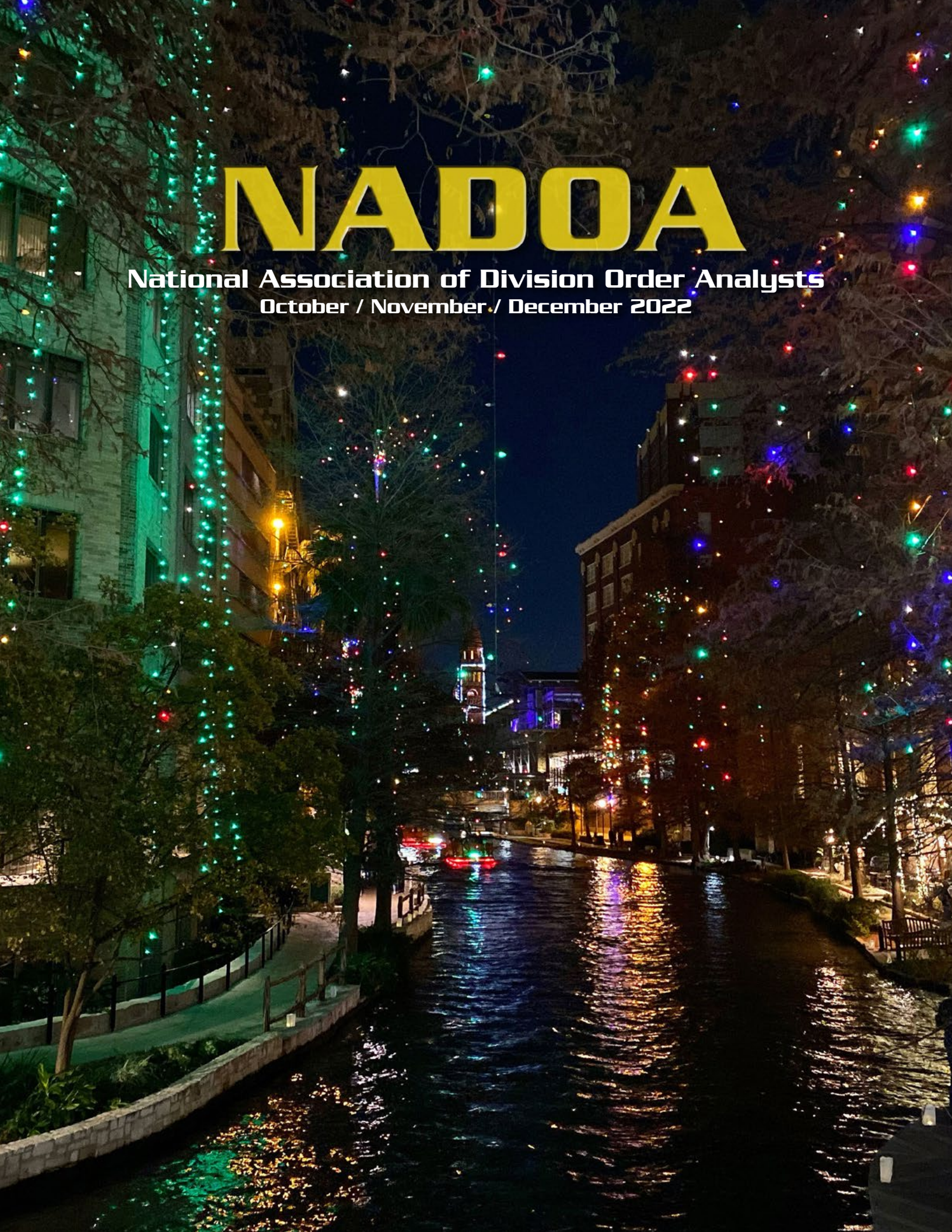


A night photograph of a city canal, likely in Philadelphia, with colorful Christmas lights strung along the trees and buildings. The lights are reflected in the water. A small boat is visible on the canal. The text "NADOA" is overlaid in large, bold, yellow letters.

NADOA

National Association of Division Order Analysts
October / November / December 2022

PERSONAL ATTENTION • ETHICAL STANDARDS • PROFESSIONAL SERVICE

LEGACY ROYALTIES

A large, dark silhouette of an oil pumpjack (jack-o'-lantern) is positioned on the right side of the page. It is set against a background that transitions from a deep blue at the top to a warm orange and red at the bottom, suggesting a sunset or sunrise. The pumpjack's structure is intricate, with a long walking beam and a counterweight. The overall image has a professional and industrial feel.

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NADOA

GROWTH THROUGH EDUCATION

National Association of Division Order Analysts

Volume MMXXII • No 4

www.NADOA.org

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Norma Dooley

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On the Cover:

Holiday lights on the River,

Photo courtesy of the City of San Antonio

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Thank you for the honor of serving as NADOA's 2022 president. I would like to thank all of our sponsors, advertisers, vendors, and companies that sent their employees to Institute this year. Without all of you we could not have a successful Institute. Also, a huge thank you to the board and Institute Committees who worked so hard for the membership this year to put on such a successful Institute in San Antonio.

We had a great educational Institute and hope you took the opportunity to learn and grow your network. I would like to reiterate that in this ever-changing industry, it is vitally important to stay up to date through continuing education. Your membership in NADOA provides you with free webinars, a quarterly newsmagazine with informative articles on changing legislation and industry news, and CDOA certification to show you are a qualified professional in the industry.

Again, thank you all so much for such a successful year and we hope to see everyone again in beautiful Kentucky for our 50th anniversary Institute. Mark your calendars for September 6 thru 8, 2023! I know your president, Norma Dooley, and her Institute Committee are already working hard to make 2023 an awesome year for NADOA.



Election of 2023 Board

By Lewis Box, CDOA

The Bylaw changes to Article IX were approved by the membership. This change altered the term of the Treasurer to 2 years (24 months).

The election results for the 2023 NADOA Board were verified by the Teller's Committee. We couldn't have done this task without Chris Tucker; anytime you get the chance please tell him thank you for all the time he puts in for NADOA!

The Teller Committee volunteers this year were Lewis Box, Chairman, Lisa Buffaloe, Betty Davison, Melanie Finnegan, & Cheryl Hampton. With a total of 212 votes cast; next year's NADOA Board as chosen by popular vote of the NADOA Membership:

President	Norma Dooley (Automatic advancement from 1st VP)
1st Vice President	Vicki Danielson, CDOA (Automatic advancement from 2nd VP)
2nd Vice President	Kimberly Bowman
Treasurer	Valerie Wible, CDOA (2 year term)
Recording Secretary	Sonya Turner, CDOA
Corresponding Secretary	Kelly Sandoval
Board Advisor	Michele Lawton (Automatic advancement from President)
Local Association Directors	Chosen by the local associations



2022 NADOA Membership Recognition

CORPORATE AWARD



Georgeson, LLC

This corporation has been a strong supporter of NADOA for several years.

They have sponsored a vendor booth at Institute for many years and allow their employees to join us and educate Institute attendees on updates associated with unclaimed property. It is our great pleasure to present the 2022 Corporate Award to Georgeson, LLC

RUSSELL SCHETROMA MEMORIAL SPEAKER'S AWARD



Pam Wentz, Georgeson, LLC

This speaker has taken the time to educate us at both the National and Local level anytime she is requested. She is happy to speak with NADOA members to further understanding of the Escheat Process, which has saved our companies many dollars in fines and penalties. It is with great pleasure we present the 2022 Russell Schetroma Memorial Speaker's Award to Pam Wentz with Georgeson, LLC.

ELLIS RUDY MEMORIAL LIFETIME ACHIEVEMENT AWARD



Vicki Danielson, CDOA

This member's division order career expands more than 30 years in the industry.

She is active in her local organization, has served many years on different NADOA Institute Committees, and currently serves on the NADOA Board. Over the course of her career she has been a Division Order Analyst, Supervisor, Manager and mentor to many young analysts. It is our honor to present the 2022 Ellis Rudy Memorial Lifetime Achievement Award to Vicki Danielson.

EDUCATION AWARD

Yoli Bazan, CDOA, Coterra Energy

This NADOA member has been involved with educating the membership for several years. She is very enthusiastic about the CDOA program, teaches classes for those wanting to earn their CDOA credentials and goes out of her way to help. She has been part of the webinar committee for the past several years, making sure everything is in running order, finds topics of interest, locates qualified speakers and promotes them on LinkedIn. With great pleasure we present the 2022 Education Award to Yoli Bazan.

Regional Reporters

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2023 NADOA Article Deadlines

February 10	First Quarter
April 21	Second Quarter
June 16	Special Institute Edition
September 22	Third Quarter
November 10	Fourth Quarter

NADOA online Job Bank has new postings.

