

**38<sup>th</sup> Annual Oil, Gas and Mineral Law Institute**  
**March 30, 2012 • Hyatt Regency • Houston, TX**  
**May 11, 2012 • Dallas**

**Friday Morning, Mar. 30, 2012**

**Presiding Officer:**

In Houston: **Peter E. Hosey**, Jackson Walker L.L.P. - San Antonio, TX

7:30 am In Houston Only	<b>Registration Opens</b>  Includes continental breakfast.
8:20 am In Houston Only	<b>Welcoming Remarks</b>
8:30 am In Houston Only 0.50 hr	<b>Regulatory Update</b>  An overview of recent developments at the Railroad Commission of Texas (RRC) and General Land Office (GLO) that may be of interest to the oil and gas practitioner and could impact, lessors, lessees and unleased owners of mineral interests.  Philip Whitworth, Scott, Douglass & McConnico, L.L.P. - Austin, 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>Allocation of Royalties</b>  Virginia Gaye White, Thompson & Knight LLP - Austin, TX
11:00 am In Houston Only 0.50 hr	<b>Trends in Seismic Agreements</b>  This presentation discusses geophysical trespass, seismic permits, licenses and related agreements.  Warren J. Ludlow, XTO Energy - Fort Worth, TX
11:30 am In Houston Only 0.50 hr	<b>Duties of Executive Right Holders</b>  A review of the law after <i>Lesley v. Veterans Land Board of the State of Texas</i> defining the nature of severed executive rights and the duties owed by the executive to owners of nonparticipating royalty and nonexecutive mineral interests.  Monika Ehrman, CERES Resource Partners, L.P. - Dallas, TX

## Friday Afternoon, Mar. 30, 2012

### Presiding Officer:

In Houston: **Peter E. Hosey**, Jackson Walker L.L.P. - San Antonio, TX

12:00 pm In Houston Only	<b>Break to Pick Up Box Lunch</b>  Included in conference registration.
In Houston Only	<b>Luncheon Presentation</b>
12:30 pm In Houston Only 0.50 hr	<b>Perspectives on Water Usage in the Eagle Ford Shale</b>  Oil and gas exploration and development of the Eagle Ford Shale has raised both the public's and industry's interest in the region's water supplies. This presentation examines the historical water usage in the South Texas area, projections of future water supply availability, and water supply options for the development of the Eagle Ford Shale and other formations.  Darrell Brownlow, CEMEX USA / San Antonio River Authority - Floresville, TX
1:00 pm In Houston Only	<b>Break</b>
1:15 pm In Houston Only 1.00 hr ethics	<b>Ethical Issues Facing Counsel in Conducting the Internal Corporate Investigation</b>  Post-Dodd-Frank, companies must have an internal investigation plan that can quickly and credibly respond to compliance concerns. This panel advises attendees how to conduct such investigations in a way that is consistent with an attorney's ethical obligations. Topics include the nuts and bolts of a post-Dodd-Frank internal investigation and pitfalls surrounding internal investigations ranging from failure to provide <i>Upjohn</i> warnings to obstruction of justice charges.  Jay G. Martin, Baker Hughes Incorporated - Houston, TX Ryan Douglas McConnell, Haynes and Boone, LLP - Houston, TX
2:15 pm In Houston Only 0.50 hr	<b>Strips, Gores and Public Roadways: Is There a Time Bomb on Your Unit?</b>  A survey of case law governing the application of the strip-and-gore doctrine, and a review of the procedures for leasing publicly owned streets and rights-of-way.  Clifton A. Squibb, Hamilton & Squibb - Dallas, TX
2:45 pm In Houston Only 0.50 hr	<b>BOEM, BSEE and ONRR: The Remaking of the "Old MMS"</b>  This presentation focuses on the post-Macondo restructuring of the former Minerals Management Service and BOEMRE (Bureau of Ocean Energy Management, Regulation and Enforcement) and the impact on issues such as leasing, permitting processes, environmental regulation, and royalty and revenue payment and calculation.  Mark C. Rodriguez, Vinson & Elkins LLP - Houston, TX
3:15 pm In Houston Only	<b>Break</b>

3:30 pm In Houston Only 0.50 hr	<b>Lease Issues</b>  Consent asked for but none received—the enforceability of consent to assignment or transfer provisions.  Allen D. Cummings, Law Offices of Allen D. Cummings - San Antonio, TX
4:00 pm In Houston Only 0.50 hr	<b>Selected Federal Environmental Issues Affecting the Texas Oil and Gas Industry</b>  Topics covered include the Endangered Species Act, the sand dune lizard, migratory birds, other EPA/environmental issues, the Texas Railroad Commission, and a preview of the upcoming legislative session.  Andrew Nathan Barrett, Barrett and Associates PLLC - Austin, TX Steve Manning, Manning Squared LLC - Gatesville, TX
4:30 pm In Houston Only 0.50 hr	<b>Recorded Memoranda: Just as Good as the Whole Document?</b>  For various reasons—often to avoid disclosure of terms to which one party or the other has agreed—oil and gas leases and other instruments are more and more frequently represented in the public records by brief memoranda that divulge little beyond the identity of the parties and the property affected. Does the recording of such a memorandum afford the same degree of constructive notice protection as the recording of the entire agreement would? What are the risks? What content should be considered essential to a memorandum prepared for recording purposes?  William B. Burford, Hinkle, Hensley, Shanor & Martin, L.L.P. - Midland, TX
5:00 pm In Houston Only	<b>Adjourn Institute</b>