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The University of Texas at Austin
School of Law

CARBON CAPTURE AND PORE SPACE ISSUES

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1

Carbon Capture and Pore Space Issues

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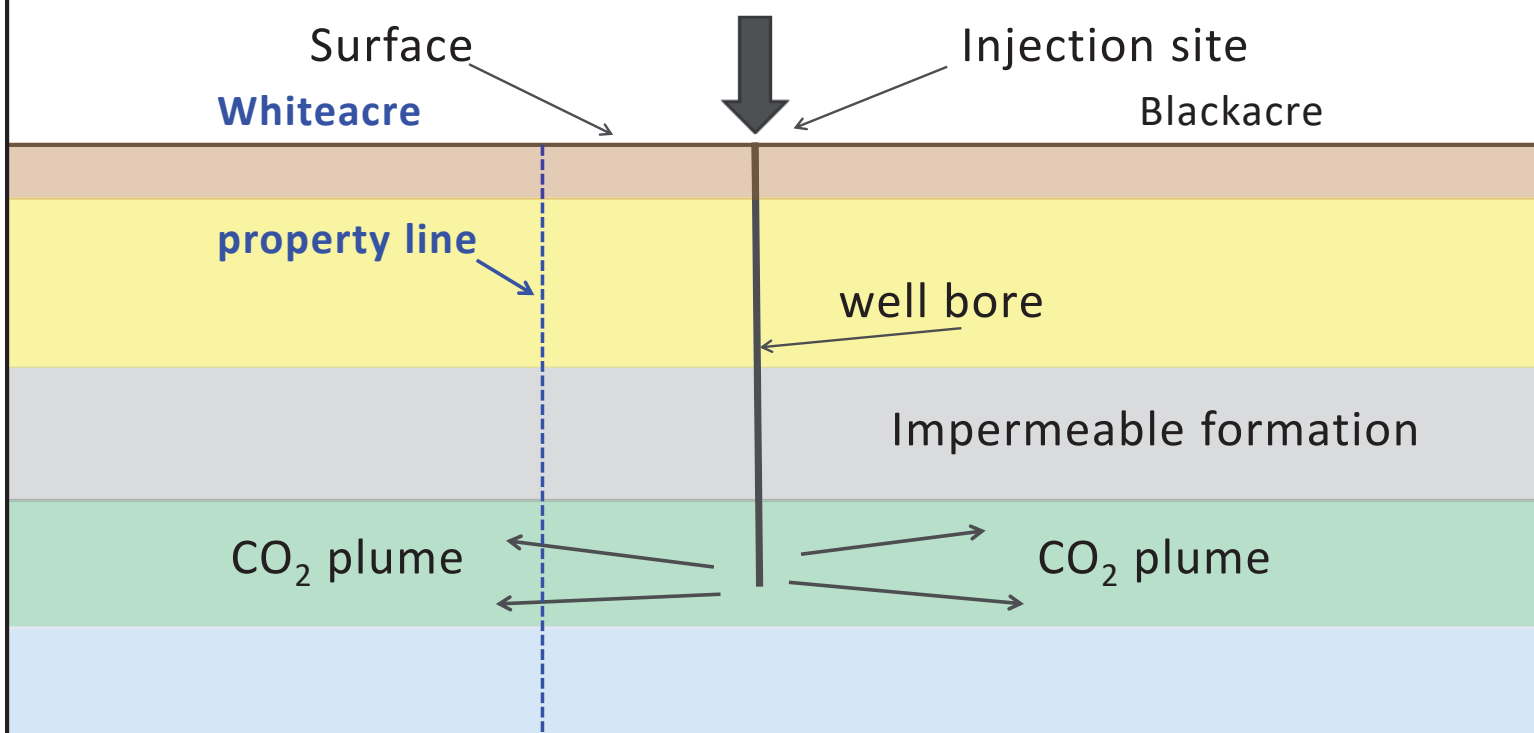
Ernest E. Smith Oil, Gas and Mineral Law Institute

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

3

Does owner of Whiteacre have redress?



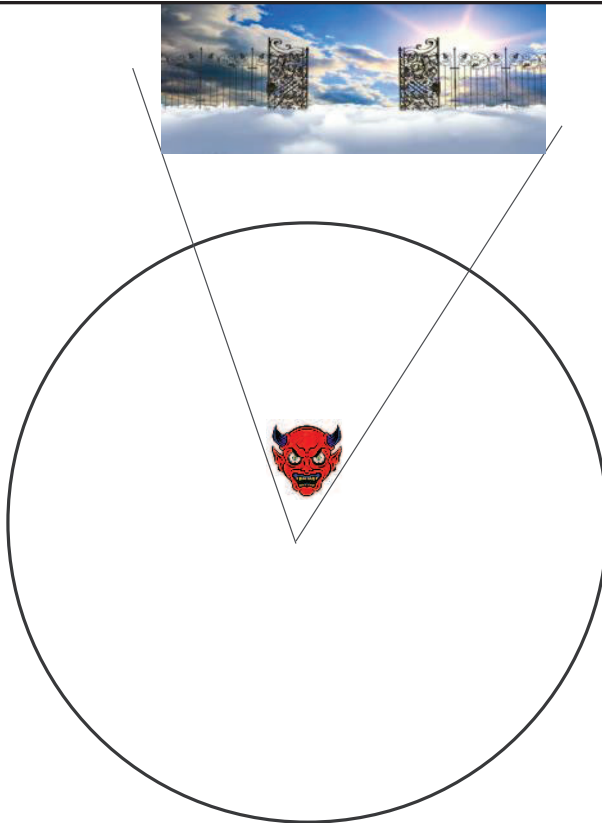
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The *ad coelum* doctrine

- “*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

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