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**New ND State Land
Commissioner, Jodi
Smith Welcomed**

LAND is pleased to welcome the new ND State Land Commissioner, Jodi Smith to speak at our upcoming LAND meeting. Ms. Smith, is a western native described by many as a leader who when confronted with a challenge, looks for opportunity. She started as the new Commissioner in December of 2017 and looks forward to servicing the State of North Dakota. Please come to our May 7th meeting to welcome Jodi Smith as the new Land Commissioner.

Second Quarter L.A.N.D. Meeting & Social

L.A.N.D. will be holding its second quarterly meeting.

**Monday, May 7, 2018
ND Heritage Center
Bismarck, ND.**

The business meeting is scheduled to begin at 5:30 PM, with social to follow.



The social is open to all L.A.N.D. members and friends, industry guests and personnel.

FREE Educational Seminar

May 7th – ND Heritage Center

Earn 3 AAPL Recertification Credits / 3 SBAND CLE Credits

- 1:30 PM Opening/Welcome - Jason Mazigian – President, LAND
- 1:45 PM Gas: From the Well to Your Furnace
Allison Porter – Director of Engineering for Caliber Midstream
- 2:45 PM Understanding ND Petroleum Development & Transportation Dynamics
Justin Kringstad – ND Pipeline Authority
- 3:15 PM Break
- 3:30 PM Overview of ND Mineral Title Standards Update and Overview of the Ins and Outs of Title Curative
Shane Hanson, Partner - Crowley Fleck, PLLP
- 4:30 PM Current Status of Missouri River/Lake Sakakawea Ordinary High Water Mark Legislation and Litigation Matters
Craig Smith, Partner - Crowley Fleck, PLLP
- 5:30 PM LAND Meeting, James River Café

[CLICK HERE SIGN-UP BY MAY 3, 2018](#)

For questions email Kate Black: kate@inlandoil.net



President's Report

Jason Mazigian, CPL

Do I dare say Happy Spring?

Winter keeps holding on, but I think there is light at the end of the tunnel; there has to be, right? Please join us **May 7th** starting at 1:30pm central time for a **FREE 2018 LAND Education Seminar** followed by our **quarterly meeting at 5:30pm** central time at the **North Dakota Heritage Center** in Bismarck with hors d'oeuvres and drinks.

I would like to thank those individuals who have committed to presenting at LAND's Education Seminar. Also, thank you to Kate Black for coordinating this Education Seminar and obtaining the associated continuing education credits. The presenters and Kate's time and efforts are much appreciated.

LAND is doing their best to provide value to its membership. Over the past few years, our thoughts have been: an open meeting in February primarily due to our ND winters and possible travel difficulties (also a good meeting for ND Legislature updates when in session); conduct an education seminar during our May meeting; our annual golf outing in August; and for the past few years, we have been fortunate to have APPL's President join us for our November meeting. Please do not hesitate to reach out to me or

any other Board member with any ideas, suggestions, or comments.

The LAND Board would like to congratulate and welcome Jerry Haas as LAND's newly appointed Mining and Geothermal Chair. We look forward to working with Jerry. We would also like to thank Jim Melchior for his years of service to LAND and his expertise, guidance, and input on Mining and Geothermal topics.

Thank you to Empire Oil Company for sponsoring this event. Please contact Kate or any LAND Board member if you or your company would like to be a sponsor for one of our LAND upcoming meetings.

It is with great sympathy that LAND and all of its members remember those who have recently passed. Our thoughts and prayers are with their family, friends, and colleagues.

Please continue the hard work out there and stay safe on the roads.

Sincerely,
Jason Mazigian

McKenzie County Exciting Changes

McKenzie County has some new and exciting news both in office and online.

If you come to McKenzie County and need to make copies, you no longer have to make a "paper" copy and then take it back to your office for scanning. Starting next week, we have a new program that allows customers to place documents needed into a folder on the public computers via the Cloud. You can name your folders anything you wish. At the end of the day, you will check out at the front desk, the computer will track the number of copies you make, you will pay for your copies and then a link will be e-mailed to you. You can then retrieve your images and do whatever you wish with them! We will still have printers and you can print the documents if you wish on paper.

