



PLANO

Professional Landmen's Association of New Orleans

JUNE, 2004

www.planoweb.org

PLANO BULLETIN #029

PLANO EVENTS

- Jun 7 PLANO Luncheon, Royal Sonesta Hotel
Revised Luncheon Date
Aug 18 PLANO OCS Sale 192 WGOM - Breakfast
Sept 13 PLANO Luncheon –
Location to be determined later
Sept 16 PLANO Icebreaker
Riverview room, Hotel Monteleone
Oct 18 PLANO Fall Golf Outing
Money Hill, Abita Springs, LA

OTHER ACTIVITIES

- Jun 16-18 2004 AAPL Annual Meeting
Hilton Austin, TX
Jul 26 Gulf coast Prospect Expo - Golf
Lafayette, LA
Jul 27-28 Gulf Coast Prospect Expo
Lafayette, LA
Aug. 7 HAPL Annual Skeet Shoot
The American Shooting Center
Aug 18 MMS OCS Sale 192 WGOM
Sept 27 HAPL Annual Golf Tournament
Kingwood & Deerwood Country Clubs
Oct 14 HAPL Annual Executive Night, Hyatt

PLANO LUNCHEON ROYAL SONESTA HOTEL, BIENVILLE SUITE MONDAY, JUNE 7, 2004, 11:30 A.M.

Meet and welcome your new PLANO Directors for the period commencing July, 2004. Those running for election are: John Dale, McMoran Oil & Gas LLC, Devin Dixey, Murphy Exploration & Production Company, Warren Miguez, Taylor Energy Company, and Richard F. Price, Price Energy, LLC.

Those "going off" the PLANO Board on completion of their term in office on June 30, 2004, are:

Carl F. Southern, ExxonMobil Production Company
and
Jan T. van Loon, Oats & Hudson

Also, at this luncheon awards will be issued for the following categories:

Company of the Year
Landman of the Year
Betty S. Baronne Award, and
Special Award

If you have not yet had an opportunity to make a reservation to attend this event, please contact Margo Cameron at (504) 593-7560.

MESSAGE FROM THE PLANO PRESIDENT 2003-2004



As we conclude the 2003-2004 PLANO term, I am especially proud to have been part of a very vibrant organization and to have been associated with such a fine group of men and women. Especially important is the role of the committees and Board members. My sincere thanks go out to all who contributed their time, resources and energies to PLANO. You have earned a lot of accolades and a well deserved round of applause.

Our monthly luncheons are unequalled by any other organization both in terms of quality, variety and in formative programs. Our social events present a most enjoyable format for fellowship and net working. I am most proud of PLANO's efforts in community affairs. PLANO and the Auxiliary's support of the Care Center and the Dress for Success Program are exemplary. Our Spring Garden De'Lights Gala is unique and supports our Demonstration Garden at the New Orleans Botanical Garden, City Park.



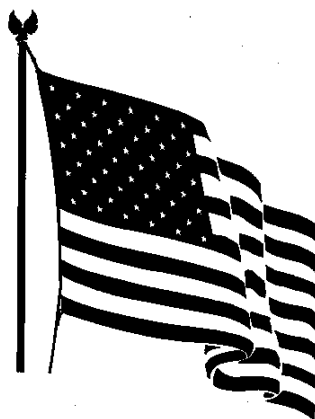
Finally, I am taking license to boast about our accomplishments this year. We have established a new level of sponsorship elevating to Platinum, with new and exciting benefits. We held the best post Executive Night balcony party in the history of PLANO following an address at Executive Night by our new Louisiana Chief Executive, Governor Kathleen Babineaux Blanco. We offered unparalleled educational events, and now are fully integrated into the electronic age, offering our newsletter - and soon our membership directory - on-line. Our inaugural patron party and awesome Spring Garden De'Lights' Reception was a huge success.

My thanks to all of you who helped make this year a most enjoyable success. I know our organization is in great shape, and that the men and women of PLANO will continue to do great things.

Wishing everyone a great summer and looking forward to getting together in the Fall, I am

Very truly yours,

Frank D. Barber, III, PLANO President



PLANO 2003-2004 OFFICERS & DIRECTORS

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PLANO Auxiliary President — Jo Ann Anderson
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**PLANO Administrator & Newsletter Editor
Margo Cameron**
Dominion Exploration & Production, Inc.504-593-7560

IN MEMORIAM

With great regret and profound sadness, the PLANO Board of Directors learned of the death of Brent N. Talbot on Sunday, May 2, 2004, age 51 years. He was laid to rest in the Garden of Memories Cemetery, Airline Highway, Metairie, LA. Brent, an Independent Petroleum Landman, worked with Brechtel Energy. Brent had battled a terrific fight with cancer, and was recovering well until he developed an intestinal infection, culminating in his untimely death. Brent had been a PLANO member for many years, and even though he lived and worked on the Northshore, he attended many of our events. He was well respected in the industry, and will be sorely missed by all of us. Our thoughts and prayers are with his wife, Cindy, and family at this most difficult time.

