



# Oil & Gas Law / Federal Oil and Gas Leasing

Westin Hotel, Westminster, Colorado

The Rocky Mountain Mineral Law Foundation is offering two concurrent one-week Oil and Gas Short Courses in Westminster, Colorado, with the Oil and Gas Law Short course co-sponsored by the Institute for Energy Law and the Energy & Mineral Law Foundation. These recurring programs, and the extensive materials utilized, are continually reviewed and updated by a group of practicing attorneys, landmen, and experienced law school professors to reflect the most recent developments in oil and gas law, leasing, regulation, and practice. These courses are designed for attorneys, landmen, paralegals, government employees, and others who are relatively inexperienced in the legal and/or land problems of the oil and gas industry, while more experienced individuals have found these courses to be of great benefit as a comprehensive review and update.

### **Oil and Gas Law** **October 21-25, 2019** **(offered annually)**

The Oil and Gas Law Short Course presents the fundamentals of oil and gas leasing, contracting, conveyancing, and regulation, primarily on privately owned land. The main focus of this course is common law and state conservation laws that regulate oil and gas operations. The faculty consists of leading law professors and oil and gas practitioners, this year led by Jacqueline L. Weaver, Professor Emerita at the University of Houston Law Center.

Presentations will cover: geology; exploration and production operations; the rule of capture; ownership and correlative rights; common property interests created in oil and gas transactions; the nature of the oil and gas lease and its duration; implied covenants; royalties; division orders and check stub statutes; pooling and unitization; split estates; conservation regulation; local regulation by municipalities; environmental regulation; marketing agreements; farmouts; joint operating agreements; drilling contracts; mineral deeds; and taxation. Ethical issues in oil and gas practice are also presented through case examples.

For planning purposes, the co-sponsors plan to alternate this course between Colorado and Texas, with the 2020 course to be offered in Houston.

### **Federal Oil and Gas Leasing** **October 21-24, 2019** **(next offered in 2021)**

Because of the tremendous extent of federal land ownership in the western U.S., oil and gas exploration and production activities on public lands will necessarily play an integral part in satisfying the demand for increased domestic energy supplies from the standpoint of both consumption and national security. The need to conduct these activities in an environmentally sound manner, coupled with ever-increasing competing uses of the public domain, dictate that companies and individuals that seek to conduct oil and gas operations involving federal lands be properly equipped to navigate the federal leasing system.

This year’s faculty is comprised of experienced and well-known practitioners, together with top government officials, led by Gregory J. Nibert, a partner with Hinkle Shanor LLP in Roswell. Lectures and exercises will provide attendees with basic understanding of the federal oil and gas leasing system, regularly encountered issues involving federal oil and gas leases, and practical “nuts and bolts” solutions to avoiding or resolving those issues.

If you registered for the RMMLF webinar in September on “Fundamentals of Federal Oil & Gas Leases,” contact info@rmmlf.org to have the full amount of that registration fee applied to the Federal Leasing Short Course!

Chair: **Jacqueline L. Weaver**  
Houston, Texas

**Continuing Education**

32.5 hours of instruction, including 2.25 hours of ethics

### MONDAY, OCTOBER 21

7:15 – 8:30 Registration  
 8:30 – 8:40 Introductions & Opening Remarks  
 8:40 – 9:30 **Exploration and Production Operations** (Ehrman)  
 9:30 – 10:45 **Ownership, Rule of Capture, and Correlative Rights** (Ehrman)  
 10:45 – 11:00 Hosted Refreshment Break  
 11:00 – 12:15 **Common Interests Created in Oil & Gas** (Griggs)  
 12:15 – 1:45 Lunch – On Your Own  
 1:45 – 3:00 **The Oil & Gas Lease: Conditions vs. Covenants** (Weaver)  
 3:00 – 3:15 Hosted Refreshment Break  
 3:15 – 4:30 **Defining the Duration of the Lease** (Weaver)  
 4:30 – 5:30 **Implied Covenants** (Hall)  
 5:30 – 6:30 Hosted Reception for Registrants, Speakers & Guests

