills in the renewable energy mix – we guess windmills work in the frozen tundra if there is no ice/snow build up problems affecting the blades. Or, any geothermal activity in the Land of 10,000 Lakes?

Times up, unfreeze the visual of putting on heavy winter gear, crawling up a ladder in-between snow falls, gripping iced over shingles to clear the solar panels of snow and enjoy the rest of the year.

Keep our troops in your thoughts or prayers; enjoy Thanksgiving and be grateful for this year's blessings. Bask in the joy of Christmas, or Hanukkah, and spread peace on earth towards all.

God Bless America!



### Scheduled LAAPL Luncheon Topics and Dates

**November 15, 2018**

Speaker: Cecilia Rendon, Esq., Bright and Brown

Topic: California Recording Statutes

**January 24, 2019**

[4TH Thursday]

Annual Joint Meeting with  
Los Angeles Basin Geological Society

**March 21, 2019**

TBD

**May 16, 2019**

TBD

Officer Elections

President's Message  
continued from page 1

is that the legislative and regulatory restrictions will only get stricter - unless we educate the uneducated.

So, with this knowledge what do we do? Do we sit back and let this train continue down this dark path, or do we become proactive? My vote is to become proactive. There continues to be so much mis-information put out by the KEEP IT IN THE GROUND groups that we can only combat them with facts. The LAAPL website (LAAPL.com) has recently been updated by Chip Hoover, our excellent Website Chair, with the AAPL Ambassadors Toolkit. This toolkit is found under the MEMBER RESOURCES tab and has excellent information. Additionally, also on our website, under ADDITIONAL LINKS, the Western States Petroleum Association, (WSPA), under their RESOURCE HUB, which has information that is specific to the positive impact the oil & gas industry has on California.

Both resources will provide you with the tools to educate the uninformed and the misinformed. So, I encourage you to spend some time educating yourself with the facts, and let's change the conversation.

*"Education is an ornament in prosperity and a refuge in adversity."*

~ Aristotle

### 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 on January 24, 2019. 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.



## 2018–2019 Officers & Board of Directors

President  
**Mike Flores**  
Championship Strategies, Inc  
310-990-8657

Vice President  
**Jessica Bradley, RPL**  
Warren E&P, Inc.  
562-800-0062

Past President  
**Sarah Bobbe, CPL**  
Signal Hill Petroleum  
562-595-6440 ext. 5275

Secretary  
**Marcia Carlisle**  
The Termo Company  
562-279-1957

Treasurer  
**Jason Downs, RPL**  
Chevron Pipeline & Power  
858-699-3353

Director  
**Joe Munsey, RPL**  
Southern California Gas Company  
949-361-8036

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

Region VIII AAPL Director  
**Randall Taylor, RPL**  
Taylor Land Service, Inc.  
949-495-4372

Newsletter/Publishing Chair  
**Joe Munsey, RPL, Co-Chair**  
**Randall Taylor, RPL, Co-Chair**

Communications/Website Chair  
**Chip Hoover**  
Archer Energy  
310-795-7300

Membership Chair  
**Allison Foster**  
Signal Hill Petroleum  
562-326-5220

Education Chair  
**James D. Pham, JD**  
JD Energy Solutions, LLC/Berkshire Hathaway  
(949) 500-0909

Legislative Affairs Chair  
**Mike Flores**  
Championship Strategies, Inc  
310-990-8657

Legal Counsel  
**Ernest Guadiana, Esq.**  
Elkins Kalt Weintraub Rueben  
Gartside LLP  
310-746-4425

Golf Chair  
**Jason Downs, RPL**  
Chevron Pipeline & Power  
858-699-3353

Nominations Chair  
To be determined



## Chapter Board Meetings

**Marcia Carlisle**  
**The Termo Company**  
**LAAPL Secretary**

The LAAPL Board of Directors and Committee Members held their regular meeting on Thursday, September 21, 2018 led by President Mike Flores. The topics discussed at the meeting are as follows:

- Change of Education Chair to James Pham
- Discussion of AAPL seminar scheduled November 15 with Frank Klam, CPL, as speaker
- Mike Flores volunteered to be golf chair for the AAPL Conference June, 2020
- Reviewed Constitution and Bylaws of LAAPL

We encourage all members to attend our LAAPL Board Meetings which are typically held in the same room as the luncheon immediately after the meetings are adjourned.



## Treasurer's Report

**Jason Downs, RPL**  
**Treasurer**  
**Chevron Pipeline & Power**

|  |                    |
|--|--------------------|
| As of 9/11/2018, the LAAPL account showed a balance of | \$28,376.04        |
| Deposits   | \$1,323.52         |
| Total Checks, Withdrawals, Transfers                   | <b>\$691.82</b>    |
| <b>Balance as of 10/26/2018</b>                        | <b>\$29,007.74</b> |
| Merrill Lynch Money Account shows a total              | \$11,096.90        |

## Our Honorable Guests

September's luncheon was another successful LAAPL Chapter luncheon meeting held at the Long Beach Petroleum Club. Our guests of honor who attended:

- **Adam Boyd**, Signal Hill Petroleum, Inc.
- **Bailey Fahnestock**, Signal Hill Petroleum, Inc.

**MPI** MAVERICK PETROLEUM, INC.  
1401 Commercial Way, Suite 200 • Bakersfield, California • 93309  
Phone: (661) 328-5530 • Fax: (661) 328-5535 • [www.mavpetinc.com](http://www.mavpetinc.com)

*Specialists in Oil & Gas Leasing in California • Complete Oil & Gas Land Services*

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

- \*Division Orders
- \*Due Diligence Work
- \*Right-of-Way Acquisitions
- \*Senate Bill 4 Compliance
- \*Digital Mapping
- \*Acquisitions & Divestitures
- \*Complete 3-D Seismic Services

**Gary L. Plotner, President** • [glp@mavpetinc.com](mailto:glp@mavpetinc.com)  
BAPL President – 1985-86, 2003-04; AAPL Director – 1988-90, 2002-03, 2004-07

---

## Lawyers' Joke of the Month

---

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

The Gospel According to Saint Titleist  
- Part I

1. "Eighteen holes of match play will teach you more about your foe than 18 years of dealing with him across a desk." ~Grantland Rice
2. "Golf appeals to the idiot in us and the child. Just how childlike golf players become. This is proven by their frequent inability to count past five." ~John Updike
3. "It is almost impossible to remember how tragic a place the world is when one is playing golf." ~Robert Lynd
4. "If profanity had any influence on the flight of the ball, the game of golf would be played far better than it is." ~Horace G. Hutchinson
5. "They say golf is like life, but don't believe them. Golf is more complicated than that." ~Gardner Dickinson
6. "If a lot of people gripped a knife and fork as poorly as they do a golf club, they'd starve to death." ~Sam Snead
7. "Golf is a day spent in a round of strenuous idleness." ~William Wordsworth
8. "If you drink, don't drive. Don't even putt." ~Dean Martin
9. "If you are going to throw a club, it is important to throw it ahead of you, down the fairway, so you don't have to waste energy going back to pick it up." ~Tommy Bolt
10. "Man blames fate for all other accidents but feels personally responsible when he makes a hole-in-one." ~Bishop Sheen

*Part II to Be Published in January 2019*



### **"Working late for your energy needs!"**

Specializing in land acquisitions and project management for energy companies, oil and gas exploration and production, land developments, energy plants, and facility operations.



**877.600.WOLF (9653)**  
1412 17th Street Suite 560  
Bakersfield, California 93301  
[www.whitewolfland.com](http://www.whitewolfland.com)  
[rick@whitewolfland.com](mailto:rick@whitewolfland.com)

**Rick Peace, President**

AAPL Director 2009-2015 | API | BAPL Officer 1990-2014 | CIPA President's Circle  
DAPL | HAPL | LAAPL | SPE | SJGS | IRWA | WSPA

CALIFORNIA | OREGON | WASHINGTON

## AAPL Director Update

**Randall Taylor, RPL**  
**Taylor Land Service, Inc.**  
**Director, Region XIII**

The most recent meeting was held on September 16, 2018 at the Grand Bohemian Hotel, Mountain Brook, Birmingham, Alabama.

