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Wayne National Forest Update

Article provided by: Jackie Stewart, Energy In Depth-Ohio

As many of you know, a major priority for Energy In Depth has been the grassroots educational campaign around the Bureau of Land Management's (BLM) decision to lease federal minerals under the surface of Wayne National Forest.

Three years ago, SOOGA wrote letters to Congressman Johnson regarding delays with your Expressions of Interest (EOIs) to lease in the Wayne. As Utica Shale development trended farther and farther south, the need to open this acreage became even more important. Now, after over three years, BLM has finally agreed to release 40,000 acres in the Marietta Unit for leasing. The effort to reach this point required a tremendous amount of grassroots engagement and collaboration between a host of interested parties. Together we were able to make the case that, despite the opposition's claims, leasing is strongly supported by the people who actually live and work here.

That said, here are the six key takeaways you need to know about the recent BLM final Environmental Assessment (EA) and notice of December lease sale:

1. The BLM opened leasing only to specific areas, with stipulations, and may be subject to protest.

Due to the complex nature of the forest and environmental protections, many of the acres in Monroe and Washington counties to be auctioned in December include provisions stating that leasing will have a "No Surface Occupancy" stipulation on the entire lease, or on designated areas of the lease.

The December lease sale includes the following townships in Monroe County: Lee, Jackson, Perry, Green, Washington, and Wayne; and in Washington County, Liberty township. All of these acres have stipulations to preserve and protect the environment. Additionally, each parcel of land to be auctioned is subject to individual protest, and the application to drill on the surface of the Wayne is also subject to protest. If you have any interest in operating in these areas, you will need to become very familiar with the process moving forward. Operators will need to work with the BLM, U.S. Forest Service, and the Wayne.

In short, while the final EA and notice of lease sale are a good step forward— they are, in fact, a step—in a long process that may include more protests and environmental reviews, depending on the use of the surface.

THE CROW'S NEST

Another great Trade Show! Our recent SOOGA Trade Show on September 15th at the Washington County Fairgrounds in Marietta turned out very well!



The Tradeshow began with several great training sessions in the morning followed by industry updates and technical presentations in the late morning and afternoon. In the continued effort to help our membership navigate through the downturn, several presentations focused on strategies for “Surviving these Tough Times”. With continued volatility in commodity prices, several key topics related to natural gas marketing were covered. Dave Gaiser with IGS Energy provided an informative “Gas Marketing 101” presentation followed by a Gas Marketing Panel that discussed strategies to “Optimize the Market”. I sincerely thank Dave Gaiser, Jim Javins, and David Marks for participating on the panel and sharing their valuable insights!

Thank you also to our other excellent presenters! Brian Hickman with OOGA, Charlie Burd with IOGA WV, and Representative Andy Thompson provided updates on regulatory and legislative matters facing our industry. The Washington County Sheriff’s Office provided a great presentation on “Active Shooter Awareness”. It was very interesting and eye opening! Charlie Dixon with OOGEEP, Bill Carol with Henderson Wilds, Jared Stevens with Stevens Oil & Gas, and Chris Deem with Canaan Industries also provided excellent training sessions that were all well attended.

I would like to thank all of our sponsors, the Events Committee, Billie Leister & Whitney Huck, the SOOGA Board, all of the speakers, Events by Design, the Ohio Valley Desk & Derrick Club, and C&S Barbecue for helping once again make the Trade Show a great success!

SOOGA also hosted another great event, our Fall Clay Shoot, on Oct. 14th at Hilltop Sports in Whipple, OH. The weather could not have been better and it was a fantastic day! Thank you again to the sponsors, Events Committee, Smokin Pigs Ash BBQ, LLC and all of our volunteers!

As always, your SOOGA team will serve our membership as much as possible during these tough times. We will continue to host great events, but more importantly the SOOGA team will continue to monitor and address industry related developments and push back against attacks on our industry. As the budget season approaches in the Ohio Legislature, key issues will likely heat up once again. SOOGA will continue to stay engaged on these fronts and fight on your behalf!

Thank you for all you do to provide energy for our community, state, and country. As you continue to navigate through these tough times and weather the storm, keep your head up and remember... this too shall pass!

President
Matt Lupardus

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**Southeastern Ohio Oil and Gas Association
Gas Committee Report
October, 2016**

PRICING**Prices October 10, 2016**

One Year NYMEX strip (Nov., 2016 – Oct., 2017)	\$3.30
Summer NYMEX strip for 2017 (April-October)	\$3.20
Winter NYMEX strip – 2016 (Nov., 2016 – March, 2017)	\$3.47
TCO Index Posting –October, 2016	\$2.78
DTI Index Posting – October 2016	\$0.88

It appears that high storage levels combined with enhanced production capabilities and slow usage growth could keep gas prices from rising dramatically over the next couple of years.

GAS STORAGE AS OF THE October 6, 2016 Report

Working Gas in storage was 3,680 bcf as of Friday, September 30, 2016. At 3,680, total working gas is 205 bcf above the 5 year historical range.

Region	Stocks billion cubic feet (Bcf)			Year ago (09/30/15)		5-Year average (2011-2015)	
	09/30/16	09/23/2016	change	(Bcf)	% change	(Bcf)	% change
East	899	974	25	856	5.0	860	4.5
Midwest	1,045	1,014	31	975	7.2	982	6.4
Mountain	237	233	4	205	15.6	197	20.3
Pacific	318	318	0	358	-11.2	343	-7.3
South Central	1,181	1,161	20	1,213	-2.6	1,091	8.2
Salt	289	275	14	328	-11.9	257	12.5
Nonsalt	893	885	8	885	0.9	834	12.5
Total	3,680	3,600	80	3,606	2.1	3,475	5.9

Storage is 84.8% full compared to normal as of this report, with normal total capacity of 4,336 at the start of the withdrawal season. Storage is 75 BCF above last year, and 205 BCF above the five year average.

Source: Form EIA-912, "Weekly Underground Natural Gas Storage Report." The dashed vertical lines indicate current and year-ago weekly periods.

GATHERCO**Chesapeake Utilities Corporation announced a Definitive Merger Agreement to acquire Gatherco, Inc.**

On January 30, 2015, Chesapeake Utilities announced a merger agreement to acquire Gatherco, merging it into Aspire Energy of Ohio, LLC, a wholly-owned subsidiary of Chesapeake Utilities. It is expected to be completed in the second quarter of 2015.

