

**October 23, 2025 | 8 AM - 9:30 AM**  
**Education Breakfast**

**8:00 - 8:30: Networking and Buffet**  
**8:30 - 9:00: Panel Presentation**  
**9:00 - 9:30: Moderated Questions & Closing Remarks**

## **Overview of State Regulatory Permitting & Hearing Process for Oil and Gas Development**

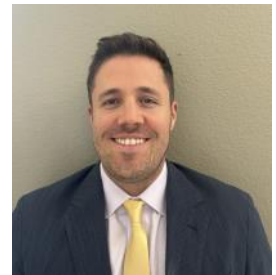
The landman's role in identifying mineral estate and surface use agreements is paramount to an operator's subsequent permit application. Hear from staff at the state of Colorado's Energy and Carbon Management Commission about the rules, regulations, and procedures for oil and gas permitting. The presenters will provide an overview of the rigorous permitting process, including new community engagement rules for proposed locations in disproportionately impacted communities, what happens procedurally at permit hearings, and how parties can provide testimony. The mission of the Colorado Energy & Carbon Management Commission is to regulate the development and production of oil and gas, deep geothermal resources, the capture and sequestration of carbon, and the underground storage of natural gas in a manner that protects public health, safety, welfare, the environment and wildlife resources.



**Yesica Chavez**  
**Environmental Justice**  
**Community Liaison –**  
**Front Range**



**COLORADO**  
**Energy & Carbon Management**  
**Commission**  
Department of Natural Resources



**Ben Frissell**  
**Permitting and Planning**  
**Manager**

**Elias Thomas**  
**Hearings Manager**

More information on the speakers on page 5

\$45 for DAPL Members  
\$60 for Non-members  
Virtual & In Person Option

**The University Club**  
**1673 Sherman St.**  
**Denver, CO 80203**

**[Click Here to Register](#)**

### **UPCOMING EVENTS**

[DERL Rocky Mountain](#)  
[Prospect Expo](#)

Wednesday, November 5th  
Denver, CO

[52nd Annual](#)  
[Denver Land Institute](#)

Thursday, November 6th  
Denver CO

[12th Annual](#)  
[Rockies Bash](#)

Thursday, November 6th  
Denver, CO

[RMPC Zoo Lights](#)

Friday, November 7th  
Denver, CO



**The Denver Association of Professional Landmen**

Telephone: (303) 446-2253  
E-Mail: [dapl@dapldenver.org](mailto:dapl@dapldenver.org)  
Web Site: [www.dapldenver.org](http://www.dapldenver.org)

**Mailing Address:**

730 17th Street, Suite B1  
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 | <b>Zoe Pangallo</b><br><b>Margaret Higuera</b> |
| Minutes   | <b>Tammy Zamarripa</b>                         |
| Legal     | <b>Estee Sanchez</b>                           |

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 - Vice President

Did summer really happen, or did we just blink? 🍂 Fall is officially in full swing—golden aspens, a hint of snow in the air, and a stacked slate of DAPL programming to carry us into year-end.

**Upcoming DAPL Events:**

- [October Breakfast](#) –Thursday, October 23 | University Club
  - ◆ ECMC Panel Presentation & discussion on applications and testimony.
- [52nd Annual Denver Land Institute \(DLI\)](#) – Thursday, November 6 | Le Méridien
  - ◆ Keynote: Kathleen Sgamma — Energy Leadership in the Rockies: Federal Policy, Industry Resilience, and a Path Forward.
  - ◆ Sessions include:
    - Fireside chat with Clinton Koerth and Jeff Stewart (Elk Range Royalties) on the DJ Basin and their Oxy acquisition
    - Benjamin Burke & Johanna Ostrum (Gradient Geothermal) on transferable skills from oil & gas to renewables and geothermal
    - Ben Holiday (Holiday Energy Law Group), Taryn Hanrahan (Beatty & Wozniak), Curt Horne, and more

Registration is open for the DLI—join us for a timely, practical program.

**Thank You to Our DLI Sponsors!**

- Presenting Sponsor: Elk Range Royalties
- Lunch Sponsor: Beatty & Wozniak, P.C.
- Breakfast Sponsor: Andale Energy Consulting
- Coffee Sponsor: Stengel Hoppe LLP
- Education & Student Sponsors: Impact Land, Slawson Exploration, R. Reese & Associates, and Tracts

We still have sponsorship opportunities available. If your company would like to support DLI, please reach out to Tabatha Reed or me directly.

And don't put away your party shoes: the DLI will be followed by the [12th Annual Rockies Bash](#) at Wynkoop, a time-honored tradition where the Denver land community shows up big.

Looking forward to seeing everyone at the breakfast, DLI, and at Wynkoop for some libations and fun. Enjoy the leaves while they last—and I'll see you soon.

Warmly,  
Zoë Pangallo  
Vice President, DAPL  
[Zoe.Pangallo@ovintiv.com](mailto:Zoe.Pangallo@ovintiv.com)

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LAND SERVICES

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**GPM**

The logo graphic for Lathrop GPM, consisting of a stylized geometric shape made of four triangles in purple, blue, and teal, arranged in a larger triangular formation.The logo graphic for Ascent Geomatics Solutions, featuring a large orange letter 'A' with a white swoosh or arc passing through its center.The logo graphic for NorthStar Energy, featuring a light blue circular arc that frames the text and a stylized star graphic with red, white, and blue points.

