

# Index

## ABANDONMENT

- Acceptance of abandoned oil and gas well as water well, Arizona, § 71:14
- Application for temporary abandonment of well
  - Indiana, § 78:5
  - Kansas, § 80:16
- Application to change well status or abandon well, Michigan, § 83:15
- Application to plug and abandon oil and gas well, Arizona, § 71:8
- Application to plug and abandon well, notice of, West Virginia, § 100:5
- Arizona
  - Acceptance of abandoned oil and gas well as water well, § 71:14
  - Application to plug and abandon oil and gas well, § 71:8
- Colorado, oil and gas well abandonment report, § 74:10
- Indiana, application for temporary abandonment or deferred plugging, § 78:5
- Kansas, application for temporary abandonment of oil and gas well, § 80:16
- Lease. Abandonment of Lease, this index
- Loss of oil and gas interests by, § 8:11; 8:12
- Louisiana, oil and gas well plug and abandon report, § 81:8
- Michigan
  - Record of plugging or change of well status record, § 83:16
- Mississippi, notice of intention to plug and abandon oil and gas well, § 84:6
- Missouri, notice of intention to abandon oil and gas well, § 85:6

## ABANDONMENT—Cont'd

- New York, notice of intention to plug and abandon oil and gas well, § 90:11
- Notice of intention to plug and abandon well
  - Mississippi, § 84:6
  - Missouri, § 85:6
  - New York, § 90:11
  - Texas, § 97:25
  - West Virginia, § 100:5
- Plugging abandoned wells, anti-waste statutes and regulations, § 4:9; 4:42 to 4:44
- Property interest loss by, § 8:11; 8:12
- Record of plugging or change of well status record, Michigan, § 83:16
- Release from liability for property damage caused by oil and gas operations after abandonment, § 67:7
- Reports, Louisiana, § 81:8
- Texas, notice of intention to plug and abandon oil and gas well, § 97:25
- Texas lessee interest classification, § 9:34
- West Virginia, notice and application to plug and abandon oil and gas well, § 100:5
- Wyoming lessee interest classification, § 9:38

## ABANDONMENT OF LEASE

- General discussion, § 22:2; 22:3
- Arkansas, § 22:5; 22:6
- Cancellation of Lease, this index
- Divisibility of duties, § 24:8
- Kansas, § 22:14
- Kentucky, § 22:18
- Louisiana, § 22:23
- Notice, § 22:2; 22:3
- Oklahoma, § 22:34

## **ABANDONMENT OF LEASE**

### **—Cont'd**

Pennsylvania, § 22:38

Texas, § 22:44; 22:45

West Virginia, § 22:52

## **ABATEMENT OF OIL AND GAS OPERATIONS**

Non-compliance, notice of, Illinois, § 77:28

Violation, notice of, Illinois, § 77:27

## **ABSTRACT OF TITLE**

Contracts for assignment of leases, § 28:17

## **ACCEPTANCE**

Abandoned oil and gas well, acceptance as water well, Arizona, § 71:14

Contracts for oil and gas leases  
Formation requirement, § 10:2; 10:3

Marketable title condition for acceptance, § 10:6

Specific performance, § 10:10

Statute of frauds, § 10:3

Conveyances of oil and gas mineral interests, acceptance of offer, § 35:3

Late rental acceptance as waiver and estoppel of forfeiture under drill or pay leases, § 21:13

Lease acceptance, requirement for lease validity, § 12:4

Title

Marketable title condition for acceptance, § 10:6

## **ACCESSION DOCTRINE**

Trespass, § 2:12; 2:13; 2:16

## **ACCIDENT REPORTS**

Incident Reports, this index

## **ACCOMMODATION DOCTRINE**

Operators and surface owners, accommodation doctrine balances rights of, § 41:2

## **ACCOUNTING IN EQUITY**

Assignees of fractional royalty interests, California, § 2:33

## **ACCOUNTING IN EQUITY**

### **—Cont'd**

Co-tenant's taking of oil and gas

Alabama, § 2:31

Arkansas, § 2:32

California, § 2:33

Montana, § 2:41

Pennsylvania, § 2:43

Texas, § 2:44

West Virginia, § 2:45

Past damages

Trespass, § 2:13; 2:19

Waste, § 2:26

Pooling and unitization for production, non-consenting royalty owners, § 6:35

Trespass to oil and gas damages, § 2:13; 2:19; 2:44

Waste of oil and gas, § 2:26; 2:45

## **ACCRUED ROYALTY**

Royalty, this index

## **ACID TREATMENTS AND FRAC JOBS**

Nevada checklist, oil and gas stimulation program, § 88:4

## **ACKNOWLEDGMENT**

Leases, validity requirements, § 12:4

Loss of oil and gas interests, acknowledgment as interrupting liberative prescription, § 8:16; 8:19

## **ACQUIESCENCE IN DELAY**

Waiver and estoppel, § 21:12

## **ACQUIRENDI CAUSA**

Property interests, loss of, § 8:15

## **ACREAGE**

Contribution letter agreement for oil and gas development, § 66:3

Farmout agreements, § 66:6 to 66:14

Modification of lease adding acreage, § 59:7

Pooling agreement for production in units of specified acreage, § 6:7 to 6:11; 64:2

## INDEX

### ACTIONS

- Abandoned wells
  - Government actions for plugging violations, § 4:43
  - Private actions for plugging violations, § 4:44
- Breach of duty, § 18:10
- Ejectment to recover possession under lease, § 26:3
- Specific Performance, this index

### ADDENDUM TO LEASE

- Lessor's lease clause, § 57:43; 57:44

### ADDITIONAL WELLS

- Breach of covenant to drill, damages, § 23:10; 23:11
- Reasonable diligence in drilling, performance of covenants, § 18:8 to 18:10

### ADEQUACY

- Consideration for Oil and Gas Leases, this index

### ADJACENT OWNERS

- Liability of Oil and Gas Operators for Pollution, this index

### ADMINISTRATORS

- Power to lease for oil and gas, § 11:4; 11:5

### AD VALOREM TAXATION

- Taxation, this index

### ADVERSE POSSESSION

- General discussion, § 8:13 to 8:23
- Accrual of limitations period, § 8:13 to 8:15
- Acknowledgment as interrupting liberative prescription, § 8:16; 8:19
- Affidavit, § 62:1
- After severance of minerals from surface, § 8:14
- Easement, § 8:13
- Good faith, purchaser in, § 8:15
- Government lands, § 8:21
- History
  - General discussion, § 8:22

### ADVERSE POSSESSION—Cont'd

- History—Cont'd
  - Minority suspension of liberative prescription, § 8:23
- Interruption by acknowledgment, § 8:16; 8:19
- Interruption by prevention of use, § 8:16; 8:20
- Interruption by use
  - General discussion, § 8:16; 8:17
  - Location of operations, § 8:18
- Liberative prescription of oil and gas servitudes
  - General discussion, § 8:15 to 8:23
  - Government lands, § 8:21
- History, § 8:22
- Interruption by acknowledgment, § 8:16; 8:19
- Interruption by prevention of use, § 8:16; 8:20
- Interruption by use, § 8:16 to 8:18
- Pooling and unitization for oil and gas, § 6:11
- Location of servitude, § 8:18
- Loss of oil and gas interests
  - General discussion, § 8:13 to 8:23
  - After severance of minerals, § 8:14
  - Louisiana, § 8:15 to 8:23
- Louisiana, § 6:11; 8:15 to 8:23
- Mineral servitudes, § 6:11; 8:16
- Obstacle preventing use, § 8:20
- Possessory estate, § 8:14
- Prescription of servitudes, liberative, § 6:11; 8:16 to 8:23
- Purchaser in good faith, § 8:15
- Reservation of interests, § 8:22
- Servitudes in Louisiana, liberative prescription, § 6:11; 8:15 to 8:23
- Severance of minerals from surface, after, § 8:14
- Sold materials, of, § 8:14
- Statute of limitations, § 8:10; 8:13 to 8:15; 8:21; 8:22
- Third parties, § 8:14

### AFFIDAVITS FOR OIL AND GAS INTERESTS

- Adverse possession affidavit, § 62:1

## **AFFIDAVITS FOR OIL AND GAS INTERESTS—Cont'd**

- Core, exploratory, and seismic holes in Kansas, § **80:22**
- Drilling unit in Alabama, affidavit of ownership or control of, § **69:8**
- Extended gas venting from gas well, Kansas, § **80:14**
- Location, affidavit for unorthodox oil and gas well location, Nebraska, § **87:5**
- Natural gas storage operations in Alabama, affidavit of ownership or control of, § **69:10**
- Nonpayment of rentals, affidavits by oil and gas lessor and banker, § **62:6**
- Nonproduction under oil and gas lease, affidavit of, § **62:7**
- Ownership or control of
  - Drilling unit in Alabama, § **69:8**
  - Natural gas storage operations in Alabama, § **69:10**
  - Underground injection control operations in Alabama, § **69:9**
- Plugging oil and gas wells
  - Virginia, § **99:11**
  - West Virginia, § **100:8**
- Possession of land
  - Adverse possession affidavit, § **62:1**
  - Disinterested party affidavit, § **62:4**
  - Fee owner affidavit, § **62:3; 62:4**
  - Party in possession affidavit, § **62:3**
  - Tenant's affidavit, § **62:2; 62:4**
- Production under oil and gas lease, affidavit of, § **62:5**
- Proof of death and heirship, affidavit of, § **62:8**
- Underground injection control operations in Alabama, affidavit of ownership or control of, § **69:9**
- Vacuum operations verified affidavit, Kansas, § **80:17**
- Venting coalbed natural gas, Kansas, § **80:14; 80:15**

## **AGENTS**

- Conservation statutes and regulations, appointment of agent to receive notices, § **4:19**
- Designation of agent for oil and gas operations in Idaho, § **76:12**
- Designation of agent or operator for oil and gas lessee, Utah, § **98:6**
- Designation of by oil and gas operator
  - Alaska, § **70:13**
  - Colorado, § **74:3**
- Fraud, constructive and resulting trust remedies for, § **54:6**

## **AGRICULTURE**

- Agricultural tenant's agreement for oil and gas lease, § **61:8**
- Crop damage, lease clause, § **57:35**

## **ALABAMA**

- Affidavit of ownership or control of
  - Drilling unit, oil and gas, § **69:8**
  - Natural gas storage operations, § **69:10**
  - Underground injection control operations, § **69:9**
- Anti-waste statutes and regulations, § **4:11**
- Application for permit
  - Change of operator for oil and gas well, for, § **69:7**
- Directionally drill oil and gas well, to, § **69:4**
- Drill, deepen, recomplete, convert, or amend oil and gas well, to, § **69:2**
- Inject fluids in oil and gas well, to, § **69:5**
- Inject storage gas, to, § **69:6**
- Reenter oil and gas well, to, § **69:3**
- Authorization to clean oil and gas field tank, § **69:30**
- Back-pressure test report for gas well
  - Multipoint, § **69:19**
  - One-point, § **69:20**
- Blowout incident report, notification of, § **69:36**

## INDEX

### ALABAMA—Cont'd

#### Bonds

Blanket bond for oil and gas operations, § **69:13**

Single oil and gas well, for, § **69:11**

Underground storage facility, for, § **69:12**

Certificate of compliance and authorization to transport oil and gas, operator's, § **69:23**

Certificate of compliance for hydrogen sulfide, operator's, § **69:33**

Certificate of eligibility to transport oil and gas field wastes, § **69:34**

Change of operator for oil and gas well, application for, § **69:7**

Classification of lease interest, § **9:6**

#### Cleansing

Authorization to clean oil and gas field tank, § **69:30**

Products from processing, cleansing or extraction facilities monthly report, § **69:29**

#### Compliance

Hydrogen sulfide, operator's certificate of compliance for, § **69:33**

Operator's certificate of compliance and authorization to transport oil and gas, § **69:23**

Control affidavit. Affidavit of ownership or control of, above

Co-tenancy rights, § **2:31**

Directionally drill oil and gas well, application for permit to, § **69:4**

#### Drilling

Affidavit of ownership or control of oil and gas drilling unit, § **69:8**

Application for permit to directionally drill oil and gas well, § **69:4**

Application for permit to drill, deepen, recomplete, convert, or amend oil and gas well, § **69:2**

Electric log, sample and core record for oil and gas well, § **69:17**

### ALABAMA—Cont'd

Fire incident report, notification of, § **69:36**

First production or retest report for oil and gas well, § **69:18**

Fluids injected in oil and gas well monthly report, § **69:27**

Forms, oil and gas, § **69:1 et seq.**

Gas unit reserve calculation, § **69:32**

#### Gas well

Back-pressure test report for gas well

Multipoint, § **69:19**

One-point, § **69:20**

Capacity test, § **69:31**

Operator's monthly report from gas wells, § **69:25**

Hydrogen sulfide, operator's certificate of compliance for, § **69:33**

Incident report, notification of, § **69:36**

#### Injection

Affidavit of ownership or control of underground injection control operations, § **69:9**

Application for permit to inject fluids in oil and gas well, § **69:5**

Application for permit to inject storage gas, § **69:6**

Fluids injected in oil and gas well monthly report, § **69:27**

Gas injected/withdrawn for natural gas storage facilities monthly report, § **69:28**

Leak incident report, notification of, § **69:36**

Location, spacing and pooling regulations, § **5:4**

Manifest for oil and gas field wastes, § **69:35**

Master electronic filing certification, § **69:37**

#### Monthly reports

Fluids injected in oil and gas well, § **69:27**

Gas injected/withdrawn for natural gas storage facilities, § **69:28**

**ALABAMA—Cont'd**

Monthly reports—Cont'd

Operator's report from gas wells,  
§ 69:25

Operator's report from oil wells,  
§ 69:24

Products from processing, cleansing or extraction facilities,  
§ 69:29

Transporter's and storer's report from oil and gas wells,  
§ 69:26

Natural gas

Monthly report, gas injected/withdrawn for natural gas storage facilities, § 69:28

Storage operations, affidavit of ownership or control of,  
§ 69:10

Notification of fire, spill, leak or blowout incident report, § 69:36

One-point back-pressure test report for gas well, § 69:20

Operators

Application for permit to change of operator for oil and gas well,  
§ 69:7

Certificate of compliance and authorization to transport oil and gas, § 69:23

Certificate of compliance for hydrogen sulfide, § 69:33

Monthly report from gas wells,  
§ 69:25

Monthly report from oil wells,  
§ 69:24

Organization report for oil and gas operations, § 69:14

Ownership affidavit. Affidavit of ownership or control of, above

Plugging report for oil and gas well,  
§ 69:21

Power of cotenant to lease, § 11:17

Products from processing, cleansing or extraction facilities monthly report, § 69:29

Proration of oil and gas production,  
§ 7:4

Ratable taking of oil and gas, § 4:11

**ALABAMA—Cont'd**

Reenter oil and gas well, application for permit to, § 69:3

Reports

Back-pressure test report for gas well, multipoint, § 69:19

Back-pressure test report for gas well, one-point, § 69:20

Completion or recompletion report for oil and gas well, well record and, § 69:16

Electric log, sample and core record for oil and gas well,  
§ 69:17

First production or retest report for oil and gas well, § 69:18

Fluids injected in oil and gas well monthly report, § 69:27

Gas injected/withdrawn for natural gas storage facilities monthly report, § 69:28

Monthly reports, above

Notification of fire, spill, leak or blowout incident report,  
§ 69:36

Operator's monthly report from gas wells, § 69:25

Operator's monthly report from oil wells, § 69:24

Organization report for oil and gas operations, § 69:14

Products from processing, cleansing or extraction facilities monthly report, § 69:29

Sample and core record for oil and gas well, electric log, § 69:17

Transporter's and storer's monthly report from oil and gas wells,  
§ 69:26

Well plugging for oil and gas well,  
§ 69:21

Well record and completion or recompletion report for oil and gas well, § 69:16

Well treatment for oil and gas well report, § 69:15

Reserve calculation, gas unit, § 69:32

Sample and core record for oil and gas well, electric log, § 69:17

## INDEX

### ALABAMA—Cont'd

- Spill incident report, notification of, § 69:36
- Storage
  - Bond for underground storage facility, § 69:12
  - Gas injected/withdrawn for natural gas storage facilities monthly report, § 69:28
  - Monthly report from oil and gas wells, transporter's and storer's, § 69:26
  - Natural gas storage operations, affidavit of ownership or control of, § 69:10
- Testing
  - Electric log, sample and core record for oil and gas well, § 69:17
  - First production or retest report for oil and gas well, § 69:18
  - Gas unit reserve calculation, § 69:32
  - Gas well capacity test, § 69:31
  - Multipoint back-pressure test report for gas well, § 69:19
- Transporters
  - Certificate of compliance and authorization to transport oil and gas, operator's, § 69:23
  - Certificate of eligibility to transport oil and gas field wastes, § 69:34
  - Monthly report from oil and gas wells, transporter's and storer's, § 69:26
- Underground injection control operations, affidavit of ownership or control of, § 69:9
- Underground storage facility, bond for, § 69:12
- Wastes
  - Certificate of eligibility to transport oil and gas field wastes, § 69:34
  - Manifest for oil and gas field wastes, § 69:35
- Wells location, spacing and pooling, § 5:4

### ALASKA

- Annular disposal application for oil and gas operations, § 70:7
- Annular disposal for oil and gas operations report, § 70:19
- Application
  - Annular disposal application for oil and gas operations, § 70:7
  - Drill oil and gas well, for permit to, § 70:2
  - Sundry approvals for oil and gas operations, for, § 70:6
- Assignment of Certificate of deposit, confirmation and agreement of issuing bank, § 70:5
- Bonds
  - Personal bond for oil and gas well operations, § 70:4
  - Surety bond for oil and gas well operations, § 70:3
- Completion or recompletion report and log, oil and gas well, § 70:11
- Confirmation and agreement of issuing bank of assignment of certificate of deposit, § 70:5
- Designation of oil and gas well operator, § 70:13
- Disposal
  - Annular disposal application for oil and gas operations, § 70:7
  - Annular disposal for oil and gas operations report, § 70:19
- Drilling, application for permit to drill oil and gas well, § 70:2
- Facility report of produced gas disposition, § 70:18
- Forms, oil and gas, § 70:1 et seq.
- Gas-oil ratio tests, report for oil and gas well status and, § 70:12
- Gas reservoir pressure report, § 70:14
- Gas well open flow potential test report, § 70:17
- Injection
  - Monthly injection report for oil and gas operations, § 70:10
  - Project for oil and gas operations, report of, § 70:15

**ALASKA—Cont'd**

Location, spacing and pooling regulations, § 5:5

Notice of ownership for oil and gas property, § 70:16

Operator designation, oil and gas well, § 70:13

Ownership for oil and gas property, notice of, § 70:16

Personal bond for oil and gas well operations, § 70:4

Produced gas disposition, facility report of, § 70:18

Production and severance taxes on oil and gas, § 49:21

Production report for oil and gas operations, monthly, § 70:9

Property ownership notice, oil and gas property, § 70:16

Reports

Annular disposal for oil and gas operations report, § 70:19

Completion or recompletion report and log, oil and gas well, § 70:11

Facility report of produced gas disposition, § 70:18

Gas-oil ratio tests, report for oil and gas well status and, § 70:12

Gas reservoir pressure report, § 70:14

Gas well open flow potential test report, § 70:17

Injection project for oil and gas operations, report of, § 70:15

Injection report for oil and gas operations, monthly, § 70:10

Produced gas disposition, facility report of, § 70:18

Production report for oil and gas operations, monthly, § 70:9

Sundry oil and gas operations, report of, § 70:8

Well status and gas-oil ratio tests, report for oil and gas, § 70:12

Severance taxes on oil and gas, production and, § 49:21

State Lands, Oil and Gas Production on, this index

**ALASKA—Cont'd**

Sundry approvals for oil and gas operations, application for, § 70:6

Sundry oil and gas operations, report of, § 70:8

Surety bond for oil and gas well operations, § 70:3

Taxation, production and severance taxes on oil and gas, § 49:21

Testing

Gas-oil ratio tests, report for oil and gas well status and, § 70:12

Gas well open flow potential test report, § 70:17

Wells location, spacing and pooling, § 5:5

Well status and gas-oil ratio tests, report for oil and gas, § 70:12

**ALBERTA**

Location, spacing and pooling regulations, § 5:49

Proration of oil and gas production, § 7:44

Wells location, spacing and pooling, § 5:49

**AMERICAN BAR ASSOCIATION**

Unit operations for oil and gas, view on, § 6:2

**AMERICAN INSTITUTE OF MINING AND METALLURGICAL ENGINEERS**

Historical perspective on pooling and unitization operations, § 6:2

**AMERICAN PETROLEUM INSTITUTE**

Historical perspective on pooling and unitization operations, § 6:2

Website, § 1:8

Well identification number, New York, application for, § 90:5

**ANIMALS FERAЕ NATURAE**

Ferae Naturae Principle, this index

## INDEX

### ANNULAR

- Alaska
  - Annular disposal application for oil and gas operations, § 70:7
  - Annular disposal for oil and gas operations report, § 70:19
- Arkansas, request to produce dry gas up annular space between casings, § 72:42

### ANTI-DILUTION CLAUSE

- Gas pooling, for, § 57:33
- Model form, § 57:32

### ANTITRUST LAW

- Location, Spacing and Pooling Regulations, this index
- Pooling and unitization operations, § 6:2; 6:17; 6:25; 6:26

### ANTI-WASTE STATUTES AND REGULATIONS, RULES, AND ORDERS

- Conservation Statutes and Regulations, this index

### APPEAL

- Anti-waste statutes and regulations, rules, and orders, § 4:16

### APPORTIONMENT

- Division of oil and gas rents and royalties, § 40:11
- Presumed, § 40:11
- Liability of oil and gas operators for property damage, money damages, § 42:24
- Money damages remedies for injury to property in oil and gas operations, § 42:24
- Pooling and unitization of oil and gas production, theories for apportionment of, § 6:3; 6:5; 6:6
- Proration of Oil and Gas Production, this index

### ARIZONA

- Abandonment
  - Acceptance of abandoned oil and gas well as water well, § 71:14

### ARIZONA—Cont'd

- Abandonment—Cont'd
  - Application to plug and abandon oil and gas well, § 71:8
- Acceptance of abandoned oil and gas well as water well, § 71:14
- Application
  - Drill or reenter oil and gas well, for permit to, § 71:5
  - Plug and abandon oil and gas well, to, § 71:8
- Assignment for security in lieu of cash for oil and gas operations, § 71:4
- Bonds, performance bond for oil and gas operations, § 71:3
- Certificate of compliance and authorization to transport oil or gas, operator's, § 71:7
- Completion or recompletion report and well log, oil and gas well, § 71:6
- Compliance, operator's certificate of compliance and authorization to transport oil or gas, § 71:7
- Drilling, application for permit to drill or reenter oil and gas well, § 71:5
- Forms, oil and gas, § 71:1 et seq.
- Gas purchaser's monthly report, § 71:12
- Injection project for oil and gas wells report, § 71:10
- Location, spacing and pooling regulations, § 5:6
- Monthly oil and gas producer's report, § 71:11
- Notice, sundry notices and reports on oil and gas wells, § 71:13
- Operator's certificate of compliance and authorization to transport oil or gas, § 71:7
- Organization report for oil and gas operations, § 71:2
- Performance bond for oil and gas operations, § 71:3
- Plugging
  - Application to plug and abandon oil and gas well, § 71:8
  - Record for oil and gas well, § 71:9

**ARIZONA—Cont'd**

- Producer's monthly report, oil and gas, § 71:11
- Proration of oil and gas production, § 7:5
- Purchaser's monthly report, gas, § 71:12
- Reports
  - Completion or recompletion report and well log, oil and gas well, § 71:6
  - Gas purchaser's monthly report, § 71:12
  - Injection project for oil and gas wells report, § 71:10
  - Organization report for oil and gas operations, § 71:2
  - Plugging record for oil and gas well, § 71:9
  - Producer's monthly report, oil and gas, § 71:11
  - Sundry notices and reports on oil and gas wells, § 71:13
- Security, assignment for security in lieu of cash for oil and gas operations, § 71:4
- Sundry notices and reports on oil and gas wells, § 71:13
- Transporters, operator's certificate of compliance and authorization to transport oil or gas, § 71:7
- Water well, acceptance of abandoned oil and gas well as, § 71:14
- Wells location, spacing and pooling, § 5:6

**ARKANSAS**

- Abandonment of lease
  - Cancellation of lease, § 22:5; 22:6
- Administrative location exception for oil and gas well, application for, § 72:13
- Application
  - Administrative location exception for oil and gas well, for, § 72:13
  - Construct and operate gas pipeline system, to, § 72:39
  - Exploration and production fluid transportation system permit,

**ARKANSAS—Cont'd**

- Application—Cont'd
  - request for, § 72:45
- Horizontal wells that encroach on drilling unit boundaries, for, § 72:38
- Measure gas off lease, § 72:29
- Permit to drill for oil and gas operations, § 72:6
- Plug oil and gas well, to, § 72:20
- Seismic operations, for permit to conduct, § 72:31
- Blowout incident report, notice of, § 72:37
- Bonds
  - Oil and gas operations surety bond, § 72:2
  - Seismic operations surety bond, § 72:32
- Brine water report, monthly reports, § 72:15
- Cancellation of lease, § 22:5 to 22:7
- Carbon black manufacture regulations, § 4:38
- Certificate of compliance, request for, § 72:11
- Certificate of compliance for statewide Rule B-41, § 72:4
- Certification of eligibility for severance tax benefits, request for, § 72:43
- Change of name, notice of oil and gas well transfer or name change, § 72:36
- Change of purchaser, § 72:11
- Classification of lease interest, § 9:7
- Cleansing
  - Permit to clean tank used in oil and gas operations, § 72:26
  - Reclaiming and treating plants, monthly report and operations statement for, § 72:27
- Closure for drilling and reserve pits, notice, § 72:8
- Commingle request, gas field, § 72:34
- Completion
  - Gas field additional completion request, § 72:35

## INDEX

### ARKANSAS—Cont'd

#### Completion—Cont'd

Producer's well completion and recompletion report, oil and gas, § 72:9

#### Compliance

Certificate of compliance for statewide Rule B-41, § 72:4

Request for certificate of compliance, § 72:11

Conservation statutes and regulations, § 4:11; 5:7

Conveyances of Oil and Gas Mineral Interests, this index

Co-tenant of mineral interest, taking by, § 2:32

Crude oil, receipts by field and detailed statement of treater's deliveries of, § 72:28

Deliveries of crude oil, receipts by field and detailed statement of treater's, § 72:28

Development costs, § 2:32

#### Disposal

Reserve pit fluids produced during drilling, request for disposal of, § 72:33

#### Drilling

application to permit for oil and gas operations, § 72:6

Horizontal wells that encroach on drilling unit boundaries, application for, § 72:38

Notice of intention to drill for oil and gas, § 72:7

Request for disposal of reserve pit fluids produced during drilling, § 72:33

Dry natural gas well test report, § 72:21

Equitable pooling, § 2:32

Exploration and production fluid transportation system permit, request for, § 72:45

Fire incident report, notice of, § 72:37

Forfeiture of lease, implied, § 22:7

Forms, oil and gas, § 72:1 et seq.

#### Gas field

Additional completion request, § 72:35

### ARKANSAS—Cont'd

#### Gas field—Cont'd

Commingle request, § 72:34

Produce dry gas up annular space between casings, request to, § 72:42

Gasoline extraction plant monthly report, § 72:17

#### Gas pipeline system

Application to construct and operate and annual report, § 72:39

Notice of construction and repair of, § 72:40

Notice of incident report, § 72:41

Gas sales report, monthly reports, § 72:16

Gas well category determination for severance tax, operator request for, § 72:44

Horizontal wells that encroach on drilling unit boundaries, application for, § 72:38

Implied forfeiture of lease, § 22:7

#### Incident report

Fire, leak, spill or blowout incident, § 72:37

Gas pipeline incident, § 72:41

Incident report, notice of, § 72:37; 72:41

Intention to drill for oil and gas, notice of, § 72:7

Irrevocable letter of credit for oil and gas operations, § 72:3

Leak incident report, notice of, § 72:37

Letter of credit for oil and gas operations, irrevocable, § 72:3

Location, application for administrative location exception for oil and gas well, § 72:13

Location, spacing and pooling regulations, § 5:7

Measure of damages for breach of covenant to drill test wells, loss in value of lease, § 23:8

#### Monthly reports

Brine injection well report, § 72:25

Brine water report, § 72:15

**ARKANSAS—Cont'd**

Monthly reports—Cont'd

Commercial well disposal report,  
§ 72:23

Gasoline extraction plant monthly  
report, § 72:17

Gas sales report, § 72:16

Producer's oil report, § 72:14

Reclaiming and treating plants,  
monthly report and operations  
statement for, § 72:27

Refiner's monthly report, oil and  
gas, § 72:19

Transporter's and storer's report,  
oil and gas, § 72:18

Well disposal report, § 72:22;  
72:24

Name change, notice of oil and gas  
well transfer or, § 72:36

Nature of royalty interests, § 32:8

Notice

Closure for drilling and reserve  
pits, § 72:8

Commencement of production, of,  
§ 72:12

Fire, leak, spill or blowout incident  
report, § 72:37

Gas pipeline incident report,  
§ 72:41

Gas pipeline system, construction  
and repair of, § 72:40

Intention to drill for oil and gas, of,  
§ 72:7

Oil and gas well transfer or name  
change, § 72:36

Organization report for oil and gas  
operations, § 72:5

Pipeline. Gas pipeline system, above  
Plugging, application to plug oil and  
gas well, § 72:20

Pollution, liability of operators for,  
§ 42:5

Produce dry gas up annular space  
between casings, gas field  
request to, § 72:42

Producer's monthly oil report,  
§ 72:14

Producer's well completion and  
recompletion report, oil and gas,  
§ 72:9

**ARKANSAS—Cont'd**

Production fluid transportation  
system permit, request for  
exploration and, § 72:45

Proration of oil and gas production,  
§ 6:23; 7:6

Purchaser, change of, § 72:11

Ratable taking of oil and gas, § 4:11

Receipts by field and detailed state-  
ment of treater's deliveries of  
crude oil, § 72:28

Reclaiming and treating plants,  
monthly report and operations  
statement for, § 72:27

Refiner's monthly report, oil and gas,  
§ 72:19

Repair of gas pipeline system, notice  
of, § 72:40

Reports

Gasoline extraction plant monthly  
report, § 72:17

Gas pipeline incident report, notice  
of, § 72:41

Gas pipeline system annual report,  
§ 72:39

Notice of fire, leak, spill or  
blowout incident report,  
§ 72:37

Organization report for oil and gas  
operations, § 72:5

Producer's monthly oil report,  
§ 72:14

Producer's well completion and  
recompletion report, oil and  
gas, § 72:9

Reclaiming and treating plants,  
monthly report and operations  
statement for, § 72:27

Refiner's monthly report, oil and  
gas, § 72:19

Transporter's and storer's monthly  
report, oil and gas, § 72:18

Unit operations report, oil and gas,  
§ 72:30

Well fracture stimulation report,  
§ 72:10

Request for certificate of compliance,  
notice of commencement of pro-  
duction, or change of purchaser,  
§ 72:11

## INDEX

### ARKANSAS—Cont'd

- Request for certification of eligibility for severance tax benefits, operator, § 72:43
- Request for disposal of reserve pit fluids produced during drilling, § 72:33
- Request for exploration and production fluid transportation system permit, § 72:45
- Request for gas well category determination for severance tax, operator, § 72:44
- Request to produce dry gas up annular space between casings, § 72:42
- Reserve pit fluids produced during drilling, request for disposal of, § 72:33
- Seismic operations
  - Application for permit to conduct, § 72:31
  - Surety bond, § 72:32
- Severance tax
  - Certification of eligibility for severance tax benefits, operator request for, § 72:43
  - Gas well category determination, for operator request for, § 72:44
- Spill incident report, notice of, § 72:37
- State lands, oil and gas production on, § 50:8
- Storer's monthly report, oil and gas, § 72:18
- Surety bond
  - Oil and gas operations, § 72:2
  - Seismic operations, § 72:32
- Transfer, notice of oil and gas well transfer or name change, § 72:36
- Transfer of oil and gas mineral interests before lease, § 36:5
- Transfers affecting present and future oil and gas lease, § 38:8
- Transporters
  - Monthly report, oil and gas, § 72:18

### ARKANSAS—Cont'd

- Unit operations report, oil and gas, § 72:30
- Well fracture stimulation report, report, § 72:10
- Well permit application, § 72:46
- Wells location, spacing and pooling, § 5:7

### ASSIGNMENT OF INTERESTS IN LEASES

- General discussion, § 28:1 et seq.
- Assumption of lessee's obligations, with, § 63:22
- Bona fide purchaser, lease assignee as
  - General discussion, § 28:3 et seq.
  - consideration, § 28:5
  - Notice, § 28:4
  - Quitclaim, § 28:6
  - Rights and liabilities of assignee, § 28:7
- Bond and assignment agreement for oil and gas operations, Montana, § 86:4
- Bureau of Ocean Energy Management forms
  - operating rights interest in federal OCS oil and gas lease, § 102:6
  - record title interest in federal OCS oil and gas lease, § 102:5
- Cancellation of assignments, § 28:28
- Carried oil and gas leasehold interest, of, § 63:33
- Certificate of deposit for oil and gas operations
  - Illinois, § 77:2
  - Montana, § 86:4
  - Oregon, § 94:8
- Conform to laws, with limitation of obligation to, § 63:23
- Consideration for contracts of assignment, § 28:23
- Construction and interpretation of
  - General discussion, § 28:21
  - Contracts for assignment of leases, § 28:11
- Contracts for assignment of leases
  - General discussion, § 28:10 et seq.; 55:5 to 55:7

## ASSIGNMENT OF INTERESTS IN LEASES—Cont'd

- Contracts for assignment of leases  
—Cont'd
  - Abstract of title requirement,  
§ 28:17
  - Consideration for contracts of  
assignment, above
  - Construction and interpretation of,  
§ 28:11
  - Covenants for title, § 29:8
  - Damages for breach, § 28:20
  - Description of land and lease,  
§ 28:13
  - Drilling obligation, with, § 55:6
  - Farmout agreements, § 28:14
  - Formation, § 28:15
  - Forms
    - Drilling obligation, model form  
with, § 55:6
    - Model form, § 55:5
    - Proportionate reduction clause,  
model form with, § 55:7
  - Fraud or misrepresentation,  
§ 28:25 to 28:27
  - Marketable title, § 28:18
  - Misrepresentation, § 28:26
  - Performance of contracts to assign  
leases, § 28:16 to 28:19
  - Proportionate reduction clause,  
with, § 55:7
  - Time for performance, § 28:19
- Covenants in assignment of leases
  - General discussion, § 29:1 et seq.
  - Assignee bound by covenants that  
run with the land, § 29:1
  - Binding nature of covenants that  
run with the land
    - Assignee is bound by covenants,  
§ 29:1
    - Sublessee is not bound by cove-  
nants, § 29:2
  - breach of covenant, § 29:10
  - Breach of covenants in assignment  
of leases, § 29:10
  - development covenants, § 29:6
  - Distinguishing between assign-  
ment and sublease, § 29:3 to  
29:5

## ASSIGNMENT OF INTERESTS IN LEASES—Cont'd

- Covenants in assignment of leases  
—Cont'd
  - Duration of covenants for oil pay-  
ments and overriding royal-  
ties, § 29:12
  - Enforcement by overriding royalty  
interest owners, § 29:17
  - Furnish oil or gas in assignment of  
lease, § 29:9
  - jurisdiction, by, § 29:4
  - Louisiana, § 29:5
  - Oil payments, for, § 29:11 to 29:17
  - Operation agreements, § 29:17
  - Overriding royalties payments, for,  
§ 29:11 to 29:17
  - Payment by overriding royalties or  
oil payment methods, § 29:11  
to 29:17
  - Production payment, definition of,  
§ 29:11.70
  - Rentals and royalties, for, § 29:7
- Royalties
  - overriding, § 29:11 to 29:17
  - rental and royalty covenants,  
§ 29:7
- Sublessee is not bound by cove-  
nants, § 29:2
- Title, for, § 29:8
- Types, § 29:6 to 29:9
- Unitization (unit operation) agree-  
ments, effect on oil payments  
and overriding royalties,  
§ 29:16
- Delay rentals payment by lease  
assignee, power of attorney for,  
§ 60:4
- Depth, assignments of leases by,  
§ 28:24
- Development covenants, § 29:6
- Duration of lease, “thereafter”  
clause, production requirement,  
§ 14:14
- Environmental liability for oil and  
gas property, clause disclaiming,  
§ 63:40
- Farmout agreements, § 28:14

## INDEX

### ASSIGNMENT OF INTERESTS IN LEASES—Cont'd

- Federal lands, Mineral Leasing Act,  
assignment and sublease of oil  
and gas leases on, § **51:5**
- Joint operating agreements, § **48:8**
- Judicial assignment, § **28:8**
- Lease, assignment of oil and gas  
lease
  - Assumption of lessee's obliga-  
tions, with, § **63:22**
  - Conform to laws, with limitation  
of obligation to, § **63:23**
  - Lease clause, § **57:26**
  - Model form, § **63:20**
  - Overriding royalty reservation,  
with, § **63:24; 63:26**
  - Power to surrender lease, with  
reservation of, § **63:21**
  - Reassignment provision, with,  
§ **63:25; 63:26**
- Lease, partial assignment of oil and  
gas lease
  - Depth limitation and overriding  
royalty reservation, with,  
§ **63:28**
  - Election of assignee to pay rentals,  
with, § **63:30**
  - Model form, § **63:27**
- Leasehold interest, assignment of
  - Carried oil and gas leasehold inter-  
est, § **63:33**
  - Operating rights, § **63:36; 63:37**
  - Percentage of production proceeds,  
lessee's assignment of,  
§ **63:35**
  - Sublease of leasehold interest,  
§ **63:34**
- Lease operating rights, assignment of
  - Model form, § **63:1**
  - Overriding royalty reservation,  
with, § **63:37**
- Mineral Leasing Act, assignment and  
sublease of oil and gas leases on  
federal lands, § **51:5**
- Modification of lease, clause to  
sustain dependent mineral inter-  
est on, § **63:38**

### ASSIGNMENT OF INTERESTS IN LEASES—Cont'd

- Mortgage of lease interest
  - General discussion, § **28:36 et seq.**
  - Foreclosure of, § **28:41**
  - Personal property subject to,  
§ **28:40**
  - Priority of, § **28:38**
  - Recordation, § **28:37**
  - Rights of mortgagor, § **28:39**
- Oil payments, covenants for
  - Definition of, § **29:11.70**
  - Duration of, § **29:12**
  - overriding royalties, § **29:11 to  
29:17**
  - production or oil payments,  
§ **29:15**
- Operating rights, assignment of
  - federal OCS oil and gas lease,  
Bureau of Ocean Energy  
Management forms, § **102:6**
  - Model form, § **63:1**
  - Overriding royalty reservation,  
with, § **63:37**
- Overriding royalty
  - Lease assignment with overriding  
royalty reservation, § **63:24;  
63:26**
  - Operating rights with overriding  
royalty reservation, assign-  
ment of, § **63:37**
  - Partial assignment of lease with  
depth limitation and overrid-  
ing royalty reservation,  
§ **66:32**
  - Pooling power retained, assign-  
ment of overriding royalty  
with, § **63:19**
- Overriding royalty interest
  - General discussion, § **29:11 to  
29:17**
  - covenants for overriding, § **29:13;  
29:14**
  - Definition, § **29:11.30**
  - Duration of covenants for, § **29:12**
  - Enforcing covenants in assigned  
leases, § **29:17**
  - Examples, § **29:14**

**ASSIGNMENT OF INTERESTS IN  
LEASES—Cont'd**

- Overriding royalty interest—Cont'd
  - production or oil payments, § 29:15
  - Unit operations, § 29:16
- Partial assignment of interests in leases
  - Deep rights, § 63:29
  - Election of assignee to pay rentals, § 63:30
- Payment of delay rentals, § 15:18; 15:20
- Percentage of production proceeds, lessee's assignment of, § 63:35
- Power of attorney for payment of delay rentals by lease assignee, § 60:4
- Power of lessee, § 28:2
- Production, assignment of
  - General discussion, § 28:29 to 28:35
  - California, § 28:31; 28:34
  - Recordation, § 28:30 to 28:32
  - Securities regulation, § 28:33 to 28:35
  - Texas, § 28:32; 28:35
- Production proceeds, assignment of percentage of, § 63:35
- Proportionate reduction clause, contracts for assignment of leases with, § 55:7
- Reassignment provision in lease, assignment of oil and gas lease with
  - Deed clause for reassignment, § 63:39
  - Model form, § 63:25
  - With provisions for reassignment and reservation of overriding royalty, § 63:26
- Recordation
  - Mortgage of lease interest, § 28:37
  - Production, assignment of, § 28:30 to 28:32
- Rentals
  - Partial assignment of lease with election of assignee to pay rentals, § 63:30

**ASSIGNMENT OF INTERESTS IN  
LEASES—Cont'd**

- Rentals—Cont'd
  - Power of attorney for payment of delay rentals by lease assignee, § 60:4
- Rescinding. Contracts for assignment of leases, above
- Royalties
  - Deed, § 63:13
  - Overriding royalty, above
- Royalty interest
  - General discussion, § 30:14
  - Accounting, assignees of fractional royalty interests entitlement, § 2:33
  - Overriding royalty interest, above
- Security
  - Arizona, assignment for security in lieu of cash for oil and gas operations, § 71:4
- Sublease of leasehold interest, § 63:34
- Surrender of lease
  - Form, assignment of lease with reservation of power to surrender lease, § 63:21
- Title
  - Abstract of title requirement, § 28:17
  - Covenants for title, § 29:8
  - Marketable title, § 28:18

**ASSOCIATIONS**

- Industry information resources, § 1:8

**ASSUMPTION OF  
RESPONSIBILITY FOR TEST  
WELLSITE**

- Application, Indiana, § 78:8

**ATTORNEY FEES**

- Joint operating agreements, § 48:9

**AUTHORITY OF FEDERAL  
ENERGY REGULATORY  
COMMISSION (FERC)**

- Pipelines, oil and gas, § 53:2

**BACK PRESSURE TEST**

- Pressure Report, this index

## INDEX

### **BACK PRESSURE TEST—Cont'd**

Tests and Testing, this index

### **BANK**

Delay rental remittance and banker's receipt, § 60:5

### **BANKRUPTCY**

Lease interest in Louisiana, § 9:19

### **BILL FOR PARTITION**

Property interests, history of, § 8:10

### **BILL IN EQUITY**

Trespass, § 2:18

### **BILL OF DISCOVERY**

Trespass, § 2:5

### **BLOWOUTS**

Alabama, notification of incident report, § 69:36

Arkansas incident report, § 72:37

Conservation regulations of surface waste, § 4:26; 4:37

Michigan blowout control system, oil and gas well, § 83:5

### **BONA FIDE PURCHASERS**

Adequacy of consideration, § 12:13

Assignment of interests in leases, § 28:3 to 28:7

Conveyances of oil and gas mineral interests, § 35:9

Investigation of title, facts requiring, § 12:14

Leases, validity requirements, § 12:12 to 12:15

Possession of land as notice of prior lease, § 12:15

Rights of bona fide purchasers of oil and gas interests subject to equities, § 54:13

Trespass, bona fide purchaser of intentional trespasser, § 2:12

### **BONDS**

See also individual states

Anti-waste statutes and regulations, rules, and orders, § 4:18; 4:20

Blanket bond for oil and gas operations

Alabama, § 69:13

### **BONDS—Cont'd**

Blanket bond for oil and gas operations—Cont'd

Texas, § 97:18

Blanket surety bond for more than ten oil and gas wells

North Dakota, § 92:6

Bureau of Land Management Model Unit Agreement for oil and gas production in federal lands, collective bond, § 64:9