The transaction has an aggregate value of approximately \$59.2 million, inclusive of the following:

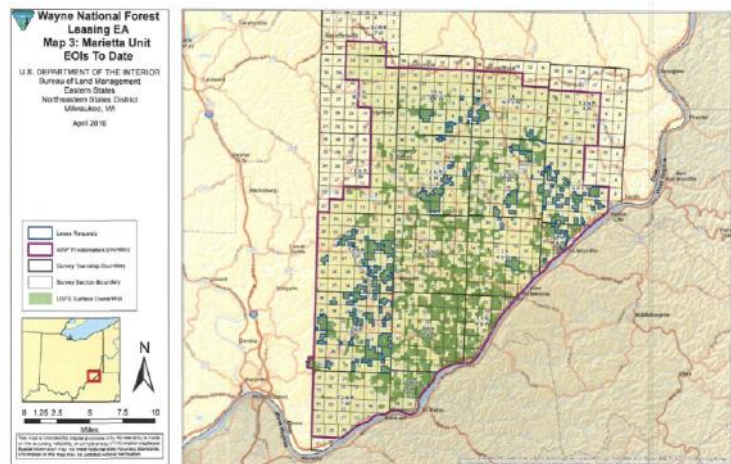
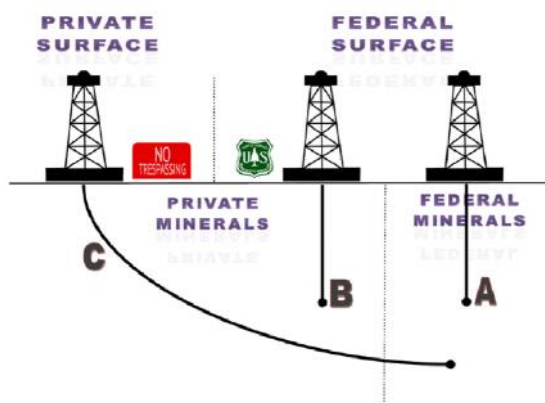
\$49.8 million in exchange for all outstanding shares of Gatherco common stock, paid as follows:

- 593,005 shares of Chesapeake Utilities common stock, valued at \$29.9 million, and
- \$19.9 million in cash (before payment of certain transaction expenses and escrow deposits);
- \$7.7 million in cash in consideration for cancellation of all outstanding Gatherco stock options; and
- Assumption of Gatherco's debt at closing, estimated to be \$1.7 million.

(Continued to page 6)

(Continued from page 1)

Figure 2.1. Mineral and surface ownership scenarios on Forest Service lands



2. BLM's final Environmental Assessment was significantly more in-depth than its draft review.

The final EA is 206 pages, compared to the just 112 pages of the draft EA. The final EA added an entire appendix (Appendix A, which is 31 pages long) to address the public comments received between the draft and the final versions of the assessment. BLM strengthened the final EA to include substantial content around the following areas: agency and tribal consultation, public comment period for the draft EA, greenhouse gas emissions, Ohio climate, public health and safety, transportation, socioeconomics, environmental justice, land use, geology, mineral, and climate change.

3. BLM reinforced (again and again) that the Environmental Assessment complies with National Environmental Policy Act (NEPA).

A popular criticism made by activists during the entire scoping and public comment period was that BLM was not complying with NEPA regulations, by claiming that the agency's actions were "legally and substantially inadequate to comply." In short, the over 200 page EA addresses this issue time and time again, stating:

"This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969; the CEQ regulations implementing NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), the United States Department of the Interior (DOI) NEPA requirements (Department Manual 516, Environmental Quality) and the BLM NEPA Handbook H-1790-1. The information presented within this document serves as the basis for the BLM Authorized Officer to decide whether the Proposed Action would result in significant impacts to the environment."

The EA goes on to [say](#),

"These criteria are analyzed in the Finding of No Significant Impact (FONSI) document related to the Final EA. Based on the analysis presented in the EA; the BLM believes that the conclusions presented in the FONSI are accurate."

BLM also addressed that they were a cooperating agency with the US Forest Service in 2006 and 2012 as the Forest Plan was updated to address hydraulic fracturing; these reviews also incorporated NEPA provisions as well.

(Continued to page 11)

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GATHERCO RETAINAGE

Retainage for June, 2016 is as follows for the Gatherco systems. Treat was 19.0%, Miley was 7.0%, Meigs was 19.0%, York was 5.0%, Grimes was 20.0%, and Elk was 18.0%.

August, 2016 retainage was not available as of the date of this report.

EIA FORECAST August 11, 2016:

EIA forecasts that inventories will end the winter heating season (March 31) at 2,288 Bcf, which would be 54% above the level at the same time last year. Forecast Henry Hub spot prices average \$2.41/million British thermal units (MMBtu) in 2016 and \$3.02/MMBtu in 2017, compared with an average of \$2.95/MMBtu in 2015.

US crude oil production averaged an estimated 9.4 million barrels per day (b/d) in 2015, and it is forecast to average 8.7 million b/d in 2016 and 8.3 million b/d in 2017. EIA estimates that crude oil production in December fell 80,000 b/d from the January level.

Forecast West Texas Intermediate (WTI) crude oil prices average \$2/b lower than Brent in 2016 and \$3/b lower in 2017. However, the current values of futures and options contracts continue to suggest high uncertainty in the price outlook. For example, EIA's forecast for the average WTI price in June, 2016 of \$35/b should be considered in the context of recent contract values for April 2016 delivery ([Market Prices and Uncertainty Report](#)) suggesting that the market expects WTI prices to range from \$24/b to \$58/b (at the 95% confidence interval).

WEST VIRGINIA NEWS:

West Virginia legislators are currently considering forced pooling, and the producers and oil and gas associations are working with the House and Senate to develop rules. The last attempt did not pass, and they are working to come up with some acceptable legislation.

New Tank Regulations:

West Virginia has adopted some new tank regulations recently. The results and requirements of this new regulation was set out and explained in the latest SOOGA Newsletter, so please read it to familiarize yourself with these regulations if you have production in WV.

KINDER MORGAN:

Kinder Morgan, one of the country's largest gas transmission companies, is set to start building two new compressor stations near Sissonville by the end of the year as part of an \$800 million pipeline expansion project.

