



DAPL

11:30-11:50: Welcome and Networking

11:50-12:45: Lunch and Presentation

12:45-1:00: Q&A

May 17, 2023 | 11:30 AM - 1 PM

A&D Markets – Prospects, Evaluation, and 2023 Market Outlook



Michael T. Stolze
Senior Managing Director
Eagle River Energy Advisors, LLC

Mike Stolze is based out of Greenwood Village, Colorado. Mr. Stolze has 20+ years of finance and investing experience, with 15+ years focused exclusively on the energy sector.

Prior to joining Eagle River Energy Advisors, Mr. Stolze was Vice President of Origination at SFC Energy Partners where he led the firm's business development function including the origination, evaluation, negotiation, structuring and closing of new investment opportunities. While at SFC Energy Partners, Mr. Stolze originated over 475 investment opportunities, closed \$350 million of capital commitments to new portfolio companies and was a board member at Armor Energy, Frostwood Energy and Sedalia Energy.

Prior to joining SFC Energy Partners, Mr. Stolze was a Director with Northwestern Mutual Capital where he focused on private debt and equity transactions in the energy sector. During his tenure with Northwestern Mutual Capital, Mr. Stolze closed 42 transactions across the energy markets, representing \$1.9 billion of capital commitments. Prior to joining Northwestern Mutual Capital, Mr. Stolze was an equity research analyst with a boutique equity research and investment banking firm in Austin, Texas covering micro-cap oil and gas companies. Mr. Stolze began his career with Ernst & Young in their mergers & acquisitions advisory practice where he concentrated on private equity transactions.

Mr. Stolze is a Certified Public Accountant and received his BBA in Accountancy from the University of Notre Dame and his MBA in Finance from the University of Texas at Austin.

[Click Here to Register](#)

\$45 for DAPL Members

\$60 for Non-members

Virtual & In Person Option

The University Club

1673 Sherman St. Denver, CO 80203



**The Denver Association of
Professional Landmen**

910 16th Street, Suite 223
Denver, CO 80202

Telephone: (303) 446-2253

E-Mail: dapl@dapldenver.org

Web Site: www.dapldenver.org

*Office Hours
by appointment*

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 **Laurie Wizeman**

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.

WE'RE GOING VIRTUAL!

The DAPL will be closing its physical office effective Wednesday, May 31, 2023.

We will have a physical mailing address thanks to a partnership with the Denver Earth Resources Library (DERL). The office space has not been utilized much since 2020 and the Board decided that this was a good time to make this change since our lease is coming to an end.

Our phone number and email address will stay the same and you can expect Tabatha Reed (DAPL Office Administrator) to be available the same as she is now.

Our mailing address will be:

DAPL
730 17th Street, Suite B1
Denver, CO 80202

2023/24 Membership Renewal Period Now Open

You can renew your membership for 1 or 3 years using the below link.

You will be prompted to log in

[DAPL Membership Renewal](#)
[\(click here\)](#)

Renewals are due by June 1st

THANK YOU DAPL 2023 CORPORATE SPONSORS

DOUBLE PLATINUM



Officer's Forum - President

Hello fellow DAPL members!

As my term as President winds down, I wanted to provide a few words to leave this lovely and committed oil and gas community with and reflect on all the awesome people I've worked with during this time.

I've had the honor and privilege of serving you as President of the DAPL this past fiscal year. We've had some challenges along the way, however, there were plenty of amazing accomplishments and experiences that were hugely successful, and it was all due to you, our family. There is a quote by Dee Hock that relates well to the DAPL, "an organization, no matter how well designed, is only as good as the people who live and work in it." Which means that an organization is defined by its members and the people that volunteer and provide their time and effort into the DAPL regardless of how well built it is. Our members and community will define our success and effectiveness and I can say that over the last 70 years we as an organization have been doing something very special that has been built by all our members. This is an incredible organization and I feel fortunate to have been a part of it as President.

There are a few notable accomplishments that we've achieved this past fiscal year:

With the help of our Past President, Thomas Porter, we opened our John L Hunt Mentoring Program again last year and it has really increased engagement with the hope of creating long lasting relationships for both mentors and mentees. I would like to thank Scott McDaniel, our Chair of the Program, for facilitating and re-launching such a great program and I look forward to seeing this continued.

We as an organization try and focus on how to continue to raise awareness and engagement with our fellow students that are actively pursuing oil and gas degrees from accredited colleges. We awarded \$8,000 in scholarships this last year and are on our way to having a larger scholarship fund provided this year. We've really seen this committee, led by our Chairs, Allie Huizenga and Francis Ivers, take off since leading the charge and I want to thank them for their commitment and excitement they bring. We'll continue to find ways to keep our students active and involved from colleges that we are already working with on a direct level, such as Western Colorado University, University of Wyoming, The University of Tulsa, OU, Texas Tech, and more!