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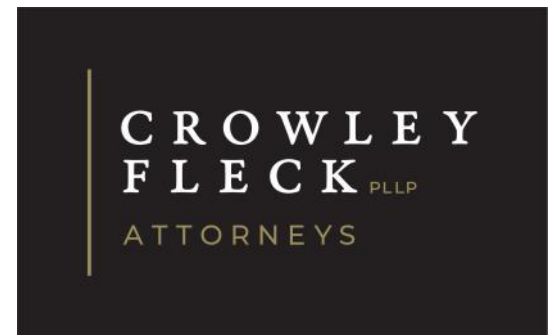
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**DAPL**

8:00-8:30: Networking and Buffet

8:30-9:00: Panel Presentation

9:00-9:30: Moderated Questions &amp; Closing Remarks

**October 23, 2025 | 8:00 AM – 9:30 AM**

## Overview of State Regulatory Permitting & Hearing Process for Oil and Gas Development

**Yesica Chavez****Environmental Justice Community Liaison – Front Range**

As the Environmental Justice Community Liaison for the Front Range, Yesica oversees operator compliance with new Cumulative Impact rules that aim to proactively provide additional opportunities for communities to engage in energy regulations and permitting processes, particularly Disproportionately Impacted communities. Her work at ECMC is rooted in environmental justice and community engagement. With over a decade in environmental justice advocacy, Yesica has led and supported numerous community and stakeholder engagement initiatives. In addition to her extensive volunteerism, Chavez served as the inaugural Board Chair of the Colorado Parks and Wildlife Outdoor Equity Grant Program for two years. She obtained her Master's in Global Health Research from Vrije Universiteit Amsterdam and was a 2024 Environmental Justice Fellow at the Yale School of the Environment.

**Ben Frissell****Permitting and Planning Manager**

As the manager of ECMC's 30-person planning and permitting team, Ben's role at ECMC is critical to the permitting process and to ECMC's work regulating oil and gas in Colorado in a manner that protects public health, safety, welfare, the environment and wildlife resources. His team reviews each location application – called an Oil and Gas Development Plan (OGDP) — for compliance with Colorado's rules and regulations, which are the most protective in the country. ECMC receives about 50 OGDP applications annually. Only applications that are compliant with those rules and regulations proceed to the Commission for a hearing. Ben has over 17 years in public service, working at both the state and local level. Ben has had an interesting career ranging from hazardous material emergency response, solid waste permitting, to the advancing organizational development. Ben has a Natural Resource degree from Colorado State University and Masters in Organizational Leadership also from Colorado State.

**Elias Thomas****Hearings Manager**

As Hearings Manager, Elias Thomas is responsible for the orchestration and execution of the weekly hearings at which the ECMC reviews applications, conducts rulemakings, and adjudicates enforcement matters, among other agency business. An attorney by background, Mr. Thomas brings ten years of public service to his current role with previous experience at the Federal Mine Safety & Health Review Commission. He holds a JD from the University of Colorado and a Bachelor of Arts from Occidental College.

**COLORADO****Energy & Carbon Management  
Commission**

Department of Natural Resources

## From a Legal Perspective

### BLM Proposed Rule Updates Commingling Processes and Approvals to Enhance Measurement Certainty and Oversight

[House Resolution 1](#) (H.R. 1), also known as the Big Beautiful Bill or the Reconciliation Act (the “Act”), contains an immensely meaningful provision for oil and natural gas operators on federal lands directing the Bureau of Land Management (“BLM”) to authorize commingling of production from diverse mineral ownership (federal and fee, federal, state and fee, etc.). Historically, the BLM has been reluctant to allow this type of commingling approval, much to the detriment of operations, particularly in New Mexico, Wyoming, and North Dakota.

The Department of the Interior is fast-tracking the proposed rule to implement the commingling provisions of the Act. The proposed rule is expected to be published in the [Federal Register Notice](#) within before the end of the year, if not sooner. Ensuing publication, a formal public comment period will follow. Upon the close of the public comment period, the BLM will analyze and respond to comments and finalize the regulations.

Upon publication of the final rules, the rule will apply in full force and effect. It is estimated that this process will take approximately 2-4 months to complete, depending on the level of public feedback received from industry and from other stakeholders. In the meantime, it is likely that the BLM will begin issuing interim guidance to BLM Field Offices while the process of rulemaking is ongoing.

During the meantime, the BLM has issued [IM 2025-034](#) which serves as interim guidance to implement the provisions of the OBBB until the commingling regulations are finalized. Until the BLM issues revised regulations governing commingling, Field Offices (FOs) will separate commingling applications into two groups.

The first group includes applications that comply with existing regulations. The second group includes applications that cannot be approved under existing regulations because they do not contain the same lease interest, royalty rate, and revenue distribution or the lease is not producing in paying quantities. In these cases, Field Offices (“FOs”) will review 43 CFR 3173.14(b)(5) to determine whether there are overriding considerations that would allow approval, such as it could be approved under the provisions of the OBBB.

BLM FOs are instructed to apply 43 CFR 3173.14(b)(5) to process commingling applications involving mixed ownership, including non-Federal cases, keeping in mind the goal of the OBBB to broaden the applicability of commingling. Additionally, the BLM headquarters has instructed FOs should err on the side of approval rather than denial.

Some FOs, such as the Carlsbad, New Mexico FO, have proactively issued [updated surface commingling field guides](#) in effort to provide operators with additional guidance when submitting a complete commingling application. The guidance, applicable only to the issuing FO, provides the list of information and documentation required for a commingling application to be processed based on 43 C.F.R. 3173.15, IM 2025-34, and the Carlsbad FO Engineering Department requirements.

Overall, the intent of the rule is to authorize the BLM to approve the commingling of diverse mineral ownership interests. Similarly, the rule is intended to address and provide for [“shrink”](#)—defined as extraction loss—that occurs between allocation points and the point of sales (“Facility Measurement Point or FMP”).

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<sup>1</sup> H. R. Res. 1, 119<sup>th</sup> Cong. (2025) Title V Sec. 50101(q)

<sup>2</sup> BLM National Headquarters, *Commingling of Oil and Gas Production*, Instruction Memorandum IM 2025-034 (Aug. 11, 2025); <https://www.blm.gov/policy/im-2025-034>.