Certificate of deposit for oil and gas operations

Bond and assignment agreement for oil and gas operations, Montana, § 86:4

Collateral bond for single oil and gas well, Pennsylvania, § 95:2

Collective bond, Bureau of Land Management Model Unit Agreement for oil and gas production in federal lands, § 64:9

Colorado, § 74:6

Domestic oil and gas well bond and lien, Montana, § 86:5

Driller's bond, § 67:3

Drilling operations, regulation of, § 4:18; 4:20

Forms. Bureau of Land Management oil and gas forms, this index

Irrevocable letter of credit for oil and gas operations

Arkansas, § 72:3

Montana, § 86:6

Multiple oil and gas wells

Performance bond, Florida, § 75:4

Performance bond, Louisiana, § 81:5

Surety bond, North Dakota, § 92:6

Surety bond, Pennsylvania, § 95:3

Operator's bond

Driller's bond, § 67:3

Nebraska, § 87:2

Virginia, § 99:4

Performance bond

Geophysical exploration for oil and gas, Florida, § 75:9

Geophysical operations for oil and gas, bond rider to cover, Florida, § 75:10

**BONDS—Cont'd**

- Performance bond—Cont'd
  - Multiple oil and gas wells, Florida, § 75:4
  - Multiple oil and gas wells, Louisiana, § 81:5
  - Oil and gas operations
    - Arizona, § 71:3
    - Colorado, § 74:6
    - Texas, § 97:17
  - Oil and gas well, South Dakota, § 96:4
  - Single oil and gas well, plugging and site restoration, Florida, § 75:3
- Personal bond
  - Oil and gas well operations, Alaska, § 70:4
- Plugging oil and gas wells
  - New York, § 90:15
- Oil and gas well, plugging and performance, South Dakota, § 96:4
- Performance bond for single oil and gas well, Florida, § 75:3
- Plugging and surface restoration, New York, § 90:15
- Surety bond, Oklahoma, § 93:8
- Surface restoration bond, plugging and, New York, § 90:15
- Seismic operations and plugging surety bond, Oklahoma, § 93:8
- Seismic operations surety bond, Arkansas, § 72:32
- Single oil and gas well, Alabama, § 69:11
- Supersedeas bond, trespass damages, § 2:14
- Surety bond
  - Conformance with law by oil and gas operations, Michigan, § 83:9
  - Conformance with laws governing oil and gas operations, Iowa, § 79:4
  - Gas and oil drilling and operating surety bond, Maryland, § 82:9; 82:10

**BONDS—Cont'd**

- Surety bond—Cont'd
  - North Dakota, surety bond for more than ten oil and gas wells, § 92:6
  - Oil and gas drilling, Nevada, § 88:7
  - Oil and gas operations, Arkansas, § 72:2
  - Oil and gas operations, Illinois, § 77:35
  - Oil and gas operations, Missouri, § 85:2
  - Oil and gas operations, Montana, § 86:3
  - Oil and gas surety bond, Oklahoma, § 93:7
  - Oil and gas well operations, Alaska, § 70:3
  - Operator's bond, Virginia, § 99:4
  - Pennsylvania, § 95:3
  - Release of surety bond for oil and gas operations, Iowa, § 79:5
  - Seismic operations, Arkansas, § 72:32
  - Seismic operations and plugging, Oklahoma, § 93:8
  - Single deep oil and gas well surety bond, North Dakota, § 92:5
  - Statewide oil and gas drilling, Nevada, § 88:8
  - Testing, Indiana, § 78:15; 78:16
- Surface restoration bond
  - Florida, § 75:3
  - New York, § 90:15
- Trespass damages, supersedeas bond, § 2:14
- Underground storage facility, Alabama, § 69:12

**BONUS**

- General discussion, § 30:1; 31:1
- Agreement, top lease
  - Deferred, § 56:15
  - Supplemental, § 56:16
- Cash bonus
  - Adequacy of consideration for leases, § 13:3; 13:7
  - Distinguished from royalty, § 31:3

## INDEX

### **BONUS—Cont'd**

- Cash bonus—Cont'd
  - Separate or community property, as, § 30:2
  - Tax treatment, § 31:8
- Conditional bonus, duty to pay, § 31:6
- Distinguished from royalty
  - General discussion, § 31:2
  - Cash bonus, § 31:3
  - Oil payment, § 31:4
  - Overriding royalty, § 31:5
- Drilling or production, duty to pay conditional bonus on, § 31:7
- Duty to pay conditional bonus, § 31:6
- Oil and gas lease bonus, § 31:1
- Oil and gas lease bonus distinguished from royalty, § 31:2
- Oil payment, given in form of
  - Distinguished from royalty, § 31:4
- Overriding royalty, § 31:5
- Periodic minimum oil and gas royalties, § 30:10
- Property interests, right to receive lease bonus payments, § 8:4
- Right to receive lease bonus payments, § 8:4
- Taxation as income, § 31:8
- Unlocatable mineral interest owners, § 30:3

### **BOTTOM HOLE CONTRIBUTION**

- Lease purchase letter agreement with drilling obligation and, § 66:4

### **BOTTOM HOLE PRESSURE REPORT**

- Colorado, § 74:16

### **BOTTOM LEASE, OIL AND GAS**

- Interest of lessee, § 9:2

### **BRADENHEAD TEST REPORT**

- Colorado, § 74:20

### **BREACH OF CONTRACT**

- Actions for breach of duty, § 18:10
- Assignment of leases contract, § 28:20

### **BREACH OF CONTRACT—Cont'd**

- Damages for breach of
  - Contract for assignment of leases, § 28:20
  - Contract for oil and gas lease, § 10:9
- Drilling Contracts, this index
- Remedies for breach of contracts for oil and gas lease, § 10:8 to 10:10
- Remedies for fraud in assignment, § 28:20
- Specific performance, breach of contract for oil and gas lease, § 10:10
- Statute of frauds, breach of contract for oil and gas lease, § 10:9
- Waiver of contract breach, § 10:6

### **BREACH OF COVENANT**

- Actions for breach of duty, § 18:10
- Additional wells, breach of covenant to drill, damages, § 23:10; 23:11
- Assignment of interests in leases, § 29:10
- California lease interest, § 9:9
- Exploratory wells, breach of covenant to market production, § 22:16
- Forfeiture of oil and gas leases as enforcement for beach
  - Express covenant, breach of, § 21:2; 21:3
  - Implied covenant, breach of, § 21:4
- Liquidated damages for breach of covenants to drill wells, § 23:3
- Measure of damages for breach of covenant to drill
  - Additional or offset wells, § 23:10; 23:11
  - Test wells, § 23:4 to 23:9
- Offset wells, breach of covenant to drill, damages, § 23:10; 23:11
- Reasonable diligence in performance of covenants for development, actions for breach of duty, § 18:10
- Test wells, breach of covenant to drill, § 23:4 to 23:9

**BUILDINGS AND STRUCTURES**

Privileged acts of operators in use of premises, § 41:8

**BURDEN OF PROOF**

Presumptions and Burden of Proof, this index

**BUREAU OF LAND**

**MANAGEMENT MODEL  
UNIT AGREEMENT FOR OIL  
AND GAS PRODUCTION IN  
FEDERAL LANDS**

Unitizing, this index

**BUREAU OF LAND**

**MANAGEMENT OIL AND  
GAS FORMS**

General discussion, § 101:1 to 101:20

Application for permit to drill or reenter, § 101:13

Approval of operations, § 101:20

Assignment of record title interest in lease for oil and gas or geothermal resources, § 101:3

**Bonds**

oil and gas or geothermal exploration, § 101:6

oil and gas or geothermal lease, § 101:5

permit to prospect for deposits, § 101:10

rider, statewide or nationwide mineral, § 101:9

statewide or nationwide mineral lease, § 101:8

surface owner protection, § 101:17

Competitive oil and gas or geothermal resources lease bid, § 101:2

Designation of operator, § 101:16

Equipment application cover sheet, § 101:21

**Gas**

assignment of record title interest in lease, § 101:3

competitive lease bid, § 101:2

exploration bond, § 101:6

lease bond, § 101:5

**BUREAU OF LAND**

**MANAGEMENT OIL AND  
GAS FORMS—Cont'd**

**Gas—Cont'd**

offer to lease and lease for, § 101:7

transfer of operative rights (sublease) in lease, § 101:4

**Geothermal**

assignment of record title interest in lease, § 101:3

exploration bond, § 101:6

lease bid, § 101:2

lease bond, § 101:5

transfer of operative rights (sublease) in lease, § 101:4

**Gold Book, § 101:19**

Leases. See entries throughout this topic

**Notice**

completion of geophysical exploration operations, § 101:12

intent and authorization to conduct geophysical exploration operations, § 101:11

sundry notices and reports on wells, § 101:15

well spud, § 101:18

Notification of well spud, § 101:18

Offer to lease and lease for oil and gas, § 101:7

**Oil**

assignment of record title interest in lease, § 101:3

competitive lease bid, § 101:2

exploration bond, § 101:6

lease bond, § 101:5

offer to lease and lease for, § 101:7

transfer of operative rights (sublease) in lease, § 101:4

Operator, designation of, § 101:16

Rider, statewide or nationwide mineral lease bond, § 101:9

Statewide or nationwide mineral lease bond, § 101:8

Sundry notices and reports on wells, § 101:15

Surface operating standards and guidelines for oil and gas explo-

## INDEX

### **BUREAU OF LAND MANAGEMENT OIL AND GAS FORMS—Cont'd**

ration and development,  
§ 101:19  
Transfer of operative rights  
(sublease) in lease for oil and  
gas or geothermal resources,  
§ 101:4

Wells  
completion or recompletion report  
and log, § 101:14  
notification of spud, § 101:18  
sundry notices and reports on,  
§ 101:15

### **BUREAU OF OCEAN ENERGY MANAGEMENT FORMS**

General discussion, § 102:1 to  
102:11  
Assignment, § 102:5; 102:6  
Bond, mineral lessee's or operator's,  
§ 102:4  
Designation of operator, § 102:3  
Environmental impact analysis  
worksheet, § 102:7  
Geological or geophysical explora-  
tion for mineral resources or  
scientific research on the Outer  
Continental Shelf, application  
and permits for, § 102:9 to  
102:13  
Oil and gas lease of submerged lands  
under, § 102:2  
Operating rights interest in federal  
OCS oil and gas lease, assign-  
ment of, § 102:6  
Operator, designation of, § 102:3  
Outer Continental Shelf (OCS) Lands  
Act, § 102:4  
Record title interest in federal OCS  
oil and gas lease, assignment of,  
§ 102:5  
Remotely operated vehicle (ROV)  
survey report, § 102:8  
Submerged lands, oil and gas lease of  
under Outer Continental Shelf  
(OCS) Lands Act, § 102:2

### **BURNING OF OIL OR GAS**

Conservation statutes and regula-  
tions, § 4:36; 4:38

### **CALCULATION AND COMPUTATION**

Leases, this index

### **CALCULATION OF ROYALTIES**

Royalty, this index

### **CALIFORNIA**

Ad valorem taxation of interests in  
oil and gas, § 49:4  
Assignment of lease production  
Recordation, § 28:31  
Securities regulation of assignment  
of production in lease,  
§ 28:34  
Bonds  
Cash bond, oil and gas well, below  
Indemnity bond, oil and gas well,  
below  
Cancellation of lease, § 22:8; 22:9  
Casinghead gas and gasoline, § 34:4  
Classification of lessee's interest,  
§ 9:8; 9:9  
Conservation statutes and regulations  
Constitutionality, § 4:9  
Interstate compact, § 4:6  
Judicial review of agency rules and  
orders, § 4:16  
Location, spacing and pooling  
regulations, § 5:8  
Reservoir energy regulations,  
§ 4:27; 4:28  
Contact questionnaire, § 73:15  
Conveyances of Oil and Gas Mineral  
Interests, this index  
Co-tenant of mineral interest, taking  
by, § 2:33  
Damages for breach of covenant to  
drill test or additional wells,  
§ 23:7  
Disposal well bond. Wastewater dis-  
posal well bond, below  
Drilling  
Damages for breach of covenant to  
drill test or additional wells,  
§ 23:7  
Notice of intention to drill new oil  
and gas well, § 73:5  
Facility disposition, notice of oil land  
gas well, § 73:12

**CALIFORNIA—Cont'd**

- Facility information, § 73:16
- Forfeiture
  - Implied, § 22:9
- Forms, oil and gas, § 73:1 et seq.
- History of oil and gas well, § 73:4
- Implied forfeiture, § 22:9
- Injection approval, application for, § 73:13
- Injection report corrections, oil and gas well, § 73:7
- Intent, notice of
  - Drill new oil and gas well, to, § 73:5
- Interstate oil and gas compact for conservation legislation, § 4:6
- Location, spacing and pooling regulations, § 5:8
- Notice
  - Drill new oil and gas well, intention to, § 73:5
- Oil and gas minerals. Conveyances of Oil and Gas Mineral Interests, this index
- Oil and gas production, report, § 73:2
- Operations bond, § 73:18
- Organization information, § 73:17
- Percentage interests, assignment of.
  - Assignment of percentage interests in leases, above
- Pollution, liability of operators for, § 42:6
- Power of cotenant to lease, § 11:18
- Produced oil and gas disposition report corrections, § 73:8
- Production report corrections, oil and gas, § 73:6
- Profit a prendre interest, § 4:9
- Quarterly reports, § 73:9; 73:10; 73:11
- Recordation of assignments of lease production, § 28:31
- Rent, casinghead gas and gasoline, § 34:4
- Reports
  - Injection report corrections, oil and gas well, § 73:7
  - Oil and gas well, production, § 73:2

**CALIFORNIA—Cont'd**

- Reports—Cont'd
  - Produced oil and gas disposition report corrections, § 73:8
  - Production report corrections, oil and gas, § 73:6
  - Quarterly reports, § 73:9; 73:10; 73:11
  - Summary report, oil and gas well, § 73:3
  - Water allocation report for oil and gas operations, quarterly report, § 73:11
  - Water injection report for oil and gas operations, quarterly report, § 73:10
  - Water production report for oil and gas operations, quarterly report, § 73:9
- Request for change of oil and gas well designation, § 73:14
- Reservoir energy regulations, § 4:27; 4:28
- Royalty interests
  - General discussion, § 32:9 to 32:11
  - Callahan v. Martin, § 32:10
  - Casinghead gas and gasoline, § 34:4
  - Dabney-Johnson Oil Corp. v. Walden, § 32:11
- Securities regulation of assignment of production in lease, § 28:34
- State Lands, Oil and Gas Production On, this index
- Statute of limitations, trespass to oil and gas, § 2:10
- Summary report, oil and gas well, § 73:3
- Transfers affecting present oil and gas mineral interests, § 37:11
- Transfers of oil and gas mineral interests
  - Present and future oil and gas lease, under, § 38:9
  - Rule against perpetuities, § 38:4
- Wells location, spacing and pooling, § 5:8

**CALLAHAN v. MARTIN**  
California royalty interests, § 32:10

## INDEX

### CANADA

- Alberta, this index
- Industry information resources,  
online, § 1:8
- Manitoba, this index
- National Energy Board of Canada,  
website, § 1:8
- Saskatchewan, this index
- Tar in oil sands, deposits, § 1:6

### CANCELLATION OF CONTRACT FOR LEASE

- General discussion, § 10:8

### CANCELLATION OF LEASE

- General discussion, § 22:1 et seq.
- Abandonment
  - General discussion, § 22:2; 22:3
  - Arkansas, § 22:5; 22:6
  - Kansas, § 22:14
  - Kentucky, § 22:18
  - Louisiana, § 22:23
  - Oklahoma, § 22:34
  - Pennsylvania, § 22:38; 22:39
  - Texas, § 22:44; 22:45
  - West Virginia, § 22:52
- Arkansas, § 22:5 to 22:7
- Assignment of interests in leases,  
§ 28:28
- Breach of express or implied cove-  
nants, § 22:1.50
- California, § 22:8; 22:9
- Colorado, § 22:10
- Co-tenants, § 2:36
- Covenants, breach of express or  
implied, § 22:1.50
- Express or implied covenants, breach  
of, § 22:1.50
- Federal lands, Mineral Leasing Act,  
cancellation and termination of  
leases on, § 51:6
- Forfeiture. Implied forfeiture, below
- Fraud
  - Kentucky, § 22:17
  - Pennsylvania, § 22:40
  - Texas, § 22:47; 22:48
  - West Virginia, § 22:54
- Illinois, § 22:11

### CANCELLATION OF LEASE

#### —Cont'd

- Implied forfeiture
  - General discussion, § 22:3
  - Arkansas, § 22:7
  - California, § 22:9
  - Covenants to develop breached,  
Kentucky, § 22:20
  - Kansas, § 22:15
  - Kentucky, § 22:19 to 22:21
  - Louisiana, § 22:23
  - Oklahoma, § 22:35
  - Texas, § 22:46
  - West Virginia, § 22:53
- Implied or express covenants, breach  
of, § 22:1.50
- Inadequate legal remedy
  - Kansas, § 22:16
  - Louisiana, § 22:24
  - Oklahoma, § 22:36
  - Texas, § 22:47
- Indiana, § 22:12
- Jurisdictions, § 22:5 et seq.
- Kansas, § 2:36; 22:13 to 22:16
- Kentucky, § 22:17 to 22:23
- Louisiana, § 22:22 to 22:24
- Michigan, § 22:25
- Mineral Leasing Act, cancellation  
and termination of leases on  
federal lands, § 51:6
- Mississippi, § 22:26
- Montana, § 22:27
- Nebraska, § 22:28
- New Mexico, § 22:29
- New York, § 22:30
- Nonpayment of rent or royalty  
grounds, § 30:16
- North Dakota, § 22:31
- Notice to lessee, § 22:2; 22:3
- Ohio, § 22:32
- Oklahoma, § 22:33 to 22:36
- Partial cancellation
  - Texas, § 22:48
- Pennsylvania, § 22:37 to 22:40
- South Dakota, § 22:41
- Suit for cancellation of terminated  
lease, § 20:6
- Tennessee, § 22:42

**CANCELLATION OF LEASE**

—Cont'd

- Texas, § 22:43 to 22:48
- Utah, § 22:49
- Virginia, § 22:50
- Waiver and estoppel of, § 22:4
- West Virginia, § 22:51 to 22:54
- Wyoming, § 22:55

**CAPABILITY AS PRODUCTION**

- Extend lease, necessary for, § 14:13

**CAP ROCK**

- Physical properties of oil and gas, § 1:1

**CAPTURE, RULE OF**

- Rule of Capture, this index

**CAPTURE AND HOLD RULE**

- Gas royalty calculation, § 33:2

**CARBON BLACK  
MANUFACTURE  
REGULATIONS**

- Conservation Statutes and Regulations, this index

**CARBON DIOXIDE  
SEQUESTRATION**

- Conservation statutes and regulations, secondary recovery operations, § 4:34

**CASH BONUS**

- Bonus, this index

**CASH CONSIDERATION**

- Adequacy of consideration for lease
  - General discussion, § 13:3
  - Drill or pay and surrender clauses, § 13:7
- Assignment for security in lieu of cash for oil and gas operations, Arizona, § 71:4
- Bonus, this index

**CASINGHEAD GAS AND  
GASOLINE**

- General discussion, § 34:1 et seq.
- California, § 34:4
- Conservation statutes and regulations, § 4:33

**CASINGHEAD GAS AND  
GASOLINE—Cont'd**

- Contracts, § 34:3
- Division order form, casinghead gas, § 68:10
- Division order form with schedule for casinghead gas, § 68:8
- Forms, casinghead gas
  - Division order, § 68:10
  - Division order with schedule for, § 68:8
  - Transfer order, § 68:14
- Kentucky, § 34:5
- Lease royalty provisions, types of, § 34:2
- Louisiana, § 34:6
- Oklahoma, § 34:7
- Rent, this index
- Royalty, this index
- Texas
  - General discussion, § 4:33; 4:41; 34:8 to 34:12
  - Absence of casinghead gas clause, § 34:9
  - Casinghead gas royalty clause, § 34:12
  - Casinghead rental clause, § 34:10
  - Oil royalty and gas well rental clause, § 34:11
  - Transfer order form, casinghead gas, § 68:14
  - West Virginia, § 34:13

**CASING OF WELLS**

- Conservation statutes and regulations, § 4:26

**CATHODIC PROTECTION  
BOREHOLE**

- Kansas, § 80:8

**CAVING**

- Conservation regulations of surface waste, § 4:26; 4:37

**CEMETERIES**

- Power to leases for oil and gas production, § 11:39

**CERTAINTY OF PARTIES**

- Leases, validity requirements, § 12:5

## INDEX

### **CERTIFICATE OF COMPLIANCE**

- Arkansas
  - Certificate of compliance for statewide Rule B-41, § **72:4**
  - Request for certificate of compliance, § **72:11**
- Operator's certificate
  - Louisiana, § **81:9**
  - Mississippi, § **84:8**
- Producer's certificate
  - Iowa, § **79:10**
  - Montana, § **86:15**
  - Texas, § **97:14**
- Proration of oil and gas production, § **7:5**
- Transporters
  - Alabama certificate of compliance and authorization to transport oil and gas, operator's, § **69:23**
  - Alabama certificate of eligibility to transport oil and gas field wastes, § **69:34**
  - Arizona operator's certificate of compliance and authorization to transport oil or gas, § **71:7**

### **CERTIFICATE OF DEPOSIT FOR OIL AND GAS OPERATIONS**

- Assignment agreement for oil and gas operations, certificate of deposit bond, Montana, § **86:4**
- Illinois
  - Assignment of, form, § **77:2**
  - Basic form, § **77:3**
- Pledge of
  - Multiple oil and gas wells, Louisiana, § **81:7**
- Verification of, Indiana, § **78:14**

### **CERTIFICATES AND CERTIFICATION**

- Acreage attributable to gas well, plat and certification, Kansas, § **80:30**
- Acreage attributable to oil well, plat and certification, Kansas, § **80:29**
- Applicant for oil and gas permit, South Dakota, § **96:7**

### **CERTIFICATES AND**

#### **CERTIFICATION—Cont'd**

- Change of operator, certification of clearance and change of operator, Colorado, § **74:13**
- Class II and noncommercial gas permits, public notice of certification, Indiana, § **78:17**
- Closure surface pit for oil and gas operations, Kansas, § **80:18**
- Compliance. Certificate of Compliance, this index
- Deposit for operations. Certificate of Deposit for Oil and Gas Operations, this index
- Exploration and production waste transfer, Kansas, § **80:19**
- Legality, certificate of, proration of oil and gas production
  - General discussion, § **7:2**
  - Arkansas, § **7:6**
  - Louisiana, § **7:12**
  - Michigan, § **7:13**
  - Mississippi, § **7:15**
  - North Carolina, § **7:18**
  - North Dakota, § **7:19**
- Master electronic filing certification for oil and gas operations, Kansas, § **80:2**
- Negotiation with surface owner for damages from drilling, South Dakota, § **96:5**
- Plugging certificate, Pennsylvania, § **95:15**
- Pooling authority for oil and gas leases, certificate of, Texas, § **97:20**
- Proration of oil and gas production
  - Compliance, certificate of, § **7:5**
  - Legality, certificate of, above
- Severance tax benefits eligibility request, Arkansas, § **72:43**

### **CHANGE OF DEPOSITORY**

- Ratification of lease with, § **59:17**

### **CHANGE OF NAME**

- Arkansas, notice of oil and gas well transfer or name change, § **72:36**

## **CHANGE OF OPERATOR**

- Alabama, application for change, § 69:7
- Colorado
  - Certification of clearance and change of operator, § 74:13
  - Gas facility registration and change of operator, § 74:15
- Florida, notice of change of operator for oil and gas well, § 75:7
- Indiana, application for transfer to new operator, § 78:4
- Kansas, request for change of operator and transfer of injection or surface pit permit, § 80:6
- Mississippi, application for permit to drill, workover or change oil and gas operator, § 84:2
- Montana, notice of intent to change oil and gas operator, § 86:10
- Notice, this index
- South Dakota, transfer of operator, § 96:12

## **CHANGE OF PURCHASER**

- Arkansas, § 72:11

## **CHANGE OF WELL STATUS**

- Michigan record, § 83:16

## **CHATTELS**

- General discussion, § 9:4
- Nebraska lessee interest, § 9:23
- New Mexico lessee interest, § 9:24
- Washington lessee interest, § 9:35

## **CHEMICAL COMPOSITION**

- General discussion, § 1:1

## **CHEMICAL PROCESSES**

- General discussion, § 1:4; 4:19

## **CHURCHES**

- Power to lease lands for oil and gas production, § 11:38

## **CITY LANDS, OIL AND GAS PRODUCTION ON**

- Mississippi, § 50:26

## **CITY OF OXFORD ORDINANCE**

- Compulsory pooling or unit operation, § 6:19

## **CIVIL ACTIONS**

- Actions, this index

## **CLASS ACTION**

- Pooling and unitization of oil and gas production, § 6:16

## **CLASSIFICATIONS**

- Interest of Lessee Created by Oil and Gas Leases, this index
- Property Interests, this index

## **CLAUSES IN LEASES**

- Leases, this index

## **CLEANSING**

- Alabama
  - Authorization to clean oil and gas field tank, § 69:30
  - Products from processing, cleansing or extraction facilities monthly report, § 69:29
- Arkansas
  - Permit to clean tank used in oil and gas operations, § 72:26
  - Reclaiming and treating plants, monthly report and operations statement for, § 72:27
- Texas, this index

## **CLOUD ON TITLE**

- Contracts for oil and gas leases, removal of cloud requirement, § 10:7

## **COALBED GAS LEASE**

- Methane gas lease, § 56:9
- Western coalbed, § 56:10

## **COALBED METHANE**

- Regulation, gas well, § 4:32
- Work permit, notice and application for, West Virginia, § 100:6

## **COALBED NATURAL GAS, VENTING**

- Affidavits, Kansas, § 80:14; 80:15

## **COAL PILLAR PERMIT**

- Application, Pennsylvania, § 95:4

## **COLLEGE LANDS, OIL AND GAS PRODUCTION ON**

- Texas, § 50:43

## INDEX

### COLORADO

- Abandonment report, oil and gas well, § 74:10
- Accident report, oil and gas operations, § 74:24
- Ad valorem taxation of interests in oil and gas, § 49:5
- Agent designation by oil and gas operator, § 74:3
- Anti-waste statutes and regulations, § 4:12
- Application
  - Injection well permit application, § 74:31
  - Underground injection formation permit application, § 74:30
- Authorization of source of class II waste for disposal, § 74:18
- Bond, oil and gas performance bond, § 74:6
- Bottom hole pressure report, § 74:16
- Bradenhead test report, oil and gas well, § 74:20
- Cancellation of lease, § 22:10
- Centralized exploration and production waste management facility permit, § 74:28
- Certification of clearance and change of oil and gas operator, § 74:13
- Change of operator
  - Certification of clearance and change of oil and gas operator, § 74:13
  - Gas facility registration and, § 74:15
- Classification of oil and gas lessee interest, § 9:10
- Clearance, certification of clearance and change of oil and gas operator, § 74:13
- Completion report
  - Interval report, oil and gas, § 74:9
  - Oil and gas drilling, § 74:8
  - Seismic operations completion report, § 74:22
- Confidentiality agreement, oil and gas operations, § 74:32
- Conservation levy, oil and gas, § 74:12

### COLORADO—Cont'd

- Designation of agent by oil and gas operator, § 74:3
- Discrimination, ratable taking of oil and gas, § 4:12
- Disposal
  - Authorization of source of class II waste for disposal, § 74:18
  - Report of source of produced water for disposal, § 74:27
- Drilling
  - Completion report, oil and gas drilling, § 74:8
  - Location assessment, oil and gas, § 74:5
- Earthen pit report and permit, oil and gas well, § 74:19
- Forms, oil and gas, § 74:1 et seq.
- Gas facility registration and change of operator, § 74:15
- Gasoline extraction plant report, § 74:14
- Injection well
  - Permit application, § 74:31
  - Report, injected non-produced water report, § 74:17
  - Underground injection formation permit application, § 74:30
- Intent to conduct seismic operations, notice of, § 74:21
- Local government designee for notice of oil and gas operations, § 74:29
- Location, spacing and pooling regulations, § 5:9
- Location assessment, oil and gas, § 74:5
- Loss of oil and gas well control report, § 74:25
- Mechanical integrity test report, oil and gas well, § 74:23
- Monthly report of oil and gas operations, § 74:11
- Notice
  - Local government designee for notice of oil and gas operations, § 74:29
  - Seismic operations, notice of intent to conduct, § 74:21

**COLORADO—Cont'd**

Notice—Cont'd

Sundry notice of oil and gas operations, § 74:7

Oil shale deposits, significant, § 1:6

Operator

Certification of clearance and change of oil and gas operator, § 74:13

Designation of agent by oil and gas operator, § 74:3

Gas facility registration and change of operator, § 74:15

Payment of proceeds of oil and gas operations, report, § 74:33

Performance bond, oil and gas, § 74:6

Proration of oil and gas production, § 7:7

Ratable taking of oil and gas, § 4:12

Registration for operations

Gas facility registration and change of operator, § 74:15

Oil and gas operations, § 74:2

Reports

Abandonment report, oil and gas well, § 74:10

Accident report, oil and gas operations, § 74:24

Bottom hole pressure report, § 74:16

Bradenhead test report, oil and gas well, § 74:20

Completed interval report, oil and gas, § 74:9

Completion report, oil and gas drilling, § 74:8

Completion report, seismic operations, § 74:22

Earthen pit report and permit, oil and gas well, § 74:19

Gasoline extraction plant report, § 74:14

Injected non-produced water report, § 74:17

Loss of oil and gas well control report, § 74:25

Mechanical integrity test report, oil and gas well, § 74:23

**COLORADO—Cont'd**

Reports—Cont'd

Monthly report of oil and gas operations, § 74:11

Seismic operations completion report, § 74:22

Soil analysis report for oil and gas operations, § 74:26

Source of produced water for disposal, § 74:27

Seismic operations

Completion report, § 74:22

Notice of intent to conduct, § 74:21

Soil analysis report for oil and gas operations, § 74:26

State lands, oil and gas production on, § 50:14

Sundry notice of oil and gas operations, § 74:7

Taxation, ad valorem taxation of interests in oil and gas, § 49:5

Testing

Bottom hole pressure report, § 74:16

Bradenhead test report, oil and gas well, § 74:20

Mechanical integrity test report, oil and gas well, § 74:23

Soil analysis report for oil and gas operations, § 74:26

Underground injection formation permit application, § 74:30

Wastes

Authorization of source of class II waste for disposal, § 74:18

Centralized exploration and production waste management facility permit, § 74:28

Reclamation, above

Report of source of produced water for disposal, § 74:27

Wells location, spacing and pooling, § 5:9

**COMMENCEMENT**

Leases, duration, § 14:4

What constitutes commencement of drilling operations in oil and gas lease clause, § 18:3

## INDEX

### COMMINGLE

- Confusion of goods as trespass, § 2:7
- Gas field commingle request, Arkansas, § 72:34
- Pooling agreement among oil and gas interest owners, § 64:6

### COMMON CARRIERS

- Proration of oil and gas production, § 7:35; 7:42

### COMMON LAW WASTE

- Waste, this index

### COMMON OWNERSHIP OF MINERAL INTEREST, TYPES

- Co-tenancy, generally, § 2:27

### COMMON PURCHASER ACT, TEXAS

- Proration of oil and gas production, § 7:35

### COMMUNITY OIL AND GAS LEASE

- Model form, § 56:8
- Pooling and unitization of oil and gas, § 6:3; 6:5; 6:13; 6:28
- Pooling and unitization of oil and gas production, § 6:3; 6:5; 6:13; 6:28

### COMMUNITY PROPERTY

- Bonus, rentals, and royalties, § 30:2
- Classification of New Mexico lessee's interest, § 9:24
- Division of oil and gas rents and royalties
  - Joint leases among community lessors, § 40:12
  - Unitization, by community lease under, § 40:15
- Power to lease for oil and gas production, § 9:24; 11:13

### COMPENSATION

- Driller's right to receive compensation for drilling well, § 45:7

### COMPLETION OR RECOMPLETION

- Application for commingle or multiple completion or multi-

### COMPLETION OR

#### RECOMPLETION—Cont'd

- choke assembly, Oklahoma, § 93:15

- Application for permit to drill, recomplete or re-enter oil and gas well, Texas, § 97:22
- Application to drill, recomplete or re-enter oil and gas well, Oklahoma, § 93:2
- Designation of workover or recompletion of oil and gas well, Utah, § 98:11
- Florida
  - Notice of completion of geophysical operations for oil and gas, form, § 75:11
  - Notice of oil and gas well plugging completion and site restoration, form, § 75:20
  - Report form, oil and gas well, § 75:13
- Gas field additional completion request, Arkansas, § 72:35
- Gas well back pressure test, completion or recompletion report and well log, Texas, § 97:3
- Indiana
  - Oil and gas well completion or recompletion report, § 78:20
  - Test hole completion report, § 78:23
- Kansas
  - Application for dual completion, § 80:11
  - Report, § 80:9
- Leases, duration, § 14:5
- Maryland, report, § 82:3
- Michigan, record, § 83:14
- Mississippi, report and well log, § 84:4
- Missouri, report and well log, § 85:5
- Montana, report, § 86:8
- Nebraska, report, § 87:12
- Nevada
  - Report, oil and gas well, § 88:13
  - Water well completion release for oil and gas well, § 88:15

**COMPLETION OR**

**RECOMPLETION—Cont'd**

- New Mexico, report and well log, § 89:7
- New York, report, § 90:14
- North Dakota, report, § 92:10
- Notice of completion
  - Geophysical operations for oil and gas, Florida, § 75:11
  - Plugging completion and site restoration, Florida, § 75:20
- Oklahoma
  - Application for commingle or multiple completion or multi-choke assembly, § 93:15
  - Application to drill, recomplete or re-enter oil and gas well, § 93:2
  - Report, oil and gas well, § 93:5
- Reports and well logs
  - Alabama, § 69:16
  - Alaska, § 70:11
  - Arizona, § 71:6
  - Arkansas, § 72:9
  - Colorado, § 74:8; 74:9; 74:22
  - Florida, § 75:13
  - Idaho, § 76:11
  - Illinois, § 77:14
  - Indiana, § 78:20; 78:23
  - Iowa, § 79:7
  - Kansas, § 80:9
  - Maryland, § 82:3
  - Michigan, § 83:14
  - Mississippi, § 84:4
  - Missouri, § 85:5
  - Montana, § 86:8
  - Nebraska, § 87:12
  - New Mexico, § 89:7
  - New York, § 90:14
  - North Dakota, § 92:10
  - Oklahoma, § 93:5
  - South Dakota, § 96:8
  - Texas, § 97:3; 97:23
  - Utah, § 98:8
  - Virginia, § 99:10
- South Dakota, report, § 96:8
- Test, gas well back pressure test, completion or recompletion

**COMPLETION OR**

**RECOMPLETION—Cont'd**

- report and well log, Texas, § 97:3
- Test, oil and gas well potential test, completion or recompletion report and well log, Texas, § 97:23
- Test hole completion report, Indiana, § 78:23
- Texas
  - Application for permit to drill, recomplete or re-enter oil and gas well, § 97:22
  - Gas well back pressure test, completion or recompletion report and well log, § 97:3
  - Oil and gas well potential test, completion or recompletion report and well log, § 97:23
- Utah
  - Designation of workover or recompletion of oil and gas well, § 98:11
  - Oil and gas well completion or recompletion report and well log, § 98:8
- Virginia, report, § 99:10
- Water well completion release for oil and gas well
  - Montana, § 86:9
  - Nevada, § 88:15

**COMPULSORY POOLING AND UNITIZATION**

- Pooling and Unitization of Oil and Gas Production, this index

**CONCURRENT OWNERSHIP**

- Co-tenant of land taking of oil and gas in Michigan, § 2:39

**CONDITIONAL ACCEPTANCE**

- Offer to convey mineral interests, § 35:3

**CONDITIONAL BONUS**

- Bonus, this index

**CONDITION PRECEDENT**

- Contracts for oil and gas leases
- Damages, § 10:9

## INDEX

### CONDITION PRECEDENT

#### —Cont'd

Contracts for oil and gas leases

#### —Cont'd

Marketable title, § 10:6

Performance, § 10:5; 10:6; 10:7;  
10:9

Time of performance, § 10:7

Waiver, § 10:6

### CONFIDENTIALITY

Colorado confidentiality agreement,  
oil and gas operations, § 74:32

Geophysical exploration of oil and  
gas prospects, confidentiality of  
results, § 44:3; 44:4

### CONFISCATION, SEIZURE AND SALE

Proration of oil and gas production

Alabama, § 7:4

Arkansas, § 7:6

Florida, § 7:8

Georgia, § 7:9

Louisiana, § 7:12

Michigan, § 7:13

New Mexico, § 7:17

North Carolina, § 7:18

North Dakota, § 7:19

Texas, § 7:42

### CONFUSION OF GOODS

Trespass to oil and gas based on,  
§ 2:7

### CONSERVATION STATUTES AND REGULATIONS

General discussion, § 4:1 to 4:44

Abandoned wells, plugging, § 4:9;  
4:42 to 4:44

Access to wells and well records,  
§ 4:22

Actions, abandoned wells plugging  
violations

Government actions, § 4:43

Private actions, § 4:44

Agency, conservation

General discussion, § 4:2

Access to operation records, § 4:21

Authority to regulate state oil and  
gas operations, § 4:3; 4:4

### CONSERVATION STATUTES AND REGULATIONS—Cont'd

Agency, conservation—Cont'd

Gas used in repressuring forma-  
tion, § 4:27

Open flow of gas wells, § 3:4

Records and reports of operations,  
§ 4:19 to 4:23

Reservoir energy regulation,  
§ 4:27

Secondary recovery operations,  
§ 4:30 et seq.