We had our 38th annual Clay Shoot in August of 2022 and it was one of the largest showings in a few years with 190 participants and raising over \$5,000 for the DAPL Scholarship Fund. I would like to give a big shout out to the Chairs, Todd Ritchie, Brian Davis, and Clinton Goos on their last two years of dedication and success with this amazing event. We also took a different approach this past year and moved our annual DAPL Golf Tournament to the mountains and from the sounds of it, it appeared to be a successful event, raising the most ever of \$6,000 for the DAPL Scholarship! This year's golf tournament is scheduled for Friday, July 21, 2023, and we are hosting it again in Keystone at the Ranch and River Courses and we hope to see everyone up there!

I would like to give a big shout out to our Education Committee and our Chair, Crosby Garrison, and all the work they've accomplished this last year. Education plays such a vital role and is a key committee within our organization and continues to be one of the biggest highlights for DAPL. We had a very successful year with some exceptional educational speaker events, such as the Anatomy of an Oil and Gas Acquisitions and Divestiture Transaction w/ Lamont Laresen at Davis Graham & Stubbs, discussing about Carbon Storage, or shifting gears to understanding more about Geothermal, or a panel discussion that was very engaging discussing efficient communication in title and transactional projects with some great discussion. However, I believe the highlight of our events was our 49th Annual Fall Land Institute and all the great speakers it brought to Denver. It was a great opportunity to learn more with key speakers like Trisha Curtis, President and CEO of Petronerds, Jamie Jost with Jost Energy Law, President of AAPL Carl Campbell, and several more amazing talents, which brought in 100+ people and 60 watched virtually who shared insightful and informative content. I'm so excited for the 50th annual Denver Land Institute (formerly Fall Land Institute), which is scheduled for Thursday, October 12, 2023 at the Ritz-Carlton, followed by the 10th Annual Rockies Bash being held at Wynkoop Brewery. Lastly, while the University Club served DAPL well throughout our time there, we are now looking at additional locations this new fiscal year, so please reach out if you have any ideas or thoughts on new venues we could use for upcoming educational events.

On another note, I would like to briefly discuss how vital it is for DAPL to continue and become more engaged with other organizations in our industry. This is a critical component to our organization and will serve as a great way to learn who your fellow peers are in other disciplines, which could hopefully turn into something much greater and be used as an amazing platform to learn from others. A current example is our Holiday Luncheon that continues to grow every year

Officer's Forum - President cont'd.

and it was a great end of year event to celebrate our relationship with DALTA and DADOA and congratulate all the award recipients. We should continue to support other organizations where we can and try to bridge gaps and have joint events to continue to grow our community with organizations such as DADOA and DALTA, Denver Petroleum Club, Western Energy Alliance, COGA, SPE, and many more.

Focusing on other areas that directly contribute to the success of our organization are our Volunteers, Committees, and Corporate Sponsors that do not go unnoticed. These companies and individuals are the backbone to DAPL and we truly appreciate the long term commitments we have established and for providing the support and community involvement that continues to make this an organization that everyone wants to be a part of. We would not be who we are today without the help of all the dedicated men and women that want to continue to make long lasting positive impacts in our industry and for our community.

Lastly, I would like to give a genuine thank you and appreciation to the glue that holds everything together and that's DAPL's Office Administrator, Tabatha Reed. Tabatha, thank you for being part of the DAPL and for all the support and hard work that you've accomplished for this entire organization. You make it look easy but deep down it's a craft that you've mastered, and I speak for everyone and say that we are all very grateful to have you and thank you for everything you do.

Thanks again to our Past President, Thomas Porter, and leaving us in a great position that allows me to transition without a hitch to our new executive board members and our new incoming President, Gil Guethlein. I know they'll continue down the path of success with the passion and devotion they all will bring! I'm looking forward to it!

Incoming 2023/24 Executive Board:

Gil Guethlein – President, Laurie Wizeman – 1st Vice President, Jake Bakker – Vice President, Chad Sullivan – Secretary, James Culbertson – Treasurer, Crosby Garrison – Director, David Connolly – Director, Tyler Aylor – AAPL Director, Armando Trevino – Immediate Past President

Thank you to everyone for making it such a great experience!

Best regards,

Armando Trevino
2022/2023 DAPL President



THANK YOU DAPL 2023 CORPORATE SPONSORS

PLATINUM



CARLETON GOTLIN LAW PC



DAVIS
GRAHAM &
STUBBS



**SHANOR &
FRANKLIN**

THANK YOU DAPL 2023 CORPORATE SPONSORS

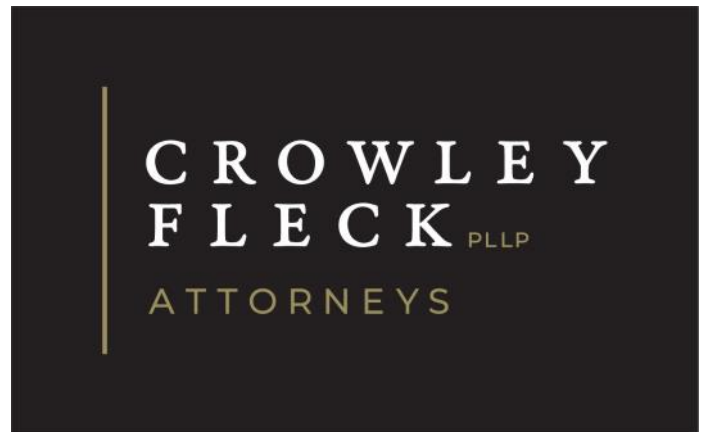
PLATINUM



HORIZON
— RESOURCES —



Enduring Resources, LLC



ORAM & HOUGHTON
PLLC
ATTORNEYS AT LAW

Akers & Thompson LLC

ATTORNEYS AND COUNSELORS AT LAW

You voted!
Our 2023/24 Executive Board will be taking over June 1st!