## From a Legal Perspective cont'd.

The commingling of diverse ownership interests will allow for significant reductions in business and operational costs (e.g., reduction in redundant facilities) and would also provide for a substantial reduction in surface disturbance (up to 85% reduction in footprint) and an overall reduction in air emissions.

Other provisions of the proposed rule require operators to utilize an allocation method that achieves volume measurement uncertainty levels within ( $\pm$ ) 2% during the production phase. However, this metric would not apply to established allocation meters or allocation method standards (e.g., manufacturer or regulatory specifications or proving requirements). The 2% volume uncertainty limit will only apply to the space between the allocation point and the sales point (FMP). This metric is intended to function as a “pad balancing” factor between the allocation point (allocation meter or allocation method) and the sales point (FMP) designed to allow for an average monthly reporting tolerance. The goal of this component in the rule is to address a long-standing sticking point for senior career management at BLM, who emphasize accountability and verifiability in federal oil and gas measurement operations.

Moreso, the language within the rule that states “install a measurement device for each source...or use an allocation method...that achieves volume measurement uncertainty levels within  $\pm$  2%” is intended to:

- (1) provide for allocation meters or methods that are not FMPs, provided that
- (2) the determined volumes between the allocation point and the sales point (FMP) do not vary by more than  $\pm$  2%

These provisions provide for the reality of shrinkage, which are expected to be *de minimis* and far outweighed by the benefits of commingling to the taxpayer, the operator, and the environment.

The forthcoming BLM rule represents a strategic and well-thought-out policy shift that will streamline federal approvals for commingling production across different mineral ownerships, thereby reducing costs, surface disturbance, and emissions. By allowing flexibility in allocation methods while imposing a reasonable uncertainty threshold, the rule balances operational efficiency with the agency's longstanding emphasis on accountability in federal measurement practices.

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Jacob Everhart  
jeverhart@bwenergylaw.com  
Beatty & Wozniak, P.C.



# DAPL 12th Annual Rockies Bash

Thursday, Nov. 6 from 5 - 8 p.m.

Wynkoop Brewing Company  
1634 18th Street  
Denver, CO 80202

Come join us for an evening of drinks,  
food and networking



**SAVE THE DATES!**



**DAPL October Education Breakfast** - Thursday, October 23rd



**DERL (Denver Earth Resources Library) Prospect Fair** - Wednesday, November 5th



**52nd Annual Denver Land Institute** - Thursday, November 6th



**12th Annual Rockies Bash** - Thursday, November 6th



**RMPC Zoo Lights** - Friday, November 7th





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# 52<sup>nd</sup> Annual Denver Land Institute

Thursday, November 6, 2025

8 am - 5 pm

Le Meridien Denver Downtown

1475 California St

## Institute Topics

- Energy Leadership in the Rockies - Federal Policy, Industry Resilience, and the Path Forward
- “Other Minerals” - What Constitutes oil, gas and “other minerals” in a changing market
- Gradient Geothermal - Oil and gas renewables, transferable skills, what is geothermal, geothermal in the US
- Litigation Update
- Elk Range, the DJ Basin and Oxy Acquisition
- Ethics
- More to Come!

## Confirmed Speakers:

- KEYNOTE, Kathleen Sgamma, Principal, Multiple-Use Advocacy
- Benjamin Holliday, President, Holliday Energy Group
- Benjamin Burke, PhD, Chief Executive Officer
- Johanna Ostrum, Chief Operating Officer
- Taryn Hanrahan, Associate, Beatty & Wozniak
- Clinton Koerth, Vice President, Elk Range Royalties
- Jeff Stewart, Vice President of Engineering, Elk Range Royalties
- Curt Horne, Consulting Landman
- Kyle Reynolds, AAPL President
- More to Come!

## **Sponsorship Opportunities Available**



Stay at the Le Meridien, book by October 6th!  
see website event page for link







## **52nd Annual Denver Land Institute**

**Thursday, November 6<sup>th</sup> @ The Le Meridien Denver Downtown**

**7:15 am** ----- *Registration Opens / Breakfast*

### **8:15 am – 8:30 am: Welcoming Remarks**

- James Culbertson, President, Denver Association of Professional Landmen

### **8:30 am – 9:30 am: Elk Range, the DJ Basin and Oxy Acquisition**

- Clinton Koerth, Elk Range Royalties, Vice President
- Jeff Stewart, Elk Range Royalties, Vice President of Engineering
  - Ambassador: Tyler Aylor

**9:30 am – 9:45 am** ----- *Break*

### **9:45 am – 10:45 am: “Other Minerals” – What Constitutes Oil, Gas, and “Other Minerals” in a Changing Market**

- Benjamin Holliday, Holliday Energy Law Group, President
  - Ambassador: Zoë Pangallo

### **10:45 pm – 11:45 pm: Oil and Gas to Renewables**

- Benjamin Burke, Gradient Geothermal Inc, Chief Executive Officer
- Johanna Ostrum, Gradient Geothermal Inc, Chief Operating Officer
  - Ambassador: Zoë Pangallo

**11:45 am – 12:30 pm** ----- *Lunch / Lunch Line*

### **12:30 pm – 1:30 pm: Energy Leadership in the Rockies: Federal Policy, Industry Resilience and the Path Forward**

- KEYNOTE SPEAKER - Kathleen Sgamma, Multiple Use Advocacy, Principal
  - Ambassador: Zoë Pangallo

**1:30 pm – 1:45 pm** ----- *Break*

### **1:45 pm – 2:30 pm: Cases You Should Know: A Litigation Update**

- Taryn Hanrahan, Beatty & Wozniak, Associate
  - Ambassador: Devon Bell

**2:30 pm – 2:45 pm** ----- *Break*

### **2:45 pm – 3:45 pm: TBA**

- TBA
  - Ambassador: TBA

### **3:45 pm – 4:00 pm: AAPL Update**

- Kyle Reynolds, President, American Association of Professional Landmen
  - Ambassador: James Culbertson

### **4:00 pm – 5:00 pm: Beyond Efficiency: Ethical Implications of AI for Landmen and Lawyers**

- Curt Horne, CPL, Consulting Landman
  - Ambassador: Laurie Wizeman

**5:00 pm** ----- *Adjourn / Head over to Rockies Bash @ Wynkoop Brewery*

## 52nd ANNUAL DENVER LAND INSTITUTE SPONSORSHIP OPPORTUNITIES

Reach landmen, attorneys, geologists, geophysicists and engineers by sponsoring the Denver Land Institute!

