



ROCKY MOUNTAIN MINERAL LAW FOUNDATION

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Short Course

on

Federal Offshore Oil and Gas Leasing & Development

JW Marriott Hotel

April 9-11, 2003 ■ Houston, Texas

The Rocky Mountain Mineral Law Foundation is pleased to offer its first Federal Offshore Oil and Gas Leasing & Development Short Course in Houston, Texas. This three-day intensive program has been developed by a group of practicing attorneys and law professors to present and explore the legal regime governing the offshore oil and gas industry, which supplies more than one quarter of the oil and gas produced in the United States.

The course focuses on the Outer Continental Shelf Lands Act (OCSLA), the Department of the Interior's administration of that Act and Interior's regulation of the offshore oil and gas industry, and the fundamental agreements used by offshore oil and gas operators to conduct their business. Within this context, the role of other federal agencies and the coastal states will be addressed as well. Topics include the jurisdictional battle between the United States and the individual coastal states over oil and gas rights leading to the passage of the OCSLA, continuing issues of federal-state jurisdiction, Interior's offshore leasing process, offshore lease maintenance, assignments and transfers of offshore lease interests, the role of the substantive law of coastal states as "surrogate" federal law, plugging and abandonment liability, bonding requirements, an overview of offshore

royalty issues, and administrative appeals of Interior orders. The final day will be devoted to a review of joint operating agreements, drilling contracts, and other agreements typically used by offshore oil and gas operators, and legal issues involved with transporting production from the offshore to market.

This course will be taught by law professors, practicing attorneys, and Interior Department representatives who are involved with offshore oil and gas operations on a daily basis. Attorneys, landmen, paralegals, government employees, and anyone interested in a comprehensive introduction to the legal framework governing offshore oil and gas operations will greatly benefit by attending this course. Approximately 20 hours of CLE/CPL credit are available.

Because of the participatory format of the course, **enrollment is limited to 100 persons**. Paid registrations will be accepted on first-come, first-served basis until the enrollment limit is reached. The registration fee includes course materials, coffee breaks, and a hosted reception. ***Please note that course materials cannot be purchased separately.***

Wednesday, April 9, 2003

PROGRAM

7:00am **REGISTRATION OPENS** – JW Marriott,
Harris/Hidalgo/Navarro Rooms

8:30-9:00 **INTRODUCTIONS AND OPENING REMARKS**

Phillip Wm. Lear, President, Rocky Mountain Mineral Law
Foundation; Lear & Lear, Salt Lake City, Utah

Jonathan Hunter, Program Co-Chair; Liskow & Lewis, New
Orleans, Louisiana

Michael E. Coney, Program Co-Chair, Senior Counsel, Shell
Oil Company, New Orleans, Louisiana

9:00-10:30 **SETTING THE LEGAL FRAMEWORK:
ENACTMENT OF THE OUTER CONTINENTAL
SHELF LANDS ACT (OCSLA),
CONTINUING ISSUES OF FEDERAL/STATE
JURISDICTION, AND THE ROLE OF
INTERIOR AND OTHER AGENCIES**

- Background
 - Federal-state disputes over offshore leasing rights
 - United States Supreme Court decisions
- Enactment of OCSLA
 - General overview of the Act – Interior’s role as primary agency
 - Unanswered questions: 3-miles or 3-leagues? Location of the “coastline”
 - Current status of state/federal boundaries
 - OCSLA Section 8g – passage, amendment, case law
 - OCSLA Section 6 leases versus OCSLA Section 8 leases

Patrick H. Martin, Campanile Professor of Mineral Law,
Louisiana State University Law Center, Baton Rouge,
Louisiana

Martin H. Belsky, Dean and Professor of Law, University of
Tulsa College of Law, Tulsa, Oklahoma

10:30-10:45 **BREAK**

10:45-11:45 **SETTING THE LEGAL FRAMEWORK**
(continued)

- OCSLA Amendments
- Coastal Zone Management Act (CZMA)
- Role of other agencies

11:45-1:15 **LUNCH – ON YOUR OWN**

1:15-2:30 **THE LEASING PROCESS**

- Lessee qualification
 - Statutory and regulatory requirements
 - Joint bidding restrictions
- Lease sales
 - Call for information, area identification, environmental impact statement (EIS), proposed notice of sale (PNOS), final notice of sale (FNOS)
 - Case law regarding challenges to lease sales
 - Bidding/award of leases – case law
 - Leasing moratoria

- Overview of offshore lease form
 - Interplay of statute, regulations, lease terms, notices to lessees (NTLs)
- Designation of operator