If you see them around congratulate them!

Incoming 2023-2024 Board

President



Gil Guethlein

First Vice-President



Laurie Wizeman

Vice-President



Jake Bakker

Secretary



Chad Sullivan

Treasurer



James Culbertson

Director



Crosby Garrison

Director



David Connolly

AAPL Director



Tyler Aylor

Immediate Past-President



Armando Trevino





DAPL

Headshot Happy Hour

Where: West Saloon & Kitchen
501 16th Street
2nd Floor

When: Wednesday, May 17th
Headshots: 3:00-6:00pm
Happy Hour: 4:00-6:30pm



HEADSHOTS REQUIRE AN APPOINTMENT

Time slots available starting at 3:00pm
Please RSVP to DAPL@DAPLDenver.org / (303) 446-2253

[Denver Headshot Co. Website](#)

Headshots Sponsored by the DAPL

HAPPY HOUR SPONSORS



2023 DAPL Calendar of Events

May 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5 Univ. of WY PLM Conference	6
7	8	9 Education Committee Meeting	10 Board Meeting	11	12	13
14	15	16	17 Luncheon Headshot Happy Hour	18	19	20
21	22	23	24	25	26	27
28	29	30	31 Physical Office Closes			

June 2023

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

May 2023

5th-Univ. of Wyoming, PLM Conference - *see page 21 for more information*

9th-Education Committee Meeting

10th-Board Meeting

17th-May Luncheon (last one of the season)- *see page 1 for more information*

17th-Headshot Happy Hour - more details to come - *see page 9 for more information*

31st-DAPL physical office closing - *see page 2 for more information*

June 2023

1st-2023/24 Executive Board Change

1st-2023/24 membership renewals due - *see page 2 for more information*

13th-Education Committee Meeting

14th-Board Meeting

July 2023

11th-Education Committee Meeting

12th-Board Meeting

21st-Annual Golf Tournament - *see pages 11-13 for more information*

August 2023

8th-Education Committee Meeting

9th-Board Meeting

25th-39th Annual Clay Shoot - *see page 17 for more information*

DAPL 2023 ANNUAL GOLF TOURNAMENT

FRIDAY, JULY 21, 2023
KEYSTONE

REGISTRATION NOW OPEN

[CLICK HERE TO REGISTER](#)



It is finally that time of year again for the Annual DAPL Golf Tournament! This year the tournament will once again be held at the Ranch and River Golf Courses in Keystone, Colorado on Friday, July 21st, 2023.

The Golf Tournament is a wonderful opportunity to network, see old friends, and make new acquaintances. The first 72 teams (288 players) that **register a complete team and pay** will be sure of a spot in this year's tournament. There will be team prizes for 1st place in all three flights and of course, as usual, great food, great prizes, auction, and giveaways for all the participants.

TOURNAMENT: Limited to the first 288 golfers!

ENTRY FEE: \$300.00 - Member / \$325.00 - Non-Member *(Entry fee includes green fee, cart, range balls, breakfast, and lunch)*

REGISTRATION: Registration is on a first come, first serve basis and you are **not** considered registered until the entry fee has been received. *If you are registering a Team, you will need to add 3 Non-Member tickets in addition to your Member ticket, then once we verify the number of DAPL Members on the Team we will issue you a refund for the difference in ticket prices. Appreciate your understanding as we try to manage Team registrations. ****No Refunds after June 21st. Substitutions allowed*****

TOURNAMENT DAY: Check-in will begin for all golfers at 8:00 a.m. on Friday, July 21st, 2023 in front of the **clubhouse(s)**. The driving ranges will be open with breakfast available. The tournament will begin with a shotgun start promptly at **10:00 a.m.**

FORMAT: 4-Person Scramble.

MULLIGANS: Available for purchase at check-in (\$15/each - No Limit). ****Please bring CASH****

**DENVER ASSOCIATION OF PROFESSIONAL LANDMEN**

730 17th St., Suite B1
Denver, Colorado 80202
Telephone (303) 446-2253
dapl@dapldenver.org

It is finally that time of year again for the Annual DAPL Golf Tournament! We hope you're doing well! This year the tournament will be held at the Ranch and River Golf Courses in Keystone, Colorado on Friday, July 21st, 2023.

The Golf Tournament is a wonderful opportunity to network, see old friends, and make new acquaintances. The first 72 teams (288 players) that **register a complete team and pay** will be sure of a spot in this year's tournament. There will be team prizes for 1st place in all three flights and of course, as usual, great food, great prizes, and giveaways for all the participants.