My last duty station in the U.S. Coast Guard was in Mobile, AL in 1971. I do not have fond memories of that station or Alabama, so I was really surprised to find Birmingham a beautiful city with very friendly, accommodating people. The venue was fantastic; a charming hotel with the most hospitable staff I have ever encountered.

As is our custom, an informal roundtable discussion was held on Saturday for those who wanted to participate. On Sunday, the formal meeting was called to order and the seven members of the Executive Committee, the forty three Directors and thirty or so Committee Chairs commenced conducting the business of AAPL.

Outline of the topics discussed:

- Seating of New Directors
- Adoption of Agenda
- Approval of Minutes of Last Board Meeting
- Treasurer's Report (AAPL, Inc): Mike Pisciotte
- Staff Report: Melanie Bell, EVP
- Presidential Travel - President, Mike Curry
- Executive Committee Report
- 2021 Annual Meeting Primary and Alternate Location-Mark Acree
- Annual Meeting Budget-Potential to Amend in December-David Miller
- Recommend AAPL Tuition Assistance for NAPE Business Conference-David Miller
- Accreditation Update-Dan Kostrub
- Certification-Definition of Landwork - Mike Curry
- Senior Membership-Cranford Newell
- Forms-Contract Center
- Subscription Fee-Jerris Johnson
- Committee & Other Entities Reports

- Bylaws & Policy Manual Review-Kelly Kessler, Chairman
- Finance Committee-Jay Beavers, Chairman
- Forms Committee-Jerris Johnson, Chairman
- Investment Advisory-Jay Beavers, Chairman
- Strategic Planning Committee-Jay Beavers, Chairman
- Certification Committee-Dustin Bynum, Chairman
- Marketing Committee-Will Porter, Chairman
- Energy & Mineral Law Foundation-Mike Conley, Rep
- Landman Scholarship Trust-Cranford Newell, Chairman
- Educational Foundation, Inc.-Aaron Yost, Chairman
- Ethics Committee-Sean Marshall, Chairman
- Industry/Public Relations Committee-Matt Smith, Chairman
- Public Land & Access Committee-Greg Geist, Chairman
- Technology Committee-Kevin Dickerson, Chairman
- GeoCare Insurance Committee-Jane Crouch, Rep
- Awards Committee-Bob Bergfeld Sr., Chairman
- Accreditation Committee-Dan Kostrub, Chairman
- Publications Committee-Jared Hembree, Chairman
- International Oil Scouts-Pam Florek, Rep/Liz Welch, Rep
- Rocky Mountain Mineral Law Foundation-Marc Strahn, Rep
- Field Landman C ommittee-Robert Bergfeld Jr., Chairman
- NAPE Operators Committee-Jim Devlin, Chairman
- Legislative/Regulatory Committee - Curt Horne, Chairman
- Tax Issues Committee-Jimmy

Wright, Chairman

- Southwest Land Institute-Brooks Yates, Chairman
- Annual Meeting/Annual Meeting Sub-Committee-Mark Acree, Chairman
- Education Committee-Michelle Aurzada, Chairman
- Advisory Landman Connection Committee-Fred Schantz, Chairman
- LSU Mineral Law Foundation-Harold Anderson, Rep
- Outer Continental Shelf (OCS) Advisory Board-Chad Elias, Rep
- NAPE Expo Charities Fund-David W. Miller, Chairman
- All Director Reoprts
- Announcements & Industry Updates
- "For the Good of the Association"-Free and Open Discussion of Any topic or Concerns Related to AAPL
- Adjourn

I can provide more detailed information on most of the bulleted topics listed above, except those which are confidential at this time.

The biggest takeaways from the meeting are:

- AAPL is financially very sound
- NAPE continues to be the best arena for showing projects and networking with the "movers and shakers" in the Oil & Gas Industry
- There are an abundance of funds available to the membership for scholarships and educational assistance
- AAPL's website (Landman.org) is is a great source of information and education for our industry

You may contact me at anytime if you have questions about AAPL. If I cannot answer them, I will put you in touch with someone who can.

---

## New Members and Transfers

---

**Allison Foster**  
Membership Chair  
Signal Hill Petroleum, Inc.

Welcome! 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, government, community and industry on energy-related issues.

### New Members - Active Status

**Adam Boyd**  
Land Technician  
Signal Hill Petroleum, Inc.  
2633 Cherry Avenue  
Signal Hill, CA 90755  
[aboyd@shpi.net](mailto:aboyd@shpi.net)  
Bus Phone: 562.326.5249

### New Member - Associate Status

**Thomas A. Henry**  
Partner  
Stoel Rives LLP  
500 Capitol Mall, Suite 1600  
Sacramento, CA 95814  
[thomas.henry@stoel.com](mailto:thomas.henry@stoel.com)  
Bus Phone: 916.447.0700  
Fax: 916.447.4781  
Cell: 916.761.8927

**Bailey A. Fahnestock**  
Land Assistant  
Signal Hill Petroleum, Inc.  
2633 Cherry Avenue  
Signal Hill, CA 90755  
[bfahnestock@shpi.net](mailto:bfahnestock@shpi.net)  
Bus Phone: 562.326.5235  
Cell: 562.308.6643

### New Member Requests - Associate Status

**David W. Kessler**  
Director, A&D (California)  
PLS Energy Advisors  
10850 Richmond Avenue, Suite 300  
Houston, TX 77042  
[dkessler@plsenergyadvisors.com](mailto:dkessler@plsenergyadvisors.com)  
Bus Phone: 713.650.1212  
Cell: 323.712.5558

**Elizabeth M. Kiley**  
President  
Kiley Company  
[bkiley@thekileyco.com](mailto:bkiley@thekileyco.com)  
2151 Michelson Drive, Suite 205  
Irvine, CA 92612  
Bus Phone: 714.665.6515

**Robert J. Stewart**  
Attorney  
Signal Hill Petroleum, Inc.  
2633 Cherry Avenue  
Signal Hill, CA 90755  
[rstewart@shpi.net](mailto:rstewart@shpi.net)  
Bus Phone: 562.326.5222

### Transfers

None to Report

### Welcome Back

**James Jacoby**  
Manager, Western Region  
Land Department  
Plains All American Pipeline, L.P.  
[jjjacoby@paalp.com](mailto:jjjacoby@paalp.com)  
Bus Phone: 562.728.2020  
Fax: 562.728.2866  
Cell: 562.305.2406

# JAMES C. KARO ASSOCIATES LAND SERVICES

serving the LA and San Joaquin Basins  
**303.279.0789**



**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](mailto:randall@taylorlandservice.com)



**DOWNCHEZ**  
ENERGY, INC.

Title Leasing Document and Database Management GIS Mapping

419 Main Street #357 Huntington Beach, CA 92648 858.699.3353

[www.downchezenergy.com](http://www.downchezenergy.com)

# TELL THE STATUS QUO TO WATCH ITS BACK.



AT PURPLE LAND MANAGEMENT, WE BELIEVE THERE'S A DIFFERENT WAY TO PROVIDE LAND SERVICES. A WAY THAT BUCKS INDUSTRY CONVENTIONS IN FAVOR OF NEW IDEAS THAT ACHIEVE BETTER RESULTS. A WAY THAT USES THE LATEST TECHNOLOGY TO DRIVE DOWN COSTS AND AMP UP EFFICIENCIES. A WAY THAT SEES OUR WORK AS PART OF A REVOLUTION DESIGNED TO MAKE OUR COMMUNITIES AND OUR COUNTRY BETTER. THIS WAY IS THE PURPLE WAY- AND IT'S THE HEART AND SOUL OF WHO WE ARE, WHAT WE DO AND HOW WE DO IT.