On Tuesday, the Houston-based company received approval from the Federal Energy Regulatory Commission to build the two compressor stations in Kanawha County that are worth \$100 million as part of the Broad Run Expansion Project.

That project is being undertaken by Tennessee Gas Pipeline Company, Kinder Morgan's subsidiary. The company says the project will improve gas transport through an existing pipeline in West Virginia, Kentucky and Tennessee by enhancing two existing compressor stations and building four new compressor stations.

With federal approval, the construction of the new compressor stations in West Virginia is expected to start by December, according to the company's website.

UTICA NEWS:

NEW PIPELINES PROPOSED TO SPUR UTICA SHALE DRILLING IN OHIO

SUNOCO LOGISTICS PARTNERS, L.P.

Sunoco Logistics Partners L.P. announced on 11/6/2014 that it will build a huge pipeline project that will quadruple the Marcellus Shale gas liquids moving through the Philadelphia area called the Mariner East 2 project. It will be at least 16 inches in diameter, and begin in Scio, Ohio and cross West Virginia and Western Pennsylvania to the Philadelphia area. The pipeline will be 350 miles long, and is expected to deliver 275,000 barrels per day of natural gas liquids (NGL) to the Marcus Hook complex, and will begin operations by the end of 2016, subject to regulatory and permit approvals.

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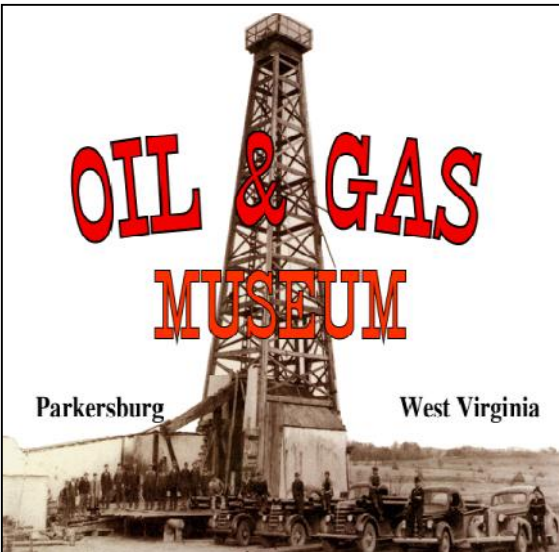
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(Continued from page 6)

DOMINION RESOURCES INC.:

Four energy partners formally asked the federal government on Friday for permission to build a 564-mile natural gas pipeline in West Virginia, Virginia and North Carolina.

The 348-page application was submitted to the Federal Energy Regulatory Commission.

The \$5 billion Atlantic Coast Pipeline is intended to deliver cleaner burning natural gas to the Southeast as utilities move away from coal-burning power plants amid tighter federal rules on pollution that contributes to climate change.

Richmond, Virginia-based Dominion Resources Inc. and Charlotte, North Carolina-based Duke Energy would have 45 percent and 40 percent ownership stakes in the pipeline, respectively. Charlotte-based Piedmont Natural Gas would have a 10 percent ownership and Atlanta-based AGL Resources, 5 percent.

The pipeline would carry natural gas from Marcellus shale drilling in Pennsylvania, Ohio and West Virginia to the Southeast. It would run from Harrison County, West Virginia, southeast to Greensville County, Virginia, and into North Carolina.

DUKE ENERGY:

Duke Energy and Piedmont Natural Gas announced the selection of Dominion to build and operate a 550-mile interstate natural gas pipeline from West Virginia, through Virginia and into eastern North Carolina to meet the region's rapidly growing demand for natural gas. The pipeline has an estimated cost of between \$4.5 billion and \$5 billion, an initial capacity of 1.5 billion cubic feet of natural gas per day, and a target in-service date of late 2018. Gas will be carried through a 42-inch-diameter pipe in West Virginia and Virginia, and a 36-inch-diameter pipe in North Carolina. The pipeline's main customers are six utilities and related companies that collectively will purchase a substantial majority of the pipeline's capacity to transport natural gas – Duke Energy Carolinas, Duke Energy Progress, Virginia Power Services Energy, Piedmont Natural Gas, Virginia Natural Gas, and PSNC Energy.

AMERICAN ENERGY/REGENCY ENERGY PARTNERS

American Energy and Regency Energy Partners are planning a \$500 million pipeline to move American Energy's Utica shale gas to major pipelines like Rockies Express and Texas Eastern that service Texas, Colorado, and states along the nation's southeastern rim. The 52 mile system will deliver more than 2 BCF per day of gas supply. It is expected to be completed in the third quarter of 2015.

ENERGY TRANSFER

A second interstate pipeline is being planned to ship natural gas from the Utica and Marcellus Shale regions across Stark County. The planned Rover Pipeline would carry up to 3.25 BCF of natural gas per day from West Virginia, Pennsylvania, and Ohio. In total, the Rover mainline will include 380 miles of 36 inch and 43 inch diameter pipe and five compressor stations, plus 197 miles of supply laterals ranging in diameter from 24 to 47 inches.

MIDSTREAM/PROCESSING NEWS:

Pinto Energy is looking to build a 2,800 bbl/day gas to liquids plant east of Ashtabula, Ohio. It will produce high quality synthetic liquids as well as lubricants, waxes and solvents from gas being produced by the Utica and Marcellus formations.

Utica East Ohio (UEO), a joint venture by Access Midstream, M3, and EV Energy Partners, became the first fully integrated gathering, processing, and fractionation complex to be put into operation on July 28th in Eastern Ohio. This initial phase of the UEO project is capable of processing 220-million cubic feet per day at their cryogenic processing facility near Kensington, and is processing 45,000 barrels per day of natural gas liquids at their fractionation, storage and rail facility near Scio.

The second phase is under construction and scheduled to be completed in December, 2014 with a third phase to follow. When complete, the UEO project will have 800 million cubic feet per day of cryogenic processing, 135,000 barrels per day of natural gas liquids fractionation, 870,000 barrels per day of natural gas liquids fractionation, 870,000 barrels of gas liquids storage and a rail facility capable of loading 90 cars per day.