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- Company recognition during on-site PowerPoint slideshow
- One (1) complimentary registrations
- Social media shoutout and recognition in the DAPL Rocky Mountain Landman newsletter

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- Company Recognition through email marketing
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- Company recognition during on-site PowerPoint slideshow
- Social media shoutout and recognition in the DAPL Rocky Mountain Landman newsletter



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Sponsorship includes:

- Company Recognition through email marketing
- On-site signage during the event
- Company recognition during on-site PowerPoint slideshow
- Social media shoutout and recognition in the DAPL Rocky Mountain Landman newsletter



### Coffee Sponsor

\$1,000

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- Company Recognition through email marketing
- On-site signage at coffee station
- Company recognition during on-site PowerPoint slideshow
- Social media shoutout and recognition in the DAPL Rocky Mountain Landman newsletter



### Student Sponsor - 2 Available - each Student Sponsor covers the cost of 4 student attendees

\$1,000

Sponsorship includes:

- Company Recognition through email marketing
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- Company recognition during on-site PowerPoint slideshow
- Social media shoutout and recognition in the DAPL Rocky Mountain Landman newsletter



### Education Sponsor-Multiple Available

\$500

Sponsorship includes:

- Company Recognition through email marketing
- On-site signage at event
- Company recognition during on-site PowerPoint slideshow
- Social media shoutout and recognition in the DAPL Rocky Mountain Landman newsletter





**DAPL**  
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| _____ <b>Presenting Sponsor -</b>   | \$5000 |
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| _____ <b>Coffee Sponsor -</b>       | \$1000 |
| _____ <b>Student Sponsor -</b>      | \$1000 |
| _____ <b>Education Sponsor -</b>    | \$500  |

Email your company logo to [DAPL@DAPLDenver.org](mailto:DAPL@DAPLDenver.org)

Please also include a hyperlink for logo clicks (where applicable).

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730 17<sup>th</sup> St, Suite B1  
Denver, Co 80202You may also send this form via email to [dapl@dapldenver.org](mailto:dapl@dapldenver.org)**Sponsorship funds may also be delivered to DAPL via credit card:**Please contact Tabatha Reed at the DAPL Office for more information –  
[dapl@dapldenver.org](mailto:dapl@dapldenver.org) / 303-446-2253**Thank you! Your support is greatly appreciated.**

# 2025 DAPL Calendar of Events

## October 2025

| Sun                                      | Mon | Tue                                     | Wed                    | Thu                          | Fri                       | Sat |
|------------------------------------------|-----|-----------------------------------------|------------------------|------------------------------|---------------------------|-----|
|                                          |     |                                         | 1                      | 2                            | 3                         | 4   |
| 5<br>Liberty<br>Energy 5K<br>and kids 1K | 6   | 7                                       | 8                      | 9                            | 10                        | 11  |
| 12                                       | 13  | 14<br>Education<br>Committee<br>Meeting | 15<br>Board<br>Meeting | 16                           | 17                        | 18  |
| 19                                       | 20  | 21                                      | 22                     | 23<br>Education<br>Breakfast | 24                        | 25  |
| 26                                       | 27  | 28                                      | 29                     | 30                           | 31<br>Happy<br>Halloween! |     |
|                                          |     |                                         |                        |                              |                           |     |

## November 2025

| Sun | Mon | Tue                                     | Wed                        | Thu                      | Fri                     | Sat |
|-----|-----|-----------------------------------------|----------------------------|--------------------------|-------------------------|-----|
|     |     |                                         |                            |                          |                         | 1   |
| 2   | 3   | 4                                       | 5<br>DERL<br>Prospect Expo | 6<br>DLI<br>Rockies Bash | 7<br>RMPC<br>Zoo Lights | 8   |
| 9   | 10  | 11<br>Education<br>Committee<br>Meeting | 12<br>Board Meeting        | 13                       | 14                      | 15  |
| 16  | 17  | 18                                      | 19                         | 20                       | 21                      | 22  |
| 23  | 24  | 25                                      | 26                         | 27                       | 28                      | 29  |
|     |     |                                         |                            |                          |                         |     |

## October 2025

**5th** - 2nd Annual Liberty Energy 5K + Kids 1K benefitting Bettering Human Lives - see pages 20 + 21 for more information

**14th** - Education Committee Meeting

**15th** - Board Meeting

**23rd** - October Breakfast - see pages 1 & 5 for more information

## November 2025

**5th** - DERL (Denver Earth Resources Library) Prospect Expo - see pages 27 + 28 for more information

**6th** - 52nd Annual Denver Land Institute - see pages 10-13 for more information

**6th** - 12th Annual Rockies Bash - see page 8 for more information

**7th** - RMPC (Rocky Mountain Pipeliners Club) Zoo Lights - see page 19 for more information

**7th** - Annual Awards Nominations Due - see page 18 for more information

**11th** - Education Committee Meeting

**12th** - Board Meeting

## December 2025

**9th** - Education Committee Meeting

**10th** - Board Meeting

**11th** - DAPL & DALTA Annual Awards and Holiday Social - more information to come

## Field Landman Question

### Texas Law on the Rights to Produced Water

A DAPL member has asked: What is the law in Texas on ownership of produced water?

