Ask and You Shall (Not?) Receive: Retained Acreage Clauses and the Texas Supreme Court

News

Two Texas Supreme Court decisions confirm that retained acreage clauses that vary in language from one instrument to another will likely vary in effect, according to Gray Reed & McGraw's Energy & the Law blog.

5th Circuit Sets New Test to Determine If Certain Contracts on Navigable Waters Are Maritime

News

The Fifth Circuit departed from the six-factor test used in cases like *Davis & Sons* in favor of a new, stream-lined two-pronged test to determine whether a contract like the one at issue was maritime in nature, according to Duane Morris LLP.

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20 Dismissed Colorado Royalty Cases: Is There a Good-Faith Basis for Filing in District Court?

News

Two judges of the District Court for the City and County of Denver dismissed royalty underpayment lawsuits for failure to exhaust administrative remedies before the Commission, reports BakerHostetler.

Joint Ventures in the Oil and Gas Industry: Upstream Joint Ventures

On-Demand

This Latham & Watkins series explores market trends driving recent joint ventures, as well as structural options, potential challenges, and other considerations related to joint ventures, within both the midstream and upstream spaces.

Term Royalty Interests Survive the Rule Against Perpetuities in Texas

News

The rule provides “that no interest within its scope is good unless it must vest, if at all, not later than twenty-one years after some life in being at the creation of the interest.”

An Indemnity Agreement Means What it Says

Insight

Parties can write an agreement to indemnify one another against claims they later assert against each other. To do so, the parties must expressly and specifically state that intention, writes Charles Sartain of Gray Reed.

Political and Economic Realities Hamper Efforts to

Reopen U.S. Waters to Offshore Drilling

Insight

A post on the website of Haynes and Boone calls attention to an apparent failure to acknowledge economic realities of oil and gas leasing and operating in the Outer Continental Shelf.

Landman Contract Defeated by the Statute of Frauds

Insight

Gray Reed & McGraw's Energy & the Law blog describes a contract case in which an oil and gas landman found out that the contract he signed with a purported agent for a client was unenforceable.

On-Demand: The Current (and Future) State of Oil and Gas M&A

On-Demand

Gibson, Dunn & Crutcher has posted an on-demand webcast that discusses what the firm has been seeing and expects to see in the future in regard to mergers and acquisitions in the oil

and gas industry.

Tax Reform Impact On Energy? Short Answer: MLPs Are Fine

Insight

Baker Botts partner Mike Bresson told listeners at the beginning of the law firm's recent webinar that "Master limited partnerships [MLPs] did just fine on tax reform."

On-Demand: Impacts of Tightening Natural Gas Market on Procurement Strategy

On-Demand

Ecova's on-demand webinar covers potential short- and long-term impacts of a tighter natural gas supply and demand balance heading into this upcoming winter.

8th Circuit Makes It Easier For Plaintiffs to Take Fracking Contamination Claims to Trial

Podcast

A podcast on Kane Russell Coleman & Logan's Energy Law Today discusses the Eighth Circuit's recent ruling that makes it easier for plaintiffs to take fracing contamination claims to trial.

EPA Announces Methane Rule Reconsideration, Adding to List of Obama-Era Rules Under Review

News

Authors Whit Swift and Brittany Pemberton write that the Methane Rule applies to oil and gas facilities for which construction, modification, or reconstruction started after September 18, 2015.

Webcast: Looking to Oil ETFs Ahead of May 25 OPEC Meeting

On-Demand

The ETF Trends webinar discusses various factors that could affect the crude oil prices, including OPEC and policy changes, and looked to investment opportunities to potentially capitalize on the energy market.

Can Reworking a Saltwater Disposal Well Maintain a Lease?

Insight

Charles Sartain of Gray Reed & McGraw asks the question: Should the sufficiency of reworking operations under the cessation-of-production clause of an oil and gas lease be limited to the producing well?

ScottMadden Releases Latest Edition of Energy Industry

Update

Insight

On its website, ScottMadden says this issue focuses on strategic drivers that are propelling the industry like nuclear challenges, changing energy supply and demand patterns, and federal-state policy friction

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Oil Producers Can Avoid Earthquake Potential over Disposal Wells

Insight

Contracting out the disposal of oil and gas well wastewater may not totally free producers from a potential lawsuit given the recent widespread publicity about earthquakes, says Leonard Dougal, an environmental lawyer with Jackson Walker LLP in Austin.

Debate Over Allocation Wells Continues

Insight

Horizontal wells drilled across lease lines were clearly not contemplated in a typical oil and gas lease, and lessors

should not be forced to accept a formula for royalty payment to which they have not agreed, advises John McFarland of Graves Dougherty Hearon & Moody in an article published in Oil and Gas Lawyer Blog.

Using Credit Enhancements to Minimize Fallout From Another Company's Bankruptcy

Insight

An article written by Raymond Patella and Michael Viscount of Fox Rothschild LLP outlines a handful of popular credit enhancements oil and gas companies may use to minimize their risk or exposure to a counterparty that they believe may be having financial difficulties.

Kirkland Counsels TSSP on Hunt Oil Deal to Develop Midland Basin Acreage

News

Kirkland & Ellis LLP announced that it advised TSSP, a leading special situations investment platform of TPG, on its agreement with Hunt Oil Co., a privately held oil and gas exploration and production company, to develop certain of Hunt

Oil’s assets in the Midland Basin in Texas.