I am sure many of you have heard that McKenzie County is severing ties with NDRIN. Please don't be alarmed! We will have our own website up and running very soon! I promise you are going to love our website! It will be called McKenzie County Virtual Vault; MCVV or MC V squared. We are going to begin the testing phase in May and hope to go live by June 1. More information will be coming to all of you as we get closer to the time to roll out the new website. McKenzie County's images and data will remain on NDRIN until we go live with the new website.



AAPL Director's Report

Michael Dewald, RPL

The last AAPL Quarterly Board Meeting was held March 10-11 in La Jolla, CA. The weekend started with a heavy heart after learning of the passing of Frank Bavendick. Frank served as AAPL President in 1988, and I know he will be greatly missed in the AAPL community.

At the last LAND Quarterly Meeting in February we approved donating \$1,000 to the disaster relief fund. I presented this check to the Educational Foundation, and I am happy to report that they were greatly appreciative. Our donation will be matched dollar for dollar and will go to help a fellow landman in need. Again, thank you for the donation.

I thought I knew quite a bit about AAPL going into this Director position. I have quickly learned that I didn't know much. AAPL offers numerous opportunities and benefits for landmen, that, I believe, most landmen are not aware. One of these benefits is a

tuition assistance program. The following is information regarding this program taken from the AAPL website.

AAPL has established a Tuition Assistance program that waives the registration fee for AAPL operated events. The program is designed for AAPL members who face financial constraints due to unemployment or underemployment (working significantly fewer billable hours this year than the year before). AAPL does have a limited amount of Tuition Assistance funds so please make your requests in advance.

Tuition assistance is available for all AAPL-operated education programs including all institutes, seminars, workshops, Oil and Gas Land Reviews and Annual Meeting. The maximum discount allowed for Annual Meeting is \$300. Assistance is limited to two programs per year including all AAPL Education Seminars & online videos.

This is one benefit of being an AAPL member. There are numerous more, and I'll explain them in future columns.

Kate Moser Black has put together a great agenda for the 2018 LAND Education Seminar on May 7th. I hope to see you at this FREE event and at the LAND Meeting that follows.

Mark your calendars for these upcoming AAPL Events:

Annual Meeting – June 20 - 23, 2018 – Denver, CO

Summer Nape – August 15 -16, 2018 – Houston, TX

I will be attending the next quarterly meeting in June. Please get a hold of me with any concerns, questions, and/or suggestions, and I can bring them to AAPL's attention.

Thank you,

Mike Dewald



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North Dakota Petroleum Council Report

Ron Ness, President of the North Dakota Petroleum Council

Williston Basin Petroleum Council attendance on track

The Williston Basin Petroleum Conference is a little more than a month away, and already event turnout is off to a great start. More than 1,700 people and more than 270 exhibitors are already registered to attend this year's event.

Event organizers plan to host more than 2,500 people in Bismarck May 22-24. Registration is still open and a few booths are still available for companies interested in participating. Visit WBPCND.org today to reserve your place!

Natural Gas Capture and Infrastructure Development Task Force presents info to ND Industrial Commission

The North Dakota Industrial Commission (NDIC) approved changes to its Natural Gas Capture Policies on Tuesday, April 17 upon recommendations from Lynn Helms, Director of the North Dakota Department of Mineral Resources (DMR). Helms presented his recommendations to the NDIC, focusing on recent findings and analysis from the NDPC Gas Capture Task Force, which is made up of more than 70 participants from 40 companies. The Task Force met several times in recent months to evaluate gas capture data and production forecasts to identify areas of concern and draft key findings to submit to the DMR.

