

# TEXAS CASE LAW UPDATE

covering 2023 and early 2024 cases

**50TH ANNUAL ERNEST E. SMITH  
OIL, GAS AND MINERAL LAW INSTITUTE**  
THE UNIVERSITY OF TEXAS SCHOOL OF LAW  
**THE OIL, GAS AND ENERGY RESOURCES LAW SECTION (OGERL) SBOT**  
HOUSTON, TEXAS, APRIL 4 & 5, 2024

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Kay Bailey Hutchison Energy Center

*Cockrell School of Engineering  
McCombs School of Business  
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KBH Energy Center  
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- My opinions are my own and not necessarily the opinion of the KBH Energy Center

Part I, April 4, 8:40 to 9:25 a.m.

- Note: Pet histories in paper as of February 2023

Here's something you don't see often:

*PBEX II, LLC v. Dorchester Minerals, L.P.*, 670 S.W.3d 374 (Tex. App.—Amarillo 2023, pet. filed.)



*PBEX II, LLC v. Dorchester Minerals, L.P.*, 670 S.W.3d 374 (Tex. App.—Amarillo 2023, pet. filed.)

- Dorchester is a successor to WIs owners who were apparently nonconsenting nonoperating parties regarding 2 gas wells
- Dorchester and its predecessors acted as one would expect WIOs to act from 1990 to 2016
- The governing JOA had the usual language disclaiming operator agency
- Torch alleged mistake in signing a DO that zeroed out its interest, asserting that it never sold the wells or lease at issue
- **Held:** Dorchester prevailed as an adverse possessor under the 25-yr S/L

Here is something you see all too often:  
Title Examiner Indigestion Cases



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First appeared as part of the conference materials for the 50<sup>th</sup> Annual Ernest E. Smith Oil, Gas and Mineral Law Institute session "Case Law Update: Part One"