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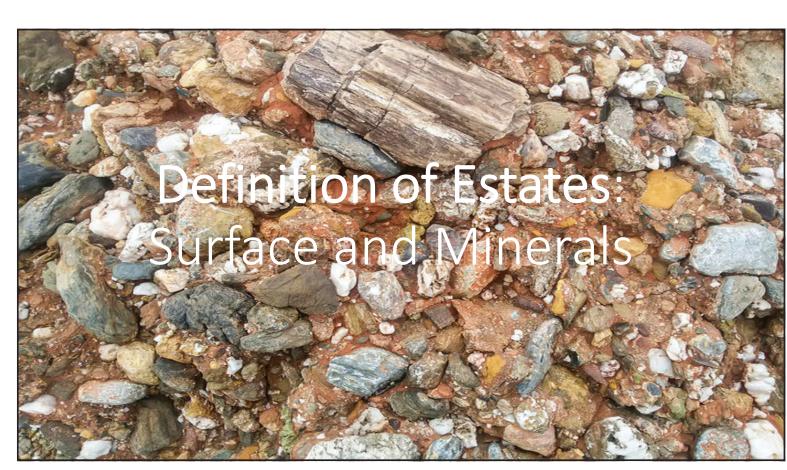
Overview

- Definition of Estates
- Implied Easement
- Emerging Issues





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Severed Estates

- Early theory
- Modern theory



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Defining Scope of the Estates

Issue: "oil, gas, and other minerals"

Surface Destruction Test (Early Texas)

- **Test**: intent-based, balancing test:
 - proximity to surface
 - Whether any reasonable extraction = "substantial" destruction
- Severances prior to June 8, 1983



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Also available as part of the eCourse Answer Bar: Oil, Gas and Energy Agreements and Contracting Essentials

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