PLANO’S 2004 SPONSORSHIP PROGRAM

PLANO’s 2004 Sponsorship Program is still under way. Sponsorship levels are:

Platinum	\$2,000.00
Gold	\$1,500.00
Silver	\$1,000.00
Bronze	\$ 500.00

Anyone wishing to become a sponsor is asked to contact:

Harold J. Anderson (504-276-5858)
or
Margo Cameron (504-593-7560)

There are many advantages to becoming a PLANO Sponsor, and we urge you to become a Sponsor. Your support is sought.

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Tennis

Edward C. Amrock, Chairman Denbury Resources Inc.

VOLUNTEER NEEDED

Photographer for photo taking at PLANO events on an as-needed basis. Call Margo Cameron, PLANO Administrator, 504-593-7560, or e-mail to margo_cameron@dom.com.

THOUGHT FOR THE DAY

Think big thoughts,
but relish small pleasures.

*Submitted by the
PLANO Newsletter Editor*



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Membership applications from the individuals named in this section were reviewed and approved by the PLANO Board of Directors' at the meeting on Thursday, May 13, 2004. The PLANO Board welcomes these new members to the organization.

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LOUISIANA LEGAL UPDATE OIL & GAS LAW DEVELOPMENTS CASES OF INTEREST

Presented by Gordon T. Whitman
The Onebane Law Firm, Lafayette, Louisiana
1-337-237-2660

Court Holds Last Will and Testament Notarized by Suspended Attorney is Invalid

In 1990, an individual executed a Last Will and Testament (*the "1990 Will"*) whereby he left all of his property to a non-profit organization (*the "Fund"*). In 2002, that individual executed a new Will (*the "2002 Will"*) whereby he left certain items to another individual with a usufruct over the remainder of his estate. The 2002 Will was executed before an attorney who had been suspended from the practice of law since 1998. When the testator died, the Fund objected to being replaced as legatee. It argued that the type of will that was executed must be passed before a notary, and that a suspended attorney is not a notary (at least during the period of his suspension). The trial court and the Fifth Circuit Court of Appeal for Louisiana agreed and held the 2002 Will to be invalid. *Succession of Plauche*, 866 So.2d 1063 (La. App. 5th Cir. Decided February 10, 2004).

La. R.S. 35: 14 provides that a suspended attorney "shall not be qualified or eligible nor shall he exercise any functions as a notary public in any parish of the State of Louisiana as long as he remains...suspended...". Additionally, an earlier decision, *State exrel. Nootan, Praying for Testing of Sureties on Notarial Bonds*, 364 So.2d 1079 (La. App. 4th Cir. 1978), had held that a judgment of the Supreme Court suspending an attorney implicitly meant that the attorney was also not qualified to exercise the function of a notary public. The only issue was whether this invalidated the will. The court held that it did.

The above decision is an important reminder

that in some cases an instrument is invalid if not in proper form. Donations must be executed before a notary (and two witnesses). A person finding an Act of

Donation of real estate in the chain of title should consider confirming that the notary was actually a fully qualified notary.

The above case does not appear to be final yet. In the event the holding of his case is changed upon further appeal, we will advise in a future article.

After January 1, 2005, Louisiana to Refuse to Accept for Filing Instruments Notarized within State that Do Not Contain Notary Identification Number or Attorney Bar Roll Number.

Confirming whether the person executing as notary was really a notary could pose a real problem. By Act No. 1142 of 2003 Louisiana Legislature, amending La. R.S. 35: 12, effective January 1, 2004, Notarial Acts now must provide as follows:

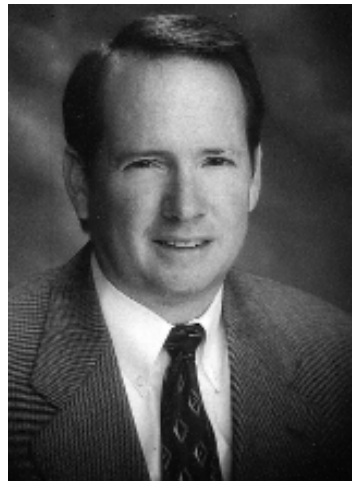
B. Every document notarized in this State shall bear the notary identification number assigned by the Secretary of State, except that if the notary is an attorney licensed to practice law in this state, he may use his Louisiana state bar roll number in lieu of the notary identification number. The number shall be typed or printed legibly and placed next to the typed or printed name of the notary as required by Subsection A of this Section.