### TUESDAY, OCTOBER 22

8:00 – 9:45 **Royalties** (Kulander)  
 9:45 – 10:00 Hosted Refreshment Break  
 10:00 – 11:30 **Division Orders and Check Stub Statutes** (Kulander)  
 11:30 – 1:00 Lunch – On Your Own  
 1:00 – 2:45 **Voluntary Pooling & Unitization** (Kramer)  
 2:45 – 3:00 Hosted Refreshment Break  
 3:00 – 4:45 **Conservation Regulation** (Martin)

### WEDNESDAY, OCTOBER 23

8:00 – 9:15 **Split Estates** (Righetti)  
 9:15 – 10:30 **Local Regulation of Oil & Gas Operations** (Kramer)  
 10:30 – 10:45 Hosted Refreshment Break  
 10:45 – 12:30 **Environmental Regulation of the Oil and Gas Industry** (Harris)  
 12:30 – 2:00 Lunch – On Your Own  
 2:00 – 4:00 **Marketing Agreements** (Matlock)  
 4:00 – 4:15 Hosted Refreshment Break  
 4:15 – 5:30 **Farmout Agreements** (Barber)

### THURSDAY, OCTOBER 24

8:00 – 9:30 **Joint Operating Agreements** (Barber)  
 9:30 – 9:45 Hosted Refreshment Break  
 9:45 – 11:45 **Mineral Deed Conveyances** (Wells)  
 11:45 – 1:15 Lunch – On Your Own  
 1:15 – 3:00 **Drilling Contracts** (Pugh)  
 3:00 – 3:15 Hosted Refreshment Break  
 3:15 – 5:30 **Ethical Issues in Oil & Gas Law Practice** (Dzienkowski & Peroni)

### FRIDAY, OCTOBER 25

8:00 – 9:30 **Fundamentals of Oil and Gas Taxation** (Dzienkowski & Peroni)  
 9:30 – 9:45 Hosted Refreshment Break  
 9:45 – 11:30 **Fundamentals of Oil and Gas Taxation** (continued)  
 11:30 Adjournment

## FACULTY

**Phillip D. Barber**, Attorney-at-Law, Denver

**John S. Dzienkowski**, University of Texas School of Law, Austin

**Monika U. Ehrman**, University of Oklahoma College of Law, Norman

**Burke Griggs**, Washburn University School of Law, Topeka

**Keith B. Hall**, Louisiana State University Law Center, Baton Rouge

**Colin G. Harris**, Faegre Baker Daniels, Denver

**Bruce M. Kramer**, Of Counsel, McGinnis, Lochridge & Kilgore, Houston

**Christopher S. Kulander**, South Texas College of Law, Houston

**Patrick H. Martin**, Louisiana State University Law Center (Emeritus), Baton Rouge

**Judith M. Matlock**, Davis Graham & Stubbs LLP, Denver

**Robert J. Peroni**, University of Texas School of Law, Austin

**William W. Pugh**, Liskow & Lewis, New Orleans

**Tara Righetti**, University of Wyoming School of Law, Laramie

**Jacqueline L. Weaver**, University of Houston Law Center (Emerita), Houston

**Bret Wells**, University of Houston Law Center, Houston

Chair: **Gregory J. Nibert**  
Roswell, New Mexico

**Continuing Education**  
26.75 hours of instruction

### MONDAY, OCTOBER 21

- 7:30 – 8:20 Registration
- 8:20 – 8:30 Introductions and Opening Remarks
- 8:30 – 9:30 **History, the Government Survey, and Basic Oil and Gas Leasing Legislation** (Swartzendruber)
- 9:30 – 9:45 Hosted Refreshment Break
- 9:45– 11:00 **Lands Available for Leasing** (Campbell)
- 11:00 – Noon **Unleased Federal Minerals; Conflicts with Development of Other Minerals** (Lindley & Sorum)
- Noon – 1:30 Lunch – On Your Own
- 1:30 – 3:30 **Lands Available for Leasing - Practicum** (Skinner & Vaughn)
- 3:30 – 3:45 Hosted Refreshment Break
- 3:45 – 5:30 **Federal and Indian Oil and Gas Royalty Management** (Matlock & Robson)
- 5:30 – 6:30 Hosted Reception for Registrants, Speakers & Guests

