

**2019 Fundamentals of Oil, Gas and Mineral Law**  
**March 28, 2019 • Royal Sonesta Hotel Houston • Houston, TX**  
**March 28, 2019 • WEBCAST**

**Thursday Morning, Mar. 28, 2019**

**Presiding Officer:**

**Gregory C. Cox**, EOG Resources, Inc. - Houston, TX

7:30 am In Houston Only	<p><b>Fundamentals Registration Opens</b></p> <p>Includes continental breakfast.</p>
8:20 am	<p><b>Welcoming Remarks</b></p>
8:30 am 0.50 hr	<p><b>So You Want to Drill Your Own Oil Well? An Oil and Gas Drilling Primer</b></p> <p>Hear an overview of the process of finding oil and gas and bringing it to the surface, as well as some of the needed agreements.</p> <p>Frank N. Cusimano III, Chevron North America Exploration and Production Company - Houston, TX</p>
9:00 am 0.75 hr	<p><b>The Rule of Capture, Correlative Rights and Principles of Conservation</b></p> <p>Examine the effects of the Rule of Capture, and discuss well spacing, production limitations, pooling and unitization, and related environmental regulation. Hear a description of agency rules and regulations, rule-making and adjudication procedures, along with a judicial review of agency actions including the concepts of collateral attack, exhaustion of administrative remedies, primary jurisdiction, and standards of deference.</p> <p>Patrick H. Martin, Louisiana State University Paul M. Hebert Law Center - Baton Rouge, LA</p>
9:45 am	<p><b>Break</b></p>
10:00 am 1.00 hr 0.25 hr ethics	<p><b>The Oil and Gas Lease, Part I: Classification, Scope of Grant and Duration</b></p> <p>An in-depth focus on how an oil and gas lease is classified in law and on the key clauses of the lease.</p> <p>John Beckworth, The University of Texas School of Law - Austin, TX  Materials By:  Owen L. Anderson, The University of Texas School of Law - Austin, TX</p>
11:00 am 0.75 hr	<p><b>Texas Title Examination Standards: Introduction and Practical Exercises</b></p> <p>Take a look at the use of Title Examination Standards to address common defects, exceptions, and errors found in the chain of title to land. Explore the language of the standards, times when they are applicable, and the commentary of applicable law for each standard. Take part in a few practical examination exercises using actual situations encountered in title examination.</p> <p>Allen D. Cummings, Attorney at Law - Austin, TX</p>

11:45 am  
In Houston Only

**Pick Up Lunch**

Included in Fundamentals registration.

**Thursday Afternoon, Mar. 28, 2019**

**Presiding Officer:**

**Gregory C. Cox**, EOG Resources, Inc. - Houston, TX

**LUNCHEON PRESENTATION**

**Thank You to Our Luncheon Sponsor**

Baker & Hostetler LLP

**BakerHostetler**

12:05 pm  
0.75 hr

**Overview of Railroad Commission Regulations**

Review the important Railroad Commission rules and the recent amendments to the rules.

Brian R. Sullivan, PE, McElroy, Sullivan, Miller & Weber, LLP - Austin, TX

12:50 pm

**Break**

1:05 pm  
0.75 hr  
0.25 hr ethics

**The Oil and Gas Lease, Part II: The Royalty Clause in an Oil and Gas Lease**

In Texas, the calculation of the royalty obligation created under an oil and gas lease is determined by looking at the specific language contained in the royalty clause. Royalty terms in the lease such as "market value at the well" or "amount realized" establish how the royalty payor must measure and calculate royalty, and what post production costs can be allocated to the lessor interest. Review some of the principal phrases used to describe such obligations and how the Texas courts have interpreted them, and examine how that same language has been interpreted differently in other jurisdictions. Also analyze the impact of division and transfer orders and royalty payment statutes on royalty obligations contained in the lease.

Tara Righetti, University of Wyoming College of Law - Laramie, WY

1:50 pm  
1.00 hr  
0.25 hr ethics

**Oil and Gas Conveyancing and Interests in Oil and Gas**

Explore the terms used to convey mineral and royalty interests and the issues that arise in drafting and interpreting these conveyances.

Laura H. Burney, St. Mary's University School of Law - San Antonio, TX

2:50 pm  
0.75 hr

**The Oil and Gas Lease, Part III: Implied Covenants**

Examine the law of implied covenants, including the duties imposed, elements necessary to establish a claim, and remedies and defenses available.

Keith B. Hall, Louisiana State University Paul M. Hebert Law Center - Baton Rouge, LA

3:35 pm

**Break**

3:45 pm  
0.50 hr

**Voluntary Pooling and Unitization**

Review voluntary pooling as authorized in an oil and gas lease which allows the lessee to combine acreage under one lease with acreage underlying adjacent tracts. Also, explore the voluntary unitization statute in Texas under which the Railroad Commission approves field-wide units, which may combine acreage from numerous tracts and leases for the purpose of enhanced recovery or re-pressuring operations.

Carroll G. Martin, Scott Douglass & McConnico LLP - Austin, TX

4:15 pm  
0.50 hr

**The Oil and Gas Lease, Part IV: Other Clauses**

Review other clauses in an oil and gas lease, including surface use clauses and riders, retained acreage and proportionate reduction clauses, and savings clauses such as continuous operations, dry hole, force majeure, and shut-in gas royalty clauses.

Thomas A. Daily, Daily & Woods, P.L.L.C. - Fort Smith, AR

4:45 pm  
0.75 hr

**The Joint Operating Agreement (JOA)**

Hear an overview of the important components of a JOA, completion of and additions to the Form JOA, and issues that arise in the application of the JOA provisions to exploration and production activities.

John S. Lowe, Southern Methodist University Dedman School of Law - Dallas, TX

5:30 pm

**Adjourn Fundamentals**