Supervision by, § 4:21; 4:22; 4:43

Vacuum pumps regulation, § 4:29

Agent to receive notices, appointment  
of, § 4:19

Alabama, § 4:11

Appeal, § 4:16

Arkansas

Carbon black manufacture regula-  
tions, § 4:38

Ratable taking of oil and gas,  
§ 4:11

Authority to regulate state oil and gas  
operations

General discussion, § 4:2; 4:3;  
4:19; 4:22

Local authority, § 4:4

Plugging of abandoned wells,  
§ 4:42

Blowouts regulations, § 4:26; 4:37

Bonds, § 4:18; 4:20

Burden of establishing invalidity,  
§ 4:16

Burning surface waste regulations,  
§ 4:36; 4:38

California

Constitutionality of conservation  
legislation, § 4:9

Interstate compact, § 4:6

Judicial review of agency rules and  
orders, § 4:16

Reservoir energy regulations,  
§ 4:27; 4:28

Carbon black manufacture regula-  
tions

General discussion, § 4:2; 4:9;  
4:38 to 4:41

Arkansas, § 4:38

## CONSERVATION STATUTES AND REGULATIONS—Cont'd

- Carbon black manufacture regulations—Cont'd
  - Kentucky, § 4:38
  - Louisiana, § 4:39
  - Oklahoma, § 4:38
  - Texas, § 4:40; 4:41
  - Wyoming, § 4:38
- Carbon dioxide sequestration, secondary recovery operations, § 4:34
- Casinghead gas regulations, § 4:33
- Casing of wells, § 4:26
- Caving regulations, § 4:26; 4:37
- Classification, waste, § 4:1
- Colorado, § 4:12
- Compact among states for oil and gas conservation legislation, § 4:6
- Constitutional issues
  - General discussion, § 4:7
  - Early challenges, § 4:9
  - Municipalities, by, § 4:8
- Criminal offense
  - Plugging regulations, § 4:43
  - Well casing regulations, § 4:26
- Damages entitlement, § 4:17
- Description of land, § 4:20; 4:21
- Directional and horizontal drilling, § 4:24
- Drilling operations, generally
  - General discussion, § 4:1; 4:19 to 4:24
  - Bond of drilling operator, § 4:20
  - Directional and horizontal drilling, § 4:24
  - Identification, § 4:19 to 4:21
  - Notices, § 4:19; 4:20; 4:29
  - Permits, below
  - Recordkeeping, § 4:22; 4:23
  - Supervision, § 4:22; 4:43
  - Suspension of operations, § 4:20
- Drilling operations, regulation of
  - General discussion, § 4:19
- Enforcement
  - General discussion, § 4:2; 4:3; 4:19; 4:22

## CONSERVATION STATUTES AND REGULATIONS—Cont'd

- Enforcement—Cont'd
  - Bond, injunction against enforcement pending, § 4:18
  - Fines, § 4:4; 4:43
  - Government actions for plugging violations, § 4:43
  - Injunction against enforcement of conservation regulations, § 4:18
  - Injunction to enforce conservation regulations, § 4:17
  - Penalties, § 4:26; 4:42; 4:43
  - Plugging violations, § 4:43; 4:44
  - Private actions for plugging violations, § 4:44
  - Receiver to enforce conservation regulations, injunction and, § 4:17
- Escape of gas, § 4:1; 4:9
- Exhaustion of administrative remedies, § 4:16
- Federal Oil Conservation Board, § 6:2
- Financial responsibility regulations, suspension of operations for failure to conform to, § 4:20
- Fines, § 4:4; 4:43
- Fire prevention, § 4:36
- Flambeau lights, § 4:2; 4:36
- Florida, § 4:11
- Gas-oil ratios, § 4:27; 4:33
- Georgia, § 4:11
- Government actions for plugging violations, § 4:43
- Government lands, abandonment and plugging of wells on, § 4:42
- Health and safety mandates, § 4:4
- Hearings before agency takes action regarding operations, § 4:20
- History, § 4:2
- Horizontal drilling, § 4:24
- Hydraulic fracturing, secondary recovery operations, § 4:25
- Identification of drilling operations, § 4:20; 4:21
- Identification signage on wells, § 4:19; 4:21

## INDEX

### CONSERVATION STATUTES AND REGULATIONS—Cont'd

Illumination, waste of gas, § 4:36  
Indian lands, abandonment and plugging of wells on, § 4:42  
Injunction, § 4:17; 4:18  
Injury prevention, § 4:2; 4:19; 4:26; 4:31; 4:42  
Interstate compact for conservation legislation, § 4:6  
Judicial review of conservation agency orders and rules, § 4:16  
Kansas, § 4:6; 4:13; 4:27  
Kentucky, § 4:38  
Leases, secondary recovery operations, § 4:30 *et seq.*  
Levy, oil and gas, Colorado, § 74:12  
Local ordinances, § 4:4; 4:8  
Location, Spacing and Pooling Regulations, this index  
Louisiana  
    Carbon black regulations, § 4:39  
    Constitutionality of conservation legislation, § 4:9  
    Reservoir energy regulations, § 4:27  
Manufacture of carbon black. Carbon black manufacture, above  
Michigan, abandoned wells, § 4:43  
Municipality regulations, § 4:4; 4:8; 6:13  
Natural gasoline regulations, § 4:39 to 4:41  
New Mexico, § 4:6; 4:11; 4:14; 4:27  
North Carolina, § 4:11  
Notices and hearings  
    Appointment of agent to receive notices, § 4:19  
    Identification signage on wells, § 4:19; 4:21  
    Injunction against enforcement, § 4:18  
    Permits for operations, § 4:20; 4:21  
    Plugging abandoned wells, § 4:43; 4:44  
    Posting of permit for operations, § 4:21  
    Vacuum pump, § 4:29

### CONSERVATION STATUTES AND REGULATIONS—Cont'd

Nuisances, preventing, § 4:8; 6:13  
Objections against constitutionality of conservation legislation and rules, § 4:7  
Oklahoma  
    Carbon black manufacture regulations, § 4:38  
    Constitutionality, § 4:6  
    Gas well regulations, § 4:31  
    Judicial review of agency rules and orders, § 4:16  
    Pooling and unit operations, § 6:2  
    Ratable taking of oil and gas, § 4:15  
    Reservoir energy regulations, § 4:27  
Open flow of gas wells, § 3:4  
Operations, regulation of oil and gas operations  
    General discussion, § 4:1; 4:19 to 4:44  
    Blowouts, caving, seepage, and wild wells regulations, § 4:26; 4:37  
    Bonds, § 4:18; 4:20  
    Burning regulations, § 4:36; 4:38  
    Carbon black regulations, § 4:38 to 4:40  
    Carbon dioxide sequestration regulations, § 4:34  
    Casinghead gas regulations, § 4:33  
    Coalbed methane gas well regulations, § 4:32  
    Directional and horizontal drilling regulations, § 4:24  
    Gas well regulations, § 4:31; 4:32  
    Hearings, § 4:20  
    Hydraulic fracturing regulations, § 4:25  
    Identification of operations, § 4:21  
    Natural gasoline regulations, § 4:41  
    Notices, hearings, and permits, § 4:20  
    Permits, § 4:8; 4:20  
    Plugging of abandoned wells regulations, § 4:42 to 4:44

## CONSERVATION STATUTES AND REGULATIONS—Cont'd

- Operations, regulation of oil and gas operations—Cont'd
  - Pooling and unit operations, § 6:2
  - Recordkeeping, § 4:22; 4:23
  - Reservoir energy regulations, § 4:27; 4:28
  - Secondary recovery regulations, § 4:30
  - Supervision of operations by conservation agency, § 4:22; 4:43
  - Surface waste regulations, § 4:35 to 4:37
  - Vacuum pump regulations, § 4:29
  - Well casing regulations, § 4:26
- Ordinances, § 4:4; 4:8
- Owner's equitable share of common source of oil and gas, defined, § 4:5
- Owner's right to take oil and gas
  - General discussion, § 3:1; 4:10
  - Rule of capture, § 3:2
  - Statutes and regulations, conservation, § 3:1; 3:2; 3:9
- Penalties
  - Plugging violations, § 4:42; 4:43
  - Well casing violations, § 4:26
- Permits for operations
  - General discussion, § 4:20
  - Carbon black manufacture, § 4:39
  - Constitutionality, § 4:8
  - Posting of permit, § 4:21
  - Vacuum pump, § 4:29
- Plugging of abandoned wells regulations
  - General discussion, § 4:9; 4:42
  - Government actions for violations, § 4:43
  - Private actions for violations, § 4:44
- Police power of state, § 4:7; 4:8; 4:9; 4:10; 6:17; 6:20
- Pooling and unitization for production, § 6:2; 6:17
- Posting of permit, § 4:21
- Power to regulate state oil and gas operations, § 4:2; 4:8
- Pre-emption of local laws, § 4:4

## CONSERVATION STATUTES AND REGULATIONS—Cont'd

- Price fixing objection, § 4:7
- Private actions for plugging violations, § 4:44
- Private disputes as matter for courts, § 4:3
- Profit a prendre interest, § 4:9
- Proration of oil and gas production
  - General discussion, § 4:1; 4:10; 6:2
- Alabama, § 7:4
- Arizona, § 7:5
- Arkansas, § 7:6
- Gas wells, generally, § 4:31; 4:40
- Manitoba, § 7:45
- Nebraska, § 7:16
- North Carolina, § 7:18
- North Dakota, § 7:19
- Ratable taking of oil and gas, below
- Public interest
  - General discussion, § 4:9
  - unitization agreements, § 4:7
- Ratable taking of oil and gas
  - General discussion, § 4:1; 4:10
  - Arkansas, § 4:11
  - Colorado, § 4:12
  - Kansas, § 4:13
  - New Mexico, § 4:11; 4:14
  - Oklahoma, § 4:15
- Receiver, § 4:17
- Recordkeeping for operations, § 4:22; 4:23
- Reports
  - carbon black manufacture, § 4:39
  - operator reports to agency, § 4:22
- Repressuring formation, gas used, § 2:20; 4:27; 4:30
- Reservoir energy regulations for operations
  - General discussion, § 4:1; 4:27
  - California, § 4:28
- Secondary recovery operations, § 4:30 et seq.
- Seepage regulations, § 4:26; 4:37
- Shale Reservoir Development Act of 2011, § 5:29

## INDEX

### CONSERVATION STATUTES AND REGULATIONS—Cont'd

- Signage on wells, § 4:19; 4:21
- State commissions and agencies powers, § 4:2; 4:3
- State Conservation Agency, regulation of gas sales by, § 52:4
- Statutes and regulations, generally
  - Oil and gas operations, regulation of, § 4:19 to 4:44
  - Overview of conservation regulations, § 4:1 to 4:18
  - Owner's right to take oil and gas, § 3:1; 3:2; 3:9
  - Pooling and unit operations, § 6:2
- Storage
  - Burning, surface waste regulations, § 4:36
  - Constitutionality of legislation, § 4:7
  - Identification of oil and gas operations, § 4:21
  - Surface waste regulations for oil and gas operations, § 4:35; 4:36
- Supervision of operations, conservation agency's, § 4:22; 4:43
- Surface nuisances, § 4:8; 6:13
- Surface waste of oil or gas
  - General discussion, § 4:35 to 4:37
  - Blowouts, caving, seepage and wild wells, § 4:26; 4:37
  - Burning, § 4:36; 4:38
  - Gas escape limitations, § 4:1; 4:9
- Suspension of operations for failure to conform to financial responsibility regulations, § 4:20
- Taking of private property without due process and just compensation, § 4:7; 4:9
- Tennessee, plugging violations, § 4:44
- Texas
  - Casinghead gas regulations, § 4:33; 4:41
  - Constitutionality of conservation legislation, § 4:9
  - Manufacture of carbon black, § 4:40; 4:41

### CONSERVATION STATUTES AND REGULATIONS—Cont'd

- Texas—Cont'd
  - Natural gasoline regulations, § 4:40; 4:41
  - Plugging violations, § 4:4
  - Pooling and unit operations, § 6:2
  - Reservoir energy regulations, § 4:27
- Transportation
  - Constitutionality of legislation, § 4:7
  - Identification of oil and gas operations, § 4:21
  - Ratable taking in Colorado, § 4:12
  - Surface waste regulations for oil and gas operations, § 4:35
- Types of conservation statutes and regulations, § 4:5
- Unitization agreements, § 6:2
- Vacuum pump regulations, § 4:29
- Vacuum pumps, § 4:29
- Waste defined, § 4:1; 4:5; 4:11; 4:12; 4:14
- Waste prevention, § 4:31; 6:2
- Well casing regulations, § 4:26
- Wells location, spacing and pooling, § 5:1 to 5:51
- West Virginia, plugging violations, § 4:44
- Wild wells, surface waste regulations, § 4:37
- Writ of error, § 4:16
- Wyoming
  - Carbon black violations, § 4:38
  - Plugging wells violations, § 4:44

### CONSIDERATION

- Conveyances of oil and gas mineral interests, § 35:4
- Leases. Consideration for Oil and Gas Leases, this index
- Property interests
  - Acknowledgment of servitude, § 8:19
  - Nominal as indicating leasehold interest, § 8:7

### CONSIDERATION FOR OIL AND GAS LEASES

- General discussion, § 8:7; 13:1 et seq.

## CONSIDERATION FOR OIL AND GAS LEASES—Cont'd

- Adequacy of consideration
  - General discussion, § 13:2; 13:3
  - Bona fide purchasers, validity requirements, § 12:13
  - Cash bonus consideration, § 13:3
- Assignment of interests in leases, contracts for, § 28:23
- Bona fide purchasers, adequacy of consideration, § 12:13
- Cash bonus
  - Adequacy, § 13:3
  - “Drill or pay” and “surrender” clauses, § 13:7
- Contract versus conveyance, lease as, § 10:2
- “Drill or pay” clauses, early leases, § 13:6; 13:7
- Early leases
  - General discussion, § 13:4 to 13:11
  - Covenants for performance, effect of, § 13:5
  - Definite term, § 13:9
  - “Drill or pay” clauses, § 13:6; 13:7
  - Executory contracts, § 13:10
  - “Surrender” clauses, § 13:6; 13:7
  - Tenancies at will, § 13:11
  - “Unless” drilling clauses, § 13:8
- Evidence of consideration, § 13:12
- Executory option contract, early lease as, § 13:10
- Property interest, nominal consideration as indicating leasehold interest, § 8:7
- Recovery of consideration paid, § 10:9
- Requirement for formation of contract for oil and gas lease, § 10:2
- “Surrender” clauses, early leases, § 13:6; 13:7
- Tenancy at will, early leases treated as, § 13:11
- Validity requirements, bona fide purchasers of leases, § 12:13

## CONSIDERATION FOR OIL AND GAS LEASES—Cont'd

- At will tenancy, early leases treated as, § 13:11

## CONSTITUTIONAL ISSUES

- Conservation statutes and regulations, § 4:7 to 4:9
- Location, spacing and pooling regulations
  - General discussion, § 5:1; 5:3; 6:19
  - California, § 5:8
  - Mississippi, § 5:20
  - Texas, § 5:36
- Location, Spacing and Pooling Regulations, this index
- Owner's right to take oil and gas, § 3:1; 3:3; 3:4; 3:9
- Proration of oil and gas production
  - Federal aid, § 7:3
  - Oklahoma, § 7:21 to 7:23
  - Texas, § 7:27; 7:34; 7:35; 7:37; 7:39; 7:40; 7:42
- Trespass, statute of limitations, § 2:10

## CONSTRUCTION

- Drilling contracts, § 45:3
- Gas pipeline system, Arkansas
  - Application to construct and operate and annual report, § 72:39
  - Notice of construction and repair of, § 72:40
- Illinois, application to construct concrete storage structure for oil and gas operations, § 77:16
- Joint operating agreements, § 48:2
- Mineral and royalty transfers.
  - Construction of Mineral and Royalty Transfers, this index
- North Carolina oil or gas well construction design, § 91:4
- Pipelines, liability for injury caused by construction of, § 53:9
- Privileged acts of operators in use of premises, buildings and structures, § 41:8
- Sale of oil and gas. Contracts for Sale of Oil and Gas, this index

## INDEX

### **CONSTRUCTION—Cont'd**

West Virginia, application for oil and gas well construction and reclamation plan and site registration, § **100:4**

### **CONSTRUCTION OF MINERAL AND ROYALTY TRANSFERS**

General discussion, § **39:1**  
Applicable rules, § **39:4**  
Definitions, § **39:2**  
Exceptions and reservations  
    general discussion, § **39:6 to 39:9**  
    Duhig rule, § **39:7**  
    strangers to title, § **39:8**  
    tax foreclosures, § **39:9**  
Foreclosures, § **39:9**  
Intent of parties, § **39:3**  
Oil and gas as minerals, § **39:5**  
Reservations. Exceptions and reservations, above  
Rules, applicability, § **39:4**  
Tax foreclosures, exceptions and reservations, § **39:9**

### **CONSTRUCTIVE NOTICE**

Leases, validity requirements, § **12:10**

### **CONSTRUCTIVE TRUSTS**

Equitable Remedies for Oil and Gas Claims, this index

### **CONTIGUOUS AND NONCONTIGUOUS TRACTS**

Pooling and Unitization of Oil and Gas Production, this index  
Property interests, loss of oil and gas interests by prescription, § **8:18**

### **CONTINUOUS DRILLING CLAUSE**

Lease clause, § **57:14**

### **CONTINUOUS TRESPASS**

Equitable remedies for, § **2:8; 2:17**

### **CONTRACTS**

Conveyance of mineral interests.  
Contracts for Conveyance of Mineral Interests, this index

### **CONTRACTS—Cont'd**

Joint Operating Agreements, this index  
Oil and gas leases. Contracts for Oil and Gas Leases, this index  
Sale of oil and gas. Contracts for Sale of Oil and Gas, this index

### **CONTRACTS AND AGREEMENTS**

Assignment of Interests in Leases, this index  
Consideration, § **35:4**  
Contracts for Oil and Gas Leases, this index  
Contribution agreements, § **66:1 to 66:5**  
Description of land, § **35:5**  
Drilling Contracts, this index  
Farmout agreements, § **66:6 to 66:14**  
Gas agreements, § **65:1 to 65:11**  
Leases, this index  
Mineral interests. Contracts for Conveyance of Mineral Interests, this index  
Necessity for express or implied contract for statutory liens on oil and gas operations, § **46:2**  
Oil and gas interests, conveyance of oil and gas interests, § **35:2 to 35:6**  
Operating agreements, § **65:1 to 65:11**  
Participation agreements, § **66:15 to 66:17**  
Partnerships and Joint Ventures, Oil and Gas Mining, this index  
Pooling and unitization of oil and gas production, effect on contract and property relationships, § **6:4**  
Purchase contracts, § **68:15 to 68:17**  
Sale of oil and gas. Contracts for Sale of Oil and Gas, this index  
Statute of frauds bars oral contracts to convey oil and gas interests, § **54:12**  
Test wells, oil and gas operating agreement, § **65:5**

### **CONTRACTS FOR CONVEYANCE OF MINERAL INTERESTS**

Consideration, § **35:4; 35:4**

**CONTRACTS FOR CONVEYANCE  
OF MINERAL INTERESTS**

**—Cont'd**

Description of land in conveyance,  
§ 35:5

Marketable title, § 35:6

Offer and acceptance, § 35:3

Option to purchase, § 35:7

**CONTRACTS FOR OIL AND GAS  
LEASES**

General discussion, § 10:1 to 10:10;  
55:1

Acceptance. Offer and acceptance,  
below

Agreement for lease, forms

Contract agreement, § 55:4

Escrow agreement, § 55:3

Option agreement, § 55:2

Area of Mutual Interest (AMI) agree-  
ment, § 55:9

Assignment of Interests in Leases,  
this index

Assignment of lease, contract for

General discussion, § 55:5

Drilling obligation, with, § 55:6

Proportionate reduction clause,  
with, § 55:7

Bonus, bank draft used as payment  
for lease bonus, § 55:3.50

Breach of contract, remedies

General discussion, § 10:8

Damages, § 10:9

Specific performance, § 10:10

Cancellation of contract, § 10:8

Casinghead gas and gasoline, sales  
contracts principles, § 34:3

Cloud on title, removal of, § 10:7

Condition precedent to performance,  
§ 10:5; 10:6; 10:7; 10:9

Consideration

Recovery of consideration paid,  
§ 10:9

Requirement for formation of  
contract, § 10:2

Contract agreement for lease, § 55:4

Damages for breach of contract,  
§ 10:9

Default, § 10:8; 10:9

**CONTRACTS FOR OIL AND GAS  
LEASES—Cont'd**

Defects, notice of, § 10:5

Defects in original contract, § 10:3;  
10:5; 10:8

Delay rentals

Right to receive, § 8:4

Specific performance, § 10:10

Statute of frauds requirements,  
§ 10:3

Delivery of signed agreement, § 10:2

Effective, time when contract  
becomes effective, § 10:2

Equity nature of contract, § 10:10

Escrow

General discussion, § 10:1

Agreement for lease, § 55:3

Damages recoverable, § 10:9

Statute of frauds requirements,  
§ 10:3

Unilateral modification, § 10:8

Evidence, § 10:2; 10:7

Formation requirements, § 10:2; 10:3

Forms

Assignment of lease, contract for,  
§ 55:5 to 55:7

Contract agreement for lease,  
§ 55:4

Escrow agreement for lease, § 55:3

Option agreement for lease, § 55:2

Saltwater disposal contract, § 58:7

Subordination Agreements for Oil  
and Gas Leases, this index

Fraud, § 10:8

Future contracts, § 10:1

Indefinite contract

Damages recoverable, § 10:9

Specific performance refused,  
§ 10:10

Marketable title as condition, § 10:6;  
10:7

Meeting of the minds on essential  
terms, § 10:2

Mistake in terms, § 10:8

Modifications of contract, § 10:3;  
10:8

Nature of contracts for sale of interest  
in lands, § 10:10

## INDEX

### CONTRACTS FOR OIL AND GAS LEASES—Cont'd

- Notice of compliance with conditions, § 10:5
- Notice of defects, § 10:5
- Notice of performance, § 10:5
- Notice of revocation of offer, § 10:2
- Offer and acceptance
  - Marketable title condition for acceptance, § 10:6
  - Requirement, § 10:2; 10:3
  - Specific performance, § 10:10
  - Statute of frauds, § 10:3
- Option agreement for lease, § 10:8; 55:2
- Overhead costs, § 10:9
- Parol evidence, § 10:2; 10:7; 10:8
- Partial performance, § 10:3
- Performance of contract
  - General discussion, § 10:5
  - Cloud on title, removal of, § 10:7
  - Condition precedent, § 10:5 to 10:7; 10:9
  - Default, § 10:8; 10:9
  - Impossible, § 10:10
  - Marketable title is condition for contract, § 10:6
  - Partial performance, § 10:3
  - Rejection of, § 10:7
  - Time, § 10:7
- Promise for a promise as good consideration, § 10:2
- Purchase price, recovery of, § 10:9
- Recording requirements, § 10:4
- Reformation, § 10:8
- Rejection of performance tendered, § 10:7
- Releases, § 10:3
- Remedies for breach of contract
  - Damages, § 10:9
  - Specific performance, § 10:10
- Renunciation of contract, § 10:5
- Rescission, § 10:5; 10:8
- Revocation of offer, § 10:2
- Right to buy oil and gas leases, agreement, § 55:8

### CONTRACTS FOR OIL AND GAS LEASES—Cont'd

- Royalties
  - Remedies for breach of contract, § 10:8
  - Statute of frauds, § 10:3
- Sale of interest in lands, nature of contracts for, § 10:10
- Saltwater disposal contract, § 58:7
- Severable contract
  - Damages, § 10:9
  - Performance of contract, § 10:5; 10:6
- Specific performance, § 10:3; 10:10
- Statute of frauds, § 10:3; 10:9
- Subordination Agreements for Oil and Gas Leases, this index
- Surrender clause, § 10:9
- Time for performance, § 10:2; 10:7
- Waiver of condition precedent, § 10:6
- Writing requirement, § 10:3

### CONTRACTS FOR SALE OF OIL AND GAS

- General discussion, § 52:1 et seq.
- Construction of contracts
  - General discussion, § 52:5 to 52:7
  - “Output” and “requirements,” § 52:6
  - Price terms, § 52:7
- Deregulation period, gas sale contract terms used during, § 52:11
- Division orders for payments due under contracts, § 52:8
- History of Federal Energy Regulatory Commission, by, § 52:3
- Long-term contracts, § 52:9
- “Output” and “requirements,” construction of contracts, § 52:6
- Payments due under contracts, division orders for, § 52:8
- Price terms, construction of contracts, § 52:7
- Regulation of gas sales
  - Federal Energy Regulatory Commission (FERC), by, § 52:2; 52:3
  - History of Federal Energy Regulatory Commission, by, § 52:3

**CONTRACTS FOR SALE OF OIL  
AND GAS—Cont'd**

Regulation of gas sales—Cont'd  
State Conservation Agency, by,  
§ 52:4

Spot market contracts, § 52:10

**CONTRIBUTION AGREEMENTS**

Bottom hole contribution, oil and gas  
lease purchase letter agreement  
with drilling obligation and,  
§ 66:4

Bottom hole purchase agreement for  
oil and gas development, § 66:5

Contribution letter agreement for oil  
and gas development

Acreage contribution letter, § 66:3

Contribution letter, § 66:1

Dry hole contribution letter, § 66:2

Oil and gas lease purchase letter  
agreement with drilling obliga-  
tion and bottom hole contribu-  
tion, § 66:4

**CONTRIBUTION FOR  
DEVELOPMENT COSTS**

Co-tenant taking of oil and gas,  
Arkansas, § 2:32

**CONVERSION**

Oil royalties, § 30:13

Trespass, § 2:8; 2:12; 2:42

**CONVEYANCES**

Interest of lessee created by lease,  
early cases

Kentucky, § 9:17

Pennsylvania, § 9:31

Texas, § 9:34

Loss of oil and gas interests, libera-  
tive prescription of oil and gas  
servitudes, § 8:16 to 8:23

Mineral interests. Conveyances of Oil  
and Gas Mineral Interests, this  
index

Oil and gas minerals. Conveyances of  
Oil and Gas Mineral Interests,  
this index

Property interests in oil and gas  
Validity of grants and exceptions  
to, § 8:1; 8:2; 8:4; 8:10

**CONVEYANCES OF OIL AND GAS  
MINERAL INTERESTS**

General discussion, § 35:1 et seq.

Acceptance of offer to convey, § 35:3

After oil and gas lease, conveyance  
of land, § 37:5

Arkansas

General discussion, § 37:10

Before lease, § 36:5

Under present and future lease,  
§ 38:8

Rule against perpetuities, § 38:3

Bequests in conveyances, construc-  
tion of, § 37:2

Bona fide purchasers in conveyances,  
§ 35:9

California transfers

Present and future oil and gas  
lease, under, § 38:9

Rule against perpetuities, § 38:4

Transfers affecting present oil and  
gas leases, § 37:11

Conditional acceptance of offer to  
convey, § 35:3

Construction of Mineral and Royalty  
Transfers, this index

Contracts, § 35:2 to 35:6

Deeds in conveyances, § 35:8; 37:2

Description of land in conveyances,  
§ 35:5

Fraud in conveyances

General discussion, § 35:10

Bona fide purchasers, § 35:9

Royalty pool associations, § 35:11

Illinois, this index

Kansas

General discussion, § 37:13

Before lease, § 36:7

Present and future oil and gas  
lease, under, § 38:11

Rule against perpetuities, § 38:5

Kentucky, § 37:14

Lien on mineral interests, release of,  
§ 61:5

Louisiana transfers

Before oil and gas lease, § 36:8

Present and future oil and gas  
lease, under, § 38:12

## INDEX

### CONVEYANCES OF OIL AND GAS MINERAL INTERESTS

#### —Cont'd

- Marketable title, § 35:6
- Michigan, § 37:15
- Mississippi, this index
- Montana, § 37:17
- New Mexico, present and future oil and gas lease, § 38:14
- North Dakota transfers, § 36:9; 38:15
- Offer and acceptance in conveyances, § 35:3
- Ohio, § 38:16
- Oklahoma
  - Transfers affecting present and future oil and gas lease, § 38:17
  - Transfers affecting present oil and gas leases, § 37:18
  - Transfers before oil and gas lease, § 36:10
- Option to purchase in lease, § 35:7
- Parol evidence, transfers before oil and gas lease, § 36:4
- Part of premises, drafting rules for transfers affecting present oil and gas leases, § 37:4
- Portion of premises, drafting rules for transfers affecting present oil and gas leases, § 37:4
- Ratification of present oil and gas lease, transfer as, § 37:9
- Release of lien on mineral interests, § 61:5
- Reversionary mineral interest, § 37:7; 37:8
- Royalty pool associations, fraud in conveyances to, § 35:11
- Terminology
  - “Oil,” “gas,” or “minerals,” § 36:2
  - “Royalty” or “profits,” § 36:3
- Texas transfers
  - General discussion, § 37:19
  - Executive right to lease, § 36:13
  - Before oil and gas lease, § 36:12; 36:13
  - Present and future oil and gas lease, under, § 38:18

### CONVEYANCES OF OIL AND GAS MINERAL INTERESTS

#### —Cont'd

- Texas transfers—Cont'd
  - Rule against perpetuities, § 38:6
- Transfers affecting present and future oil and gas lease
  - General discussion, § 38:1 et seq.
  - Arkansas, § 38:3; 38:8
  - California, § 38:9
  - History of transfers and minerals and royalties under, § 38:7
  - Illinois, § 38:10
  - Kansas, § 38:5; 38:11
  - Louisiana, § 38:12
  - Mississippi, § 38:13
  - New Mexico, § 38:14
  - North Dakota, § 38:15
  - Ohio, § 38:16
  - Oklahoma, § 38:17
  - Rule against perpetuities, application of, § 38:2 to 38:6
  - Texas, § 38:6; 38:18
  - West Virginia, § 38:19
- Transfers affecting present oil and gas leases
  - General discussion, § 37:1 et seq.
  - After oil and gas lease, conveyance of land, § 37:5
  - Arkansas, § 37:10
  - California, § 37:11
  - Drafting rules, § 37:3; 37:4
  - Illinois, § 37:12
  - Kansas, § 37:13
  - Kentucky, § 37:14
  - Michigan, § 37:15
  - Mississippi, § 37:16
  - Montana, § 37:17
  - Oklahoma, § 37:18
  - Part of premises, drafting rules for transfers, § 37:4
  - Ratification of present oil and gas lease, transfer as, § 37:9
  - Rents and royalties, transfer of, § 37:6
  - Reversionary mineral interest, transfer of, § 37:7; 37:8
  - Texas, § 37:19

**CONVEYANCES OF OIL AND GAS  
MINERAL INTERESTS**

**—Cont'd**

- Transfers affecting present oil and gas leases—Cont'd
  - West Virginia, § 37:20
- Transfers before oil and gas lease
  - General discussion, § 36:1 et seq.
  - Arkansas, § 36:5
  - Definition of relevant terms, § 36:2; 36:3
  - Illinois, § 36:6
  - Kansas, § 36:7
  - Louisiana, § 36:8
  - North Dakota, § 36:9
  - Oklahoma, § 36:10; 36:11
  - Parol evidence, § 36:4
  - Terminology, § 36:2; 36:3
  - Texas, § 36:12; 36:13
  - West Virginia, § 36:14
- Transfers under present and future oil and gas lease
  - Rule against perpetuities, application of, § 6:12
- Transfer terminology, § 36:2; 36:3
- West Virginia transfers
  - Before lease, § 36:14
  - Present and future lease, under, § 38:19
  - Present oil and gas leases, § 37:20

**COOPERATIVE AGREEMENT**

- General discussion, § 6:3

**CORPOREAL INTEREST**

- Incorporeal Hereditaments or Interests, this index
- Lease interest
  - General discussion, § 9:2 to 9:4
  - Montana, § 9:22
  - New York, § 9:25
  - Ohio, § 9:27
  - Oklahoma, § 9:28
- Property interests, § 8:9; 8:10; 9:2 to 9:4

**CORRELATIVE RIGHTS**

- Defined, § 3:3
- Location, Spacing and Pooling Regulations, this index

**CORRELATIVE RIGHTS—Cont'd**

- Owner's right to take oil and gas, § 3:1; 3:2; 3:3; 3:4; 3:9
- Proration of oil and gas production
  - General discussion, § 6:3
  - Arizona, § 7:5
  - Colorado, § 7:7
  - Kansas, § 7:10
  - Mississippi, § 5:19; 7:15
  - New Mexico, § 7:17
  - Oklahoma, § 7:21 to 7:24
  - Texas, § 7:33; 7:35 to 7:38

**COSTS**

- Development costs, Arkansas, § 2:32
- Fracking of well in Illinois, co-tenancy, § 2:35
- Reasonable cost of drilling test wells, § 23:6
- Storage costs, § 33:4
- Transportation costs, § 33:4
- Treatment costs, § 33:5
- Trespass, production costs, § 2:12; 2:13; 2:14

**COTENANTS**

- General discussion, § 2:1; 2:27
- Division of oil and gas rents and royalties between mineral cotenants under single lease, generally, § 40:3
- History, rights to oil and gas, § 2:28
- Leases, power of cotenant, § 11:16 to 11:27
- Receiver to protect cotenant, § 2:29
- Rights to oil and gas, § 2:27 to 2:46

**CO-TENANTS IN OIL AND GAS,  
RIGHTS OF**

- General discussion, § 2:27 to 2:46
- Accounting in equity, § 2:33; 2:41; 2:43; 2:44; 2:45; 2:46
- Action of waste at law, § 2:30; 2:41
- Alabama, § 2:31
- Arkansas, § 2:32
- California, § 2:33
- Common ownership of mineral interest, types, § 2:27
- Concurrent ownership, § 2:39
- Costs, fracking of well, § 2:35

## INDEX

### CO-TENANTS IN OIL AND GAS, RIGHTS OF—Cont'd

Damages, § 2:43; 2:45  
Development costs, Arkansas, § 2:32  
Drainage, receiver protection of co-tenant from, § 2:29  
Equitable pooling, Arkansas, § 2:32  
Forfeiture, § 2:30; 2:37  
Georgia, § 2:34  
History of law of waste and user, § 2:28  
Homestead land, § 2:23; 2:36  
Illinois, § 2:35  
Income beneficiaries, Kansas, § 2:36  
Injunction, § 2:30  
Kansas, § 2:36  
Kentucky, § 2:37  
Land co-tenant, taking of oil and gas by  
    General discussion, § 2:30 to 2:46  
    Alabama, § 2:31  
    Arkansas, § 2:32  
    California, § 2:33  
    Georgia, § 2:34  
    Illinois, § 2:35  
    Kansas, § 2:36  
    Kentucky, § 2:37  
    Louisiana, § 2:38  
    Michigan, § 2:39  
    Missouri, § 2:40  
    Montana, § 2:41  
    Oklahoma, § 2:42  
    Pennsylvania, § 2:43  
    Texas, § 2:44  
    West Virginia, § 2:45  
    Wyoming, § 2:46  
Louisiana, § 2:38  
Michigan, § 2:39  
Mineral exploration and production, § 2:46  
Mineral interest common ownership, types of, § 2:27  
Mineral interest co-tenant, taking of oil and gas by  
    Types of common ownership of mineral interest, § 2:27  
Missouri, § 2:40  
Montana, § 2:41

### CO-TENANTS IN OIL AND GAS, RIGHTS OF—Cont'd

Non-consenting tenant, § 2:27; 2:30; 2:33; 2:35; 2:37 to 2:39; 2:43; 2:44  
Oklahoma, § 2:42  
Pennsylvania, § 2:43  
Proportionate shares  
    Illinois, § 2:35  
    Kentucky, § 2:37  
    Michigan, § 2:39  
    Montana, § 2:41  
    Pennsylvania, § 2:43  
    Texas, § 2:44  
    Wyoming, § 2:46  
Receiver protection of co-tenant from drainage, § 2:29  
Reimbursement of expenses, Arkansas, § 2:32  
Remaindermen rights against third parties, § 2:2; 2:21 to 2:24; 2:26  
Reversioners' rights against third parties, § 2:2; 2:21 to 2:24  
Royalty interest, Kansas, § 2:36  
Statute of Anne, § 2:28  
Statute of Westminster, § 2:28  
Taking of oil and gas by co-tenant, § 2:30 to 2:46  
Texas  
    Power to lease for oil and gas production, § 11:26  
    Taking of oil and gas by co-tenant, § 2:44  
Trespasser, § 2:1; 2:42; 2:44  
Trover, Illinois, § 2:35  
Uniform Principal and Income Act, § 2:36  
Waste damages, liability  
    Illinois, § 2:35  
    Kentucky, § 2:37  
    Montana, § 2:41  
    West Virginia, § 2:45  
West Virginia, § 2:45  
Wyoming, § 2:46  
**COUNTERDRAINAGE**  
Trespass, § 2:20

**COUNTY LANDS, OIL AND GAS  
PRODUCTION ON**

Mississippi, § 50:26

**COURSE OF DEALING**

Pooling and unitization of oil and gas  
production, § 6:3

**COVENANTS**

Additional wells, reasonable dili-  
gence in drilling, performance of  
covenants, § 18:8 to 18:10

Alabama, power of cotenant to lease  
for oil and gas, § 11:17

Assignment of Interests in Leases,  
this index

Breach of Covenants, this index  
California

Breach of covenants, California  
lease interest, § 9:9

Power of cotenant to lease for oil  
and gas, § 11:18

Cancellation of lease, breach of  
express or implied covenants,  
§ 22:1.50

Delay rental clause, effect of  
Drilling offset wells, § 17:17

Development of oil and gas leases  
General discussion, § 17:1 et seq.

Express covenants for develop-  
ment, § 17:1 to 17:9

Implied covenants for develop-  
ment, § 17:10 to 17:22

Performance of covenants for  
development for leases,  
§ 18:5 to 18:13

Diligence. Performance of covenants  
for development of leases,  
below

Divisibility. Covenants in Leases,  
Divisibility of, this index

Express covenants for development  
General discussion, § 17:1 to 17:9

Development, § 17:5; 17:6

Drilling offset wells, § 17:7; 17:8

Drilling test wells, § 17:2 to 17:4

History, § 17:4

Marketing oil and gas, § 17:9

Unit operations, drilling offset  
wells, § 17:8

**COVENANTS—Cont'd**

Express covenants for development  
—Cont'd

Unit operations, drilling test wells,  
§ 17:3

Forfeiture, implied covenants for  
drilling test wells, § 17:14

Illinois, power of cotenant to lease  
for oil and gas, § 11:19

Implied covenants for development  
General discussion, § 17:10 to  
17:22

Delay rentals, effect of, drilling  
offset wells, § 17:17

Development, § 17:15

Drilling offset wells, § 17:16 to  
17:19

Drilling test wells, § 17:12 to  
17:14

Fieldwide drainage, protection  
against, § 17:18

Forfeiture, procedure for, § 17:14

Marketing oil and gas, § 17:20 to  
17:22

Reasonable price, marketing oil  
and gas, § 17:21

Statutory provisions, drilling offset  
wells, § 17:19

Termination of lease, grounds for,  
marketing oil and gas,  
§ 17:22

Interest of lessee created by oil and  
gas leases, breach of covenants,  
§ 9:9

Offset wells

Express covenant to drill offset  
wells, § 17:7; 17:8

Implied covenant to drill offset  
wells, § 17:16 to 17:19

Owner's right to take oil and gas,  
restrictive covenants, § 3:1; 3:5

Performance of covenants for  
development for leases

General discussion, § 18:5 to  
18:13

Consideration for oil and gas  
leases, § 13:5

Definitions. Reasonable diligence  
defined, below this group

## INDEX

### COVENANTS—Cont'd

- Performance of covenants for development for leases—Cont'd
- Diligence, § 18:5 to 18:13
  - Reasonable diligence defined, below this group
- Drilling
  - Additional and protection wells, § 18:8 to 18:10
  - Test wells, § 18:7
- History, diligence, standards of, § 18:6
- Reasonable diligence defined
  - General discussion, § 18:5 to 18:13
  - Breach of duty, actions for, § 18:10
  - Drilling additional and protection wells, § 18:8 to 18:10
  - Drilling test wells, § 18:7
  - Factors, § 18:9
  - Marketing oil and gas, § 18:11
  - Reasonable time defined, § 18:12
  - Standards, generally, § 18:1 et seq.
  - Temporary cessation doctrine, § 18:13
  - Wells, see lines throughout this group
- Power of cotenant to lease for oil and gas production
  - Alabama, § 11:17
  - California, § 11:18
  - Illinois, § 11:19
- Price, marketing at reasonable price, § 17:21
- Property interests in oil and gas as real covenant, § 8:9
- Protection. Development of oil and gas leases, above
- Real covenant, property interests in oil and gas, § 8:9
- Reasonable diligence defined. Performance of covenants for development, above
- Reasonable price, implied covenant to market at, § 17:21
- Rental clause, effect of delay rental clause
  - Drilling offset wells, § 17:17

### COVENANTS—Cont'd

- Restrictive covenants, owner's right to take oil and gas, § 3:1; 3:5
- Test wells
  - Implied covenants to drill, § 17:12 to 17:14
  - Reasonable diligence standard in drilling test wells, § 18:7
- Time and date, performance of covenants for development, § 18:12

### COVENANTS IN LEASES, DIVISIBILITY OF

- General discussion, § 24:1 et seq.
- Abandonment, divisibility of duties, § 24:8
- Continuity of "entire" lease
  - Drill or pay drilling clause, under, § 24:4
  - Unless drilling clause, under, § 24:5
- Develop and protect, duty to, § 24:7; 24:8
- Drill or pay drilling clause, continuity of "entire" lease, § 24:4
- Duties, divisibility of
  - General discussion, § 24:6
  - Abandonment, § 24:8
  - Develop, duty to, § 24:7; 24:8
  - Lessee, division by, § 24:10
  - Lessor, division by, § 24:11
  - Protect, duty to, § 24:7; 24:8
  - Royalty payments, § 24:9
- Lessor's rights in lease, divisibility of, § 24:12
- Protect and develop, duty to, § 24:7; 24:8
- Rights of lessor in lease, divisibility of, § 24:12
- Royalty payments, lessee's duty to pay, § 24:9
- Unless drilling clause, continuity of "entire" lease, § 24:5

### COVERALL OR "MOTHER HUBBARD" CLAUSE

- Form, § 57:7
- Validity requirements, § 12:7

**CREATION OF PROPERTY  
INTERESTS IN OIL AND GAS**

Property Interests, this index

**CRIMINAL OFFENSE**

Conservation statutes and regulations

Plugging violations, § 4:43

Well casing violations, § 4:26

**CROP DAMAGE**

Lease clause, § 57:35

**CRUDE OIL**

Measuring gravity of, § 33:9

Proration of oil and gas production

Kansas, § 7:10

New Mexico, § 7:17

Texas, § 7:26; 7:29; 7:32

**CUJUS EST SOLUM MAXIM**

Owner's right to take oil and gas,  
§ 3:7

**CYCLING AND RECYCLING GAS**

General discussion, § 1:3

**DABNEY-JOHNSON OIL CORP. v.  
WALDEN**

California royalty interests, § 32:11

**DAMAGES**

Additional or offset wells, breach of  
covenant to drill

General discussion, § 23:10 et seq.

Interest only rule, § 23:11

Assignment of interests in leases,  
breach of contract for, § 28:20

Breach of contracts for oil and gas  
leases, § 10:9

Breach of covenant to drill test wells,  
§ 23:4 to 23:9

Certificate of negotiation with surface  
owner for damages from drill-  
ing, South Dakota, § 96:5

Contracts for oil and gas leases,  
breach, § 10:9

Co-tenancy rights, § 2:43; 2:45

Crop damage, lease clause, § 57:35

Liquidated damages, § 23:3

**DAMAGES—Cont'd**

Measure of damages for breach of  
covenant to drill

Additional or offset wells, § 23:10;  
23:11

Test wells, § 23:4 to 23:9

Money damages for injury to prop-  
erty. Liability of Oil and Gas  
Operators for Property Damage,  
this index

Nonperformance of lease, generally  
discussion, § 23:1 et seq.

Proof of damages, § 23:12

Punitive damages, trespass, § 2:12;  
2:14

Release from liability for property  
damage caused by oil and gas  
operations

After abandonment, § 67:7

Model form, § 67:6

Royalty rule

Trespass damages, § 2:13

Value of unrealized rents and  
royalties, § 23:7

Test wells, breach of covenant to drill

General discussion, § 23:4 et seq.

Compensatory damages, § 23:5

Geological information, value of,  
§ 23:9

Loss in value of lease, § 23:8

Reasonable cost of drilling, § 23:6

Unrealized rents and royalties,  
value of, § 23:7

Trespass, this index

Waiver of damages, § 23:13

**DEATH**

Affidavit of proof of death and heir-  
ship, possession of land, § 62:8

**DEBONIS ASPORTATIS**

Trespass, § 2:8

**DECLARATION**

Pooling pursuant to oil and gas lease,  
of, § 64:3

**DEED OF TRUST ON LEASED  
PROPERTY**

Subordination agreement for oil and  
gas lease, § 61:3

## INDEX

### DEEDS

- Conveyances of Oil and Gas Mineral Interests, this index
- Mineral deed. Deeds of Mineral Interests, this index
- Reassignment of lease provision, deed clause, § 63:39

### DEEDS OF MINERAL INTERESTS

- Environmental liability for oil and gas property, clause disclaiming, § 63:40
- Mineral and royalty deed
  - Mineral reservation, with, § 63:9
  - Property interest, § 8:7
  - Subject to oil and gas lease, § 63:8
  - Term limitation, with, § 63:7
- Mineral deed
  - Express development rights, with, § 63:2
  - Mineral reservation, with, § 63:9
  - Model form, § 63:1
  - Property interests, § 8:1; 8:7
  - Royalty interest reservation, with, § 63:5
  - Subject to present oil and gas lease, § 63:4
  - Tax and mortgage liens provision, with, § 63:3
  - Term limitation, with, § 63:6
- Mineral reservation
  - Mineral and royalty deed with, § 63:9
- Modification of lease, clause to sustain dependent mineral interest on, § 63:38
- Net profits in oil and gas lease, deed for, § 63:18
- Overriding royalty deed, § 63:16
- Production payments from oil and gas lease, deed for, § 63:17
- Royalty deed
  - Form of, § 63:11
  - Interest of lessee created by oil and gas leases, § 9:17
  - Mineral and royalty deed, above
  - Model form, § 63:11
  - Non-participating interest subject to oil and gas lease, § 63:12

### DEEDS OF MINERAL INTERESTS

#### —Cont'd

- Royalty deed—Cont'd
  - Oil and gas lease royalty, § 63:15
  - Overriding royalty deed, § 63:16
  - Property interest, § 8:7
  - Pursuant to contract to assign royalty, § 63:13
  - With term limitation subject to oil and gas lease, § 63:14
- Royalty reservation, § 63:10

### DEFAULT

- Contracts for leases, remedies for default, § 10:8; 10:10

### DEFEASIBLE FEE ESTATE

- Lease interest, § 8:7; 9:21

### DEFECTS

- Contracts for oil and gas leases, § 10:3; 10:5; 10:8

### DEFINITE TERM LEASE

- Adequacy of consideration for definite term lease, § 13:9

### DEFINITIONS

- Bitumen, § 1:6
- Cooperative agreement, § 6:3
- Correlative rights, § 3:3
- Drilling unit, § 5:1
- Equitable pooling, § 6:3; 6:20
- Field, oil and gas, § 1:2
- Heavy oil, § 1:6
- Kerogen, § 1:6
- Leases, this index
- License, § 9:3
- Marketable title, § 10:6
- Oil sands, § 1:6
- Oil shale, § 1:6
- Outer boundary, § 5:8
- Owner's equitable share of common source of oil and gas, defined, § 4:5
- Petroleum, § 1:1
- Pooling, § 6:1; 6:3
- Pool of oil and gas, § 1:2
- Producer's just and equitable share, § 5:4; 5:7; 5:18
- Proration unit, § 5:25

**DEFINITIONS—Cont'd**

Reservoir, § 1:1  
 Royalty, § 39:2  
 Rule of capture, § 3:2  
 Spacing unit, § 5:2  
 Tangible property, § 9:12  
 Tar, § 1:6  
 Tight oil, § 1:5  
 Unconventional oil, § 1:6  
 Unitization, § 6:1  
 Unit operation, § 6:1  
 Waste, § 2:21; 4:1; 4:5; 4:11; 4:12;  
 4:14

**DELAY**

Acceptance of late rentals, § 21:13  
 Acquiescence in delay, § 21:12  
 Rentals. Delay Rentals, this index

**DELAY RENTALS**

General discussion, § 15:7 to 15:20  
 Agreement, oil and gas delay rental  
 agreement  
     Depositories, with, § 60:3  
     Model form, § 60:1  
     Ratification of lease, with, § 60:2  
 Banker's receipt, oil and gas lease  
 rental remittance and, § 60:5  
 Clauses in leases  
     Delay rental "or" clause, § 56:6;  
     57:13  
     Delay rental "unless" clause  
         General discussion, § 56:5;  
         57:10  
         Savings clause, with, § 57:12  
     Forfeiture clauses, below  
     Lease rental clause, below  
 Common leases  
     Oil and gas lease with "or" delay  
     rental clause, § 56:6  
     Oil and gas lease with "unless"  
     delay rental clause, § 56:5  
 Contracts for oil and gas leases,  
 § 8:4; 10:3; 10:10  
 Deposition for delay rentals payable  
     Lessor, by, § 59:11 to 59:13  
     Lessor and lessee, by, § 59:12;  
     59:13

**DELAY RENTALS—Cont'd**

Depository for delay rentals payable  
 —Cont'd  
     Successor depository, by lessor or  
     lessee with, § 59:13  
 Increasing delay rentals, modification  
 of lease, § 59:2  
 Lease rental clause, generally  
     General discussion, § 15:7 to  
     15:20  
 Modification of lease  
     Changing description of lease and  
     amount of delay rentals,  
     § 59:9  
     Depository for delay rentals pay-  
     able, above  
     Increasing delay rentals, § 59:2  
     Reducing delay rentals, § 59:3  
 Payment by lease assignee, power of  
 attorney for, § 60:4  
 Power of attorney for payment of  
 rentals by lease assignee, § 60:4  
 Property interests, right to receive  
 lease delay rentals, § 8:4  
 Ratification of lease, delay rental  
 agreement with, § 60:2  
 Reducing delay rentals, modification  
 of lease, § 59:3  
 Remittance and banker's receipt, oil  
 and gas lease rental, § 60:5  
 Right to receive lease delay rentals,  
 § 8:4

**DELIVERY**

Contracts for oil and gas leases,  
 delivery of signed agreement,  
 § 10:2  
 Crude oil delivery receipts by field  
 and detailed statement of treater,  
 Arkansas, § 72:28  
 Leases, validity requirements, § 12:4

**DEPOSITORY FOR DELAY  
 RENTALS PAYABLE**

Delay Rentals, this index

**DEREGULATION**

Contracts for sale of oil and gas, gas  
 sale contract terms used during  
 deregulation period, § 52:11

## INDEX

### DESCRIPTION

Conveyances of oil and gas mineral interests, § 35:4

### DESCRIPTION OF LAND OR MINERAL ESTATE

Contracts for assignment of leases, § 28:13

Conveyances of oil and gas mineral interests, § 35:5

Leases, validity requirements, § 12:6 to 12:8

Regulation of location, spacing, and pooling

California, § 5:8

Mississippi, § 5:20

Regulation of oil and gas operations, § 4:20; 4:21

### DETECTION

Trespass, § 2:5

### DETERMINATION OF FACTS

Leases, § 18:10

### DEVELOPMENT

Costs, Arkansas, § 2:32

Duty of lessee, § 8:7; 24:7; 24:8

Leases, this index

### DILIGENCE

Breach of duty, actions for, § 18:10

Drilling additional and protection wells, § 18:8 to 18:10

Drilling test wells, § 18:7

Factors, § 18:9

Marketing oil and gas, § 18:11

Reasonable diligence defined, § 18:5 to 18:13

Standards of, § 18:6; 18:11

### DIRECTIONAL DRILLING

Application for permit to directionally drill well

Alabama, § 69:4

North Dakota, § 92:2

Conservation statutes and regulations, § 4:24

Trespass, § 2:4; 2:5

### DIRECTIONAL SURVEYS

Conservation statutes and regulations, § 4:24

Trespass, § 2:5

### DISABLED PERSONS

Suspension of liberative prescription in Louisiana, § 8:23

### DISCOVERY

Classification of lessee's interest

California, § 9:9

West Virginia, § 9:36

Extension of lease despite lack of production, § 14:39

Trespass, bill of discovery, § 2:5

### DISCRIMINATION

Proration of oil and gas production

Arizona, § 7:5

Kansas, § 7:10; 7:11

Nebraska, § 7:16

North Carolina, § 7:18

North Dakota, § 7:19

Oklahoma, § 7:21 to 7:23

Texas, § 7:25

Washington, § 7:43

Ratable taking of oil and gas in Colorado, § 4:12

Spacing and pooling of wells, § 5:37

### DISPARAGEMENT OF MINERAL LANDS

Geophysical exploration, by, § 2:14; 2:15; 44:7

### DISSOLUTION OF MINING PARTNERSHIPS

Partnerships and Joint Ventures, Oil and Gas Mining, this index

### DIVISIBILITY OF COVENANTS IN LEASES

Covenants in Leases, Divisibility of, this index

### DIVISION OF OIL AND GAS RENTS AND ROYALTIES

General discussion, § 40:1 et seq.