## OUR SERVICES



LEASE NEGOTIATION & ACQUISITION



GIS CONSULTING



RIGHT-OF-WAY ACQUISITION



COMPLEX CURATIVE



TITLE SERVICES



ACQUISITION DUE DILIGENCE



PROJECT MANAGEMENT



MITIGATION BANKING

[WWW.PURPLELANDMGMT.COM](http://WWW.PURPLELANDMGMT.COM)

PLM - WEST  
BAKERSFIELD, CA



[facebook.com/PurpleLandMgmt](https://facebook.com/PurpleLandMgmt)



[@PurpleLandMgmt](https://twitter.com/PurpleLandMgmt)



[@PurpleLandMgmt](https://instagram.com/PurpleLandMgmt)

---

## AOGHS Accepts LAAPL Donation

---

Each year LAAPL donates \$300.00 to the American Oil & Gas Historical Society, a non-profit organization dedicated to preserving the history of the oil patch. On many occasions "The Override" has pulled interesting oil lore for republication. The AOGHS website is full of historical information about this great industry that transformed the world.

Recently, Mr. Bruce Wells, Executive Director of AOGHS, sent a note of gratitude to LAAPL's Board for our donation, as he does each year we send our contribution to support this organization.

"Thank you once again for the continued \$300 financial support of the American Oil & Gas Historical Society. The generous LAAPL endorsement of AOGHS and its energy education mission means a lot to me. On September 20, 2018, I made a presentation about oil history at an afternoon session at the National Association of Lease and Title Analysts conference. One of my slides noted the AOGHS website's THUMS article, which I explained was inspired by LAAPL and the field trip described in your Override newsletter. Thanks again!" <https://aoghs.org/technology/thums-california-hidden-oil-islands/>

Bruce can be reached at:

Bruce Wells, Executive Director  
American Oil & Gas Historical Society [www.aoghs.org](http://www.aoghs.org)  
3204 18th Street, NW  
Washington, DC 20010  
(202) 387-6996 Cell: (202) 696-4014  
[www.aoghs.org](http://www.aoghs.org) or <http://oilpro.com/brucewells>

|   |   |
|---|---|
|    |   |
| Title, Natural Resources and Land Experts   |   |
| Title Searches / Reports<br>Title Consulting / Research<br>Oil, Gas, Mineral Land Consulting<br>Water & Geothermal<br>Management / Administration<br>Leasing & Land Contracts<br>Title Engineering<br>Right-of-Way Consulting<br>Subdivision / Parcel Maps<br>Permits / Regulatory Compliance<br>Expert Witness & Due Diligence | <b>TIMOTHY B. TRUWE</b><br>Registered Professional Landman<br><br><b>250 Hallock Drive, Suite 100</b><br><b>Santa Paula, CA 93060-9218</b><br><br><b>(805) 933-1389</b><br><b>Fax (805) 933-1380</b><br><br><a href="http://www.PetruCorporation.com">http://www.PetruCorporation.com</a><br><a href="mailto:Petru@PetruCorporation.com">Petru@PetruCorporation.com</a> |
| ! Featured on <i>Enterprises</i> TV, aired on FOX Business Network and published in "Black Gold in California" and "Corporate America" !  |   |

### EHRlich · PLEDGER LAW, LLP



**MEL EHRlich**  
MEHRLICH@EPLAWYERS.NET

**JEAN PLEDGER**  
JPLEDGER@EPLAWYERS.NET

---

**(661) 323-9000**

5001 CALIFORNIA AVE., SUITE 223 · BAKERSFIELD, CA 93309  
FX: (661) 323-9500 · EPLAWYERS.NET





**PROUD SPONSOR OF THE LOS ANGELES ASSOCIATION OF PROFESSIONAL LANDMEN**

**LAND SUPPORT TEAM**

Michelle Rauser  
Lease Records Analyst  
(661) 395-5519 | fax (661) 395-5294  
mrauser@sentinelpeakresources.com

Conrad Banttari  
GIS Technician  
(661) 395-5305 | fax (661) 395-5294  
cbanttari@sentinelpeakresources.com

Charlotte Hargett  
Lease Records Analyst  
(323) 298-2206 | fax (323) 296-9375  
chargett@sentinelpeakresources.com

Naomi Woodbury  
Land Technician  
(661) 395-5207 | fax (661) 395-5294  
nwoodbury@sentinelpeakresources.com

SAN JOAQUIN VALLEY &  
CENTRAL COAST OFFICE | 1200 Discovery Drive, Suite 100  
Bakersfield, CA 93309  
(661) 322-7600

LOS ANGELES OFFICE | 5640 South Fairfax Avenue  
Los Angeles, CA 90056  
(323) 298-2200



<http://sentinelpeakresources.com>

## Case of the Month - Right of Way

### ANOTHER REGULATORY TAKINGS CASE GETS LOST IN THE PROCEDURAL MAZE

*Brad B. Kuhn, Esq.*

*Partner ~ Law Firm of Nossaman LLP*

*Republished With Permission · All Rights Reserved*



For those of you who have followed Nossaman's eminent domain blog since the very early days, or here in *The Override*, you'll recall our coverage of a significant regulatory takings case, *Monks v. City of Rancho Palos Verdes*. The 2008 California decision received much press coverage in that it was one of the very few instances where property owners overcame the myriad substantive and procedural obstacles and succeeded under a regulatory takings theory. Now, ten years later, another group of property owners in Rancho Palos Verdes attempted to pursue a similar regulatory takings claim on the back of *Monks*, but got lost in the procedural maze along the way. In *Black v. Rancho Palos Verdes* (Sept. 6, 2018 Cal. Ct. Appeal 2nd Dist.), the California Court of Appeal issued a published decision denying eight property owners' takings claim on the ground that the owners failed to exhaust their administrative remedies before pursuing litigation.

The litigation has an extremely long history. The short story is that the City issued a landslide moratorium which generally prohibited new development in a landslide area, which was later modified to allow development subject to a property owner's completion of a geotechnical survey — at a cost of between \$500,000 and \$1 million — which satisfied certain safety factors. The *Monks* Court concluded the exception was insufficient to avoid a taking and it was improper to require an owner to spend such a significant sum just to be told no use could be made of the property. The City then repealed the moratorium and allowed the plaintiffs to develop their property.

In *Black*, the plaintiff property owners filed a takings claim, but never pursued an application for development, instead believing no such process was required based upon the prior findings in *Monks*.

The Court of appeal disagreed, concluding that the owners were still required to exhaust their administrative remedies. The "futility" exception noted in *Monks* is extremely narrow and requires a property owner to pursue at least some development proposal. Absent such an attempt, there is no way to know whether a governmental agency will allow a development.

The Court held that in *Black*, there was no evidence that the City would have denied the property owners' application, and relying on statements from the City after the filing of litigation was improper: the record establishing futility should be established before filing suit. With respect to the administrative expense, the owners did not face the same *Monks* experience of incurring extraordinary costs for the geotechnical survey; instead, they faced the expense of hiring architects and engineers, which the Court indicated were not unusual expenses in seeking to develop a property.

Mr. Kuhn can be reached at [bkuhn@nossaman.com](mailto:bkuhn@nossaman.com).



CaliforniaEminent  
DomainReport.com

## Your Partner in Precondemnation Planning and Right- of-Way Acquisition

Nossaman prides itself on its in-depth expertise and reputation for meticulous precondemnation efforts critical to successful public works projects. Our knowledge of right-of-way, eminent domain, valuation, environmental law, endangered species, land use, and infrastructure ensure that we are at the forefront of advancing transportation projects nationwide.

 NOSSAMAN LLP

LOS ANGELES | SAN FRANCISCO | ORANGE COUNTY | SACRAMENTO | WASHINGTON, DC | AUSTIN | ARLINGTON





A broad range of **experience** in providing specialized services to the energy and utility industries.

