

November Luncheon
Wednesday, November 15th

**Applicability of The Centerline Presumption
Under Contest in Colorado**



Rollin Wood

**SHANOR &
FRANKLIN**

*See page 8 for more
information*

The University Club
1673 Sherman St

11:30 am - 1 pm

[Click here to register](#)

**DAPL, DALTA & DADOA ANNUAL AWARDS
& HOLIDAY SOCIAL**

Wednesday, December 13th

Renaissance Denver Downtown City Center
918 17th St

2 pm - 4 pm

**We're doing things a little different this year! Join us for our
Annual Awards Presentations and Holiday Social.
Enjoy hors d'oeuvres and drinks**

[Click Here to Register](#)



The Denver Association of Professional Landmen

Telephone: (303) 446-2253

E-Mail: dapl@dapldenver.org

Web Site: www.dapldenver.org

Mailing Address:

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Denver, CO 80202

The Denver Association of Professional Landmen is a non-profit organization operated by its membership for mutual benefit to further the knowledge and interests of Professional Landmen, and to better acquaint the public with the scope of the Landman's work.

The Rocky Mountain Landman is a publication of the Denver Association of Professional Landmen.

Tabatha Reed

DAPL Office Administrator

Phone: (303) 446-2253

Column Coordinators:

Education **Bresee Carlson
Crosby Garrison**

Minutes **Chad Sullivan**

Legal **Estee Sanchez**

Contributions from our readers are welcome. All suggestions and manuscripts should be emailed to the editor at the DAPL office. We reserve the right to edit all material according to standard practices.

Bylined and credited articles represent the view of the authors; publication neither implies approval of the opinions expressed nor accuracy of the facts stated.

Officer's Forum—Secretary

Hello DAPL!

Let's start this forum with a big round of applause for the incredibly successful Denver Land Institute and Rockies Bash! The Education Committee, Bash Committee, and the one who keeps the whole show running, Tabatha Reed, put in many hours to make the 50th year of the DLI and the 10th annual year of the Bash such a success! We are thankful for all their work and look forward to many more successful years to come!

Committees are an excellent way to connect with members inside and outside of the DAPL and help keep this organization running smoothly so that it can continue to provide educational events, networking events, fundraising events, and luncheons. If you are interested in helping on a committee or have a committee you would like to bring to the DAPL board for approval, please get in touch with us at dapl@dapldenver.org ! All ideas are encouraged and welcomed!

We are quickly approaching the end of the year, and while we all have work one way or another on our minds, please take time during this season of thanks to spend quality time with your loved ones, share gratitude for all those around you, give time to others when you can, make the most of your day and keep pushing forward. I am thankful to have a community like the DAPL around me in Denver and such a strong industry presence in this wonderful city.

Cheers and see you at the upcoming luncheon on Nov 15! [REGISTER HERE](#)

Chad Sullivan
DAPL Secretary



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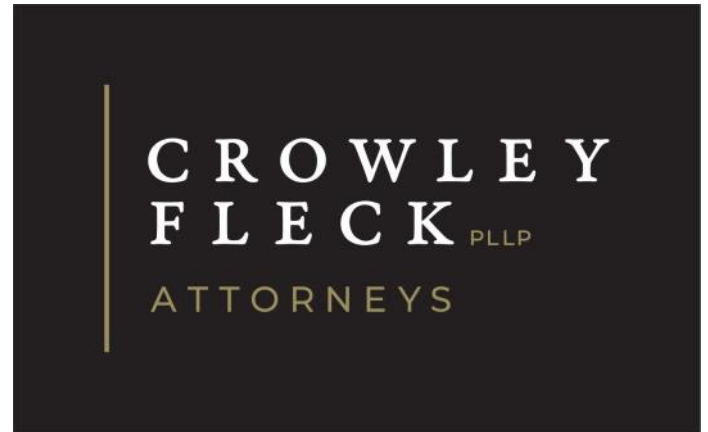
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From a Legal Perspective

Maintaining and Extending Federal Oil and Gas Leases

Oil and gas leases issued by the United States Department of the Interior through the Bureau of Land Management (“BLM”) undoubtedly play a significant role in oil and gas development in the western United States. As of the end of fiscal year 2022, federal onshore leases collectively covered roughly 24 million acres across the continental United States. Between 2015 and 2020, successful bidders collectively paid around \$500 million annually in bonus payments to obtain new onshore oil and gas leases from the BLM (see <https://revenue.data.doi.gov/query-data>). Understanding the myriad regulations unique to federal oil and gas leases is essential to maintaining and preserving those valuable assets.