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(Continued from page 4)

4. BLM responded to landowner concerns and environmental justice.

The draft EA, allegedly, included language that offended private mineral owners. The BLM also included provisions in the draft that would have essentially forced BLM staff into the negotiating process between a lessor and lessee, for private minerals adjacent to the forest. This language was removed entirely from the final EA, thanks to the efforts of the National Association of Royalty Owners and the Landowners for Energy Access and Safe Exploration. The BLM stated that “based on the analysis, there would be no disproportionate advance effect to environmental justice population from leasing in the Marietta Unit”.

Additionally, in direct response to what appears to be significant outcry by landowners regarding the “highly offensive” language that “implies that private citizens are incapable of managing mineral development on their property”, the BLM actually issued an apology!

“The BLM sincerely apologizes and did not intend to offend the public. This section has been revised accordingly in the Final EA.”

5. The BLM acknowledged why it’s so important that University of Cincinnati publish their groundwater study.

EID submitted comment into the BLM asking that it consider the University of Cincinnati groundwater study, which is the only study that has been conducted in Ohio after the onset of Utica shale development and is the only study which has used isotope analysis. The study found “no evidence for natural gas contamination from shale oil and gas mining in any of the sampled groundwater wells of our study”.

EID has been requesting that UC publish this study since the results were made public in March, and they have yet to do so. If a study is not published and peer-reviewed than when environmental reviews are conducted by a federal agency, like the one here, they are not able to be used as a basis for a decision on that subject matter. Therefore, the UC study was not included in the final EA. Speaking directly to that point, the BLM responded to our request with this comment in the Final EA:

“In 2011 a Duke University study failed to show a connection between hydraulic fracturing and groundwater contamination. **The University of Cincinnati study is a multi-year, ongoing study and the results were not published at the time the Final EA was written.**” (emphasis added)

6. BLM substantially responded to air and climate change.

BLM’s final Environmental Assessment includes 4 pages specifically dealing with protests received from the draft EA surrounding concerns raised by environmental groups over air and climate change. Some of the most outlandish protests made by these groups include a familiar comment by anti-fracking activists; that “oil and gas activities are exempted from major source pollution rules and are not monitored or regulated in Ohio”. BLM’s response was this:

“Operators are required to ensure their actions do not violate any federal or state air quality standards. Appendix C, a new appendix added to the Final EA, summarizes Ohio’s oversight over emissions from oil and gas operations (page 155). The Ohio Environmental Protection Agency (EPA) air pollution regulations are located in the Ohio Administrative Code (OAC) in Chapters 3745-14 to 3745-26, 3745-31, 3745-71 to 3745-80, 3745-100 to 3745-105, 3745-108, 3745-109, and 3745-112 to 3745-114.”

BLM protestors also charged that the agency did not “adequately assess potential impacts to climate change from future oil and gas operations.” To this, BLM responded:

(Continued to page 15)

HYDROGEN SULFIDE



Hydrogen sulfide is a colorless, flammable, extremely hazardous gas with a “rotten egg” smell. Some common names for the gas include sewer gas, stink damp, swamp gas and manure gas. It occurs naturally in crude petroleum, natural gas and hot springs. Industrial activities that can produce the gas include petroleum/natural gas drilling and refining, wastewater treatment, coke ovens, tanneries, and kraft paper mills. Hydrogen sulfide can also exist as a liquid compressed gas.

Safety Hazards

- Hydrogen sulfide is a highly flammable, explosive gas, and can cause possible life-threatening situations if not properly handled. In addition, hydrogen sulfide gas burns and produces other toxic vapors and gases, such as sulfur dioxide.
- In addition to exposure to hydrogen sulfide in the air, exposure to liquid hydrogen sulfide can cause "blue skin" or frostbite. If clothing becomes wet, avoid ignition sources, remove the clothing and isolate it in a safe area to allow it to evaporate.
- The effect called knockdown (rapid unconsciousness) often results in falls that can seriously injure the worker.

A level of H₂S gas at or above 100 ppm is immediately dangerous to life and health (IDLH).




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GAS PRICING 2016**SEPTEMBER 2016**

NYMEX Settlement: \$2.8530
 Inside FERC/DTI: \$1.2200(Basis: -\$1.633)
 Inside FERC/TCO: \$2.6900 (Basis: -\$0.163)
 NYMEX 3-day Average: \$2.8460

OCTOBER 2016

NYMEX Settlement: \$2.9520
 Inside FERC/DTI: \$0.8800(Basis: -\$2.072)
 Inside FERC/TCO: \$2.7800 (Basis: -\$0.172)
 NYMEX 3-day Average: \$2.9970

OIL PRICING 2016**ERGON OIL PURCHASING WEST VIRGINIA MONTHLY AVERAGE**

August Ohio Tier 1: \$44.009
 August Ohio Tier 2: \$41.009
 August Ohio Tier 3: \$39.009
 August West Virginia Tier 1: \$44.009
 August West Virginia Tier 2: \$41.009
 August West Virginia Tier 3: \$39.009
 August Marcellus/Utica Condensate: \$27.009
 August Marcellus/Utica Medium: \$44.009
 August Marcellus/Utica Light: \$38.509

September Ohio Tier 1: \$43.9947
 September Ohio Tier 2: \$40.9947
 September Ohio Tier 3: \$38.9947
 September West Virginia Tier 1: \$43.9947
 September West Virginia Tier 2: \$40.9947
 September West Virginia Tier 3: \$38.9947
 September Marcellus/Utica Condensate: \$26.9947
 September Marcellus/Utica Medium: \$43.9947
 September Marcellus/Utica Light: \$38.4947

Tier 1 - 150 + net barrels of crude oil
 No more than 2% BS&W (if the BS&W is over 2% it will then qualify for Tier 2 pricing)
 One stop location (one or more tanks at a single location)

Tier 2 - 60-149.99 net barrels of crude oil
 Two Stops within 5 miles

Tier 3 - 30-59.99 net barrels of crude oil

The prices as posted are based upon computation of volume by using tank tables, or as measured by a deduction for all BS&W and correction for temperature deductions or allowances shall be made on the oil purchased shall be free of contamination and/or alteration by foreign substances or chemicals not associated with virgin crude oil. These include but are not restricted to, oxygenated and/or chlorinated compounds.

The Marcellus/Utica Shale produced crude oil will be purchased based on the monthly average for the following postings:
 38.0-49.9 API Gravity—**Marcellus/Utica Medium** crude oil
 50.0-59.9 API Gravity—**Marcellus/Utica Light** crude oil
 60.0+ API Gravity—**Marcellus/Utica Condensate** (formerly posted as Appalachian Sweet Light-ALS).
 Other parameters will be evaluated on a farm by farm basis.

