

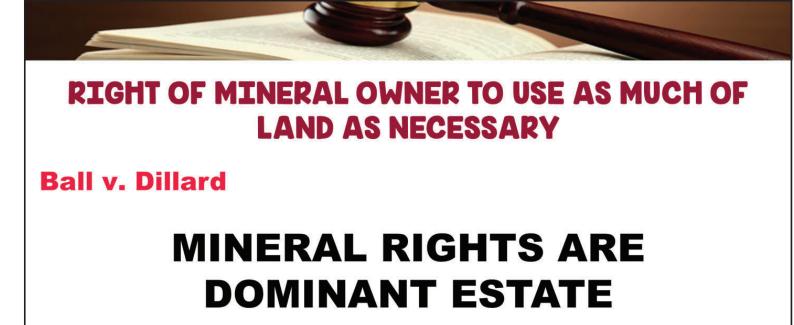
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WHAT DIFFERENCE DOES IT MAKE WHETHER A MINERAL?

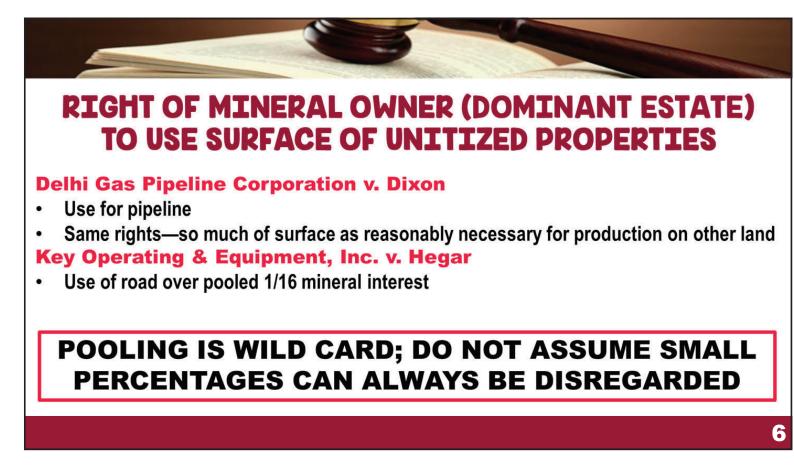
- It does not matter how characterized (for ownership), if it is reserved or separately conveyed
- Assume that any severed interests have rights to use the surface (unless properly waived)



RIGHT OF MINERAL OWNER (DOMINANT ESTATE) TO USE AS MUCH LAND AS <u>REASONABLY</u> NECESSARY

Davis v. Devon Energy Production Company, LP

- Even though use of the surface may increase the surface owner's costs
- Provided it will not destroy the surface owner's ability to conduct a profitable farming operation



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Title search: Best Practices for Solar Development in Resolving Mineral Estate Issues

Also available as part of the eCourse <u>Answer Bar: Navigating a Renewable Energy Project</u>

First appeared as part of the conference materials for the 2019 Renewable Energy Law session "Best Practices for Solar Development in Resolving Mineral Estate Issues"