The vast majority of federal onshore oil and gas leases are issued under the Mineral Leasing Act of 1920 (30 U.S.C. §181). Unlike most modern fee leases, federal oil and gas leases still require the payment of rentals during the primary term. Those rentals are also paid yearly, in advance, at the anniversary of the lease issuance date. On a non-producing lease, if advance rentals are not timely paid, then the lease terminates automatically and without notice. 43 C.F.R. §3108.2-1(a). There are minor exceptions in cases of nominal deficiencies and erroneous bills issued by the government. 43 C.F.R. §3108.2-1(b). Timely payment of advance rentals is crucial to lease maintenance.

Upon achievement of actual production in paying quantities from the leased premises within the primary term, a lease enters into its “indefinite extended term.” On a leasehold basis, “paying quantities” means production in an amount sufficient to yield a “reasonable profit” after paying operating costs, transportation, and other day-to-day expenses, exclusive of drilling and equipping costs. See *International Metals and Petroleum Corp.*, 158 IBLA 15 (2002).

A lease may also earn a two-year extension if, prior to expiration, actual drilling operations are commenced and thereafter diligently prosecuted over the end of the primary term. 43 C.F.R. §3107.1. An important caveat to drilling over the expiration of the primary term is that the lease cannot have been previously extended. Advance rentals must also be paid. Actual drilling operations at expiration of the primary term do not include plugging and abandonment of a well. See *Santa Fe Energy Resources Inc.*, 138 IBLA 133 (1997).

A federal oil and gas lease may also be extended through commitment to a communitization agreement (“CA”). A CA is essentially a pooling agreement involving federal minerals that enables a federal lease to be combined with other federal, state and fee leases in order to conform to local well spacing regulations. Such extension is subject to a “public interest” test under 43 C.F.R. §3105.2-3 requiring that actual, diligent drilling operations were conducted under the CA. A CA must be signed and filed with the BLM prior to lease expiration, but it may be approved by the BLM subsequent to the lease expiration date and applied retroactively.

Lastly, federal oil and gas leases may be extended through inclusion in federal exploratory units. In essence, federal exploratory unitization is the commitment of multiple federal oil and gas leases (and often a small amount of state or fee acreage) into a single operational unit for exploring and producing unitized substances. These units can cover thousands or even tens of thousands of acres. Commitment of a federal lease to a federal exploratory unit does *not*, in and of itself, extend the primary term of a lease. Rather, constituent leases within an exploratory unit must be extended through production (or drilling over the primary term). One benefit of the federal exploratory unit is that a small number of wells can help extend a relatively large unitized area during the initial phase of unit development.

A producing well drilled under a federal exploratory unit agreement will fall into one of two categories. A “unit well” not only satisfies the test for leasehold production in paying quantities, but also produces in quantities sufficient to ensure recoupment of drilling and equipping costs. A unit well satisfies drilling obligations under the unit agreement. By contrast, a “Yates well” satisfies only leasehold production obligations and does not satisfy drilling obligations under the unit agreement. It does, however, perpetuate the terms of the constituent unit leases so long as the unit agreement remains in effect. See *Yates Petroleum Corp.*, 67 IBLA 246 (1982). Upon contraction or termination of a federal exploratory unit, those leases that are entirely eliminated from the unit earn a 2-year extension. 43 C.F.R. §3107.4. Such

From a Legal Perspective cont'd.

extension is also subject to a “public interest” requirement under 43 C.F.R. §3181.4, and the lease must have been voluntarily committed to the unit.

Federal oil and gas leases are an important source of oil and gas development in the western United States. In order to preserve these valuable leasehold assets, it is important to understand the relationships between individual leasehold extensions, communitization, and federal exploratory unitization.