The Golf Tournament is the major fundraiser for the DAPL Scholarship Fund, Inc., which funds scholarships to college students enrolled in accredited Petroleum and Energy Management Programs. Sponsorship funds will also be used to help defray the costs of the tournament. Funds in excess of those expenses will supplement DAPL's general operating fund.

In that regard, we are asking for your support of the 2023 DAPL golf tournament. The sponsorship levels detailed below will be acknowledged through signage at the tournament site, in handouts included in each player's goodie bag, in the DAPL newsletter, and on individual tee boxes (tee box sponsors - 36 holes total). Please fill in your desired level of sponsorship and return it with your check to the DAPL office as soon as possible. After you have received this letter you may receive a follow-up call or e-mail within 30 days (if we have not heard back from you!).

If you have any questions about sponsorship, please do not hesitate to call us at the number or email listed below. As always, your support and generosity will be greatly appreciated by all members of the DAPL. Thank you!

Sincerely,

DAPL Golf Tournament Committee Chair
Teale Stone – Fundare Resources
Phone: (918) 694-3231
Email: tstone@fundareresources.com

Count on us for the following sponsorship level: _____

Company or Individual Name: _____

Sponsorship Opportunities Available

- | | |
|--|--------------------------|
| ❖ Titanium | \$1800 |
| ○ <i>Includes a foursome of golf</i> | |
| ○ Includes one-month free advertising on the DAPL website | |
| ❖ Platinum | \$1000 |
| ○ Allows you to have a tent on a tee box to promote your business | |
| ▪ (please call Teale Stone for details) | |
| ○ Includes one-month free advertising on the DAPL website | |
| ❖ Golf Ball Company Logo Sponsor (72 dozen Vice Balls) | \$1750 |
| ❖ Driving Range Sponsor (signs on driving range) | \$750 |
| ❖ Putting Green Sponsor (signs on putting greens) | \$750 |
| ❖ Gold | \$500 |
| ○ Includes one-month free advertising on the DAPL website | |
| ❖ Tee Box Sponsor (sign on one individual tee box) | \$250 |
| ❖ Tee Box Sponsor (sign on two individual tee boxes) | \$350 |
| ❖ Tee Box Sponsor (sign on three individual tee boxes) | \$500 |
| ❖ Golf Tees Company Logo Sponsor | \$500 |
| ❖ Ball Markers Company Logo Sponsor | \$500 |
| ❖ Beverage Cart Sponsor | \$500/each |

Sponsors, please write a brief description of your company in the box below, or e-mail a one paragraph write-up to dapl@dapldenver.org.

Checks should be made payable to:
 Denver Association of Professional Landmen
 730 17th St., Suite B1
 Denver, CO 80202

DAPL office phone: (303) 446-2253; email: dapl@dapldenver.org

THANK YOU! As always, your support is greatly appreciated by all members of the DAPL!

WOLCOTT

THE BETTER LAND SERVICES COMPANY

Since 1977 • www.wolcottllc.com

Surface
Right of Way
Geospatial
Oil and Gas/Mining
Complete Land Services
Due Diligence Experts
Data Solutions

Looking for a change of scenery?

Educating tomorrow's landmen today.



Gunnison, Colorado

western.edu



WESTERN
COLORADO UNIVERSITY

ENERGY MANAGEMENT

Learning, Elevated.



AAAP Accredited Undergraduate University Program

From a Legal Perspective

Colorado Supreme Court narrows COGCC Jurisdiction over Payment of Proceeds Disputes

On March 27, 2023, the Colorado Supreme Court issued its ruling in *Antero Resources v. Airport Land Partners* (“*Antero*”), 2023 CO 13, No. 21SC533, finding that the COGCC may not resolve a payment-of-proceeds dispute involving a contract where the parties disagree about the meaning or application of a relevant contract term. In particular, the Court determined that the COGCC does not have authority to resolve contract disputes when the disputed contract terms are unambiguous or settled law compels a certain interpretation because these determinations themselves involve contract interpretation.

In reaching this decision, the court discussed the provisions of the Oil and Gas Conservation Act that grant the COGCC jurisdiction over certain issues in payment-of-proceeds disputes, the definition of a bona fide dispute, an analysis of certain contractual provisions resulting in a bona fide dispute, and a discussion of contractual provisions that do not result in a bona fide dispute.

COGCC Statutory Authority

The Oil and Gas Conservation Act (COLO. REV. STAT. § 34-60-100, *et seq.*) grants COGCC jurisdiction over certain issues in payment-of-proceeds disputes. Section 34-60-118.5 of the Act, enacted in 1989, grants the COGCC jurisdiction to determine the payment due date under subsection (2), whether any circumstances exist that would justify a delay in payment under subsection (3), and the amount due, including interest, if any, under subsection (5). Disputes that COGCC may hear, however, do not include those involving bona fide disputes over the interpretation of a contract for payment, as defined in the following subsections:

(5) *Absent a bona fide dispute* over the interpretation of a contract for payment, the oil and gas conservation commission shall have jurisdiction to determine the following:

- (a) The date on which payment of proceeds is due a payee under subsection (2) of this section;
- (b) The existence or nonexistence of an occurrence pursuant to subsection (3) of this section which would justifiably cause a delay in payment; and
- (c) The amount of the proceeds plus interest, if any, due a payee by a payer.