Visit <http://www.nadoa.wildapricot.org/page-662233>

Remember to keep your NADOA directory information updated. Due to all the changes taking place in our industry and the world, it is more important than ever to maintain professional contacts and receive the educational benefits of membership in NADOA.

If you have a suggestion for someone to act as a Regional Reporter to help NADOA keep abreast of current legislation and legal issues for your region, please submit the name or the name of the firm.

2022 News Magazine Team



Rona Erickson
CDOA, Editor



Kim Bowman
Associate Editor,
Photography



Susan Bradley
CDOA
Associate Editor



Michelle Davila
Associate Editor



Cheryl Hampton
Associate Editor

CANDIDATES FOR CERTIFICATION

Publication of the following "Certified Division Order Analyst" applicant(s) fulfills the requirement as stated in the Voluntary Certification Policy, III C.2 which states: "...applicant's name will be published in the NADOA Newsletter or other official publication of NADOA." This allows the NADOA membership an opportunity to present objections to the certification of the applicant. Any objection to the certification of the applicant must be in writing and signed by a NADOA member or non-member who qualifies his knowledge and objection of the applicant. All such letters will be considered confidential and must be received by the NADOA Certification Committee at the following address within thirty (30) days following the last day of the month in which the Newsletter or other official publication of NADOA was published:

NADOA Certification Committee
P O Box 1656
Palm Harbor, FL 34682

If the objection warrants denial of the certification or temporary withholding of certification, the applicant will be notified by Certified Mail.

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Somchay Fairbanks – Fort Worth, TX

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ELLIS RUDY MEMORIAL SCHOLARSHIP

Thank you for providing registration for 8 NADOA members and two night Hotel stay for 2 NADOA members. This Scholarship provides assistance to NADOA members who plan on attending Institute and are looking for some assistance to cover their costs. If you plan on attending the conference in 2023, please make sure you are an active NADOA member and look for the scholarship forms in the first quarter of 2023.



SAVE THE DATE
50th ANNIVERSARY of NATIONAL
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September 6 - 8, 2023

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NADOA Welcomes The Following New Members:

Amber Hudson
Amber Hudson

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Carolyn Anguiano
Michelle Lafferty

Coterra Energy
Sheryl Kohl

Crescent Energy
Megan Bevans

Delta Oil and Gas
Cayce Malcuit

Diamondback Energy
Ashley Hyde

EnLink Midstream
Jessica Bly

EOG Resources Inc
Monita Cebell
Tammy Hatfield
Jocelyn Lyrock
Kristyn Weaver

Hanna Oil and Gas
Tammy Freeze

Independent
Zinajda Kadic

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Jacquelyn Melebeck

Ovintiv
Jacquelyn Niklas

PennEnergy Resources LLC
Karen Graham
Wendy Standardi
Carson Tate

Peyton Royalties, LP
Jordan Cockrell

PO&G Resources LP
Alison De Less

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Michelle Sena

Repsol Oil & Gas USA LLC
Michelle Teppo

Sitio Royalties
Kaitlin Lyon

Southwestern Energy
Bryan Whiting

Steptoe & Johnson PLLC
Paula Rauchfuss

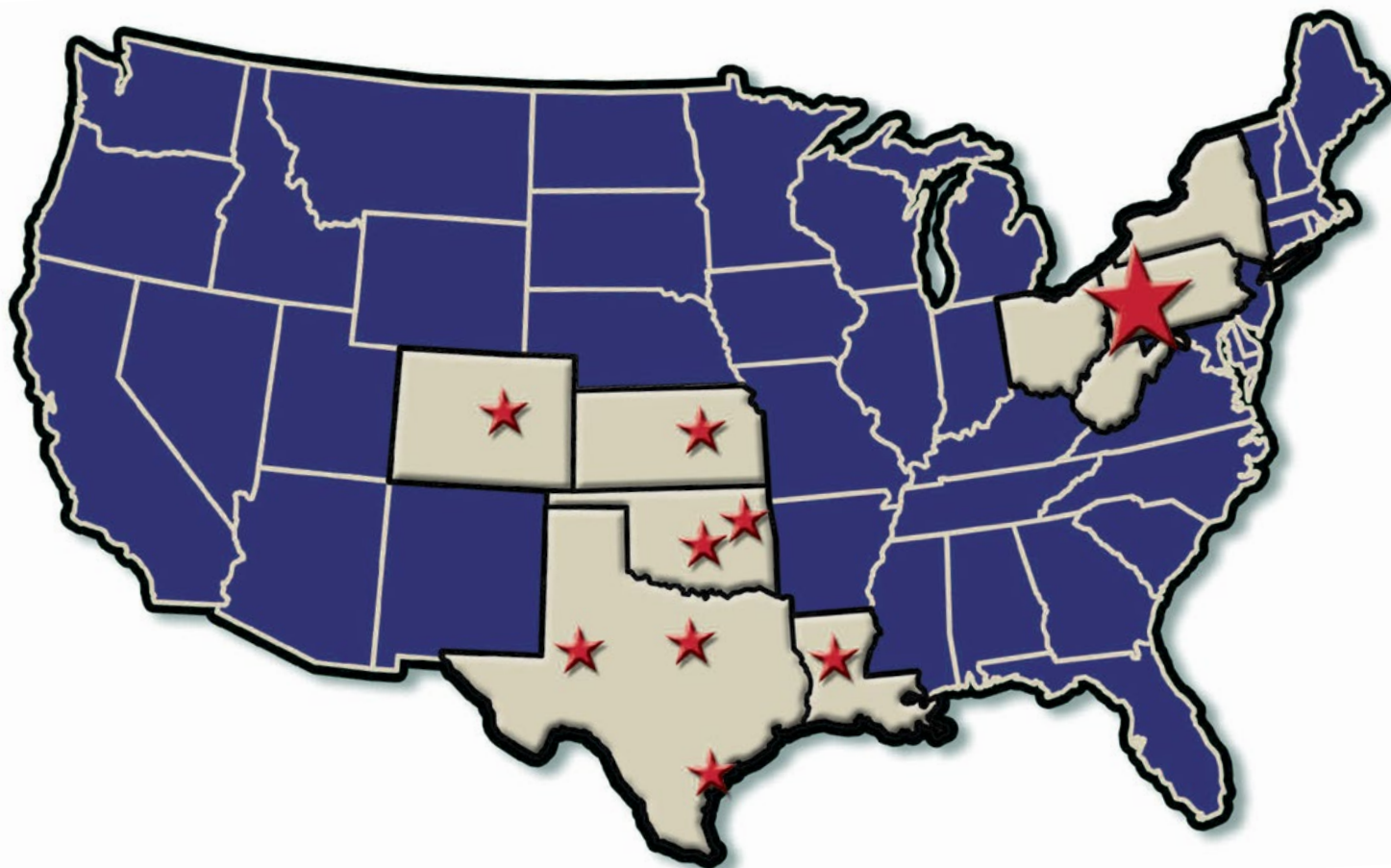
Venable Royalty
Adrianna Stephenson

Walter Oil & Gas
Corporation
Lisa Martinez

Whitley Penn
Avery Robbins

XTO Energy
Mitchell Davis
Charloma Fotu
Kenny Garon

WELCOME



APPALACHIAN BASIN ASSOCIATION OF DIVISION

ORDER ANALYSTS (ABADOA)

Association Based in the Pittsburgh,
Pennsylvania Area
Serving NY, OH, PA, WV (Inactive)



Lola Strickland, Local Association Reporter

CAPITAL ASSOCIATION OF PROFESSIONAL DIVISION ORDER ANALYSTS (CAPDOA)

Association based in the Oklahoma City, OK Area



ARKLATEX ASSOCIATION OF DIVISION ORDER ANALYSTS (ALTD OA)

Association based in the Shreveport, LA Area (Inactive)

Hello from Oklahoma City and CAPDOA! We are looking forward to our holiday celebration! CAPDOA tries to

make our last business meeting for the year very festive. We will be donating needed goods to a charity here in Oklahoma called The Children's Center Rehabilitation Hospital. They are an amazing organization that helps with the rehabilitation of children who are extremely ill or handicapped. Sometimes that is in the form of getting them well again so they can resume their lives as before. For the handicapped they have rooms set up like a school cafeteria, post office and even a mock house where they teach the children how to maneuver in those situations of normal life. We will also have an ugly sweater contest to liven up the business meeting.

CAPDOA had four normal business meetings with speakers and a full day Seminar in the summer. We voted on our 2023 board, so we will be meeting to transition those positions with new members. We look forward to seeing everyone at our final business meeting of the year. You do not want to miss it!

For more information regarding CAPDOA, please visit our website at www.capdoa.org.

