

# Hey Dad, What Do You Do for a Living?

By Gregory L. Jessup, CPL, vice president of land, Magnum Hunter Resources

If you're a landman like me, you may have learned to really hate that question because the follow-up question is even more difficult to explain. "I'm a landman," is the answer to the first question, then comes the real "biggie," — the infamous "What's a landman?"

"Why do I hate that question?" All right smart guy, you answer it, and I don't want any long, drawn out dissertation, I want a short, concise definition. One that would satisfy a 10-year-old boy who is ready to run outside to play as soon as you get the first two words out of your mouth. Not so easy is it? Remember that you're dealing with a word that gets corrected to "landmine" by the Spellchecker on your computer. If your kid asks you what a "doctor" is, no prob. In fact, he probably wouldn't ask because all 10-year-olds know that. Maybe he'd ask you what an "architect" is. Still a lot easier, "Well son, I design grand and beautiful buildings that last for many, many years and are admired by millions." That would be satisfactory, but it doesn't work for the question that was posed to me one Saturday morning.

While contemplating my answer to the question, "What's a landman?" I briefly thought to myself, "if only there had been a television show depicting the life of a landman." I mean there were so many about attorneys, doctors, policemen and even shoe salesmen. Then my kid wouldn't have even asked the question. He would already know because just the night before he would've been watching "Law & Landmen" and then of course that evening one of the classic TV favorites, "Leave it to Landmen," not to mention my favorite game show "Who Wants To Be a Landman?" And, who can forget that hilarious sitcom, "Everyone Loves Landmen." No such luck. They don't even allow landmen to be depicted as crooks in the movies. And on top of that, I haven't ever heard a song, not even one mind you, expounding the virtues of those in our noble profession. My kiddo would've never asked that brain stumping question if at school the day before his teacher had been leading the class in that rousing folk favorite, "This Landman is Your Landman, This Landman is My Landman, from the Gulf Stream Waters..." However, as we all know, the landman has never had a TV show, a song, nor even a lousy B movie done about him. No one really knows what we do but the proud few of us who do it.

So I took a deep breath, exhaled and began to recite my well thought out answer, "Son, you see a landman is a many faceted individual, with several working parts, each cleverly designed to perform many different functions, which include, but are not limited to the following. First, there's field work which of course may include record checking which in itself would involve...Son?...Son?... (sound of screen door slamming in my face). Man, I hate it when that happens! How should I have responded? Would the following answers have been quick and crisp enough to satisfy the question, "What is a landman?"

- **Negotiator and facilitator of oil & gas deals;**
- **Examiner of title to minerals;**
- **One who prepares contracts;**
- **Manager of minerals;**
- **Mediator; or**
- **Due diligence manager**

Get the idea that this list could go on and on? So now I come to the purpose of this little diatribe, which is, I need your help in answering this poor boy's question, "What is a landman?" I mean his whole perception of his father may rest on your answer and keep in mind "short and concise" are prerequisites when dealing with young'uns. And anyway, shouldn't any one of us be able to define what we do in a succinct and complete manner so that the average non-oil and gas person can understand? After all, it's not rocket science, usually.

(Please send your answers to [giessup@magnumhunter.com](mailto:giessup@magnumhunter.com)) 


## Geoscience Center to Open During Earth Science Week

The Society of Exploration Geophysicists (SEG) will celebrate the opening of its Geoscience Center at world headquarters October 11, 2001. The date was chosen to coincide with the international observance of Earth Science Week. Sponsored by the SEG Foundation, the objective of the Geoscience Center is to spark the curiosity of students by challenging them to come "See inside the Earth."

Using unique interactive exhibits — such as the "LenaSeis" that can make a "seismic" or sound portrait of the visitor and hands-on earth science activities and demonstrations of cutting edge technologies that "see through rock" — the Center aims to engage people of all ages in discovering the inescapable connection between their lives and the earth.

Hundreds of historical instruments and inventions exhibited at the Center will teach students about the adventures of the early pioneers in geophysics and the clever techniques they devised to search the earth for oil, gas and minerals. At the Center, students will also learn about the applications of geophysics to many career choices such as seismology (earthquakes), volcanology, archaeology, meteorology, structural engineering and even (using geophysics) in space exploration.