(5.5) Before hearing the merits of any proceeding regarding payment of proceeds pursuant to this section, the oil and gas conservation commission shall determine *whether a bona fide dispute exists* regarding the interpretation of a contract defining the rights and obligations of the payer and payee. *If the commission finds that such a dispute exists, the commission shall decline jurisdiction over the dispute* and the parties may seek resolution of the matter in district court.

(8)(a) Nothing in this section shall be construed to alter existing substantive rights or obligations *nor to impose upon the oil and gas conservation commission any duty to interpret a contract from which the obligation to pay proceeds arises.*

Bona Fide Dispute defined

It is undisputed that the COGCC lacks jurisdiction to resolve bona fide disputes of contract interpretation, however, the statute provides little guidance on what actually constitutes a bona fide dispute. The court in *Antero* determined that in reading the three references to bona fide contract disputes in section 118.5 harmoniously, the conclusion is that when the parties in good faith disagree about the meaning or application of a relevant term in a lease agreement or contract, there is a “bona fide dispute over the interpretation of a contract” that divests COGCC of jurisdiction, even if those terms seem unambiguous or depend on factual determinations.

In its discussion regarding unambiguous contract terms, the Court in *Antero* stated that the determination that contract language is unambiguous is itself contract interpretation. The Court reasoned that “Where parties proffer divergent interpretations of contractual language, the fact that the dispute ends in a determination that the language unambiguously favors one party’s position does not mean that the adjudicating entity did not need to interpret the contract to arrive at that conclusion. To the contrary, interpreting a contract as unambiguous is just that—interpreting a contract.”

From a Legal Perspective cont'd.

The Court in *Antero* also stated, in response to the claim by the district court that the resolution of factual issues is not contract interpretation, “that an issue presents a question of fact does not necessarily separate it from the realm of contract interpretation.” Instead, questions of fact are often deeply intertwined with contract interpretation such that the two may be inseparable.

In sum, the Court concluded that the statute clearly removes from COGCC’s jurisdiction, any bona fide - that is made in good faith, without fraud or deceit, or sincere or genuine - disagreement that requires any degree of contract interpretation to resolve.

Bona Fide Disputes outside of COGCC Jurisdiction

The Court in *Antero* considered three specific sets of disputed leases and determined that bona fide disputes existed.

First, the Court considered a lease that was silent as to the deduction of post-production costs and therefore the implied covenant to market applied, which required the Lessee to bear those costs necessary to place gas in a condition acceptable for market. The parties took different positions on where the first point of marketability was and whether the Lessee could deduct reservation fees from the royalties consistent with the implied covenant. The Court in *Antero* determined that the COGCC lacks jurisdiction to resolve this dispute because it involves a good faith dispute over how to interpret relevant contract terms—specifically the parties contest of the meaning of the contract term “marketability” and whether reservation fees are among “those expenses necessary to place gas in a condition acceptable for market” that the Lessee must bear under the implied covenant.

Second, the Court considered a lease that prohibited the deduction of “any and all” costs “except taxes and conservation charges” from royalties, which are paid based on the “market price” of the gas but provided alternative definitions for “market price” and did not address whether Lessee owes royalties on gas used as an in-kind payment to a third party. The parties disagreed as to the applicability of certain cost deductions and the market price definition. The Court in *Antero* determined that the COGCC lacks jurisdiction to resolve this dispute because it involves a bona fide dispute over the meaning and application of terms in the lease contract—specifically which contractual definition of “market price” prevails and whether the in-kind payments and other deductions are consistent with the no-cost provision.

Third, the Court considered leases that prohibited the deduction of “all costs of any kind” from royalties, which are paid based on the “value” of the gas but provided alternative definitions for “value” and did not provide a process to calculate royalties on gas used as an in-kind payment to a third party. The parties disagreed about deductions of certain costs. The Court in *Antero* determined that the COGCC lacks jurisdiction to resolve this dispute because it involves genuine disputes over how best to interpret the terms of the parties’ agreements—specifically which of two definitions of “value” included in the agreements prevails and whether the fees deducted constitute “costs” that cannot be deducted under the leases. Additionally, the Court stated that while the district court’s conclusion that the leases unambiguously prohibit the costs and require royalties to be calculated on the sale price may be a proper interpretation, the district court engaged in contract interpretation to reach that conclusion and its reading of the lease language is but “one possible reading.”

In reviewing each set of Leases discussed above, the Court in *Antero* determined that in each case, the parties sincerely disagreed about the meaning and appropriate application of contract terms, and as such, the disputes were outside of the COGCC’s jurisdiction, and rather the courts were the appropriate forum for resolution of these contract disputes.

Disputes within COGCC Jurisdiction

While the Court in *Antero* did not discuss specific disputes within the jurisdiction of the COGCC under Section 118.5, the Court indicated that if contracts at issue are unambiguous and resolution of the disputes requires only factual determinations, meaning that the leases at issue did not require legal interpretation, then the COGCC would retain jurisdiction of such disputes.