Submitted by Eli Murray, President

DALWORTH ASSOCIATION OF DIVISION ORDER ANALYSTS (DALWORTH)

Association serving the Dallas/Fort Worth, TX Area



2022 DALWORTH Officers and Directors

- President – Eli Murray**
- 1st Vice President – Connie Wilcoxson**
- 2nd Vice President – Liz Karlen**
- Recording Secretary – Lindsay Grose**
- Director (Compliance) – Megan McKee**
- Director (House) – Christy Ewert**
- Director (Hospitality) – Somchay Fairbanks**
- Director (Hospitality) – Isabel Zhang**
- Director (Historian) – Brenda Pirozzolo**
- Director (Scholarship) – Lewis Box**
- Board Advisor – Kim Bowman**
- NADOA Liaison – Megan McKee**

Technology is a wonderful but challenging thing. As artificial intelligence has improved in identifying lease provisions and because its use has grown in our market, DALWORTH has seen a significant overlap in membership with DFW-ALTA, which is the local organization affiliated with NALTA. In an effort to manage the evolution of our industry, we are actively engaged in merging the organizations. Many of the positions in our market are changing and a number of companies are using a “Jack of all trades” to handle all of the needs for Land Administration. These Land Analysts are able to facilitate the lease obligations while also understanding and maintaining the division order side of the company. We look forward to becoming one local association to reduce the redundancies in managing the organizations and will also be fulfilling the educational needs for these hybrid professionals. DALWORTH is excited about this next chapter.

For information regarding DALWORTH, please visit our website at <https://dalworth.wildapricot.org/>

Kaitlin LaFlamme, Local Association Reporter

DENVER ASSOCIATION OF DIVISION ORDER ANALYSTS (DADOA)

Association based in the Denver, CO Area



DADOA was pleased to partner with DALTA to host a full-day in-person fall seminar in October. Participants heard excellent presentations on Division Order interest calculations, Conflicts between Royalty Payment Acts, Compulsory Pooling and Royalty owner strategies on how to prevent ethical issues related to owners and fraud, capital funds consolidation, and getting owners into pay who are going through the probate process. A huge thank you to our speakers, Taylor Hindes, Bresee Carlson, Paula Rauchfuss, Erica Honeycutt and Daniel Franklin, as well as our seminar sponsors, Total Document Solutions Inc, White River Royalties LLC, Crowheart Energy, Sitio Royalties and Steptoe & Johnson Land Administration Services LLP.

DADOA will host their January Luncheon on January 25, 2023, at the 17th Street Plaza Building, 1225 17th Street.

We will welcome a representative from our 2022 Charity, Oilfield Helping Hands, Denver Chapter. An industry speaker will be present with a topic to be determined. Check the DADOA website for updates. We look forward to meeting together in the new year for education and supporting the community where we live and work.

Should you have a topic idea for a future luncheon or if you would like to be a speaker at one of our luncheons, please reach out to us. We are planning for 2023. Please let us know if you are interested in serving on a committee.

Celebrating our 43rd Anniversary in 2023.

For more information regarding DADOA, please visit our website at www.dadoa.org.

Submitted by Heather Lister

HOUSTON ASSOCIATION OF DIVISION ORDER ANALYSTS (HADOA)

Association based in the Houston, TX Area



Happy Holidays from Houston! We cannot believe the Holiday season is upon us already! As mentioned in our last article, Board Directors are gearing up for our annual Charity Luncheon. Register to join us on December 9th at the Petroleum Club in Houston Downtown. We will hold a charity raffle where attendees will have a chance to win prizes. You may win items donated by our Board, local Houston companies, and companies throughout the industry. All proceeds from the raffle go directly to the annual charity. This year, our President, Armando Lopez selected Camp Hope, a charity focused on helping military veterans who struggle with PTSD. This organization holds a special place in our heart, and they are excited about working with HADOA. If you are interested in donating, please email Michelle Davila at Michelle_davila@pogresources.com

Over the past year, HADOA had the pleasure of collaborating with awesome vendors and sponsors to host wonderful events. We had eight monthly educational luncheons, one full day seminar, community outreach networking events, and we will end 2022 with a wonderful Holiday Luncheon. We are happy to announce

that Yoli Bazan, 2016 HADOA president, will be honored with the 2022 NADOA Education award.

Board of Director nominations for the 2023 year are quickly approaching. If you or someone you know is interested in volunteering with HADOA, please email Past President, Heather Lister at HLister@rife.com. Joining the Board of Directors for a local chapter is a great start in understanding the work and effort needed to host our awesome events. It is also a way to reach personal and professional goals.

Mark your calendars for the 2023 Wednesday luncheons at the Houston Petroleum Club: February 15, March 8 and May 10. Be sure to follow us on social media (LinkedIn, Instagram, Facebook) for all the latest and greatest that the Board of Directors is hosting! As always, if you have any suggestions for topics, speakers, or co-sponsored events, email us at admin@hadoa.org.

For additional information regarding HADOA please view our website: www.HADOA.org.

MID-AMERICA ASSOCIATION OF DIVISION ORDER ANALYSTS (MAADOA)

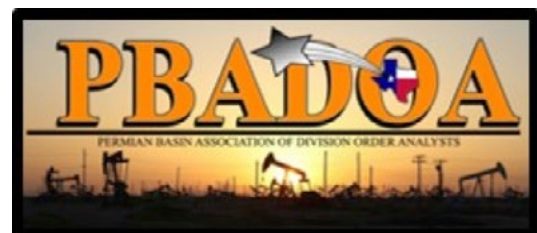
Association based in the Wichita, KS Area (Inactive)



Jennifer Beyer, CDOA, Local Association Reporter

PERMIAN BASIN ASSOCIATION OF DIVISION ORDER ANALYSTS (PBADOA)

Association based in the Midland, TX Area



Happy Fall from PBADOA! After taking a break in the Summer, PBADOA was excited to meet in September to hear

from Ashley St. Pierre, a Senior Landman at Vencer Energy. She presented on “Allocation Wells: a Landman Perspective”. She discussed what an allocation well is, why they are good, and why they are bad. Ashley also discussed the different processes for a Landman to prepare for the drilling of a well. We are thankful she took the time to present to us. On November 16, we will hear from William Clark on the topic of “Piranha Partners and Posse Energy: Ambiguous Exhibits and Nature of Interest vs. Extent of Interest Catch-All Clauses”. On December 14, we will have our Christmas social. This is a fun time to play games, network, and raise money for a local charity.

PBADOA was grateful to be able to award two of our members scholarships to the NADOA Institute in October. Here is what they said about their experience.

“Thanks to PBADOA for sponsoring me this year with a scholarship to NADOA. I had an amazing time in San Antonio! The people, the food, the speakers, the golf, and the venue were awesome! I had a blast! I am looking forward to Louisville next year!” - *Shirley Smith*

“Thank you so much PBADOA for sponsoring me this year with a scholarship to attend the NADOA Institute in San Antonio. Networking at its finest with wonderful people at a great location! Speakers did an amazing job! I had a great time, and I am looking forward to Louisville next year!” - *Katherine Flores*

For more information regarding PBADOA, please visit our website at www.pbadoa.org.

Submitted by Jamie Donohue
SOONER ASSOCIATION OF DIVISION ORDER ANALYSTS (SADOA)
 Association based in the Tulsa, OK Area



- President:****Jamie Donohue**
- 1st Vice President:**..... **Dixie Folzenlogen**
- 2nd Vice President:****Crystal Chapin**
- Secretary:**..... **Debbie Wortham, CDOA**
- Treasurer:** **Joe Votruba**
- Director:** **Holly Brandt**
- Director:****Rachel Dawson**
- Advisor:**.....**Cyndi Bryant-Price**
- Advisor:**.....**Carrie Hughes, CDOA**
- NADOA Liaison:**.....**Sonya Turner, CDOA**

Check it out! SADOA has unveiled a new logo. A shout out goes to the entire board for the many hours of collaboration that went into its making, and to Sonya Turner’s son, Dusty, for his creative genius and patience to turn the board’s ideas into a reality. SADOA’s new logo consists of a droplet, pump jack, and a drill bit. The droplet is broken into two parts. The top of the droplet is a blue natural gas flame, and the bottom is black oil. The SADOA letters appear at the bottom within the drill bit.

SADOA’s 2nd Vice President, Crystal Chapin organized a very successful Fall Seminar on October 18 at the Tulsa Country Club. We had 54 attendees and 6 very good speakers and topics: Jason Tackett (Understanding the Energy Transitions), Chace Daley (Oil and Gas M&A Transactions), Donna King (The New Normal - Modern Land Management), Kraettli Epperson (Production Revenue Standards Act (PRSA) – Proposed Revisions under SB1524), Buford Pollett, JD (Rights & Obligations in Realty), and Tom Seng (The Pros & Cons of the Energy Transitions).

For more information regarding SADOA, please visit our website at www.oksadoa.org.