Robert L. Sebastian, Leasing Program Manager – Leasing
Activities Section, Office of Leasing and Environment, Gulf
of Mexico Region, Minerals Management Service, New
Orleans, Louisiana

Michael E. Coney, Senior Counsel, Shell Oil Company, New
Orleans, Louisiana

2:30-2:45 **BREAK**

2:45-4:45 **LEASE OPERATIONS AND LEASE
MAINTENANCE**

- Primary term
- Delay rentals, minimum royalty payments
- Plans of exploration and development
- Lease-holding operations
 - Which operations qualify?
 - 180-day rule
 - Directional drilling
- Lessee requests for suspensions: suspension of operations (SOOs) and suspension of production (SOPs)
- CZMA/Manteo litigation
- 500-foot rule
- Unitization

Jonathan Hunter, Liskow & Lewis, New Orleans, Louisiana

Robert L. Sebastian, Leasing Program Manager – Leasing
Activities Section, Office of Leasing and Environment, Gulf
of Mexico Region, Minerals Management Service, New
Orleans, Louisiana

4:45-5:30 **TECHNICAL PRESENTATION**

Speaker to be Announced

5:30-6:30 **HOSTED RECEPTION**

(continued)

PROGRAM COMMITTEE

Jonathan A. Hunter, Co-Chair, Liskow & Lewis,
New Orleans, Louisiana

Michael E. Coney, Co-Chair, Shell Oil Company,
New Orleans, Louisiana

Howard L. Boigon, Westport Resources Corporation,
Denver, Colorado

Samuel D. Haas, Thompson & Knight LLP, Dallas, Texas
Bill Laughlin, Locke Liddell & Sapp LLP, Houston,
Texas

Kirk A. Moore, Noble Energy, Inc., Houston, Texas
Edward B. Poitevent, II, King & Spalding, Houston,
Texas

Karen K. Westall, BP America Inc., Houston, Texas

Thursday, April 10, 2003

8:30-9:30 ASSIGNMENTS/TRANSFERS OF OFFSHORE LEASES

- Record title
- Operating rights
- Non-required filings
- Mergers versus lease/property acquisitions
- Designation of operator
- Name changes
- Hypotheticals

Jonathan Hunter, Liskow & Lewis, New Orleans, Louisiana
Robert L. Sebastian, Leasing Program Manager – Leasing Activities Section, Office of Leasing and Environment, Gulf of Mexico Region, Minerals Management Service, New Orleans, Louisiana

9:30-9:45 BREAK

9:45-11:45 ADJACENT STATE LAW: SURROGATE FEDERAL LAW FOR THE OCS

- Unresolved questions: which state is adjacent?
- *Union Texas Petroleum Corp. v. PLT Engineering, Inc.* test
 - OCSLA situs
 - Inapplicability of maritime law
 - State law not inconsistent with federal law
- Choice of law limitations
- Implications
 - Recordation
 - Encumbrances
 - Indemnity
- Review of case law
 - Jack-up rigs
 - Platform drilling rigs
 - Liens and encumbrances

Edward B. Poitevent, II, King & Spalding, Houston, Texas

11:45-1:15 LUNCH – ON YOUR OWN

1:15-2:00 LIABILITY OF SUCCESSORS/ASSIGNS

- Regulations
 - Abandonment obligation
 - Royalty obligation
 - Hypotheticals

Jonathan Hunter, Liskow & Lewis, New Orleans, Louisiana

2:00-2:30 BONDING/OIL SPILL FINANCIAL RESPONSIBILITY (OSFR)

Carroll Williams, Program Specialist, Sales & Support Unit, Leasing Activities Section, Office of Leasing and Environment, Gulf of Mexico Region, Minerals Management Service, New Orleans, Louisiana

2:30-3:00 SAFETY/INCIDENT OF NON-COMPLIANCE (INCS)

Joe Gordon, Chief – Office of Safety and Management, Office of Field Operations, Gulf of Mexico Region, Minerals Management Service, New Orleans, Louisiana

3:00-3:15 BREAK

3:15-4:30 OVERVIEW OF ROYALTY ISSUES

David T. Deal, Assistant General Counsel, American Petroleum Institute, Washington, D.C.