As an example of retained COGCC jurisdiction, the Court discussed in a footnote, that the COGCC does not lack jurisdiction in all payment-of-proceeds disputes involving parties to a contract. For example, in a disagreement over timely payments when a lease is silent as to payment deadlines, subject to section 118.5(2)(a), the COGCC would have jurisdiction to determine whether the deadline for payment under section 118.5(2)(a) had passed, whether and to what extent the payer’s duty to comply with those deadlines was suspended under section 118.5(3), and the amount plus interest, if any, still due the payee. Those determinations would not require interpretation of the contract, and thus would be within the jurisdiction of COGCC.

From a Legal Perspective cont'd.

Takeaways

The Court in *Antero* dramatically narrowed the jurisdiction of the COGCC in payment-of-proceeds disputes, limiting the COGCC's jurisdiction even in instances when the disputed provisions are unambiguous or are related to matters of factual determination. The result of this determination is that a majority of payment-of-proceeds disputes will no longer be adjudicated administratively, but rather judicially through litigation. The consequences of this limitation on COGCC jurisdiction will likely result in more costly and lengthy resolutions of disputes within an already overburdened court system. Consequently, landmen should take care to clearly and concisely set forth contractual provisions when entering into a lease with a Lessor, carefully review any disagreements regarding payment-of-proceeds before assuming COGCC jurisdiction over said matters, and work diligently to resolve bona fide disputes prior to the initiation of litigation in the court system.

Julie K. Palmer
Julie K. Palmer, LLC
julie@jkpalmerllc.com

39TH ANNUAL CLAY SHOOT

FRIDAY, August 25, 2023
Colorado Clays

SAVE THE DATE



DAPL March 2023 Board Meeting Minutes

3/8/2023

In attendance:

In-person: Tyler Aylor, Tabatha Reed, Armando Trevino, James Culbertson, Crosby Garrison, Thomas Porter

On Phone: Gil Guethlein, David Connelly, Janet Rost, Estee Sanchez, Teale Stone, Jake Bakker, Scott McDaniel, Todd Ritchie

Pres. Armando Trevino called the meeting to order at 11:32 AM MST.

Approval of Minutes. Laurie motioned to approve the February minutes. Gil Seconded. APPROVED.

Membership. Reported by Janet Rost.

We have six applicants, 4 active and 2 associates. Janet motioned to approve. Thomas Seconded. Approved. Total number 641 members. We are considering incorporating auto-renew for memberships. It should be clear and upfront that this is what you elect.

March 2023 Board Meeting								
MEMBER NAME	COMPANY	ACTIVE	ASSOCIATE	STUDENT	AAPL	SPONSOR	OFFICE PHONE	E-MAIL
Taylor McVean	Tap Rock Resources, LLC	X			Yes	Janet Rost	720-459-3726	tmcvean@taprk.com
Jack Croissant	TCO Land Services	X			Yes	Pam Cortese	303-378-5958	jcroissant@tcolandservices.com
Martin Gibeau	Purple Land Management		X		No	Janet Rost	303-807-5000	mgibeau@purplelandmgmt.com
Scott Peterson	Self	X			Yes	Janet Rost	918-671-7383	scott.m.peterson@me.com
Reilly Bliton	EnergyNet		X		Yes	Tom Bertrand	303-513-5243	reilly.bliton@energynet.com
Ryan Lavergne	Loil Energy	X			No	Phil Cortese	720-524-4237	ryan@loil-oil.com
Mar-23								
Total Number of Current Members - 641								
Total Number of Non-Members (Expired) - 796								
Expiring 5/31/23 - 388								
Expiring 5/31/24 - 83								
Expiring 5/31/25 - 64								
Expiring 5/31/26 - 1								
Honorary/Retired (never expire) - 105								
Mar-22								
Total Number of Members - 1283								
Renewals for 2021/22 Year - 271								
2021/22 3 Year Renewals - 77								
Current (not expired) - 554								

Continued on next page

The Rocky Mountain Landman Advertising Rates

Size	Dimension (W x H)	1 Time Ea.	10 Times Ea.
Business Cards	2 1/2 x 1	\$ 25.00	\$ 20.00
1/4 Column	2 3/8 x 2 1/4	\$ 40.00	\$ 36.00
1/2 Column	2 3/8 x 4 1/2	\$ 65.00	\$ 58.50
1/3 Page	2 3/8 x 9 or 4 3/4 x 4 1/2	\$140.00	\$126.00
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

Treasurers Report. Reported by James Culbertson.

These numbers reflect the outstanding golf balance. Finance Committee meeting to review the Investment Policy Statement in two weeks.

