

OIL AND GAS LAW IN A NUTSHELL

By
John S. Lowe
West Publishing Company 1983

Reviewed by
*Richard P. Noland**

While skeptics might doubt the premise of his title — that it is possible to distill the principles of oil and gas law into a nutshell — Professor Lowe has managed to produce a readable summary of this area of the law in this useful little volume. His purpose is to provide a succinct and comprehensive outline of the development of oil and gas resources, ranging from the rules governing ownership and transfer of oil and gas rights to federal taxation of transactions involving such rights. As a reference work, *Oil and Gas Law in a Nutshell* should be of value to the energy practitioner who finds a basic knowledge of oil and gas law helpful in his or her practice.

The book is divided into four major parts. The first part, which deals with the nature and protection of oil and gas rights, describes how oil and gas law gradually developed out of existing common law concepts relating to property rights into a distinct body of law in response to society's needs to exploit these important sources of energy. In this section, Professor Lowe explains how the basic rule of capture governing development of oil and gas reserves — which modified existing common law rules in order to encourage production of oil and gas by providing protection to owners of mineral rights against liability to neighboring landowners — has been limited over time in various ways in order to achieve certain purposes deemed useful to society. For example, the doctrine of correlative rights, a corollary to the rule of capture, excludes waste or wasteful production techniques from the immunity against liability afforded by the law of capture on the theory that waste is inconsistent with encouragement of production. Professor Lowe also explains how state conservation laws, including well spacing rules, production regulations, and compulsory pooling provisions, were enacted to provide additional limits on the rule of capture. Other chapters describe the different kinds of oil and gas interests — fee interests, mineral interests, leasehold interests, royalty interests, etc. — and their characteristics, and explain how such interests may be protected against trespass.

In the second major part of the book, Professor Lowe outlines the basic rules governing conveyances of oil and gas interests, and describes at some length several of the major interpretative problems that have arisen in connection with transfers of oil and gas interests. Generally, he attempts to summarize majority and minority judicial views on these issues, and sometimes offers specific drafting suggestions as to how to avoid major problems. He also uses diagrams effectively to help illustrate complicated factual situations. A particularly useful chapter in this part of the book deals with the rules governing joint ownership of oil and gas rights, including methods of obtaining the right to develop mineral resources in the case of

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fractionalized interests.

The third part of the book discusses the problems most frequently encountered by the typical oil and gas practitioner — problems arising out of oil and gas leases. Here, Professor Lowe describes the essential provisions of modern oil and gas leases (the granting clause, the term clause, and the drilling-delay rental clause) as well as typical “defensive” provisions normally found in today’s oil and gas leases in order to protect the lessee, such as dry hole clauses, pooling and unitization provisions, shut-in royalty clauses, etc. This section also contains a helpful discussion of implied covenants in oil and gas leases as well as rights and obligations arising out of lease transfers.

The final part of the book relates to various tax and business matters involving oil and gas. This section includes a brief overview of certain basic principles governing oil and gas taxation, although the discussion is, of necessity, somewhat superficial. It also contains a chapter outlining the major provisions typically found in oil and gas contracts today, such as price escalation, deregulation, and market-out clauses, take-or-pay provisions, and other clauses in gas contracts that are often the subject of dispute in regulatory proceedings before the FERC.

Oil and Gas Law in a Nutshell also includes, as appendices, various forms, including a mineral deed form, a conveyance of nonparticipating royalty interest form, and oil and gas lease forms commonly used in two states, as well as a glossary of oil and gas terms. The glossary of oil and gas terms, in particular, should be of value to the lawyer who does not regularly practice in the field of oil and gas law, but occasionally encounters such terms in an energy regulatory practice.

Like most books in the West Publishing Company’s Nutshell Series, Professor Lowe’s book is thorough, well organized, and readable. Given the complexity of the subject, the discussion is, inevitably, often quite general, so a serious practitioner in the area will typically find the book only a starting point for resolving many oil and gas issues. As an introduction to oil and gas, however, *Oil and Gas Law in a Nutshell* should be a helpful addition to the energy lawyer’s bookshelf.

Oil & Gas law is basically the worst parts of property and contracts combined together for a "unique spin" on mineral rights. A lot of the law is state dependent, but the common law doctrines are definitely an important part. This book will explain those doctrines and at least get you moving in the right direction for the law in more prominent oil and gas states. If you're in Louisiana, however, this book will not be much help. If you're not in Louisiana, this book will merely give you a very quick peek at LA's mineral code, which I guess is better than nothing. Re...
I work in the oil & gas industry. This book does an excellent job of explaining complex issues in an "easy to understand" (nutshell) format. Thumbs up! Read more. 3 people found this helpful. BookFanLA. Oil and gas law is critical to helping oil and gas companies do business. It's an important area of law that helps energy production and helps landowners lease their land on fair and beneficial terms. Oil and gas attorneys may work in a wide variety of legal settings. They may have their choice between full-time work for an oil and gas company, contractual work for landowners or government employment. The area of law affords lawyers the opportunity to work in a wide variety of settings. Most oil and gas law is state law, but federal law may apply. Oil and gas lawyers must know about the various regulations, permitting requirements, contract laws and property laws that may apply in their client's case. Find Schools Meet an Expert. [PDF] Full Texas Homeowners Association Law: Third Edition: The Essential Legal Guide for Texas Homeowners Associations and Homeowners Free Online. [PDF] Full The Heritage Guide to the Constitution: Fully Revised Second Edition Free Online. [PDF] Full The Leader in Me: How Schools Around the World Are Inspiring Greatness, One Child at a Time Online Free. Oil and Gas Law in a Nutshell (Nutshell Series). Oil and Gas Law in a Nutshell (Nutshell Series) PDF TagsPDF Download Oil and Gas Law in a Nutshell (Nutshell Series), Free PDF Oil and Gas Law in a Nutshell (Nutshell Series), Full PDF Oil and Gas Law in a Nutshell (Nutshell Series), Ebook Full Oil and Gas Law in a Nutshell (Nutshell Series), PDF and.