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ABANDONED & UNCLAIMED

North Dakota Voluntary Self-Disclosure Program

Gary Joseph, DAS Partner

Cory Roberts, DAS Audit Manager

North Dakota: Voluntary Self-Disclosure Program

The North Dakota Department of Trust Lands – Unclaimed Property Division (“State”) has increased its efforts to encourage holder compliance with the North Dakota Revised Uniform Unclaimed Property Act (“RUUPA”) through its Voluntary Self-Disclosure program, otherwise referred to as Voluntary Disclosure Agreement (“VDA”) or Self-Audit. Holders with operations in North Dakota should be on the lookout for VDA invitations from the State notifying them of selection. The State requests a response to the invitation within 60-days, indicating failure to do so may subject holders to a formal examination by one of the State’s third-party auditors.

Statutorily, the North Dakota Unclaimed Property Administrator (“Administrator”) evaluates holder compliance with its unclaimed property law for the past 10 reporting periods. The VDA period is no different, however there are several benefits to cooperating with the VDA that are not afforded holders in an involuntary audit:

1. The State provides a two-year window for completion of the VDA.
2. The holder is allowed to perform a self-review of its own records, rather than a formal examination driven by a third-party firm’s information and

documentation requests.

3. The holder may avoid the imposition of interest and/or penalties of which the Administrator is statutorily authorized to assess for unreported obligations and noncompliance.

As you may be aware, the lookback period is heavily dependent on the dormancy periods for property types of exposure. The State provides a three-year dormancy period for most property types. Therefore, a holder may need to review 13 years of records or transaction history in its compliance endeavor.

As aforementioned, the State provides a two-year window for completion of the VDA. The steps for completion follow:

- Phase 1: Define Audit Scope (2 months)
- Phase 2: Quantification of Past Due Unclaimed Property (18 months)
- Phase 3: Review and Validation of Results (3 months)
- Phase 4: Closing Process and Documentation (1 month)

Holders in the oil and gas industry, particularly

with upstream or other operations in the Williston Basin and Bakken shale plays, should strongly consider participation in the program due to the unclaimed property exposure inherent in normal business operations, acquisitions and/or exploration. Participation in the program may save the company unforeseen costs and expenses that accompany involuntary audit(s).



To conclude, holders are strongly encouraged to take advantage of any opportunity available to get into compliance for any past-due property, including acceptance of North Dakota's invitation

to enter into the VDA Program. The risks of interest and/or penalties and involuntary audit selection, to include multi-state audit by a third-party firm, may be avoided if the holder participates in the program.

Authors

Gary Joseph is a Partner at Discovery Audit Services, LLC ("DAS"). He has more than a decade of unclaimed property experience both as a Senior Consulting Manager assisting holders in attaining and maintain compliance with state unclaimed property laws, as well as assisting in the administration and enforcement of compliance through third-party audit.

Cory Roberts is the Audit Manager at DAS. He has nearly two decades of experience assisting states in the administration and enforcement of state unclaimed property laws. As the Audit Manager, he oversees all DAS examinations assigned by the States, and ensures they are executed in a fair, impartial, efficient, and timely manner.



Texans with unclaimed money could get checks in the mail without having to file a claim

The Texas Comptroller's office paid out more than \$300 million in fiscal year 2022, representing more than 160,000 claims paid to their rightful owners according to Comptroller Glenn Hegar.

Texans who have unclaimed money could get checks in the mail without having to file a claim. The Texas Comptroller's office announced that the process for sending checks was authorized by [Texas House Bill 1514](#) in 2021.

Checks for unclaimed cash will be limited to unclaimed properties under \$5,000 that the agency reasonably believes it can link to the correct owner. If you think you might have unclaimed property you can still search on [ClaimItTexas.org](https://claimittexas.org) or call 800-321-2274 (CASH). There is no statute of limitations for unclaimed property the state holds, which means there's no time limit for owners to file a claim. "I encourage everyone to visit [ClaimItTexas.org](https://claimittexas.org) to see if the state is holding some of their unclaimed property," Hegar said.



Dormant Mineral Act—“Ignorance of a Mineral Owner’s Last Known Location is No Excuse”

In *Fonzi v. Brown*, the Supreme Court of Ohio consolidated and examined two cases to determine whether the surface owners of two adjoining parcels of land satisfied the requirements of Ohio’s Dormant Mineral Act (“DMA”) in seeking to have certain mineral interests deemed abandoned.[1] Specifically, the Court analyzed whether the surface owners exercised “reasonable diligence” in attempting to identify all owners of the allegedly abandoned minerals.

For the reasons discussed below, the Court held that the surface owners in both cases did not exercise reasonable diligence in attempting to identify the mineral interest owners. In both cases, the surface owners had knowledge that the mineral interest holders did not reside within the county where the land was located. Nevertheless, the surface owners failed to search any public records beyond the county where the mineral interests were located. Additionally, the Court held that the DMA provides for only one method of abandonment and that in subsequent actions, the surface owner has the burden of proving whether they exercised reasonable diligence in complying with the DMA’s notification requirements.[2]

In both cases, Elizabeth Fonzi acquired the subject parcels located in Monroe County, Ohio, in 1952. Later, she transferred the surface rights to the predecessors-in-interests of the current surface owners (the Millers as to one parcel and the Browns as to the other) and reserved the oil and gas rights in both parcels. Importantly, the deed transferring the surface estate from Elizabeth to the Miller’s predecessors-in-interest expressly stated that Fonzi resided in Finleyville, Washington County, Pennsylvania.[3] Similarly, the deed transferring the property into Fonzi as to the Brown parcel noted that Fonzi resided in Finleyville, Washington County, Pennsylvania.[4] In other words, both recorded chains of title contained recitals that Elizabeth Fonzi did not reside where the parcels at issue were located.

In Ohio, the DMA provides a mechanism for reuniting abandoned, severed mineral interests with the surface estate. The mechanism is called abandonment and is not available until 20 years pass without the occurrence of a saving event.[5] Even after 20 years have passed, the DMA requires that the surface owner serve personal notice by certified mail to the mineral owner(s). If service by mail cannot be completed, then notice by publication is allowed. The notice procedure to the DMA was added in 2006 by amendment, and its purpose is to give the mineral owner an opportunity to respond and preserve their mineral interest.[6]

In both cases, the surface owners sought to have the Fonzi mineral interests deemed abandoned. The surface owners then hired an attorney who failed to uncover any information about Elizabeth Fonzi or locate any potential heirs after searching the Monroe County, Ohio public records and conducting limited internet Monroe County. As a result, no personal notice was served upon any of the Fonzi heirs or assigns. Subsequently, the surface owners published notices of intent to declare the Fonzi mineral interests abandoned in the Monroe County newspaper.[7]

In analyzing these cases, the Court first confirmed that the DMA provides for only one method of abandonment and that the 2006 amendment merely made the one method more robust. Thus, the Court rejected the surface owners’ contention that the 2006 amendment created two different methods for abandonment.[8]

Next, the Court emphasized the surface owners’ failure to make any attempt to search the records of Washington County, Pennsylvania, despite being aware that it was the last known location of the mineral interest owner, as noted in the chain of title. The Court reasoned that unlike the surface owner in *Gerrity v. Chervenak*,[9] the surface owners here failed to exercise reasonable diligence because they disregarded last known information about the residence of the mineral owner.[10]

In a prospective announcement, the Court also concluded that because the DMA states that the surface owner “shall” comply with the statutory notice requirements, it reasons that the surface owner has the burden of proof to show they exercised reasonable diligence in attempting to identify and locate the holders of the mineral interest before resorting to service by publication.[11]

These cases reinforce the premise that there is no bright-line rule for what qualifies as “reasonable diligence” in attempting to locate mineral owners under the DMA. What constitutes reasonable diligence depends on the facts of each case. Typically, searching the public records of the county where the property is located is sufficient, but not in every situation as the current cases highlight.

To comply with the notice requirements of the DMA, surface owners should also act on any constructive notice or actual knowledge of information regarding other potential locations of the mineral owner before resorting to notice by publication. As a counterpart to the adage “Ignorance of the Law is No Excuse,” in Ohio “Ignorance of a Mineral Owner’s Last Known Location is No Excuse” under the DMA.

[1] Fonzi v. Brown, Slip Opinion No. 2022-Ohio-901.

[2] Id.

[3] Id. at 2.

[4] Id. at 2.

[5] Id. at 13.

[6] Id. at 14.

[7] Id. at 4.

[8] Id. at 20.

[9] Gerrity v. Chervenak, 162 Ohio St. 3d 694.

[10] Fonzi at 27.

[11] Id. at 23.