Banking Accounts	March 2023	February 2023	1-Month Diff.	March 2022	1-Year Diff.
PNC Checking	\$289,807.03	\$247,856.49	\$41,950.54	\$282,134.93	\$7,672.10
Savings/Money Market	\$10,004.67	\$10,004.60	\$0.07	\$10,003.67	\$1.00
RBC Investment	\$95,751.73	\$96,737.77	-\$986.04	\$73,620.94	\$22,130.79
Total Checking/Savings/Investments	\$395,563.43	\$354,598.86	\$40,964.57	\$365,759.54	\$29,803.89
RBC Investment Account	Beginning Balance	*Fees	Gain/Loss	Current Balance	
Investment Period (2/1/23 - 2/28/23)	\$96,737.77	\$0.00	-\$986.04	\$95,751.73	
	Updated Investment	Current Balance	Updated vs Current		
Investment Balance	\$100,000.00	\$95,751.73	-\$4,248.27		
Scholarship Accounts	March 2023	February 2023	1-Month Diff.	March 2022	1-Year Diff.
PNC Bill Goodin	\$10,179.43	\$10,179.35	\$0.08	\$6,730.60	\$3,448.83
PNC Cappy Ricks	\$15,482.76	\$15,482.64	\$0.12	\$15,481.22	\$1.54
PNC DAPL Scholarship	\$8,306.99	\$8,306.99	\$0.00	\$8,306.99	\$0.00
PNC Raffle Acct	\$4,230.00	\$4,230.00	\$0.00	\$3,780.57	\$449.43
Total Savings	\$38,199.18	\$38,198.98	\$0.20	\$34,299.38	\$3,899.80
DAPL Pending Checks	Amount				
#1051 - Hanson & Co., 2021/2022 Taxes	\$3,650.00				
#1054 - Ed Doka, Lift Tickets	\$9,828.00				
Total Pending DAPL Checks	\$13,478.00				
*RBC Fees are paid quarterly and are 1.5% assesment of the balance					

President's Report. Reported by Armando Trevino.

Corporate Sponsorship soliciting is closing. We still have a few people we are waiting to hear back from. We are roughly around \$80K. Rockies Bash will need a new chair, but Gil be interim until a new chair is chosen.

Mentoring Program. Reported by Scott McDaniel.

We have had a few happy hour mixers and successful question-and-answer sessions. We contacted the DPC Mentor Program and hopefully can coordinate a group event. Our events cost around \$200. We will request funds from the DAPL to cover the next happy hour on the 16th.

Education Committee. Reported by Crosby Garrison.

We had a productive meeting yesterday. Next week is our March luncheon. We will have a panel, and Armando will be moderating; for April, we have a geothermal presentation. Regarding Denver Land Institute (DLI), we are waiting to hear back from the Ritz. At the end of this week, AAPL is meeting, and the Memorandum of Understanding will be reviewed during that meeting. We have in previous years reached out for feedback from our members but have yet to get much feedback on what members would like to hear.

Golf Tournament. Reported by Teale Stone.

Scott Kearney has the 10-mile Music Hall in Frisco reserved for the night before; he hoped to run it like last year, with Tacos, a band, and an open bar. He mentioned getting ahead of this and advertising for the event during registration to allow for planning. The transportation piece potentially has a credit for the attendees (Uber). Last year we had Heath Lovell with AAPL present; it was lightly attended, and there were only roughly 25-30 people. Do we want to add an education piece this year? Ideally, we would like to open registration sooner rather than later—the goal is to open registration by April 3rd. I reached out to a few folks to help with fundraising or raffle. We have a few commitments to donate foursomes. We have 15 teams committed to corporate sponsors. I have contacted a few people for fundraising, with proceeds going directly to DAPL, silent auction, or donation. Call with Keystone food and beverage people planned for the first of April. Two folks are helping coordinate the event day, but we would ideally like more volunteers.

Clay Shoot. Reported by Tod Ritchie.

Met with the committee, and it was unanimous to do one event. So, we will stick with the one event for Friday, August 25th.

Continued on next page

Advocacy. Reported by Janet Rost.

We want someone connected with what is going on to join the committee. Sarai Martinez with Oxy might be a great addition to the committee.

Networking. Reported by James Culbertson.

Last communication with Justin, we needed help finding a venue. Energy Industry Happy Hour is scheduled for April 27th.

Ski Day. Reported by Tabatha Reed. We are going to lose some money. We had about 45 people attend.

Pres. Armando Trevino adjourned the meeting at 12:43 PM MT.

Email Votes:

Business Owners Insurance Renewal (\$932)

Yes votes received from: Armando, David, Gil, Jake, Laurie, Janet & Thomas

Happy Hour Headshot cost (\$2000) at the next scheduled HH

Yes votes received from: Thomas, Jake, Armando, Laurie, Janet, David & Gil

Ritz Contract for DLI 10/12/23

Yes votes received from: Gil, Thomas, Laurie, Janet, Armando & David



SAVE THE DATE!!

50th ANNUAL DENVER LAND INSTITUTE
(formerly the Fall Land Institute)
@ The Ritz-Carlton, Downtown Denver

&

10th ANNUAL ROCKIES BASH
@ Wynkoop Brewery

THURSDAY, OCTOBER 12, 2023



Join Coloradans for Responsible Energy Development (CRED).
Share the facts on fracking and protect jobs in Colorado.
Be the first to learn the latest news and be a part of upcoming events.