Though these changes appear to be minor modifications to the gas capture policy, they have significant implications for many producers' gas capture statistics. The NDIC approved those recommendations, which included:

- Ability to remove a total of 60 days of initial natural gas production from the monthly volume calculations;
- Allowing the drilling of additional wells in areas beyond the core and step out areas and produce them at a maximum efficient rate for the first year to allow for right-sized infrastructure development;
- Allowing credits over and above the gas capture target to be valid for six months.

We look forward to seeing how the changes made to the state's capture policy will positively affect natural gas infrastructure development.

View the rule changes by clicking [here](#).

Lakebed Minerals Survey progresses to next step

Wenck Associates presented the results of the newest Lake Bed Minerals survey to the North Dakota Industrial Commission (NDIC) on Tuesday, April 17. The survey was initiated by an act passed last legislative session to help determine ownership of mineral acres beneath Lake Sakakawea from 9 miles upstream of Williston down to New Town, excluding the reservation. Wenck researched historical records and located cross-section topography completed by the U.S. Army Corps of Engineers that nobody knew existed before, all of which helped the aerial imagery analysis and flow/elevation analysis.

From Tuesday's presentation, it appears the DMR and Wenck fully considered the legislation of Senate Bill 2134 and applied all relevant factors in reaching its findings. Those findings, to which were posted Friday, April 20, recognize the State's claim to the

OHWL in some areas was overreaching but recommends corrections or modification to the Corps survey, as well.

Unlike either of the prior surveys, the Act adopted by the Legislature affords any interested persons an opportunity to comment on these initial findings for additional consideration prior to adoption by the NDIC.

The Department of Mineral Resources will accept comments on the new survey over the next 60 days, during which time mineral owners will compare it to a 1950s-era Corps survey and a 2009 survey completed by the Department of Trust Lands. The NDIC will conduct a June 26 hearing on the new survey at the ND Heritage Center.

Click [here](#) to see the Ordinary High Water Mark report.

Click [here](#) to see Wenck's Powerpoint presentation.

Click [here](#) to read Amy Dalrymple's story.

Pick Up the Patch events scheduled for Spring 2018

Several communities have scheduled their annual litter clean-up days, and as a part of our Pick Up the Patch! Program, the NDPC encourages its members and member employees to help maintain important community relationships by participating and/or donating supplies, including gloves, garbage bags, bottled water, etc.

Mark your calendar for the following dates and check the link below for more info and new or updated events:

- ~ April 20 - May 12: Dickinson, ND
- ~ April 25: Trenton, ND
- ~ May 2: New Town, ND
- ~ May 12: Watford City, ND

View event details [here](#).

Remembering Frank Bavendick, a Pillar of the Oil & Gas Industry



L.A.N.D. remembers the philanthropist and North Dakota oil pioneer.

We are saddened by the loss of Frank J. Bavendick, 87, who passed away in March of this year.

Frank was an intricate part of the ND oil and gas industry. He began his career in oil and gas exploration with a major oil company, serving in the accounting and land departments throughout the Rocky Mountain region. Returning to North Dakota in 1963, he established Westex Petroleum Corporation, dealing in oil and gas exploration properties, as well as farming and real estate interests throughout the state of North Dakota.

Many organizations have benefited from Frank's leadership and vision in our industry, such as serving 17 years as president and a total of 36 years as a board member for the Tom and Frances Leach Foundation, many years as board member, served as president for American

Association of Professional Landmen (1988-1989), co-founder of the North Dakota Oil PAC which has helped fund politically conservative and business minded candidates running for state offices in North Dakota, Interstate Oil and Gas Compact Commission appointed by Governor of North Dakota for eight years, President of the Landman's Association of North Dakota (1972-1975), Gulf Oil Corporation Governmental Advisory Board Member for eight years, traveling the US and Washington DC disseminating industry information to the public and government officials, North Dakota Petroleum Council member for over 50 years, presented testimony at the State of ND Legislative Committee hearings for 50 years, just to name a few. Frank believed in giving back to the industry and community he was so passionate about.