### TUESDAY, OCTOBER 22

- 8:30 – 9:00 **Leases Issued Prior to the Federal Onshore Oil and Gas Leasing Reform Act** (Williams & Schroder)
- 9:00 – 10:15 **Introduction to NEPA and Land Use Planning** (Williams & Schroder)
- 10:15 – 10:30 Hosted Refreshment Break
- 10:30 – 11:30 **Competitive Leasing Procedures Under the Federal Onshore Oil and Gas Leasing Reform Act** (Williams & Schroder)
- 11:30 – Noon **Noncompetitive Leasing Procedures Under the Reform Act** (Williams & Schroder)
- Noon – 1:30 Lunch – On Your Own
- 1:30 – 2:00 **Right-of-Way Leasing** (Williams & Schroder)
- 2:00 – 2:50 **Lessee and Transferee Qualifications** (Hande & Price)
- 2:50 – 3:05 Hosted Refreshment Break
- 3:05 – 3:50 **Assignments and Transfers of Interest** (Hande & Price)

- 3:50 – 4:05 **Reinstatements** (Hande & Price)
- 4:05 – 4:20 Hosted Refreshment Break
- 4:20 – 5:30 **Transfers of Interests Exercises** (Hande & Price)

### WEDNESDAY, OCTOBER 23

- 8:30 – 10:00 **Exploration, Drilling, Producing, and Operating Regulations and Procedures** (McMullen, Chase & Mowry)
- 10:00 – 10:15 Hosted Refreshment Break
- 10:15 – 11:00 **Communitization** (McMullen)
- 11:00 – Noon **Unit Agreements** (Chase)
- Noon – 1:30 Lunch – On Your Own
- 1:30 – 2:00 **Paying Well Determinations** (Chase)
- 2:00 – 3:00 **Unitization** (Mowry)
- 3:00 – 3:15 Hosted Refreshment Break
- 3:15 – 5:00 **Unitization (Mowry) and Open Discussion** (McMullen, Chase & Mowry)

### THURSDAY, OCTOBER 24

- 8:30 – 9:45 **Surface Management Requirements and Emerging Environmental Issues – Limitations on Lessee's Right to Develop** (Allen & Oram)
- 9:45 – 10:00 Hosted Refreshment Break
- 10:00 – 11:00 **Access to Leasehold** (Hill & Hartford)
- 11:00 – Noon **State and Local Regulation of Activities on Federal Oil and Gas Leases** (Jost)
- Noon – 1:30 Lunch – On Your Own
- 1:30 – 1:50 **Bonds** (Hembree)
- 1:50 – 2:30 **Extension, Suspension, Renewal, and Termination of Leases** (Nibert & Chase)
- 2:30 – 2:45 Hosted Refreshment Break
- 2:45 – 3:45 **Extensions** (continued)
- 3:45 – 5:00 **Federal Land Records and Title Examination** (Hembree)
- 5:30 Adjournment