Sign up to volunteer at CRED.org/volunteer or 800.425.0856



Coloradans for Responsible
Energy Development



ROCKY MOUNTAIN

PROFESSIONAL LANDMAN CONFERENCE

Save the Date

Friday

5
May

Featured Keynote Trustee John McKinley



The UW School of Energy Resources is pleased to host the Rocky Mountain Professional Landman Conference. The forum seeks to bring together industry professionals and PLM alumni in the rocky mountain region to showcase the esteemed profession, and discuss career paths and opportunities for future graduates.

Contact Christine Reed at christine.reed@uwyo.edu with any questions.



To pre-register for the event,
please scan the QR code.

Networking Reception (5/04/23)

5 Gen Ed Credits, 1 Ethics Credit of
CLE; Wyoming State Bar

4.5 RL, RPL or CPL recertification
credits, 1 Ethics credit; AAPL



2022-2023 DAPL OFFICERS, DIRECTORS AND STANDING COMMITTEE CHAIRS

President -

Armando Trevino
Crowheart Energy, LLC.....303-219-7086
.....a.trevino@crowheartenergy.com

First Vice President

Gil Guethlein
KXP Resources.....
.....gguethlein@kxpresources.com

Vice President -

Janet Rost
Elk Cove.....303-564-4326
.....rost.janet@gmail.com

Secretary -

Laurie Wizeman
Oxy.....
.....laurie_wizeman@oxy.com

Treasurer -

James Culbertson
Slawson Exploration Company, Inc....720-259-6405
.....jculbertson@slawsoncompanies.com

Director -

David Connolly
Citizen Energy Partners.....
.....dconnolly@citizenep.com

Director -

Jake Bakker
PDC.....jake.bakker@pdce.com

AAPL Director -

Kelly Muldoon
.....pkellymuldoon@yahoo.com

Immediate Past President-

Thomas Porter
Oxy.....720-929-6000
.....thomasf_porter@oxy.com

AAPL Certification -

Kelly Muldoon
.....pkellymuldoon@yahoo.com

Awards-

Gil Guethlein
KXP Resources.....
.....gguethlein@kxpresources.com

Tyler Adams

Antero Resources.....303-357-7249
.....tadams@anteroresources.com

Finance & Planning

Laurie Wizeman
Oxy.....
.....laurie_wizeman@oxy.com

DAPL Trustee, The Foundation for Natural Resources and Energy Law

Alex Campbell
Enduring Resources, LLC.....303-350-5107
.....acampbell@enduringresources.com

Legal & Legislative

Estee Sanchez
Beatty & Wozniak, P.C.....303-407-4491
.....esanchez@bwenergylaw.com

Education

Bresee Carlson
Kuiper Law.....bresee.carlson@kuiperlawfirm.com

Crosby Garrison

Oxy.....720-929-4328
.....crosby_garrison@oxy.com

Ethics -

James Hubert
Discovery Land Services.....303-993-3591
.....james@discoveryland.com

Gil Guethlein

KXP Resources.....
.....gguethlein@kxpresources.com

IT/Technology-

Tyler Aylor
Impact Land, LLC.....405-414-0219
.....tyler@impactland.us

John L Hunt Mentoring Program-

Scott McDaniel
.....303-519-0399
.....smcdaniel@discoveryland.com

Hannah Eastwood

Oxy.....720-929-6928
.....hannah_eastwood@oxy.com

Membership -

Janet Rost
Elk Cove.....303-564-4326
.....rost.janet@gmail.com

Scholarships -

Allie Huizenga
BPX Energy Inc.....720-682-0308
.....allie.huizenga@bpx.com

Frances Ivers

.....francesivers@gmail.com

Social Media / Publications -

Crosby Garrison
Oxy.....720-929-4328
.....crosby_garrison@oxy.com

Marketing-

Laurie Wizeman
Oxy.....
.....laurie_wizeman@oxy.com

University Liaison -

Thomas Porter
Oxy.....720-929-6000
.....thomasf_porter@oxy.com

Advocacy

Malinda Morain
Beatty & Wozniak, P.C.....303-407-4477
.....mmorain@bwenergylaw.com

Telbe Storbeck

Oxy.....720-929-6000
.....telbe_storbeck@oxy.com

Rockies Bash

Chair Needed

Golf

Teale Stone
Fundare Resources Company, LLC....918-694-3231
.....tstone@fundareresources.com

Ski Day -

Ed Doka
.....eddoka@gmail.com

Networking-

James Culbertson
Slawson Exploration Company, Inc....720-259-6405
.....jculbertson@slawsoncompanies.com

Justin Savage

.....justin.savage@chevron.com

Clay Shoot -

Todd Ritchie
Horizon Resources.....720-505-7828
.....tritchie@horizonresourcesllc.com

Brian Davis

Percheron.....720-237-9186
.....brian.davis@percheronllc.com

Clint Goos

NorthStar Energy.....303-955-1965
.....clint@northstarenergyco.com

Community Service-

Matt Hoppe
Stengel Hoppe LLP.....303-325-2610
.....matt@coloradoenergylaw.com

The Rocky Mountain

L • A • N • D • M • A • N

910 16th Street, Suite 223
Denver, CO 80202