On June 27, 2025, the Supreme Court of Texas issued its long-awaited ruling in *Cactus Water Services, LLC v. COG Operating, LLC* addressing the ownership in Texas of produced water under an oil and gas conveyance. In *Cactus Water*, the Court held that where an oil and gas conveyance contract is silent on the rights to produced water (water extracted along with oil and gas), the exclusive rights and obligations to the produced water belong to the mineral interest lessee — not the landowners.

The disposal of produced water is often one of the costliest aspects of drilling operations. The burden and expense of produced water disposal has typically always rested on the lessee. Recent technological advancements have created new uses for the produced water in other industries such as agriculture, manufacturing, or energy production. If treated, produced water can have many potential uses.

The underlying dispute arose when the landowners entered into produced water lease agreements (PWLAs) with Cactus Water Services LLC. The PWLAs purported to convey all rights to, the title to, and interest in the produced water on the oil and gas leases operated by COG Operating LLC. Following the execution of the PWLAs, Cactus Water attempted to enforce its rights over the produced water from COG's drilling operations on the landowners' property. Cactus Water and the landowners argued that the oil and gas lease only conveyed the lessee rights to explore for, produce, and keep "oil and gas" or "oil, gas, and other hydrocarbons" — not the produced water.

Under Texas law, ordinary water is not considered to be part of the mineral estate. Unless expressly severed, subsurface water remains part of the surface estate subject to the mineral estate's implied right to use the surface — including water — as reasonably necessary to produce and remove minerals. Thus, Cactus Water argued that the landowners maintained the full right to convey their interest in the produced water. While COG did not presently have an interest in obtaining value from the produced water, it still objected to Cactus Water's exercise of control over the produced water because Cactus Water was not equipped to manage and transport the produced water in a manner that would allow for uninterrupted exploration of the oil and gas lease.

The Court agreed with COG and found that produced water is not water that remains part of the surface estate. Rather, as has been understood for many years, produced water is oil and gas waste, which operators bear the burden, right, and duty of possessing, handling, and disposing. The Court emphasized that Texas law has long recognized that the hydrocarbon producer's possession and control over the disposition of liquid waste is necessarily incidental to, and therefore encompassed in, a conveyance of oil and gas rights. Thus, the conveying parties, which are presumed to contract in reference to the law, understood that the disposal of liquid waste meant the consumption of the capital value, if any, of constituent water.

#### Key Takeaways:

This decision is consequential as it provides clarity for the ever-changing business of produced water. Oil and gas waste, including produced water, belongs to the lessee unless specifically reserved. The decision provides clarity for midstream and water recycling arrangements in Texas going forward by putting to bed the debate over the nature of produced water. Such a clear legal framework will benefit economic endeavors. In light of new technological developments, we may continue to see more disputes over produced water ownership.

Jason Grill  
Member, Steptoe & Johnson PLLC  
Brice Phillips  
Associate, Steptoe & Johnson PLLC



## Field Landman Question cont'd.

*Do you have a land issue you would like discussed? Do you need supporting documentation to win a bet with a colleague? Is there a question you are too embarrassed to ask your boss? If so, the DAPL would like to hear from you! Please submit your question to [joe.martin@highwestresources.com](mailto:joe.martin@highwestresources.com). Each month, we will publish a question chosen from those submitted, along with a Steptoe & Johnson PLLC attorney's discussion of the issue. The foregoing article discusses general legal principles and laws applied to a generic fact situation, is not intended to constitute legal advice or create any attorney-client relationship, and no representation or warranty of accuracy or applicability regarding the same is made by the author or Steptoe & Johnson PLLC. The content of and views expressed in the foregoing article are those of the authors, and are not the views of the DAPL.*



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COLORADO UNIVERSITY**

ENERGY MANAGEMENT

*Learning, Elevated.*



AAUP Accredited Undergraduate University Program

## Nomination Form for Annual Awards 2025

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 [DAPL@DAPLDenver.org](mailto:DAPL@DAPLDenver.org) by **November 7, 2024**. Vote and let your input count!

[Click here to complete online Nomination 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 DAPL'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: \_\_\_\_\_

Mail nomination forms to the DAPL office 730 17th St., Suite B1 Denver, CO 80202 or email [dapl@dapldenver.org](mailto:dapl@dapldenver.org)

[Click here to complete online Nomination Form](#)





Load up your family and friends and head to the  
Denver Zoo for a spectacular evening with  
RMPC, GPARMC, RMMS,  
AADE, & DAPL!

Denver Zoo Friday, November 7th  
5:30 pm -9:30 pm

We have rented out the ENTIRE Denver Zoo! Bring your family and friends to join us and have a chance to experience the 33rd annual Zoo Lights! The evening will feature an exclusive opportunity to see the zoo lights before the general public. It's a family-friendly event where children of all ages are encouraged to come enjoy an amazing night.

Come enjoy the lights, carousel, train rides, and an evening amongst family and friends at a very unique event!

**[Click Here for more information and to register](#)**

DAPL members can register at the member rate!

# 2ND ANNUAL LIBERTY ENERGY 5K

+ KIDS  
1K



Liberty Energy invites you to lace up for our 2nd annual Liberty 5K, a fun-filled, family-friendly event supporting the [Bettering Human Lives Foundation](#).

**REGISTER NOW!**

Not in Denver? [Join Us Virtually!](#)

## WHAT TO EXPECT:



**FOOD  
TRUCKS**



**LIVE  
MUSIC**



**BEER  
GARDEN**



**KIDS  
FUN RUN**



**FACE  
PAINTING**



**KIDS  
ACTIVITIES**



Every dollar raised helps expand access to clean burning cooking fuels in Sub-Saharan Africa. Your registration is a direct donation to the [Bettering Human Lives Foundation](#), empowering African entrepreneurs to grow their clean-cooking businesses and transform lives.