CONTACT

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It’s Not Who to Pay, It’s When to Pay: “Due” Under Samson Expl., LLC v. Bordages

**OLIVA
GIBBS LLP**

In *Samson Expl., LLC v. Bordages*, the Court of Appeals of Texas, Ninth District, Beaumont, examined when royalties under an oil and gas lease became “due,” and whether royalties were properly suspended without interest. Specifically, it examined lease provisions detailing “when the payment is required ... rather than who is to be paid,”¹ and whether a claim of “equitable” title as opposed to legal title constituted a “bona fide title dispute” allowing for the suspension of royalty payments without interest. For the reasons

discussed below, the Court found that the obligation to pay royalties had been “triggered” under the lease and was therefore not affected by a dispute as to the payee’s identity.² Additionally, while the “safe harbor” provisions offered by section 91.402(b) (the “Texas Suspense Statute”) do authorize withholding royalty payments without interest in the event of a bona fide title dispute, the lessors and lessee had expressly contracted around the Texas Suspense Statute in the lease.³ Lastly, even if the “safe harbor” provision was

¹ *Samson Expl., LLC v. Bordages*, No. 09-20-00174-CV, 2022 Tex.App. LEXIS 206, 2022 WL 120004 at *18 (Tex.App.—Beaumont Jan. 13, 2022, pet. filed)

² Id. at 17-18.

³ Id. at 18-19.

applicable, the Court determined that there was no “bona fide” title dispute regarding the lessors’ mineral interest because the lessee was willing to recognize *equitable* title as opposed to *legal* title.⁴ The Court’s decision for the Bordages affirmed the trial court’s grant of partial summary judgement; however, we note that a petition for review has been filed with the Texas Supreme Court.

In 1999, Samson Lone Star, L.P. (“Samson”) executed an oil and gas lease with landowners Joe A. Bordages, Katherine Bordages Brownlee, Stephanie Bordages Knobel, Joseph A. Bordages III, Joanna M. Pastore, Scott Alan Bordages, and Allison Bordages Koskella, (the “Bordages”) covering 95 acres in Hardin County, Texas.⁵ A title opinion later commissioned by Samson in 2001 uncovered (among other issues) the absence of a recorded deed in Hardin County, Texas, vesting J.A. Bordages with the undivided 1/3 interest he purportedly received from Charles G. Hooks, *et al.*⁶ In an attempt to cure the gap in title, Samson sent a letter requesting the missing deed to the Bordages on May 14, 2002. In June of that same year, Samson spoke with Richard Pastore, husband of lessor Joanna Pastore, who informed Samson that a deed conveying the 1/3 interest had never been executed.⁷ According to Mr. Pastore, the parties had instead executed a “Certificate of Interest.”⁸ After discussing this issue with the attorney who drafted the title opinion, Samson was advised that the “Certificate of Interest vests J.A. Bordages with beneficial or equitable title to the 1/3 interest, but not legal title.”⁹ Further, the attorney suggested that Samson “may want to secure an affidavit from Chas. G. Hooks & Sons with the aforesaid Certificate of Interest attached and file it of record in Hardin Co.”¹⁰ Lastly, the attorney clarified that “this won’t cure the defect [but] will help explain the circumstances and put [third] parties on notice of the claim of the heirs of J.A. Bordages to this 1/3 interest.”¹¹ Unsatisfied, Samson re-sent its previous letter to the Bordages on September 18, 2002.¹²

Meanwhile, the Bordages’ lease had been included in two gas units, the Joyce DuJay No. 1 and the Joyce DuJay “A” No. 1, and production had been obtained from the units.¹³ Despite the fact that

Samson had the Certificate of Interest in its possession, and that no other parties contested the Bordages’ ownership or claimed an interest in the property, Samson refused to pay the Bordages royalties on production from the Joyce DuJay Units, withholding payments until December of 2007. Samson only began payments after it had received an affidavit from the Hooks family confirming the original 1/3 transfer, and incorporating a copy of the same Certificate of Interest that Samson already had in its possession.¹⁴ In addition to the withheld royalties, Samson also did not pay any interest or late charges on the accrued royalties.¹⁵ The Bordages sued Samson for breach of contract for failure to pay royalties and failure to pay late charges, among other claims. The trial court granted the Bordages’ motion for partial summary judgement awarding them a total of \$12,955,919.00 in damages, \$8,312,203.00 of which was for accrued and unpaid royalties.¹⁶

On Appeal, Samson argued that royalties on production were not “due” because the Bordages did not provide Samson with “reasonable assurances that they were the proper parties to receive the royalties until October 2007” when Samson received the affidavit and attached Certificate of Interest.¹⁷ Samson argued that until that point, “it did not know who to pay, so the royalties were not due,” and consequently, that its December 2007 payments were “timely” and not subject to late charges,¹⁸ essentially arguing the “safe harbor” provisions offered by the Texas Suspense Statute.

The Court ultimately rejected Samson’s arguments. To determine when payments are “due” under the lease, the Court looked to the plain language included in the lease, stating that “[h]ere, the lease provision at issue describes *when* the payment is required, and directly links the first royalty payment to the filing of a completion report or a test well report with the Railroad Commission rather than *who* is to be paid.”¹⁹ Payments were “triggered” when Samson filed its completion reports with the Railroad Commission on February 7, 2002, for the Joyce DuJay No. 1, and on October 24, 2002, for the Joyce DuJay A-1.²⁰ “The lease expressly provides that the royalties for the first

⁴ Id. at 20.

⁵ Id. at 2.

⁶ Id. at 2-3.

⁷ Id. at 3-4.

⁸ Id. at 3.

⁹ Id. at 3-4.

¹⁰ Id. at 4.

¹¹ Id.

¹² Id.

¹³ Id. at 2.

¹⁴ Id. at 4-5.

¹⁵ Id.

¹⁶ Id. at 8.

¹⁷ Id. at 16.

¹⁸ Id.

¹⁹ Id. at 18.

²⁰ Id. at 17-18.

production marketed “shall be paid on or before the first day of the calendar month next following the expiration of sixty (60) days from the execution date of the completion report or potential test for the well that is filed with the Railroad Commission[.]”²¹

The Court also rejected Samson’s argument that it is excused from late charges because of a title dispute. Again, the Court looked to the plain language included in the lease. It determined that Samson was not excused from paying late charges in the event of a title dispute because the parties had made the “safe harbor” provision of the Suspense Statute inapplicable by specifically excluding it in the lease, replacing it with provisions that did not excuse nonpayment of late charges in the event of a title dispute.²² The lease contained the following provision:

“ANYTHING HEREIN TO THE CONTRARY NOTWITHSTANDING, and in lieu of the terms and provisions contained in Sections 91.401 through 91.406 of the Texas Natural Resources Code, the parties hereto specifically agree that the following provisions shall apply to this Lease and all royalty payments made hereunder or other rights as provided in the above listed sections, and that such provisions of the Texas Natural Resources Code shall not be applicable; such parties further, by their signatures below, waive any and all rights which might be claimed or asserted under such Sections 91.401 and 91.406 of the Texas Natural Resources Code...”²³

Although the court rejected Samson’s “safe harbor” argument, it reasoned that even if Samson had not waived the “safe harbor” provision by contracting around it in the lease, the circumstances surrounding the title did not rise to the level of a “bona fide title dispute” required by statute to invoke the “safe harbor” provision.²⁴ The Court stated that, “[t]here was no evidence that the minerals had not been conveyed to the Bordages.”²⁵ While Samson was willing to recognize equitable title in the Bordages in 2007 based on the Hooks’ affidavit with the Certificate of Interest attached, Samson knew as early as 2002 that the Bordages had equitable title based on information from the title attorney regarding the “very same Certificate of Interest” Samson later relied on in 2007.²⁶ Additionally, “[d]espite Samson disavowing knowledge

of who to pay, Samson advised the taxing authorities that the Bordages owned these interests, and the Bordages received corresponding tax statements.”²⁷ Therefore, the Court affirmed the trial court’s judgement, holding that there was no “bona fide title dispute” to alter when royalties became due under the lease, and that Samson was responsible for late charges on past due royalties.²⁸

At the end of the day, *Samson Expl., LLC v. Bordages* is a reminder that an oil and gas lease is a contract and will be interpreted as such by the courts. Parties are free to include, or contract around, provisions as they see fit, and all terms should be chosen and analyzed with care.

CONTACT

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²¹ Id. at 17.

²² Id. at 19-20.

²³ Id. at 16.

²⁴ Id. at 19-20.

²⁵ Id. at 20.

²⁶ Id.

²⁷ Id.

²⁸ Id. at 21.

Under the Ellison Decision, Are Letters of Intent NOW Enforceable Contracts?

OR

A SECOND LOOK AT

Concho Resources, Inc. et al v. Ellison, 627 S.W.3d 226 (Tex. 2021) (“*Ellison*”)

CAVEAT: This article examines only one part of the above identified Texas Supreme Court case. The following analysis is not to be construed as a review of all of the issues raised in the case and addressed by the Court.