Because SEG is a global professional society of 17,000 members who live and work in 110 countries, the Geoscience Center has career/vocational, university and scholarship information from all over the world for those interested in pursuing studies in earth sciences.

The Geoscience Center will inspire teachers to schedule guided class tours that will bring their earth science units to life! Teachers who have attended the "Fossils to Fuel" training are eligible for OERB (Oklahoma Energy Resource Board) paid field trip expenses. The exhibits and activities are best suited for 5th to 12th graders. A Traveling Museum with hands-on activities may be scheduled to come to area schools, and the Center has two virtual websites, one is a Virtual Museum at [www.museum.seg.org](http://www.museum.seg.org), and the other offers primarily teacher resources at [www.students@seg.org](http://www.students@seg.org). 

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## Class Action for Claims of Underpaid Royalty Upheld by State Court/Rejected by Federal Court

the court felt that the class representatives could proceed only on behalf of themselves and not on behalf of unnamed parties who had not made such a demand. The court cited the case of *Stoute v. Wagner & Brown*, 637 So.2d 1199 (La. App. 1st Cir. 1994), as the basis for this proposition, although noting a case holding to the contrary, *Lewis v. Texaco Exploration and Production Co., Inc.*, 698 So.2d 1001 (La. App. 1st Cir. 1997) (decided by a different panel). The court noted that the Louisiana Supreme Court had not decided this issue, and decided that the *Stoute* decision was the correct interpretation of Article 137.

The decision of the state court was based upon an opposite reading of Article 137. The court held that this article did not require that notice be given by each and every mineral lessor individually. It cited the *Lewis* decision for this proposition and distinguished the *Stoute* decision. The court gave a short shrift to this argument, stating this was the same issue on which the defendant had sought writs from this court, which were denied by an unpublished opinion, and that writs to the Louisiana Supreme Court on this denial likewise were denied.

Since the state court held that Article 137 was not an impediment to the prosecution of a class action, the court went on to discuss each of the factors that must be satisfied to allow certification as a class action. These include (1) numerosity, (2) commonality of issues, (3) claims typicality, (4) adequacy of class representatives and (5) objectiveness of class definition. The court held that all of these factors were satisfied in this case and approved the certification by the trial judge.

The decisions in the above cases are not final as of the writing of this article. We will advise you as to the ultimate resolution of these cases in future newsletters.

Copies of the above cases can be obtained upon request to the writer at (337) 266-1232 (fax) or whitmang@onebane.com (e-mail). 

## Hey Dad, What Do You Do for a Living? (The Follow-Up)

By Gregory L. Jessup, CPL, vice president of land, Magnum Hunter Resources

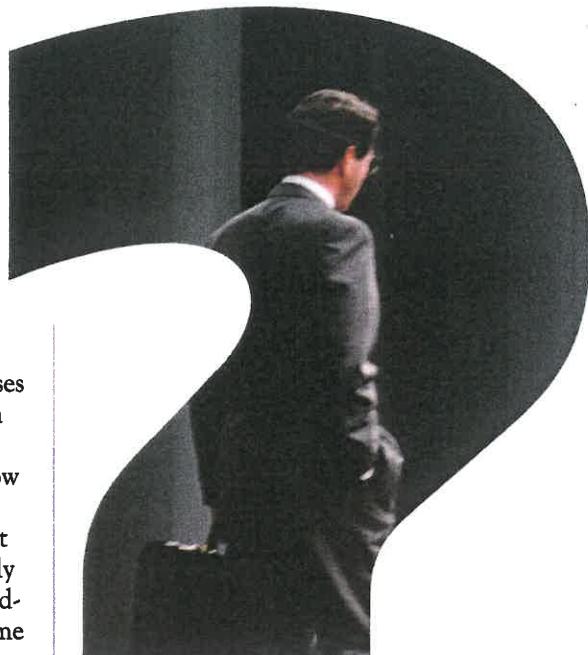
Boy did I hit a "hot button" with the article I wrote for the September 2001 AAPL *Update*! I received almost 100 e-mail responses to the question I posed: "What is a Landman?" The replies were both informative and enlightening. I now feel armed and dangerous; in fact I pity the fool that next asks me that question. And I would be extremely remiss to my brother and sister landmen if I did not share with you some of these clever responses that I have received over the last month (and believe it or not they still keep coming in...I may need to publish a sequel to the sequel).

