

APRIL 2024

UT LAW | CLE

 **TEXAS Law**
The University of Texas at Austin
School of Law

CARBON CAPTURE AND PORE SPACE ISSUES

KEITH B. HALL
Nesser Family Chair in Energy Law, LSU Law School

1

Carbon Capture and Pore Space Issues

Keith B. Hall
LSU Law School
Baton Rouge, Louisiana
(504) 250-2636
khall@lsu.edu



LSU LAW
JOHN P. LABORDE
ENERGY
LAW CENTER

April 4, 2024
Houston, Texas



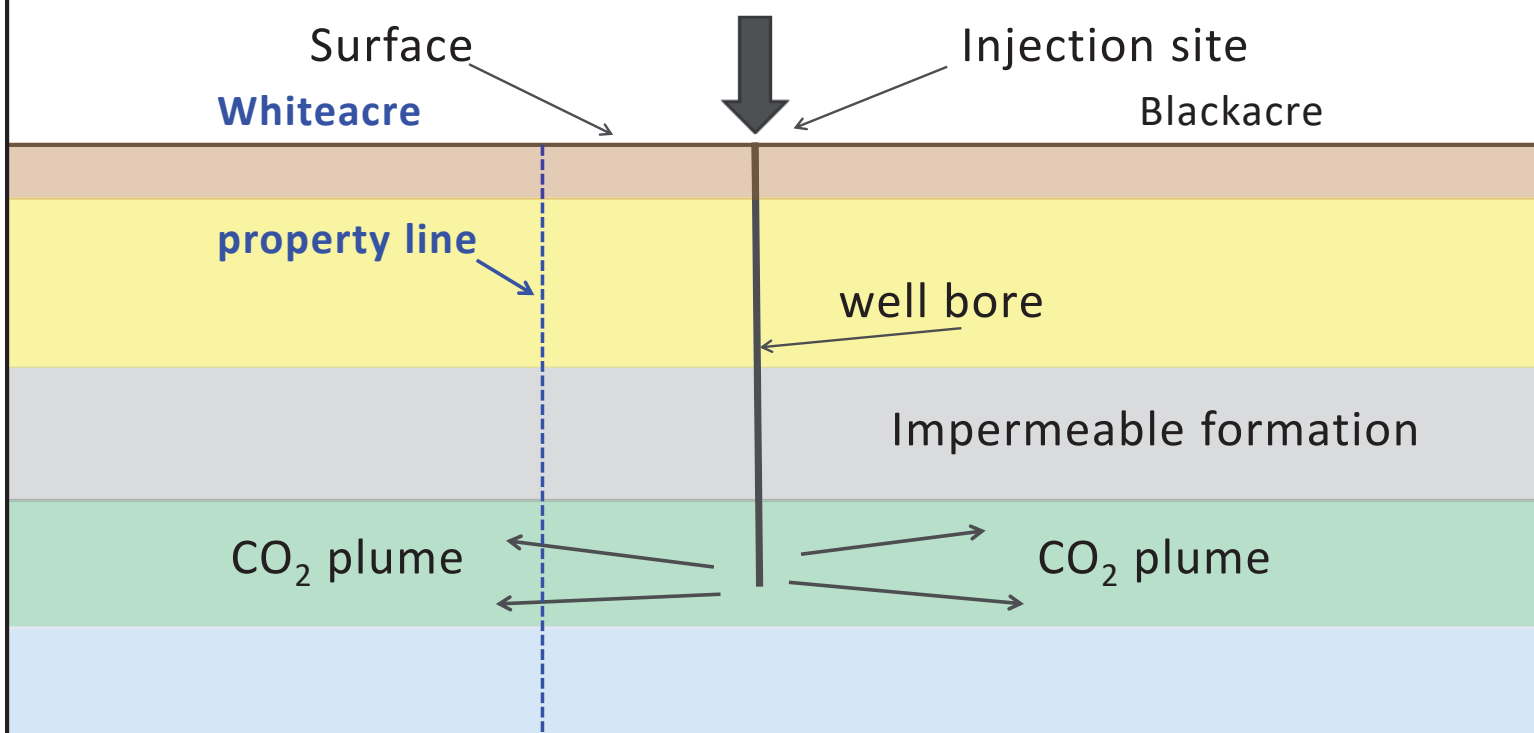
Ernest E. Smith Oil, Gas and Mineral Law Institute

2

Why would a prospective CCS operator need to contract for pore space rights?

3

Does owner of Whiteacre have redress?



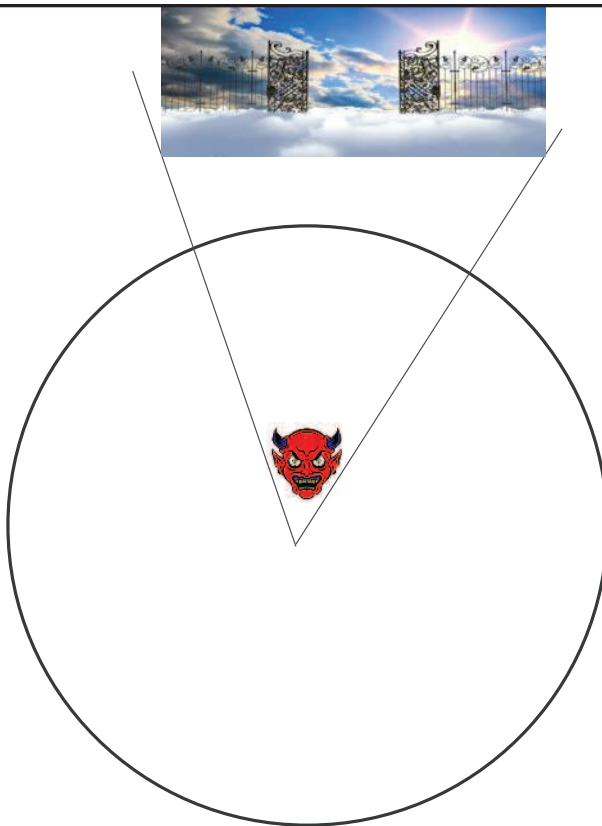
4

The *ad coelum* doctrine

- “*cujus est solum ejus est usque ad coelum et ad inferos*”
- “For whoever owns the soil, it is theirs up to Heaven and down to Hell.”

BNSF Railway Co. v. Chevron Midcontinent, L.P., 528 S.W.3d 124, 126 n.1 (Tex. App.—El Paso 2017)

5



6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Carbon Capture and Pore Space Issues

Also available as part of the eCourse

[2024 Ernest E. Smith Oil, Gas and Mineral Law eConference](#)

First appeared as part of the conference materials for the
50th Annual Ernest E. Smith Oil, Gas and Mineral Law Institute session
"Carbon Capture and Pore Space Issues"