Anderson Land Services is a **Full Service Land Company** providing:

- Mineral and Surface Title Reports
- Lease Acquisition
- Right of Way Acquisition
- Drillsite Abstracts
- Due Diligence
- Seismic Permitting
- Surface Damage Settlements
- In-House Support
- Acquisitions & Divestitures
- Title Curative



**Joseph M. Anderson**, President  
joe@andersonlandservices.com

**661-873-4020**

Fax: 661-323-4001  
1701 Westwind Drive, Suite 129  
Bakersfield, CA 93301  
www.AndersonLandServices.com



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

Title Research and Examination • Oil & Gas Curative and Mineral Leasing  
Right-of-Way & Real Property Acquisition • Permitting (Federal, State & Local Assignments)

Corporate Headquarters  
725 W. Town & Country Road Suite 410 Orange, CA 92868  
Tel: (714) 568-1800 • Fax: (714) 568-1805 • Email: info@spectrumland.com

*Visit us on the web: [www.spectrumland.com](http://www.spectrumland.com)*

---

## Guest Article - Recycling - A Newfangled Affair

---

### RECYLING – A NEWFANGLED AFFAIR?

*Ed Note: Randall Taylor, RPL, sent an email with the following conversation that supposedly took place between a member of the senior community and perhaps a millennial. Not sure it is a true event, or if it was merely cleverly written and sent into cyber-space by an unknown author. We have taken the liberty to arrange the "story" without losing its meaning. Those gray hairs amongst us may well remember some of the recycling events in the story and using energy wisely long before it was a new thing to do or mandated by current regulations.*



Checking out at the store, the young cashier suggested to the much older lady that she should bring her own grocery bags, because plastic bags are not good for the environment.

The woman apologized to the young girl and explained, "We didn't have this 'green thing' back in my earlier days." The young clerk responded, "That's our problem today. Your generation did not care enough to save our environment for future generations."

The older lady said that she was right, our generation didn't have the "green thing" in its day. The older lady went on to explain: "Back then, we returned milk bottles, soda bottles and beer bottles to the store. The

store sent them back to the plant to be washed and sterilized and refilled, so it could use the same bottles over and over. So, they really were recycled."

Our senior friend continued. "Grocery stores bagged our groceries in brown paper bags that we reused for numerous things. Most memorable besides household garbage bags was the use of brown paper bags as book covers for our school books. This was to ensure that public property (the books provided for our use by the school) was not defaced by our scribbles. Then we were able to personalize our books on the brown paper bags."

Still on a roll, the grey haired one continued. "We walked up stairs because we didn't have an escalator in every store and office building. We walked to the grocery store and didn't climb into a 300-horsepower machine every time we had to go two blocks.

Continuing the lecture. "We didn't have the "green thing" in our day. Back then we washed the baby's diapers because we didn't have the throw away kind. We dried clothes on a line, not in an energy-gobbling machine burning up 220 volts. Wind and solar power really did dry our clothes back in our early days. Kids got hand-me-down clothes from their brothers or sisters, not always brand-new clothing."

The barrage keeps on going. "Back then we had one TV, or radio, in the house -- not a TV in every room. And the TV had a small screen the size of a handkerchief (remember them?), not a screen the size of the state of Montana."

Age continues to triumph youth. "In the kitchen we blended and stirred by hand because we didn't have electric machines to do everything for us. When we packaged a fragile item to send in the mail, we used wadded up old newspapers to cushion it, not Styrofoam or plastic bubble wrap. Back then, we didn't fire up an engine and burn gasoline just to cut the lawn. We used a push mower that ran on human power. We exercised by working so we didn't need to go to a health club to run on treadmills that operate on electricity"

The glorious days of past recycling actions are rolling off the lips without thought or effort. "We drank from a fountain when we were thirsty instead of using a cup or a plastic bottle every time we had a drink of water. We refilled writing pens with ink instead of buying a new pen, and we replaced the razor blade in a razor instead of throwing away the whole razor just because the blade got dull."

More edicts being spewed forth. "Back then, people took the streetcar or a bus and kids rode their bikes to school or walked instead of turning their moms into a 24-hour taxi service in the family's \$45,000 SUV or van, which cost what a whole house did before the "green thing." We had one electrical outlet in a room, not an entire bank of sockets to power a dozen appliances. And we didn't need a computerized gadget to receive a signal beamed from satellites 23,000 miles out in space in order to find the nearest burger joint."

Enough said. ~Ed.

# WHO DO YOU WANT TO SUPPORT?



## YOUR HOUSE **OR** THE WHITE HOUSE?

### WHY SELL NOW?

- Oil prices are dropping and may continue.
- Tax cuts expiring on December 31 means long-term capital gains tax goes from 15% to 23.8% and 35% ordinary income tax to 43.4%.
  - Maximize your estate value now while prices are still high and tax rates are still low.
- Cost average your tax bracket from 43.4% every month to 15% once!

Call or email Noble TODAY to maximize the full value of your asset

**J.D. (DOUG) BRADLEY**  
Sr. V.P., Land Acquisitions & Divestitures

**972-788-5839**  
buying@nobleroyalties.com

**NOBLE ROYALTIES, INC.**



## IF OIL AND GAS LAW IS THE NEW FAD, WE'VE BEEN TRENDY FOR THREE DECADES.

At Day Carter Murphy we work in the oil and gas industry all day, every day.  
**And we've been doing it for over thirty years.**

- Jim Day
- Julie Carter
- Sean Murphy
- Jane Luckhardt
- Tracy Hunckler
- Carlin Yamachika
- Josh Baker
- Ralph Nevis
- Ryan Stephensen



**DAY ■ CARTER ■ MURPHY** LLP

DAYCARTERMURPHY.COM

## 100 PERCENT RENEWABLE ENERGY—POOR POLICY FOR ELECTRICITY RATE PAYERS

By Steve Goreham

Permission to Republish – All Rights Reserved

Originally published in Master Resource, Republished with Permission

*Ed. Note: Mr. Goreham is the Executive Director of the Climate Science Coalition of America, a non-political association of scientists, engineers, and citizens dedicated to informing Americans about the realities of climate science and energy economics.*

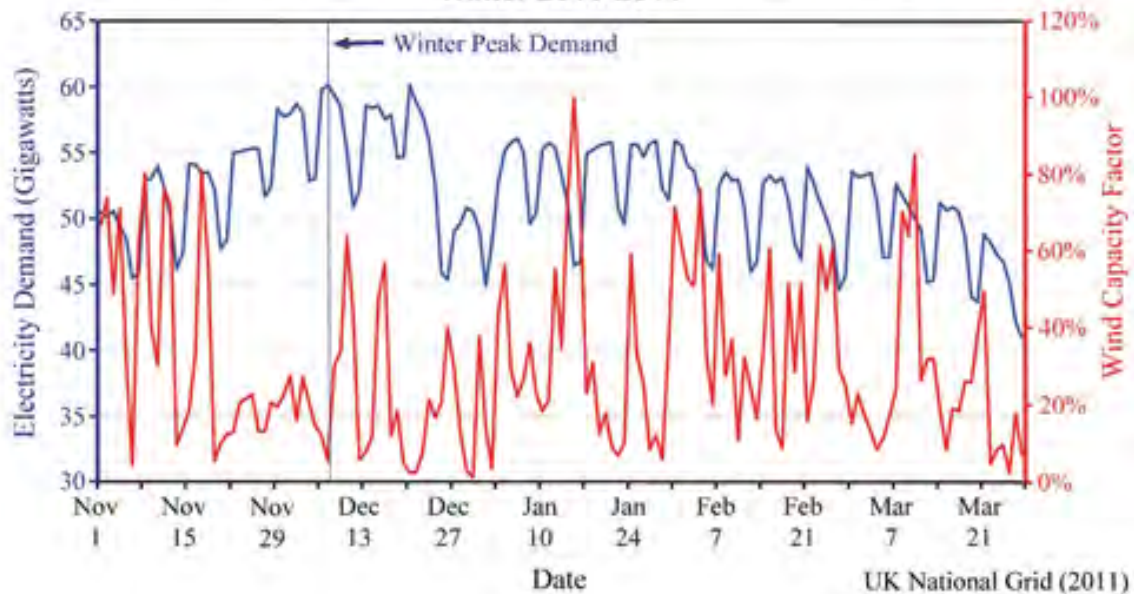


Two states and more than 80 cities and counties have now announced a goal of receiving 100 percent of their electricity from renewable sources. Wind, solar, and biofuels are proposed to replace electricity from coal, natural gas, and nuclear power plants. But evidence is mounting that 100 percent renewables is poor policy for US households and businesses.

