

# Ownership & Development



MC ELROY,  
SULLIVAN,  
MILLER &  
WEBER, LLP

Regulatory  
Requirements

Land  
Title

1

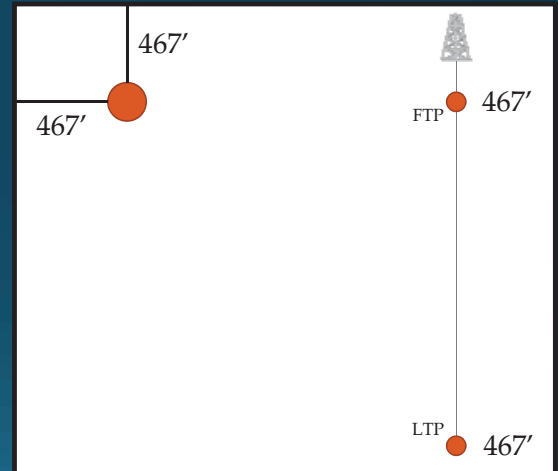
The courts regularly remind the RRC that its permitting jurisdiction is Limited!

- “...it is well established that the commission does not have jurisdiction to decide disputes over title or rights of possession...Rather, the commission’s authority to grant permits is negative in nature – the commission, through a permit, merely removes a barrier the conservations laws would otherwise impose...” Rosenthal v. Railroad Commission of Texas, et al, 3rd Court of Appeals-Austin, Opinion ID 18426

2

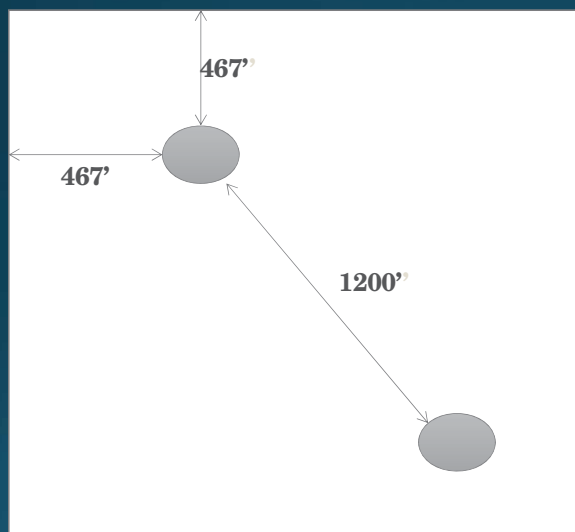
# Regulatory

- Density : 40 Acres – Statewide Rule 38
- Spacing: 467 feet – Statewide Rule 37
- Any Mineral Owner Qualified To Operate Or Drill - 1% - 100%



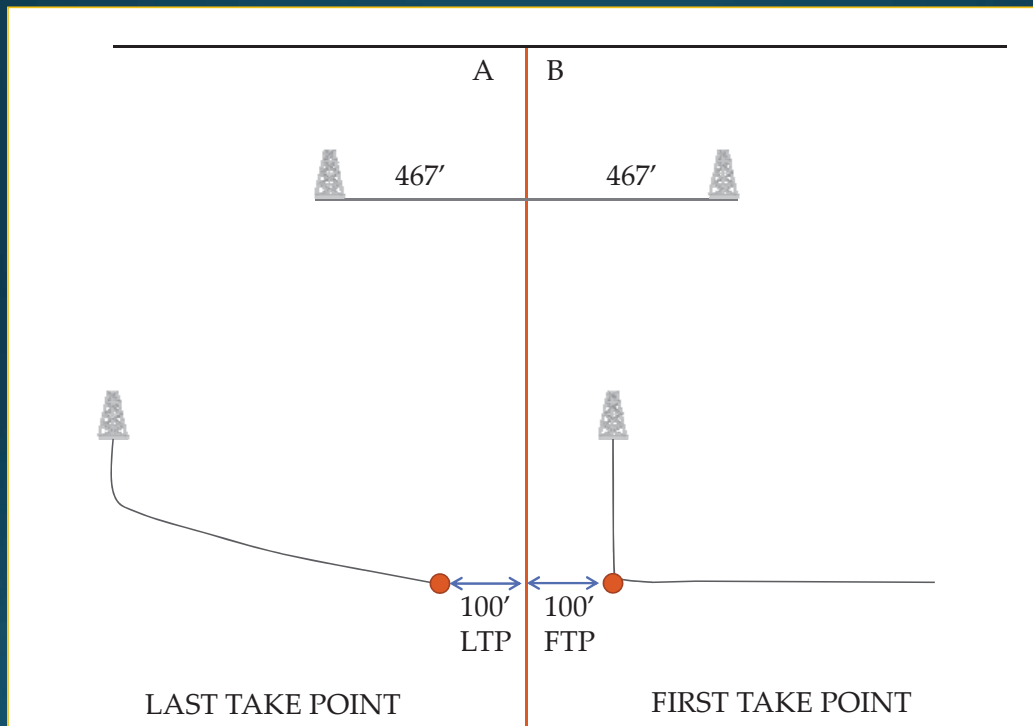
3

## Between Well Spacing - Vertical



- 1200' = Statewide Spacing Rule  
Wolfbone
- 0' = Typical Shale Rule  
Barnett Shale  
Eagle Ford  
Haynesville  
Wolfcamp  
Spraberry

4



5

# Rule of Capture

1. Oil/Gas under your lease

AND

2. Oil/Gas legally drained from others

6

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Title search: Ownership & Development

Also available as part of the eCourse

[Production Sharing Agreements and Allocation Wells](#)

First appeared as part of the conference materials for the  
44<sup>th</sup> Annual Ernest E. Smith Oil, Gas and Mineral Law Institute session  
"PSA and Allocations Wells"