After oil and gas lease, subdivided

General discussion, § 40:4 et seq.

Early cases, § 40:6

**DIVISION OF OIL AND GAS  
RENTS AND ROYALTIES**

**—Cont'd**

- After oil and gas lease, subdivided
  - Cont'd
  - Entirety clause, subdivided minerals leased with, § 40:5 to 40:9
  - Kentucky, § 40:7
  - Oklahoma, § 40:8
  - Texas, § 40:9
- Apportionment, § 40:11
- Community lease
  - Joint leases among community lessors, § 40:12
  - Unitization, under, § 40:15
- Cotenants
  - Community lease, above
  - Joint leases, below
  - Between mineral cotenants, generally, § 40:3
- Entirety clause, subdivided minerals leased with
  - After oil and gas lease, subdivided, § 40:5 to 40:9
  - Unitization, under, § 40:14
- Estoppel orders, § 40:2
- Joint leases, under
  - General discussion, § 40:10 et seq.
- Apportionment, presumption of, § 40:11
- Community lessors, among, § 40:12
- Presumption of apportionment, § 40:11
- Unitization, § 40:13 et seq.
- Kentucky, § 40:7
- Life tenant. Between life tenant and remainderman, above
- Between life tenant and remainderman
  - General discussion, § 40:16 et seq.
- Accrued sums, life estate created before oil and gas lease, § 40:18
- Life estate created after oil and gas lease, § 40:19; 40:20
- Life estate created before oil and gas lease, § 40:17; 40:18

**DIVISION OF OIL AND GAS  
RENTS AND ROYALTIES**

**—Cont'd**

- Between life tenant and remainderman—Cont'd
- Surviving spouse, life estate created after oil and gas lease, § 40:20
- Unaccrued sums, life estate created before oil and gas lease, § 40:18
- Uniform Principal and Income Act, under, § 40:21
- Between mineral cotenants, generally, § 40:3
- Mineral life estates, § 40:22
- Oklahoma, § 40:8
- Orders
  - General discussion, § 40:1
  - Estoppel, § 40:2
- Presumption of apportionment, § 40:11
- Remainderman. Between life tenant and remainderman, above
- Texas, § 40:9
- Unitization, under
  - General discussion, § 40:13 et seq.
  - By community lease, § 40:15
  - By joint lease, § 40:15
  - By lease with entirety clause, § 40:14

**DIVISION ORDERS**

- Casinghead gas
  - Division order, § 68:10
  - Gas division order with schedule for, § 68:8
- Gas condensate division order, § 68:11
- Gas division order
  - Model form, § 68:7
  - With schedule for casinghead gas, § 68:8
- Gas unit order, § 68:9
- National Association of Division Order Analysts model form of oil and gas division order, § 68:1
- Oil and gas division order with pooling provisions, § 68:2

## INDEX

### **DIVISION ORDERS—Cont'd**

- Oil division order
  - Model form, § 68:3
  - With pooling provisions, § 68:4
  - Texas statutory order, § 68:6
- Oil unit order, § 68:5
- Pooling provisions
  - Oil and gas division order with, § 68:2
  - Oil division order with, § 68:4
- Rents and royalties division orders
  - General discussion, § 40:1
  - Estoppel, § 40:2
  - Texas statutory oil division order, § 68:6

### **DOCTRINE OF EQUITABLE PARTITION**

- General discussion, § 27:7

### **DORMANT MINERALS ACTS**

- Property interests, § 8:11

### **DRAINAGE**

- General discussion, § 1:7
- Co-tenancy rights, receiver appointment, § 2:29
- Implied covenant to protect against fieldwide drainage, § 17:18
- Location, Spacing and Pooling Regulations, this index
- Negligence of lease operator, § 1:2
- Owner's right to take oil and gas
  - General discussion, § 3:1
  - Rule of capture, § 3:2
- Proration of oil and gas production
  - Alabama, § 7:4
  - Arizona, § 7:5
  - Arkansas, § 7:6
  - Florida, § 7:8
  - Kansas, § 7:11
  - Louisiana, § 7:12
  - Mississippi, § 7:15
  - Nebraska, § 7:16
  - New Mexico, § 7:17
  - North Dakota, § 7:19
  - Oklahoma, § 7:20; 7:23
  - Texas, § 7:31; 7:35; 7:37 to 7:39

### **DRILLING**

- Anti-waste statutes and regulations
  - Bonds, § 4:18; 4:20
  - Horizontal drilling, § 4:24
  - Identification, § 4:20; 4:21
  - Notices, permits and hearings, § 4:20
  - Recordkeeping requirements, § 4:23
  - Supervision, § 4:22
- Application for permit to drill or reenter, § 101:13
- Bonus, duty to pay conditional bonus on drilling or production, § 31:7
- Classification of lessee's interest
  - California, § 9:8
  - Kentucky, § 9:16
  - Louisiana, § 9:19
  - Montana, § 9:22
  - Oklahoma, § 9:29
- Commence drilling clause, § 6:7
- Contracts. Drilling Contracts, this index
- Dry well
  - Loss of property interest, § 8:17
  - Trespass, § 2:14
- Gas wells, Oklahoma, § 4:15
- Joint operating agreements, consent to drill or rework wells, § 48:10
- Leases, this index
- Rights and duties of oil and gas operators and lessors, privileged acts of operators in use of premises, § 41:9
- Units
  - Proration of oil and gas production, § 7:13
  - Wells location, spacing and pooling, § 5:2
- Units, proration of oil and gas production, § 7:15; 7:17; 7:20; 7:24

### **DRILLING CONTRACTS**

- General discussion, § 45:1
- Bond, oil and gas well driller's, § 67:3
- Breach. Performance and breach, below

**DRILLING CONTRACTS—Cont'd**

Compensation for drilling well, right of driller to receive, § 45:7

Construction of contracts, § 45:3

**Forms**

Bid sheet and well specifications, § 67:2

Bond, driller's, § 67:3

Master well work agreement, § 67:4

Model form, § 67:1

Release from liability for property damage caused by operations, § 67:6; 67:7

Master oil and gas well work agreement, § 67:4

Master services agreement offshore well, § 67:5

Offshore well, master services agreement, § 67:5

**Performance and breach**

General discussion, § 45:4

By driller, § 45:4; 45:5

By owner or lessee, § 45:6

Remedies for breach of contract, below

Waiver or excuse of performance, driller, § 45:5

Release from liability for property damage caused by oil and gas operations

After abandonment, § 67:7

Model form, § 67:6

**Remedies for breach of contract**

Driller's remedies for breach by owner or lessee, § 45:8

Owner's or lessee's remedies for breach by driller, § 45:9

Right of driller to receive compensation for drilling well, § 45:7

Single well drilling contract for oil and gas well

Bid sheet and well specifications, § 67:2

Model form, § 67:1

Writing requirement, § 45:2

**DRILL OR PAY LEASES**

Consideration for oil and gas leases, § 13:6; 13:7

**DRILL OR PAY LEASES—Cont'd**

Forfeiture of Leases, this index

**DRY HOLE CLAUSE**

Leases, § 15:6

**DRY SWEET GAS**

Calculation of royalties, § 33:12

**DRY WELL, DRILLING**

Loss of property interest, § 8:17

Trespass, § 2:14

**DUE PROCESS OF LAW**

Conservation statutes and regulations, § 4:7; 4:9

Owner's right to take oil and gas, § 3:4; 3:9; 4:9

**DUHIG RULE**

Construction of mineral and royalty transfers, § 39:7

**DURATION**

Leases, this index

Oil and gas property interests

General discussion, § 8:11 to 8:23

Effect of "thereafter" clause, § 8:8

Unitization on term of interest, § 8:19

Pooling and unitization of oil and gas production

Extends terms of committed leases, § 6:7

Extends terms of committed mineral interests, § 6:8

**DURESS**

Leases, validity requirements, § 12:16

**DUTIES OF OWNERS AND LESSEES**

Owner's right to take oil and gas, § 3:1; 3:3; 3:7

**DUTY**

Develop, duty to, divisibility of duties under leases, § 24:7; 24:8

Executive rights holders, duties owed by, § 8:5

## INDEX

### **DUTY—Cont'd**

- Leases
  - Nuisance or injury, not to cause, § 3:1; 3:7
  - Test and develop premises, duty to, § 8:7
  - Waste oil and gas, not to, § 3:1; 3:3
- Partners and joint venturers to exercise good faith, § 47:2
- Pooling and unitization for oil and gas production, fiduciary duty, § 6:4
- Protect, duty to, divisibility of duties under leases, § 24:7; 24:8
- Rights and Duties of Oil and Gas Operators and Lessors, this index
- Royalties, effect of duty to pay, § 8:7

### **EASEMENTS**

- Loss of oil and gas interests, § 8:4; 8:9; 8:13
- Pipelines, this index
- Pooling and unitization for production, § 6:36
- Rights needed for production of oil and gas, § 8:4
- Underground gas storage, § 58:9
- Waiver of surface easements by lessee, § 61:7

### **EASTERN OIL CO. v. COULEHAN**

- Leases, duration, extension of lease despite lack of production, § 14:37

### **EJECTMENT**

- Remedy of lessee, § 26:3
- Trespass, § 2:18

### **ELECTRIC LOG**

- Sample and core record for oil and gas well, Alabama, § 69:17

### **EMERGENCY RULES**

- Proration of Oil and Gas Production, this index

### **EMINENT DOMAIN**

- Pipelines, Oil and Gas, this index

### **EMPLOYEE FRAUD**

- Constructive and resulting trust remedies for, § 54:6

### **ENERGY INFORMATION ADMINISTRATION OF DOE**

- Website, § 1:8

### **ENFORCEMENT**

- History of drilling clauses in lease
  - Drill or forfeit, § 15:23
  - Drill or pay with forfeiture provision, § 15:25

### **ENHANCED RECOVERY PROJECT**

- Application for project and area designation approval, Texas, § 97:9
- Louisiana
  - Annual data sheet, § 81:12
  - Questionnaire, § 81:13
- Michigan annual secondary report, § 83:20
- Questionnaire, Louisiana, § 81:13
- Report
  - Annual data sheet, Louisiana, § 81:12
  - Annual secondary, Michigan, § 83:20
- Texas, enhanced oil recovery project and area designation approval application, § 97:9

### **ENTIRETY CLAUSES IN OIL AND GAS LEASES**

- Form, lease clause, § 57:25
- Pooling and unitization of oil and gas production, § 6:3; 6:6

### **ENVIRONMENT**

- Conservation, this index
- Environmental impact analysis worksheet, Bureau of Ocean Energy Management forms, § 102:7
- Impact assessment for oil and gas well
  - Michigan, § 83:8
  - New York, § 90:10

**ENVIRONMENT—Cont'd**

- Liability. Environmental Liability for Oil and Gas Property, this index
- Michigan
  - Impact assessment for oil and gas well, environmental, § 83:8
  - Soil erosion and sedimentation control plan for oil and gas well, § 83:7
- New York, environmental assessment for oil and gas well, § 90:10
- Soil erosion and sedimentation control plan for oil and gas well, Michigan, § 83:7

**ENVIRONMENTAL LIABILITY FOR OIL AND GAS PROPERTY**

- Clause disclaiming, § 63:40
- Conservation levy, oil and gas, Colorado, § 74:12

**EQUIPMENT AND MATERIALS**

- Liens on oil and gas operations, § 46:4
- Privileged acts of operators in use of premises, § 41:10

**EQUITABLE POOLING**

- General discussion, § 6:3; 6:4; 6:9; 6:20
- Co-tenancy rights, § 2:32

**EQUITABLE RELIEF**

- General discussion, § 54:1 et seq.
- Agent fraud, constructive and resulting trust remedies for, § 54:6
- Bona fide purchasers of oil and gas interests subject to equities, rights of, § 54:13
- Burden of proof for claims in equity, § 54:2
- Constructive and resulting trust remedies
  - Claims, for oil and gas claims, § 54:3
  - Fraud by oil and gas employees and agents, for, § 54:6
  - Joint ventures, for oil and gas joint ventures, § 54:4; 54:5

**EQUITABLE RELIEF—Cont'd**

- Contracts for oil and gas leases, § 10:10
- Employee fraud, constructive and resulting trust remedies for, § 54:6
- Enjoin to lease and junior lessee, suit by lessee to, § 54:7
- Extension of lease despite lack of production, lessee relief under Eastern Oil Co. v. Coulehan, § 14:37
- Fraud and Misrepresentation, this index
- Injunctions, this index
- Injury to property in oil and gas operations, apportionment of money damages, § 42:24
- Joint ventures, constructive and resulting trust remedies for
  - General discussion, § 54:4
  - Statute of frauds, § 54:5
- Laches defense to equitable claims in oil and gas litigation, § 54:14
- Limitations defense to equitable claims in oil and gas litigation, § 54:14
- Mistake
  - Reformation of oil and gas instruments for
    - Mistakes of fact, § 54:8
    - Mistakes of law, § 54:9
  - Rescission of oil and gas transactions for fraud or mistake, § 54:10
- Oral contracts to convey oil and gas interests, statute of frauds bars, § 54:12
- Payment of delay rentals by mail, relief from termination of lease, § 15:16
- Pooling of oil and gas leases, equitable, § 2:32; 6:3; 6:4; 6:20
- Reformation of oil and gas instruments
  - Mistakes of fact, for, § 54:8
  - Mistakes of law, for, § 54:9
- Rescission of oil and gas transactions for fraud or mistake, § 54:10

## INDEX

### **EQUITABLE RELIEF—Cont'd**

- Restitution of benefits to redress unjust enrichment in oil and gas litigation, § 54:11
- Resulting trusts. Constructive and resulting trust remedies, above
- Rights of bona fide purchasers of oil and gas interests subject to equities, § 54:13
- Specific Performance, this index
- Statute of Frauds, this index
- Suit by lessee to enjoin to lease and junior lessee, § 54:7
- Trespass, this index
- Trusts. Constructive and resulting trust remedies, above
- Unjust enrichment in oil and gas litigation, restitution of benefits to redress, § 54:11
- Waste, § 2:21

### **EQUITY PRINCIPLES**

- Doctrine of equitable partition, § 27:7
- Ejectment by lessee, § 26:3
- Specific Performance, this index

### **ERROR**

- Mistake and Error, this index

### **ESCROW**

- Agreement for oil and gas lease, escrow, § 55:3
- Contracts for oil and gas leases
  - General discussion, § 10:1
  - Damages for breach, § 10:9
  - Statute of frauds, § 10:3
  - Unilateral modification, § 10:8

### **ESTATES**

- Misconception creating oil and gas leases, § 9:4.50

### **ESTOPPEL**

- Acceptance of late rental, § 21:13
- Acquiescence in drilling delay, § 21:12
- Cancellation of lease, § 22:4
- Division of oil and gas rents and royalties orders, § 40:2

### **ESTOPPEL—Cont'd**

- Drill or pay leases, forfeiture under, § 21:10 to 21:14
- Fault of lessor, § 21:14
- Forfeiture under drill or pay leases, § 21:10 to 21:14
- Interest in property, § 8:22; 9:3
- Liberative prescription of oil and gas servitudes, estoppel by warranty, loss of oil and gas interests, § 8:22
- License, by, § 9:3
- Pennsylvania leases, § 9:31
- Pooling and unitization of oil and gas production, § 6:31
- Power to lease homestead for oil and gas production, § 11:15
- Termination of lease, remedy for nonperformance, § 20:4
- Warranty, loss of oil and gas interests, § 8:22

### **ESTREPEMENT, WRIT OF**

- Waste, § 2:24

### **EVERGREEN OIL PURCHASE CONTRACT**

- Model form, § 68:15

### **EVIDENCE**

- Consideration in oil and gas leases, § 13:12
- Contracts for oil and gas leases, § 10:2; 10:7
- Leases, § 13:12; 18:10; 23:12
- Parol Evidence, this index
- Property interests, § 8:7; 8:10; 8:13; 8:19

### **EXECUTION OF LEASE**

- Vesting of lessee's interest, § 9:2; 9:5

### **EXECUTIVE RIGHTS HOLDERS**

- Duties owed by, § 8:5

### **EXECUTORS**

- Power to lease for oil and gas production, § 6:29; 11:4; 11:5

### **EXECUTORY OPTION CONTRACT**

- Leases, consideration, § 13:10

**EXECUTORY OR INCHOATE INTEREST**

Lease interest, § 9:36

**EXHAUSTION OF ADMINISTRATIVE REMEDIES**

Anti-waste statutes and regulations, rules, and orders, § 4:16

**EXPENDITURES**

Location, spacing and pooling regulations, § 5:5; 5:16; 5:25

Pooling and unitization of oil and gas production, allocation of compulsory unit proceeds and expenses, § 6:1; 6:4; 6:21 to 6:23

**EXPLORATION AND PRODUCTION OF OIL AND GAS**

Centralized exploration and production waste management facility permit, Colorado, § 74:28

Co-tenancy rights, Wyoming, § 2:46

Forms. Bureau of Land Management oil and gas forms, this index

Geophysical Exploration of Oil and Gas Prospects, this index

Interest of Lessee Created by Oil and Gas Leases, this index

Kansas lessee's interest, § 9:15

Lessee's interest, generally, § 9:5

Louisiana lessee's interest, § 9:19

New Mexico oil and gas lease, exploratory form, § 56:21

North Dakota lessee's interest, § 9:26

Pennsylvania lessee's interest, § 9:30; 9:31

Request for exploration and production fluid transportation system permit, Arkansas, § 72:45

Tennessee lessee's interest, § 9:32

Texas lessee's interest, § 9:34

West Virginia lessee's interest, § 9:37

**EXPLORATORY WELLS**

Breach of covenant to market production, § 22:16

**EXPRESS CONTRACTS**

Necessity for express or implied contract for statutory liens on oil and gas operations, § 46:2

**EXPRESS COVENANTS IN LEASES**

Covenants, this index

**EXPRESS RIGHT OF OPERATORS**

Necessary use of premises, to, § 41:3

**EXTENSION**

Leases, this index

**EXTRACTION**

Co-tenancy, Wyoming, § 2:46

Lease interest, § 9:9

**FACILITY**

Bond for underground storage facility, Alabama, § 69:12

Centralized exploration and production waste management facility permit, Colorado, § 74:28

Gas facility registration and change of operator, Colorado, § 74:15

Report of produced gas disposition, Alaska, § 70:18

**FAIR DEALING STANDARD**

Mineral executive rights holders, § 8:5

**FARMOUT AGREEMENTS**

General discussion, § 28:14

Acreage

Letter agreement

With attachments assigning acreage and setting terms and conditions, § 66:6

With limitation on pooling acreage, § 66:12

Option agreement for oil and gas development with attachments assigning acreage and setting terms and conditions, § 66:6

Agreement for oil and gas development

assignment, option for, § 66:13

Model agreement, § 66:6

## INDEX

### FARMOUT AGREEMENTS

#### —Cont'd

- Agreement for oil and gas development—Cont'd
  - Multiple well, drill to earn, § 66:10
  - Multiple well, produce to earn, § 66:8
  - option
    - agreement for oil and gas development, § 66:14
    - assignment and overriding royalty, § 66:13
    - overriding royalty, option for, § 66:13
    - royalty, option for overriding, § 66:13
  - Single well, drill to earn, § 66:9
  - Single well, produce to earn, § 66:7
  - Terms and conditions and schedule of farmout lands, § 66:11
- Letter agreement for oil and gas development
  - With attachments assigning acreage and setting terms and conditions, § 66:6
  - With limitation on pooling acreage, § 66:12
- Option agreement for oil and gas development with attachments assigning acreage and setting terms and conditions, § 66:6

### FEDERAL AID

- Proration of oil and gas production, § 7:3

### FEDERAL ENERGY REGULATORY COMMISSION

- Regulation of gas sales by, § 52:2; 52:3

### FEDERAL LANDS, OIL AND GAS PRODUCTION ON

- General discussion, § 51:1 et seq.
- Federal Oil and Gas Royalty Management Act (FOGRMA), § 51:2
- Forfeiture of oil and gas leases, Mineral Leasing Act, § 51:6

### FEDERAL LANDS, OIL AND GAS PRODUCTION ON—Cont'd

- Indian Mineral Development Act, § 51:12
- Mineral Leasing Act
  - General discussion, § 51:3 to 51:10
  - Acquired Lands, for, § 51:11
  - Acreage, limitations on, § 51:7
  - Cancellation of oil and gas leases, § 51:6
  - Forfeiture of oil and gas leases, § 51:6
  - Limitations on acreage, § 51:7
  - Minerals subject to lease include oil and gas, § 51:5
  - Oil and gas leases, § 51:4
  - Pipelines, § 51:10
  - Reservation of rights and powers in oil and gas leases, § 51:8
  - Surrender of oil and gas leases, § 51:6
  - Termination of oil and gas leases, § 51:6
  - Unit operations, § 51:9
- Mineral Leasing Act for Acquired Lands, § 51:11
- Outer Continental Shelf (OCS) Lands Act, § 51:13
- Placer Mining and Withdrawal Acts, § 51:14
- Pooling and unitization of oil and gas production on, § 6:14
- Submerged Lands Act, § 51:13
- Unitizing, this index

### FEDERAL OIL AND GAS ROYALTY MANAGEMENT ACT (FOGRMA)

- Federal lands, oil and gas production on, § 51:2

### FEDERAL OIL CONSERVATION BOARD

- Historical perspective on pooling and unitization operations, § 6:2

### FEE SIMPLE INTEREST

- Classification of property interests, § 8:4; 8:8 to 8:10

**FERAE NATURAE PRINCIPLE**

- Owner's right to take oil and gas,  
§ 3:6; 3:8; 3:9
- Trespass, injected materials, § 2:20

**FIDUCIARY RELATIONSHIP**

- Mineral executive rights holder, § 8:5
- Pooling and unitization of oil and gas  
production, § 6:4

**FIELDWIDE DRAINAGE**

- Implied covenant to protect against,  
§ 17:18

**FINANCIAL INSTITUTION**

- Delay rentals paid through, § 15:13;  
15:14

**FINANCIAL RESPONSIBILITY**

- North Carolina statement, § 91:2
- Suspension of operations for failure  
to conform to, § 4:20

**FINES**

- Conservation statutes and regulations  
General discussion, § 4:4
- Plugging violations, § 4:43

**FIRES**

- Alabama, notification of incident  
report, § 69:36
- Arkansas incident report, § 72:37
- Conservation statutes and regula-  
tions, fire prevention, § 4:36

**FLAMBEAU LIGHTS**

- Anti-waste statutes and regulations,  
§ 4:2; 4:36

**FLORIDA**

- Anti-waste statutes and regulations,  
§ 4:11
- Application for permit to  
Drill oil and gas well, form, § 75:6
- Operate well and request for  
recertification, form, § 75:19
- Perform geophysical exploration  
for oil and gas, form, § 75:8
- Change of operator for oil and gas  
well, notice form, § 75:7
- Classification of lessee's interest,  
§ 9:11

**FLORIDA—Cont'd**

**Completion**

- Notice of completion of geophysi-  
cal operations for oil and gas,  
form, § 75:11

- Notice of oil and gas well plugging  
completion and site restora-  
tion, form, § 75:20

- Report form, oil and gas well,  
§ 75:13

- Exploration. Geophysical explora-  
tion, below

- Forms, oil and gas, § 75:1 et seq.

**Geophysical exploration**

- Application for permit to perform  
geophysical exploration for  
oil and gas, form, § 75:8

- Letter of credit form for single oil  
and gas well or geophysical  
permit, irrevocable, § 75:5

- Notice of completion of geophysi-  
cal operations for oil and gas,  
form, § 75:11

- Performance bond form, § 75:9

- Performance bond rider form to  
cover geophysical operations  
for oil and gas, § 75:10

- Injection well monthly report,  
§ 75:15

- Letter of credit form for single oil  
and gas well or geophysical  
permit, irrevocable, § 75:5

- Location, spacing and pooling regula-  
tions, § 5:10

**Monthly reports**

- Injection well report, § 75:15

- Oil and gas well production and  
test report, § 75:14

- Producer's natural gas report,  
§ 75:16

- Transporters and storers report for  
oil and gas operations,  
§ 75:18

**Notice of**

- Change of operator for oil and gas  
well, form, § 75:7

- Completion of geophysical opera-  
tions for oil and gas, form,  
§ 75:11

## INDEX

### FLORIDA—Cont'd

#### Notice of—Cont'd

Oil and gas well plugging completion and site restoration, form, § 75:20

Organization report for oil and gas operations, form, § 75:2

#### Performance bond, forms

Geophysical exploration for oil and gas, § 75:9

Geophysical operations for oil and gas, bond rider to cover, § 75:10

Multiple oil and gas wells, § 75:4

Single oil and gas well, plugging and site restoration, § 75:3

#### Plugging and site restoration

Notice of oil and gas well plugging completion and site restoration, form, § 75:20

Performance bond for single oil and gas well, form, § 75:3

#### Producer's reports, forms

Condensate from gas wells, § 75:17

Monthly natural gas report, § 75:16

Proration of oil and gas production, § 7:8

Ratable taking of oil and gas, § 4:11

Record form, oil and gas well record, § 75:12

#### Reports

Completion report form, oil and gas well report, § 75:13

Condensate from gas wells, producer's report of, § 75:17

Injection well report, monthly, § 75:15

Oil and gas well production and test report, monthly, § 75:14

Organization report for oil and gas operations, form, § 75:2

Producer's natural gas report, monthly, § 75:16

Producer's report of condensate from gas wells, § 75:17

Transporters and storers report for oil and gas operations,

### FLORIDA—Cont'd

#### Reports—Cont'd

monthly, § 75:18

State lands, oil and gas production on, § 50:15

Taxation, production and severance taxes on oil and gas, § 49:24

Test, monthly oil and gas well production and test report, § 75:14

Wells location, spacing and pooling, § 5:10

### FORCE MAJEURE CLAUSE

Leases, § 57:28

### FORECLOSURE

Construction of mineral and royalty transfers, § 39:9

Enforcement of liens on oil and gas operations through, § 46:12

Liens on oil and gas operations, enforcement of, § 46:12

Mortgages of lease interests, § 28:41

### FORFEITURE

Co-tenancy rights, § 2:30; 2:37

Federal lands, oil and gas production on, forfeiture of oil and gas leases, Mineral Leasing Act, § 51:6

Lease clauses. Leases, this index

Waste, § 2:25; 2:37

### FORFEITURE OF OIL AND GAS LEASES

General discussion, § 21:1 et seq.

Breach of covenant of oil and gas lease, enforcement of forfeiture for

Express covenant, breach of, § 21:2; 21:3

Implied covenant, breach of, § 21:4

Clauses in lease. Leases, this index

Drainage, this index

Drill or forfeit clause in express covenant, enforcement of forfeiture for breach of, § 21:3

Drill or pay leases

General discussion, § 21:5 et seq.

**FORFEITURE OF OIL AND GAS  
LEASES—Cont'd**

- Drill or pay leases—Cont'd
  - Divisibility of covenants in lease, § 24:4
  - Election of remedies, § 21:6
  - Fault of lessor, § 21:14
  - Notice of forfeiture, § 21:10
  - Persons asserting forfeiture under, § 21:7
  - Persons liable in forfeiture, § 21:8
  - Procedure, § 21:9; 21:10
  - Waiver and estoppel of forfeiture under, § 21:10 to 21:14
- Express covenant of lease, breach of
  - General discussion, § 21:2
  - Drill or forfeit clause, § 21:3
- Federal lands leases, Mineral Leasing Act, § 51:6
- Implied covenant of lease, breach of, § 21:4
- Implied forfeiture of lease
  - Arkansas, § 22:7
  - California, § 22:9
  - Cancellation of Lease, this index
  - Kansas, § 22:15
  - Kentucky, § 22:19 to 22:21
  - Louisiana, § 22:23
  - Oklahoma, § 22:35
  - Texas, § 22:46
  - West Virginia, § 22:53
- Nonpayment of rent or royalty grounds, § 30:16
- Notice of forfeiture, § 21:10
- Royalties, nonpayment of, § 30:16
- Waiver and estoppel of forfeiture under drill or pay leases
  - General discussion, § 21:10 et seq.
  - Acceptance of late rental, § 21:13
  - Acquiescence in drilling delay, § 21:12
  - Fault of lessor, § 21:14

**FORMS**

- Bureau of Land Management oil and gas forms, this index

**FOSTER NATURAL GAS/OIL  
REPORT**

- Website, § 1:8

**FRACKING**

- Hydraulic Fracturing, this index

**FRAC OR ACID TREATMENT**

- Oil and gas well, application for, § 77:33

**FRAUD OR  
MISREPRESENTATION**

- Cancellation of Lease, this index
- Confusion of goods, § 2:7
- Constructive and resulting trust remedies for fraud by oil and gas employees and agents, § 54:6
- Contracts for oil and gas leases, § 10:8
- Contracts or assignment of leases, validity of, § 28:25 to 28:27
- Conveyances of Oil and Gas Mineral Interests, this index
- Drainage, this index
- Equitable relief
  - Constructive and resulting trust remedies for fraud by oil and gas employees and agents, § 54:6
  - Rescission of oil and gas transactions for fraud or mistake, § 54:10
- Examples of fraud or misrepresentation, § 28:26
- Leases, validity requirements, § 12:16
- Liquidated damages for breach of covenants to drill wells, § 23:3
- Natural gas commingled, confusion of goods, § 2:7
- Property interests, validity of grants and exceptions of, § 8:5
- Remedies, § 28:27
- Rescission of oil and gas transactions for fraud or mistake, § 54:10

**FRAUDS, STATUTE OF**

- Statute of Frauds, this index

**FREE GAS**

- General discussion, § 30:4 to 30:8
- Calculation of gas royalties, free gas excluded, § 33:16

## INDEX

### **FREE GAS—Cont'd**

- Conditioned on production of gas on premises, § 30:7
- Domestic purposes, § 30:5
- Irrigation wells, operation of, § 30:6
- Operation of irrigation wells, for, § 30:6
- Pressure of well reduced with age, § 30:8

### **FREE GAS CLAUSE**

- Lessee's, § 57:37; 57:38

### **FREEHOLD ESTATE**

- Classification of property interests, § 8:1; 8:8 to 8:10

### **FREEHOLD INTERESTS**

- Classification of lessee's interest
- General discussion, § 8:9; 8:10; 9:4
- Illinois, § 9:12
- West Virginia, § 9:37

### **FREE USE CLAUSE**

- Lessee's, § 57:36

### **FRETTS DOCTRINE**

- Vesting of lessee's interest, § 9:5

### **FUTURE CONTRACTS**

- Contracts for oil and gas leases, § 10:1

### **GAS, METHANE**

- Coalbed Methane, this index

### **GAS AGREEMENTS**

- Forms. Bureau of Land Management oil and gas forms, this index
- Gas balancing
  - Agreement between gatherer and receiver, § 65:10
  - Oil and gas operating agreement provisions, § 65:1 to 65:6
  - Subject to separate participation agreement, § 65:2
- Gas gathering agreement between gatherer and shipper, § 65:8
- Marketing agreement, § 65:7

### **GAS ENERGY PROTECTION**

- Proration of oil and gas production, § 4:31

### **GAS-OIL RATIO TESTS**

- Alaska, report for oil and gas well status and gas-ratio tests, § 70:12
- Conservation statutes and regulations, § 4:27; 4:33

### **GASOLINE EXTRACTION PLANT REPORT**

- Arkansas, § 72:17
- Colorado, § 74:14

### **GAS STORAGE**

- Application for permit to inject storage gas, Alabama, § 69:6
- Gas injected/withdrawn for natural gas storage facilities monthly report, Alabama, § 69:28
- Natural gas storage facilities monthly report, Alabama, gas injected/withdrawn for, § 69:28
- Natural gas storage operations, affidavit of ownership or control of, Alabama, § 69:10
- Oil and gas lease clause granting underground gas storage rights, § 57:41
- Oil and gas operating agreement, gas storage and balancing provisions, § 65:3
- Underground gas storage lease or easement, § 58:9

### **GAS WELLS**

- Acreage statement for gas wells, Oklahoma, § 93:12
- Annual gas well rentals under early oil and gas leases, § 30:9
- Back pressure test report, Oklahoma, § 93:10
- Casinghead gas produced with oil, § 4:12
- Comingled gas, § 2:7
- Deliverability test report, Oklahoma, § 93:11
- Drilling, § 4:15
- Oklahoma, § 4:15

## **GAS WELLS—Cont'd**

- Producer's monthly report, Florida, § 75:16
- Providing free gas. Free Gas, this index
- Ratable taking, § 4:15
- Rent. Annual rental of gas wells under oil and gas lease, above
- Venting gas
  - Affidavits, venting coalbed natural gas, Kansas, § 80:14; 80:15
  - Application to flare or vent natural gas, Oklahoma, § 93:13

## **GEOLOGICAL CONDITIONS**

- Wells location, spacing and pooling, § 5:31

## **GEOLOGIC ORIGINS**

- General discussion, § 1:1

## **GEOPHYSICAL EXPLORATION**

- Florida, this index

## **GEOPHYSICAL EXPLORATION OF OIL AND GAS PROSPECTS**

- General discussion, § 44:1
- Confidentiality of geophysical exploration results, § 44:3; 44:4
- Disparagement of mineral lands, § 2:14; 2:15; 44:7
- Early cases
  - confidentiality of geophysical exploration results, § 44:4
  - liability for injury caused by geophysical exploration, § 44:6
- Florida, this index
- Liability for injury caused by geophysical exploration, § 44:5; 44:6
- Loss of oil and gas interests, § 8:17
- Permit, § 58:1
- Right of lessee to conduct geophysical exploration, § 44:2
- Trespass, § 2:14; 2:15

## **GEORGIA**

- Anti-waste statutes and regulations, § 4:11

## **GEORGIA—Cont'd**

- Co-tenant's mineral interest, taking of, § 2:34
- Location, spacing and pooling regulations, § 5:11
- Proration of oil and gas production, § 7:9
- Ratable taking of oil and gas, § 4:11
- State lands, oil and gas production on, § 50:16
- Wells location, spacing and pooling, § 5:11

## **GOLD BOOK**

- Surface operating standards and guidelines for oil and gas exploration and development, § 101:19

## **GOOD FAITH**

- Duty of partners and joint venturers to exercise good faith, § 47:2
- Joint operating agreements, § 48:3
- Loss of oil and gas interests, § 8:15; 8:17
- Pooling and unitization operations, § 6:32; 6:34
- Purchaser in good faith, effect on title involving adverse possession, § 8:15
- Trespassers, § 2:6; 2:9; 2:13; 2:14
- Uses of servitude as interrupting liberative easement, § 8:17

## **GOVERNMENT ACTIONS FOR PLUGGING VIOLATIONS**

- Anti-waste statutes and regulations, § 4:43

## **GOVERNMENTAL AGENCIES**

- Industry information resources, online, § 1:8

## **GOVERNMENTAL PURPOSE**

- Power to lease limited interests in lands for oil and gas production, § 11:37

## **GPS COORDINATES**

- West Virginia, location of oil and gas well by GPS coordinates, § 100:3

## INDEX

### GRANTING CLAUSE

Classification of Texas lessee's interest, § 9:33

### GRANTS

Property Interests, this index

### GRAVITY OF CRUDE OIL

Compared to water, § 3:8  
Measuring, § 33:9

### GRAVITY OF WATER

Compared to oil, § 3:8

### GUARDIANS

Leases, this index

### GWINVILLE GAS FIELD

Wells location, spacing and pooling, § 5:20

### HABENDUM CLAUSE

General form, § 57:8  
Classification of lessee's interest, § 9:16; 9:19  
Classification of property interests, § 8:8  
Duration of lease, § 14:3  
Forms  
    Model form, § 57:8  
    Termination for royalty nonpayment, with, § 57:9  
Kansas, § 22:14  
Pooling and unitization of oil and gas production, § 6:7; 6:9  
Termination of lease  
    Abandonment grounds, § 22:14  
    Royalty nonpayment, § 57:9

### HEARING

Anti-waste regulations and rules, § 4:20  
Pooling and unitization of oil and gas production, § 6:17

### HEIRSHIP

Affidavit of proof of death and heirship, possession of land, § 62:8

### HISTORY

Adverse possession, § 8:22; 8:23  
California history of oil and gas well, § 73:4

### HISTORY—Cont'd

Conservation statutes and regulations, § 4:2  
Co-tenancy, law of waste and user, § 2:28  
Drilling clause, § 15:21 to 15:28  
Interest of lessee created by oil and gas leases, § 9:3 to 9:5; 9:15  
Location, spacing and pooling regulations, § 6:19  
Loss of oil and gas interests, liberative prescription, § 8:22; 8:23  
Mining licenses and leases, § 9:3; 9:15  
Oregon oil and gas wells, § 94:7  
Owner's right to take oil and gas, § 3:4; 3:6 to 3:9  
Pooling and unitization of oil and gas production, § 6:2; 6:19  
Property interests  
    General discussion, § 8:9; 8:10  
    Lessee interests, § 9:3 to 9:5; 9:15  
    Liberative prescription, § 8:22; 8:23  
Proration of oil and gas production  
    Oklahoma, § 7:21 to 7:24  
    Texas  
        Gas, proration of, § 7:34 to 7:38  
        Oil, proration of, § 7:26 to 7:32  
Statute of frauds, § 12:3  
Trespass damages, § 2:16

### HOMESTEAD

Co-tenant's taking of land, § 2:23; 2:36  
Illinois lessee's interest, § 9:12  
Kansas lessee's interest, § 2:23; 2:36; 9:14  
Lessee's interest, generally, § 9:4  
Oklahoma lessee's interest, § 9:29  
Power to lease for oil and gas production, § 9:4; 11:14; 11:15  
Texas lessee's interest, § 9:33  
Validity of grants and exceptions of oil and gas interests, § 9:4

### HORIZONTAL DRILLING

Arkansas, application for permit to drill, § 72:38

## **HORIZONTAL DRILLING—Cont'd**

- Conservation statutes and regulations, § 4:24
- North Dakota, application for permit to drill, § 92:3
- Shale rock formations production method, § 1:5

## **HUGOTON GAS FIELD**

- Ratable taking of oil and gas, § 4:15
- Wells location, spacing and pooling, § 5:14

## **HYDRAULIC FRACTURING**

- Conservation statutes and regulations, secondary recovery operations, § 4:25
- Costs, co-tenant sand frackuring, § 2:35
- Indiana, oil and gas well hydraulic fracturing report, § 78:28
- Shale rock formations production method, § 1:5
- Trespass, sand fracturing operation, § 2:20

## **HYDROCARBONS**

- Petroleum element, § 1:1

## **HYDROCARBON STORAGE FACILITY**

- Application to create, operate and maintain underground hydrocarbon storage facility, Mississippi, § 84:3

## **HYDROGEN SULFIDE**

- Operator's certificate of compliance, Alabama, § 69:33

## **HYDROSTATIC PRESSURE**

- Reservoir energy, § 1:3; 1:4

## **IDAHO**

- Ad valorem taxation of interests in oil and gas, § 49:6
- Agent for oil and gas operations, designation of, § 76:12
- Application for
  - Permit to drill, deepen or plug back oil and gas well, form, § 76:3
- Completion or recompletion report and well log, form, § 76:11