More than 80 cities announced commitments to get 100 percent of their energy from renewable sources. Minneapolis committed to attaining 100 percent renewable electricity by 2030, Salt Lake City by 2032, and St. Louis by 2035. Nine counties and two states, California and Hawaii, have also made 100 percent renewable pledges.

Some cities already claim to get all power from renewables, generally by using a little electricity “sleight of hand.” Rock Port, Missouri claims to be the first US community powered by wind because it has a local wind farm. But when the wind doesn’t blow, Rock Port gets power from other generators in Missouri, a state that gets 77 percent of its electricity from coal and 97 percent from non-renewables in total.

### UK Electricity Demand and Wind System Output Winter 2010-2011



On September 10, Governor Jerry Brown signed Senate Bill 100, committing California to 100 percent renewable electricity by 2045. Brown stated, “It’s not going to be easy. It will not be immediate. But it must be done...California is committed to doing whatever is necessary to meet the existential threat of climate change.”

But cities and states pursuing 100 percent renewable electricity lay the foundation for a future painful lesson. Households and businesses will experience the shock of rapidly rising electricity prices as more renewables are added to the system.

*Renewable  
continued on page 16*



## **Bright and Brown**

ATTORNEYS AT LAW

550 N. Brand Blvd.  
Suite 2100  
Glendale, CA 91203  
[www.brightandbrown.com](http://www.brightandbrown.com)  
818.243.2121  
818.243.3225 (fax)

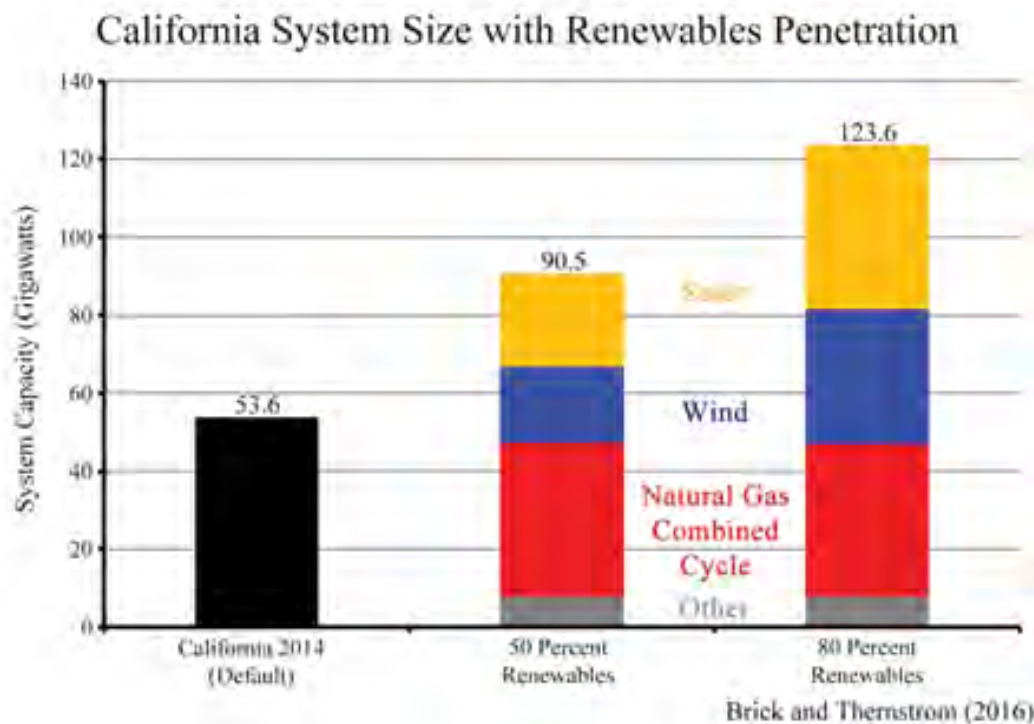
- Business Litigation
- Real Property
- Environmental Litigation
- Exploration and Production Transactions
- Mineral Title Review and Opinions
- Regulatory Compliance
- Regulatory Environmental Closure
- Land Use, Zoning, and Other Permitting Matters

Renewable  
continued from page 16

Wind and solar cannot replace output from traditional coal, natural gas, and nuclear power plants, despite claims to the contrary. Wind and solar are intermittent generators. Wind output varies dramatically from high output to zero, depending upon weather conditions. Solar output is available for only about six hours each day when the sun is overhead and disappears completely on cloudy days or after a snowfall. Hydropower is a renewable source that can replace traditional power plants, but even this source is insufficient in years of drought or low snow runoff.

Experience shows that utilities can only count on about 10 percent of the nameplate capacity of a wind or solar facility as an addition to power system capacity. For example, on December 7, 2011, the day of peak winter electricity demand in the United Kingdom, the output of more than 3,000 wind turbines in the UK was less than five percent of rated output. The UK House of Lords recognized the problem a decade ago, stating “The intermittent nature of wind turbines...means they can replace only a little of the capacity of fossil fuel and nuclear power plants if security of supply is to be maintained.”

To achieve “deep decarbonization,” states will need to keep 90 percent of traditional power plants and add increasing amounts of wind and solar to existing systems. Total system capacity must first double and then triple as 100 percent renewable output is approached. A 2016 study by Brick and Thernstrom projected that California’s system capacity would need to increase from 53.6 gigawatts to 90.5 gigawatts at 50 percent renewables and to 123.6 gigawatts at 80 percent renewable output.



Rising system capacity means enormous electricity cost. In 2017, California received 20 percent of its electricity from renewable sources, excluding power from large hydroelectric plants. California 2017 residential electricity rates were 18.24 cents per kilowatt-hour, 50 percent higher than any other US western state.

From 2008 to 2017, California power rates rose 25 percent compared to the US national average increase of about 7 percent. But the worst is yet to come. As California adds renewable capacity to approach 100 percent renewables, generated cost of electricity will likely triple.

International examples show soaring electricity prices from renewables penetration. High levels of wind and solar in Germany and Denmark produced household electricity prices four times US rates. Renewable programs pushed power prices in five Australian provincial capital cities up 60 to 160 percent over the last decade. Wind, solar, and biofuel penetration in Ontario, Canada drove electricity prices up more than 80 percent from 2004 to 2016. Renewable output in these locations remains far below 100 percent.

Green energy advocates recognize renewable intermittency and hope that advances in battery technology will save the day.

Renewable  
continued on page 18





**Expertly Serving Oil  
& Gas Stakeholders**

**PetroLand Services is a  
Full Service Land Company providing:**

- 🔥 Oil, Gas & Mineral Consulting
- 🔥 ARC/GIS Mapping
- 🔥 Secure Online Maps
- 🔥 Title Research
- 🔥 Due Diligence
- 🔥 Title Curative / Probate Matters
- 🔥 Seismic Permitting
- 🔥 Leasing
- 🔥 Surface & Mineral Acquisitions
- 🔥 Right-of-Way Title & Acquisitions
- 🔥 Permitting and Regulatory Compliance
- 🔥 Land Administration
- 🔥 File Management