Of course, simply making the above a requirement does not mean that parties would necessarily comply and

About the Author

Gordon T. Whitman: Born New Orleans, Louisiana, January 25, 1955; admitted to Bar, 1981, Louisiana. *Education:* University of Southwestern Louisiana (S., 1977); Louisiana State University (J.D., 1981). Phi Kappa Phi; Phi Delta Phi; Order of the Coif. Member, Louisiana Law Review, 1980-1981. Speaker, 46th Annual Meeting and 2000 International Conference of American Association of Professional Landman; Speaker, 45th Annual Meeting and 1999 International Conference of American Association of Professional Landmen; Speaker, 43rd Annual Meeting and 1997 International Conference of American Association of Professional Landmen. *Member:* Louisiana State Assistant Examiner for Committee on Bar Admissions (1993-2002), and American Bar Association; Lafayette Association of Petroleum Landmen; Professional Landmen's Association of New Orleans; American Association of Professional Landmen; Louisiana Independent Oil and Gas Association; Louisiana Association of Bank Counsel; Advisory Council to Louisiana Mineral Law Institute.

Areas of Practice:
Oil and Gas, Business



put the notary identification number or attorney bar roll number. Act 1142 goes further and provides the following, effective January 1, 2005:

D. On all documents notarized or on after January 1, 2005, the office of notarial records, register of conveyances, or recorder of mortgages in and for the Parish of Orleans, every clerk of court, and every state office, agency, department, or political subdivision shall not accept, file, or record any notarized document which fails to contain the notary identification or bar roll number and the typed or printed name of this notary and the witnesses.

The end result of the above should be that it will be much easier to confirm the notary was in fact a notary. Of course, for those planning to file notarial instruments, the above law should be implemented now. Commencing January 1, 2005, the clerk will no longer be able to file notarial instruments without complying with the above statute.

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

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PLANO DUES 2004

For those of you who have not yet paid PLANO dues for this year, please attempt to clear this obligation by submitting your check, made payable to PLANO, for \$40.00, and mailing it without delay to PLANO, P.O. Box 51123, New Orleans, LA 70151-1123. The names of members who have not paid their dues have been placed on an "Inactive List", and no further PLANO notices, newsletters, etc. will be mailed to those individuals until dues are paid in full. We feel sure you will understand this course of action.

EDUCATION

During the term 2003-2004, PLANO had the pleasure of participating in two educational programs. It is a PLANO tradition to present during the afternoon of its annual Executive Night a half day seminar made available to PLANO members on a complimentary basis. Such events could not be produced without the dedication and support of the speakers who give of their talents and resources. This year PLANO's Executive Night Seminar featured presentations by Aimee Williams Hebert, with the New Orleans office of Gordon, Arata, McCollam, Duplantis & Eagan, L.L.P., Rich D. Davis, Jr. with Cotton, Bledsoe, Tighe & Dawson, P.C., Midland, TX, Marty P. Babin, ChevronTexaco (Marty will soon join ChevronTexaco's staff in Houston), and the ever dependable Anthony C. Marino, Schully, Roberts, Slattery, Jaubert & Marino. The Executive Night Seminar was a "sell out."

PLANO also had the pleasure of hosting AAPL's two day Gulf Coast Land Institute held during October. Appearing on the Gulf Coast's program was William S. "Bill" Strain, Strain, Dennis & Bates, L.L.P., Baton Rouge, LA, Rick Heck with the Louisiana Department of Natural Resources, Office of Conservation, Keith Couvillion, ChevronTexaco, New Orleans, Gurcan S. Gulen. Institute for Energy Law & Enterprise, University of Houston Law Center, Houston, TX, P.J. Goodwine, Schully, Roberts, Slattery, Jaubert & Mario, Ronald L. Moore, Attorney at Law, Houston, TX, Scott Stone, Spartan Resources, Oklahoma City, OK (a former AAPL president), J. Patrick Morris, Liskow & Lewis, New Orleans, LA (a PLANO Board Member), Robert L. Boese, Broussard, LA, Susie Morgan, Wiener, Weiss & Madison, A.P.C., Shreveport, LA and Mike Grimm, Rising Star Energy, LLC, Dallas, TX. A special thanks to all of these individuals for making the Gulf Coast Land Institute a big success. For AAPL, the Institute was coordinated by AAPL staff members Richard Rosprim and Deborah Dupree.