You can now find EOP WVA Crude oil Price Bulletin on the internet at:
www.ergon.com

OIL PRICING 2015/2016**AMERICAN REFINING GROUP AVERAGE**

8/11 to 8/20 Group 1 OH: \$45.13
 Group 2 OH: \$42.13
 Group 3 OH: \$40.13
 8/21 to 8/31 Group 1 OH: \$46.16
 Group 2 OH: \$43.16
 Group 3 OH: \$41.16
 9/1 to 9/10 Group 1 OH: \$44.06
 Group 2 OH: \$41.06
 Group 3 OH: \$39.06
 9/11 to 9/20 Group 1 OH: \$43.04
 Group 2 OH: \$40.04
 Group 3 OH: \$38.04
 9/21 to 9/30 Group 1 OH: \$44.88
 Group 2 OH: \$41.88
 Group 3 OH: \$39.88
 10/1 to 10/10 Group 1 OH: \$48.50
 Group 2 OH: \$45.50
 Group 3 OH: \$43.50

ARG GROUP PRICING CATEGORIES AND DEFINITIONS FOR PENNSYLVANIA GRADE CRUDE OIL (LEGACY)

Group 1 (OH/PA/NY) - 150.0 barrels from a single location, with a BS&W of 2% or less,

Group 2 (OH/PA/NY) - 60.0-149.99 net barrels from a single location

Group 3 (OH/PA/NY) - 30-59.9 net barrels from a single location

For questions relating to ARG Group Pricing or Utica / Marcellus Shale pricing, please contact:

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(Continued from page 11)

“Direct links to climate change are uncertain. The inconsistency in results of scientific models used to predict climate change at the global scale coupled with the lack of scientific models designed to predict climate change on regional or local scales, limits the ability to directly associate potential mineral development in the Marietta Unit with measureable changes in climate. The BLM has reviewed the Council on Environmental Quality (CEQ) 2016 final guidance on greenhouse gas emissions and climate change and believes the Final EA is consistent with these documents in terms of the approach taken to assess potential impacts from greenhouse gas emissions and on climate change.”

Highlighting how obvious it is that BLM activists didn't even take the time to research the area or draft EA, one of the protests stated that ozone issues weren't taken into account in the draft EA. However, had activists actually done their homework, they would know, as BLM rightly [pointed out](#), “Washington County is the only one of the three counties...that is currently in non-attainment for any of the criteria air pollutants (Sulfur Dioxide).” This is a really important point because Monroe and Noble counties are in attainment, which has occurred as production from oil and natural gas has soared in those same counties!

Conclusion

Although the Ohio Environmental Council claims that it plans to protest this final EA, it's hard to imagine what grounds they would have to do so, considering the BLM clearly demonstrated that they have made substantial revisions to the draft and found, with considerable scrutiny, that “there is no significant impact” to the forest from leasing the mineral rights. That said, and as stated above, operators who intend to develop minerals in and around the Wayne should be recognize that while this decision by the BLM is certainly a good step forward, there are many steps that may still remain to drill on the surface of the forest.

Thank you for the opportunity to provide the membership with some updates on this matter and I look forward to seeing you all very soon.

Best,

Jackie Stewart

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(Continued from page 8)

Hickory Bend Project, the NiSource and Hilcorp natural gas processing project, has announced the construction of a \$60 million pipeline to move natural gas liquids from their cryogenic natural gas processing plant in Springfield Township to attractive market destinations. Pennant Midstream will construct the 12 inch 38 mile pipeline. It will have the capacity to deliver up to 90,000 bbls. of NGS per day to a Utica East Ohio pipeline in Columbiana County, and from there be transported to the fractionator in Harrison County. It is expected to be complete by July, 2014

Appalachian Resins announced that it will build a \$1 billion facility in Monroe County that will be able to process approximately 18,000 barrels per day of ethane into ethylene and polyethylene, the feedstock for plastic and many other items we use in our daily lives. The facility is expected to begin operating in early 2019 and will produce 600 million pounds of ethylene/polyethylene per year. This new feedstock has the potential to reinvigorate the manufacturing sector in the region, which will, in turn, increase investment and jobs in the Ohio Valley.

For more information, click on this link; <http://energyindepth.org/ohio/new-natural-gas-plant-up-and-running-in-eastern-ohio/>

SECOND QUARTER – 2016 – PRODUCTION VOLUMES:

COLUMBUS, OH - During the second quarter of 2016, Ohio’s horizontal shale wells produced 4,839,792 barrels of oil and 334,257,982 Mcf (334 billion cubic feet) of natural gas, according to the figures released today by the Ohio Department of Natural Resources (ODNR). Natural gas production from the second quarter of 2016 showed an increase over the second quarter of 2015, while oil production was reduced for that same period.

	2015 QUARTER 2 (SHALE)	2016 QUARTER 2 (SHALE)	PERCENTAGE CHANGE
Barrels of oil	5,955,042	4,839,792	(18.73%)
Mcf of natural gas	221,914,394	334,257,982	50.62%

AS of September 3, 2016, there have been 2,259 Utica Shale permits issued in 23 counties in Ohio to 29 companies, and 1,807 of them have been developed. The counties are listed below.

Ashland, Belmont, Carroll, Columbiana, Coshocton, Geauga, Guernsey, Harrison, Holmes Jefferson, Knox, Mahoning, Medina, Monroe, Muskingum, Noble, Portage, Stark, Trumbull, Tuscarawas, Washington, and Wayne.

There are currently 1,415 Utica Shale wells in production, with 22 rigs running.

Use of Data:

The information contained in this document is compiled and furnished without responsibility for accuracy and is provided to the recipients on the condition that errors or omissions shall not be made the basis for a claim, demand or cause of action. The information contained in this document is obtained from recognized statistical services and other sources believed to be reliable, however we have not verified such information and we do not make any representations as to its accuracy or completeness.

Disclaimer:

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The staying power of the shale revolution

Article from Marietta Times, 10/24/16

At times over the past few years it may have felt like Ohio's shale revolution was over before it had even begun. The number of drilling rigs exploring for oil and natural gas has fallen by more than 70% over the last two years. Some energy companies even called it quits or faced bankruptcy. But make no mistake, the shale revolution has continued and it's having an extremely positive impact on the state.