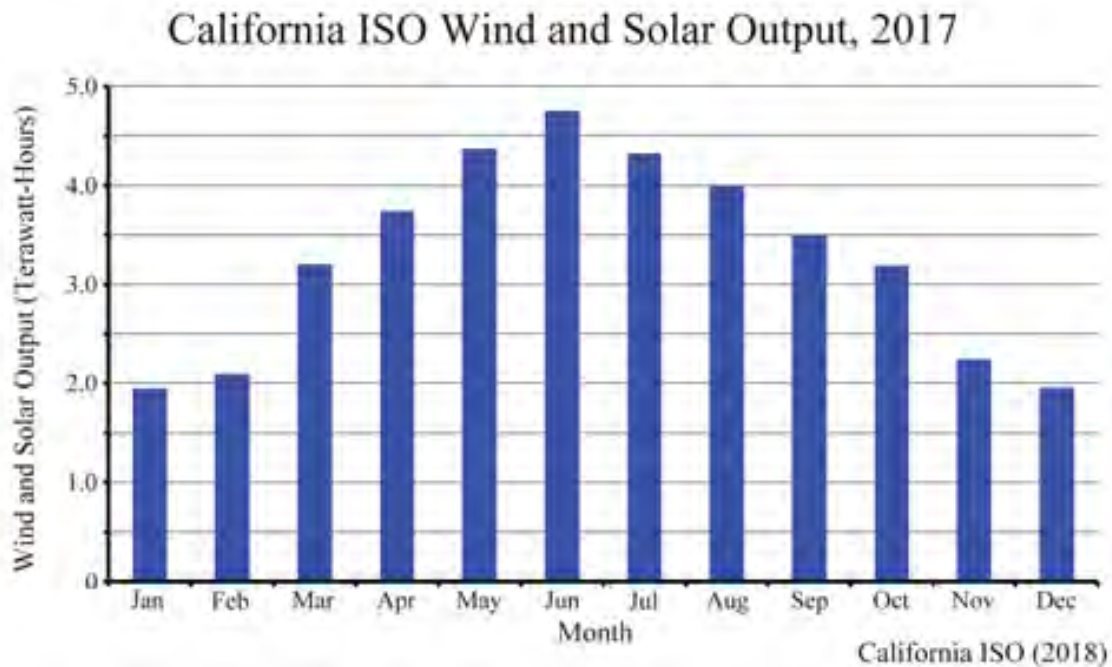
**PetroLand Services** is a full-service consulting firm providing professional land services to the oil and gas industry, attorneys, utilities, title insurers, pipeline companies, developers, land owners and public agencies. Our firm is uniquely positioned to assist with **leasing, permitting, acquisitions, divestitures, due diligence and the day-to-day operational challenges** of drilling and producing in high-density urban environments throughout the Country.

**L. Rae Connet, Esq. - President**  
California - (310) 349-0051  
[rconnet@petrolandservice.com](mailto:rconnet@petrolandservice.com)

Renewable  
continued from page 16

Large-scale commercial batteries, they claim, will be able to store power during high levels of renewable output and then deliver power to the grid when wind and solar output is low.

But batteries are not the answer because of the large seasonal variation in renewable output. For example, wind and solar output in California in December and January is less than half of the output in summer months. Commercial large-scale batteries available today are rated to deliver stored electricity for only two hours or ten hours duration. No batteries exist that can store energy in the summer and then deliver it during the winter when renewable output is very low.



Superstition is powerful. There is no evidence that 100 percent renewable efforts, all combined, will have a measurable effect on global temperatures. Instead, cities and states that pursue 100 percent renewable policies will learn the hard lesson of skyrocketing electricity prices.

Mr. Goreham can be reached at [gorehamsa@comcast.net](mailto:gorehamsa@comcast.net).

**PERCHERON**

**“I make land management more manageable.”**  
*Nicole, Project Manager - Energy*

**FULLY INTEGRATED LAND SERVICES**  
**EXPERIENCE YOU CAN COUNT ON**

Percheron offers specialized expertise in **land, right of way, survey** and **title** services. At Percheron, it's **our people** who make the difference. Our qualified, licensed, certified and reliable industry experts can manage and execute projects of any size, **coast-to-coast**. Led by our **experienced management team**, with decades of project experience, our network of **highly skilled professionals** deliver a broad range of field expertise and ensure that your projects run smoothly, efficiently and accurately.

**Field Services**   **Title**   **Energy**   **Survey**

TO LEARN MORE call **888.232.3149** | visit **percheronllc.com**   © Copyright Percheron Ilc. 2017

# Lease management software for the modern E&P.

Get your E&P company on the right track with  
our powerful database system that automatically:

- Tracks lease expirations and extension payments.
- Schedules shut-in payments and drilling obligations.
- Monitors vertical and horizontal pugh clauses.
- Creates division orders and joint interest billing decks by unit, well, and depth.



Contact us today to schedule  
your free demonstration!



**iLandMan**<sup>™</sup>  
INNOVATIVE LANDMAN SOLUTIONS

[sales@ilandman.com](mailto:sales@ilandman.com)

1-888-856-6579

[www.ilandman.com](http://www.ilandman.com)

## Case of the Month - Oil & Gas



### FIXED OR FLOATING ROYALTY

By Manning Wolfe, Esq.

Permission to Republish – All Rights Reserved  
Newsletter Blog © · [www.manningwolfe.com](http://www.manningwolfe.com) · Blog Post – July 2018

**Background:** Among the great debates of recent decades, few have proven quite as frustrating as the great “Fixed v. Floating” royalty debate in Texas courts.

A royalty can be conveyed or reserved in two ways: as a fixed fraction of total production (fractional royalty interest) or as a fraction of the total royalty interest (fraction of royalty interest).

The fractional interest is “fixed” because it is untethered to the royalty in a particular oil and gas lease. A fraction of royalty is “floating” because it varies depending on the royalty in the lease.

Disputes arise when a deed contains multiple fractions, referring to the “usual royalty provided in mineral leases”. That language embodies the parties’ expectation that future leases would always provide a 1/8th landowner’s royalty.

**Facts:** In *U.S. Shale energy II, LLC, et al v. Laborde Properties, LP*, an Eagle Ford Shale royalty dispute, the Texas Supreme Court considered fixed or floating royalty. The court interpreted a deed in question to mean the initial property owners have the right to half of whatever royalties are paid on oil and gas produced from the land, rather than a fixed one-sixteenth royalty interest.

The case involves an NPRI reserved to the grantors in a deed with the following language: “an undivided one-half (1/2) interest in and to [the royalty] ... in and under ... the above described premises, the same being equal to 1/16th of the production.”

EOG, lessee under a lease with a 1/5th lessor’s royalty, credited Roush (successors to the reserving party) with 1/2 of the 1/5th. LaBorde (successor to the deed grantee) objected.

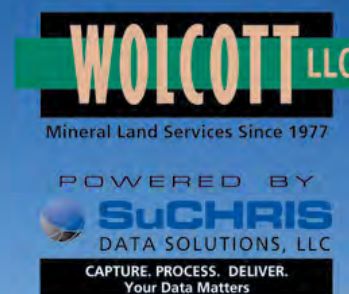
*Fixed or Floating*  
continued on page 21

### EMBRACING TECHNOLOGY TODAY – LEADING THE NATION’S LAND SERVICE INDUSTRY TO THE FUTURE



- Due Diligence
- Lease Acquisition
- Abstracts
- Seismic Permitting
- Surface Acquisition
- Mineral Title
- Lease Administration
- Right Of Way
- GIS
- Pipeline
- Mining

Nationwide Service



Explore more at:

[www.wolcottllc.com](http://www.wolcottllc.com)

970-241-7146

*Fixed or Floating*  
*continued from page 20*

**Finding:** In a 6-3 decision, the court said the deed in question reserved “a floating one-half interest in the royalty in all oil, gas or other minerals” produced from a property in Karnes County, Texas. The court determined that floating royalties, by definition, fluctuate.

**Reasoning:** In its analysis, the court began by noting that the first clause, when read independently (“1/2 interest in the royalty”), clearly reserved a floating royalty. The issue was what effect, if any, the second clause (“the same being equal to 1/16th of the production”) had on the first clause. At the time of the deed in question, 1/8th royalties in leases were the norm. If a lease had a 1/8th royalty rate, there would be no conflict between the two clauses.

But there was no evidence in the record that any such lease was in effect at the time. The deed had no language suggesting that the parties intended to tie a reservation to something that did not exist. The “1/2” reservation must have referred to a royalty that could come into being at some point in the future.

The court held that second clause did not modify the plain meaning of the first clause. Neither clause was rendered meaningless because both were given effect in the face of leases departing from what was once a ubiquitous 1/8th royalty. The “1/16th” reference clarified as an incidental factual matter what a 1/2 interest in the royalty amounted to when the deed was executed. By contrast, if the royalty were fixed the Roushes would be entitled only to 1/16th of the production, which is not half of the royalty when the royalty is above 1/8th.