Jon Tjornehoj, Esq.
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DAPL

11:30-12:00: Networking and Buffet

12:00-12:50: Presentation

12:50-1:00: Q&A

Taco Bar!

November 15, 2023 | 11:30 AM - 1 PM

Applicability of The Centerline Presumption Under Contest in Colorado



Rollin Wood

Rollin's practice focuses on the drafting and review of title opinions and conducting comprehensive due diligence for mergers and acquisitions, and also includes regulatory matters, permitting, local government, and public lands law. He brings experience as an independent petroleum landman in Weld, Washington, and Moffat Counties, Colorado.

Before his tenure in oil & gas, Rollin served as a law clerk at the Native American Rights Fund, where he focused on religious rights under the Establishment Clause, Inter-American Court of Human Rights Jurisprudence, and the fundamental principles outlined in the United Nations Declaration on the Rights of Indigenous Peoples.

Rollin earned his Master of Laws (LL.M.) in Natural Resources, Energy, and the Environment from the University of Colorado-Boulder. His thesis explored the Federal Executive Branch's authority under The Federal Land Policy and Management Act of 1976 to withdraw public lands from uranium mining within the Grand Canyon watershed.

While a law student at Gonzaga University, Rollin Wood served as the President of the Native American Law Students Association. During this time, focused on Environmental, Federal Indian, and Water Law. His work involved administrative appeals of water rights judgments and acting as a tribal court spokesperson in the Kalispel Tribal Court.

**SHANOR &
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\$45 for DAPL Members

\$60 for Non-members

Virtual & In Person Option

[Click Here to Register](#)

The University Club
1673 Sherman St. Denver, CO 80203

The *50th Annual Denver Land Institute* is in the books! Last month, energy professionals from the Rockies and beyond gathered for a day full of education, networking and fun. Special thanks to the committee volunteers, sponsors, attendees and speakers for making this such a great event!



THANK YOU SPONSORS & SUPPORTERS!

Thursday, October 12th 8 am—4:45 pm



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2023 DAPL Calendar of Events

November 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7 Education Committee Meeting	8 Board Meeting	9 DERL Rockies Asset Show	10 Award Nominations Due	11
12	13	14	15 Luncheon	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

November 2023

7th-Education Committee Meeting
 8th-Board Meeting
 9th-DERL Rockies Asset Show - see page 16 for more information
 10th-Annual Awards Nominations due - see page 11 for more information
 15th-Luncheon see pages 1 & 8 for more information

December 2023

12th-Education Committee Meeting
 13th-Board Meeting
 13th-Annual Awards & Holiday Social see pages 1 & 18 for more information

January 2024

9th-Education Committee Meeting
 10th-Board Meeting
 17th-Luncheons

December 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12 Education Committee Meeting	13 Board Meeting Annual Awards & Holiday Social	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30



Nomination Form for Annual Awards 2023

The DAPL Awards Committee is soliciting recommendations from the general Membership for the categories described below. In the event you wish to nominate someone for these awards please complete and return to the DAPL or email your submission to <mailto:DAPL@DAPLDenver.org> by **November 10, 2023**. Vote and let your input count!

[Click here to complete online form](#)

Nominator name and email: _____

Landman of the Year

Description: To be presented to a DAPL Member who most exemplifies the land profession. Contributions to the industry, the DAPL, the community, the land profession and demonstrates exemplary leadership.

Nominee: _____

Qualifications and why nominated:

Hall of Fame – Lifetime Achievement Award

Description: A lifetime achievement award to be presented to a current/past DAPL Member who has exemplified the land profession and demonstrated leadership by contributing to the industry, the DAPL, the community and the land profession..

Nominee: _____

Qualifications and why nominated:

Special Awards – Multiple Awards in this category may be awarded based on merit

To be presented to the member(s) or group(s) who/which has made an extraordinary contribution to DAPL/AAPL, the land profession, the industry or the community. May include but is not limited to:

Education

Description: May be presented to a member who has achieved a level of unusual distinction in AAPL's continuing education program as demonstrated by his/her contribution of time and service to the betterment of land professionals.

