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Urban Gas Symposium Commentary

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INTRODUCTION

URBAN GAS SYMPOSIUM COMMENTARY

I am pleased to comment on the articles contained in this Urban Gas Symposium issue of our law review. I congratulate the Texas Wesleyan Law Review for hosting a superior event surrounding the serious issues effecting oil and gas exploration, issues that will impact our lives for years to come.

Undoubtedly, like any new discovery, the Barnett Shale, has brought wealth and prosperity to a considerable number of people. Great wealth, however, does not come without a price. Accordingly, new discoveries always lead to new controversies, new misunderstandings, and new disputes. The articles in this issue of the Law Review offer a diverse and well-rounded examination of some of these items and make an effort at offering some explanation and guidance for the future.

Of course, when two or more persons or entities claim property ownership rights, there are bound to be clashes. Thus, in one article, entitled *New Facets of Old Alternatives for Unleased Mineral Interests*, the author explores answers to problems among operators and mineral interest owners caused by unleased and unpooled property interests in urban areas such as the Barnett Shale. Another author tackles the affect of ownership and leasing of minerals under highways and rights of way.

Mineral rights do not respect artificially drawn boundary lines. Accordingly, comparative law can be informative when property rights are initially established. Accordingly, *Severance v. Servitude: Understanding the Differences between Texas and Louisiana Law Regarding Mineral Rights* takes on this comparative law issue.

As you might imagine, drilling for anything, oil, natural gas, or even water, impacts the environment. In this issue, two authors explore environmental law issues. One article is entitled *Just a Clean Blue Flame? Environmental Issues in the Barnett Shale*. The other is *Drilling into the Issues: A Critical Analysis of Urban Drilling's Legal, Environmental, and Regulatory Implications*.

The nature of mineral exploration often requires the intersection, not always peacefully, of private ownership rights and governmental regulation. Two articles explore possible controversies born out of this conflict. One article explores *Public Utilities, Eminent Domain, and Local Land Use Regulations: Has Texas Found a Proper Balance?* The other focuses on private owner resistance to government regulation and is entitled, *Eminent Domain Power Granted to Private Pipeline Companies Meets with Greater Resistance from Property Owners In Urban Rather than Rural Areas*.

Often hand-in-hand with great wealth comes the potential for great loss, including bankruptcy. And, of course, taxation considerations surround virtually every transaction involving property interests. Rounding out this symposium issue, one author writes about bankruptcy in an article entitled, *Introduction to Bankruptcy Considerations for Oil and Gas Lawyers*. Another discusses taxation in *Does There Need to be a Texas Tea Party? Mineral Estate Taxation with Representation*.

The articles and commentaries in this Urban Gas Symposium issue cover a broad spectrum of ideas, suggestions, and observations concerning mineral rights. We hope that these materials will be of value to you.

Frederic White

Dean

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