## **IDAHO—Cont'd**

- Forms, oil and gas, § 76:1 et seq.
- Gathering facility, monthly report, § 76:6
- Lease
  - State oil and gas lease, § 76:2
- Log, oil and gas completion or recompletion report and well log, form, § 76:11
- Organization report for oil and gas operations, § 76:4
- Permit to drill, deepen or plug back oil and gas well, application form for, § 76:3
- Plugging wells
  - Application for permit to drill, deepen or plug back oil and gas well, form, § 76:3
  - Record, form, § 76:10
- Processing plant, monthly report, § 76:7
- Production, monthly report, § 76:5
- Purchaser, monthly report, § 76:9
- Record, plugging record for oil and gas well, form, § 76:10
- Report
  - Gathering facility, monthly, § 76:6
  - Monthly reports, § 76:5 to 79:9
  - Oil and gas well completion or recompletion report and well log, form, § 76:11
  - Organization report for oil and gas operations, § 76:4
  - Processing plant, monthly, § 76:7
  - Production, monthly, § 76:5
  - Purchaser, monthly, § 76:9
  - Transportation and storage, monthly, § 76:8
- State lands, oil and gas production on, § 50:17
- State oil and gas lease, § 76:2
- Transportation and storage, monthly report, § 76:8

## **IDENTIFICATION OF DRILLING OPERATIONS**

- Anti-waste statutes and regulations, § 4:20; 4:21
- Application for American Petroleum Institute well identification

## INDEX

### IDENTIFICATION OF DRILLING OPERATIONS—Cont'd

number, New York, § **90:5**

### ILLEGAL OIL AND GAS

Proration of Oil And Gas Production, this index

### ILLINOIS

Abatement of oil and gas operations  
non-compliance, notice of, § **77:28**  
violation, notice of, § **77:27**

Ad valorem taxation of interests in  
oil and gas, § **49:7**

Alternate area of review, § **77:6**

Amend class II injection well permit,  
application to, § **77:11**

Annual reports

Class II well report, annual form,  
§ **77:25**

Secondary or tertiary oil recovery  
project annual report, form,  
§ **77:24**

Applications

Amend class II injection well  
permit, application to, § **77:11**

Construct concrete storage  
structure for oil and gas  
operations, application to,  
§ **77:16**

Drill, deepen or convert oil and gas  
well, permit application to,  
§ **77:15**

Drill or convert to class II injection  
well, permit application to,  
§ **77:10**

Future use permit for oil and gas  
well, request for, § **77:20**

Liquid oilfield waste tank permit,  
for, § **77:23**

Liquid oilfield waste transportation  
system permit, for, § **77:22**

Oil and gas test hole permit, for,  
§ **77:13**

Plugging program well transfer  
request, form, § **77:29**

Road oiling, oil and gas lease for,  
§ **77:8**

Test hole permit, for, § **77:13**

### ILLINOIS—Cont'd

Applications—Cont'd

Vacuum permit for oil and gas  
operations, for, § **77:19**

Assignment of certificate of deposit  
for oil and gas operations, form,  
§ **77:2**

Bond, surety bond for oil and gas  
operations, form, § **77:35**

Cancellation of lease, § **22:11**

Certificate of deposit for oil and gas  
operations

Assignment of, form, § **77:2**

Basic form, § **77:3**

Citizen complaint form relating to oil  
and gas operations, § **77:4**

Classification of lessee's interest,  
§ **9:12**

Class II well

Amend class II injection well  
permit, application to, § **77:11**

Annual report, form, § **77:25**

Drill or convert to class II injection  
well, permit application to,  
§ **77:10**

Completion report, form, oil and gas  
well, § **77:14**

Construct concrete storage structure  
for oil and gas operations,  
application to, § **77:16**

Conveyances. Transfer of oil and gas  
well, below

Conveyances of Oil and Gas Mineral  
Interests, this index

Co-tenant taking of oil and gas,  
§ **2:35**

Forms, oil and gas, § **77:1 et seq.**

Frac or acid treatment of oil and gas  
well, application for, § **77:33**

Future use

Notice of termination of future use  
status for oil and gas produc-  
tion well, form, § **77:21**

Request for future use permit for  
oil and gas well, form,  
§ **77:20**

Injection well permit

Application for permit to drill or  
convert to class II injection  
well, § **77:10**

## ILLINOIS—Cont'd

- Injection well permit—Cont'd
  - Application to amend injection well permit, § 77:11
- Landowner grant for plugging and restoration program, application for, § 77:32
- Letter of credit for oil and gas operations, irrevocable, form, § 77:5
- Liquid oilfield waste
  - Tank permit, application for, § 77:23
  - Transportation system permit, application for, § 77:22
- Location, spacing and pooling regulations, § 5:12
- Maximum injection rate, § 77:6
- Notice
  - Termination of future use status for oil and gas production well, notice form, § 77:21
- Partition of oil and gas interests, § 2:35
- Plugging program well transfer request, form, § 77:29
- Power to lease for oil and gas production, § 11:19
- Registration, oil and gas permittee tank battery registration form, § 77:26
- Reports
  - Class II well report, annual form, § 77:25
  - Oil and gas permittee status report, form, § 77:7
  - Oil and gas well completion report, form, § 77:14
  - Oil and gas well drilling report, form, § 77:12
  - Secondary or tertiary oil recovery project annual report, form, § 77:24
  - Spill report form, oil and gas lessee, § 77:17; 77:18
- Road oiling
  - application for oil and gas lease for, § 77:8
  - surface owner consent, § 77:9

## ILLINOIS—Cont'd

- Secondary or tertiary oil recovery project annual report, form, § 77:24
- Secondary recovery regulations, repressuring plan, § 4:30
- Spill report form, oil and gas lessee, § 77:17; 77:18
- State lands, oil and gas production on, § 50:18
- Static fluid level measurement, § 77:6
- Step rate test of oil and gas well, report, § 77:34
- Storage
  - Construct concrete storage structure for oil and gas operations, application to, § 77:16
  - Liquid oilfield waste tank permit, application for, § 77:23
- Surety bond for oil and gas operations, form, § 77:35
- Surface owner consent, § 77:9
- Test hole permit, application for, forms, § 77:13
- Transfers of oil and gas mineral interests
  - General discussion, § 37:12
- Applications, forms
  - Drill, deepen or convert oil and gas well, permit application to, § 77:15
  - Drill or convert to class II injection well, permit application to, § 77:10
- Before lease, § 36:6
- Plugging program well transfer request, form, § 77:29
- Present and future oil and gas lease, under, § 38:10
- Trespass by
  - covenant taking oil and gas, § 2:35
  - fluid injection, § 2:20
- Trover, § 2:35
- Vacuum permit for oil and gas operations, application for, § 77:19
- Waste
  - Liquid oilfield waste tank permit, application for, § 77:23

## INDEX

### **ILLINOIS—Cont'd**

#### **Waste—Cont'd**

Liquid oilfield waste transportation system permit, application for, § **77:22**

Wells location, spacing and pooling, § **5:12**

#### **Well transfer**

acceptance of, § **77:31**

notification of, § **77:30**

### **ILLUMINATION, WASTE OF GAS**

Conservation statutes and regulations, § **4:36**

### **IMPLIED CONTRACTS**

Necessity for express or implied contract for statutory liens on oil and gas operations, § **46:2**

### **IMPLIED COVENANTS IN LEASES**

Covenants, this index

### **IMPLIED RIGHT OF OPERATORS TO NECESSARY USE OF PREMISES**

Rights and Duties of Oil and Gas Operators and Lessors, this index

### **INCIDENT REPORTS**

Alabama, notification of fire, spill, leak or blowout incident report, § **69:36**

#### **Arkansas**

Fire, leak, spill or blowout incident, § **72:37**

Gas pipeline incident, § **72:41**

Colorado accident report, oil and gas operations, § **74:24**

Indiana, facility failure and release report, § **78:24**

### **INCOME BENEFICIARIES**

Co-tenancy rights, Kansas, § **2:36**

### **INCORPOREAL HEREDITAMENTS OR INTERESTS**

Classification of property interests, § **3:7; 8:9; 8:10; 8:16; 9:2 to 9:4**

### **INCORPOREAL**

#### **HEREDITAMENTS OR INTERESTS—Cont'd**

Immovable property, Louisiana lease interest, § **9:18**

#### **Lease interest**

General discussion, § **9:2 to 9:4; 9:8**

California, § **9:8**

Indiana, § **9:13**

Kansas, § **9:15**

Oklahoma, § **9:28; 9:29**

Pennsylvania, § **9:31**

Loss of interest, liberative prescription of servitude, § **8:16**

Owner's right to take oil and gas, § **3:7; 8:10**

### **INDEFINITE CONTRACTS FOR OIL AND GAS LEASES**

Damages recoverable, § **10:9**

Specific performance refused, § **10:10**

### **INDEMNITY BOND, OIL AND GAS WELL**

California, this index

### **INDIANA**

Abandonment, application for temporary abandonment or plugging deferral, § **78:5**

Agreement, application for oil and gas well testing, § **78:9**

#### **Applications**

Alternate oil and gas well plugging method or material, for, § **78:25**

Assumption of responsibility for test wellsite, § **78:8**

Fluid storage facility for oil and gas operations, § **78:6**

Modify class II well, § **78:3**

New operator, transfer to, § **78:4**

Oil and gas well permit, for, § **78:2**

Permit, test hole, § **78:7**

Permit for oil and gas well, for, § **78:2**

Plugging deferral, temporary abandonment or, § **78:5**

**INDIANA—Cont'd**

Applications—Cont'd

- Plugging method or material, for alternate oil and gas well, § 78:25
- Responsibility for test wellsite, assumption of, § 78:8
- State lands, for petroleum exploration or production activities on, § 78:27
- Storage facility for oil and gas operations, fluid storage, § 78:6
- Temporary abandonment or plugging deferral, § 78:5
- Test hole permit, § 78:7
- Testing agreement, for oil and gas well, § 78:9
- Test wellsite, assumption of responsibility for, § 78:8
- Transfer to new operator, § 78:4
- Assumption of responsibility for test wellsite, application form, § 78:8
- Burning surface waste regulations, § 4.36
- Cancellation of lease, § 22:12
- Certificate of deposit for oil and gas operations, verification of, § 78:14
- Certification for class II and noncommercial gas permits, public notice, § 78:17
- Classification of lessee's interest, § 9:13
- Completion
  - Oil and gas well completion or recompletion report, § 78:20
  - Test hole completion report, § 78:23
- Corrective action plan for oil and gas operations, form, § 78:18
- County oil and gas test hole surety bond, § 78:16
- Exploration, application for petroleum exploration or production activities on state lands, § 78:27
- Facility failure and release report, oil and gas, § 78:24

**INDIANA—Cont'd**

- Fluid level and pressure test report, oil and gas well, § 78:26
- Fluid storage facility for oil and gas operations, application form, § 78:6
- Forms, oil and gas, § 78:1 et seq.
- Hydraulic fracturing report, oil and gas wells, § 78:28
- Location, spacing and pooling regulations, § 5:13
- Monitoring report for oil and gas operations, quarterly, § 78:19
- Nature of royalty interests, § 32:12
- New operator, application for transfer to, § 78:4
- Organization report for oil and gas operations, § 78:22
- Plugging deferral, application for temporary abandonment or, § 78:5
- Plugging method or material, application for alternate oil and gas well, § 78:25
- Pressure test report, oil and gas well fluid level and, § 78:26
- Public notice certification for class II and noncommercial gas permits, § 78:17
- Quarterly monitoring report for oil and gas operations, § 78:19
- Release
  - Facility failure and release report, oil and gas, § 78:24
- Reports
  - Completion or recompletion report, oil and gas well, § 78:20
  - Completion report, test hole, § 78:23
  - Facility failure and release report, oil and gas, § 78:24
  - Fluid level and pressure test report, oil and gas well, § 78:26
  - Hydraulic fracturing, oil and gas wells, § 78:28
  - Organization report for oil and gas operations, § 78:22
  - Quarterly monitoring report for oil and gas operations, § 78:19

## INDEX

### INDIANA—Cont'd

#### Reports—Cont'd

Rework report, oil and gas well,  
§ 78:21

#### State lands

Application for petroleum exploration or production activities on, § 78:27

Oil and gas production on, § 50:19

Storage, application for fluid storage facility for oil and gas operations, § 78:6

#### Surety bond

Acknowledgment, § 78:10

Blanket surety bond for oil and gas operations, § 78:12

County oil and gas test hole surety bond, § 78:16

Operations, oil and gas, § 78:11 to 78:13

Personal surety bond for oil and gas operations, § 78:13

Test hole surety bond, oil and gas, § 78:15; 78:16

Taxation, production and severance taxes on oil and gas, § 49:25

#### Test hole

Agreement, application for oil and gas well testing agreement, § 78:9

Assumption of test wellsite responsibility, application for, § 78:8

Completion report, § 78:23

Permit, application for, § 78:7

Surety bond, § 78:15; 78:16

Testing agreement, application for oil and gas well, § 78:9

Test report, oil and gas well fluid level and pressure test report, § 78:26

Test wellsite responsibility, application for assumption of, § 78:8

Trespass, injunctive relief, § 2:17

Vacuum pumps, § 4:29

Verification of certificate of deposit for oil and gas operations, § 78:14

### INDIANA—Cont'd

Wells location, spacing and pooling, § 5:13

### INDIAN MINERAL

#### DEVELOPMENT ACT

Federal lands, oil and gas production on, § 51:12

### INDISPENSABLE PARTIES TO LITIGATION

Location, spacing and pooling regulations, § 5:42

Pooling and unitization of oil and gas production, § 6:16

### INDIVISIBLE MINERAL SERVITUDE

Loss of oil and gas interests, § 8:23

### INITIAL CLAUSE OF LEASE

Form, § 57:2

### INJECTION OF FLUIDS

Affidavit of ownership or control of underground injection control operations, Alabama, § 69:9

Application for injection well permit, Colorado, § 74:31

Application for permit to inject fluids in oil and gas well, Alabama, § 69:5

Application for permit to inject storage gas, Alabama, § 69:6

Application for underground injection formation permit, Colorado, § 74:30

Facilities monthly report, gas injected/withdrawn for natural gas storage facilities, Alabama, § 69:28

Fluids injected in oil and gas well monthly report, Alabama, § 69:27

Gas injected/withdrawn for natural gas storage facilities monthly report, Alabama, § 69:28

Injected non-produced water monthly report, Colorado, § 74:17

Injunction against trespass by, § 2:20

## **INJECTION OF FLUIDS—Cont'd**

### **Reports**

Facilities monthly report, gas injected/withdrawn for natural gas storage facilities, § **69:28**

Fluids injected in oil and gas well monthly report, § **69:27**

Injected non-produced water report, Colorado, § **74:17**

Monthly injection report for oil and gas operations, § **70:10**

Project for oil and gas operations, report of, § **70:15**

Project for oil and gas wells report, § **71:10**

Report corrections, oil and gas well, § **73:7**

Secondary recovery regulations, § **4:30**

Trespass by, § **2:20**

Unitization, § **6:1**

## **INJUNCTIONS**

Anti-waste statutes and regulations, § **4:17; 4:18**

Co-tenancy, § **2:30**

Injection of fluids, § **2:20**

Leasee interest, § **9:29**

Liability of oil and gas operators for property damage, § **42:26**

Oil and gas lessee against lessor or junior lessee, injunction by, § **54:7**

Proration of Oil and Gas Production, this index

Trespass, this index

Waste, § **2:24; 2:26; 2:45**

## **IN-KIND**

Royalty clause, in-kind with accumulated reserve, § **57:17**

## **INNOCENT TRESPASS**

Damages for, § **2:10; 2:11; 2:13; 2:16**

Distinguished from intentional trespass, § **2:9**

## **INSPECTIONS**

Nevada, measurement inspection record for gas production, § **88:6**

## **INSPECTIONS—Cont'd**

Proration of oil and gas production, § **7:42**

South Dakota, permission to inspect oil and gas well facilities, § **96:6**

## **INSURER**

Pollution, insurer's liability of oil and gas operators for, § **42:16**

## **INTEGRATION OF REGULATION OF WELL LOCATION, SPACING AND POOLING**

Location, Spacing and Pooling Regulations, this index

## **INTENT**

Construction of mineral and royalty transfers, intent of parties, § **39:3**

Drilling, notice of intention to Drill oil and gas well  
Arkansas, § **72:7**  
California, § **73:5**

Leases, construction and interpretation, § **16:5**

Notice, this index

Seismic operations, notice of intent to conduct, Colorado, § **74:21**

Trespass, § **2:9; 2:11; 2:12**

## **INTEREST OF LESSEE CREATED BY OIL AND GAS LEASES**

General discussion, § **9:1 to 9:38**

See also Property Interests, this index  
Abandonment

Texas, § **9:34**

Wyoming, § **9:38**

Act 205 of 1938, § **9:18**

Alabama, § **9:6**

Arkansas, § **9:7**

Bankruptcy, § **9:19**

Base leases, generally, § **9:2**

Bottom and top lease interests distinguished, § **9:2**

Breach of covenants, § **9:9**

California, § **9:8; 9:9**

Chattels

General discussion, § **9:4**

Nebraska, § **9:23**

## INDEX

### INTEREST OF LESSEE CREATED BY OIL AND GAS LEASES

#### —Cont'd

##### Chattels—Cont'd

New Mexico, § 9:24

Washington, § 9:35

##### Classification of lessee's interest

General discussion, § 9:1

Base leases, § 9:2

Distinguishing "bottom" and  
"top" lease interests, § 9:2

Distinguishing interest as real vs.  
personal property, § 9:1; 9:4;  
9:14

Distinguishing mining licenses and  
mining leases, § 9:3

Junior and senior leases, § 9:2

State, by, § 9:6 to 9:38

Colorado, § 9:10

Community property lease, § 9:24

Contractual aspect, generally, § 9:1

##### Conveyances

Kentucky, § 9:17

Pennsylvania, § 9:31

Texas, § 9:34

##### Corporeal interest

General discussion, § 8:9; 8:10;  
9:4

Montana, § 9:22

New York, § 9:25

Ohio, § 9:27

Oklahoma, § 9:28

Defeasible fee estate, § 8:7; 9:21

##### Discovery

California, § 9:9

West Virginia, § 9:36

Distinguishing "bottom" and "top"  
lease interests, § 9:2

Distinguishing interest as real vs.  
personal property, § 9:1; 9:4;  
9:14

Distinguishing mining licenses and  
mining leases, § 9:3

##### Drilling clauses

California, § 9:8

Kentucky, § 9:16

Louisiana, § 9:19

Montana, § 9:22

### INTEREST OF LESSEE CREATED BY OIL AND GAS LEASES

#### —Cont'd

##### Drilling clauses—Cont'd

Oklahoma, § 9:29

Drilling rights, § 9:8

Estate misconception, § 9:4.50

Estoppel, § 9:31

Execution of lease, on, § 9:2; 9:5

Executory or inchoate interest, § 9:36

Exploration and production of oil and  
gas

Kansas lessee's interest, § 9:15

Lessee's interest, generally, § 9:5

Louisiana lessee's interest, § 9:19

North Dakota lessee's interest,  
§ 9:26

Pennsylvania lessee's interest,  
§ 9:30; 9:31

Tennessee lessee's interest, § 9:32

Texas lessee's interest, § 9:34

West Virginia lessee's interest,  
§ 9:37

Extraction, § 9:9

Florida, § 9:11

##### Freehold interests

General discussion, § 8:9; 8:10;  
9:4

Illinois, § 9:12

West Virginia, § 9:37

Fretts doctrine, § 9:5

Grant of interest, generally, § 9:3

Guardian to lease the ward's lands  
for oil and gas purposes, § 9:4

##### Habendum clause

General discussion, § 8:8

Kentucky, § 9:16

Louisiana, § 9:19

##### History of interests created

Estate misconception, § 9:4.50

Fretts doctrine, § 9:5

Mining leases and licenses, by,  
§ 9:3; 9:15

Oil and gas leases, by, § 9:4;  
9:4.50; 9:5

##### Homestead

Illinois lessee's interest, § 9:12

Kansas lessee's interest, § 9:14

**INTEREST OF LESSEE CREATED  
BY OIL AND GAS LEASES**

**—Cont'd**

Homestead—Cont'd  
 Lessee's rights, generally, § 9:4  
 Oklahoma lessee's interest, § 9:29  
 Rights of lessee, generally, § 9:4  
 Texas lessee's interest, § 9:33  
 Illinois, § 9:12  
 Inchoate rights of lessee, generally,  
 § 9:5  
 Incorporeal hereditaments  
 California, § 9:8  
 Indiana, § 9:13  
 Kansas, § 9:15  
 Oklahoma, § 9:28; 9:29  
 Pennsylvania, § 9:31  
 Incorporeal interest, generally, § 8:9;  
 8:10; 9:1; 9:4; 9:8  
 Indiana, § 9:13  
 Injunctions, § 9:29  
 Junior and senior leases, generally,  
 § 9:2  
 Jus in re aliena, § 9:1; 9:4  
 Jus in re propria, § 9:1; 9:4  
 Kansas, § 9:14; 9:15  
 Kentucky, § 9:16; 9:17  
 Landlord and tenant relationship  
 General discussion, § 9:1; 9:4  
 Louisiana, § 9:19  
 Pennsylvania, § 9:30  
 West Virginia, § 9:36  
 Landowners, § 9:8  
 Legal and equitable interest, § 9:14  
 Legal interest of lessee, § 9:1; 9:3;  
 9:4  
 License to mine, § 9:3; 9:15  
 Louisiana, § 6:11; 9:18; 9:19  
 Mechanic's liens on lessee's interest  
 General discussion, § 9:4  
 Kansas, § 9:14  
 Kentucky, § 9:17  
 West Virginia, § 9:36  
 Michigan, § 9:20  
 Mineral code, § 9:18  
 Mineral lease, § 9:37  
 Mines  
 Historical perspective, § 9:3

**INTEREST OF LESSEE CREATED  
BY OIL AND GAS LEASES**

**—Cont'd**

Mines—Cont'd  
 Ohio, § 9:27  
 Pennsylvania, § 9:31  
 West Virginia, § 9:37  
 Mining licenses and leases history,  
 § 9:3; 9:15  
 Mississippi, § 9:21  
 Montana, § 9:22  
 Mortgages, § 9:19  
 Nebraska, § 9:23  
 New Mexico, § 9:24  
 New York, § 9:25; 9:34  
 Nonperformance of leases, remedies,  
 § 19:6  
 North Dakota, § 9:26  
 Ohio, § 9:27  
 Oil waste salvage, § 9:7  
 Oklahoma, § 9:28; 9:29  
 Pennsylvania, § 9:30; 9:31  
 Petitory and possessory actions,  
 § 9:18  
 Pooling and unitization for produc-  
 tion, § 6:30  
 Possessory estates, § 9:8  
 Possessory vs non-possessory inter-  
 est, § 9:1  
 Present estates, § 9:8  
 Profit a prendre interest, § 9:3; 9:4;  
 9:8; 9:14  
 Purchase price payment, § 9:7  
 Real property  
 General discussion, § 9:1; 9:4  
 Michigan, § 9:20  
 New Mexico, § 9:24  
 Pennsylvania, § 9:30  
 Washington, § 9:35  
 Remedies  
 in court, § 9:29  
 Nonperformance of leases, § 19:6  
 Royalty deeds, § 8:7; 9:17  
 Royalty payments  
 General discussion, § 9:1  
 California, § 9:9  
 Kentucky, § 9:17  
 Sale of oil, § 9:9

## INDEX

### **INTEREST OF LESSEE CREATED BY OIL AND GAS LEASES**

#### **—Cont'd**

- Salvage, § 9:7
- Servitude of real rights, § 9:19
- State, classification by, § 9:6 to 9:38
- Statute of frauds
  - General discussion, § 8:9; 9:3; 9:4
  - Oklahoma, § 9:28
  - Texas, § 9:33
- Surface possession, § 9:8
- Surrender clauses
  - Kentucky, § 9:16
  - Montana, § 9:22
- Taxation
  - General discussion, § 9:4
  - California, § 9:9
  - Illinois, § 9:12
  - Kansas, § 9:15
  - New York, § 9:25
  - Texas, § 9:34
  - West Virginia, § 9:37
- Tennessee, § 9:32
- Texas, § 9:33; 9:34
- Top and bottom lease interests
  - distinguished, § 9:2
- Vested interest of lessee, generally,  
§ 9:2; 9:5
- Vested title
  - Mississippi, § 9:21
  - Montana, § 9:22
- Washington, § 9:35
- West Virginia, § 9:36; 9:37
- Working interests, § 9:1.50
- Wyoming, § 9:38

### **INTERNATIONAL ENERGY AGENCY**

- Website, § 1:8

### **INTERRUPTION OF PRESCRIPTION OF OIL AND GAS SERVITUDES**

- Acknowledgment, interruption by,  
§ 8:16; 8:19
- Merger as extinguishing interests,  
§ 8:8
- Prevention of use, interruption by,  
§ 8:16; 8:20

### **INTERRUPTION OF PRESCRIPTION OF OIL AND GAS SERVITUDES—Cont'd**

- Use, interruption by, § 8:16 to 8:18

### **INTERSTATE OIL AND GAS COMPACT FOR CONSERVATION LEGISLATION**

- Anti-waste matters, generally, § 4:6

### **INVESTIGATION**

- Leases, validity requirements,  
§ 12:14

### **IOWA**

- Application to drill or deepen well  
for oil and gas operations,  
§ 79:2
- Certificate of compliance and autho-  
rization to transport oil and gas,  
producer's, § 79:10
- Completion or recompletion report  
and well log, § 79:7
- Conformance with laws governing oil  
and gas operations, surety bond  
for, § 79:4
- Forms, oil and gas, § 79:1 et seq.
- Notice, sundry notices and reports on  
oil and gas wells, § 79:6
- Organization report for oil and gas  
operations, § 79:3
- Plugging record, well, § 79:8
- Producer's certificate of compliance  
and authorization to transport oil  
and gas, form, § 79:10
- Production report, oil, § 79:9
- Release of surety bond for oil and gas  
operations, form, § 79:5
- Reports
  - Completion or recompletion report  
and well log, § 79:7
  - Oil production report, § 79:9
  - Plugging record, well, § 79:8
  - Sundry notices and reports on oil  
and gas wells, § 79:6
- State lands, oil and gas production  
on, § 50:20
- Sundry notices and reports on oil and  
gas wells, § 79:6

**IOWA—Cont'd**

- Surety bond
  - Conformance with laws governing oil and gas operations, for, § 79:4
  - Release of surety bond for oil and gas operations, § 79:5
- Transport oil and gas, producer's certificate of compliance and authorization to, § 79:10

**IRREPARABLE INJURY**

- Trespass, § 2:17; 2:18

**IRRIGATION PUMPS**

- Gas well regulations, § 4:31

**IRRIGATION WELLS**

- Free gas for operation of, § 30:6

**JOINT ACTS AND MATTERS**

- Power to lease life estate for oil and gas production, § 11:30
- Property interests, loss of oil and gas interests, effect of joinder, § 8:19

**JOINT OPERATING AGREEMENTS**

- General discussion, § 48:1
- Allocation of costs, § 48:5
- Allocation of proceeds, § 48:6
- Area of mutual interest (AMI), § 48:7
- Assignment of lease, § 48:8
- Attorney fees, § 48:9
- Consent to drill or rework wells, § 48:10
- Construction, § 48:2
- Good faith and fiduciary duties, § 48:3
- Liability, § 48:11
- Oil and gas operator, § 48:12
- Preferential right to purchase, § 48:13
- Provisions in agreements, generally, § 48:4 et seq.
- Title to minerals, § 48:14

**JOINT VENTURES**

- General discussion, § 47:3
- Duty of joint venturers to exercise good faith, § 47:2

**JOINT VENTURES—Cont'd**

- Partnerships and Joint Ventures, Oil and Gas Mining, this index
- Power of joint venturer to lease for oil and gas production, § 11:32

**JUDICIAL REVIEW**

- Conservation, agency rules and orders, § 4:16
- Proration of Oil and Gas Production, this index

**JUNIOR LESSEES WITH DISPUTED TITLE**

- Trespass, § 2:6

**JURA IN RE ALIENA**

- Property interests, § 8:9; 8:10

**JURA IN RE PROPRIA**

- Property interests, § 8:9; 8:10

**JURISDICTION**

- Cancellation of lease, § 22:5 et seq.
- Conservation agency rules and orders, judicial review of, § 4:16
- Royalty interests, § 32:8 to 32:27
- Sublease and assignment distinguished, § 29:4

**JUS IN RE ALIENA**

- Lessee interest, § 9:1; 9:4

**JUS IN RE PROPRIA**

- Lessee interest, § 9:1; 9:4

**KANSAS**

- Abandonment of lease, § 22:14
- Abandonment of oil and gas well, application for temporary, § 80:16
- Acreage attributable to gas well, plat and certification of, § 80:30
- Acreage attributable to oil well, plat and certification of, § 80:29
- Ad valorem taxation of interests in oil and gas, § 49:8
- Affidavits
  - Coalbed natural gas, venting of, § 80:14; 80:15
  - Core, exploratory, and seismic holes, § 80:22

## INDEX

### KANSAS—Cont'd

#### Affidavits—Cont'd

Extended gas venting from gas well, for, § 80:14

Vacuum operations, verified affidavit for oil and gas, § 80:17

#### Amendment or modification

Application to amend injection permit, § 80:34

Notice to modify injection permit, § 80:35

Anti-waste statutes and regulations, § 4:6; 4:13; 4:27

#### Applications

Amend injection permit, to, § 80:34

Checklist for oil and gas well location exception application, § 80:12

Commingle of oil and gas production, for, § 80:10

Dual completion of oil and gas well, for, § 80:11

Injection permit, to amend, § 80:34

Injection well, for, § 80:32

License application for oil and gas operations, § 80:4

New oil and gas pool determination, for, § 80:31

Plugging application, § 80:20

Temporary abandonment of oil and gas well, § 80:16

Cancellation of lease, § 2:36; 22:13 to 22:16

Cathodic protection borehole intent oil and gas well, form, § 80:8

#### Certification

Acreage attributable to gas well, plat and certification of, § 80:30

Acreage attributable to oil well, plat and certification of, § 80:29

Closure surface pit for oil and gas operations, § 80:18

Exploration and production waste transfer, § 80:19

Master electronic filing certification for oil and gas operations, § 80:2

### KANSAS—Cont'd

Change of operator, request for change of operator and transfer of injection or surface pit permit, § 80:6

Checklist for oil and gas well location exception application, § 80:12

Classification of lessee's interest, § 9:14; 9:15

Coalbed natural gas, affidavit for venting of, § 80:14; 80:15

Commingle of oil and gas production, application for, § 80:10

Completion, oil and gas well completion

Application for dual completion, § 80:11

Basic form, § 80:9

Conveyances of Oil and Gas Mineral Interests, this index

Core holes, plugging report for, § 80:22

Co-tenancy rights, § 2:36

Dual completion of oil and gas well, application for, § 80:11

Electronic filing certification for oil and gas operations, master, § 80:2

Equipment, request to add drilling or well servicing equipment to operator license, § 80:5

Exploration and production waste transfer, certification of, § 80:19

Exploratory holes, plugging report for, § 80:22

Forfeiture of lease, implied, § 22:15

Forms, oil and gas, § 80:1 et seq.

Implied forfeiture of lease, § 22:15

Inadequate legal remedy, § 22:16

#### Injection

Application for injection well, § 80:32

Application to amend injection permit, § 80:34

Notice of injection commencement or termination, § 80:33

Notice to modify injection permit, § 80:35

**KANSAS—Cont'd**

Injection—Cont'd

Request for change of operator and transfer of injection or surface pit permit, § **80:6**

Termination, notice of injection commencement or, § **80:33**

Trespass by fluid injection, § **2:20**

Interstate oil and gas compact for conservation legislation, § **4:6**

License

Application for oil and gas operations, § **80:4**

Request to add drilling or well servicing equipment to operator license, § **80:5**

Location, spacing and pooling regulations, § **5:14**

Location of well

Checklist for oil and gas well location exception application, § **80:12**

Locator plat, oil and gas well, § **80:3**

Master electronic filing certification for oil and gas operations, § **80:2**

Monthly reports

Gas producer's and purchaser's monthly report, § **80:28**

Wireline service company monthly report, § **80:36**

Nature of royalty interests, § **32:13; 32:14**

New oil and gas pool determination, application for, § **80:31**

Notice

Injection commencement or termination, § **80:33**

Intent to drill oil and gas well, § **80:7**

Modify injection permit, § **80:35**

Plat

Acreage attributable to gas well, plat and certification of, § **80:30**

Acreage attributable to oil well, plat and certification of, § **80:29**

**KANSAS—Cont'd**

Plat—Cont'd

Oil and gas well locator plat, § **80:3**

Plugging

Application, § **80:20**

Record, § **80:21**

Report, § **80:22**

Pollution, statutory liability of operators for, § **42:7**

Power to lease for oil and gas production, § **11:20**

Pressure test or monitoring

Gas well multi-point back pressure test report, § **80:24**

Producer

Gas producer's and purchaser's monthly report, § **80:28**

Proration of oil and gas production, § **7:10; 7:11**

Ratable taking of oil and gas, § **4:13**

Reports

Gas gathering segment report, § **80:27**

Gas gathering system report, § **80:26**

Gas producer's and purchaser's monthly report, § **80:28**

Gas well multi-point back pressure test report, § **80:24**

Gas well one-point open flow or deliverability test report, § **80:25**

Oil and gas well production test and gas-oil ratio report, § **80:23**

Plugging report for core, exploratory, and seismic holes, § **80:22**

Wireline service company monthly report, § **80:36**

Request for change of operator and transfer of injection or surface pit permit, § **80:6**

Request to add drilling or well servicing equipment to operator license, § **80:5**

Reservoir energy regulations, § **4:27**

## INDEX

### KANSAS—Cont'd

- Seismic holes, plugging report for, § 80:22
- Solid waste generated by drilling
  - Affidavit of operator, application to land, § 80:39
  - Application to land, § 80:37; 80:38; 80:39
  - Consent and access agreement, application to land, § 80:38
- State lands, oil and gas production on, § 50:21
- Surface pit
  - Certification of closure surface pit for oil and gas operations, § 80:18
  - Request for change of operator and transfer of injection or surface pit permit, § 80:6
- Taxation, production and severance taxes on oil and gas, § 49:26
- Temporary abandonment of oil and gas well, application for, § 80:16
- Termination, notice of injection commencement or, § 80:33
- Tests
  - Gas well multi-point back pressure test report, § 80:24
  - Gas well one-point open flow or deliverability test report, § 80:25
  - Oil and gas well production test and gas-oil ratio report, § 80:23
- Transfer of injection or surface pit permit, request for change of operator and, § 80:6
- Transfer of oil and gas mineral interests
  - Before lease, § 36:7
  - Present and future oil and gas lease, under, § 38:11
  - Present oil and gas mineral interests, § 37:13
  - Rule against perpetuities, § 38:5
- Trespass by fluid injection, § 2:20
- Vacuum operations, verified affidavit for oil and gas, § 80:17

### KANSAS—Cont'd

- Venting of gas
  - Affidavit for extended gas venting from gas well, § 80:14
  - Affidavit for venting of coalbed natural gas, § 80:14; 80:15
  - Application for venting or flaring of gas other than casinghead gas, § 80:13
- Verified affidavit for oil and gas vacuum operations, § 80:17
- Waste, cotenant liability, § 2:36
- Waste transfer, certification of exploration and production, § 80:19
- Well location exception application, checklist for, § 80:12
- Well locator plat, oil and gas, § 80:3
- Well servicing equipment, request to add to operator license, § 80:5
- Wells location, spacing and pooling, § 5:14
- Wireline service company report, monthly, § 80:36

### KENTUCKY

- Abandonment of lease, § 22:18
- Ad valorem taxation of interests in oil and gas, § 49:9
- Cancellation of lease, § 22:17 to 22:23
- Carbon black manufacture regulations, § 4:38
- Casinghead gas and gasoline rents and royalties, § 34:5
- Classification of lessee's interest, § 9:16; 9:17
- Conservation statutes and regulations, § 4:38
- Co-tenancy rights, § 2:37
- Division of rents and royalties after lease, § 40:7
- Forfeiture of lease, implied, § 2:37; 22:19 to 22:21
- Implied forfeiture of lease, § 2:37; 22:19 to 22:21
- Location, spacing and pooling regulations, § 5:15
- Nature of royalty interests, § 32:15
- Power to lease for oil and gas production, cotenant, § 11:21

**KENTUCKY—Cont'd**

- Property interests in oil and gas,  
§ 8:10
- Taxation, production and severance  
taxes on oil and gas, § 49:27
- Transfers affecting present oil and  
gas lease, § 37:14
- Waste, § 2:37
- Wells location, spacing and pooling,  
§ 5:15

**LABOR**

- Liens on oil and gas operations, labor  
and services qualifying for,  
§ 46:5

**LACHES**

- Equitable remedies for oil and gas  
claims, § 54:14

**LANDLORD AND TENANT  
RELATIONSHIP**

- Agricultural tenant's agreement,  
§ 61:8
- Interest of Lessee Created by Oil and  
Gas Leases, this index
- Possession of land, tenant's affidavit,  
§ 62:2; 62:4
- Waste, tenants' liability, § 2:21; 2:22;  
2:23

**LANDOWNER GRANT**

- Plugging and Restoration program,  
Illinois application for, § 77:32

**LEASES**

- General discussion, § 11:1 et seq.;  
56:1
- See also Interest of Lessee Created  
by Oil and Gas Leases, this  
index
- Acceptance, validity requirements,  
§ 12:4
- Acknowledgment, validity require-  
ments, § 12:4
- Additional wells, drilling of, § 18:8  
to 18:10
- Administrators, power of, § 11:4;  
11:5
- Affidavit of production under oil and  
gas lease, § 62:5
- Alabama, power of covenant, § 11:17

**LEASES—Cont'd**

- Anti-waste statutes and regulations,  
§ 4:30 et seq.
- Assignment of Interests in Leases,  
this index
- Bank draft for oil and gas lease bonus  
payment, § 56:4
- Bona fide purchasers of leases,  
§ 12:12 to 12:15
- Bonus, § 8:4
- Bonus payment, bank draft for oil  
and gas lease, § 56:4
- Breach of duty, actions for, § 18:10
- Calculation. Computation and  
calculation, below
- California, power of covenant,  
§ 11:18
- Cancellation of Lease, this index
- Capability as production, § 14:13
- Cemeteries, limited interests in lands,  
§ 11:39
- Certainty of parties, § 12:5
- Churches, limited interests in lands,  
§ 11:38
- Classification of lessee's interest.  
Interest of Lessee Created by Oil  
and Gas Leases, this index
- Clauses
  - General discussion, § 57:1
  - Addendum to lease, lessor's,  
§ 57:43; 57:44
  - Anti-dilution clause
    - General discussion, § 57:32
    - Gas pooling, for, § 57:33
  - Assignment clause, § 57:26
  - Continuous drilling clause, § 57:14
  - Coverall or "Mother Hubbard"  
clause, § 57:7
  - Crop damage clause, § 57:35
  - Delay rental "or" clause, § 56:6;  
57:13
  - Delay rental "unless" clause
    - General discussion, § 57:10
    - Common lease with, § 56:5
    - Plugging dry hole, § 57:11
    - Savings clause, with, § 57:12
  - Development from off-lease  
surface location, requiring,  
§ 57:15

## INDEX

### LEASES—Cont'd

#### Clauses—Cont'd

Drilling clause, below

Duration, below

Entirety clause, § 6:3; 6:6; 57:25

Extending primary term

Previous extension, after, § 59:6

Force majeure clause, § 57:28

Forfeiture clauses, below

Free gas, lessee's, § 57:37; 57:38

Free use, lessee's, § 57:36

Granting clause of lease

General discussion, § 57:3

Limiting area held in secondary term, § 57:4

Limiting depth of grant, § 57:5

Habendum clause

General discussion, § 8:8; 57:8

Termination for royalty nonpayment, with, § 57:9

Initial clause of lease, § 57:2

Lessee's free gas clause, § 57:37; 57:38

Lessee's free use clause, § 57:36

Lessor's addendum to lease, § 57:43; 57:44

Notice clause, § 57:39

Pooling and unitization clause, § 57:29

Pooling clause, § 57:30

Pooling clause, anti-dilution clause for gas pooling, § 57:33

Pooling clause for community lease, present, § 6:3; 6:13; 6:28; 57:31

Proportionate reduction clause, warranty clause with, § 57:6

Pugh clause, § 6:10; 57:34

Release of lease, requiring, § 57:42

Rental clause. Drilling and rental clauses, below

Royalty clause

General discussion, § 57:16

Free market gas, § 57:20

Free market oil and gas, § 57:18

In-kind with accumulated reserve, § 57:17

Long-term gas sales contract, § 57:19

### LEASES—Cont'd

#### Clauses—Cont'd

Royalty clause—Cont'd

Shut-in gas royalty clause, below

Savings clause, § 57:40

Savings clause with delay rental "unless" clause, § 57:12

Shut-in gas royalty clause

General discussion, § 57:21

Extra payment interval, with, § 57:23

Off-lease pool and unit wells, including, § 57:22

Surrender clause. Surrender of

Lease, this index

Tax reimbursement clause, § 57:24

Title and initial clause of lease, § 57:2

Underground gas storage rights, granting, § 57:41

Unless drilling clauses, below

Warranty clause with proportionate reduction clause, § 57:6

Commencement, § 14:4; 18:3

Common leases

Community oil and gas lease, § 56:8

Oil and gas lease with "or" delay rental clause, § 56:6

Oil and gas lease with "unless" delay rental clause, § 56:5

Paid-up oil and gas lease, § 56:7

Community oil and gas lease, § 6:3; 6:13; 6:28; 56:8

Community property, power to lease, § 9:24; 11:13

Completion, § 14:5; 14:6

Completion of oil and gas well, § 18:4

Computation and calculation

Calculation of "paying quantities," § 14:11

Payment date for delay rentals, § 15:10

Conservation statutes and regulations, § 4:30 et seq.