2004-2005 will be an education packed year. A "Free to PLANO Members" seminar is being planned in conjunction with PLANO's Fall Ice Breaker. The Executive Night Seminar will return, and there is the possibility of presenting a spring event.

PLANO'S SPRING GARDEN PATRON PARTY AND RECEPTION

"Spring Casual Chic, Linen, seersucker, etc." was the suggested clothing theme stated on the invitation to PLANO's Spring Garden Patron Party and Reception at the New Orleans Botanical Garden held on Friday, April 23, 2004, and it certainly turned out to be most appropriate on such a balmy, Southern evening. The Patron Party was held within the confines of the PLANO Demonstration Garden and in the vicinity of the Historic New Orleans Train Garden.

Members of the Committee set up this year to handle both the Patron Party and Reception are shown in the photograph below.



L. to R. Jan van Loon, Larry Beron, Anne Bailey, Frank Barber, Devin Dixey, Mrs. Frank (Colleen) Barber, Jo Ann Anderson

Guests were welcomed by the New Orleans-style music of the Tim Laughlin Jazz Trio, strategically placed in front of one of the enchanting gazebos in the PLANO Demonstration Garden.



Tim Laughlin Jazz Trio

Old Garden Roses, many of the varieties favored by Napoleon's Josephine, abound in the Demonstration Garden. It is a garden of great beauty and it certainly lived up to its reputation at this party.

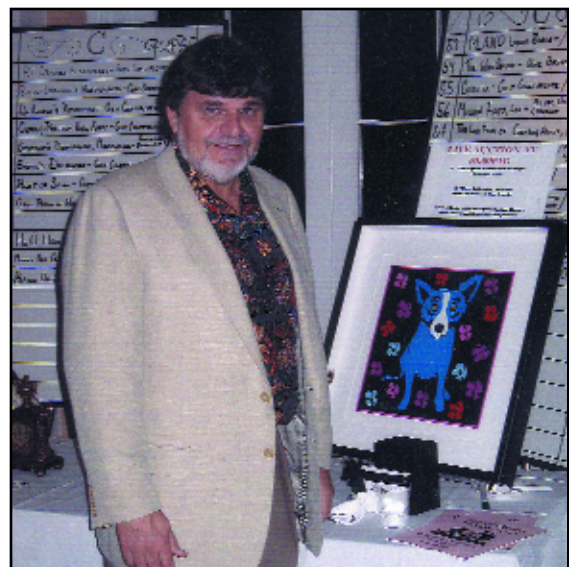
Guests were also afforded an opportunity to wander through the garden and then visit the abutting area dubbed the "Historic New Orleans Train Garden," created through the generosity of New Orleans' residents. Trains fascinate all age groups, and the PLANO group was no exception.

When it comes to food, New Orleans ranks with the best in the country. The food and wines provided by leading restaurants and catering companies in the city were superb, and greatly enjoyed by all.

The reception, as well as the silent auction, that followed in The Pavilion of the Two Sisters was an unqualified success. Door prizes were issued, and the picture below shows Philip Beron, Jr., one of PLANO's veteran members, receiving his "booty" from Frank D. Barber, III, PLANO's President.



Active bidding for Silent Auction items took place. The donation by artist George Rodrigue of his "Blue Dog, Flower Power" generated a great deal of interest.



Artist George Rodrigue with his "Blue Dog, Flower Power"

PLANO'S SPRING GARDEN PATRON PARTY AND RECEPTION

The fact sheet titled "Rodrigue Studio.....from Cajun Roots to Blue Dog Fever" obtained from the Rodrigue Studio at 721 Royal Street, New Orleans, LA, states....."George Rodrigue, a Cajun from New Iberia, Louisiana, knew from the time he was in the third grade that he wanted to be an artist. In the mid-1960's he attended the graduate program at the Art Center College of Design in Pasadena, California. There, in addition to the fundamentals of drawing, he studied abstract painting and advertising design.

It was his time in California and the long drives across Texas which made him appreciate and long for his south Louisiana heritage. These emotions led him to create paintings and sculpture filled with the symbols of his culture. The heavy, dark oaks with Spanish moss, the meandering bayous, and the Cajun people themselves filled his canvas almost exclusively for 25 years, and still appear in his work today in various forms.