4:30-5:00 ADMINISTRATIVE AND JUDICIAL APPEALS OF MMS ORDERS

- Royalty appeals
- Operational appeals

Deborah Bahn Haglund, Haglund Law Firm, Dallas, Texas

Friday, April 11, 2003

8:00-10:00 OFFSHORE AGREEMENTS

- Joint operating agreements
- Shelf/deepwater

O. Kirk Wardlaw, Commercial Negotiations Manager, BP America Inc., Houston, Texas
Kent F. Abadie, Land & Contracts Development Team Leader, Shell Exploration & Production Company, New Orleans, Louisiana
Carl Rewerts, Senior Staff Land Representative, ChevronTexaco Corporation, Lafayette, Louisiana

10:00-10:15 BREAK

10:15-11:45 OFFSHORE AGREEMENTS (continued)

- Drilling contracts and service agreements

William W. Pugh, Liskow & Lewis, New Orleans, Louisiana
Thomas G. O'Brien, Adams & Reese LLP, New Orleans, Louisiana

11:45-1:15 LUNCH – ON YOUR OWN

1:15-2:45 OFFSHORE AGREEMENTS (continued)

- Production handling and subsea production agreements
- Agreements with contract operators

Michael E. Coney, Senior Counsel, Shell Oil Company, New Orleans, Louisiana
Kirk A. Moore, Assistant General Counsel, Noble Energy, Inc., Houston, Texas

2:45-3:00 BREAK

3:00-5:00 MOVING OFFSHORE PRODUCTION TO MARKET

- Infrastructure
- Rights of way and easements
- Differences between transporting gas and oil
- Roles of different agencies

Edward B. Poitevent, II, King & Spalding, Houston, Texas

ORDER FORM



Rocky Mountain Mineral Law Foundation

9191 Sheridan Blvd., Suite 203
 Westminster, CO 80031 USA
 (303) 321-8100 / Fax (303) 321-7657

Office Use:
Shipped _____
Picked Up _____
Inv # _____

Name _____
 Employer _____
 Street Address (no P.O. boxes) _____

 City _____ State/Prov _____ Zip/Postal Code _____
 Country _____
 Telephone (____) _____ Fax (____) _____
 E-Mail _____ Date _____
 Purchase Order No. _____ Tax Exempt No., If Applicable _____

Title/Description	Qty.	Unit Price		Total
		Non-Member	RMMLF Member	
RECENT MANUALS				
Oil & Gas Development on the Outer Continental Shelf (2002) (OCS02M)		\$145	\$115	\$
International Energy & Minerals Arbitration (2002) (ARBM)		\$145	\$115	\$
Water Quality and Wetlands (2002) (WQWM)		\$145	\$115	\$
Natural Gas Transportation & Marketing (2001) (NGDM)		\$145	\$115	\$
Mining and Oil & Gas Development in Latin America (2001) (CHI01M)		\$145	\$115	\$
Basic Oil & Gas Geology & Technology (2001) (TECHM)		\$125	\$ 95	\$
Colorado Residents Add Sales Tax (see Colorado Sales Tax Chart)				\$
Handling Charge (all orders) Outside U.S. and Other Services (see Shipping Information) <input type="checkbox"/> Federal Express Overnight				+\$10.00 per order +\$
Bill my FedEx # _____				
TOTAL				\$

Colorado Sales Tax Chart	Shipping Information
City of Westminster, Jefferson County 7.45% City of Westminster, Adams County 6.95% RTD District only 3.7% Other (in Colorado) 2.9%	All orders must add \$10 per order for handling charges. Domestic: Sent at no additional charge by FedEx Ground. Canadian: Must add \$12 per item. International: Must add \$50 per item. FedEx Overnight: Please provide your FedEx number.

PAYMENT METHOD (Orders will not be filled until payment is received)

<input type="checkbox"/> Check drawn on a U.S. bank in U.S. Dollars (Payable to Rocky Mountain Mineral Law Foundation)
<input type="checkbox"/> VISA <input type="checkbox"/> MasterCard <input type="checkbox"/> American Express <input type="checkbox"/> Electronic transfer:
Please contact the Foundation at 303-321-8100.
Credit Card # _____
Exp. Date (month/year) _____
Name on Card _____
Signature _____


Room Reservations

The course will be held at the **JW Marriott Hotel**, 5150 Westheimer, in Houston, Texas, across the street from the Galleria Shopping Center, 27 miles from George Bush (Intercontinental) Airport, and 16 miles from Houston Hobby Airport.

Rooms have been reserved at the JW Marriott at the special conference rate of \$135 (single/double) plus tax per night. To receive this rate, identify the Group as **"Rocky Mountain Mineral Law Foundation."** The cut-off date for this special rate is March 17.

Complimentary parking is available in an outdoor lot across the street, or on-property for \$11 per day, or \$18 per day for valet parking.