**Comma Issue:** According to the court, the grammatical structure of the sentence bolstered this interpretation. “the same being equal to 1/16th” was offset by a comma, indicating a nonrestrictive dependent clause. Such a clause gives additional description or information that is incidental to the central meaning of the sentence.

**Dissent:** The three-justice dissent opined from the same deed language that the parties intended to limit the reservation to 1/8th because that was the rate commonly used at the time. This was because the first clause standing alone did not clearly indicate whether it reserved a floating or fixed rate. Second, the majority construed the first clause in isolation without considering the second clause, which provided insight into the first clause’s meaning. This analysis, according to the dissent, does not render either clause meaningless.

*Fixed or Floating*  
*continued on page 22*

# Lifting you up.

## Responsive. Prompt. Results.

Our experienced lawyers help oil and gas clients succeed by advising on all aspects of their businesses, including:

- SB 4 compliance
- Title opinions
- Exploration agreements and joint operations advice
- Permitting and regulatory approvals
- Environmental compliance
- Air quality
- Water quality and water rights
- Litigation
- Property tax issues

**Thomas A. Henry**  
(916) 319-4667 | [thomas.henry@stoel.com](mailto:thomas.henry@stoel.com)

**Michael N. Mills**  
(916) 319-4642 | [michael.mills@stoel.com](mailto:michael.mills@stoel.com)

**Michael J. Sherman**  
(916) 319-4792 | [michael.sherman@stoel.com](mailto:michael.sherman@stoel.com)



Alaska California Idaho Minnesota Oregon Utah Washington and Washington, D.C.

Fixed or Floating  
continued from page 21

**Bottom Line:** This ruling is consistent with other recent decisions on the fixed/floating debate. Courts seem to be finding for floating royalties more frequently. Nevertheless, unless the exact words in the instrument have been ruled on by the Texas Supreme Court, caution is warranted when making fixed/floating calls.

**Manning Wolfe**, is an author and attorney residing in Austin, Texas. She writes smart, fast-paced thrillers with a salting of Texas bullshit. Her series, featuring Austin Lawyer Merit Bridges is available online wherever books are sold. A graduate of Rice University and the University of Texas School of Law, Manning's experience has given her a voyeur's peek into some shady characters' lives. She draws from these cases to create her novels. [www.manningwolfe.com](http://www.manningwolfe.com)



# ENERGY FOR CALIFORNIA BY CALIFORNIANS

California Resources Corporation is a proud member of  
the Los Angeles Association of Professional Landmen.

For more information contact:

Wes Marshall | South Region Land Manager  
Cambria Rivard | Land Negotiator, Los Angeles Basin  
Brandi Decker | Land Negotiator, Ventura Basin



California's largest independent oil and natural gas producer

111 W. Ocean Blvd, Suite 800 | Long Beach, CA 90802 | (562) 624-3400 | [crc.com](http://crc.com)

---

## Guest Article - Roughnecks of Sherwood Forest

---

### ROUGHNECKS OF SHERWOOD FOREST

*Editor's Note: this article is composed of excerpts from the book "The Secret of Sherwood Forest" by Guy H. Woodward and Grace Steele Woodward*

*Permission to Republish – All Rights Reserved*

As the United Kingdom fought for its survival during World War II, a team of American oil drillers, derrickmen, roustabouts and motormen secretly boarded the converted troopship HMS Queen Elizabeth in March 1943. Once their story was revealed years later, they would become known as the Roughnecks of Sherwood Forest.



By the summer of 1942, the situation was desperate. The future of Great Britain – and the outcome of World War II – depended on petroleum supplies.

By the end of that year, demand for 100-octane fuel would grow to more than 150,000 barrels every day – and U-Boats ruled the Atlantic.

In August 1942, British Secretary of Petroleum, Geoffrey Lloyd called an emergency meeting of the Oil Control Board to assess the “impending crisis in oil.”

*The U.S. oil tanker Pennsylvania Sun torpedoed by the German submarine U-571 on July, 15, 1942, about 125 miles west of Key West, Florida. Britain's oil reserves were two million barrels below safety reserves. Photo from Library of Congress's Prints and Photographs Division.*



*A photograph of the 42 volunteers from Noble Drilling and Fain-Porter Drilling companies before they embark for England on the troopship H.M.S. Queen Elizabeth in 1943.*

*Sherwood Forest  
continued on page 24*



*Dedicated in 2001, an Oil Patch Warrior stands in Ardmore, Oklahoma. It is a duplicate of the statue at right, erected 10 years earlier near Nottingham, England.*

This is the story of the “little-known, or at least seldom recognized, all-important role oil and oilmen played in the prosecution of the war,” note two historians who have searched archives in Great Britain and the United States.

Guy Woodward and Grace Steele Woodward published *The Secret of Sherwood Forest – Oil production in England during World War II* in 1973.

“The amazing and hitherto untold story, born in secrecy, has remained buried in the private diaries, corporate files and official records of government agencies,” explain the Woodwardes in their book.

“In the final analysis, oil was indeed the key to victory of the Allies over the Axis powers,” the authors conclude.

Today, two identical bronze statues separated by the Atlantic Ocean commemorate the achievements of World War II American roughnecks.

The first seven-foot statue stands in Dukes Wood near the village of Eakring in Nottinghamshire, England. Its twin greets visitors at Memorial Square in Ardmore, Oklahoma.

These oil patch warriors, separated by more than 2,400 miles, commemorate American volunteers who – during a critical time of the war – produced oil. They drilled in Sherwood Forest.



*Noble Drilling Corporation financed a May 1991 trip for 14 survivors of the original crew to return to Duke’s Wood in Sherwood Forest.*





*A Republic P-47 in Italy is fueled in this February 1945 photograph “passed for publication” by Allied “Field Press Censor.”*

The once top-secret story begins in August 1942, when Britain’s wartime Secretary of Petroleum, Geoffrey Lloyd, called an emergency meeting of the country’s Oil Control Board.

U-Boat attacks and the bombing of dockside storage facilities had brought the British Admiralty two million barrels below their minimum safety reserves.

The oil supply outlook was bleak.

Meanwhile, Field Marshall Erwin Rommel’s rampaging North African campaign threatened England’s access to Middle East oilfield sources. England’s principal fuel supplies came by convoy from Trinidad and America and were subjected to relentless Nazi submarine attacks.



*“Ninety-four wells produced high quality oil, an amazing achievement,” the BBC would later note.*

Sherwood Forest  
continued from page 25

Many at the Oil Control Board meeting were surprised to learn that England had a productive oilfield of its own, first discovered in 1939 by D'Arcy Exploration.

The D'Arcy company was a subsidiary of the Anglo-Iranian Oil Company – predecessor to BP.

This obscure oilfield was in Sherwood Forest, near Eakring and Dukes Wood. It produced modestly – about 700 barrels per day in 1942 – from 50 shallow wells.

Extreme shortages of drilling equipment and personnel kept Britain from further exploiting the field. Perhaps America might help.



*American volunteer derrickman Herman Douthit fell to his death.*

Following the meeting – under great secrecy – C.A.P. Southwell, a D'Arcy representative, was sent to the Petroleum Administration for War (PAW) in Washington, D.C.

Southwell's secret mission was to secure American assistance in expanding production from the Eakring field, regarded as an “unsinkable tanker.”

Pressing his case in America, Southwell pursued the widely respected independent oilman Lloyd Noble, president of Tulsa-based Noble Drilling Corporation. They met in Noble's hometown of Ardmore, Oklahoma, to negotiate a deal.

American oil companies were already heavily committed to wartime production. Noble nonetheless joined with Fain-Porter Drilling Company of Oklahoma City on a one-year contract to drill 100 new wells in the Eakring field. Noble and Fain-Porter volunteered to execute the contract for cost and expenses only. PAW approved their deal and the contract was signed in early February 1943.

On March 12, a 42-man team of newly recruited drillers, derrickmen, motormen and roustabouts embarked on the troopship H.M.S. Queen Elizabeth.



