

**39<sup>th</sup> Annual Ernest E. Smith Oil, Gas and Mineral Law Institute**  
**March 22, 2013 • Omni Houston Galleria • Houston, TX**  
**May 17, 2013 • Dallas**

**Friday Morning, Mar. 22, 2013**

**Presiding Officer:**

In Houston: **Douglas J. Dashiell**, Scott, Douglass & McConnico, L.L.P. - Austin, TX

7:30 am	<p><b>Registration Opens</b></p> <p>Includes continental breakfast.</p>
8:20 am	<p><b>Welcoming Remarks</b></p>
8:30 am In Houston Only 0.50 hr	<p><b>Current Surface Use Issues</b></p> <p>Current surface use issues impacting operators including surface use agreements, water disposal issues, municipal regulation and damage claims.</p> <p>Rick G. Strange, Cotton, Bledsoe, Tighe &amp; Dawson, PC - Midland, TX</p>
9:00 am In Houston Only 0.50 hr	<p><b>Developing Issues Related to Salt Water Disposal</b></p> <p>A discussion of current legal and regulatory issues related to salt water disposal in Texas.</p> <p>D. Davin McGinnis, Scott, Douglass &amp; McConnico, L.L.P. - Austin, TX</p>
9:30 am In Houston Only 0.75 hr	<p><b>Case Law Update</b></p> <p>A review of recent decisions dealing with oil and gas leases, royalties, mineral conveyances, joint operating agreements, state regulation and related topics.</p> <p>Ernest E. Smith, The University of Texas School of Law - Austin, TX</p>
10:15 am	<p><b>Break</b></p>
10:30 am In Houston Only 0.50 hr	<p><b>Case Law Update - continued</b></p> <p>Ernest E. Smith, The University of Texas School of Law - Austin, TX</p>
11:00 am In Houston Only 0.50 hr	<p><b>Buyer Beware—Expanding Reach of Exculpatory Provisions and Releases in Asset Purchase and Joint Operating Agreements</b></p> <p>What transactional and trial counsel need to know about recent developments in the law governing contractual limitations on liability.</p> <p>Joseph G. Thompson III, Watt Beckworth Thompson Henneman &amp; Sullivan LLP - Houston, TX</p>

11:30 am In Houston Only 0.50 hr	<p><b>Water Use for Fracking</b></p> <p>A critical analysis of the rules and availability of water sources used in oil and gas development, including recycling and alternatives to fresh water.</p> <p>Russell S. Johnson, McGinnis Lochridge &amp; Kilgore - Austin, TX</p>
12:00 pm	<p><b>Pick Up Lunch</b></p> <p>Included in Institute registration.</p>

## Friday Afternoon, Mar. 22, 2013

### Presiding Officer:

In Houston: **Douglas J. Dashiell**, Scott, Douglass & McConnico, L.L.P. - Austin, TX

	<p><b>Lunch Presentation</b></p>
12:30 pm In Houston Only 0.50 hr	<p><b>Use of Natural Gas for Power Generation</b></p> <p>Legal, environmental and practical issues arising from the use of natural gas to generate electricity and the effect on producers, pipelines and generators.</p> <p>Kathleen E. Magruder, BP Energy Company - Houston, TX</p>
1:00 pm	<p><b>Break</b></p>
1:15 pm In Houston Only 0.75 hr	<p><b>Horizontal Wells and Commingling</b></p> <p>A review of the law of commingling in Texas as it now or may apply to horizontal wells.</p> <p>Terry E. Hogwood, Houston, TX</p>
2:00 pm In Houston Only 1.00 hr ethics	<p><b>What Lawyers Can Learn About Professionalism and Communication from the Career of Abraham Lincoln</b></p> <p>Talmage Boston, Winstead PC - Dallas, TX</p>
3:00 pm	<p><b>Break</b></p>
3:15 pm In Houston Only 0.50 hr	<p><b>Supreme Court Landowner Condemnation: Landowner Perspective</b></p> <p>A review of Supreme Court landowner condemnation cases involving the value of the land and value of the taker, including the use of eminent domain in conjunction with the reach of the common carrier statute.</p> <p>Luke J. Ellis, Johns Marrs Ellis &amp; Hodge LLP - Austin, TX Justin A. Hodge, Johns Marrs Ellis &amp; Hodge LLP - Houston, TX</p>

<p>3:45 pm In Houston Only 0.50 hr</p>	<p><b>Supreme Court Landowner Condemnation: Industry Perspective</b></p> <p>The impact of <i>Denbury</i> on the industry and eminent domain practice.</p> <p>Thomas A. Zabel, Zabel Freeman - Houston, TX</p>
<p>4:15 pm In Houston Only 0.50 hr</p>	<p><b>Drafting Production Sharing Agreements</b></p> <p>An overview of the history and purpose of Production Sharing Agreements and recommended provisions.</p> <p>Robert D. Jowers, Shannon Gracey Ratliff &amp; Miller, LLP - Houston, TX Mickey R. Olmstead, McElroy Sullivan Miller Weber &amp; Olmstead, LLP - Austin, TX</p>
<p>4:45 pm In Houston Only 0.50 hr</p>	<p><b>Negotiating and Drafting Joint Development and Exploration Agreements</b></p> <p>A timely discussion of joint development agreements and exploration agreements, and the negotiation thereof, in confronting today's issues in the oil patch.</p> <p>Jeffery A. McCarn, Brown &amp; Fortunato, P.C. - Amarillo, TX</p>
<p>5:15 pm</p>	<p><b>Adjourn</b></p>