The number of rigs drilling for oil and gas in Ohio's Utica shale is just a third of what it was in 2015, but overall production continues to grow. Monthly natural gas production has increased from just 0.1 billion cubic feet per day (Bcf/d) at the close of 2012, to more than 3.5 Bcf/d in June of this year.

Energy companies in Ohio have gotten very good at what they do. The amount of natural gas produced from each new Utica well is now six times what it was for a well drilled in 2012. Ohio's shale industry has proven its staying power.

We have now entered a new phase in the shale revolution. It has already brought drilling jobs and pipeline and processing-plant construction jobs. It's also creating jobs building new natural gas power plants and electricity transmission lines that will replace the state's aging fleet of coal plants. In just the past five years, the Ohio Power Sitting Board has approved 5,000 megawatts of new natural gas power capacity-enough capacity to power five million homes. These new power plants-many of them coming in southeast Ohio's shale counties-represent billions of dollars in new investment and thousands of jobs that will be around for decades.

The U.S. Chamber of Commerce reminds us of not just what the shale revolution has helped us add, but also what it has helped us avoid. A new report from the Chamber, titled "*What if America's Energy Renaissance Never Actually Happened?*", found that without shale production and investment, the U.S. would have lost 4.3 million jobs and \$548 billion in annual GDP. Ohio and Pennsylvania alone would have lost more than 230,000 jobs and nearly \$23 billion in state GDP and \$13 billion in labor income each year between 2010 and 2015.

Instead, fewer people are without work. Unemployment has been slashed. In some Ohio counties it has fallen by more than 60 percent. Investment in some economically-stressed counties has soared. Across West Virginia, Ohio and Pennsylvania's shale regions, energy extraction is turning into reindustrialization. Construction of new petrochemical plants and natural gas power plants is picking up steam. More than 30 new natural gas power plants have been approved in the three states since 2010.

As the nation continues to lean more heavily on cleaner-burning natural gas to provide our electricity, the energy produced in Ohio will only grow in importance. The shale revolution might already seem old hat, but it's still in its early innings. Jobs and investment are more than likely going to keep coming.

None of this would have been possible without energy-rich geology, but pro-development policies have been equally important, since there are those who fight energy development at every turn. They believe Ohio or Pennsylvania would have been better off without shale development. They have succeeded in stopping the oil and natural gas industry from drilling- and investing- in New York. If we are to continue to reap the rewards of this economic bounty, we must remain vigilant and let science, logic and economics influence energy policy, not emotion and misplaced hope in sources that aren't really practical for this region.

Robert W. Chase, P.E., Emeritus Professor, Marietta College, Department of Petroleum Engineering and Geology, 215 Fifth St., Marietta.



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What the Future May Hold and Positive Information on the Benefits of Fracing

By: CARL HEINRICH

October 26, 2016

For the benefit of our members who do not subscribe to *World Oil* we present a paragraph from a column in the October issue written by Dr. Roger H. Bezdek entitled "Obama's administration sends parting gifts to the industry". Here Dr. Bezdek discusses various nasty aspects of the Obama administration's current agenda. Dr. Bezdek says

"Mr. Obama has abandoned an 'all of the above' energy strategy unveiled during his 2012 re-election campaign and is (now) wielding federal power against an industry he considers the enemy."

The whole article is too long and depressing to reprint here, but one paragraph near the end illustrates the benefits derived to the general population from the use of fracing by our domestic oil and gas producers. This paragraph is reproduced below. This is good information to counter the false claims of those who oppose fracing.

"Ironically, while regulators continue to target O&G, the U.S. EIA has issued a report documenting the industry's economic benefits. EIA estimated that declining energy prices, due to fracing, have saved the average American household nearly \$750 annually since 2008. Between June 2014 and February 2016, O&G prices decreased 71% and 56%, respectively, due to fracing, and the prices of gasoline and electricity fell to historic lows. These declining energy prices have reduced household energy costs and are especially meaningful to low and moderate-income families."



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Ohio Supreme Court Finally Rules on Dormant Mineral Act

Article from Marcellus Drilling News 10/24/10.



MDN has been reporting on the Ohio Dormant Mineral Act (DMA) for years (see [Video: OH Lawyers Explain Dormant Minerals Act & Impact on Utica](#)). In a nutshell, there are two DMAs in Ohio—one passed in 1989 that went into effect in 1992, and another in 2006 which added certain additional procedural requirements to the 1989 version. The DMA in its various versions provides for mineral rights that had previously been separated from surface rights to transfer back to the surface owner under certain conditions. The problem, for drillers and for landowners in Ohio, is in knowing which set of DMA rules to use (1989 or 2006) in determining who owns the mineral rights. A number of DMA cases went before the Ohio Supreme Court. Some of the minor cases have already been decided (see [Ohio Supreme Court Rules in Important Dormant Mineral Act Case](#)). However, most of the big cases remain stalled at the Supreme Court. That is, until now. Yesterday the Ohio Supreme Court ruled on the remaining big DMA cases. The Supremes issued full rulings in three cases and stated the other cases come under those three. The biggest of the three is *Corban v. Chesapeake Energy*, in which the justices said the 2006 law now trumps (pun intended) the 1989 law. Here's a summary of what the court decided...

Here's a good summary from the lawyers at energy law firm Porter Wright Morris & Arthur:

This week, the Ohio Supreme Court issued key decisions on its pending Dormant Mineral Act (DMA) cases. The Supreme Court Announcement itemized the various decisions released this morning, which were further detailed in Court News Ohio. Only three cases received full opinions: Corban v. Chesapeake Exploration, L.L.C., Walker v. Shondrick-Nau and Albanese v. Batman, while the remaining cases were disposed of based on the authority of those three opinions.