I guess I should start out presenting those e-mails that corrected some of my observations (yes, I know it's hard to believe, but I did make a couple of misstatements.) Let that be a lesson to you kids, always research your subject before it goes to press!

I stated in the article: "However, as we all know, the landman has never had a TV show, a song, nor even a lousy B movie done about him." Well, several of my fellow landmen in an effort to enlighten (or embarrass) me doled out the following corrections:

- **Charlie Odom:** Great article in the AAPL *Update*...you missed your calling, you should have been a journalist or a comedian...at least these professions are easy to explain to a 10-year-old and with the experience, you could still be a landman. However, you obviously neglected your TV trivia as the Beverly Hillbillies would not have made the airwaves without Jed Clampett signing an oil and gas lease for his "black gold, Texas tea." The first show had a landman, obviously a good one, inking the deal with Jed. I believe his name was Mr. Brewster. A legend in our time.

*(Charlie, that wasn't a show about landmen. It just had one in it. Anyway, Cousin Pearl was the only one who actually cared about Mr. Brewster. Good observation though!)*



- **Paul F. Nielsen, CPL, Randall Davis, Kent Woolley, CPL, and Bill Warren, CPL** reminded me about the "landman" movie *Waltz Across Texas*. In the 1980s, Terry Jastrow (of Wide World of Sports producer fame) and his then wife and now famous actress Anne Archer starred in a movie made (and financed) in Midland, Texas, about the professional and personal relationship of a landman (Mr. Jastrow) and a geologist (Ms. Archer) and a landman's effort to obtain a lease from a cantankerous old man and drill a well where nobody else thought he could. There was a Midland connection to the movie. It was supposed to have been filmed there, and Kenneth Zastro's son (local oil producer) was in the movie.

- **William and Mary Fite:** There is at least one movie that comes close to what we do, *The Stars Fell on Henrietta*, starring Robert Duvall as the landman, was released in 1995. Duvall sports a pointy chin beard and a snap-brim hat, and he resembles no one so much as the satan Walter Huston played in *The Devil & Daniel Webster*. (Clint Eastwood co-produced *Henrietta*).

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## Hey Dad, What Do You Do for a Living?

• **David Sutter:** I enjoyed reading your article in the AAPL newsletter. I thought I'd mention that there is a movie titled "Local Hero" which depicts a landman acquiring rights for a shorebase in Northern England. This movie was made in the mid-80s, and part of the movie was filmed at Pennzoil's old offices in downtown Houston.

• **Pat Moran:** In responding to your thought on "...if there was only a television show...." I highly recommend renting the movie "Erin Brockovich"! After watching this motion picture, I considered Julia Roberts' role an excellent portrayal of what a field landman does — county records research, reviewing title/legal and establish TRUSTING relationships that even the best attorneys can't do...

I also became more informed as to some of the extra baggage that the "sistren" (opposite of brethren) of our profession have to deal with...

• **Lori Fort, RLP:** You think you've got it bad, imagine how the questions multiply when the question is, "MOMMY, what do you do for a living?"

...and I really like the following take-off of my article...

• **Gerry M. Wells:** "Hey MOM, What Do You Do For a Living?"

Well kids, I'm a landman. It's the same as being a mom.

The kids (geologists, geophysicists, and engineers) pound the ground, look at squiggly lines and do math. Then they hand mom their wish list (usually a photocopy of a Tobin map with an outline scrawled on it), and mom goes out and makes sure that the kids get the right to play in that field. Sometimes, they want something that the other kids already have, so mom goes out and negotiates to trade or share or take their playground. And kids, that's what a landman does.

• **Mari Haley:** You didn't mention the problem that always plagued me when asked what I do. I am a landman. The usual response was, don't you mean a land woman/lady/girl/etc or the worse "land person." Ugh, no

sir, the profession is landman — whether man, woman or monkey (and lord knows I have seen some runsheets lately that look like a monkey did them).