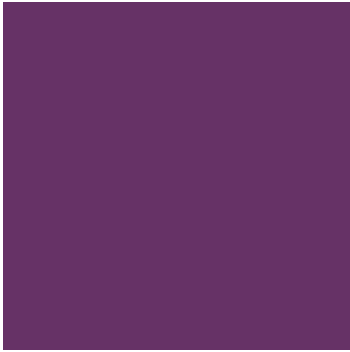
Frank received numerous awards including the ND National Leadership Award of Excellence, Landman of the Year from the Landman's Association of ND, the UND Sioux Award, the BSC Distinguished Service Citation, elected to Bismarck High School Hall of Fame, honoring students who achieved success, elected to



Century High School Hall of Fame for philanthropy, elected to Bismarck State College Athletic Hall of Fame for financial support to BSC Athletics and Students, and the Council for Resources Development selected Frank as Community College Benefactor of the Year representing all U.S. two year institutions for his gifts made to Bismarck State College.

Frank's generosity has had a positive impact on many lives throughout the years and his legacy of giving will continue for years to come. All that knew him will remember his unique sense of humor and positive outlook on life.

You were truly committed to the energy industry and the community you so passionately supported, loved, and contributed too. You will be greatly missed.



Calendar

- May 7 FREE Educational Seminar – 1:30 pm
ND Heritage Center, Bismarck, ND
- May 7 2nd Quarter L.A.N.D. Meeting – 5:30 pm
ND Heritage Center, Bismarck, ND
- May 22-24 Bakken Now – Bismarck, ND
2018 Williston Basin Petroleum Conference
- June 18-21 NDPC - Energy of ND Teacher Seminar
- June 20-23 AAPL 64th Annual Meeting
Sheraton Denver Downtown - Denver, CO
- July 9 NDPC - Larks Dugout Night – Bismarck, ND
- July 17 Bakken Rocks CookFest – Grenora, ND
- July 18 Bakken Classic Fishing Derby – New Town, ND
- July 19 Bakken Rocks CookFest - Twin Buttes, ND
- Aug 6 3rd Quarter L.A.N.D. Meeting
Golf Tournament, Bully Pulpit, Medora, ND
- July 17 ND Oil PAC Sporting Clay Shoot – Bismarck, ND
- Nov 5 4th Quarter L.A.N.D. Meeting (TBA)

WELCOME New 2018 LAND Members

Houck, Trevor W.
Pelton, Brady S.

DONALD B. SASS MEMORIAL SCHOLARSHIP AWARDED

Our 2018 Sass Scholarship recipient is Emily Ramage, from Watford City, ND!

Emily Ramage is a Watford City native who is attending UND Law School. Upon graduation she hopes to move back home and provide legal services for her community, particularly Oil & Gas Law. Emily is involved with the Energy Law Association, Criminal Law Association, Law Women’s Caucus, Student Trial Lawyers Association, American Constitution Society and the Student Bar Association. She was also chosen as our 2016, 2017 Sass Scholarship recipient. This year’s Scholarship winner will receive \$980.

Emily’s gratitude to LAND and the SASS Scholarship: *“I am very honored to have been chosen for this award*

again and for the last time because at this time next year I will be getting ready for law school graduation, May 2019!

Please know that this scholarship has made such an important impact on my educational career at UND Law. I am so thankful for the financial support that this scholarship has given me over the past three years. I plan to use these funds to pay for my books next year.”

~ Congratulations Emily! ~

This scholarship is open to anyone pursuing an energy-related degree at an accredited institution and who is a graduate of a North Dakota High School and is awarded in second quarter of each year.



ND State Lease Sale

The list for the ND Department of Trust Lands’ oil and gas lease offering has been posted to its website: <https://land.nd.gov/Docs/Minerals/201805auctionlist.pdf>

The auction is scheduled to be held online on <https://www.energynet.com>. Bidding will commence on April 24, 2018, at 9:00 a.m. CST and will end on May 1, 2018.

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