Nominee: _____

Qualifications and why nominated:

Committee Member

Description: May be presented to a Committee member who has greatly exceeded expectations.

Nominee: _____

Qualifications and why nominated:

Community Service

Description: May be presented to a member who has contributed greatly toward civic improvement in his/her local community.

Nominee: _____

Qualifications and why nominated:

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the oil and gas industry.

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The *10th Annual Rockies Bash* followed the DLI on October 12th at Wynkoop Brewery! With 350+ attendees a good time was had by all. A big THANK YOU to the committee volunteers, sponsors and attendees!

THANK YOU 10th ANNUAL ROCKIES BASH SPONSORS

PRESENTING



GOLD



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BRONZE



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DAPL September 2023 Board Meeting Minutes

9/13/2023

In Attendance:

In-person: Tabatha Reed, Laurie Wizeman, Jake Bakker, James Culbertson, Crosby Garrison, Armando Trevino

On Phone: Gil Guethlein, Tyler Aylor, Todd Ritchie, David Connolly

Pres. Gil Guethlein called the meeting to order at 11:32 AM MST 09.13.2023

Approval of Minutes:

Gil motioned to approve the July minutes. Tyler Aylor seconded. APPROVED

Membership - Reported by Tabatha Reed:

3 new memberships, 1 active and 2 associates.

Armando motioned to approve the new members; Jake seconded; No objections: New Members APPROVED

September 2023 Board Meeting								
MEMBER NAME	COMPANY	ACTIVE	ASSOCIATE	STUDENT	AAPL	SPONSOR	OFFICE PHONE	E-MAIL
Cameron Shablo	Topographic, CO		X		No	Jared Bevans	303-990-0067	cameron.shablo@topographic.com
Nichole Rothe	BPX Energy		X		Yes	Allie Huiizenga	720-398-0640	nichole.rothe@bpx.com
Akash Malil	Antero Resources	X			Yes	Tyler Adams	720-421-0099	akash.malil@gmail.com
Sep-23	Aug-23							
Total Number of Current Members - 554	Total Number of Current Members - 668							
Total Number of Non-Members - 935	Total Number of Non-Members - 794							
Expiring 5/31/24 - 341	Expired 5/31/23 - 141							
Expiring 5/31/25 - 62	Expiring 5/31/24 - 319							
Expiring 5/31/26 - 50	Expiring 5/31/25 - 62							
Honorary/Retired (never expire) - 101	Expiring 5/31/26 - 46							
	Honorary/Retired (never expire) - 100							
Sep-22								
Total Number of Current Members - 581								
Total Number of Non-Members (Expired) - 774								
Expiring 5/31/23 - 344								
Expiring 5/31/24 - 82								
Expiring 5/31/25 - 49								
Expiring 5/31/26 - 1								
Honorary/Retired (never expire) - 99								
Honorary/Retired (never expire) - 98								

Continued on next page

Treasurers Report - Reported by James Culbertson:

Banking Accounts	September 2023	August 2023	1-Month Diff.	September 2022	1-Year Diff.
PNC Checking	\$128,296.36	\$191,356.55	-\$63,060.19	\$292,020.15	-\$163,723.79
Savings/Money Market	\$10,005.18	\$10,005.09	\$0.09	\$10,004.18	\$1.00
RBC Long-Term	\$127,391.61	\$128,084.11	-\$692.50	\$69,868.37	\$57,523.24
RBC CDs	\$85,054.25	\$85,000.00	\$54.25	\$0.00	\$0.00
Total Checking/Savings/Investments	\$350,747.40	\$414,445.75	-\$63,698.35	\$371,892.70	-\$21,145.30
RBC Investment Account	Beginning Balance	Gain/Loss	Current Balance		
Long-Term Account	\$128,084.11	-\$692.50	\$127,391.61		
	Total Investment	Current Balance	Updated vs Current		
Investment Balance	\$128,000.00	\$127,391.61	-\$608.39		
Scholarship Accounts	September 2023	August 2023	1-Month Diff.	September 2022	1-Year Diff.
PNC Bill Goodin	\$17,322.02	\$8,954.79	\$8,367.23	\$9,958.93	\$7,363.09
PNC Cappy Ricks	\$15,483.54	\$15,483.41	\$0.13	\$15,482.00	\$1.54
PNC DAPL Scholarship	\$8,306.99	\$14,076.99	-\$5,770.00	\$8,306.99	\$0.00
PNC Raffle Acct	\$4,395.00	\$1,230.00	\$3,165.00	\$3,785.00	\$610.00
Total Savings	\$45,507.55	\$39,745.19	\$5,762.36	\$37,532.92	\$7,974.63