Consideration for Oil and Gas Leases, this index

## LEASES—Cont'd

- Construction and interpretation
  - General discussion, § 16:1 to 16:8
  - Adoption of construction by parties, § 16:6
  - Duration, above
  - History, § 16:4
  - Intent of parties, construction following, § 16:5
  - Lessor, construction in favor of, § 16:3; 16:4
  - Notations by parties control over printed forms of leases, § 16:7
  - Optional leases construed against party not bound, § 16:8
- Parties, § 16:5 to 16:8
- Constructive notice to subsequent purchasers, § 12:10
- Contracts For Oil and Gas Leases, this index
- Cotenant, power of
  - General discussion, § 11:16 to 11:27
    - Alabama, § 11:17
    - California, § 11:18
    - Illinois, § 11:19
    - Kansas, § 11:20
    - Kentucky, § 11:21
    - Louisiana, § 11:22
    - Michigan, § 11:23
    - Mississippi, § 11:24
    - Oklahoma, § 11:25
    - Texas, § 11:26
    - West Virginia, § 11:27
- Covenants for development
  - General discussion, § 17:1 et seq.
  - Assignment of interests in leases, § 29:6
  - Cancellation of lease for breach of, § 22:1.50
  - Express covenants for development
    - General discussion, § 17:1 to 17:9
    - Development, § 17:5; 17:6
    - Drilling offset wells, § 17:7; 17:8

## LEASES—Cont'd

- Covenants for development—Cont'd
  - Express covenants for development—Cont'd
    - Drilling test wells, § 17:2 to 17:4
    - History, § 17:4
    - Marketing oil and gas, § 17:9
    - Unit operations, drilling offset wells, § 17:8
    - Unit operations, drilling test wells, § 17:3
  - Fieldwide drainage, protection against, § 17:18
- Forfeiture
  - Covenants for development, § 17:14
- Implied covenants for development
  - General discussion, § 17:10 to 17:22
    - Delay rentals, effect of, drilling offset wells, § 17:17
    - Development, § 17:15
    - Drilling offset wells, § 17:16 to 17:19
    - Drilling test wells, § 17:12 to 17:14
    - Fieldwide drainage, protection against, § 17:18
    - Forfeiture, procedure for, § 17:14
    - Marketing oil and gas, § 17:20 to 17:22
    - Reasonable price, marketing oil and gas, § 17:21
    - Statutory provisions, drilling offset wells, § 17:19
    - Termination of lease, grounds for, marketing oil and gas, § 17:22
- Implied forfeiture of lease, § 22:19
- Marketing oil and gas, § 17:9; 17:20 to 17:22
- Offset wells, covenants for development, § 17:7; 17:8; 17:16 to 17:19
- Performance of covenants for development of leases, below
- Price, § 17:21

## INDEX

### LEASES—Cont'd

#### Covenants for development—Cont'd

##### Protection

Express covenants for testing, development and protection, above this group

Implied covenants for development, above this group

Reasonable price, marketing oil and gas, § 17:21

##### Rental clause

Covenants for development, § 17:17

##### Delay rental

Implied covenants for development, § 17:17

Statutes, § 17:19

Termination of lease, § 17:22

##### Tests and testing

Express covenants for testing, development and protection, above this group

Implied covenants for development, above this group

Unit operations, § 17:3; 17:8

##### Wells

Covenants for development, § 17:12 to 17:19

#### Definitions

Commencement of drilling operations, § 18:3

Performance of covenants for development of leases, below

Reasonable time, § 18:12

Delay Rentals, this index

Delivery, § 12:4

Description of lands, § 12:6 to 12:8

#### Development

Covenants for development, above

Performance of covenants for development, below

Diligence. Performance of covenants for development of leases, below

Drainage, protection against, § 17:18

#### Drilling

Clause. Drilling and rental clause, below

Consideration, above

### LEASES—Cont'd

#### Drilling—Cont'd

Covenants for development, above

Duration, § 14:27

Performance of covenants for development, below

#### Drilling and rental clause

General discussion, § 15:1 et seq.

Amount of delay rental payable, § 15:11; 15:12

Assignees of lessees, payment of delay rentals by, § 15:18

Assignees of lessors, § 15:20

Day for payment of delay rental, § 15:11

#### Delay rental

General discussion, § 15:7 to 15:20

Drill or forfeit clause, § 15:22; 15:23

#### Drill or pay

General discussion, § 15:24 to 15:27

Enforcement, § 15:25

Surrender and forfeiture provisions, with, § 15:27

Time for payment of delay rental, § 15:9

unless drilling clauses compared to, § 15:3

Without forfeiture provision, § 15:26

Dry hole clause, § 15:6

Enforcement, § 15:23; 15:25

Equitable relief from termination of lease, § 15:16

Financial institution, payment of delay rentals through, § 15:13; 15:14

Forfeiture, generally, § 15:22; 15:23

History, generally, § 15:21 to 15:28

Mail, payment of delay rental by, § 15:15; 15:16

Negotiable instrument, payment of delay rentals by, § 15:17

Oklahoma, payment of delay rentals through financial institution, § 15:14

## LEASES—Cont'd

### Drilling and rental clause—Cont'd

Payees of delay rentals, § 15:19;  
15:20

### Payment

Unless clauses impose no duty  
on lessee to pay rental,  
§ 15:4

Payment, generally, § 15:24 to  
15:27

Proportionate reduction clause,  
§ 15:12

Reduction clause, § 15:12

Surrender, § 15:3; 15:27

Termination of lease, § 15:16

### Time and date

Computing payment date for  
delay rentals, § 15:10

Payment of delay rental for drill  
or pay lease, § 15:8

Payment of delay rental for  
unless lease, § 15:9

Rental clause, § 15:8; 15:9

Unless clauses impose no duty on  
lessee to pay rental, § 15:4

### Unless drilling clauses

General discussion, § 15:2

Compared to drill or pay, § 15:3

Duty of lessee to pay rental,  
effect on, § 15:4

History, § 15:28

Termination of lease, remedy for  
nonperformance, § 20:3 to  
20:5

Time for payment of delay  
rental, § 15:9

Unless drilling clauses, below

Unless lease, time for payment of  
delay rental for, § 15:9

Unproductive well, effect on pay-  
ment of delay rental, § 15:5;  
15:6

Dry hole clause, § 15:6; 57:11

### Duration

General discussion, § 14:1 et seq.

### Clauses

“Drill or pay” clause, § 14:29

Habendum clauses, § 8:8; 14:3

“Rental paid” clause, § 14:32

## LEASES—Cont'd

### Duration—Cont'd

### Clauses—Cont'd

“Surrender or unless” clause,  
§ 14:30

Thereafter clauses, below

Commencement of lease, § 14:4

Completion of lease, § 14:5; 14:6

Eastern Oil Co. v. Coulehan,  
§ 14:37

Extension of lease, below

Fixed term leases, § 14:27

### History

General discussion, § 14:26 to  
14:39

“Drill or pay” clause, § 14:29

Fixed term leases, § 14:27

Kentucky rule, necessary pro-  
duction, § 14:34

Michigan Rule, § 14:35

No fixed term, § 14:31

“Rental paid” clause, § 14:32

“Surrender or unless” clause,  
§ 14:30

“Thereafter” clause, § 14:28

Kentucky, § 14:34

Michigan rule, § 14:35

No fixed term, § 14:31

Primary terms, § 14:2

Rule against perpetuities, § 14:17

Secondary terms, § 14:2; 14:7;  
14:8

South Penn Oil Co. v. Snodgrass,  
§ 14:38

Temporary cessation, § 14:6; 14:8

Texas cases, § 14:39

### Duty

Nuisance or injury, not to cause,  
§ 3:1; 3:7

Test and develop premises, duty to,  
§ 8:7

Waste oil and gas, not to, § 3:1;  
3:3

Eastern Oil Co. v. Coulehan, § 14:37

Environmental liability for oil and  
gas property, clause disclaiming,  
§ 63:40

## INDEX

### LEASES—Cont'd

- Extension of lease
  - General discussion, § **14:18 to 14:25**
  - Agreement of parties, § **14:23**
  - Fault of lessor, § **14:22**
  - Market for lease, due to lack of, § **14:19 to 14:21**
  - Production, despite lack of
    - General discussion, § **14:36 to 14:39**
    - Early Texas cases, § **14:39**
    - Eastern Oil Co. v. Coulehan, § **14:37**
    - South Penn Oil Co. v. Snodgrass, lessee's discovery and diligent operations under, § **14:38**
  - Rental payments, § **14:20**
  - Royalty payments, § **14:21**
  - Subdivision of lease, § **14:25**
  - Unit operations, § **14:24**
- Fixed term leases, § **14:27**
- Force majeure clause, § **57:28**
- Forfeiture clauses
  - Delay Rentals, this index
  - Drilling and rental clause, § **15:22; 15:23**
- Duration
  - History of habendum clauses.
    - Habendum clauses, above this group
  - Interpretation of thereafter clauses. Thereafter clauses, below this group
  - Payment, see lines throughout this group
  - Production, lack of. Extension of lease, above this group
  - Production necessary to extend lease. Thereafter clauses, below this group
- Duress, remedies for, § **12:16**
- Duties of owners and lessees
  - Nuisance or injury, not to cause, § **3:1; 3:7**
  - Waste oil and gas, not to, § **3:1; 3:3**
- Estoppel to deny validity, § **11:15**

### LEASES—Cont'd

- Forfeiture clauses—Cont'd
  - Executors, power of, § **11:4; 11:5**
  - Express covenants for testing, development and protection.
    - Covenants for development, above
  - Extension of leases. Duration, above
  - Forfeiture. Drilling clause, above
  - Fraud, remedies for, § **12:16**
  - Frauds, statute of, § **12:3**
  - Governmental purpose, limited interests in lands, § **11:37**
  - Guardians, power of
    - General discussion, § **11:6 to 11:11**
    - Early leases under statutes for sale of land, § **11:11**
    - History, § **11:11**
    - Kentucky, statutory enactments, § **11:8**
    - Oklahoma, statutory enactments, § **11:9**
    - Statutory enactments, § **11:7 to 11:10**
    - Texas, statutory enactments, § **11:10**
- Habendum clauses. Duration, above
- History
  - Drilling clause, above
  - Duration, above
  - Validity requirements, § **12:3**
- Homestead, power to lease, § **11:14; 11:15**
- Illinois, power of covenant, § **11:19**
- Implied covenants for development. Covenants for development, above
- Implied covenants to drill test well, § **17:14**
- Interest of Lessee Created by Oil and Gas Leases, this index
- Interpretation. Construction and interpretation, above
- Investigation of title, facts requiring, § **12:14**

**LEASES—Cont'd**

Forfeiture clauses—Cont'd  
 Joint lease by life tenant and remainderman, § 11:30  
 Joint venturer, power of, § 11:32  
 Kansas, power of cotenant, § 11:20  
 Kentucky  
   Cotenant, power of, § 11:21  
   Guardians, power of, § 11:8  
 Land. Limited interests in lands, below  
 Life estate, power to lease, § 11:28 to 11:30  
 Limited interests in lands  
   General discussion, § 11:36 to 11:40  
   Cemeteries, § 11:39  
   Churches, § 11:38  
   Governmental purpose, § 11:37  
   Schools, § 11:40  
 Louisiana, power of cotenant, § 11:22  
 Marketing oil and gas, § 18:11  
 Married persons, power of, § 11:12  
 Mental capacity, persons lacking, § 11:3  
 Michigan, § 11:23  
 Mineral interest owners, powers of, § 11:1 to 11:3  
 Minors, powers of mineral interest owners, § 11:2  
 Mississippi, power of cotenant, § 11:24  
 Mistake, remedies for, § 12:16  
 Mother Hubbard clause, § 12:7  
 Notations by parties control over printed forms of leases, § 16:7  
 Notice, validity requirements, § 12:10; 12:15  
 Oil and Gas Leases. Forfeiture of Oil and Gas Leases, this index  
 Oklahoma  
   Cotenant, power of, § 11:25  
   Guardians, power of, § 11:9  
 Options, § 16:8  
 Parties, validity requirements, § 12:5

**LEASES—Cont'd**

Forfeiture clauses—Cont'd  
 Partnership property, power to lease, § 11:31  
 Payment  
   Drilling clause, above  
   Duration, above  
   Rental clause, below  
 Performance of covenants for development  
   Definitions. Reasonable diligence defined, below this group  
   Diligence. Reasonable diligence defined, below this group  
   Reasonable diligence defined, § 18:11  
   Reasonable time defined, § 18:12  
   Wells, see lines throughout this group  
 Possession of land as notice of prior lease, § 12:15  
 Power to Lease for Oil and Gas Production, this index  
 Prior lease, § 12:15  
 Production, generally, § 11:1 et seq.  
 Protection. Covenants for development, above  
 Purchasers, § 11:33; 12:10; 12:12 to 12:15  
 Railroad right of way, power to lease, § 11:35  
 Reasonable diligence defined. Performance of covenants for development, above  
 Reasonable time defined, § 18:12  
 Recording leases, § 12:9 to 12:11  
 Remainderman, § 11:29; 11:30  
 Rental clause  
   Dry hole clause, § 57:11  
   Payment, see lines throughout this group  
 Right of way, § 11:35  
 Roadways, power to lease, § 11:34  
 Sales, § 11:11; 11:33  
 Schools, limited interests in lands, § 11:40

## INDEX

### LEASES—Cont'd

- Forfeiture clauses—Cont'd
  - Sealing, § 12:4
  - Statute of frauds, § 12:3
  - Statutes, § 11:11
  - Statutory enactments
    - Administrators, power of, § 11:5
    - Executors, power of, § 11:5
    - Guardians, power of, § 11:7 to 11:10
    - Trustees, power of, § 11:5
  - Strip and gore doctrine, § 12:8
  - Subsequent purchasers, § 12:10
  - Tests and testing
    - Covenants for development, above
    - Duty to test premises, § 8:7
- Texas
  - Cotenant, power of, § 11:26
  - Guardians, power of, § 11:10
  - Validity requirements, § 12:11
- Time and date
  - Duration, above
  - Performance of covenants for development, § 18:12
- Title, validity requirements, § 12:14
- Trespass
  - Directional surveys used to detect, § 2:5
  - Dry hole drilled by trespasser, § 2:14
  - Geophysical exploration, for, § 2:14; 2:15
- Trustees, power of, § 11:4; 11:5
- Unless drilling clauses
  - Continuity of “entire” lease, § 24:5
- Validity requirements
  - General discussion, § 12:1 et seq.
  - Acceptance of lease, § 12:4
  - Acknowledgment of lease, § 12:4
  - Adequacy of consideration, § 12:13
  - Bona fide purchasers of leases, § 12:12 to 12:15
  - Certainty of parties, § 12:5

### LEASES—Cont'd

- Forfeiture clauses—Cont'd
- Validity requirements—Cont'd
  - Constructive notice to subsequent purchasers, § 12:10
  - Delivery of lease, § 12:4
  - Description of lands, § 12:6 to 12:8
  - Duress, remedies for, § 12:16
  - Estoppel, § 11:15
  - Fraud, remedies for, § 12:16
  - History of statute of frauds, § 12:3
  - Investigation of title, facts requiring, § 12:14
  - Mistake, remedies for, § 12:16
  - Mother Hubbard clause, § 12:7
  - Possession of land as notice of prior lease, § 12:15
  - Recording leases, § 12:9 to 12:11
  - Sealing of lease, § 12:4
  - Strip and gore doctrine, § 12:8
  - Texas cases, § 12:11
  - Written acts and matters, § 12:2; 12:3
- Vendor and purchaser, power of, § 11:33
- Wells
  - Performance of covenants for development, above
- West Virginia, power of cotenant, § 11:27
- Written acts and matters, § 12:2; 12:3; 16:7
- Forms. Bureau of Land Management oil and gas forms, this index
- Interests created by lease
  - Interest of Lessee Created by Oil and Gas Leases, this index
  - Property Interests, this index
- Lessee interest. Interest of Lessee Created by Oil and Gas Leases, this index
- Louisiana oil and gas lease, § 56:18
- Memorandum of lease, § 56:2
- Modification of lease
  - General form, § 59:1

## LEASES—Cont'd

### Modification of lease—Cont'd

Acreage, adding, § 59:7

#### Delay rentals

Description of lease and amount of delay rentals, changing, § 59:9

Increasing, § 59:2

Reducing, § 59:3

#### Depository for delay rentals payable

Lessor, by, § 59:11 to 59:13

Lessor and lessee, by, § 59:12; 59:13

Successor depository, by lessor or lessee with, § 59:13

Description of lease and amount of delay rentals, changing, § 59:9

#### Extending primary term

General form, § 59:4

Habendum clause, with, § 59:5

Habendum clause, extending primary term with, § 59:5

Increasing delay rentals, § 59:2

Pooling, increasing size to maximum production, § 59:10

Pooling and unitization, modification of order for compulsory, § 6:24

Reducing delay rentals, § 59:3

Sustain dependent mineral interest on, clause to, § 63:38

### New Mexico oil and gas lease

Development form, § 56:19

Discovery form, § 56:20

Exploratory form, § 56:21

### Oil and gas leases

Centerline presumption, § 12:9.50

Description of land, § 12:9.50

Oklahoma, rental clause, § 15:14

Owners and operators interests created by lease. Property Interests, this index

Paid-up oil and gas lease, § 56:7

### Performance of leases

General discussion, § 18:1 et seq.

## LEASES—Cont'd

### Performance of leases—Cont'd

Commencement of drilling operations defined, § 18:3

Completion of oil and gas well, § 18:4

Diligence, § 18:5 to 18:11

Drilling, § 18:7 to 18:10

Factors, reasonable diligence, § 18:9

History, diligence, standards of, § 18:6

Protection wells, § 18:8 to 18:10

Reasonable diligence defined  
General discussion, § 18:5 to 18:13

Breach of duty, actions for, § 18:10

Drilling additional and protection wells, § 18:8 to 18:10

Drilling test wells, § 18:7

Factors, § 18:9

Standards, generally, § 18:1 et seq.

Tests and testing, § 18:7

Pooling and Unitization of Oil and Gas Production, this index

Property Interests, this index

### Protection

Covenants for development, above covenants in leases, divisibility of, § 24:7; 24:8

Protection wells, performance of leases, § 18:8 to 18:10

Quitclaim of interest in lease, § 59:22

### Ratification of lease

General form, § 59:14; 59:15

Change of depository, with, § 59:17

Delay rental agreement with ratification of lease, § 60:2

By lessor, § 59:16

### Release of lease

General discussion, § 59:18

Clause requiring, § 57:42

Liability for lessee, with release of, § 59:19

Partial release of lease, § 59:20

Quitclaim of interest in lease, § 59:22

## INDEX

### LEASES—Cont'd

- Release of lease—Cont'd
  - Surrender of lease, § 59:21
- Rental clause. Drilling and rental clause, above
- Rents, delay. Delay Rents, this index
- Rights of lessee, § 8:4; 8:6
- Rule against perpetuities, § 14:17
- Saltwater disposal lease, § 58:8
- Savings clauses, § 14:3.50
- Shut-in royalty payments, § 14:21
- Specialized leases
  - Coalbed methane gas lease, § 56:9
  - Lessor's oil and gas lease, § 56:11
  - Top lease, oil and gas, § 56:12 to 56:17
  - Western coalbed gas lease, § 56:10
- Subordination Agreements for Oil and Gas Leases, this index
- Surface lease for operations, § 58:2
- Surrender of Lease, this index
- Termination of Oil and Gas Leases, this index
- Texas
  - Duration, history, § 14:39
  - oil and gas lease for Relinquishment Act lands, § 56:22
- Thereafter clauses
  - General discussion, § 8:8; 14:9 to 14:16
  - Calculation of "paying quantities," § 14:11
  - Capability only, § 14:13
  - Good faith calculation of "paying quantities," § 14:12
  - Habendum clauses, § 8:8
  - History, § 14:28
  - Land under lease, production from, § 14:15
  - Lessee or assignee, production by, § 14:14
  - Multiple wells, § 14:16
  - Necessary production, § 14:10 to 14:13
  - "Paying quantities," § 14:11; 14:12
  - Production by lessee or assignee, § 14:14
- Title analysis form, § 56:3

### LEASES—Cont'd

- Top lease, oil and gas
  - Bonus agreement
    - Deferred, § 56:15
    - Supplemental, § 56:16
  - Deferred bonus agreement, § 56:15
  - Definite term, with, § 56:16
  - Distinguished from bottom lease, § 9:2
  - Instructions, § 56:12
  - Presently vested interest, with, § 56:17
  - Rider, § 56:13
  - Subordination agreement, § 56:14
  - Supplemental bonus agreement, with, § 56:16
- Underground gas storage lease, § 58:9
- Unitization. Pooling and Unitization of Oil and Gas Production, this index

### LEGAL AND EQUITABLE INTEREST

- Kansas lease interest, § 9:14

### LEGAL DAMAGES

- Damages, this index

### LEGAL REMEDIES

- Damages, this index
- Trespass, § 2:8; 2:9

### LEGAL WASTE

- Waste, § 2:21

### LESSEE'S INTEREST CLASSIFICATION

- Interest of Lessee Created by Oil and Gas Leases, this index

### LETTER AGREEMENTS

- Contribution letter agreement
  - Oil and gas development, for, § 66:1 to 66:5
  - Oil and gas lease purchase, for, § 66:4
- Farmout agreements for oil and gas development
  - With attachments assigning acreage and setting terms and conditions, § 66:6

**LETTER AGREEMENTS—Cont'd**

Farmout agreements for oil and gas development—Cont'd  
With limitations on pooling acreage, § 66:12

**LETTER OF CREDIT,  
IRREVOCABLE**

Arkansas, oil and gas operations, § 72:3  
Florida, for single oil and gas well or geophysical permit, § 75:5  
Illinois, oil and gas operations, § 77:5  
Louisiana  
Multiple oil and gas wells, for, § 81:6  
Michigan, single oil and gas well, § 83:10  
Montana, oil and gas operations, § 86:6  
Texas, oil and gas operations, § 97:16

**LIABILITY FOR INJURY CAUSED  
BY PIPELINES**

Construction of pipelines, § 53:9  
Operation and maintenance of pipelines, § 53:10

**LIABILITY OF OIL AND GAS  
OPERATORS FOR FISH OR  
LIVESTOCK INJURY**

General discussion, § 42:1

**LIABILITY OF OIL AND GAS  
OPERATORS FOR PERSONAL  
INJURY**

General discussion, § 43:1  
Grounds for liability, § 43:2

**LIABILITY OF OIL AND GAS  
OPERATORS FOR  
POLLUTION**

General discussion, § 42:2  
Adjacent owners  
common law liability, § 42:14  
statutory liability, § 42:4  
Arkansas, § 42:5  
California, § 42:6  
Common law liability  
General discussion, § 42:13

**LIABILITY OF OIL AND GAS  
OPERATORS FOR  
POLLUTION—Cont'd**

Common law liability—Cont'd  
Adjacent owners, liability to, § 42:14  
Early cases, common law liability, § 42:15  
Insurer's liability for operators' pollution, § 42:16  
Kansas, § 42:7  
Limitations periods for pollution by operators, § 42:17  
Louisiana, § 42:8  
Mississippi, § 42:9  
New Mexico, § 42:10  
Oklahoma, § 42:11  
Statutory liability  
General discussion, § 42:3  
Adjacent owners, liability to, § 42:4  
Arkansas, § 42:5  
California, § 42:6  
Kansas, § 42:7  
Louisiana, § 42:8  
Mississippi, § 42:9  
New Mexico, § 42:10  
Oklahoma, § 42:11  
Texas, § 42:12  
Texas, § 42:12

**LIABILITY OF OIL AND GAS  
OPERATORS FOR  
PROPERTY DAMAGE**

General discussion, § 42:1  
Apportionment of damages, money damages, § 42:24  
Common law liability, surface damage, § 42:20  
Environmental liability for oil and gas property, clause disclaiming, § 63:40  
Geophysical Exploration on Oil and Gas Prospects, this index  
Injunctions, § 42:26  
Money damages  
General discussion, § 42:23 to 42:25

## INDEX

### **LIABILITY OF OIL AND GAS OPERATORS FOR PROPERTY DAMAGE**

#### **—Cont'd**

- Money damages—Cont'd
  - Apportionment of damages, § 42:24
  - Surface restoration, § 42:25
- Negligence, § 1:2
- North Dakota, statutory liability for surface damage, § 42:21.50
- Reasonable use, § 41:5
- Release from liability for property damage caused by oil and gas operations, § 67:6; 67:7
- Release of lease with release of lessee liability, § 59:19
- Remedies for injury to property
  - Injunctions, § 42:26
  - Money damages, § 42:23 to 42:25
- Statutory liability for surface damage, § 42:21
- Surface damage
  - General discussion, § 42:18
  - Common law liability, § 42:20
  - North Dakota, § 42:21.50
  - Oklahoma, § 42:22
  - Statutory liability, § 42:21
- Surface restoration, money damages, § 42:25

### **LIBERANDI CAUSA**

- Loss of oil and gas interests, § 8:16

### **LIBERATIVE PRESCRIPTION OF OIL AND GAS SERVITUDES**

- General discussion, § 8:16 to 8:23

### **LICENSE**

- Classes of licenses, § 9:3
- Exploration licenses for oil and gas production on Alaska state lands, § 50:6
- Mining License, this index
- Statute of frauds, § 9:3

### **LIENS**

- Agricultural tenant's agreement, § 61:8
- Deed of trust on leased premises, § 61:3

### **LIENS—Cont'd**

- Domestic oil and gas well bond and lien, Montana, § 86:5
- Leased premises, lien on, § 61:1
- Mechanic's lien statute, § 9:4; 9:14; 9:17; 9:36
- Mortgage on leased premises, § 61:2
- Release of lien on mineral interests, § 61:5
- Subordination Agreements for Oil and Gas Leases, this index
- Vendor's lien on leased premises, § 61:4
- Waiver of priority lien for oil and gas lease benefits, § 61:6
- Waiver of surface easements by lessee, § 61:7

### **LIENS ON OIL AND GAS OPERATIONS**

- General discussion, § 46:1
- Amount of liens, § 46:8
- Enforcement of liens through foreclosure, § 46:12
- Equipment and materials qualifying for liens, § 46:4
- Foreclosure, § 46:12
- Labor and services qualifying for liens, § 46:5
- Loss of liens, § 46:13
- Materials and equipment qualifying for liens, § 46:4
- Necessity for express or implied contract for lien, § 46:2
- Personal property subject to liens, § 46:7
- Persons entitled to establish liens, § 46:3
- Priority of statutory liens over other claims, § 46:11
- Procedure for perfection of liens
  - General discussion, § 46:9
  - Priority of statutory liens over other claims, § 46:11
- Property and interests subject to liens
  - General discussion, § 46:6
  - Personal property, § 46:7
- Services and labor qualifying for liens, § 46:5

## **LIENS ON OIL AND GAS**

### **OPERATIONS—Cont'd**

Statements of claim, procedure for perfection of liens, § **46:10**

Waiver, loss, and discharge of liens, § **46:13**

## **LIFE TENANT AND**

### **REMAINDERMAN**

Division of Oil and Gas Rents and Royalties, this index

Power to lease for oil and gas production, § **11:30**

Waste, § **2:2; 2:21 to 2:23; 2:26**

## **LIMITATIONS AND**

### **RESTRICTIONS**

Owner's right to take oil and gas, § **3:1; 3:4; 3:5**

Statute of Limitations, this index

## **LIMITATION TITLE**

General discussion, § **10:6**

## **LIQUIDATED DAMAGES**

General discussion, § **23:3**

## **LITHOLOGIC DESCRIPTION FOR WELL**

Oregon, § **94:6**

## **LOCATION**

See also Location, Spacing and Pooling Regulations, this index

Affidavit for unorthodox oil and gas well location, Nebraska, § **87:5**

Affirmation of acreage control and rights in target formation, New York, § **90:2**

American Petroleum Institute well identification number application, New York, § **90:5**

Application for administrative location exception for oil and gas well, Arkansas, § **72:13**

Checklist for oil and gas spacing unit map, New York, § **90:4**

Checklist for oil and gas well location exception application, Kansas, § **80:12**

Drilling location assessment, Colorado, § **74:5**

## **LOCATION—Cont'd**

GPS coordinates, location of oil and gas well by, West Virginia, § **100:3**

### **Kansas**

Checklist for oil and gas well location exception application, § **80:12**

Locator plat, oil and gas well, § **80:3**

Lease clause requiring development from off-lease surface location, § **57:15**

Michigan, this index

Nebraska, affidavit for unorthodox oil and gas well location, § **87:5**

New Mexico location and dedication plat, oil and gas well, § **89:3**

New York, this index

Non-conforming oil and gas spacing unit application, New York, § **90:6**

### **Plat**

Kansas locator plat, oil and gas well, § **80:3**

New Mexico location and dedication plat, oil and gas well, § **89:3**

Regulations. Location, Spacing and Pooling Regulations, this index

Survey record of oil and gas well location, Michigan, § **83:4**

West Virginia, location of oil and gas well by GPS coordinates, § **100:3**

## **LOCATION, SPACING AND POOLING REGULATIONS**

General discussion, § **5:1 to 5:51; 6:2**

See also Pooling and Unitization for Oil and Gas Production, this index

Acreage to form drilling unit, § **6:7; 6:9 to 6:11**

Alabama, § **5:4**

Alaska, § **5:5**

Alberta, § **5:49**

American Bar Association, § **6:2**

## INDEX

### LOCATION, SPACING AND POOLING REGULATIONS

#### —Cont'd

- American Institute of Mining and Metallurgical Engineers, § 6:2
- American Petroleum Institute, § 6:2
- Antitrust law
  - General discussion, § 5:2; 5:3; 6:2
  - Arizona, § 5:6
  - Arkansas, § 5:7
  - Colorado, § 5:9
  - Georgia, § 5:11
  - Illinois, § 5:12
  - Montana, § 5:22
  - North Dakota, § 5:27
  - Oregon, § 5:31
  - South Dakota, § 5:33
- Arizona, § 5:6
- Arkansas, § 5:7
- California, § 5:8
- Charges by operator. Operator charges, below
- City of Oxford ordinance, § 6:19
- Colorado, § 5:9
- Commission orders review, Texas, § 5:44
- Compulsory pooling or unit operation
  - General discussion, § 5:1; 5:2; 6:17 to 6:24
  - Mississippi, § 5:20
  - Montana, § 5:22
  - Nebraska, § 5:23
  - North Dakota, § 5:27
  - Oklahoma, § 5:29; 5:30
  - South Dakota, § 5:33
  - Texas, § 5:35
- Compulsory unit operation
  - General discussion, § 6:17 to 6:24
  - City of Oxford ordinance, § 6:19
  - History, compulsory pooling, § 6:19
- Constitutional issues
  - General discussion, § 5:1; 5:3
  - California, § 5:8
  - Louisiana, § 5:16
  - Mississippi, § 5:20
  - Texas, § 5:36

### LOCATION, SPACING AND POOLING REGULATIONS

#### —Cont'd

- Correlative rights, § 6:2
  - General discussion, § 5:2
  - Alaska, § 5:5
  - Arizona, § 5:6
  - Kansas, § 5:14
  - Maryland, § 5:17
  - Mississippi, § 5:19
  - Nebraska, § 5:23
  - Oklahoma, § 5:29; 5:30
  - Oregon, § 5:31
  - Utah, § 5:46
  - Washington, § 5:47
- Damages for failure to drill when well located, § 23:8
- Drainage
  - General discussion, § 5:1
  - Alabama, § 5:4
  - Alaska, § 5:5
  - Arizona, § 5:6
  - Florida, § 5:10
  - Illinois, § 5:12
  - Louisiana, § 5:16
  - North Carolina, § 5:26
  - Oklahoma, § 5:29
  - Saskatchewan, § 5:51
  - Texas, § 5:34; 5:36; 5:45
- Drilling units, generally, § 5:1; 5:2
- Expenditures
  - Alaska, § 5:5
  - Louisiana, § 5:16
  - New Mexico, § 5:25
- Federal Oil Conservation Board, § 6:2
- Florida, § 5:10
- Geological conditions, Oregon, § 5:31
- Georgia, § 5:11
- Gwinville gas field, Mississippi, § 5:20
- Hugoton gas field, Kansas, § 5:14
- Illinois, § 5:12
- Indiana, § 5:13
- Injunctions, Texas, § 5:44; 5:45
- Integration
  - Arizona, § 5:6

**LOCATION, SPACING AND  
POOLING REGULATIONS**

**—Cont'd**

Integration—Cont'd  
     Illinois, § 5:12  
     Indiana, § 5:13  
     Louisiana, § 5:16  
     Mississippi, § 5:19; 5:20  
     Kansas, § 5:14  
     Kentucky, § 5:15  
     Lease  
         Arizona, § 5:6  
         Arkansas, § 5:7  
         California, § 5:8  
         Kansas, § 5:14  
         Kentucky, § 5:15  
         Louisiana, § 5:16  
         Manitoba, § 5:50  
         Mississippi, § 5:20  
         Nevada, § 5:24  
         Oklahoma, § 5:29  
         Texas, § 5:35; 5:36; 5:40; 5:42  
         Utah, § 5:46  
         Washington, § 5:47  
         Wyoming, § 5:48  
     Louisiana, § 5:16  
     Manitoba, § 5:50  
     Maryland, § 5:17  
     Michigan, § 5:18  
     Mineral interests  
         Louisiana, § 5:16  
         Maryland, § 5:17  
         Mississippi, § 5:20  
         Oklahoma, § 5:29  
         Texas, § 5:35; 5:36  
     Mississippi, § 5:19 to 5:21  
     Montana, § 5:22  
     Municipalities' regulation, § 5:3;  
         6:13  
     Nebraska, § 5:23  
     Nevada, § 5:24  
     New Mexico, § 5:25  
     Normanna fields, Texas, § 5:34  
     North Carolina, § 5:26  
     North Dakota, § 5:27  
     Ohio, § 5:28  
     Oklahoma, § 5:29; 5:30

**LOCATION, SPACING AND  
POOLING REGULATIONS**

**—Cont'd**

Operator charges  
     Alabama, § 5:4  
     Alaska, § 5:5  
     Arkansas, § 5:7  
     California, § 5:8  
     Colorado, § 5:9  
     Florida, § 5:10  
     Georgia, § 5:11  
     Illinois, § 5:12  
     Kentucky, § 5:15  
     Mississippi, § 5:19  
     Nevada, § 5:24  
     North Dakota, § 5:27  
     Oklahoma, § 5:29  
     Utah, § 5:46  
     Oregon, § 5:31  
     Pennsylvania, § 5:32  
     Pooling agreements, § 6:2  
     Proration unit  
         Kansas, § 5:14  
         New Mexico, § 5:25  
         Texas, § 5:34; 5:35  
     Railroad commission of Texas,  
         § 5:34 to 5:45  
     Railroad rights of way, § 5:2  
     Recoverable oil  
         General discussion, § 5:1  
         Florida, § 5:10  
         Louisiana, § 5:16  
         Michigan, § 5:18  
         New Mexico, § 5:25  
         North Carolina, § 5:26  
         Texas, § 5:37  
     Recovery of oil and gas  
         Indiana, § 5:13  
         Nebraska, § 5:23  
         Texas, § 5:44  
     Regulation, Saskatchewan, § 5:51  
     Reservoir, oil and gas  
         General discussion, § 5:2  
         Mississippi, § 5:19  
         Texas, § 5:35; 5:38; 5:40  
     Reservoir energy in the pool  
         Florida, § 5:10  
         Georgia, § 5:11

## INDEX

### LOCATION, SPACING AND POOLING REGULATIONS

#### —Cont'd

Reservoir energy in the pool—Cont'd

Kansas, § 5:14

Michigan, § 5:18

New Mexico, § 5:25

North Carolina, § 5:26

Saskatchewan, § 5:51

South Dakota, § 5:33

Statutes authorizing compulsory unit  
operation

General discussion, § 6:17 to 6:19

History of compulsory pooling,  
§ 6:19

Royalty pooling, § 6:18

Supervision charges, § 5:4 to 5:7;  
5:9 to 5:12; 5:16; 5:19; 5:23 to  
5:25; 5:33

Surface nuisance, § 5:8; 6:13

Texas

General discussion, § 5:34 to 5:45

Commission orders review, § 5:44

History, § 5:36 to 5:45

Initial order, effect of, § 5:43

Injunctions, § 5:45

Litigation over rule 37 spacing,  
§ 5:37

Necessary parties, § 5:42

Normanna fields, § 5:34

Notice requirements, § 5:42

Prevention of confiscation or  
waste, § 5:39

Protection of vested rights, § 5:40

Railroad commission, § 5:34 to  
5:45

Review of agency orders, § 5:44

Rule 37 spacing exceptions, § 5:38  
to 5:45

Vested rights, protection, § 5:40

Voluntary subdivision rule, § 5:41

Types of regulation

General discussion, § 5:2

Municipalities, § 5:3; 6:13

Unit operation of oil and gas  
reservoirs

Municipalities, § 6:13

Utah, § 5:46

### LOCATION, SPACING AND POOLING REGULATIONS

#### —Cont'd

Voluntary agreements to pool, § 5:9  
to 5:12; 5:16; 5:18; 5:22; 5:23;  
5:27; 5:31; 5:35; 5:46; 6:26 to  
6:37

Voluntary subdivision rule, § 5:39;  
5:41

Washington, § 5:47

Wyoming, § 4:38; 5:48

### LONG-TERM CONTRACTS

Sale of oil and gas, § 52:9

### LOSS

Interests, loss of. Loss of Oil and Gas

Interests, this index

Liens on oil and gas operations, of,  
§ 46:13

### LOSS OF OIL AND GAS

#### INTERESTS

General discussion, § 8:11 to 8:23

Abandoned interests, § 8:11; 8:12

Abandonment and nonuser of oil and  
gas interests, § 8:12

Acknowledgment of servitude as  
interrupting liberative prescrip-  
tion, § 8:16; 8:19

Acquirendi causa, § 8:15

Adverse Possession, this index

Cancellation of Lease, this index

Cotenants' adverse possession claim,  
§ 8:13

Disability of owner, suspension of  
liberative prescription, § 8:23

Dormant minerals acts, § 8:11

Dry well, § 8:17

Due process standards, § 8:11

Easement for railroad or highway  
purposes, § 8:13

Estoppel by warranty, § 8:22

Geophysical exploration, § 2:15;  
8:17

Good faith purchaser as interrupting  
liberative prescription, § 8:15

Good faith uses of servitude as inter-  
rupting liberative prescription,  
§ 8:17

Government lands, § 8:21

## LOSS OF OIL AND GAS

### INTERESTS—Cont'd

- History, liberative prescription, § 8:22; 8:23
- Incorporeal hereditaments or interests, § 8:16
- Indivisible mineral servitude, § 8:23
- Interruption by prevention of use, § 8:20
- Joinder, effect of, § 8:19
- Lack of production, termination of mineral interest, § 8:12.30; 8:12.70
- Lapse statutes, § 8:11
- Liberandi causa, § 8:16
- Liberative prescription of oil and gas servitudes
  - General discussion, § 8:16 to 8:23
  - Liberandi causa, § 8:16
- Liberative prescription of oil and gas servitudes, Louisiana, § 8:16 to 8:23
- Location of servitude, § 8:18
- Louisiana, § 8:15 to 8:23
- Marketable title provisions, § 8:11
- Merger doctrine, § 8:8
- Minors, suspension of liberative prescription, § 8:23
- Nonuse of interests, § 8:11; 8:12
- Nonuser for 10 years, § 8:16
- Nonuser of oil and gas interests, § 8:12
- Notice
  - adverse possession of interests, § 8:13
  - repudiation, § 8:13
  - severed mineral interest owner, § 8:11
- Obstacle preventing use of servitude, § 8:20
- Paying production, termination of mineral interest, § 8:12.30
- Post-severance of minerals, adverse possession, § 8:14
- Prescription of oil and gas servitudes, liberative, § 8:16 to 8:23
- Recordation or registration matters, § 8:11
- Release of mineral servitude, § 8:16

## LOSS OF OIL AND GAS

### INTERESTS—Cont'd

- Repudiation notice, § 8:13
- Reservation of mineral interest, § 8:22
- Reversionary interest, § 2:15; 8:1; 8:2; 8:9 to 8:11; 8:14
- Reverting mineral interest to landowner, § 8:11; 8:14; 8:22
- Revival of terminated servitude, § 8:19
- Servitudes, liberative prescription of, § 8:16 to 8:23
- Severance of minerals, adverse possession of interests after, § 8:14
- Statute of limitations for adverse possession claims, § 8:13; 8:14; 8:15; 8:21; 8:22
- Statutory loss of unused mineral interests, § 8:11
- Statutory period, § 8:10
- Termination of mineral interest, § 8:12.30; 8:12.70
- Termination of Oil and Gas Leases, this index
- Termination of servitude, § 8:16; 8:22; 8:23
- Unused mineral interests, statutory loss of, § 8:11
- Use of servitude as interrupting liberative prescription, § 8:16; 8:17; 8:18

## LOUISIANA

- Abandonment, oil and gas well plug and abandon report, § 81:8
- Abandonment of lease, § 22:23
- Amend permit to drill for oil and gas and other minerals, application to, § 81:11
- Annual enhanced recovery data sheet, oil and gas, § 81:12
- Applications
  - Amend permit to drill for oil and gas and other minerals, to, § 81:11
  - Class II waste injection well permit application, § 81:16
  - Class I waste injection well permit application, § 81:15

## INDEX

### LOUISIANA—Cont'd

#### Applications—Cont'd

Class V well permit application,  
§ 81:17

Drill for minerals, to, § 81:10

Subsurface disposal of reserve pit  
fluids, § 81:20

Cancellation of lease, § 22:22 to  
22:24

Carbon black manufacture regula-  
tions, § 4:39

Casinghead gas and gasoline, § 34:6

Certificate of compliance and autho-  
rization to transport oil,  
operator's, § 81:9

Certificate of deposit, pledge of  
Multiple oil and gas wells, for,  
§ 81:7

Classification of lessee's interest,  
§ 9:18; 9:19

Class II waste injection well permit  
application, § 81:16

Class I waste injection well permit  
application, § 81:15

Class V well permit application,  
§ 81:17

Conservation statutes and regula-  
tions, § 4:9; 4:27; 4:39; 5:16

Conveyances of Oil and Gas Mineral  
Interests, this index

Co-tenancy, taking of oil and gas,  
§ 2:38

Covenants in assignment of leases,  
§ 29:5

Creation of property interests in oil  
and gas, § 8:3

Enhanced recovery, oil and gas

Annual data sheet, § 81:12

Questionnaire, § 81:13

Exploration and production waste  
unauthorized discharge and dis-  
posal, notice of, § 81:14

Forfeiture of lease

Implied, § 22:23

Forms, oil and gas, § 81:1 et seq.