But it was Rodrigue's visual interpretation of a particular Cajun story, the *loup-garou*, soon known as the *Blue Dog*, which carried him into a brighter palette and a more obvious connection to his earlier studies of abstract art and design. Inspired by the legend, as well as early photos and memories of his studio dog, Tiffany, he brought the image to the forefront, making it as much a subject as his trees and people, eventually painting it by itself as a strong shape without setting or nostalgia. He set rules for himself, which included the dog's frontal stance, its blue color, and its bold presence on the canvas. But beyond this, his choices were endless, with each painting taking its meaning and form according to his mood and artistic eye.

Beginning in the early 1990's, the Blue Dog paintings exposed Rodrigue's art to a wider audience. Yet he was no stranger to public recognition. His book, *The Cajuns of George Rodrigue* (Oxmoor House), for instance, was chosen by the First Lady as the official White House gift during the Carter administration. The artist later received commissions to paint Presidents Ronald Reagan, George Bush, and Bill Clinton, as well as Louisiana governors Huey Long, Earl Long, and Edwin Edwards.....

Today, Rodrigue's paintings hang in private collections and museums worldwide. Yet he works in the same hands-on manner that he has since the early 1970's. He avoids licensing for products, and he sells artwork only from his own two galleries in New Orleans and Carmel, California. However, he remains connected to Lafayette and the Blue Dog Café, where he displays artwork and momentos, while keeping in touch with old friends.

George Rodrigue lives in New Orleans with his wife Wendy. He has two sons, Andre, a student at the University of Louisiana at Lafayette, and Jacques, a student at Louisiana State University. At 99 years of age, his mother, Marie Rodrigue, makes her home in Lafayette....."

Information on the Rodrigue Studio may be obtained from www.georgerodrigue.com.

PLANO LUNCHEON

The PLANO Luncheon on May 10, 2004, drew another record crowd, all anxious to hear the talk to be delivered by Craig Young, AAPL President 2003-2004. For those of us who had not previously met Mr. Young, we were immediately impressed by his sincere and warm manner. It came over loud and clear as we listened to him speak, and were apprised of events, regulatory matters, etc., currently handled by AAPL.

On that very rainy day, the interior of Muriel's Jackson offered a safe and cozy haven for those who braved the elements to meet Craig Young. The staff there went out of their way to ensure the meeting was a huge success, and provided a delicious meal. Kudos and many thanks to John Abbott and his staff at Muriel's for all of their efforts. Another job, well done!

LETTERS TO PLANO NEWSLETTER EDITOR

In an effort to serve our membership with early delivery of the PLANO Newsletter, and to cut down on ever increasing postage costs, commencing May, 2004, the PLANO Newsletter was issued to membership via e-mail. To date, the following response has been received from one of our members:

To: PLANO Administrator Date: May 5, 2004
Re: PLANO Newsletter - May 2004
"Wow! Great way to get the newsletter.
Thanks.

From: Jeannine M. White, Landman
The Meridian Resource Corp."

Thank you, Jeannine, for taking time to write. Your comments are greatly appreciated.

Margo Cameron
PLANO Administrator/Newsletter Editor

PLANO GOLF TALK

PLANO's Annual Spring Golf Tournament was held on Monday, May 17, 2004, at Beau Chene Golf & Country Club, Mandeville, LA. 136 golfers participated. Although heavy rains had swept the area for the past two weeks or so, the weather on this occasion cooperated. It was a beautiful day, and many of the golfers left sporting fairly good suntans.

PLANO thanks the following sponsors for their support in making the tournament an unqualified success.

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GOLF TOURNAMENT WINNERS

1ST PLACE

Russell Thomas
Jerry Thomas
John Sutton
Gabe Ackal

2nd PLACE

Rob Schroeder
Bill Johnson
E.J. Louviere
John O'Connell

3rd PLACE

Linton Morgan
Bob Murphy
Jim Bunch
Tom DeGenova

4th PLACE

Joey Landry
Rusty Morris
David Metz
Chris Baynas

LONG DRIVE

#1 Brandt Prat

CLOSEST TO HOLE

#2 Keith Couvillion
#5 Bill Johnson
#13 Ron Twatchman
#16 E.J. Louviere

Rob Schroeder and Bill Johnson have become experts at setting up these golf tournaments. Add another notch to your belts, gentlemen, and stand up and take a bow. As on many occasions in the past, you did a superb job!

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The Professional Landmen's Association of New Orleans would like to thank the following parties for their participation in PLANO's sponsorship program.

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