

1

Today

- The Rule of Capture & Correlative Rights
- Principles of Conservation

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The Rule of Capture & Correlative Rights



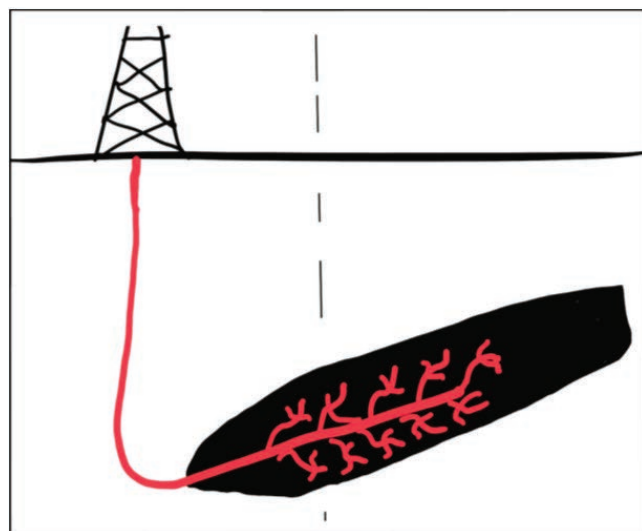
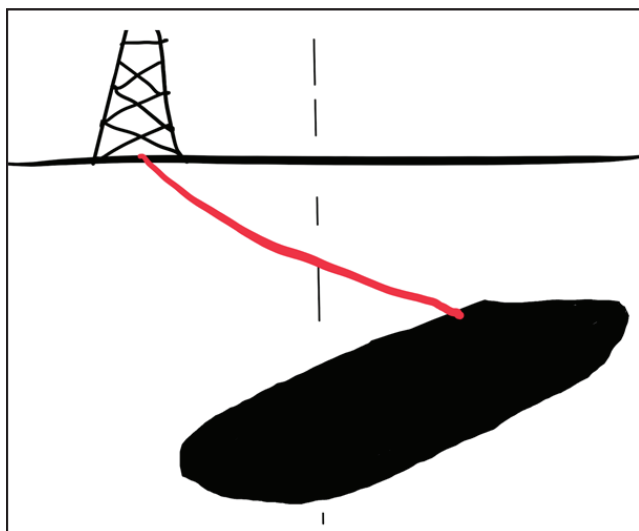
3

The Rule of Capture pp. 393–98

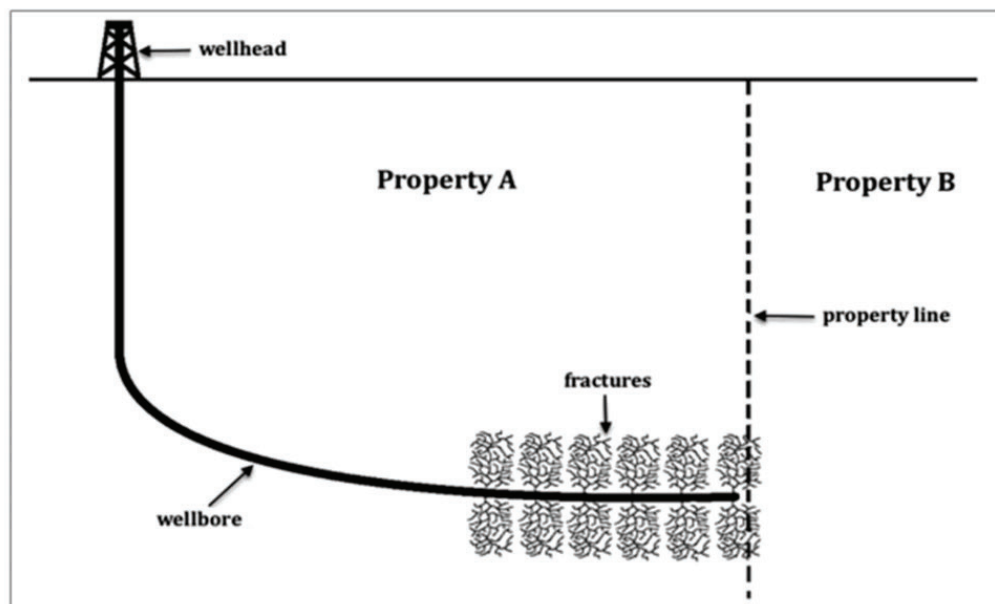
- If you're pumping oil from a well on your tract, there's no liability for draining oil & gas from under another's tract
 - Avoids legal disputes about where oil came from—if it's produced from your well, it's yours
- This does not authorize trespass, including drilling under another person's property
- But subject to correlative rights doctrine

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Same Rules Apply to Fracking: No Slant Wells



Coastal v. Garza Energy Trust (Tex. 2008) pp. 420-23



Source: Caleb Madere, *Covert Capture: Hydraulic Fracturing and Subsurface Trespass in Louisiana*, 75 LA. L. REV. 865, 867 (2015).

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