Education Committee - Reported by Crosby Garrison:

75 people registered in person as of 9/13/23. 6 people registered virtually. Capacity for event is 250 people.

Chevron contributing sponsorship.

Promoting DLI at upcoming luncheon. Expecting to receive more registrants closer to the DLI.

All on track for the DLI and big thanks to all who have helped put on this premium event.

President's Report - Reported by Gil Guethlein:

Gil motioned to approve that funds be allocated from the Cappy Ricks fund to benefit a landman – James motioned to approve – APPROVED

Would like to raise \$45,000 for the Bash. Currently at \$24,500. Gil requested that the executive board help raise additional funds or voice any ideas for fundraising. Fundraising on track to be ready for the DLI and all sponsorship items and signage on track to be ready by DLI. AAPL education sponsorship available and scheduled to be used for the DLI and Rockies Bash.

DAPL will support whatever board member or members are passionate about should they want to organize an event.

Amy Mowry from Jost Energy Law will be the Rockies Bash chair for next year and will be stepping in day of for the 2023 Bash. 2023 Rockies Bash on track to be an excellent event.

Looking forward to entering full swing year for the DAPL and overall the organization is in great shape.

Clay Shoot - Reported by Todd Ritchie

\$5,300 raised for the scholarship fund. \$4,300 raised for the general fund.

Approximately 200 registrants with 175 attendees.

Great success, event continues to grow. Looking forward to next year and planning to pass the Clay Shoot torch to a new chair next year.

Board looking into the possibility of adding a 3D bow shooting event or a similar event to the spring. Will gauge interest via a poll through the website and Rocky Mountain Landman.

Golf Tournament – Teale Stone

Gil mentioned Teale Stone brought forth proposal to pursue contract with Keystone for 2024 golf tournament. Board agreed and Teale will begin working on initial plans for the 2024 tournament to be at Keystone.

AAPL Representative - Reported by Tyler Aylor

AAPL in their last meeting discussed policy and manual changes. AAPL asked local levels to review their bylaws and ensure they align with AAPL policy.

It is recommended that if someone is expelled from the AAPL, that person should also be expelled at the local level. Additionally, it is recommended that if an allegation is brought forth to the DAPL, the DAPL will uplift the allegation to the AAPL, if the person the allegation is against is also a member of the AAPL.

Tyler will draft a bylaw revision and bring forward for board review and approval at an upcoming meeting.

Pres. Gil Guethlein adjourned the meeting at 12:07 PM MST 09.13.23

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1/2 Page	7 1/2 x 4 1/2	\$195.00	\$175.50
Double Column	4 3/4 x 9 1/2	\$235.00	\$211.50
Full Page	7 1/2 x 9 1/2	\$390.00	\$351.00

Contact : DAPL Office (303) 446-2253

DAPL DELTA DADDA ANNUAL AWARDS

Holiday Social

Wednesday, December 13th

2:00 pm - 4:00 pm

Renaissance Denver Downtown City Center

918 17th Street

Remember:

- There is limited space so register early
- walk up registrations cannot be accepted
- all reservations **must be made in advance**

Please Register by Friday, December 8th

\$50.00 PER PERSON

REGISTER NOW!