## RACE DETAILS:

**Sunday, October 5th, 2025**

**10:00 AM (5K Start)**

**@ City Park, Denver**

**Cost: \$38.35**

**(includes race entry + all-day access to festivities)**

**There will be awards for the top 3 male and female finishers, plus the fastest and largest teams!**



## THANK YOU 41st ANNUAL CLAY SHOOT PARTICIPANTS, VOLUNTEERS AND SPONSORS!

Thank you to all that attended our 41st Annual Clay Shoot on August 22nd. Fun was had by all. The weather cooperated for the most part, a little windy at times, but it could have been worse.

The generosity of our attendees resulted in over \$4,600 being raised for the DAPL Scholarship Fund. THANK YOU! This past May we gave out \$17,000 in scholarships and are on track to be able to give just as much in 2026.

The score cards were tallied and we can confirm that the team of Jared Christianson, Justin Stone, Dayton Reese, Reed Dixon and Jared Barden had the highest score. They have earned bragging rights for the next year!

Philip Ouellette had the most clays hit by an individual at 91! Congratulation Philip.

Honorable mentions for Kyle Ries and Justin Stone for hitting 90 clays.

Thank you all again for attending and making this event so great.

As always we couldn't put on this great event without our generous sponsors!





THANK YOU 41ST ANNUAL CLAY SHOOT SPONSORS!



DAPL

2025 DOUBLE PLATINUM CORPORATE SPONSORS



DAPL



2025 PLATINUM CORPORATE SPONSORS



**August 13, 2025 DAPL Board of Director's Meeting**

Attendees in person: Anna Morgan, Dalton Raimondo, Tammy Zamarripa, Zoe Pangallo, James Culbertson  
 Attendees online: Jason Rayburn, Simon Tolbert, Matt Lackey, Teale Stone, James Hubert

James Culbertson called the meeting to order at 12:03.

Jason Makes a motion to approve the July meeting. Anna seconds.

Tabatha presents 1 candidate for approval. Jason makes a motion to approve and seconded by Tammy.

| August 2025 Board Meeting                         |                                       |        |           |         |      |             |              |                            |  |
|---------------------------------------------------|---------------------------------------|--------|-----------|---------|------|-------------|--------------|----------------------------|--|
| MEMBER NAME                                       | COMPANY                               | ACTIVE | ASSOCIATE | STUDENT | AAPL | SPONSOR     | OFFICE PHONE | E-MAIL                     |  |
| Elizabeth "Brynnie" McWhirter                     | Eagle River                           |        | X         |         | No   | Blake Nance | 806-215-3956 | bmcwhirter@eaglerivera.com |  |
|                                                   |                                       |        |           |         |      |             |              |                            |  |
|                                                   |                                       |        |           |         |      |             |              |                            |  |
| <b>Aug-25</b>                                     | <b>Jul-25</b>                         |        |           |         |      |             |              |                            |  |
| Total Number of Current Members - 663             | Total Number of Current Members - 658 |        |           |         |      |             |              |                            |  |
| Total Number of Non-Members - 901                 | Total Number of Non-Members - 901     |        |           |         |      |             |              |                            |  |
| Expired 5/31/25 - 191 (grace period expires 8/29) | Expired 5/31/25 - 229                 |        |           |         |      |             |              |                            |  |
| Expiring 5/31/26 - 247                            | Expiring 5/31/26 - 210                |        |           |         |      |             |              |                            |  |
| Expiring 5/31/27 - 82                             | Expiring 5/31/27 - 82                 |        |           |         |      |             |              |                            |  |
| Expiring 5/31/28 - 33                             | Expiring 5/31/28 - 28                 |        |           |         |      |             |              |                            |  |
| Honorary/Retired (never expire) - 110             | Honorary/Retired (never expire) - 109 |        |           |         |      |             |              |                            |  |
|                                                   |                                       |        |           |         |      |             |              |                            |  |
| <b>Aug-24</b>                                     |                                       |        |           |         |      |             |              |                            |  |
| Total Number of Current Members - 636             |                                       |        |           |         |      |             |              |                            |  |
| Total Number of Non-Members - 909                 |                                       |        |           |         |      |             |              |                            |  |
| Expired 5/31/24 - 151                             |                                       |        |           |         |      |             |              |                            |  |
| Expiring 5/31/25 - 264                            |                                       |        |           |         |      |             |              |                            |  |
| Expiring 5/31/26 - 64                             |                                       |        |           |         |      |             |              |                            |  |
| Expiring 5/31/27 - 54                             |                                       |        |           |         |      |             |              |                            |  |
| Honorary/Retired (never expire) - 103             |                                       |        |           |         |      |             |              |                            |  |