This article was written to alert oil and gas attorneys, landmen, division order analysts and lease/title analysts – parties who regularly prepare and/or review/execute letters of intent to third parties that, despite any language to the contrary found in any such letter of intent, one or both parties to an otherwise **unenforceable letter of intent** may find, based on the Texas Supreme Court’s opinion in this case, that the letter of intent is legally enforceable as a contract.

There were two significant instruments involved in the Ellison case: The *October 16, 2008 Letter (of Intent)* and a *Boundary Stipulation of Ownership of Mineral Interest*. The Ellison Decision article published in the NADOA third quarter 2022 issue focused on the *Boundary Stipulation of Ownership of Mineral Interest* and whether it was a valid legal conveyance (the court held it was not; the author believes it was).

This article will analyze the October 16, 2008 Letter (of Intent) sent to Ellison Operating by Samson. The letter stated that the mineral owners under separate tracts of land (part of which was covered by Ellison Operating’s oil and gas lease) had agreed to a boundary line that was different from that which the parties (mineral owners and their lessees) had recognized since 1927. This letter (of intent) asked Ellison to accept the description of its leasehold estate premised on the agreed to boundary line found in the *Boundary Stipulation*. Significantly, (i) Ellison was not a party to the *Boundary Stipulation* and (ii) the letter requested Ellison to give up approximately one-half of his lease acreage and in return he obtained ... nothing. No mutuality of consideration, no agreements to be kept and performed by the parties, no consideration whatsoever.

Notably, in the Concho counterclaim trial three (3) years **after** the summary judgment rulings in the case, the jury/trial court found that the October 16,

2008 Letter (of Intent) was an enforceable contract between Ellison and Samson and that Ellison failed to comply with it. Damages were awarded for the supposed breach of the “contract”. No showing in the record was made by Samson that this “contract” was supported by consideration.

This document cannot be a valid contract unless there is some evidence in the record which clearly indicates that the contract is supported by adequate consideration. *Gaynier v. Ginsberg*, 715 S.W.2d 749 (Tex.App.—Dallas 1986, writ ref’d n.r.e.) There apparently is no such evidence available, thus rendering, as a matter of law, the October 16, 2008 Letter (of Intent) NOT a contract by and between Samson and Mr. Ellison.

If the October 16, 2008 Letter (of Intent) is NOT a contract between the parties, and lacks any words of grant within its four corners, and as a matter of law it cannot be a deed, then what is it? Before answering the question, it is necessary to review another provision from the October 16, 2008 Letter (of Intent).

The October 16, 2008 Letter (of Intent) further contains the following significant language quoted in pertinent part:

“Upon your acceptance, a more formal and recordable document will be provided.” [emphasis added]

The October 16, 2008 Letter (of Intent) was apparently signed by Mr. Ellison but the second, recordable document was never furnished by Samson.

The Supreme Court’s opinion addressed this significant language and held:

“...However, we agree with Concho that this reading is inconsistent with the letter’s text, which requests that Ellison ‘signify your acceptance of the description of the Richey 147 acre tract as set out in the Stipulation (your leasehold)’ by *countersigning the letter*. It does not ask Ellison to accept the stipulation by signing

a future document nor does it purport to condition his acceptance on the execution of such a document...We do not view the absence of the contemplated 'more formal and recordable document' as fatal to Concho's ratification defense." [emphasis added]

The foregoing finding by this Court, whether one of fact or law, does not accurately reflect the true meaning of the above quoted language nor the status of Texas law on its interpretation. As members of the oil and gas industry, Mr. Ellison and Samson had both been parties to numerous instruments such as this and were aware that the parties to: (i) complete or partial sales/assignments of oil and gas leases; (ii) farm-ins and (iii) farmouts usually, but not always, initially signified their intent to further negotiate via a written *letter of intent*. This *letter of intent* contained a commitment to furnish a more complete (and fully negotiated) legally enforceable document. The *letter of intent*, within the context of the oil and gas industry, is typically NOT viewed as a legally enforceable agreement as to the terms contained within that document.

Rather, it is merely a limited (and legally unenforceable) commitment to further negotiate the sale, assignment, farm-in or farmout of oil and gas leases. If no further negotiations take place or if negotiations for the final, complete legally enforceable document stall and go no further, the oil and gas industry, and specifically the landman profession, treats a *letter of intent* as an unenforceable 'agreement to agree' and the proposed sale/assignment etc. is no longer pursued with no further legal repercussions to either party. Surely Mr. Ellison contemplated further negotiations for at least how much money he would be paid for *giving up approximately one-half of his leasehold working interest* since no consideration was mentioned in the letter of intent!

The following cases all agree that:

1. An agreement to agree (letter of intent) is an unenforceable agreement.
2. Writings couched in futuristic language in a preliminary agreement where a second, complete document is to be negotiated by and between the parties fails as an enforceable agreement *standing by itself*.
3. The first document (here the October 16, 2008 Letter (of Intent)) contains a condition precedent - a second "more formal and recordable document" had to be provided by Samson and executed by Ellison to have to have an enforceable agreement.

4. Equally as significant, there was a fact issue raised on the intent of the parties to the October 16, 2008 Letter (of Intent) concerning whether the furnishing of the called for "second document" was a condition precedent to the formation of an enforceable contract.

Whether the furnishing of a second, more complete document was a condition precedent is usually a *factual matter of intent to be decided by a jury*. See *Chalker Energy Partners III, LLC v. Le Norman Operating LLC*, 595 S.W.3d 668 (Tex. 2020); *Copano Energy, LLC v. Bujnoch*, 593 S.W.3d 721 (Tex. 2020); *Foreca, S.A. v. GRD Development Co., Inc.*, 758 S.W.2d 744 (Tex. 1988) and *Railroad Commission of Texas v. Gulf Energy Exploration Corp.*, 482 S.W.3d 559 (Tex. 2016) Obviously, no such fact issue was ever submitted or ruled on since no trial was had on this specific matter in the original action. The issue of intent is not a factual matter to be decided by the Texas Supreme Court.

5. Therefore, the October 16, 2008 Letter (of Intent) was no more than an unenforceable letter of intent.

This case changes all of the oil and gas industry's understanding of *letters of intent*, including the 2008 Samson Letter specifically, and their legal effect. Due to the Court's ruling, attorneys and landmen will no longer know if their specific words in what is and has been heretofore denominated a *letter of intent* is now, by itself, an enforceable agreement or an equitable ratification. How do we educate our profession on the potential legal effect of any *letter of intent* in light of decades of industry practice to the contrary? More significantly, how does the oil and gas industry know if this ruling is absolute and all *letters of intent* will be similarly interpreted? Constant and protracted litigation on this issue is not the path forward; legal certainty in the treatment of *letters of intent* must be clear and uniform. It is not clear and uniform based on the ruling of this case.

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National Niche

States Set to Begin Plugging Over 10,000 Orphaned Wells

In August, the Department of the Interior announced that the Bipartisan Infrastructure Law has enabled the administration to award 24 states funding to plug, cap and remediate abandoned oil and gas well sites. Methane leaking from many of these orphaned wells is a serious safety hazard and believed to be a significant cause of climate change. Plugging orphaned wells will help advance the goals of the [U.S. Methane Emissions Reduction Action Plan](#).

BOEM Reinstates Gulf of Mexico Lease Sale 257

On September 14, Congress instructed the Bureau of Ocean Energy Management (BOEM) to award the highest valid bids from Lease Sale 257 in the Gulf of Mexico—ending nearly a year of uncertainty for the federal offshore oil and gas lease auction. Lease Sale 257 originally took place in November 2021, but a court vacated the sale in January.

Inflation Reduction Act (IRA) and the Methane Tax

Around 30% of upstream gas production sent to sales in 2020 violates the IRA's 0.2% methane intensity threshold and will incur a liability assuming no operational changes by 2024. Violations are heavily attributed to private operators, where 50% of gas sent to sales emits excess methane compared to only 21% for public producers. The financial impact of the methane tax, which will affect upstream and midstream

sectors in the U.S. if steps to reduce emissions are not taken before 2024, is projected to be about \$1.2 billion annually, increasing to \$2 billion annually if the maximum rate goes into effect in 2026.

Source: Enverus

In comments supporting the EPA's methane regulations, the American Petroleum Institute (API) noted that thanks to innovation and industry initiatives like [The Environmental Partnership](#), average methane emissions intensity declined nearly 60 percent from 2011 to 2020 across the seven major producing regions.

The President of National Ocean Industries Association (NOIA), Erik Milito, issued this statement following the passage of the IRA: "As we said when the Inflation Reduction Act of 2022 passed the Senate, no piece of legislation is perfect. However, we welcome passage by Congress of a bill which undoubtedly secures an all-of-the-above energy framework to boost offshore oil and gas, offshore wind, and carbon capture and storage — all key priorities for long-term American energy security. We are confident that the president will swiftly sign this into law, and that America's offshore industry will keep doing what it does best: producing American energy. We once again thank Senator Manchin and his team for brokering this legislation."