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2022-2023 DAPL OFFICERS, DIRECTORS AND STANDING COMMITTEE CHAIRS

<p>President - Gil Guethlein KXP Resources..... gguethlein@kxpresources.com</p> <p>First Vice President Laurie Wizeman Oxy..... laurie_wizeman@oxy.com</p> <p>Vice President - Jake Bakker PDC..... jake.bakker@pdce.com</p> <p>Secretary - Chad Sullivan Oxy..... chad_sullivan@oxy.com</p> <p>Treasurer - James Culbertson Slawson Exploration Company, Inc....720-259-6405 jculbertson@slawsoncompanies.com</p> <p>Director - David Connolly Citizen Energy Partners..... dconnolly@citizenep.com</p> <p>Director - Crosby Garrison Oxy.....720-929-4328 crosby_garrison@oxy.com</p> <p>AAPL Director - Tyler Aylor Impact Land, LLC.....405-414-0219 tyler@impactland.us</p> <p>Immediate Past President- Armando Trevino Crowheart Energy, LLC.....303-219-7086 a.trevino@crowheartenergy.com</p> <p>AAPL Certification - Tyler Aylor Impact Land, LLC.....405-414-0219 tyler@impactland.us</p> <p>Awards- Laurie Wizeman Oxy.....laurie_wizeman@oxy.com</p> <p><i>Tyler Adams</i> Antero Resources.....303-357-7249 tadams@anteroresources.com</p> <p>Finance & Planning James Culbertson Slawson Exploration Company, Inc....720-259-6405 jculbertson@slawsoncompanies.com</p>	<p>DAPL Trustee, The Foundation for Natural Resources and Energy Law Alex Campbell Enduring Resources, LLC.....303-350-5107 acampbell@enduringresources.com</p> <p>Legal & Legislative Estee Sanchez Beatty & Wozniak, P.C.....303-407-4491 esanchez@bwenergylaw.com</p> <p>Education Bresee Carlson Kuiper Law..... bresee.carlson@kuiperlawfirm.com</p> <p><i>Crosby Garrison</i> Oxy.....720-929-4328 crosby_garrison@oxy.com</p> <p>Ethics - James Hubert Discovery Land Services.....303-993-3591 james@discoveryland.com</p> <p>Gil Guethlein KXP Resources..... gguethlein@kxpresources.com</p> <p>IT/Technology- Tyler Aylor Impact Land, LLC.....405-414-0219 tyler@impactland.us</p> <p>John L Hunt Mentoring Program- Scott McDaniel 303-519-0399 smcdaniel@discoveryland.com</p> <p><i>Hannah Eastwood</i> Oxy.....720-929-6928 hannah_eastwood@oxy.com</p> <p>Membership - Janet Rost Elk Cove.....303-564-4326 rost.janet@gmail.com</p> <p>Scholarships - Allie Huizenga BPX Energy Inc.....720-682-0308 allie.huizenga@bpx.com</p> <p><i>Frances Ivers</i> francesivers@gmail.com</p> <p>Social Media / Publications - Crosby Garrison Oxy.....720-929-4328 crosby_garrison@oxy.com</p>	<p>Marketing- Laurie Wizeman Oxy..... laurie_wizeman@oxy.com</p> <p>University Liaison - Armando Trevino Crowheart Energy, LLC.....303-219-7086 a.trevino@crowheartenergy.com</p> <p>Advocacy Malinda Morain Beatty & Wozniak, P.C.....303-407-4477 mmorain@bwenergylaw.com</p> <p><i>Telbe Storbeck</i> Oxy.....720-929-6000 telbe_storbeck@oxy.com</p> <p>Rockies Bash <i>Chair Needed</i></p> <p>Golf Teale Stone Fundare Resources Company, LLC....918-694-3231 tstone@fundareresources.com</p> <p>Ski Day - Ed Doka eddoka@gmail.com</p> <p>Networking- James Culbertson Slawson Exploration Company, Inc....720-259-6405 jculbertson@slawsoncompanies.com</p> <p><i>Justin Savage</i> justin.savage@chevron.com</p> <p>Clay Shoot - Todd Ritchie Horizon Resources.....720-505-7828 tritchie@horizonresourcesllc.com</p> <p><i>Brian Davis</i> Percheron.....720-237-9186 brian.davis@percheronllc.com</p> <p><i>Clint Goos</i> NorthStar Energy.....303-955-1965 clint@northstarenergyco.com</p> <p>Community Service- Matt Hoppe Stengel Hoppe LLP.....303-325-2610 matt@coloradoenergylaw.com</p>
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