## FACULTY

**James P. Allen**, Snell & Wilmer L.L.P., Salt Lake City

**Scott M. Campbell**, Poulson, Odell & Peterson, LLC, Denver

**J. David Chase**, Bureau of Land Management, Casper

**Heidi Hande**, Hande Law Firm, Denver

**Matthew A. Hartford**, Anadarko Petroleum Corporation, Denver

**Jared A. Hembree**, Hinkle Shanor LLP, Roswell

**Drake D. Hill**, Hill Law Firm, Cheyenne

**Jamie L. Jost**, Jost Energy Law, P.C., Denver

**Laura Lindley**, Welborn Sullivan Meck & Tooley, P.C., Denver

**Judith M. Matlock**, Davis Graham & Stubbs LLP, Denver

**Lori A. McMullen**, Crowley Fleck PLLP, Sheridan

**James L. Mowry**, Crowley Fleck PLLP, Sheridan

**Gregory J. Nibert**, Hinkle Shanor LLP, Roswell

**TJ Oram**, Oram & Houghton, PLLC, Phillipsburg

**Uriah Price**, Crowley Fleck PLLP, Bozeman

**Bonnie Robson**, Office of Natural Resources Revenue, Lakewood

**Kathleen C. Schroder**, Davis Graham & Stubbs LLP, Denver

**Rebecca Skinner**, Bureau of Land Management, Lakewood

**Sarah A. Sorum**, Welborn Sullivan Meck & Tooley, P.C., Denver

**Nick A. Swartzendruber**, Poulson, Odell & Peterson, LLC, Denver

**Rachel Vaughn**, Bureau of Land Management, Lakewood

**Ezekiel J. Williams**, Lewis, Bess, Williams & Weese P.C., Denver

# Oil and Gas Short Courses

## CO-SPONSORS

**THE ROCKY MOUNTAIN MINERAL LAW FOUNDATION (RMMLF)**, established in 1955 as a nonprofit corporation, is an international educational organization dedicated to the study of the legal systems and issues affecting mineral, public lands, and water resources. The Foundation is a cooperative project of law schools, bar associations, and industry associations, and sponsors numerous programs on mining, oil and gas, and natural resource law issues. RMMLF, 9191 Sheridan Blvd. Ste. 203, Westminster, CO 80031, tel 303-321-8100, fax 303-321-7657, info@rmmlf.org, www.rmmlf.org.

**THE INSTITUTE FOR ENERGY LAW (IEL)** provides advanced education for lawyers and other professionals in the energy industry through educational programs, scholarly publications, and membership activities. It counts among its membership many of the world's leading energy companies and attorneys. The IEL is a division of The Center for American and International Law (CAIL), a nonprofit organization which since 1947 has served lawyers and law enforcement officials from over 131 countries. IEL, 5201 Democracy Drive, Plano, TX 75024, tel 972-244-3400, fax 972-244-3401, iel@cailaw.org, www.cailaw.org/iel.

**THE ENERGY & MINERAL LAW FOUNDATION (EMLF)** is a nonprofit educational organization providing information on legal issues related to the energy and mineral industry through workshops, specialty programs, publications, and electronic information. EMLF, 340 S. Broadway Ste. 101, Lexington, KY 40508, tel 859-231-0271, fax 859-226-0485, emlf@emlf.org, www.emlf.org.

**Mail, fax, or email registration form and payment to:**

### Rocky Mountain Mineral Law Foundation

9191 Sheridan Blvd., Ste. 203  
Westminster, CO 80031 USA

Tel: (303) 321-8100  
Fax: (303) 321-7657  
info@rmmlf.org

Questions: info@rmmlf.org

Office Use Only

SCB19/SCF19

INV # \_\_\_\_\_

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By entering your information and registering for this course, you consent and agree to receive communications from us as to our programs, products, and services and certain programs of our nonprofit partners, provided that you may opt out of receiving email notices at any time. You also consent to our providing your contact information to other course registrants on the course registration list, which may be used by course registrants to invite you to events held in connection with the course. If you are a member, you consent to our providing your contact information to other members. For a copy of our privacy policy, go to <https://tinyurl.com/rmmlf-privacy>.

## REGISTRATION

REGISTER ONLINE  
at [www.rmmlf.org](http://www.rmmlf.org)

### 1. Registrant Information – Please type or print legibly

Name \_\_\_\_\_ Badge Name \_\_\_\_\_

Employer \_\_\_\_\_

Employer Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

**Please check all that apply:**  Attorney  Landman  Management  
 Consultant  Student  Other (please specify): \_\_\_\_\_

**Please note your first year in practice in the legal or natural resources field:** \_\_\_\_\_

**CLE credit** requested for the following states: \_\_\_\_\_

**Other credit** requested from: \_\_\_\_\_

### 2. Which Course Will You Attend?

Oil & Gas Law  Federal Oil & Gas Leasing

### 3. Registration Category Please select the applicable registration fee

|  | Registrations Received           |                                  |
|--|----------------------------------|----------------------------------|
|  | thru 10/1/19                     | after 10/1/19                    |
| Non-Member   | <input type="checkbox"/> \$1,335 | <input type="checkbox"/> \$1,435 |
| Member (Check all that apply):<br><input type="checkbox"/> RMMLF <input type="checkbox"/> IEL/CAIL <input type="checkbox"/> EMLF | <input type="checkbox"/> \$1,085 | <input type="checkbox"/> \$1,185 |
| Government Agency  | <input type="checkbox"/> \$715   | <input type="checkbox"/> \$815   |
| Non-Profit Organization (IRS tax-exempt status)  | <input type="checkbox"/> \$715   | <input type="checkbox"/> \$815   |
| Student—Full-Time, proof of status required  | <input type="checkbox"/> \$195   | <input type="checkbox"/> \$295   |

