
Texas Bar Exam Essays -- Oil and Gas 2023/2024

Master 2 Step: - ANSWER-(1) Figure out what you have: identify the INTEREST (mineral, surface, royalty, shared)

(2) How to profit from: LEASES & PRODUCTION (essential clauses, division orders, implied covenants)

What is the rule of capture - ANSWER-Landowner is entitled to all the oil & gas he may bring to the surface even if he causes migration or drainage from another's land

Limits:

Limited by correlative rts of adjacent owners - owes legal duty not to exercise privilege in harmful manner (ie no RoC for stored gas, illegally or neg drained gas)

What types of Oil & Gas interests Exist? - ANSWER-Mineral Interest

Surface Interest

Royalty Interest

Leasehold Interest

Royalty/mineral mixed

Production Payment

What are fee simple interest & severance - ANSWER-FS owners own both mineral and surface rights; may transfer less than his entire interest through SEVERANCE

A "mineral deed" conveys mineral interest in fee, for life, or term of years

What are the mineral interest owner's rights - ANSWER-Development Rights: exclusive rt to explore, produce, & develop land

Executive Rights: rt to lease the property

Lease Benefits: bonus (upfront payment for signing lease), royalty (fractional share of production free of cost), & delay rentals (deferring drilling)

Texas Bar Exam Essay Outlines

SJ Ball



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