

**37<sup>th</sup> Annual Oil, Gas and Mineral Law Institute**  
**April 8, 2011 • Hyatt Regency • Houston, TX**  
**May 20, 2011 • Dallas**

**Friday Morning, Apr. 8, 2011**

**Presiding Officer:**

**David Michael Patton**, Houston, TX

7:45 am In Houston Only	<b>Institute Registration Opens</b>  Includes continental breakfast.
8:15 am In Houston Only	<b>Welcoming Remarks</b>
8:30 am In Houston Only 0.50 hr	<b>Mineral Receiverships and Beyond</b>  A practical approach as to how to obtain a mineral and royalty receivership, as well as a discussion of the need for similar statutes in renewable energy.  <i>This session will be presented at 11:00 a.m.</i>  Roderick E. Wetsel, Wetsel & Carmichael, LLP - Sweetwater, TX
9:00 am In Houston Only 1.25 hrs	<b>Case Law Update</b>  A review of recent decisions dealing with oil and gas leases, royalties, mineral conveyances, joint operating agreements, state regulation, and related topics.  Ernest E. Smith, The University of Texas School of Law - Austin, TX
10:15 am In Houston Only	<b>Break</b>
10:30 am In Houston Only 0.50 hr	<b>Shale Play Environmental Issues</b>  The perfection of hydraulic fracturing techniques to unlock gas from shale formations may be one of the greatest developments in hydrocarbon production since Howard Hughes invented the rotary drilling bit, but it has created a host of new environmental concerns. This presentation addresses legal issues relating to water supply for fracturing operations, management and reuse of flow-back water, public concerns regarding chemicals used in the fracturing process, discharge or disposal of flow-back water that cannot be reused, allegations of groundwater contamination from fracturing operations, benzene emissions associated with shale gas production, and nuisance issues associated with the conduct of fracturing operations in close proximity to residential areas.  Larry W. Nettles, Vinson & Elkins LLP - Houston, TX

11:00 am In Houston Only 0.50 hr	<b>Liability Issues under Joint Operating Agreements</b>  Current and topical liability issues arising under the model form JOAs, including force majeure, gross negligence, and operator/non-operator liabilities.  <i>This session will be presented at 3:45 p.m.</i>  Robert Louis Theriot, Liskow & Lewis - Houston, TX
11:30 am In Houston Only 0.50 hr ethics	<b>Ethics Part I: Ethical Considerations of Getting Licensed in Multiple States</b>  A discussion of doing deals in multiple states, and Texas lawyers practicing in other states.  Eric Clayton Camp, Whitaker, Chalk, Swindle & Sawyer, LLP - Fort Worth, TX

## Friday Afternoon, Apr. 8, 2011

### Presiding Officer:

**David Michael Patton**, Houston, TX

In Houston Only	<b>Luncheon Presentation</b>
12:00 pm In Houston Only	<b>Pick Up Box Lunch</b>  Included in conference registration.
12:15 pm In Houston Only 0.50 hr	<b>Oil and Gas Development in the Gulf of Mexico Post-Macondo</b>  An examination of what's driving offshore energy policy in the aftermath of Macondo.  Michael D. Olsen, Bracewell & Giuliani LLP - Washington, DC
12:45 pm In Houston Only	<b>Break</b>
1:00 pm In Houston Only 0.50 hr	<b>Regulation of Water in the Oil and Gas Extraction Process</b>  A discussion of the regulation of source water and volumes, hydraulic fracturing, flow-back and produced water.  Rene D. Ruiz, Cox Smith Matthews Incorporated - San Antonio, TX
1:30 pm In Houston Only 0.50 hr	<b>Trespass to Try Title</b>  A review of the only way to determine disputed title in Texas, including the interplay with declaratory judgments and the procedural requirements of a trespass to try title case.  Michael D. Jones, Jones Gill LLP - Houston, TX
2:00 pm In Houston Only 0.50 hr	<b>Are We There Yet? The Start and Finish of an Oil and Gas Lease</b>  An examination of the commencement of the term of the lease and its termination.  Peter E Hosey, Jackson Walker L.L.P. - San Antonio, TX

2:30 pm In Houston Only 0.50 hr	<p><b>Title Defect Issues in Purchase and Sale Agreements</b></p> <p>A review and update on common title issues addressed in purchase and sale agreements.</p> <p>Michael J. Byrd, Baker &amp; McKenzie - Houston, TX</p>
3:00 pm In Houston Only	<p><b>Break</b></p>
3:15 pm In Houston Only 0.50 hr	<p><b>Dealing with Unleased and Uncommitted Cotenants</b></p> <p>The legal risks, responsibilities and consequences of drilling and operating without leases from all mineral owners and agreements among all lease owners.</p> <p>William B. Burford, Hinkle, Hensley, Shanor &amp; Martin, L.L.P. - Midland, TX</p>
3:45 pm In Houston Only 0.50 hr	<p><b>Modifying Oil and Gas Agreements to Accommodate Horizontal Operations</b></p> <p>Standard industry forms were drafted before horizontal drilling was common. What should you change?</p> <p><b>This session will be presented at 8:30 a.m.</b></p> <p>H. Martin Gibson, Patton Boggs LLP - Dallas, TX</p>
4:15 pm In Houston Only 0.50 hr ethics	<p><b>Ethics Part II: Representing Multiple Parties in the Same Matter</b></p> <p>David or Goliath? Scylla or Charybdis? A discussion of how to avoid Morton's Fork in multiple-client representation.</p> <p>Jeffrey R. Jury, Burns Anderson Jury &amp; Brenner - Austin, TX</p>
4:45 pm In Houston Only	<p><b>Adjourn Institute</b></p>
5:00 pm In Houston Only	<p><b>Annual Meeting of the Oil, Gas and Energy Resources Law Section of the State Bar of Texas</b></p> <p>Immediately following the Institute--in Houston only--all members of the Oil, Gas and Energy Resources Law Section of the State Bar are invited to join the Section's Council members for the 2011 Annual Meeting of the Section. Elections of Council officers and new Council members will be held, and there will be reports on the Section's activities over the past year.</p> <p>The State Bar's oldest Section, the Oil, Gas and Energy Resources Law Section has more than 3,000 members. The Section sponsors or co-sponsors eight major institutes each year, including the Ernest E. Smith Institute and the Fundamentals course, which provide over 60 hours of CLE annually. It also publishes a quarterly Section Report containing a variety of updates and articles on energy law topics. Associate memberships are available to non-lawyers and non-Texas lawyers. Membership inquiries should be directed to M.C. Cottingham (Cottie) Miles, Secretary and Membership Committee Chair, at 210-220-1354, or visit the Section's website at <a href="http://www.oilgas.org">www.oilgas.org</a>.</p>