In October, a great deal of discussion was directed toward emissions at the Annual Technical Conference and Exhibition (ATCE) of the Society of Petroleum Engineers. Executives from several major companies encouraged industry collaboration to solve the challenges. Balancing investment in fossil fuels while producing more oil and gas and working to achieve net zero emissions has become known as the energy trilemma.

OERB News

The 25th anniversary of the Oklahoma Oil and Natural Gas Expo was a huge success. In addition to the usual exposition events, this year Expo 25 included a BBQ competition as well as a whiskey tasting fundraiser to benefit the Mike Rowe Works Foundation. The Foundation provides scholarships for technical training to people across the U.S. Rowe has been visiting Oklahoma since last spring to learn about the people who work to produce American oil and natural gas. Visit OERB.com/MikeRowe to watch stories of the people of Oklahoma Oil & Natural Gas or follow on social media, @oerbok.

Millions Of Historic Oil and Gas Production Records Now Online On Railroad Commission Website

In yet another move to enhance transparency and make Railroad Commission documents more widely available to the public, the agency recently completed a project to place all historic oil and gas production records online.

The Historical Imaged Annual Production Records database includes oil production dating back to 1931 and gas production going back to 1937. More than 1,300 rolls of microfilm containing about 2.2 million images housed in RRC's Central Records were digitized for the project.

Production information from 1993 to present were already available on RRC's website in the [Production Data Query](#).

The newly-digitized historical production records, prior to 1993 dating back to the 1930s, can be found by scrolling to the bottom of our [Imaged Records Query web page](#). It includes a User Guide and a video tutorial to help new users search for historical records.

Railroad Commission Launches Texas' First Online Searchable Database of Oil & Gas Inspection and Enforcement Data

Recently, the Railroad Commission of Texas launched its RRC Online Inspection Lookup (OIL) tool for searching statewide oil and gas inspection and enforcement information, including notices of violation and intentions to sever leases. For the first time in RRC history, RRC OIL allows anyone, anywhere at any time to search online records of oil and gas well inspections and violations.

Users may access RRC OIL 24/7 and can customize inspection and violation searches by a variety of criteria, including;

- Operator name
- Lease name or number
- API number

- County
- RRC District Oil and Gas District number
- Inspection date range, and
- Rule

RRC OIL can be found using the following link: <https://www.rrc.texas.gov/about-us/resource-center/research/online-research-queries/oil-and-gas-inspections-and-violations-query/> or under Useful Links on the RRC homepage at [rrc.texas.gov](http://www.rrc.texas.gov). There is also a user guide and introductory video available on the RRC Oil landing page. For more information, visit <http://www.rrc.texas.gov/about-us/>.

Source: Railroad Commission of Texas

REGISTRATION

A great big Thank You to our volunteers who helped with Registration for NADOA's 49th Annual Institute held October 26 -28, 2022 at the Marriott Rivercenter on the river walk in San Antonio, Texas.

An extra special Thank you to Jeannie Harris and Lori Graham because they helped work every shift the registration was open. And Jeannie Harris came on board with Valerie and me to see how registration works.

We could not have gotten all the attendees, guests, vendors and speakers checked in without the help of the following people:

Megan McKee
Sonya Turner
Terri McDearman
Jennifer Beyer
Michelle Harris Fairclough
Jeannie Harris
Lori Graham
Rona Erickson
Gerald Llewellyn

A special Thank You to Betty Davidson and CIMA for the beautiful T-shirts that they furnished for volunteers to wear once again! As always, they were amazing.

Debbie McKee, Co-Chair

Valerie Wible, Co-Chair

Jeannie Harris



CIMA
Thank
You



NADOA
 sweet tea
 BLUE BONNETS
 Soy'all
 Tex Big yell
 Mex Hair
 Southern
 Whataburger
 Big And Bright
 BLUE BELL
 this ain't my first rodeo
 DON'T MESS WITH TEXAS
 FOOTBALL
 Howdy
 lone star
 Yellow Rose
 red white blue
 BARBECUE
 Oil & Gas
 Freedom of speech
 San Antonio
 Energy

Volunteers play very important roles providing assistance at Institute. Please sign up to volunteer for next year's conference.

PROGRAM

On behalf of the Program Committee, we'd like to THANK all the speakers who joined us in San Antonio and gave of their time to come educate our membership in the ever changing laws, regulations, filings and other day to day information we all need to know as Division Order Analysts. From all the comments heard from various attendees, they came away with a much better insight on said updates and became more knowledgeable on topics they were just learning about.

A special THANKS to our keynote speakers: Brian Tally, whose talk was encouraging, touched all our hearts and brought a few to tears to some, and Jeramy Norsworthy, who taught us the inner workings of being a scout in our industry, which can be dangerous, scary and sometimes funny.

To all our speakers, we applaud you.

*Norma Dooley, Liz Fajen and Betty Davidson, CDOA
Program Co-Chairs*



We want to thank Estelle Rodriguez for all the great literature and brochures she provided for our Industry Institute. She gave us San Antonio Downtown maps, dining guides and coupon brochures. Estelle also provided us with information about the "Show us Your Badge" program whereby participating restaurants offer discounts and complimentary offerings. A huge thank you to the NADOA members who volunteered as Greeters and helped staff the information desk at the 49th Annual Institute in San Antonio, Texas. We could not have such successful Institutes without the help of our wonderful volunteers!! NADOA members are the best!!

*Brenda Pirozzolo and Rebekah Jones,
Co-Chairs Information Committee 2022*



HOSPITALITY COMMITTEE THANKS YOU!!!

WOW! What a great Institute!!! Thanks to all who attended and to all of you who were at the President's Reception, Welcome Reception and the Moonlight Masquerade Costume Party!!!

Thank you to Southwestern Energy for sponsoring the President's reception in honor of Michele Lawton. The San Antonio Zoo provided a great backdrop for the reception, and everyone enjoyed the hippos, as well as the awesome animal ambassadors that stopped by! Matilda, the Tawny Frogmouth bird from Australia and New Zealand, had everyone captivated with its unique look and interesting background. Another big hit was Logan the anteater, who was very active and kept everyone amused! Thank you also to Darlene & Howard with Out & About San Antonio for putting this all together!!



The Welcome Reception was held on a plaza that overlooked the Riverwalk and gave everyone the chance to meet up with co-workers and NADOA friends from many companies around the country. Thank you to Jennifer Kegans and Heather Lister for helping me with the food and drinks for the reception. Thanks also to Jason Alexander, Norma Dooley and Armando Lopez for helping direct attendees to the plaza. Your help was greatly appreciated! I would also like to thank the San Antonio Marriott Rivercenter staff for the great service and awesome food that was served at the reception.

If you didn't come to Institute, you missed a great time at the Moonlight Masquerade Costume Party!! Many, many thanks go out to Steve Smith with Legacy Royalties for sponsoring Uptown Drive, the band that kept everyone on the dance floor and at the microphone for karaoke! They really know how to get the crowd going!

Also, many, many thanks to Russell Rudy with Russell T. Rudy Energy for sponsoring the photo booth at the party!! There were some great pictures taken that night!!! Thank you also to the ladies with Russell T. Rudy Energy for making sure the photo booth was up and running and helping everyone capture their best photo!!!

I would also like to give a big thank you to TEAM and Gary Goldsmith for providing the gift cards for the winners of the costume contest!! TEAM is another company that always donates at Institute. By the way, the winners of the costume contest were:



Scariest: Armando Lopez as the Plague Doctor

Funniest: (Tie) Steve Smith as the Party Pooper and Josh Lowry as the Baby



Thank you also to the following who helped with the decorations: Norma Dooley, who bought all the decorations and brought them to San Antonio, Lisa Buffaloe, Liz Fajen, Quint Withers, Kimberly Bowman, and Stephanie Moore.

A special thanks to Norma Dooley who was my "go to" when I had questions or just needed someone to listen when

I was panicking about events. I couldn't have made it without you!!!

In closing, we couldn't do what we do at Institute if it wasn't for the generous sponsors such as Legacy Royalties, Russell T. Rudy Energy and TEAM and all the wonderful volunteers who work so hard to make sure all the attendees have a great time. Thank you all from the bottom of my heart!!!

Cheryl Hampton
Hospitality



Best Overall: Debbie McKee, Megan McKee, Valerie Wible and Tom Wible as The Hocus Pocus Sanderson Sisters and Billy Butcherson



Thank you!

THANK YOU TO OUR PRIZE SPONSORS!
NADOA INSTITUTE 2022



Quint Withers



Vendor Fair

We want to extend a huge SHOUT OUT & our APPRECIATION to all the Vendors that participated in this year's 49th Annual Institute in San Antonio!

