

Relinquishment Act Lands, Leasing and Development

THE WEST TEXAS REVIVAL

PRESENTED BY DAVIN MCGINNIS



1

Overview

- Why it Matters Now.
- History of Relinquishment Act Lands.
- Rights and Responsibilities of the Owner of the Soil.
 - Duties
 - Rights and Benefits
- Leasing, Development, and Pooling of Relinquishment Act Lands.

2

West Texas Revival

Year	Reeves	Culberson	Ward	Loving	Pecos	Total
2014	\$153,910,829.08	\$24,083,694.37	\$21,003,398.01	\$22,191,285.09	\$34,904,179.57	\$224,679,386.12
2015	\$183,925,480.01	\$29,633,065.07	\$11,948,982.91	\$43,246,971.62	\$19,470,927.01	\$288,225,426.62
2016	\$181,115,338.21	\$51,580,603.92	\$11,040,027.62	\$77,598,557.05	\$19,145,021.84	\$340,479,548.64
2017	\$302,017,300.95	\$65,079,502.00	\$16,342,874.00	\$87,909,570.07	\$27,054,316.51	\$498,403,563.53
2018	\$519,711,652.38	\$83,201,506.18	\$23,335,526.67	\$89,399,357.99	\$47,236,562.96	\$762,884,606.18
2019	\$500,656,333.19	\$80,821,162.78\$	\$21,690,562.16	\$86,530,672.17	\$65,093,025.05	\$765,791,755.35

SCOTT
DOUGLASS
McCONNICO

3

Mexican Influence



Until early statehood, Texas followed Mexico's influence and the sovereign retained title to all minerals.

The Constitution of 1866 finally gave private individuals ownership of minerals beneath their existing lands.

SCOTT
DOUGLASS
McCONNICO

4

Leasing problems



Constitution of 1876 set aside half of all public lands to benefit the Public School Fund.

As the surface of these lands were sold to private citizens, Texas needed to incentivize owners of the soil to develop the State's minerals beneath those lands.

The Permit and Lease Act of 1913 provided total compensation to surface owner of 10¢ per acre, per year.

Compensation proved so insulting surface owners fiercely resisted oil and gas development.

SCOTT
DOUGLASS
McCONNICO

5

Give it away, give it away, now Relinquishment Act of 1919

- Plain language of Relinquishment Act vests 15/16ths of the minerals to the owner of the soil.
 - “The state hereby constitutes the owner of the soil its agent for the purposes herein named, and in consideration thereof, relinquishes and vests in the owner of the soil an undivided fifteen-sixteenths of all oil and gas.”
- Whether the State could statutorily give away land that had been reserved under the constitution for the school-children of Texas was challenged in *Greene v. Robinson*.

SCOTT
DOUGLASS
McCONNICO

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: Relinquishment Act Lands, Leasing, and Development

Also available as part of the eCourse

[2020 Ernest E. Smith Oil, Gas, and Mineral Law eConference](#)

First appeared as part of the conference materials for the
46th Annual Ernest E. Smith Oil, Gas and Mineral Law Institute session
"Relinquishment Act Lands, Leasing, and Development"