Continued on next page



## Tammy presents the Treasurer's Report

| Banking Accounts                                                      |  | August 2025 (as of 8/11) | July 2025               | 1-Month Diff.      | August 2024   | 1-Year Diff.  |
|-----------------------------------------------------------------------|--|--------------------------|-------------------------|--------------------|---------------|---------------|
| PNC Checking                                                          |  | \$ 187,283.16            | \$ 206,475.95           | \$ (19,192.79)     | \$ 154,550.75 | \$ 32,732.41  |
| Savings/Money Market                                                  |  | \$ 10,007.09             | \$ 10,007.01            | \$ 0.08            | \$ 10,006.09  | \$ 1.00       |
| RBC Long-Term                                                         |  | \$ 163,239.92            | \$ 162,192.83           | \$ 1,047.09        | \$ 143,076.50 | \$ 20,163.42  |
| RBC CDs                                                               |  | \$ 93,814.28             | \$ 93,326.91            | \$ 487.37          | \$ 90,230.39  | \$ 3,583.89   |
| Total Checking/Savings/Investments                                    |  | \$ 454,344.45            | \$ 472,002.70           | \$ (17,658.25)     | \$ 397,863.73 | \$ 56,480.72  |
| RBC Investment Account                                                |  | Prior Balance            | Gain/Loss               | Current Balance    |               |               |
| Long-Term Account                                                     |  | \$ 162,192.83            | \$ 1,047.09             | \$ 163,239.92      |               |               |
|                                                                       |  | Total Investment         | Current Balance         | Updated vs Current |               |               |
| Investment Balance                                                    |  | \$ 128,000.00            | \$ 163,239.92           | \$ 35,239.92       |               |               |
| Scholarship Accounts                                                  |  | August 2025 (as of 8/11) | July 2025               | 1-Month Diff.      | August 2024   | 1-Year Diff.  |
| PNC Bill Goodin                                                       |  | \$ 11,742.52             | \$ 6,282.46             | \$ 5,460.06        | \$ 12,055.50  | \$ (312.98)   |
| PNC Cappy Ricks                                                       |  | \$ 2,501.09              | \$ 2,501.09             | \$ -               | \$ 2,500.87   | \$ 0.22       |
| PNC DAPL Scholarship                                                  |  | \$ 22,605.79             | \$ 22,606.99            | \$ (1.20)          | \$ 12,911.99  | \$ 9,693.80   |
| PNC Raffle Acct                                                       |  | \$ 2,700.00              | \$ 2,700.00             | \$ -               | \$ 4,395.00   | \$ (1,695.00) |
| Total Savings                                                         |  | \$ 39,549.40             | \$ 34,090.54            | \$ 5,458.86        | \$ 31,863.36  | \$ 7,686.04   |
| Pending DAPL Scholarship Checks                                       |  | Amount                   |                         |                    |               |               |
| Raffle Account - #1011                                                |  | \$2,000.00               | Bill Goodin Scholarship |                    |               |               |
| Raffle Account - #1012                                                |  | \$700.00                 | Bill Goodin Scholarship |                    |               |               |
| #1013                                                                 |  | \$1,300.00               | Bill Goodin Scholarship |                    |               |               |
| #1014                                                                 |  | \$2,000.00               | Bill Goodin Scholarship |                    |               |               |
| #1015                                                                 |  | \$2,000.00               | Bill Goodin Scholarship |                    |               |               |
| #1016                                                                 |  | \$2,000.00               | Bill Goodin Scholarship |                    |               |               |
| #1017                                                                 |  | \$2,000.00               | Bill Goodin Scholarship |                    |               |               |
| #1018                                                                 |  | \$1,000.00               | Bill Goodin Scholarship |                    |               |               |
| #1019                                                                 |  | \$1,000.00               | Bill Goodin Scholarship |                    |               |               |
| #1020                                                                 |  | \$1,000.00               | Bill Goodin Scholarship |                    |               |               |
| #1021                                                                 |  | \$1,000.00               | Bill Goodin Scholarship |                    |               |               |
| #1022                                                                 |  | \$1,000.00               | Bill Goodin Scholarship |                    |               |               |
| Total Pending DAPL Scholarship Checks                                 |  | \$17,000.00              |                         |                    |               |               |
| DAPL Pending Checks                                                   |  | Amount                   |                         |                    |               |               |
| #1139 - Colorado Veteran's Project - Realy shirt sales                |  | \$250.00                 |                         |                    |               |               |
| #1146 - DAPL Scholarship Fund - Golf Fundraising (PayPal.Me payments) |  | \$770.00                 |                         |                    |               |               |
| #1147 - Laurie Wizeman - 11/6 DLI 2nd Deposit                         |  | \$14,000.00              |                         |                    |               |               |
| Total Pending DAPL Checks                                             |  | \$15,020.00              |                         |                    |               |               |

## President's Report

- Western Colorado University Golf tournament is having their annual Energy Management Golf Tournament. James makes a motion that we sponsor a team for the tournament for \$900. Anna seconds.
- July 24 Finance Committee met to discuss the '25-'26 investment policy for the DAPL. Recommendation is to move \$40k to the long-term investment account. James made. Tammy seconds.
- Rockies Bash: looking for a new venue, new name for the event and reducing the cost. Feedback is that people like the current Bash structure especially the sponsors. Last year (2024) we lost \$11k; \$28k in cost and \$17k in sponsorships. In '23 the Bash cost \$40k. Wynkoop min is \$20k, but agreed to \$15k last year. Another option is \$20k for Lob Denver. James recommends we stick with Wynkoop and drop the shoe-shine, cigars, pool pro. These are \$6500 total.

## Education

- DLI is almost all planned. We have 2 more spots that need to be filled, looking Finley Resources and still looking for an Ethics topic/presenter. All other presenters are lined out. Down on sponsorships about \$2,250
- 2025/2026 Luncheons: September secured. October being planned and December secured.

## Clay shoot

- We're still looking for more sponsors. Percheron and Drake bringing food. Horizon does the beer and refreshments at the end.
- Door prizes and gun prizes secured
- We are sitting at 31 teams and a few singles. Right now we have 146 registered max of 215. Typically 165-180 registrants.

## Golf Tournament

- Successful event with great feedback from attendees. There were hold ups on the River course related to a rate of play issue but can be resolved by moving some groups around. Other feedback was how long it took to announce the winners but this just takes time. Successful event with more golfers than we've had in years past, with even a wait list.

## Ski Day

- Need to nail down a date. We want to make it sooner than last year which was March 6. We won't need to tie it to the Spring Land Seminar. Want to avoid being too close to NAPE as well. James will check Texas spring break for possible conflicts.
- 

## Community Service

- Discussed the Greenway foundation and doing an event with them. We could do a join community cleanup with other organizations that have small turnouts. Getting together on the 27<sup>th</sup> to clean up around Globeville. We can do a private event with a \$500 donation that Greenway foundation will put together for us. These would be 15-30 people with these events being on Wednesdays and Thursdays.
- 2026 Denver Colfax Marathan event details have gone out. Simon has contacted the Bettering Human Lives Foundation. They will help get t-shirts out for us. We'll need 25 runners to secure a tent. Charity partners are limited to 75 for the event so we need to get folks together and committed now. Well get this in the September newsletter
- Bettering Human Lives would like us to promote their Liberty Energy 5k October 5. Adults \$35, Seniors \$30 and kids fun run that starts at 945a at City Park with post-event celebration with a band and kegs.