### 4. Materials

You can only purchase materials to the course for which you are registered.

|                                  |  |  |
|----------------------------------|--|--|
| <b>Oil &amp; Gas Law</b>         | <input type="checkbox"/> <b>DOWNLOAD ONLY (\$0)</b><br>(Electronic materials only) | <input type="checkbox"/> <b>HARD COPY (\$70)</b><br>(Receive manual at conference) |
| <b>Federal Oil &amp; Gas Law</b> | <input type="checkbox"/> <b>DOWNLOAD ONLY (\$0)</b><br>(Electronic materials only) | <input type="checkbox"/> <b>HARD COPY (\$70)</b><br>(Receive manual at conference) |

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

### 4. Payment Information – Prepayment Required

Check drawn on a U.S. bank in U.S. Dollars (Payable to RMMLF)  
 VISA  MasterCard  American Express

Credit Card # \_\_\_\_\_

Name on Card \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

Electronic Funds Transfer: Contact the Foundation at info@rmmlf.org

The Rocky Mountain Mineral Law Foundation is a non-profit, tax-exempt corporation (Tax ID #84-6037688).

# Oil & Gas Law / Federal Oil and Gas Leasing

October 21-25, 2019 and October 21-24, 2019 Westin Hotel, Westminster, Colorado

## General Information

**Room Reservations:** The Westin Westminster, 10600 Westminster Blvd., Westminster, Colorado 80020, has blocked rooms for these courses until October 2 at the rate of \$189 per night. A limited number of government rate rooms also are available in our block. Ask for the special rate for Oil & Gas registrants. For reservations, contact the Westin at:

- Toll Free: 800-937-8461
- Direct: 303-410-5000
- Online: <http://tinyurl.com/rockym143>
- Online Government: <http://tinyurl.com/rockym143gov> (government employees only)

Trouble making room reservations? Contact us at [info@rmmlf.org](mailto:info@rmmlf.org)

**Car Rental:** Hertz is offering special discounts by referencing Meeting CV#03NJ0014 and Rocky Mountain Mineral Law Foundation. Make reservations at <http://tinyurl.com/hertz2019> or call 800-654-2240 (U.S.); 800-263-0600 (Canada); or 405-749-4434 (International).

**Registration Fees:** Include course materials, refreshments, and hosted functions as listed in this brochure. These fees do not include hotel costs or transportation. Registrations will be accepted only when accompanied by a check, money order, government purchase order or training form, credit card information, or wiring information. No registrations can be processed without payment.

**Course Materials:** The classroom presentations will be supplemented by extensive written materials that will be distributed at the start of the program.

**Registration Cancellations:** Refunds, less a \$50 administrative fee, will be given for cancellations received by 3:00pm on Friday, September 27, 2019. No refunds will be given thereafter, although substitution of attendees may be made by contacting the Foundation. Cancellations must be made in writing or email to [info@rmmlf.org](mailto:info@rmmlf.org). Registrants not entitled to a refund will receive a link to the course materials.

**CLE Credit:** You must let us know, at least 45 days in advance of the conference, the states or organizations for which you will need credit (see registration form). Credit hours for states will vary and are subject to each state's approval and credit rounding rules. Foundation conferences are typically accredited by all mandatory CLE states (except Nevada), all Canadian provinces, and various professional organizations upon request. Attorneys from certain states may be required to pay an additional fee. The Foundation is a State Bar of California MCLE-approved provider.

**Recording:** Audio and video recording, streaming, or other types of live or stored dissemination are not permitted without express authorization from the Foundation.

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