Overall, the Corban opinion addresses the issues that were most anticipated by oil and gas lawyers around the state, finding that the 1989 version of the DMA applied a fixed look back from its effective date, and that it was only operative until its amendment in 2006. Critically, the Court also held that the 1989 DMA is not self-executing and that a surface owner was required to obtain a judicial determination of abandonment of a severed mineral interest under the 1989 DMA. However, now that the 2006 version of the DMA has completely displaced any right to proceed under the 1989 DMA, only the 2006 version applies today. (1)

Comments on the rulings from the lawyers at Vorys:

On September 15, 2016, the Supreme Court of Ohio issued a number of decisions concerning the application of the Ohio Dormant Mineral Act (R.C. 5301.56) (DMA). In the lead case, Corban v. Chesapeake Exploration, L.L.C., et al., 2016-Ohio-5796, the Court held that:

- * The 1989 version of the DMA was not self-executing (i.e., did not automatically transfer ownership of dormant mineral rights to the surface owner of the property by operation of law). Rather, the surface owner must have filed a quiet title action seeking a decree that the dormant mineral interest had been abandoned in order to merge the interests;*
- * The 2006 version of the DMA ("2006 DMA") applies to claims to abandon dormant mineral interests asserted after the effective date of the 2006 DMA (June 30, 2006); and*
- * The payment of a delay rental during the primary term of an oil and gas lease does not qualify as a "savings event" under the DMA.*

These holdings have a significant impact upon the ownership of severed oil and gas interests located within the State of Ohio. We are currently reviewing these decisions and will be publishing a more detailed client alert shortly. Please check back here for additional information. (2)

And finally, from the legal beagles at the Babst Calland law firm:

Today, the Ohio Supreme Court issued three written opinions interpreting the Ohio Dormant Mineral Act (O.R.C. §5301.56) (the "ODMA") and decided 10 related cases based upon its decisions set forth in the written opinions. Notably, in *Corban v. Chesapeake Exploration L.L.C.*, (Slip Opinion No. 2016-Ohio-5796), the Supreme Court held that the 1989 version of the ODMA (the "1989 Act") did not automatically abandon oil, gas and mineral rights in favor of the surface owner.

(Continued to page 23)

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(Continued from page 20)

Instead, the Supreme Court interpreted the statute to require the surface owner to seek a judicial decree that the mineral rights were abandoned. The Court focused on the statutory phrase “shall be deemed abandoned and vested in the owner of the surface” in determining that the legislature intended the 1989 Act to serve as a method of terminating abandoned mineral rights through a quiet title action rather than automatically transferring the mineral interests to the surface owner by operation of law. Additionally, the Court held that payment of delay rentals under a lease does not constitute a “title transaction” under Ohio law since the payment of delay rentals are not filed or recorded in the country recorder’s office.

In *Walker v. Shondrick-Nau, Exr.*, (Slip Opinion No 2016-Ohio-5793), the Ohio Supreme Court built upon its decision in *Corban* and held that, if a surface owner failed to quiet title under the 1989 Act prior to the enactment of the 2006 version of the ODMA (the “2006 Act”), then the 1989 Act is unavailable and the surface owner can only pursue a claim to abandon mineral interests under the 2006 Act.

Finally, in *Albanese, Exr. v. Batman et al.*, (Slip Opinion No. 2016-Ohio-5814), the Ohio Supreme Court followed the rationale of *Corban* regarding the necessity of filing an action to quiet title under the 1989 Act prior to the enactment of the 2006 Act. The Court further held that under the 2006 Act mineral rights cannot be deemed abandoned if the owner of the minerals had not been served notice of the abandonment pursuant to the 2006 Act. The notice requirement is mandatory under the 2006 Act.

Citing to the above cases, the Supreme Court decided 10 additional cases consistent with the three written opinions. The 10 cases are listed below:

Carney et al. v. Shockley et al., (Slip Opinion No. 2016-Ohio-5824)
Dahlgren et al. v. Brown Farm Prop. L.L.C., et al., (Slip Opinion No. 2016-Ohio-5818)
Eisenbarth et al. v. Reusser et al., (Slip Opinion No. 2016-Ohio-5819)
Farnsworth et al. v. Burkhart et al., (Slip Opinion No. 2016-Ohio-5816)
Swartz v. Householder et al., (Slip Opinion No. 2016-Ohio-5817)
Shannon et al. v. Householder et al., (Slip Opinion No. 2016-Ohio-5817)
Taylor et al. v. Crosby et al., (Slip Opinion No. 2016-Ohio-5820)
Thompson et al. v. Custer et al., (Slip Opinion No. 2016-Ohio-5823)
Tribett v. Shepherd et al., (Slip Opinion No. 2016-Ohio-5821)
Wendt et al. v. Dickerson et al., (Slip Opinion No. 2016-Ohio-5822) (3)



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WEST VIRGINIA UPDATE

By: Bob Matthey

By now, many producers have registered their oil tanks. If you have tanks that you have not registered in the AST (Above Ground Storage Tank), I recommend you get it done. By now, you should know whether your tanks are Level 1 or Level 2 and whether they are in the Zone of Critical Concern or Zone of Peripheral Concern.

If you have Level 1 or Level 2 tanks and they were inspected before June 1, 2015, they do not need inspected again for a few years! Otherwise, Fit for Service Certification of Inspection of AST by "certified individual" must be inspected by January 28, 2017.

Many questions have arisen about closing tanks and deregistering them. We have been told that there would be forms on the AST website for tank closure, but they have not appeared yet. It appears the DEP oil and gas inspectors have no authority over the tanks and tank dikes anymore.

Tanks come under the auspices of the AST tank inspectors. The fees for Level 1 appear to be about \$200.00 per tank and Level 2 are about \$40.00 per tank. The AST Act seem to be overkill, but the only way we can change it is through the legislature.

2016 MEMBERSHIP DRIVE

The SOOGA Board of Trustees would like to thank everyone for the support of our organization. SOOGA has seen a steady growth in membership over the past 15 years, from a few hundred to over 500 by the end of 2014. This growth is thanks to you.

Our industry has experienced its' share of highs and lows. Currently we are in the midst of unprecedented challenges. The issues at hand, whether regulatory, environmental or economic, are challenges aimed at the way we do business and impact our livelihood.

Make your voices heard. SOOGA has dedicated leadership that is connected to the issues at hand and a voice heard by the people who can make a difference.

Now more than ever your SOOGA membership is valuable. By staying involved in your organization you have the ability to stay ahead of the issues that will affect your business.

Make your voice heard, stay involved and encourage your associates to be involved.

The Board of Directors and officers of SOOGA want to thank you for your continued support.

Member Who Signs Up

Four (4) "NEW MEMBERS"

By: 12/31/16 will be entered in a drawing for a

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Don't Wait, Start Signing up Those New Members

**Winner Will Be Announced At the January 2017 Board of Trustees Meeting.
(Board members and employees are excluded)**

Visit our website at www.sooga.org for Membership Applications.