A big thank you to the vendors who participated:

Enertia

Enverus

Georgeson LLC

Legacy Royalties

Maxima Minerals

McCranie Land Services LLC

PacoTech Inc

PakEnergy

Peloton

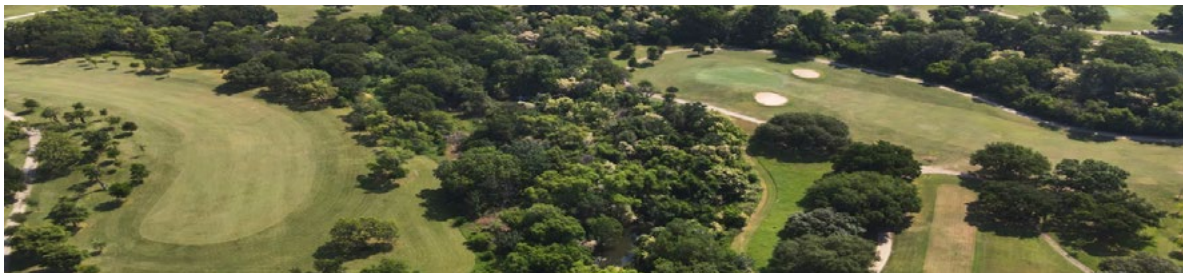
Russell T Rudy Energy LLC

Steptoe & Johnson Land Administration Services LLC

Texas File

Tri Energy Asset Management

Western Colorado University



2022 NADOA Golf Tournament Willow Springs Golf Course – San Antonio, TX

Congratulations to the \$50 Gift Card Winners

TOM WIBLE

DAVID ROSS

GARY SMITH

MARY MONTOYA

A BIG THANK YOU TO THE FOLLOWING

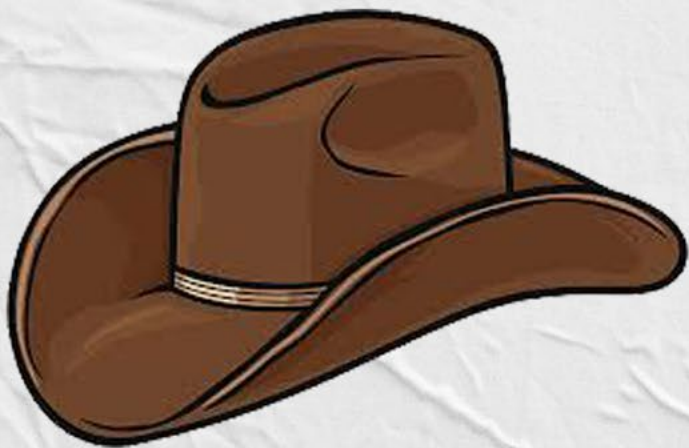
IBERIA MANAGEMENT SYSTEMS for providing transportation to/from golf course

PEGASUS RESOURCES for providing polo shirts and caps to all players

VICKI DANIELSON for providing Gift Cards/snacks/golf balls to all players

PLAINS ENERGY for providing golf towels/umbrellas





***Hats Off !
To these Corporate
Cash Sponsors!***

\$5000+ San Antonio River Walk

LEGACY
ROYALTIES

SWN
Southwestern Energy®



RUSSELL T. RUDY
ENERGY LLC

\$3500-\$4999 Alamo

ERGON 

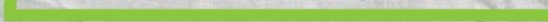
\$2000-\$3499 San Antonio Zoo


devon

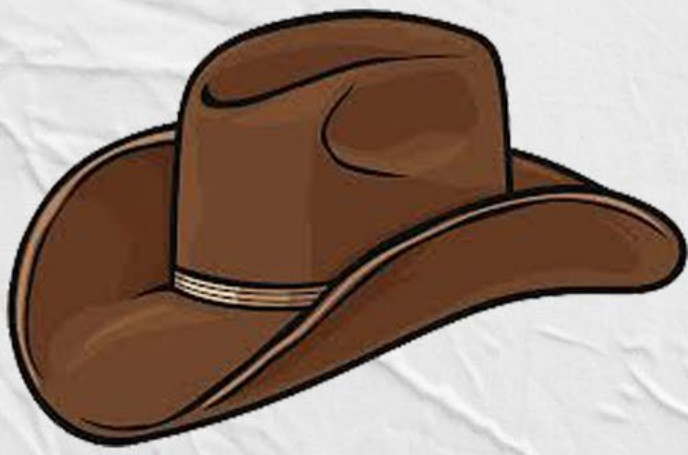
 **ENERLEX**


SURGE
Energy

 **BRIGHAM
MINERALS**

CHESAPEAKE

ENERGY





**Hats Off !
To these Corporate
Cash Sponsors!**

\$1000-1999 El Mercado



CARLETON GOTLIN LAW PC



\$500-999 Tower of the Americas



Up to \$499 Seaworld



THANK YOU! THANK YOU!! THANK YOU!!

We would like to THANK each company for their donation to the Goodie Bags. We had 20 companies that provided items this year and everything was a big hit!! Next year will be the 50th Institute and we hope at least 50 companies will step forward to fill the bags.

Thank you again for supporting NADOA!!

Sonya Turner & Jackie Powell
Goodie Bag Co Chairs

CHESAPEAKE ENERGY

ASCENT RESOURCES

ELK RANGE ROYALTIES

OLYMPUS ENERGY LLC

STEPTOE & JOHNSON

ERGON OIL PURCHASING

FARMERS NATIONAL COMPANY

PLAINS MARKETING

CML EXPLORATION, LLC

FREEHOLD ROYALTIES (USA)

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MUSTANG FUEL CORPORATION

PDC ENERGY, INC

COTERRA ENERGY

WAGNER OIL

MCCRANIE LAND SERVICES

HENRY RESOURCES LLC

TEXASFILE

ENERGY TRANS-

OXY USA

A SPECIAL THANK YOU!!

THE NADOA INSTITUTE COMMITTEE WOULD LIKE TO
GIVE A VERY SPECIAL THANK YOU TO:

LILLIE FUNDERBURG
COLORADO CITY, TEXAS

FOR THE BEAUTIFUL HANDMADE BRACELETS SHE
PROVIDED FOR OUR GOODIE BAGS!!

Heartfelt thanks to
our fabulous, hard-
working Institute
photographers,
Kimberly Bowman
and Stan Nort. Visit
NADOA social media
sites for the photo
gallery!

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Calendar of Events

www.nadoa.org

Send notice of events to be included on the Calendar of Events to Rona Erickson, CDOA, NADOA News Magazine editor, ronae@kfoc.net, or Susan Bradley, CDOA, associate editor, sbradley@faulenergy.com. Information may also be submitted to 2022 Education Chairs Norma Dooley, ndooley@wagneroil.com or Kimberly Bowman, kbowman@finleyresources.com.

DATE	LOCATION	EVENT	SPONSOR	REGISTER/CONTACT
2022				
DEC 6-8	TULSA, OK/VIRTUAL	PETROLEUM LIFE CYCLE: FROM ROCKS TO DRILL BITS	UNIVERSITY OF TULSA	WWW.CESE.UTULSA.EDU
DEC 7	WEBINAR	NEGOTIATING WITH ETHICS: NOT A SUGGESTION	OLIVA & GIBBS LLP	https://oglawyers.com/event
DEC 13	MIDLAND TX	WI AND NRI CALCULATIONS-BASIC	AAPL	Link to learning.landman.org
DEC 14	WEBINAR	MECHANICS OF WASHOUT PROVISIONS	AAPL	Link to Events/AAPL-Events
DEC 16	WEBINAR	LATEST UPDATES ON ESCHTAT	NADOA	WWW.NADOA.ORG

2023

JAN 19-20	HOUSTON, TX	OIL & GAS AGREEMENTS: PURCHASE AND SALE AGREEMENTS RMMLF (NKA FDN FOR NATURAL RESOURCES AND ENERGY LAW)		https://profile.rmmlf.org
FEB 1-3	HOUSTON, TX	30TH ANNIVERSARY NAPE EXPO	NAPE/AAPL	NAPEEXPO.COM/SUMMIT

NADOA INSTITUTE

SEPTEMBER 6-8

OMNI HOTEL

LOUISVILLE, KY

BOARD MEETINGS

JANUARY 20-21
JUNE 9-10
SEPTEMBER 5
TRANSITION

OMNI HOTEL
OMNI HOTEL
OMNI HOTEL
TBD

OKLAHOMA CITY, OK
LOUISVILLE, KY
LOUISVILLE, KY



NADOA honored the past presidents who were in attendance at the 49th Annual Institute. L to R:

Lewis Box, CDOA; Brenda Pirozzolo, CDOA; Cheryl Hampton; Betty Davidson, CDOA; Lisa Buffaloe, CDOA; Sandi Rupprecht; Michele Lawton; Judy Moreland, CDOA; Liz Fajen.