Contact the JW Marriott at:
Tel 713-961-1500; 800-228-9290
Fax 713-599-2247

REGISTRATION FORM	<p>Federal Offshore Oil & Gas Leasing Short Course</p>  <p>MAIL or FAX to: Rocky Mountain Mineral Law Foundation 9191 Sheridan Blvd., Ste. 203 Westminster, CO 80031 USA Tel: (303) 321-8100 Fax: (303) 321-7657</p>	(Please type or print legibly)
	Name _____	
	Badge Name (if different from above) _____	
	Employer _____	
	Mailing Address _____	
	City/State/Zip _____	
	Phone (____) _____ Fax (____) _____	
	E-Mail _____ <small>(required for confirmations, advance registration list, and program updates)</small>	
	Please check all that apply: <input type="checkbox"/> Attorney <input type="checkbox"/> Landman <input type="checkbox"/> Management <input type="checkbox"/> Consultant <input type="checkbox"/> Other (please specify) _____	
	CLE credit requested for the following states: _____	
Other credit requested from: _____		
	<i>Please pay in U.S. Dollars</i> Registration & Payment Received thru 3/24/03 after 3/24/03	
Non-Member Registration Fee	<input type="checkbox"/> \$795 <input type="checkbox"/> \$895	
RMMLF Member Registration Fee	<input type="checkbox"/> \$635 <input type="checkbox"/> \$735	
Government Agency / Non-Profit Organization (submit PO# if required)	<input type="checkbox"/> \$450 <input type="checkbox"/> \$550	
PAYMENT INFORMATION – PREPAYMENT REQUIRED		
<input type="checkbox"/> Check drawn on a U.S. bank (payable to RMMLF in U.S. Dollars)		
<input type="checkbox"/> VISA <input type="checkbox"/> MasterCard <input type="checkbox"/> American Express		
Credit Card # _____ Exp. Date _____		
Name on Card _____		
Signature _____		
<input type="checkbox"/> Electronic Transfer: Please contact the Foundation at 303-321-8100.		
Office Use Only SCO03 S# _____ INIT _____ REFDT _____ CK# _____ AMT _____ INIT _____		

SHORT COURSE ON
**FEDERAL OFFSHORE OIL & GAS
LEASING AND DEVELOPMENT**

Rocky Mountain Mineral Law Foundation

9191 Sheridan Blvd., Suite 203
Westminster, CO 80031, USA

Non-Profit Org.
U.S. POSTAGE
PAID
Boulder, Colorado
Permit No. 273

GENERAL INFORMATION

Room Reservations: See inside.

Air Travel: Discounts of 10%-15%, as well as special zone fares, are offered by United Airlines (domestic and Canada), and Continental/Northwest Airlines (domestic and all international) to conference attendees. For complete information and fares, you or your travel agent can contact

- United: 800-521-4041
(reference Meeting ID 515GE)
- Continental/Northwest: 800-468-7022
(reference Code ZW08 & Agreement VZPFC3)

Car Rental: Hertz, our official car rental company, is offering special discounts by referencing Meeting CV# 022Q1115 and Rocky Mountain Mineral Law Foundation and make reservations at www.hertz.com or call 800-654-2240 (U.S.); 800-263-0600 (Canada); or 405-749-4434 (international). Rates are as low as \$35.99 per day on weekdays and \$21.99 per day on weekends.

Registration Fees: Include course materials, refreshments, and hosted functions as listed in this brochure. These fees do not include hotel costs or transportation. Registrations will be accepted only when accompanied by a check, money order, government purchase order or training form, credit card information, or wiring information. No registrations can be processed without payment.

Tape Recording: Tape recording of these courses is not permitted, except with the express permission of the Foundation.

Tax Deduction: Education expenses (including registration fees and travel costs) are deductible in the U.S. if they improve or maintain professional skills. Treas. Reg. § 1.162-5.

Registration Cancellations: Refunds, less a \$50 administrative fee, will be given for cancellations received by 3:00PM on Monday, March 31, 2003. No refunds will be given thereafter, although substitution of attendees may be made by contacting RMMLF. A written request must follow a telephone cancellation. Registrants not entitled to a refund will receive a copy of the written materials.

CLE Credit: Foundation Institutes are typically accredited by all mandatory CLE states, the AAPL, NADOA and NALTA, state accountancy boards, and other professional organizations. Attorneys from certain states may be required to pay an additional fee. This course consists of approximately 20 hours of continuing education. You must let us know at least 30 days in advance of the conference the states or organizations for which you will need credit (see registration form). RMMLF is a State Bar of California MCLE-approved provider.

Special Needs: If you have special needs addressed by the ADA, please notify us at least two weeks before the program.

Cellular Telephones: Incoming cellular calls are prohibited in the lecture room. Please direct all incoming calls to the RMMLF registration desk.