

# 2020 Fundamentals of Oil, Gas and Mineral Law

## March 26, 2020 • Live Webcast

**Thursday Morning, Mar. 26, 2020**

**Presiding Officer:**

**Ronnie Blackwell**, Exxon Mobil Corporation - Spring, TX

|                     |   |
|---------------------|---|
| 8:30 am             | <b>Welcoming Remarks</b>  |
| 8:40 am<br>0.75 hr  | <p><b>Railroad Commission Regulation and Practice Update</b></p> <p>Address the recent changes in regulation of the oil and gas, and pipeline industries in Texas, with emphasis on issues regarding permitting of producing wells, the transfer of inactive wells, saltwater disposal well permitting, good faith claim to title disputes, natural gas flaring exceptions, and pipeline regulations.</p> <p>Glenn E. Johnson, Kelly Hart &amp; Hallman LLP - Austin, TX</p>                            |
| 9:25 am             | <b>5-Minute Break</b>   |
| 9:30 am<br>0.75 hr  | <p><b>You Have an Oil Well, Now What?</b></p> <p>Eddie Chiles once said, “If you don’t have an oil well, get one.” But what comes next? Is that revenue check correct? Are production volumes properly allocated? Bashed by an offset well? A review of issues encountered during the life of an oil or gas well.</p> <p>Michael L. Wiggins, William M. Cobb &amp; Associates, Inc. - Dallas, TX</p>  |
| 10:15 am            | <b>5-Minute Break</b>   |
| 10:20 am<br>0.75 hr | <p><b>Emerging and Re-emerging Issues in the Use of the Surface for Oil and Gas Operations</b></p> <p>Explore the nature and extent of the implied easement to use the surface, and a framework for analyzing the accommodation doctrine. Also hear a survey of emerging and re-emerging issues involving conflicting uses of the surface estate, including saltwater disposal operations, hunting operations, and subsurface easements.</p> <p>Austin W. Brister, McGinnis Lochridge - Houston, TX</p> |
| 11:05 am            | <b>5-Minute Break</b>   |
| 11:10 am<br>0.50 hr | <p><b>The Uses and Abuses of the Division Order</b></p> <p>Neither a contract nor a conveyance, a shield but not a sword.</p> <p>Michael D. Jones, Jones Gill Porter Crawford &amp; Crawford LLP - Houston, TX</p>  |
| 11:40 am            | <b>Break for Lunch (30 Minutes) - Presentations Resume at 12:10 p.m.</b>  |

## Thursday Afternoon, Mar. 26, 2020

### Presiding Officer:

**Ronnie Blackwell**, Exxon Mobil Corporation - Spring, TX

### LUNCHEON PRESENTATION

|                            |  |
|----------------------------|--|
|                            | <p><b>Thank You to Our Sponsor</b></p> <p><b>BakerHostetler</b></p>  |
| 12:10 pm<br>0.75 hr ethics | <p><b>Communication with Opposing Counsel and Landowners</b></p> <p>Common law rules, the fields of tort and contract, as well as rules of professional ethics, govern a lawyer's or landman's negotiations on behalf of a client. By remaining mindful of these rules, including how the rules differ depending on whether you are negotiating with opposing counsel or a landowner, you can stay out of trouble and better serve your client.</p> <p>Keith B. Hall, Louisiana State University Paul M. Hebert Law Center - Baton Rouge, LA</p> |
| 12:55 pm                   | <p><b>5-Minute Break</b></p>   |
| 1:00 pm<br>0.75 hr         | <p><b>Post-Production Royalty Disputes</b></p> <p>With the ubiquity of custom oil and gas leases with complex royalty clauses, this presentation will discuss common post-production disputes that arise under these clauses and Texas courts' recent attempts to resolve those disputes.</p> <p>Ricardo E. Morales, Person, Mohrer, Morales, Boddy, Garcia &amp; Gutierrez PLLC - Laredo, TX</p>  |
| 1:45 pm                    | <p><b>5-Minute Break</b></p>   |
| 1:50 pm<br>0.50 hr         | <p><b>Introduction of Co-Tenancy Accounting</b></p> <p>An overview of the rights and obligations of mineral cotenants with regard to one another where there is no agreement between them, with particular focus on how a developing cotenant must account to an unleased or uncommitted mineral cotenant who does not participate in the cost of operating.</p> <p>William B. Burford, Kelly Hart &amp; Hallman LLP - Midland, TX</p>   |
| 2:20 pm                    | <p><b>5-Minute Break</b></p>   |

|                    |   |
|--------------------|---|
| 2:25 pm<br>0.50 hr | <p><b>Midstream 101: A Primer on Understanding Midstream Contracts and Identifying Key Issues</b></p> <p>Explore midstream transactions and the contracts commonly utilized in the industry to gather, transport, and process oil and gas. Work through commercial and regulatory considerations and key issues when drafting midstream contracts.</p> <p>Jesse S. Lotay, Jackson Walker LLP - Houston, TX<br/>Co-Author:<br/>Yenmi Tang, Jackson Walker, LLP - Houston, TX</p>             |
| 2:55 pm            | <b>5-Minute Break</b>   |
| 3:00 pm<br>0.75 hr | <p><b>JOA Negotiation: Operator and Non-Operator Perspectives</b></p> <p>Review key provisions of the American Association of Petroleum Landmen 610 Model Form Operating Agreement from both the operator's and non-operator's perspectives.</p> <p>Scott Lansdown, XTO Energy Inc. - Spring, TX<br/>Co-Author:<br/>Jeff Weems, Staff Weems LLP - Houston, TX</p>   |
| 3:45 pm            | <b>5-Minute Break</b>   |
| 3:50 pm<br>0.75 hr | <p><b>It Ain't Over Till It's Over: Maintaining a Lease During the Secondary Term Under a Variety of Lease Provisions</b></p> <p>An overview of how a lease is perpetuated during the secondary term under a variety of lease provisions, such as continuous operations, shut-in, dry-hole, reworking, pooling, continuous development, force majeure, paying quantities, and other common savings clauses.</p> <p>Paul B. Westbrook, Harris, Finley &amp; Bogle, P.C. - Fort Worth, TX</p> |
| 4:35 pm            | <b>5-Minute Break</b>   |
| 4:40 pm<br>0.50 hr | <p><b>Marketing Contracts</b></p> <p>A quick primer on practices for marketing crude oil and natural gas.</p> <p>Thomasine Lowry Pantazis, ConocoPhillips Company - Houston, TX</p>   |
| 5:10 pm            | <b>Adjourn</b>  |