

**Ohio Conservation, Capture, Pooling and Unitization
Worthington, OH – Friday, April 8, 2011**

Seminar Agenda

- 8:30-11:45**
(15' Break)
- Ohio Oil and Gas Conservation Law:**
Basics and 2010 Major Modifications *W. J Airey, G Russell*
- Introduction to Ohio Oil and Gas Regulatory Program
 - History – from its origins in 1965 to significant modifications made in 1985
 - Focus on urban drilling rules and H.B. 278
 - 2010 major modifications under S.B. 165, effective July 1
 - Major Themes
 - Funding and fees
 - Well construction
 - Division of Mineral Resources Management (DMRM) enforcement
 - Temporary abandonment
 - Statutory pooling and unitization
 - Horizontal drilling considerations
- 11:45-1:00**
Lunch
- 1:00-1:45**
- Rule of Capture in Ohio—A Common Law Rule** *N. Vaughn*
- Societal detriments under rule—the war of competition
 - The statutory solution; conservation (spacing laws)
 - The physical reality underlying the rule of capture
- 1:45-2:30**
- The Basic Oil and Gas Lease; Key Terms in the Contract** *N. Vaughn*
- Basic lease
 - The “modern lease”
 - “Standard form lease” by Ohio producers
 - Case law examples
 - The “post-modern” lease – 2000’s
 - Governmental leases
- 2:30-2:45**
Break
- 2:45-3:30**
- Statutory Spacing and Pooling** *A. Coogan*
- Voluntary “unit” of OH Department of Natural Resources (ODNR) permitting
 - Unitization under the lease
 - Exceptions to statutory spacing
- 3:30-4:15**
- Frequent Areas of Dispute** *N. Vaughn*
- Lessor (landowner) vs. lessee (company) and agents
 - Landowner neighbors
 - Statutory violations: operator vs. ODNR

Seminar Faculty

W. Jonathan Airey Partner, Vorys, Sater, Seymour and Pease LLP, Columbus

Mr. Airey is a member of the firm's energy and environmental group. His oil and gas practice is broad in scope, and Mr. Airey has represented numerous clients in state and federal regulatory proceedings and in connection with gas market agreements and disputes. He is a member of the Ohio State Bar Association, the California Bar Association, the Ohio Oil and Gas Association, the Independent Petroleum Association of America, the Rocky Mountain Mineral Law Foundation, and the Energy and Mineral Law Foundation. Mr. Airey is an active member with the Energy and Mineral Law Foundation, Ohio Oil and Gas Association, Independent Petroleum Association of America, IPPA Pipeline Safety Task Force, and the Rocky Mountain Mineral Law Foundation.

Gregory D. Russell, Partner, Vorys, Sater, Seymour and Pease LLP, Columbus

Mr. Russell is a member of the firm's energy and utilities practice group, where he specializes in natural resources law. Mr. Russell represents energy clients in business and litigation matters relating to the exploration, production, transportation, and marketing of oil, natural gas, and electricity. He also represents clients before federal and state regulatory agencies, including matters before the Federal Energy Regulatory Commission, the United States Department of Transportation, the Ohio and United States Environmental Protection Agencies, and state Public Utility Commissions. Mr. Russell is a member of the Ohio State Bar Association, the Ohio Oil and Gas Association, the Energy and Mineral Law Foundation, and the Rocky Mountain Mineral Law Foundation.

Nathan D. Vaughan Attorney, Krugliak, Wilkins, Griffiths & Dougherty, Canton

Mr. Vaughn is a director at the law firm and his practice is focused in the areas of general corporate law, real estate law, and general litigation. He works closely with attorney William G. Williams in the firm's oil and gas practice. Mr. Vaughn's real estate practice focuses on transactional issues. His practice also includes corporate business, and he is a member of the litigation section focusing on general commercial litigation, real estate, and estate litigation. Mr. Vaughn has been named one of Ohio's Rising Stars (2009-2011) by Cincinnati Magazine Ohio Super Lawyers – Rising Stars Edition ®. He is a member of the Ohio State, Stark County, Tuscarawas County, and American bar associations. Mr. Vaughn received his JD, *summa cum laude*, from the University of Akron School of Law.

Alan H. Coogan PhD, Esq ACLC Energy, Kent

Dr. Coogan attained his PhD in geology in 1962 and went on to receive his JD degree in 1977. He was a geology professor in Geology at Kent State University from 1967 to 1999 focusing on petroleum geology of the Appalachian Basin. He now provides geo-land and legal services through ACLC Energy. Dr. Coogan is admitted to practice in Ohio and Pennsylvania, and he has garnered much governmental and industry experience. Dr. Coogan has authored more than 200 articles. He received the Outstanding Educator award from the American Association of Petroleum Geologists and the John T. Galey Award from the American Association of Petroleum Geologists. He is a member of the Ohio Oil and Gas Association, American Association of Petroleum Geologists, and American Institute of Petroleum Geologists. Dr. Coogan also has been a well owner since 1982.