An extract from The Oil and Gas Law Review - 7th edition. Introduction. Having only recently become open to foreign investment in its upstream sector after years of sanctions, the Republic of Iraq is emerging as an important area of focus for international oil companies. While currently beset by a number of challenges, including low oil prices and ISIS activity, Iraq's combination of massive existing fields in need of redevelopment combined with significant exploration upside offers unique opportunities for companies that are willing to undertake the challenges of investing there. The focus of this study aid is on the law governing the development of privately owned mineral rights. Major sections include the nature and protection of oil and gas rights, conveying oil and gas rights, oil and gas leasing, and tax and business matters. Oil and gas law is critical to helping oil and gas companies do business. It's an important area of law that helps energy production and helps landowners lease their land on fair and beneficial terms. Oil and gas attorneys may work in a wide variety of legal settings. They may have their choice between full-time work for an oil and gas company, contractual work for landowners or government employment. The area of law affords lawyers the opportunity to work in a wide variety of settings. Most oil and gas law is state law, but federal law may apply. Oil and gas lawyers must know about the various regulations, permitting requirements, contract laws and property laws that may apply in their client's case. Find Schools Meet an Expert. An edition of Oil and gas law in a nutshell (1983). Oil and gas law in a nutshell. 3rd ed. by John S. Lowe. West nutshell series, Nutshell series. Other Titles. Oil and gas law. Classifications. Dewey Decimal Class. [PDF] Full Texas Homeowners Association Law: Third Edition: The Essential Legal Guide for Texas Homeowners Associations and Homeowners Free Online. [PDF] Full The Heritage Guide to the Constitution: Fully Revised Second Edition Free Online. [PDF] Full The Leader in Me: How Schools Around the World Are Inspiring Greatness, One Child at a Time Online Free. Oil and Gas Law in a Nutshell (Nutshell Series). Oil and Gas Law in a Nutshell (Nutshell Series) PDF TagsPDF Download Oil and Gas Law in a Nutshell (Nutshell Series), Free PDF Oil and Gas Law in a Nutshell (Nutshell Series), Full PDF Oil and Gas Law in a Nutshell (Nutshell Series), Ebook Full Oil and Gas Law in a Nutshell (Nutshell Series), PDF and.

Nutshells, Hornbooks and Textbooks. Oil and Gas Law in a Nutshell by John S. Lowe. Location: Accessible introduction to the main topics of oil and gas law. KF1850 .L68 2003. Hemingway Oil and Gas Law and Taxation by Owen L. Anderson. Location: Hornbook covering a wide range of oil and gas law issues, including mineral estates, conveyances, claims of surface owners, leases, and applicable federal taxation provisions. KF1849 .H44 2004. Cases and Materials on Oil and Gas Law by John S. Lowe. Location: Casebook dealing with the basic topics of oil and gas law, including estates, pooling and. leasi Are you sure you want to remove **Oil and gas law in a nutshell** from your list? There's no description for this book yet. Can you add one? Subjects. Petroleum law and legislation, Law and legislation, Natural gas. Places. United States. 4 editions First published in 1983. Add another? Oil & Gas law is basically the worst parts of property and contracts combined together for a "unique spin" on mineral rights. A lot of the law is state dependent, but the common law doctrines are definitely an important part. This book will explain those doctrines and at least get you moving in the right direction for the law in more prominent oil and gas states. If you're in Louisiana, however, this book will not be much help. If you're not in Louisiana, this book will merely give you a very quick peek at LA's mineral code, which I guess is better than nothing.Â I work in the oil & gas industry. This book does an excellent job of explaining complex issues in an "easy to understand" (nutshell) format. Thumbs up! Read more. Topics. Petroleum law and legislation -- United States., Natural gas -- Law and legislation -- United States. Publisher. West Pub. Co. Collection. inlibrary; printdisabled; internetarchivebooks; china. Digitizing sponsor. (Probably less ideal for non-lawyers.) I found this very helpful in preparing for a shift in practice areas. Ideal for readers who have a basic background in real property law, contract law, and tax law, but who are brand new to oil & gas. (Probably less ideal for non-lawyers.) I found this very helpful in preparing for a shift in practice areas. ...more. flag Like Â· see review. Sep 11, 2016 Barron rated it really liked it Â· review of another edition.Â A very good comprehensive overview of the complexities of oil & gas law, better than many of the other law in a nutshell books from the same series. You will learn why Daniel Day-Lewis was completely within his rights to drink Paul Dano's milkshake. How to transform "There Will Be Blood" into "There Will Be Lawsuits."