Hydraulic fracturing, well history and  
work resume report, supplement  
for, § 81:19

Implied forfeiture of lease, § 22:23

### LOUISIANA—Cont'd

Inadequate legal remedy, § 22:24

Injection well permit application

Class II waste, § 81:16

Class I waste, § 81:15

Irrevocable letter of credit

Multiple oil and gas wells, for,  
§ 81:6

Location, spacing and pooling regula-  
tions, § 5:16

Loss of oil and gas interests, § 8:15  
to 8:23

Multiple oil and gas wells, for

Irrevocable letter of credit, § 81:6

Performance bond, § 81:5

Pledge of certificate of deposit,  
§ 81:7

Notice, exploration and production  
waste unauthorized discharge  
and disposal, § 81:14

Oil and gas lease, § 56:18

Performance bond

Multiple oil and gas wells, for,  
§ 81:5

Plug and abandon report, oil and gas  
well, § 81:8

Pollution, statutory liability of opera-  
tors for, § 42:8

Pooling and unitization of oil and gas  
production, effect on mineral  
servitudes and royalties, § 6:11;  
6:20

Power of cotenant to lease for oil and  
gas production, § 11:22

Prescription against oil and gas or  
mineral servitudes, § 6:11

Production and severance taxes on oil  
and gas, § 49:28

Proration of oil and gas production,  
§ 7:12

Rents and royalties, nature of royalty  
interest, § 32:16

Reports

Enhanced recovery annual data  
sheet, oil and gas, § 81:12

Gas well deliverability test report,  
§ 81:2

Oil and gas well plug and abandon  
report, § 81:8

**LOUISIANA—Cont'd**

Reports—Cont'd

Oil well potential report, § **81:3**

Plug and abandon report, oil and gas well, § **81:8**

Reserve pit fluids, application for subsurface disposal of, § **81:20**

Reservoir energy regulations, § **4:27**

State Lands, Oil and Gas Production on, this index

Subsurface disposal of reserve pit fluids, application for, § **81:20**

Taxation, production and severance taxes on oil and gas, § **49:28**

Test, gas well deliverability test report, § **81:2**

Transfer of oil and gas mineral interests before lease, § **36:8**

Transporters

Certificate of compliance and authorization to transport oil, operator's, § **81:9**

Waste

Class II waste injection well permit application, § **81:16**

Class I waste injection well permit application, § **81:15**

Notice, exploration and production waste unauthorized discharge and disposal, § **81:14**

Subsurface disposal of reserve pit fluids, application for, § **81:20**

Well history and work resume report, § **81:18; 81:19**

Wells location, spacing and pooling, § **5:16; 6:11**

Work permit, oil and gas well work permit, § **81:4**

**MAIL**

Leases, rental clause, § **15:15; 15:16**

**MANITOBA**

Location, spacing and pooling regulations, § **5:50**

Proration of oil and gas production, § **7:45**

Wells location, spacing and pooling, § **5:50**

**MARKETABLE PRODUCT RULE**

Royalty, this index

**MARKETABLE TITLE**

Assignment of leases, § **28:18**

Condition of contract for oil and gas lease, § **10:6; 10:7**

Conveyances of mineral interests, option to purchase in lease, § **35:6**

Performance of contracts to assign leases, § **28:18**

**MARKET DEMAND EXCESS**

Proration of Oil and Gas Production, this index

**MARKETING OIL AND GAS**

Agency agreement for gathering system construction, maintenance, and marketing, § **65:11**

Calculation of royalties aspect. Royalty, this index

Co-tenancy, Wyoming, § **2:46**

Covenants to market oil and gas, § **17:20 to 17:22**

Exploratory wells, breach of covenant to market production, § **22:16**

Express covenant to market oil and gas, § **17:9**

Extension of lease due to lack of market for gas, § **14:19 to 14:21**

Implied covenant to market oil and gas, § **17:20 to 17:22; 18:11**

Lack of market

Extension of lease due to lack of market for gas, § **14:19 to 14:21**

Price

calculation of gas royalties, § **33:11 to 33:13**

marketing at reasonable price, § **17:21**

Proration of Oil and Gas Production, this index

Reasonable diligence in marketing oil and gas, defined, § **18:11**

Reasonable price, marketing oil and gas, § **17:21**

## INDEX

### MARKETING OIL AND GAS

#### —Cont'd

Termination of lease, grounds for,  
marketing oil and gas, § 17:22

### MARRIED PERSONS

Power to lease for oil and gas produc-  
tion, § 11:12

### MARTIN, CALLAHAN v.

California royalty interests, § 32:10

### MARYLAND

Affidavit of plugging and filling well,  
§ 82:11

#### Applications

Gas exploration and production,  
for, § 82:5

Seismic operations, to conduct,  
§ 82:4

Transfer of oil and gas drilling and  
operating permit, for, § 82:6

Bond. Surety bond, below

Completion report, oil and gas well,  
§ 82:3

#### Drilling and operating

Plugging and filling well, affidavit  
of, § 82:11

Surety bond, § 82:9; 82:10

Transfer of permit, application for,  
§ 82:6

#### Exploration

Application for gas exploration  
and production, § 82:5

Right of entry agreement for oil  
and gas exploration and pro-  
duction, § 82:8

Forms, oil and gas, § 82:1 et seq.

Location, spacing and pooling regula-  
tions, § 5:17

Plugging and filling well, affidavit of,  
§ 82:11

Quarterly production report, oil and  
gas, § 82:2

#### Reports

Completion report, oil and gas  
well, § 82:3

Quarterly production report, oil  
and gas, § 82:2

### MARYLAND—Cont'd

#### Right of entry agreement

Oil and gas exploration and pro-  
duction, for, § 82:8

Seismic operations, for, § 82:7

#### Seismic operations

Application to conduct, § 82:4

Right of entry agreement for,  
§ 82:7

#### Surety bond

Gas and oil drilling and operating  
blanket surety bond, § 82:9

Gas and oil drilling and operating  
surety bond, § 82:10

Wells location, spacing and pooling,  
§ 5:17

### MECHANIC'S LIEN STATUTE

Interest created by lease, generally,  
§ 9:4

Kansas lessee interest, § 9:14

Kentucky lessee interest, § 9:17

West Virginia lessee interest, § 9:36

### MEETING OF THE MINDS ON ESSENTIAL TERMS

Contracts for oil and gas leases,  
§ 10:2

### MENTAL CAPACITY, PERSONS LACKING

Power to lease for oil and gas produc-  
tion, § 11:3

### MERGER DOCTRINE

Property interests, § 8:8

### METHANE

Coalbed Methane, this index

### MICHIGAN

#### Abandonment

Application to change well status  
or abandon well, § 83:15

Record of plugging or change of  
well status record, § 83:16

Annual secondary and enhanced  
recovery project report, § 83:20

Application for permit to deepen,  
convert and operate oil and gas  
wells

Form, § 83:2

**MICHIGAN—Cont'd**

Application for permit to deepen, convert and operate oil and gas wells—Cont'd

Permit instructions for oil and gas wells, form, § 83:3

Application to change oil and gas well status or abandon well, § 83:15

Blowout control system, oil and gas well, § 83:5

Cancellation of lease, § 22:25

Change of oil and gas well status or abandon well

Application to, § 83:15

Record of plugging or change of well status record, § 83:16

Classification of lessee's interest, § 9:20

Completion record, oil and gas well, § 83:14

Conformance with law by oil and gas operations, surety bond for, § 83:9

**Conversion**

Application for permit to deepen, convert and operate oil and gas wells, § 83:2

Injection well, supplemental information for drilling or converting to, § 83:6

Co-tenant taking of oil and gas, § 2:39

Enhanced recovery project report, annual secondary and, § 83:20

**Environment**

Impact assessment for oil and gas well, environmental, § 83:8

Soil erosion and sedimentation control plan for oil and gas well, § 83:7

**Finance**

Letter of credit for single oil and gas well, irrevocable, § 83:10

Statement of financial responsibility for single oil and gas well, § 83:11

Surety bond for conformance with law by oil and gas operations, § 83:9

**MICHIGAN—Cont'd**

Forms, oil and gas, § 83:1 et seq.

Impact assessment for oil and gas well, environmental, § 83:8

Injection well, supplemental information for drilling or converting to, § 83:6

Leases, duration, necessary production, § 14:35

Letter of credit for single oil and gas well, irrevocable, § 83:10

**Location**

Spacing and pooling regulations, § 5:18

Survey record location of oil and gas well, § 83:4

**Monthly reports**

Oil gatherer's report, § 83:18

Production report, oil and gas, § 83:17

Plugging record, § 83:16

Power to lease for oil and gas production, § 11:23

Proration of oil and gas production, § 2:39; 7:13; 7:14

**Reports**

Annual secondary and enhanced recovery project report, § 83:20

Change of well status record, oil and gas well plugging or, § 83:16

Completion record, oil and gas well, § 83:14

Drilling or deepening record, oil and gas well, § 83:13

Enhanced recovery project report, annual secondary and, § 83:20

Initial oil and gas production report, § 83:19

Oil gatherer's monthly report, § 83:18

Organization report, oil and gas well permittee, § 83:12

Plugging or change of well status record, oil and gas well, § 83:16

Production monthly report, oil and gas, § 83:17

## INDEX

### **MICHIGAN—Cont'd**

- Reports—Cont'd
  - Survey record of oil and gas well location, § 83:4
- Soil erosion and sedimentation control plan for oil and gas well, § 83:7
- State lands, oil and gas production on, § 50:24
- Surety bond for conformance with law by oil and gas operations, § 83:9
- Survey record of oil and gas well location, § 83:4
- Taxation, production and severance taxes on oil and gas, § 49:29
- Transfers affecting present oil and gas lease, § 37:15
- Wells location, spacing and pooling, § 5:18

### **MINERAL DEED**

- Deeds of Mineral Interests, this index

### **MINERAL FEE**

- Property interests, § 8:1

### **MINERAL INTERESTS**

- Assignment of Interests in Leases, this index
- Classification of West Virginia lessee's interest, § 9:37
- Conveyances of Oil and Gas Mineral Interests, this index
- Co-tenant taking of oil and gas, § 2:30 to 2:46
- Deeds of Mineral Interests, this index
- Defined, § 8:1
- Distinguished from leasehold interest, § 8:6; 8:7
- Distinguishing "nonparticipating royalty" from, § 32:5 to 32:7
- Duties of mineral executive rights holders, § 8:5
- Executive rights holder, duties to nonexecutive interest owner, § 8:5
- Leasehold interest distinguished, § 8:6; 8:7
- Loss of oil and gas interests, § 8:11 to 8:23

### **MINERAL INTERESTS—Cont'd**

- Louisiana mineral servitudes, § 6:11; 8:16 to 8:23
- Modification of lease, clause to sustain dependent mineral interest on, § 63:38
- Owners' power to lease for oil and gas production, § 11:1 to 11:3
- Property interests, generally, § 8:1; 8:9; 8:10
- Release of lien on mineral interests, § 61:5
- Reservation of, § 8:22
- Servitude, § 6:11; 8:3; 8:9; 8:10; 8:16 et seq.
- Severed from surface estate, § 8:2
- Stipulation of mineral interests
  - Multiple owners, irrevocable stipulation among, § 62:9
  - One owner, revocable stipulation of, § 62:10
- Termination of Mineral Interests, this index
- Wells location, spacing and pooling, § 6:8; 6:11

### **MINERAL LEASING ACT**

- Federal Lands, Oil and Gas Production On, this index

### **MINERAL LEASING ACT FOR ACQUIRED LANDS**

- Federal lands, oil and gas production on, § 51:11

### **MINING LICENSE**

- Classification of lease interest
  - Historical perspective, § 8:9; 8:10; 9:3
  - Ohio, § 9:27
  - Pennsylvania, § 9:31
  - West Virginia, § 9:37
- Definition of license, § 9:3
- Distinguishing mineral interests from leasehold interests, § 8:6; 8:7
- Statute of frauds, § 9:3

### **MINING PARTNERSHIPS FOR OIL AND GAS DEVELOPMENT**

- Partnerships and Joint Ventures, Oil and Gas Mining, this index

## MINNESOTA

State lands, oil and gas production on, § 50:24.50

## MINORS

Adverse possession in Louisiana, § 8:15

Power to lease for oil and gas production, § 11:2

Suspension of liberative prescription in Louisiana, § 8:23

## MISREPRESENTATION

Fraud or Misrepresentation, this index

## MISSISSIPPI

Abandonment, notice of intention to plug and abandon oil and gas well, § 84:6

Ad valorem taxation of interests in oil and gas, § 49:10

Anti-waste statutes and regulations, § 4:11

### Applications

Create, operate and maintain underground hydrocarbon storage facility, § 84:3

Permit to drill, workover or change oil and gas operator, § 84:2

Cancellation of lease, § 22:26

Certificate of compliance and authorization to transport oil and gas, operator's, § 84:8

City lands, oil and gas production on, § 50:26

Classification of lessee's interest, § 9:21

Completion and recompletion report and well log, oil and gas, § 84:4

Conveyances of oil and gas mineral interests

General discussion, § 37:15

Mississippi, § 38:13

Present and future oil and gas lease, under, § 38:13

Transfers affecting present oil and gas leases, § 37:16

County lands, oil and gas production on, § 50:26

Equitable pooling, § 6:20

## MISSISSIPPI—Cont'd

Fluids injected monthly report, § 84:15

Forms, oil and gas, § 84:1 et seq.

Inactive oil and gas well status semi-annual report, § 84:10

Injection well, fluids injected monthly report, § 84:15

Liability of oil and gas operators for pollution, § 42:9

Location, spacing and pooling regulations, § 5:19 to 5:21

### Monthly reports

Fluids injected report, § 84:15

Gas purchaser's report, § 84:13

Producer's report for oil and gas wells, § 84:11

Purchaser of gas, report of, § 84:13

Refiner's report, oil and gas, § 84:14

Transporter's and storer's report, oil and gas, § 84:12

Notice of intention to plug and abandon oil and gas well, § 84:6

### Operator's

Certificate of compliance and authorization to transport oil and gas, § 84:8

Report and authority to transport waste crude oil or condensate, § 84:9

### Plugging

Notice of intention to plug and abandon oil and gas well, § 84:6

Record for oil and gas well, § 84:7

Pooling and unitization of oil and gas production, § 6:9; 6:20; 6:21

Power of cotenant to lease for oil and gas production, § 11:24

Producer's monthly report for oil and gas wells, § 84:11

Production and severance taxes on oil and gas, § 49:30

Proration of oil and gas production, § 7:15

Purchaser of gas, monthly report of, § 84:13

Ratable taking of oil and gas, § 4:11

## INDEX

### MISSISSIPPI—Cont'd

Refiner's monthly report, oil and gas,  
§ 84:14

#### Reports

Completion and recompletion  
report and well log, oil and  
gas, § 84:4

Deliverability test report, gas well,  
§ 84:5

Fluids injected monthly report,  
§ 84:15

Gas purchaser's monthly report,  
§ 84:13

Gas well deliverability test report,  
§ 84:5

Inactive oil and gas well status  
semi-annual report, § 84:10

Operator's report and authority to  
transport waste crude oil or  
condensate, § 84:9

Plugging record for oil and gas  
well, § 84:7

Producer's monthly report for oil  
and gas wells, § 84:11

Purchaser of gas, monthly report  
of, § 84:13

Refiner's monthly report, oil and  
gas, § 84:14

Storer's and transporter's monthly  
report, oil and gas, § 84:12

Test report, gas well deliverability,  
§ 84:5

Transporter's and storer's monthly  
report, oil and gas, § 84:12

School lands, oil and gas production  
on, § 50:27

Semi-annual inactive oil and gas well  
status report, § 84:10

State Lands, Oil and Gas Production  
on, this index

Statutory liability for operators of  
pollution, § 42:9

Storer's and transporter's monthly  
report, oil and gas, § 84:12

#### Testings

Gas well deliverability test report,  
§ 84:5

Transfers of oil and gas mineral  
interests

General discussion, § 37:16

### MISSISSIPPI—Cont'd

Transfers of oil and gas mineral  
interests—Cont'd

Present and future oil and gas  
lease, under, § 38:13

#### Transporters

Monthly report, oil and gas  
transporter's and storer's,  
§ 84:12

Operator's certificate of compli-  
ance and authorization to  
transport oil and gas, § 84:8

Operator's report and authority to  
transport waste crude oil or  
condensate, § 84:9

Wells location, spacing and pooling,  
§ 5:19 to 5:21

### MISSOURI

Abandonment, notice of intention to  
abandon oil and gas well, § 85:6

Agreement, oil and gas well conver-  
sion agreement, § 85:8

#### Application for permit

Drill, deepen or plug back oil and  
gas well, § 85:3

Injection well, § 85:4

#### Bonds

Surety bond for oil and gas opera-  
tions, § 85:2

Completion and recompletion report  
and well log, oil and gas well,  
§ 85:5

Conversion agreement, oil and gas  
well, § 85:8

Co-tenant taking of oil and gas,  
§ 2:40

Drill, deepen or plug back oil and gas  
well permit application, § 85:3

Forms, oil and gas, § 85:1 et seq.

#### Injection well

Monitoring report, § 85:10

Permit application, § 85:4

Monthly oil and gas well status and  
production report, § 85:9

Notice of intention to abandon oil  
and gas well, § 85:6

#### Plugging

Application for permit to drill,  
deepen or plug back oil and

**MISSOURI—Cont'd**

- Plugging—Cont'd
  - gas well, § 85:3
  - Record for oil and gas well, § 85:7
- Reports
  - Completion and recompletion report and well log, oil and gas well, § 85:5
  - Injection well monitoring report, § 85:10
  - Oil and gas well status and production monthly report, § 85:9
  - Plugging record for oil and gas well, § 85:7
  - Surety bond for oil and gas operations, § 85:2

**MISTAKE AND ERROR**

- Contracts for oil and gas leases, § 10:8
- Equitable Relief, this index
- Grants and exceptions of oil and gas interests, validity of, § 8:13
- Leases, validity requirements, § 12:16
- Trespass, § 2:6; 2:7; 2:9; 2:16

**MODIFICATION OF LEASE**

- Leases, this index

**MONEY DAMAGES**

- Damages, this index

**MONTANA**

- Agreement
  - Assignment agreement for oil and gas operations, certificate of deposit bond and, § 86:4
  - Water well release agreement for oil and gas well, § 86:9
- Application for permit to drill oil and gas well, § 86:11
- Assignment agreement for oil and gas operations, certificate of deposit bond and, § 86:4
- Bonds
  - Certificate of deposit bond and assignment agreement for oil and gas operations, § 86:4
  - Domestic oil and gas well bond and lien, § 86:5

**MONTANA—Cont'd**

- Bonds—Cont'd
  - Irrevocable standby letter of credit for oil and gas operations, § 86:6
  - Surety bond for oil and gas operations, § 86:3
- Cancellation of lease, § 22:27
- Certificate of compliance and authorization to transport oil and gas, producer's, § 86:15
- Certificate of deposit bond and assignment agreement for oil and gas operations, § 86:4
- Change oil and gas operator, notice of intent to, § 86:10
- Classification of lessee's interest, § 9:22
- Completion report for oil and gas well, § 86:8
- Co-tenant taking of oil and gas, § 2:41
- Forms, oil and gas, § 86:1 et seq.
- Irrevocable standby letter of credit for oil and gas operations, § 86:6
- Letter of credit for oil and gas operations, irrevocable, § 86:6
- Lien, domestic oil and gas well bond and, § 86:5
- Location, spacing and pooling regulations, § 5:22
- Monthly reports
  - Production report for oil and gas, § 86:12
  - Purchaser's gas report, § 86:14
  - Refiner's report of receipts and disposition of crude oil, § 86:13
- Nature of royalty interest, § 32:17
- Notice
  - Intent to change oil and gas operator, § 86:10
  - Sundry notices and report of oil and gas wells, § 86:7
- Organization report for oil and gas operations, § 86:2
- Producer's certificate of compliance and authorization to transport oil and gas, § 86:15

## INDEX

### **MONTANA—Cont'd**

- Production monthly report for oil and gas, § **86:12**
- Purchaser's monthly gas report, § **86:14**
- Refiner's monthly report of receipts and disposition of crude oil, § **86:13**
- Reports
  - Completion report for oil and gas well, § **86:8**
  - Organization report for oil and gas operations, § **86:2**
  - Production monthly report for oil and gas, § **86:12**
  - Purchaser's monthly gas report, § **86:14**
  - Refiner's monthly report of receipts and disposition of crude oil, § **86:13**
  - Sundry notices and report of oil and gas wells, § **86:7**
- State lands, oil and gas production on, § **50:28**
- Sundry notices and report of oil and gas wells, § **86:7**
- Surety bond for oil and gas operations, § **86:3**
- Taxation, production and severance taxes on oil and gas, § **49:31**
- Transfers of interests in oil and gas, rents and royalties after lease, § **37:17**
- Water well release agreement for oil and gas well, § **86:9**
- Wells location, spacing and pooling, § **5:22**

### **MONTHLY REPORTS**

- See individual states

### **MORTGAGES OF LEASE INTERESTS**

- Assignment of, § **28:36 to 28:41; 29:8**
- Foreclosure of, § **28:41**
- Louisiana lease cases, § **9:19**
- Mineral deed with tax and mortgage liens provision, § **63:3**
- Personal property, § **28:9; 28:40**

### **MORTGAGES OF LEASE INTERESTS—Cont'd**

- Priority of, § **28:38**
- Recordation, § **28:37**
- Rights of mortgagor, § **28:39**
- Subordination agreement for oil and gas lease, § **61:2**

### **MOTHER HUBBARD CLAUSE**

- See Coverall or "Mother Hubbard" Clause, this index

### **MULTIPLE DAMAGES**

- Waste, § **2:25**
- Waste of oil and gas, equitable remedies for, § **2:25**

### **MULTIPLE OWNERS**

- Irrevocable stipulation of mineral interests among, § **62:9**

### **MULTIPLE WELLS**

- Application for commingle or multiple completion or multi-choke assembly, Oklahoma, § **93:15**
- Farmout agreements for oil and gas development
  - Drill to earn, § **66:10**
  - Produce to earn, § **66:8**
- Irrevocable letter of credit, Louisiana, § **81:6**
- Leases, duration, § **14:16**
- Performance bond
  - Florida, § **75:4**
  - Louisiana, § **81:5**
- Pledge of certificate of deposit, Louisiana, § **81:7**
- Surety bond
  - North Dakota, § **92:6**

### **MULTIPLICITY OF SUITS**

- Waste of oil and gas, equitable remedies for, § **2:26**

### **MUNICIPALITIES**

- Conservation statutes and regulations, § **4:4; 4:8**
- Pooling and unitization of oil and gas production in, § **5:3; 6:13**

**NATIONAL ENERGY BOARD OF  
CANADA**

Website, § 1:8

**NATIONAL INDUSTRIAL  
RECOVERY ACT**

Proration of oil and gas production,  
§ 7:3; 7:29

**NATURAL GAS ACT**

Calculation of gas royalties, § 33:13

**NATURAL GASOLINE  
EXTRACTION**

Conservation statutes and regula-  
tions, § 4:39; 4:40; 4:41

**NATURAL GAS PRODUCTION**

Commingled gas, confusion of  
goods, § 2:7

Use for manufacture of carbon black,  
§ 4:9

**NATURAL GAS STORAGE**

Facilities monthly report, Alabama,  
gas injected/withdrawn for natu-  
ral gas storage facilities, § 69:28

Operations, affidavit of ownership or  
control of, Alabama, § 69:10

**NATURE OF CONTRACTS FOR  
OIL AND GAS LEASES**

Sale of an interest in lands, § 10:10

**NATURE OF OIL AND GAS  
ROYALTY**

Royalty, this index

**NEBRASKA**

Ad valorem taxation of interests in  
oil and gas, § 49:11

Affidavit for unorthodox oil and gas  
well location, § 87:5

Authorization to transport oil and gas  
from lease, § 87:8

Bond, oil and gas operator's bond,  
§ 87:2

Cancellation of lease, § 22:28

Classification of lessee's interest,  
§ 9:23

Completion and recompletion report,  
oil and gas well, § 87:12

**NEBRASKA—Cont'd**

Disposal well activity for oil and gas  
operations report, § 87:6

Forms, oil and gas, § 87:1 et seq.

Injection project for oil and gas  
operations, report of, § 87:7

Location, affidavit for unorthodox oil  
and gas well location, § 87:5

Location, spacing and pooling regula-  
tions, § 5:23

Monthly production report, oil and  
gas well status and, § 87:10

Notice

Intent to drill or re-enter oil and  
gas well, of, § 87:3

Sundry notice of oil and gas opera-  
tions, § 87:11

Permit for pit

Retaining pit for oil and gas well,  
§ 87:9

Temporary earthen reserve pit for  
oil and gas well, § 87:4

Plugging

Record, oil and gas well, § 87:13

Release of further oil and gas well  
plugging liability, § 87:14

Production and severance taxes on oil  
and gas, § 49:32

Proration of oil and gas production,  
§ 7:16

Release of further oil and gas well  
plugging liability, § 87:14

Reports

Completion and recompletion  
report, oil and gas well,  
§ 87:12

Disposal well activity for oil and  
gas operations, § 87:6

Injection project for oil and gas  
operations, § 87:7

Oil and gas well status and  
monthly production report,  
§ 87:10

Plugging record, oil and gas well,  
§ 87:13

State lands, oil and gas production  
on, § 50:29

Sundry notice of oil and gas opera-  
tions, § 87:11

## INDEX

### NEBRASKA—Cont'd

- Temporary earthen reserve pit for oil and gas well, permit for, § 87:4
- Transporters, authorization to transport oil and gas from lease, § 87:8
- Wells location, spacing and pooling, § 5:23

### NECESSARY PARTIES TO LITIGATION

- Location, spacing and pooling regulations (Texas), § 5:42
- Pooling and unitization of oil and gas production, § 6:16

### NECESSITY

- Leases, this index
- Liens on oil and gas operations, necessity for express or implied contract for lien, § 46:2

### NEGATIVE RULE OF CAPTURE

- Trespass, § 2:20

### NEGOTIABLE INSTRUMENT

- Leases, rental clause, § 15:17

### NET DRAINAGE PREVENTION

- Proration of Oil and Gas Production, this index

### NEVADA

- Acid treatments and frac jobs, oil and gas stimulation program checklist, § 88:4
- Application for permit to drill oil and gas well, § 88:2
- Bonds
  - Surety bond, oil and gas drilling, § 88:7
  - Surety bond, statewide oil and gas drilling, § 88:8
- Checklist
  - Acid treatments and frac jobs, oil and gas stimulation program, § 88:4
  - Injection or flow test for oil and gas operations, § 88:3
  - Oil and gas stimulation program, acid treatments and frac jobs, § 88:4

### NEVADA—Cont'd

- Completion
  - Report, oil and gas well, § 88:13
  - Water well completion release for oil and gas well, § 88:15
- Forms, oil and gas, § 88:1 et seq.
- Gas-oil ratio report for oil and gas well, § 88:5
- Geothermal organization report, § 88:9
- Injection well
  - Checklist for injection or flow test for oil and gas operations, § 88:3
  - Subsurface injections report, oil and gas, § 88:11
- Location, spacing and pooling regulations, § 5:24
- Measurement inspection record for gas production, § 88:6
- Monthly producer's report, oil and gas, § 88:10
- Notice, sundry notice and report on oil and gas wells, § 88:12
- Plugging report, oil and gas well, § 88:14
- Producer's monthly report, oil and gas, § 88:10
- Production and severance taxes on oil and gas, § 49:33
- Release, water well completion release for oil and gas well, § 88:15
- Reports
  - Completion report, oil and gas well, § 88:13
  - Gas-oil ratio report for oil and gas well, § 88:5
  - Measurement inspection record for gas production, § 88:6
  - Oil, gas, and geothermal organization report, § 88:9
  - Oil and gas producer's monthly report, § 88:10
  - Oil and gas subsurface injections report, § 88:11
  - Plugging report, oil and gas well, § 88:14

**NEVADA—Cont'd**

Reports—Cont'd

- Sundry notice and report on oil and gas wells, § **88:12**
- Subsurface injections report, oil and gas, § **88:11**
- Sundry notice and report on oil and gas wells, § **88:12**
- Surety bond, oil and gas drilling, § **88:7**
- Surety bond, statewide oil and gas drilling, § **88:8**
- Taxation, production and severance taxes on oil and gas, § **49:33**
- Test, checklist for injection or flow test for oil and gas operations, § **88:3**
- Water well completion release for oil and gas well, § **88:15**
- Wells location, spacing and pooling, § **5:24**

**NEW MEXICO**

- Anti-waste statutes and regulations, § **4:14**
- Application for authorization to inject oil and gas well, § **89:8**
- Application for permit to drill, re-enter, deepen, plugback or add zone, § **89:2**
- Cancellation of lease, § **22:29**
- Classification of lessee's interest, § **9:24**
- Completion or recompletion report and well log, oil and gas well, § **89:7**
- Conservation statutes and regulations, § **4:6; 4:11; 4:14; 4:27**
- Forms, oil and gas, § **89:1 et seq.**
- Injection well
  - Application for authorization to inject oil and gas well, § **89:8**
- Interstate oil and gas compact for conservation legislation, § **4:6**
- Lease development, § **89:13**
- Location, spacing and pooling regulations, § **5:25**
- Location and dedication plat, oil and gas well, § **89:3**

**NEW MEXICO—Cont'd**

Monthly reports

- Gas transporter's and facility report, § **89:9**
- Oil transporter's and storer's report, § **89:10**
- Multi-point and one-point back pressure test for gas well, § **89:11**
- Oil and gas lease
  - Development form, § **56:19**
  - Discovery form, § **56:20**
  - Exploratory form, § **56:21**
- Plat, oil and gas well location and dedication plat, § **89:3**
- Plugging
  - Application for permit to drill, re-enter, deepen, plugback or add zone, § **89:2**
  - Report, oil and gas well, § **89:5**
- Production and severance taxes on oil and gas, § **49:34**
- Proration of oil and gas production, § **6:23; 7:17**
- Ratable taking of oil and gas, § **4:11; 4:14**
- Reports
  - Completion or recompletion report and well log, oil and gas well, § **89:7**
  - Gas transporter's and facility monthly report, § **89:9**
  - Gas well deliverability test report, § **89:12**
  - Oil transporter's and storer's monthly report, § **89:10**
  - Plugging report, oil and gas well, § **89:5**
  - Sundry notices and reports on oil and gas wells, § **89:4**
- Reservoir energy regulations, § **4:27**
- State lands, oil and gas production on, § **50:30**
- Statutory liability for operators of pollution, § **42:10**
- Storer's monthly report, oil transporter's and, § **89:10**
- Sundry notices and reports on oil and gas wells, § **89:4**

## INDEX

### NEW MEXICO—Cont'd

- Taxation, production and severance taxes on oil and gas, § 49:34
- Test
  - Gas well deliverability test report, § 89:12
  - Multi-point and one-point back pressure test for gas well, § 89:11
- Transfers of oil and gas mineral interests, present and future oil and gas lease, under, § 38:14
- Transporters
  - Monthly report, gas transporters and facility, § 89:9
  - Monthly report, oil transporter's and storer's, § 89:10
  - Request for allowable and authorization to transport oil and gas, § 89:6
- Wells location, spacing and pooling, § 5:25

### NEW YORK

- Abandonment, notice of intention to plug and abandon oil and gas well, § 90:11
- Ad valorem taxation of interests in oil and gas, § 49:12
- Affirmation of acreage control and rights in target formation, § 90:2
- American Petroleum Institute well identification number, application for, § 90:5
- Annual oil and gas well report, § 90:3
- Applications
  - American Petroleum Institute well identification number, for, § 90:5
  - Checklist for oil and gas spacing unit map, § 90:4
  - Drill, deepen, plug back or convert oil and gas well permit, to, § 90:7
  - Non-conforming oil and gas spacing unit, for, § 90:6
  - Transfer of underground storage permit, for, § 90:8

### NEW YORK—Cont'd

- Bond, oil and gas well plugging and surface restoration, § 90:15
- Cancellation of lease, § 22:30
- Checklist for oil and gas spacing unit map, § 90:4
- Classification of lessee's interest, § 9:25; 9:34
- Completion, drilling and completion report, § 90:14
- Compulsory integration election for owners in oil and gas spacing unit, § 90:9
- Convert oil and gas well, application for permit, to, § 90:7
- Environmental assessment for oil and gas well, § 90:10
- Forms, oil and gas, § 90:1 et seq.
- Location
  - Affirmation of acreage control and rights in target formation, § 90:2
  - American Petroleum Institute well identification number, application for, § 90:5
  - Checklist for oil and gas spacing unit map, § 90:4
  - Non-conforming oil and gas spacing unit, application for, § 90:6
- Notice of intention to plug and abandon oil and gas well, § 90:11
- Organizational report for oil and gas operations, § 90:12
- Plugging of oil and gas well
  - Bond, plugging and surface restoration, § 90:15
  - Drill, deepen, plug back or convert oil and gas well, application for permit to, § 90:7
  - Notice of intention to plug and abandon oil and gas well, § 90:11
  - Report, § 90:13
- Reports
  - Annual oil and gas well report, § 90:3
  - Drilling and completion report, oil and gas well, § 90:14

**NEW YORK—Cont'd**

Reports—Cont'd

Organizational report for oil and gas operations, § 90:12

Plugging report for oil and gas well, § 90:13

State lands, oil and gas production on, § 50:31

Surface restoration bond, oil and gas well plugging and, § 90:15

Taxation, ad valorem taxation of interests in oil and gas, § 49:12

Underground storage permit, application for transfer of, § 90:8

Well identification number, application for American Petroleum Institute number, § 90:5

**1915 ACT**

Proration of oil and gas production, § 7:22

**1940 ACT**

Proration of oil and gas production, § 7:12; 7:39

**1938 ACT**

Louisiana lease interest, Act 205, § 9:19

**1935 ACT**

Proration of oil and gas production, § 7:24; 7:37

**1939 STATUTE**

Proration of oil and gas production, § 7:6; 7:10

**1931 ACT**

Proration of oil and gas production, § 7:27

**1932 ACT**

Proration of oil and gas production, § 7:28; 7:36

**NONCONTIGUOUS TRACTS**

Contiguous and Noncontiguous Tracts, this index

**NONFREEHOLD ESTATE**

Property interests, § 8:9; 8:10

**NONPARTICIPATING OIL AND GAS ROYALTY INTEREST**

Royalty, this index

**NONPERFORMANCE OF LEASE**

Remedies for Nonperformance of Leases, this index

**NONPOSSESSORY INTEREST**

Property interests, § 8:9; 8:10

**NONPRORATED POOLS**

Proration of oil and gas production, § 7:10

**NONUSE OF INTERESTS**

Loss of oil and gas interests, § 8:11 to 8:13; 8:16

**NONUSER FOR 10 YEARS**

Loss of oil and gas interests, § 8:16

**NORMANNA FIELDS**

Wells location, spacing and pooling, § 5:34

**NORTH CAROLINA**

General discussion, § 91:1 to 91:7

Anti-waste statutes and regulations, § 4:11

Financial responsibility ownership, statement, § 91:2

Forms, introduction, § 91:1

Location, spacing and pooling regulations, § 5:26

Production and severance taxes on oil and gas, § 49:35

Proration of oil and gas production, § 7:18

Ratable taking of oil and gas, § 4:11

Site reclamation plan, § 91:7

Taxation, production and severance taxes on oil and gas, § 49:35

Waste management plan for well, § 91:6

Water management plan for well, § 91:5

Well construction design, § 91:3

Well permit application, § 91:3

Wells location, spacing and pooling, § 5:26

## INDEX

### NORTH DAKOTA

- Annual unit operations report, oil and gas, § 92:18
- Application for injection for oil and gas operations, § 92:17
- Application for permit
  - Drill horizontal oil and gas well, § 92:3
  - Drill vertical or directional oil and gas well, § 92:2
- Authorization to purchase and transport oil and gas from lease, § 92:12
- Bakken formation production, tight oil, § 1:5
- Bond
  - Blanket surety bond for more than ten oil and gas wells, § 92:6
  - Single deep oil and gas well surety bond, § 92:5
- Cancellation of lease, § 22:31
- Classification of lessee's interest, § 9:26
- Completion or recompletion report, oil and gas well, § 92:10
- Conveyances of oil and gas mineral interests, § 36:9; 38:15
- Forms, oil and gas, § 92:1 et seq.
- Gas-oil ratio report, § 92:13
- Gas processing plant's monthly report of receipts from wells, § 92:16
- Gas production monthly report, § 92:9
- Horizontal oil and gas well, application for permit to drill, § 92:3
- Injection, application for injection for oil and gas operations, § 92:17
- Location, spacing and pooling regulations, § 5:27
- Monthly reports
  - Gas processing plant's report of receipts from wells, § 92:16
  - Gas production report, § 92:9
  - Oil production report, § 92:8
  - Oil purchaser's report, § 92:15
- Notice
  - Sundry notices and reports on oil and gas wells, § 92:7

### NORTH DAKOTA—Cont'd

- Oil production monthly report, § 92:8
- Oil purchaser's monthly report, § 92:15
- Organization report for oil and gas operations, § 92:4
- Plugging report, oil and gas well, § 92:11
- Production and severance taxes on oil and gas, § 49:36
- Proration of oil and gas production, § 7:19
- Purchase
  - Authorization to purchase and transport oil and gas from lease, § 92:12
  - Oil purchaser's monthly report, § 92:15
- Reports
  - Completion or recompletion report, oil and gas well, § 92:10
  - Gas-oil ratio report, § 92:13
  - Gas processing plant's monthly report of receipts from wells, § 92:16
  - Gas production monthly report, § 92:9
  - Oil production monthly report, § 92:8
  - Oil purchaser's monthly report, § 92:15
  - Organization report for oil and gas operations, § 92:4
  - Plugging report, oil and gas well, § 92:11
  - Reservoir pressure test report, oil and gas, § 92:14
  - Sundry notices and reports on oil and gas wells, § 92:7
  - Unit operations annual report, oil and gas, § 92:18
- Reservoir pressure test report, oil and gas, § 92:14
- State lands, oil and gas production on, § 50:32
- Sundry notices and reports on oil and gas wells, § 92:7
- Surface damage, statutory liability of oil and gas operators, § 42:21.50

**NORTH DAKOTA—Cont'd**

- Taxation, production and severance taxes on oil and gas, § **49:36**
- Testing, reservoir pressure test report, oil and gas, § **92:14**
- Tight oil, Bakken formation production, § **1:5**
- Transfers of oil and gas mineral interests under present and future oil and gas lease, § **38:15**
- Transporters, authorization to purchase and transport oil and gas from lease, § **92:12**
- Unit operations annual report, oil and gas, § **92:18**
- Vertical or directional oil and gas well, application for permit to drill, § **92:2**
- Wells location, spacing and pooling, § **5:27**

**NOTATIONS**

- Leases, construction and interpretation, § **16:7**

**NOTICE**

- Abandonment of lease, § **22:2**
- Application for oil and gas permit or permit modification, Virginia, § **99:5**
- Assignment of interests in leases, § **28:4**
- Cancellation of lease, § **22:2; 22:3**
- Change of operator
  - Florida, § **75:7**
  - Montana, § **86:10**
  - South Dakota, § **96:12**
- Class II and noncommercial gas permits, public notice of certification, Indiana, § **78:17**
- Coalbed methane work permit, West Virginia, § **100:6**
- Commencement of production, of, § **72:12**
- Completion
  - Geophysical operations for oil and gas, Florida, § **75:11**
  - Plugging completion and site restoration, Florida, § **75:20**

**NOTICE—Cont'd**

- Conservation Statutes and Regulations, this index
- Construction and repair of gas pipeline system, § **72:40**
- Constructive notice, lease validity requirements, § **12:10**
- Contracts for oil and gas leases
  - Defects, notice of, § **10:5**
  - Performance or compliance with conditions, notice of, § **10:5**
  - Revocation of offer, notice of, § **10:2**
- Defects, contracts for oil and gas leases, notice of defects, § **10:5**
- Forfeiture of oil and gas leases, § **21:10**
- Forms. Bureau of Land Management oil and gas forms, this index
- Gas pipeline incident report, § **72:41**
- Incident report, notice of, § **69:36; 72:37; 72:41**
- Injection commencement or termination
  - Kansas, § **80:33**
  - Oklahoma, § **93:19**
- Intent, notice of
  - Conduct seismic operations, to, § **74:21**
  - Drill for oil and gas, to, § **72:7**
  - Drill new oil and gas well, to, § **73:5**
- Intention to plug and abandon well
  - Mississippi, § **84:6**
  - Missouri, § **85:6**
  - New York, § **90:11**
  - Oklahoma, § **93:4**
  - Pennsylvania, § **95:14**
  - Texas, § **97:25**
  - West Virginia, § **100:5**
- Intent to drill or re-enter well, Nebraska, § **87:3**
- Intent to drill well, Kansas, § **80:7**
- Landowner notification of well drilling or alterations, Pennsylvania, § **95:11**
- Lease clause, § **57:39**
- Leases, validity requirements, § **12:10; 12:15**

## INDEX

### NOTICE—Cont'd

- Local government designee for notice of oil and gas operations, § 74:29
- Loss of Oil and Gas Interests, this index
- Modify injection permit, Kansas, § 80:35
- Modify oil and gas permit, Virginia, § 99:5
- Name change, § 72:36
- Ownership for oil and gas property, of, § 70:16
- Performance or compliance with contract conditions, notice of, § 10:5
- Plugging Oil and Gas Wells, this index
- Possession of land as notice of prior lease, § 12:15
- Revocation of offer, notice of, § 10:2
- Seismic operations, intent to conduct, § 74:21
- Sundry Notices and Reports, this index
- Surface restoration, Florida, § 75:20
- Termination of future use status for production well, Illinois, § 77:21
- Termination of injection
  - Kansas, § 80:33
  - Oklahoma, § 93:19
- Termination of oil and gas leases, § 20:2
- Transfer of operator. Change of operator, above
- Transfer of well, § 72:36
- Unauthorized waste discharge and disposal, Louisiana, § 81:14
- Vacuum pump permit, § 4:29
- Well spud (form), § 101:18
- Work permit
  - Coalbed methane work permit, West Virginia, § 100:6
  - Oil and gas well work permit, West Virginia, § 100:2

### NUISANCE

- Conservation statutes and regulations preventing, § 4:8; 6:13

### NUISANCE—Cont'd

- Owner's right to take oil and gas, § 3:1; 3:7; 6:13

### OFFER AND ACCEPTANCE

- Contracts for oil and gas leases
  - Marketable title condition for acceptance, § 10:6
  - Requirements, § 10:2; 10:3
  - Specific performance, § 10:10
  - Statute of frauds, § 10:3
- Conveyances of oil and gas mineral interests, § 35:3
- Late rental, acceptance as waiver and estoppel of forfeiture under drill or pay leases, § 21:13
- Lease acceptance, requirement for lease validity, § 12:4

### OFFSET WELLS

- Breach of covenant to drill, damages, § 23:10; 23:11
- Damages for nonperformance of lease, § 23:10; 23:11
- Leases, covenants for development, § 17:7; 17:8; 17:16 to 17:19

### OFFSHORE WELL

- Master services agreement, § 67:5
- Participation agreement, § 66:17

### OHIO

- Ad valorem taxation of interests in oil and gas, § 49:13
- Cancellation of lease, § 22:32
- Classification of lessee's interest, § 9:27
- Location, spacing and pooling regulations, § 5:28
- Nature of royalty interest, § 32:18
- Production and severance taxes on oil and gas, § 49:38
- State lands, oil and gas production on, § 50:33
- Transfers affecting present and future oil and gas lease, § 38:16
- Wells location, spacing and pooling, § 5:28

### OIL AGREEMENTS

- Forms. Bureau of Land Management oil and gas forms, this index

**OIL AND GAS JOURNAL**

Website, § 1:8

**OIL AND GAS LEASES**

Leases

Centerline presumption, § 12:9.50

Description of land, § 12:9.50

**OIL INTERSTATE  
TRANSPORTATION  
PROHIBITION**

Proration of oil and gas production,  
§ 7:3

**OIL PAYMENTS**

General discussion, § 31:1

Assignment of Interests in Leases,  
this index

**OIL WASTE SALVAGE**

Lease interest, § 9:7

**OKLAHOMA**

Abandonment of lease, § 22:34

Acreage statement for gas wells,  
§ 93:12

Ad valorem taxation of interests in  
oil and gas, § 49:14

Allowable adjustment for oil and gas  
well, application for, § 93:18

Allowable discovery oil for well,  
application for, § 93:16

Annual fluid injection report for oil  
and gas operations, § 93:9

Applications

Allowable adjustment for oil and  
gas well, § 93:18

Commingle or multiple completion  
or multi-choke assembly,  
§ 93:15

Conduct seismic operations, § 93:3

Discovery oil allowable for well,  
§ 93:16

Drill, recompleat or re-enter oil  
and gas well, § 93:2

Flare or vent natural gas, § 93:13

Use vacuum pump in oil and gas  
operations, § 93:14

Bond

Oil and gas surety bond, § 93:7

**OKLAHOMA—Cont'd**

Bond—Cont'd

Seismic operations and plugging,  
surety bond for, § 93:8

Cancellation of lease, § 22:33 to  
22:36

Carbon black manufacture regula-  
tions, § 4:38

Casinghead gas and gasoline, § 34:7

Classification of lessee's interest,  
§ 9:28; 9:29

Commingle or multiple completion  
or multi-choke assembly,  
application for, § 93:15

Completion

Application for commingle or  
multiple completion or multi-  
choke assembly, § 93:15

Application to drill, recompleat or  
re-enter oil and gas well,  
§ 93:2

Report, oil and gas well, § 93:5

Conservation statutes and regulations

Carbon black manufacture regula-  
tions, § 4:38

Constitutionality, § 4:6

Gas well regulations, § 4:31

Judicial review of agency rules and  
orders, § 4:16

Location, spacing and pooling  
regulations, § 5:29; 5:30

Pooling and unit operations, § 6:2

Ratable taking of oil and gas,  
§ 4:15

Reservoir energy regulations,  
§ 4:27

Vacuum pumps regulations, § 4:29

Conveyances of Oil and Gas Mineral  
Interests, this index

Co-tenancy rights, § 2:42; 11:25

Discovery oil allowable for well,  
application for, § 93:16

Division of oil and gas rents and  
royalties after lease, § 40:8

Drilling gas wells, § 4:15

Forced pooling order, § 2:42

Forfeiture of lease, implied, § 22:35

Forms, oil and gas, § 93:1 et seq.