James Culbertson adjourned the meeting at 12:40



## DERL Rocky Mountain Prospect Expo

The Rocky Mountain Prospect Expo is the Denver Earth Resources Library's flagship event, bringing together operators, deal makers, mineral owners, and industry leaders to share insights, explore opportunities, and build connections. This year's program will feature a lunch session on current market dynamics, focused talks on deal flow, development trends, and mineral ownership, and plenty of time to network- including a joint happy hour held with the Denver Association of Professional Landmen.

# STATE OF THE MARKET 12<sup>PM</sup>



Moderated by Trisha Curtis  
Included in RMPX registration



**JOE DEDOMINIC**  
Anschutz  
Exploration



**NATHAN ANDERSON**  
North Dakota  
DMR



**TAD TRUE**  
Bridger Pipeline  
True Companies

RMPX opens at noon with a powerhouse panel led by Trisha Curtis, joined by Tad True, Nathan Anderson, and Joe DeDominic. They'll dive into market dynamics, geopolitics, and key Rockies plays—Uinta, Powder River, and Bakken.

A box lunch will follow the discussion.

### EXHIBITOR REGISTRATION

A limited number of exhibitor tables are available for \$350. This is a great chance to showcase your prospects, minerals, producing properties, services, or technologies. Connect with your clients focused on the Rockies. Express interest in a [table here](#).



# ROCKIES ROUNDUP

Afternoon Series of Expert Insights from 2-4



**CODY  
TRUITT**  
Fundare  
Resources



**MATT  
SANDS**  
The Mineral  
Rights Podcast  
NARO



**MICHAEL  
STOLZE**  
Eagle River  
Holdings LLC

New this year, RMPX will feature a series of short afternoon talks (15–30 minutes each) from three Rockies experts. These sessions will highlight trends in development, deal flow, and key issues for mineral owners, with time for audience Q&A and browsing the exhibits.

LIBRARY UPDATE & MAP AUCTION

followed by

## JOINT HAPPY HOUR



**SHANOR &  
FRANKLIN**

Celebrate the Library's 40th anniversary with a brief update from Amanda Kohn, a special map auction, and a lively happy hour with the Denver Association of Professional Landmen—generously sponsored by Discovery Land Services and Shanor & Franklin.

**[More information and Registration \(click here\)](#)**



# The Foundation

## FOR NATURAL RESOURCES AND ENERGY LAW

- **Oil & Gas Commercial Contracts: Goods, Services, and People.** This two-day course will cover in detail the oilfield contract, risk allocation, and insurance issues that matter most to oil and gas legal and supply chain professionals. We have assembled an impressive faculty of industry experts who will also provide detailed materials. This fantastic course for anyone working on commercial contracts will be held in Houston on October 9-10. For the schedule and more information, click here: <https://www.fnrel.org/programs/oga25/overview#tab>, and for **\$170 off the registration rate, use coupon code: INDOGA.**
- **Federal Oil & Gas Leasing, Development, and Operations.** This is the only comprehensive training course on the laws and regulations that govern oil and gas leasing, development, and operations on federal public lands. It is essential for those who are new to federal lands issues or who work on federal lands but have never taken the course. The three-day course includes almost 20 hours of CLE or AAPL credit and substantial course materials available exclusively for course registrants. It will be held in Colorado on October 20-22. For the schedule and more information, click here: <https://www.fnrel.org/programs/scf25/overview>, and for **\$245 off the registration rate, use coupon code: INDSCF.**
- **42nd Oil & Gas Law Short Course.** This is the essential training course on general U.S. oil and gas law and covers leases, royalties, conveyancing, joint tenancy, split estates, JOAs, participation agreements, pooling and unitization, and more. It is unique because the faculty includes most of the active oil and gas law professors in the nation. This three-day course includes 20 hours of CLE or AAPL credit and substantial course materials. It also includes an additional 10 hours of on-demand training on more specialized topics like natural gas and petroleum marketing, environmental regulation, local regulation, and CCUS. It will be held in Colorado on October 20-22. For the schedule and more information, click here: <https://www.fnrel.org/programs/scb25/overview>, and for **\$245 off the registration rate, use coupon code: INDSCB.**



**THE GREENWAY  
FOUNDATION**



**DAPL**  
DENVER ASSOCIATION OF PROFESSIONAL LANDMEN

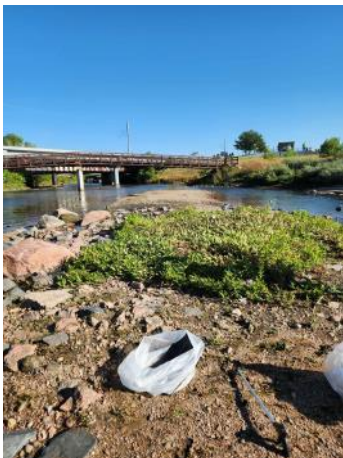
## South Platte Stewardship Day Saturday September 27th

Thank you for bringing a great group out to volunteer along the South Platte River! We loved having you all out with us - the energy, teamwork, and commitment to a cleaner, healthier river made a real, tangible difference.

Here's what you accomplished:

- 147 volunteer hours
- 1192 gallons / 958 pounds of trash removed

That's incredible! We hope you're as proud of that impact as we are.





**2025/26 DAPL OFFICERS, DIRECTORS AND STANDING COMMITTEE CHAIRS****President -**

*James Culbertson*  
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**First Vice President**

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**Rockies Bash****Chair(s) Needed****Golf**

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The Rocky Mountain

L • A • N • D • M • A • N

Denver, CO 80202