• **Rebecca Abbott:** This is what I told my 9-year-old son: "...what mommy does is talk to the geologists and people who want to drill some wells and need a place to drill. Mommy becomes a part of the team just like your soccer team. You have forwards who run the field trying to reach the goal and score. Mommy runs around trying to find the area where there is land available for a well. Then she negotiates a deal for the company to use that person's land. The well is drilled, and if they find gas or oil, then mommy figures out how much money the man who owned the land should get for selling his oil or gas, and she mails him paperwork to sign so he can get his checks. Then mommy is off to find the next goal or land available to drill so we can drive cars, heat our homes, have plastics for toys (that is always a good one with kids.)

Another popular and recurring theme offered up by **Robert L. Thigpin, Jr., Larry A. Godwin and others...**

• A landman is the heart and soul of the oil and gas industry. The "heart" by getting the deal started and by always keeping the deal going, and the "soul" for keeping it honest.

...and some folks prefer to proclaim its juxtaposition to science...

• **Richard Lucas, CPL:** I very much enjoyed your article. It struck a chord. When people ask about my profession or if I have to list an occupation on a form or directory, I just say "oil and gas." If pressed, I tell the uninitiated that a landman conducts the business portion of a scientific industry.

• **Byron D. Schmidt:** Growing up in Edmond, Oklahoma, the son of a field landman, I too often wondered exactly what it was my father did...In December 2000, I graduated with a degree in energy management from the University of Oklahoma and began my career as a landman with ExxonMobil. I find myself telling others that geologists study the earth in search of oil and gas,

then we as landmen come in and acquire the right to drill, before the engineers finish up with a well.

...and there were several that liked some of my suggestions...

• **Bill Bancroft:** I think "negotiator and facilitator of oil and gas deals" is as good as any.

...Some of my personal favorites...

• **J. Roger Allspaugh, CPL:** Greg, your article in the AAPL Update was great and does require considerable thought. Years ago there was an article in the *Amarillo Daily News* describing me as a communicator of the oil industry. I always felt that we landmen have a great opportunity to tell the correct story about what the oil industry is all about to people who don't understand how it all works. As I look back, some of the most gratifying experiences were not always the largest deals, just to be able to convince someone that it was a good thing for he and I to make a fair deal, that it might be beneficial for him in the future and that he was dealing with good people.

When my son and daughter were young, I sometimes took them, separately, on trips to the field so they could see just what I did. We checked records; we talked to farmers; we settled livestock and crop damage claims; we saw drilling rigs and producing wells that they might have a small interest in someday. I am sure that they were bored at the time, but since then they have reminded me of those trips and things that they remembered that I had forgotten about.

• **Tommy Talbot, CPL:** The shortest answer I give which usually satisfies their question or perhaps even provokes a little more interest is "I make deals with landowners so oil companies can drill wells on their land."

• **Glenn Adams:** In 1979, I was attending the graduate school of business at The University of Texas, and I was looking forward to entering the oil and gas business. I was third generation oil (my grandad ran a gas station, and my dad was a geologist and a senior level executive with Amoco Production). I had wanted to be in the oil and gas business since I was 6 years old, building refineries out of Tinker-toys! I called up my dad and told him I wanted to

enter the oil and gas business, and that I did not want to be in the financial planning department, but rather in the exploration end of the business. After a couple of seconds, he said "you need to be a landman" I replied "what's a landman?" His reply was as follows, and this is almost verbatim! (He was and is a man of few words.) "A geologist tells you where to drill a well, an engineer drills the well and the landman puts the deal together so that the well gets drilled." It made perfect sense to me, and that is what I have done, both in the field and in-house for almost 22 years.

• **John Michael Richardson, CPL:** You are right on the money regarding the attention span of a 10-year-old, much less that of an adult when you try to explain what we do. If we go into the detail that the position deserves, we immediately lose them or it sounds like we are bragging. If we give them the short version, it does not come anywhere close to explaining our responsibilities. The version that I use is "We are responsible for securing and managing the right to explore in an oil and gas deal." The magnitude and importance of our profession is no doubt lost; however, it covers most of what we do. Now if we could only explain it to engineers and geologists.