*The Americans stayed at Kelham Hall. The Anglican Monastery was ideal for the year-long operation – it was isolated from the community.*

Sherwood Forest  
continued from page 26

Four drilling rigs for “The English Project” would be transported to England on four different ships. Although one ship was lost to a German submarine, another rig was subsequently shipped safely.

**Top Secret Project**

The American oilmen joined project managers Eugene Rosser and Don Walker at billets prepared in an Anglican monastery at historic Kelham Hall, near Eakring.

The sudden influx of Americans from Oklahoma was rumored to be for making a movie, probably a western. It was said that John Wayne would arrive soon.



*The roughneck workers left to return to America on March 3, 1944. They had added more than 1.2 million barrels of oil to the total output of the Eakring oilfield.*

Within a month, sufficient equipment had arrived to enable spudding the first well. Two others quickly followed.

Four crews worked 12-hour tours with “National 50” rigs equipped with 87-foot jackknife masts. The roughnecks amazed their British counterparts with their drilling speed.

Using innovative methods, the Americans drilled an average of one well per week in Duke’s Wood, while the British took at least five weeks per well.

The British crews made it a practice to change bits at 30-foot intervals. The Americans kept using the same bit as long as it was “making hole.” By August, the Yanks of Sherwood Forest had completed 36 new wells, despite the challenges of wartime rationing of fuel, food, and other shortages.



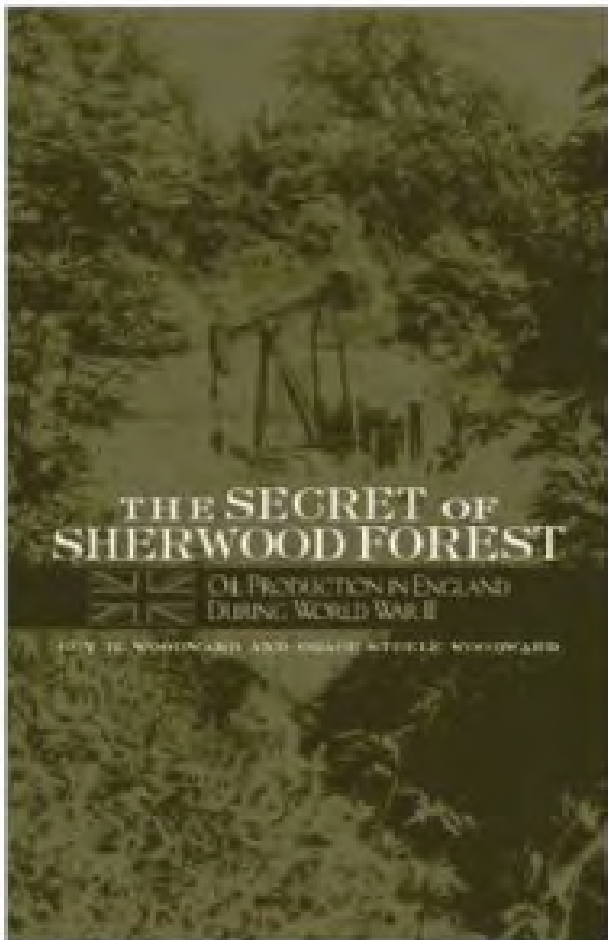
*A vintage Spitfire uses modern aviation fuel, but in 1942 U-Boat attacks on convoys threatened to cut off England’s supply.*

*Sherwood Forest*  
*continued from page 27*

By January of 1944, the American oilmen were credited with 94 completions and 76 producing oil wells. But not without cost. While working Rig No. 148, derrickman Herman Douthit was killed when he fell from a drilling mast. Douthit was buried with full military honors. Douthit remains the only civilian ever buried at the American Military Cemetery in Cambridge.

The English Project contract was completed in March 1944 with the Americans logging 106 completions and 94 producers. England's oil production had shot from 300 barrels a day to more than 3,000 barrels per day.

Without fanfare, the roughnecks returned to the United States and the families they had left a year before. Their mission and success remained secret until November 1944, when the Chicago Daily Tribune ran a story, "England's Oil Boom," on a back page. Few took notice at the time.



*Visiting Tulsa in 1989, a member of Parliament was fascinated by Guy and Grace Woodward's book.*

overalls so I would get it exactly right," he explains.

Those who look very closely will see the tell-tale impression of a pack of cigarettes in the oil patch warrior's pocket. "Lucky Strike," O'Meilia laughs – "because Lucky Strike Green Goes to War" was a contemporary advertising campaign.

Statues dedicated in 1991 and 2001

In May 1991, Noble Drilling Corporation funded the return of 14 surviving oilmen to the dedication of O'Meilia's seven-foot bronze Oil Patch Warrior in Sherwood Forest. The statue was placed on the grounds of England's Dukes Wood Oil Museum on land donated by British Petroleum.

In 2001, ten years after the ceremony in England, the citizens of Ardmore, Oklahoma, determined to honor veterans with a downtown Memorial Square. They discovered that the original molds remained in O'Meilia's Colorado foundry.

### **Honoring Oklahoma Roughnecks**

By the end of the war, more than 3.5 million barrels of crude had been pumped from England's "unsinkable tanker" oilfields. Petroleum industry expertise would again come into action – solving the challenge of oil pipelines across the English Channel – read about "Operation PLUTO" in [Secret Pipeline of World War II](#). British Petroleum continued to produce oil from Dukes Wood until the field's depletion in 1965.

The story remained largely unknown until the 1973 University of Oklahoma Press publication of *The Secret of Sherwood Forest – Oil production in England during World War II* by Guy and Grace Woodward.

Then in 1989, British member of Parliament Tony Speller visited Tulsa for a speaking engagement – and was given a copy of the book.

Surprised and intrigued by the story it told, Speller joined with the International Society of Energy Advocates, Noble Drilling Company and others who believed that the singular accomplishment of this handful of Americans should be remembered. Well-known artist Jay O'Meilia was chosen to create a bronze tribute to these men.

O'Meilia, born in 1927 in Tulsa, Oklahoma, where he resides today, was inducted into the Oklahoma Hall of Fame in 1999. Interviewed for this article, he recalls, that the statue's design quickly evolved.

"The notion of an 'oil patch warrior' soon developed...at parade rest with a roughneck's best weapon – a Stillson wrench – instead of a rifle," he says.

O'Meilia also remembers how authenticity was critical, down to period gloves and hard hat. "They even sent me a pair of original



*Artist Jay O'Melia of Tulsa, Oklahoma, traveled to England for the May 1991 dedication of his Oil Patch Warrior statue.*



*Adam Sieminski and wife Laurie visited the Sherwood Forest statue in 2005.*

“Our mission was to create a memorial park that would honor those who sacrificed their lives, those who served in the military during times of war and peace, and the oil drillers and energy industry that came to England’s rescue in World War II,” explains Jack Riley, chairman of the Memorial Square committee.

O’Meilia recast the Sherwood Forest Oil Patch Warrior for Ardmore from the original molds. The statue was dedicated on November 10, 2001, with representatives from Noble Oil and Fain-Porter joining veterans at the ceremony. A brick walkway through Memorial Square displays the names of Ardmore area veterans.

“Memorial Square honors veterans who are responsible for the freedom we enjoy today – and the energy industry, which is responsible for the economic strength of our community,” declared Wes Stucky, president of the Ardmore Development Authority.

Time has taken away many of those on both sides of the Atlantic who struggled to preserve democracy. As many as 1,100 die every day, according to the U.S. Department of Veterans Affairs.

Fortunately, in these two imposing bronze Oil Patch Warriors, separated by an ocean of history, the story of the roughnecks of Sherwood Forest can always be remembered.

Editor’s Note – Visit the [Dukes Wood Oil Museum](#) in Nottinghamshire, England. Adam Sieminski of Washington, D.C., visited the Sherwood Forest statue in 2005. He provided the historical society with photos – and donated a copy of *The Secret of Sherwood Forest – Oil production in England during World War II*.

Sieminski also encouraged sponsorship of this society’s participation in a two-day “rock oil tour” to Titusville, Pennsylvania. Read the [“Energy Economists Rock Oil Tour”](#) of August 2009.