****To receive credit for New Members, your name must be listed as referred by**.**

Oil and Gas Industry Is Responsible For Making Our Communities Safer

By the Ohio Oil and Gas Energy Education Program

“Equipment and other protocols used by fire departments across the country have deep roots in the learned experiences of safety crews working on oil fields around the world,” said New Concord Fire Chief Brent Gates, a member of the International Association of Fire Chiefs. “These experiences have changed the way modern fire fighters approach both industrial and home emergencies.”

Chief Gates, also president of the Southeast Ohio Fire Chiefs Association, works closely with the Ohio Oil and Gas Energy Education Program to help train fire departments how to address rare oil field emergencies and implement enhanced safety protocols.

Recently, Chief Gates joined representatives from OOGEEP to highlight some of the other benefits the oil and natural gas industry provides.

“Modern firefighting equipment has greatly benefited from petrochemicals,” said Chief Gates. “These refined oil and natural gas materials have had an enormous impact on improving safety and functionality for first responders. It’s something we don’t discuss often enough. Our jobs would be very difficult without these products.”

“Forty years ago cotton was king when it came to fire hoses and protective firefighting gear,” said Charlie Dixon, OOGEEP safety and workforce director. “Today’s firefighting equipment includes petroleum products such as plastic coated fire hose liners, fire-retardant protective clothing and sterile single-use medical equipment.”

“October is National Energy Awareness Month,” said OOGEEP Executive Director Rhonda Reda. “We think this is a great opportunity to highlight how petroleum-based products have improved safety and security, modern medicine and public health, transportation and overall quality of life.”

“My crews are safer and have the ability to save more lives,” said Chief Gates. “Their modern gear is custom fitted, lighter and has greater protection from extreme temperatures. Turnout gear, tools, hoses and EMS equipment is all better as a result.”

Discussion of oil and natural gas activity in eastern Ohio has focused almost exclusively on exploration and development of energy resources, Reda added. However, once these raw materials are processed, other benefits become clear and they positively impact every American, “she said.

“Our region has enormous potential to become a hub for petro-chemical manufacturing. Many plastics, synthetic fabrics and the thousands of products that are made from these materials have their origins in eastern Ohio and the Appalachian basin thanks to oil and natural gas,” added Reda.

During October, OOGEEP and other regional and state oil and gas organizations also encouraged everyone to take the American Energy Challenge and try to make it through one day without products derived from oil and natural gas. More information on the American Energy Challenge can be found on the OOGEEP website at www.oogeep.org.



New Concord fire fighters Cody Day, Rebecca Spencer and Ben Lumbatis prepare for a training exercise with modern fire-retardant gear made from processed petro-chemicals.



Modern paramedic gear is more reliable and sterile. Fire fighter and paramedic Rebecca Spencer demonstrates on fellow fire fighter Ben Lumbatis during a training exercise.



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2016 Fall Trade Show



Thanks to the vendors and everyone that came out to support our event!

2016 Fall Trade Show Presenters



Deputy Mark Warden, Wash Co. Sheriff Office



Charlie Burd, West Virginia Oil and Gas Association



Charlie Dixon, OOGEEP Safety & Workforce Director



Brian Hickman, Ohio Oil and Gas Association



Gas Panel: David Marks, Jim Javins, Dave Gaiser



State Representative, Andy Thompson



Chris Deem, Compressor Maintenance



Jared Stevens, Auto Start Engines



Bill Carol, Side by Side Training

Thanks to all the Presenters!!!

Winner of the Yeti Cooler Raffle donated by Scott Mapes was Greg Jones with Buckeye Oil Producing

Congratulations to all of the door prize winners!!!!

Membership Payments and Inquiries

Just a reminder to please mail any correspondences to **214 1/2 Warner Street, Marietta OH 45750**. We are still getting mail sent to our old P.O. Box 136 and the Post Office will start sending mail back.

Thanks so much,
Billie Leister

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THANK YOU!!



SOOGA Tax Seminar
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Taxes are with us every day and may not be very exciting, but they can excite you if you are the one paying them. On Thursday, December 8, SOOGA is co-sponsoring a seminar with Arnett Carbis Toothman (ACT) that will cover all the federal, state, and local taxes that we face in the oil and gas industry. The oil and gas experience of the ACT presenters spans from 5 to over 40 years. They will use this experience along with current involvement in oil and gas activities, meetings with governmental agencies, and participation in associations to make this presentation as meaningful and useful as possible. Future planning will be emphasized and you will have the opportunity to ask specific questions or have input during the presentations and presenters will be available during breaks. A detailed outline of each topic will be provided on site, including an extensive resource section with support for tax topics covered and will include general industry information.

Participants will have an opportunity to introduce themselves and express what they hope to get from the sessions. Presenters will give a summary of what is happening in the industry and how it relates to recent economic conditions.

During this seminar, we will cover all tax topics for the industry and how they interact. In this critical time as the industry is changing for all sizes of owners, operators, service providers and mineral owners, it is important to understand where we are now, where we are going, and ways to adjust as best we can utilizing the information we can find. This seminar will discuss all of these options and opportunities, and will be beneficial to not only accountants and attorneys, but also bankers, insurance agents, royalty owners, and investors.

Examples of specific topics to be covered during our current oil and gas economic situation include actions to consider instead of waiting for prices and demand to return, analysis of what you have, where it should be and who should own and control it now and in the future. Balancing owner desires and financial risk and bankruptcy potential for you and others will also be covered.

We have found that this is an exceptional opportunity to meet others and to network at a very high level with highly capable people. The cost for this seminar is one of the best values you will find. Plan to attend; you will not be disappointed in the value of your participation.

Hotel reservations at the Best Western Plus may be made by calling 740-374-9660. Mention "SOOGA" to get the room rate of \$60 plus tax.

The cost to you for the day is **\$50.00 for members and their employees and \$125.00 for non-members** and will include lunch, beverages and handout materials. We look forward to seeing you.

RSVP by phone or email no later than: December 1, 2016.
740-374-3203 or mail@sooga.org

When you register/RSVP by phone or email, please let us know if CPE or CLE credits are needed – see information on credits at www.sooga.org

(No refunds after December 1, 2016).

****SOOGA reserves the right to make changes to this program****



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