...and finally some very interesting and colorful thoughts on our vocation...

• **Richard Lucas, CPL:** I do think there's a best-selling book to be written about landmen containing our collective stories about dealing with the variety of different people with which landmen typically interact. Like the time I bought a lease from a farmer in Wharton County who swears that alien spaceships followed him up from the barn...or the guy in El Campo with the witching stick... or the guy with the monkey in Jackson County...

• **Charlie Odom, CPL:** After analyzing this issue over the years and formulating a plan and a strategy, I tell my son that I work in a company where I boss a lot of people, get invites to professional baseball, football and basketball games, play golf, get to fly on airplanes to other cities, eat out at a lot of really expensive places, stay at fancy hotels and work in the oil and gas industry, which leaves me plenty of time to be an

expert on coaching little league sports, attending open house at his school, renting tapes at Blockbuster and being a great dad. That seems to solve the problem and provide him with enough bragging rights and envy to go around. When he reaches 21, I think I will fess up.

• **Jeff Fandrich:** I'm glad to see that I'm not the only one who wrestles with that seemingly simple question only to find the audience leaving before I've finished. I'm seriously thinking about saying something like: "That's what President Bush was before he became president." That should make for interesting conversations on my sons' playground.


• **Jay Beavers, CPL:** For the past 50 years, my father, AAPL President (1965) Jim Beavers, has been answering that question with the question "What do you want done?" A landman is simply a jack-of-all-trades (and master of some).

• **Ben Waring, CPL:** Hat's off for a thought provoking question. Here is my answer: Son, have you ever heard the expression, Land is the basis of all wealth? Your dad works with the most precious commodity on the planet; land and earth. Landmen determine who owns the land and its component parts, surface and minerals... Without us, the search for energy would go nowhere. Frequently, companies hire attorneys to do our job but they really aren't as qualified as we are, if we are trained, experienced and competent.

• **Dave Harper, CPL:** My kids think I am a piano player in a brothel. This weekend they started asking questions when they discovered I couldn't read music. Do you think I should let them read your article and find out what I really do for a living or should I wait until they are older? (Wait.)

• **Michael H. Mann:** Your article brought back memories of my son Michael, now 20, asking me at age 10, if he could have my job when I died. On several occasions when I would go to courthouses near Houston, I would let him pull books for me. My other son, Rex, who is now 10 years old, recently told me that he was ready to take over my company and run it because all I ever did was sit in the office and talk on the phone. I could not argue that point!

• **Debra S. Bohac, CPL:** Your article reminded me of an article I kept from the September 1996 *Rocky Mountain Landman*. It was written by Tom Sirola "...And the young boy looked up at his father and asked, 'What do you do, Daddy?' The man thought for a moment, not wishing to trivialize his occupation, and ran through a mental rolodex of verbs and adverbs... check records, run title, type leases, negotiate operating agreements, straighten out accounting, straighten out attorneys, straighten out geologists, file over-the-counter, exercise options, unitize, communitize, finalize, memorize, summarize, go to bat, go to school, go to hell (and back), add the acres, add the miles, Exhibits A through Z, gas balance, gas storage, fuel gas, gas lamps, gas air conditioners, pool, farmout, farmin, consent, non-consent, MCF, BTU, HBP, ABC, DEFG, collate, aggregate, supplement, modify, amend, extend, pretend, owners' meetings, BLM, USGS, MMS, kiss-my-oops, terminate, punctuate, spud date, prospect, AMI, DO, APD, XYZ... 'Daddy's a landman; we try to get wells drilled!' 'Okay,' the boy said, and skipped out the door."

Thanks to all who participated in this exercise. It has been extremely helpful and educational to me and hopefully it has helped us all to step back and look at our multifaceted profession and how to at least take a shot at explaining what we do as succinctly as possible. But what I basically learned is that we do too dang much to put it short and concise, so the next time someone asks me what a landman is, I might have to invite them for a drink and to sit a spell. And, as for explaining it to a 10-year-old kid, he might just have to adopt the attitude of Ben Waring's twin daughters, "they don't care much what I do so long as I bring home the bacon." Good kids. 



Gregory L. Jessup, CPL