Gas well regulations, § 4:31

## INDEX

### OKLAHOMA—Cont'd

- Guardians' power to lease for oil and gas production, § **11:9**
- Implied forfeiture of lease, § **22:35**
- Inadequate legal remedy, § **22:36**
- Injection, annual fluid injection report for oil and gas operations, § **93:9**
- Interstate oil and gas compact for conservation legislation, § **4:6**
- Location, spacing and pooling regulations, § **5:29; 5:30**
- Mechanical integrity test report for oil and gas well, § **93:20**
- Multi-choke assembly, application for commingle or multiple completion or, § **93:15**
- Natural gas
  - Acreage statement for gas wells, § **93:12**
  - Application to flare or vent natural gas, § **93:13**
  - Back pressure test report, § **93:10**
  - Deliverability test report, § **93:11**
- Notice
  - Commencement or termination of injection, § **93:19**
  - Intention to plug oil and gas well, § **93:4**
- Plugging
  - Notice of intention to plug oil and gas well, § **93:4**
  - Record, oil and gas well plugging, § **93:6**
  - Surety bond for, § **93:8**
- Pooling and unitization of oil and gas production, § **2:42; 6:2; 6:10; 6:18; 6:21; 6:23; 6:24**
- Power to lease for oil and gas production
  - Covenant, power of, § **11:25**
  - Guardians, power of, § **11:9**
- Production and severance taxes on oil and gas, § **49:37**
- Proration of oil and gas production
  - General discussion, § **7:20 to 7:24**
  - Correlative rights protection, § **7:21 to 7:24**
  - History, § **6:2; 7:21 to 7:24**

### OKLAHOMA—Cont'd

- Proration of oil and gas production—Cont'd
  - 1915 Act, § **7:22**
  - 1935 Act, § **7:24**
  - 1933 Act, § **7:23**
- Ratable taking of oil and gas, § **4:15**
- Rent, casinghead gas and gasoline, § **34:7**
- Reports
  - Annual fluid injection report for oil and gas operations, § **93:9**
  - Completion report, oil and gas well, § **93:5**
  - Mechanical integrity test report for oil and gas well, § **93:20**
  - Natural gas well back pressure test report, § **93:10**
  - Natural gas well deliverability test report, § **93:11**
  - Production or potential test report, § **93:17**
- Royalty, this index
- Seismic operations
  - Application to conduct, § **93:3**
  - Surety bond for, § **93:8**
- State lands, oil and gas production on, § **50:34**
- Statutory liability for operators of pollution, § **42:11**
- Surface damage, § **42:22**
- Testing
  - Mechanical integrity test report for oil and gas well, § **93:20**
  - Natural gas well back pressure test report, § **93:10**
  - Natural gas well deliverability test report, § **93:11**
  - Production or potential test report, § **93:17**
- Transfer of oil and gas mineral interests before lease, § **36:10; 36:11**
- Transfers affecting present and future oil and gas lease, § **38:17**
- Transfers affecting present oil and gas leases, § **37:18**
- Trespass, § **2:42**

**OKLAHOMA—Cont'd**

- Vacuum pump in oil and gas operations, application to use, § **93:14**
- Vacuum pumps regulations, § **4:29**
- Wells location, spacing and pooling, § **5:29; 5:30; 6:2**

**OPEN FLOW OF GAS WELLS**

- Alaska, gas well open flow potential test report, § **70:17**
- Anti-waste statutes and regulations, § **3:4**

**OPEN MINE DOCTRINE**

- General discussion, § **2:22**

**OPERATING AGREEMENTS**

- Gas balancing
  - Agreement between gatherer and receiver, § **65:10**
  - Oil and gas operating agreement provisions, § **65:1 to 65:6**
- Gas gathering agreement between gatherer and shipper, § **65:8**
- Oil and gas operating agreement
  - Amendment, § **65:5**
  - Construction, maintenance, and marketing, § **65:11**
  - Gas balancing provisions, § **65:3**
  - Gas storage and balancing provisions, § **65:4**
  - Intrastate gas gathering and transportation agreement, § **65:9**
  - Memorandum, § **65:5**
  - Model form, § **65:1**
  - Subject to separate participation agreement, § **65:2**
- Unit operations, § **29:16**

**OPERATORS**

- Change of Operator, this index
- Charges. Location, Spacing and Pooling Regulations, this index
- Designation of agent
  - Alaska, § **70:13**
  - Colorado, § **74:3**
  - Utah, § **98:6**
- Designation of operator, Bureau of Ocean Energy Management forms, § **102:3**

**OPERATORS—Cont'd**

- Location, Spacing and Pooling Regulations, this index
- Oil and gas or geothermal exploration (form), § **101:6**
- Personal injury liability, § **43:1; 43:2**
- Pollution. Liability of Oil and Gas Operators for Pollution, this index
- Property damage. Liability of Oil and Gas Operators for Property Damage, this index
- Rights and Duties of Oil and Gas Operators and Lessors, this index

**OPTIONS**

- Conveyances of mineral interests, option to purchase in lease, § **35:7**
- Leases, § **16:8**
- Option agreement for lease, § **10:8; 55:2**
- Option agreement for oil and gas development with attachments assigning acreage and setting terms and conditions, § **66:6**

**ORAL CONTRACTS**

- Statute of frauds bars oral contracts to convey oil and gas interests, § **54:12**

**ORDINANCES**

- Anti-waste statutes and regulations, rules, and orders, § **4:4; 4:8**
- City of Oxford ordinance on wells location, spacing and pooling, § **5:52; 6:19**

**OREGON**

- Application for oil and gas well, miscellaneous, § **94:3**
- Application to conduct seismic or information hole drilling operations, § **94:9**
- Application to drill oil and gas well, § **94:2**
- Assignment of deposit for oil and gas well drilling operations, § **94:8**

## INDEX

### OREGON—Cont'd

- Deposit for oil and gas well drilling operations, assignment of, § 94:8
- Description for oil and gas well, lithologic, § 94:6
- Forms, oil and gas, § 94:1 et seq.
- History of oil and gas well, § 94:7
- Lithologic description for oil and gas well, § 94:6
- Location, spacing and pooling regulations, § 5:31
- Plugging record for oil and gas well, § 94:5
- Production and severance taxes on oil and gas, § 49:39
- Reports
  - Plugging record for oil and gas well, § 94:5
  - Summary report for oil and gas well, § 94:4
- Seismic operations, application to conduct, § 94:9
- State lands, oil and gas production on, § 50:35
- Summary report for oil and gas well, § 94:4
- Taxation, production and severance taxes on oil and gas, § 49:39
- Testing
  - Application to conduct seismic or information hole drilling operations, § 94:9
- Wells location, spacing and pooling, § 5:31

### ORPHAN WELL

- Application for classification, Pennsylvania, § 95:7
- Application for payment for reactivating or plugging, Texas, § 97:12

### OUTER BOUNDARY

- Definitions, § 5:8

### OUTER CONTINENTAL SHELF (OCS) LANDS ACT

- Federal lands, oil and gas production on, § 51:13

### OUTER CONTINENTAL SHELF (OCS) LANDS ACT—Cont'd

- Oil and gas lease of submerged lands under, Bureau of Ocean Energy Management forms, § 102:2

### OVERHEAD COSTS

- Contracts for oil and gas leases, § 10:9

### OVERRIDING ROYALTY INTEREST

- Assignment of Interests in Leases, this index
- As bonus, § 31:5

### OVERVIEW OF OIL AND GAS

- Chemical composition, § 1:1
- Chemical processes, § 1:4; 4:19
- Conventional technologies, recovery operations, § 1:4
- Cycling and recycling gas, § 1:3
- Definitions
  - bitumen, § 1:6
  - field, oil and gas, § 1:2
  - kerogen, § 1:6
  - oil sands or oil shale, § 1:6
  - petroleum, § 1:1
  - pool of oil and gas, § 1:2
  - reservoir, § 1:1
  - tar, § 1:6
  - tight oil, § 1:5
  - unconventional oil, § 1:6
- Development program, § 1:2
- Enhanced or supplemental recovery operations for wells, § 1:4
- Gaseous element, § 1:1; 1:4
- Geological development of petroleum
  - general discussion, § 1:1
  - production sources, below
- Historical perspective of industry development, § 1:7
- Information resources, online, § 1:8
- Laws governing production, development of, § 1:7
- Migratory characteristics of oil and gas, § 1:7
- Mineral aspect of oil, § 1:7
- Online resources for industry information, § 1:8

**OVERVIEW OF OIL AND GAS  
—Cont'd**

Origins and nature of petroleum resources, § 1:1  
Physical Properties of Oil and Gas, this index  
Pressure maintenance and repressuring operations, § 1:3; 4:27  
Primary recovery operations from wells, § 1:4  
Production sources  
    oil sands and oil shale formations, § 1:6  
    reservoirs, pools, and fields  
        general discussion, § 1:2  
        unit production, § 1:3  
    sands or sandstone formations, § 1:6  
    shale rock formations, § 1:5  
    wells, stages of recovery operations for, § 1:4  
Regulatory drilling unit, participation in, § 1:3  
Sands or sandstone formations, § 1:6  
Secondary recovery operations from wells, § 1:4  
Shale rock formations, § 1:5  
Sources for industry information, § 1:8  
Tar, production method, § 1:6  
Thermal processes, § 1:4  
Tight oil, production method, § 1:5  
Trespass, waste and user of oil and gas, § 2:1  
Unit operation of reservoirs or pools, § 1:3  
Wells  
    cycling and recycling gas, § 1:3  
    recovery operations, generally, § 1:4

**OWNERSHIP CLASSES**

Property interests, § 8:1; 8:8 to 8:10

**OWNER'S JUST AND EQUITABLE SHARE**

Proration of oil and gas production, § 7:7; 7:17; 7:44; 7:45

**OWNER'S RIGHT TO TAKE OIL AND GAS**

General discussion, § 3:1 to 3:9  
Artificial processes to stimulate flow, using, § 3:6  
Conservation legislation, § 3:1; 3:2; 3:9  
Constitutional issues, § 3:1; 3:3; 3:4; 3:9  
Correlative rights doctrine, § 3:1 to 3:4; 3:9  
Cujus est solum maxim, § 3:7  
Drainage, § 3:1  
Due process of law, § 3:4; 3:9; 4:9  
Duties of owners and lessees, § 3:1; 3:3; 3:7  
Ferae naturae principle, § 3:6; 3:8; 3:9  
Gravity, force of, § 3:8  
Groundwater ownership principles, § 3:8  
History, § 3:4; 3:6 to 3:9  
Incorporeal hereditaments, § 3:7; 8:10  
Legal interest in oil and gas, § 3:6  
Limitations, § 3:1; 3:4; 3:5  
Nuisance, § 3:1; 3:7; 6:13  
Oil and gas reservoir, § 3:1  
Public interest, § 3:3; 4:9  
Public rights, § 3:1  
Restrictive covenants, § 3:1; 3:5  
Rule of capture, § 3:2  
Sealed strata, § 3:8  
Slant drilling, § 3:5  
Solid minerals analogy, § 3:6; 3:7  
Stimulate flow, using artificial processes to, § 3:6  
Subterranean waters analogy, § 3:6; 3:8  
Waste, § 3:1; 3:4  
Wild animals analogy, § 3:9

**OXFORD CITY ORDINANCE**

Wells location, spacing and pooling, § 6:19

**PAID-UP OIL AND GAS LEASE**

Model form, § 56:7

## INDEX

### PANHANDLE FIELD

Proration of oil and gas production,  
§ 7:26; 7:28; 7:33 to 7:37

### PAROL EVIDENCE

Contracts for oil and gas leases,  
§ 10:2; 10:7; 10:8  
Conveyances of oil and gas mineral  
interests  
Before oil and gas lease, § 36:4

### PARTIAL ASSIGNMENT OF INTERESTS IN LEASES

Assignment of Interests in Leases,  
this index

### PARTIAL CANCELLATION OF LEASE

Cancellation of Lease, this index

### PARTIAL PERFORMANCE

Contracts for oil and gas leases,  
§ 10:3

### PARTIAL POOLING

General discussion, § 6:32

### PARTICIPATION AGREEMENTS

Offshore wells, oil and gas participa-  
tion, § 66:17  
Oil and gas participation agreement,  
§ 66:15 to 66:17  
Test wells, oil and gas participation,  
§ 66:15  
Turnkey drilling or multiple wells, oil  
and gas participation, § 66:16

### PARTITION OF OIL AND GAS INTERESTS

General discussion, § 27:1 et seq.  
Equitable partition doctrine, § 27:7  
Illinois, § 2:35  
In kind  
General discussion, § 27:2  
Texas, § 27:3  
Lessee interest, § 27:6  
Pooling and unitization, § 6:4; 6:37  
Royalty interest, § 27:5  
By sale, § 27:2  
Texas, § 27:3  
Types of interests  
General discussion, § 27:1; 27:4

### PARTITION OF OIL AND GAS INTERESTS—Cont'd

Types of interests—Cont'd  
Lessee interest, § 27:6  
Royalty interest, § 27:5

### PARTNERSHIP PROPERTY

Power to lease for oil and gas produc-  
tion, § 11:31

### PARTNERSHIPS AND JOINT VENTURES, OIL AND GAS MINING

General discussion, § 47:1  
Dissolution of mining partnerships  
General discussion, § 47:10  
Accounting of partnership, § 47:10  
Duty of partners and joint venturers  
to exercise good faith, § 47:2  
Joint ventures for oil and gas  
development  
General discussion, § 47:3  
Duty of joint venturers to exercise  
good faith, § 47:2  
Mining partnerships for oil and gas  
development  
General discussion, § 47:4  
Bind partnership, limited powers  
of partners to, § 47:8  
Change of partner or interest,  
§ 47:6  
Creation of mining partnerships for  
oil and gas development,  
above  
Dissolution and accounting of,  
§ 47:10  
Obligations of partnership,  
liabilities of partners for,  
§ 47:9  
Partners in mining partnerships,  
below  
Property of mining partnership,  
§ 47:7  
Requisites, § 47:5; 47:6  
Partners in mining partnerships  
Duty to exercise good faith, § 47:2  
Liabilities of partners for partner-  
ship obligations, § 47:9  
Limited powers of partners to bind  
partnership, § 47:8

**PAYING PRODUCTION (“PAYING QUANTITIES”)**

Leases, duration, § 14:11; 14:12

**PAYMENTS**

Division orders for payments due under contracts for sale of oil and gas, § 52:8

Driller’s right to receive compensation for drilling well, § 45:7

Reactivating or plugging orphaned well, application for payment, Texas, § 97:12

**PENALTIES**

Plugging violations, § 4:42; 4:43

Well casing violations, § 4:26

**PENNSYLVANIA**

Abandonment of lease, § 22:38; 22:39

Ad valorem taxation of interests in oil and gas, § 49:15

Annual oil and gas well and waste production report, § 95:9

**Application**

Coal pillar permit for operations near oil and gas well, for, § 95:4

Drill and operate conventional well, § 95:12

Orphan well classification for oil and gas well, for, § 95:7

Plugging nonproducing gas wells, § 95:16

Transfer of well permit or registration, application forms, § 95:13

**Bonds**

Collateral bond for single oil and gas well, § 95:2

Surety bond for oil and gas wells, § 95:3

Cancellation of lease, § 22:37 to 22:40

Certificate of oil and gas well plugging, § 95:15

Classification of lessee’s interest, § 9:30; 9:31

**PENNSYLVANIA—Cont’d**

Coal pillar permit for operations near oil and gas well, application for, § 95:4

Completion report, § 95:8.50

Co-tenant rights to take oil and gas, § 2:43

Drill or alter oil and gas well

Landowner notification of drilling or alterations, § 95:11

Forms, oil and gas, § 95:1 et seq.

Fraud, cancellation of lease, § 22:40

Landowner notification of oil and gas well drilling or alterations, § 95:11

Location, spacing and pooling regulations, § 5:32

**Notice**

Landowner notification of oil and gas well drilling or alterations, § 95:11

Operator’s intention to plug oil and gas well, § 95:14

Operator’s general information, oil and gas, § 95:6

Operator’s intention to plug oil and gas well, notice of, § 95:14

Orphan well classification for oil and gas well, application for, § 95:7

Owner’s right to take oil and gas, § 3:6; 3:7

Pit for control, handling or storage of production fluids, request for approval of, § 95:5

**Plugging**

Certificate of oil and gas well plugging, § 95:15

Notice of operator’s intention to plug oil and gas well, § 95:14

**Reports**

Annual oil and gas well and waste production report, § 95:9

Completion report, § 95:8.50

Oil and gas well record, § 95:8

Oil and gas well site restoration report, § 95:10

Request for approval of pit for control, handling or storage of production fluids, § 95:5

## INDEX

### **PENNSYLVANIA—Cont'd**

- Royalty interests, § **32:23**
- Site restoration report, oil and gas well, § **95:10**
- State lands, oil and gas production on, § **50:36**
- Storage, request for approval of pit for control, handling or storage of production fluids, § **95:5**
- Transfer of well permit or registration, application forms, § **95:13**
- Waste production report, annual oil and gas well and, § **95:9**
- Wells location, spacing and pooling, § **5:32**

### **PERCENTAGE INTERESTS**

- Assignment of Interests in Leases, this index

### **PERFORMANCE BOND**

- Bonds, this index

### **PERFORMANCE OF CONTRACTS**

- Contracts for assignment of interests in leases, § **28:16 to 28:19**
- Contracts for Oil and Gas Leases, this index
- Drilling Contracts, this index
- Remedies for Nonperformance of Leases, this index
- Specific Performance, this index

### **PERFORMANCE OF COVENANTS FOR DEVELOPMENT FOR LEASES**

- General discussion, § **18:1 et seq.**

### **PERMISSIVE WASTE**

- General discussion, § **2:21; 2:25**

### **PERMITS**

- California state lands, oil and gas production on, § **50:10 to 50:13**
- Drilling operations, regulation of, § **4:8; 4:20; 4:29; 4:39**
- North Carolina oil or gas well permit application, § **91:3**
- Permit to prospect for deposits (form), § **101:10**

### **PERPETUITIES**

- Pooling and unitization of oil and gas production, § **6:12**
- Property interests, § **8:1; 8:7**
- Rule Against Perpetuities, this index

### **PERSONAL PROPERTY**

- Mortgages of lease interests, § **28:9; 28:40**
- Oil and gas removed from ground by production, § **8:1; 8:7**
- Royalty, this index
- Statutory liens on oil and gas operations, subject to, § **46:7**
- Trespass, § **2:8; 2:11**

### **PETITORY AND POSSESSORY ACTIONS**

- Lease interest, § **9:18**

### **PETROLEUM CODE**

- Proration of oil and gas production, § **7:3; 7:29**

### **PHYSICAL PROPERTIES OF OIL AND GAS**

- General discussion, § **1:1; 1:3; 1:7**
- Animals fer0230 natur0230, analogy to, § **3:9**
- Solid minerals, analogy to, § **3:7**
- Subterranean waters, analogy to, § **3:6; 3:8**

### **PIPELINE OUTLETS**

- Proration of oil and gas production, § **7:34; 7:35; 7:37**

### **PIPELINES, OIL AND GAS**

- General discussion, § **53:1 et seq.**
- Application to construct and operate and annual report, § **72:39**
- Arkansas, this index
- Authority of Federal Energy Regulatory Commission (FERC), § **53:2**
- Depleted gas reservoirs, storage of pipeline gas in
- General discussion, § **53:11**
- Eminent domain, § **53:12**

## PIPELINES, OIL AND GAS

### —Cont'd

#### Easements

Acquisition of pipeline easements  
by grant or prescription,  
§ 53:7

Eminent domain authority for  
pipeline easement, § 53:8

As a right for operations, § 58:3

#### Eminent domain

Authority for pipeline easement,  
§ 53:8

Depleted gas reservoirs, storage of  
pipeline gas in, § 53:12

Federal lands, pipeline rights of way,  
§ 51:10

#### Liability for injury caused by

Construction of pipelines, § 53:9

Operation and maintenance of  
pipelines, § 53:10

Notice of construction and repair of,  
§ 72:40

Notice of incident report, § 72:41

Pooling and unitization of oil and gas  
production, surface pipeline,  
§ 6:36

Privileged acts of operators in use of  
premises, § 41:10

#### Regulation of pipelines

Common purchasers, § 53:4; 53:5

#### State regulation of pipelines

General discussion, § 53:3 to 53:6

Common carriers and public utili-  
ties, as, § 53:3

Common purchasers, § 53:4; 53:5

Early interstate gas regulation,  
§ 53:6

Taxation of pipelines and storage  
facilities, § 53:14

Underground storage of pipeline gas  
in depleted gas reservoirs

Eminent domain, by, § 53:12

Ownership of reservoir and miner-  
als, § 53:13

## PLACER MINING AND WITHDRAWAL ACTS

Federal lands, oil and gas production  
on, § 51:14

## PLUGGING OIL AND GAS WELLS

### Affidavit

Virginia, § 99:11

West Virginia, § 100:8

### Application

For alternate oil and gas well plug-  
ging method or material, Indi-  
ana, § 78:25

Kansas, § 80:20

Notice and application to plug and  
abandon oil and gas well,  
West Virginia, § 100:5

For payment for reactivating or  
plugging orphaned oil and gas  
well, Texas, § 97:12

Pennsylvania, application to clean  
out and plug or replug  
nonproducing gas well,  
§ 95:16

For permit to drill, deepen, plug  
back or convert oil and gas  
well, New York, § 90:7

For permit to drill, deepen or plug  
back oil and gas well

Idaho, § 76:3

Missouri, § 85:3

For permit to drill, re-enter,  
deepen, plugback or add zone,  
New Mexico, § 89:2

Plugging program well transfer  
request, Illinois, § 77:29

### Application to plug

Arizona, § 71:8

Arkansas, § 72:20

### Bond

Oil and gas well, plugging and  
performance, South Dakota,  
§ 96:4

Performance bond for single oil  
and gas well, Florida, § 75:3

Plugging and surface restoration,  
New York, § 90:15

Surety bond, Oklahoma, § 93:8

Surface restoration bond, plugging  
and, New York, § 90:15

Certificate of oil and gas well plug-  
ging, Pennsylvania, § 95:15

Conservation statutes and regula-  
tions, § 4:9; 4:42 to 4:44

## INDEX

### PLUGGING OIL AND GAS WELLS —Cont'd

#### Florida

Notice of oil and gas well plugging completion and site restoration, form, § **75:20**

Performance bond for single oil and gas well, form, § **75:3**

#### Idaho

Application for permit to drill, deepen or plug back oil and gas well, form, § **76:3**

Record, form, § **76:10**

Illinois, plugging program well transfer request, § **77:29**

Indiana, application for alternate oil and gas well plugging method or material, § **78:25**

Iowa, well plugging record, § **79:8**

#### Kansas

Application, § **80:20**

Record, § **80:21**

Report, § **80:22**

Louisiana, oil and gas well plug and abandon report, § **81:8**

Michigan, record of plugging or change of well status record, § **83:16**

#### Mississippi

Notice of intention to plug and abandon oil and gas well, § **84:6**

Record for oil and gas well, § **84:7**

#### Missouri

Application for permit to drill, deepen or plug back oil and gas well, § **85:3**

Record for oil and gas well, § **85:7**

Modification of permit to plug or replug, technical data sheet, Virginia, § **99:7**

#### Nebraska

Record, oil and gas well, § **87:13**

Release of further oil and gas well plugging liability, § **87:14**

Nevada, plugging report, § **88:14**

#### New Mexico

Application for permit to drill, re-enter, deepen, plugback or

### PLUGGING OIL AND GAS WELLS —Cont'd

#### New Mexico—Cont'd

add zone, § **89:2**

Report, oil and gas well, § **89:5**

#### New York

Bond, plugging and surface restoration, § **90:15**

Drill, deepen, plug back or convert oil and gas well, application for permit to, § **90:7**

Notice of intention to plug and abandon oil and gas well, § **90:11**

Report, § **90:13**

Surface restoration bond, oil and gas well plugging and, § **90:15**

North Dakota, plugging report, § **92:11**

Notice and application to plug and abandon oil and gas well

West Virginia, § **100:5**

Notice of intention to plug and abandon oil and gas well

Mississippi, § **84:6**

New York, § **90:11**

Texas, § **97:25**

Notice of intention to plug oil and gas well

Oklahoma, § **93:4**

Pennsylvania, § **95:14**

Notice of plugging completion and site restoration, Florida, § **75:20**

#### Oklahoma

Notice of intention to plug oil and gas well, § **93:4**

Record, oil and gas well plugging, § **93:6**

Surety bond for, § **93:8**

Oregon, plugging record, § **94:5**

#### Pennsylvania

Application to clean out and plug or replug nonproducing gas well, § **95:16**

Certificate of oil and gas well plugging, § **95:15**

Notice of operator's intention to plug oil and gas well, § **95:14**

**PLUGGING OIL AND GAS WELLS  
—Cont'd**

- Performance bond for single oil and gas well, Florida, § **75:3**
- Record of plugging
  - Idaho, § **76:10**
  - Iowa, § **79:8**
  - Kansas, § **80:21**
  - Michigan, § **83:16**
  - Mississippi, § **84:7**
  - Missouri, § **85:7**
  - Nebraska, § **87:13**
  - Oklahoma, § **93:6**
  - Oregon, § **94:5**
  - Texas, § **97:24**
- Release of further oil and gas well plugging liability, Nebraska, § **87:14**
- Report
  - Alabama, § **69:21**
  - Arizona, § **71:9**
- Report of plugging
  - Kansas, § **80:22**
  - Louisiana, § **81:8**
  - Nevada, § **88:14**
  - New Mexico, § **89:5**
  - New York, § **90:13**
  - North Dakota, § **92:11**
  - South Dakota, § **96:11**
- Seismic holes, plugging report, Kansas, § **80:22**
- South Dakota
  - Bond for oil and gas well, plugging and performance, § **96:4**
  - Report for oil and gas wells, § **96:11**
- Technical data sheet for oil and gas permit modification to plug or replug
  - Virginia, § **99:7**
- Texas
  - Notice of intention to plug and abandon oil and gas well, § **97:25**
  - Oil and gas well plugging record, § **97:24**
  - Reactivating or plugging orphaned oil and gas well, application for payment for, § **97:12**

**PLUGGING OIL AND GAS WELLS  
—Cont'd**

- Virginia
  - Affidavit, oil and gas well plugging, § **99:11**
  - Technical data sheet for oil and gas permit modification to plug or replug, § **99:7**
- West Virginia
  - Affidavit of plugging and filling oil and gas well, § **100:8**
  - Notice and application to plug and abandon oil and gas well, § **100:5**

**POLICE POWER OF STATE**

- Conservation statutes and regulations, § **4:7 to 4:10; 6:17; 6:20**

**POLLUTION LIABILITY**

- Liability of Oil and Gas Operators for Pollution, this index

**POLLUTION PREVENTION**

- Anti-waste statutes and regulations, § **4:26; 4:42**

**POOLING AND UNITIZATION OF  
OIL AND GAS PRODUCTION**

- General discussion, § **6:1 et seq.**
- See also Location, Spacing and Pooling Regulations, this index
- Accounting where non-consenting royalty owners, § **6:35**
- Additional acreage to an existing well, § **6:9; 6:34**
- Advantages of unit operation, § **1:3; 6:1; 6:2**
- Agreements
  - General discussion, § **6:3**
  - Bureau of Land Management
    - Model Unit Agreement for oil and gas production in federal lands, below
  - Historical perspective, § **6:2**
  - Overriding royalty interest, § **29:16**
  - Pooling agreement for oil and gas production
    - Model form, § **64:1**

## INDEX

### POOLING AND UNITIZATION OF OIL AND GAS PRODUCTION

#### —Cont'd

##### Agreements—Cont'd

Pooling agreement for oil and gas  
production—Cont'd

Units of specified acreage, in,  
§ 64:2

Ratification of gas pooling and  
accounting agreement, § 64:5

Ratification of unit agreement and  
unit operating agreement,  
§ 64:14

Share proceeds of development of  
consolidated mineral interests,  
§ 64:7

Statutory unitization, unit agree-  
ment for, § 64:12; 64:14

Statutory unitization, unit operat-  
ing agreement for, § 64:13;  
64:14

##### Allocation of compulsory unit proceeds and expenses

General discussion, § 6:1; 6:4;  
6:21

Formulas, participation, § 6:22

Working interest participation,  
§ 6:23

##### Allocation of voluntary unit produc- tion costs as matter for courts, § 4:3

American Bar Association, § 6:2

American Institute of Mining and  
Metallurgical Engineers, § 6:2

American Petroleum Institute, § 6:2

Antitrust law, § 6:2; 6:17; 6:25; 6:26

Application for new oil and gas pool  
determination, Kansas, § 80:31

##### Apportionment of oil and gas produc- tion in unit operations

General discussion, § 6:5; 6:17

Community leases, § 6:28; 6:29

Entirety clause, effect of, § 6:6

Lease clauses, § 6:27

Assignment of lease interests, effect  
on oil payments and overriding  
royalties, § 29:16

### POOLING AND UNITIZATION OF OIL AND GAS PRODUCTION

#### —Cont'd

##### Bureau of Land Management Model

Unit Agreement for oil and gas  
production in federal lands

Change in unit operator by assign-  
ment, § 64:11

Collective bond, § 64:9

Designation of successor unit  
operator, § 64:10

Model agreement, § 64:8

Certificate of pooling authority for oil  
and gas leases, Texas, § 97:20

City of Oxford ordinance, § 6:19

Class action, § 6:16

Commence drilling clause, § 6:7

Commingling agreement among oil  
and gas interest owners, § 64:6

Community leases for oil and gas,  
§ 6:3; 6:5; 6:13; 6:28; 6:29;  
6:37; 57:31

##### Compulsory pooling and unitization

General discussion, § 6:3; 6:17 to  
6:24

Allocation of proceeds and  
expenses, § 6:3; 6:21; 6:22

City of Oxford ordinance, § 6:19

Effect on contract and property  
relationships, § 6:4

Equitable pooling of oil and gas  
leases, § 6:20

Formulas, unit participation,  
§ 6:22

History, § 6:19

Modification of compulsory unit  
orders, § 6:24

Orders, modification and interpre-  
tation of, § 6:24

Overlaps a voluntary existing  
pooled unit, § 6:4

Royalty pooling, statutes authoriz-  
ing, § 6:18

Statutes authorizing, § 6:17 to  
6:19

Working interest participation in,  
§ 6:3; 6:23

Conservation measure, as, § 6:2;  
6:17

**POOLING AND UNITIZATION OF  
OIL AND GAS PRODUCTION**

**—Cont'd**

Contract relationships, effect on,  
§ 6:4

Cooperative agreement, § 6:3

Course of dealing method of creating,  
§ 6:3

Cross-conveyance theory, § 6:5; 6:12

Declaration of pooling pursuant to oil  
and gas lease, § 64:3

Definitions, § 6:1; 6:3

Division of oil and gas rents and  
royalties under

General discussion, § 40:13 et seq.

By community lease, § 40:15

By lease with entirety clause,  
§ 40:14

Easements, § 6:36

Effect on contract and property  
relationships, § 6:4

Entirety clause in lease, effect of,  
§ 6:3; 6:6; 6:37

Equitable pooling of oil and gas  
leases, § 2:32; 6:3; 6:4; 6:9;  
6:20

Estoppel, § 6:31

Existing production in another lease,  
adding to, § 6:34

Extend terms of committed leases

General discussion, § 6:7

Committed mineral leases, § 6:8

Federal lands

Bureau of Land Management

Model Unit Agreement for oil  
and gas production in federal  
lands, above

Unitization plans and com-  
munitization agreements as  
to, § 6:14

Federal Oil Conservation Board,  
§ 6:2

Fiduciary duty, § 6:4

Forced pooling order, § 2:42; 6:23

Future vested interests, § 6:12

Government lands

Municipalities, § 5:3; 6:12

State or federal lands, § 6:14

Habendum clause, § 6:7; 6:9

**POOLING AND UNITIZATION OF  
OIL AND GAS PRODUCTION**

**—Cont'd**

Hearing on petition, § 6:17

History

General discussion, § 6:2

Compulsory unit operations,  
§ 6:19

Holding both inside and outside lease  
acreage, unit operations and  
production

General discussion, § 6:7 to 6:11

Extending term of lease, § 6:7; 6:8

Louisiana, § 6:11

Mineral interests, § 6:8

Pugh clause, effect of, § 6:10

Implied covenant to develop, § 6:9

Indispensable parties to litigation,  
§ 6:16

Lease clauses

General discussion, § 6:27

Adding to existing production in  
another lease, § 6:34

Community leases, § 6:28

Entirety clause, § 6:3; 6:6; 6:37

Partial pooling, § 6:32

Pooling and unitization clause,  
§ 57:29

Pooling clause, § 57:30

Pooling clause, anti-dilution clause  
for gas pooling, § 57:33

Pooling clause for community  
lease, present, § 57:31

Successive use of pooling clause,  
§ 6:33

Leases

Development covenants, § 17:3;  
17:8

Extension of lease, § 14:24

pooling of, § 6:29

power to, § 6:29 to 6:31

Lessee's authority to create voluntary  
unit, § 6:30

Location, Spacing and Pooling  
Regulations, this index

Methods, § 6:3

Modification of compulsory unit  
orders, § 6:24

Municipalities, in, § 5:3; 6:13

## INDEX

### **POOLING AND UNITIZATION OF OIL AND GAS PRODUCTION**

#### **—Cont'd**

Necessary or indispensable parties to litigation, § **6:16**  
Non-consenting interests in voluntary oil and gas unit  
    General discussion, § **6:35**  
    Use of surface, § **6:36**  
Notice of hearing on petition, § **6:17**  
Nuisance, § **6:13**  
Orders, § **6:17; 6:18; 6:23; 6:24**  
Overriding royalty interest, effect of, § **29:16**  
Overview of unit operations, § **6:1 to 6:16**  
Partial pooling, § **6:32**  
Participation, working interest, § **6:3; 6:23; 6:24**  
Participation formulas for allocation of compulsory unit proceeds and expenses, § **6:22**  
Parties necessary or indispensable to litigation over, § **6:16**  
Partition, right to, § **6:4**  
Partition of mineral interest between spouses, § **6:37**  
Perpetuities rule, application of, § **6:12**  
Petition, § **6:17**  
Pipeline, surface, § **6:36**  
Plan of unitization  
    Modification of, § **6:24**  
    Statutory guidelines for, § **6:17**  
Power to lease, § **6:29; 6:30; 6:31**  
Production payment reservation agreement for unitized oil and gas leases, § **64:15**  
Property relationships, effect on, § **6:4**  
Public lands, § **6:13; 6:14**  
Pugh clause, effect of, § **6:10**  
Ratification of community leases, § **6:28**  
Ratification of gas pooling and accounting agreement, § **64:5**  
Ratification of oil and gas pooling by royalty interest owner, § **64:4**

### **POOLING AND UNITIZATION OF OIL AND GAS PRODUCTION**

#### **—Cont'd**

Ratification of unit agreement and unit operating agreement, § **6:17; 6:31; 64:14**  
Regulations. Location, Spacing and Pooling Regulations, this index  
Royalties  
    Allocating adjustable or sliding scale royalties, § **6:4**  
    Compulsory unit operations, § **6:18**  
    Cross-conveyance theory, § **6:5; 6:12**  
    Louisiana mineral servitudes and royalties, § **6:11**  
    Municipality leases, § **6:13**  
    Non-consenting royalty owners, § **6:35**  
    Overriding royalty interest, agreement, § **29:16**  
    Shut-in royalty payments for lease acreage inside and outside a pooled unit, § **6:9**  
    Statutory pooling of oil and gas royalty, § **6:3; 6:18**  
Rule against perpetuities, application of, § **6:12**  
Saltwater on non-consenting surface owner's tract, using, § **6:36**  
Secondary recovery operations or methods, § **6:1; 6:25**  
State lands, on, § **6:14**  
Statutory authorization, § **6:3; 6:17 to 6:19; 6:25; 6:26**  
Statutory royalty pooling, § **6:3; 6:18**  
Statutory unitization  
    Unit agreement for, § **64:12**  
    Unit operating agreement for, § **64:13**  
Successive use of pooling clause, § **6:33**  
Surface lands of non-consenting owners, using, § **6:36**  
Term extension  
    General discussion, § **6:7**  
    Mineral interests, § **6:8**

## **POOLING AND UNITIZATION OF OIL AND GAS PRODUCTION**

### **—Cont'd**

- Termination of operations, § 6:15;  
6:37
- Terminology, § 6:1
- Theories for apportionment of production from pooling and unitization, § 6:5
- Trespass, § 6:35; 6:36
- Trust created for unpooling, § 6:37
- Unit agreement for statutory unitization
  - Model agreement, § 64:12
  - Ratification of, § 64:14
- Unit operating agreement for statutory unitization
  - Model form, § 64:13
  - Ratification of, § 64:14
- Unpooling of voluntary oil and gas pool, § 6:37
- Voluntary pooling and unitization operations
  - General discussion, § 6:2; 6:25 to 6:37
  - Additions to voluntary oil and gas production units, § 6:34
  - Allocation of production costs as contract interpretation matter for courts, § 4:3
  - Authority of lessee to create voluntary unit, § 6:30
  - Authority of lessor to permit operations, § 6:29
  - Community leases for operations, § 6:13; 6:28; 6:37
  - Compulsory unit operations overlaps a voluntary existing pooled unit, § 6:4
  - Deterrents, § 6:25
  - Distinguishing communitization or voluntary pooling agreements from unitization orders, § 6:25
  - Effect on contract and property relationships, § 6:4
  - Existing production, leases to, § 6:34
  - Historical perspective, § 6:2

## **POOLING AND UNITIZATION OF OIL AND GAS PRODUCTION**

### **—Cont'd**

- Voluntary pooling and unitization operations—Cont'd
  - Lease clauses for operations, § 6:27; 6:28
  - Non-consenting interests in voluntary oil and gas unit, § 6:35; 6:36
  - Partial voluntary unit operations, § 6:32
  - Ratification of voluntary unit oil and gas operations, § 6:31
  - Statutes authorizing operations, § 6:25; 6:26
  - Successive voluntary unit operations, § 6:33
  - Termination of operations, § 6:15; 6:37
  - Unpooling of voluntary oil and gas pool, § 6:37
- Waiver of right to partition, § 6:4
- Waterflood project, § 6:36
- Working interest participation in unit operations, § 6:3; 6:23; 6:24; 6:35; 6:37

## **POOLING REGULATIONS**

- Location, Spacing and Pooling Regulations, this index

## **POOLING TRUSTS**

- Fraud in conveyances of oil and gas mineral interests, § 35:11
- Unpooling receipts, § 6:37

## **POSSESSION OF LAND**

- Adverse possession affidavit, § 62:1
- Disinterested party affidavit, § 62:4
- Fee owner affidavit, § 62:3; 62:4
- Leases, validity requirements, § 12:15
- Party in possession affidavit, § 62:3
- Tenant's affidavit, § 62:2; 62:4

## **POSSESSORY ESTATES**

- Lease interest, § 9:8
- Loss of oil and gas interests, § 8:10; 8:14

## INDEX

### POSSESSORY INTEREST

Property interests, § 8:8 to 8:10

### POWER OF ATTORNEY

Delay rentals payment by lease  
assignee, § 60:4

### POWER TO LEASE FOR OIL AND GAS PRODUCTION

General discussion, § 11:1 et seq.

Administrators, power of, § 6:29;  
11:4; 11:5

Alabama, power of covenant, § 11:17

California, power of covenant,  
§ 11:18

Cemeteries, limited interests in lands,  
§ 11:39

Churches, limited interests in lands,  
§ 11:38

Community property, power to lease,  
§ 11:13

Cotenant, power of  
General discussion, § 11:16 to  
11:27

Alabama, § 11:17

California, § 11:18

Illinois, § 11:19

Kansas, § 11:20

Kentucky, § 11:21

Louisiana, § 11:22

Michigan, § 11:23

Mississippi, § 11:24

Oklahoma, § 11:25

Texas, § 11:26

West Virginia, § 11:27

Estoppel to deny validity, power to  
lease homestead, § 11:15

Executors, power of, § 6:29; 11:4;  
11:5

Governmental purpose, limited  
interests in lands, § 11:37

Guardians, power of  
General discussion, § 11:6 to 11:11

Early leases under statutes for sale  
of land, § 11:11

History, § 11:11

Kentucky, statutory enactments,  
§ 11:8

Oklahoma, statutory enactments,  
§ 11:9

### POWER TO LEASE FOR OIL AND GAS PRODUCTION—Cont'd

Guardians, power of—Cont'd

Statutory enactments, § 11:7 to  
11:10

Texas, statutory enactments,  
§ 11:10

Homestead, power to lease, § 11:14;  
11:15

Illinois, power of covenant, § 11:19

Joint lease by life tenant and  
remainderman, § 11:30

Joint venturer, power of, § 11:32

Kansas, power of cotenant, § 11:20

Kentucky

Cotenant, power of, § 11:21

Guardians, power of, § 11:8

Life estate, power to lease, § 11:28 to  
11:30

Limited interests in lands

General discussion, § 11:36 to  
11:40

Cemeteries, § 11:39

Churches, § 11:38

Governmental purpose, § 11:37

Schools, § 11:40

Louisiana, power of cotenant, § 11:22

Married persons, power of, § 11:12

Mental capacity, persons lacking,  
§ 11:3

Michigan, § 11:23

Mineral interest owners, powers of,  
§ 11:1 to 11:3

Minors, powers of mineral interest  
owners, § 11:2

Mississippi, power of cotenant,  
§ 11:24

Oklahoma

Cotenant, power of, § 11:25

Guardians, power of, § 11:9

Partnership property, power to lease,  
§ 11:31

Production, generally, § 11:1 et seq.

Purchasers, § 11:33

Railroad right of way, power to lease,  
§ 11:35

Remainderman, § 11:29; 11:30

Right of way, railroad, § 11:35

Roadways, power to lease, § 11:34

**POWER TO LEASE FOR OIL AND GAS PRODUCTION—Cont'd**

- Sales, § 11:11; 11:33
- Schools, limited interests in lands, § 11:40
- Statutes, § 11:11
- Statutory enactments
  - Administrators, power of, § 11:5
  - Executors, power of, § 11:5
  - Guardians, power of, § 11:7 to 11:10
  - Trustees, power of, § 11:5
- Texas
  - Cotenant, power of, § 11:26
  - Guardians, power of, § 11:10
  - Trustees, power of, § 11:4; 11:5
- Unit operations, § 6:29
- Vendor and purchaser, power of, § 11:33
- West Virginia, power of cotenant, § 11:27

**PRESCRIPTION AGAINST OIL AND GAS OR MINERAL SERVITUDES**

- General discussion, § 8:16 to 8:23
- Acknowledgment of interest, effect of, § 8:16; 8:19

**PRESENT ESTATES**

- Lease interest, § 9:8

**PRESENT INTEREST OWNER**

- Waste, § 2:22; 2:23

**PRESSURE AND VOLUME OF GAS**

- Measuring, § 33:15

**PRESSURE OF WELL**

- Free gas under oil and gas lease, § 30:8
- Report. Pressure Report, this index

**PRESSURE REPORT**

- Back-pressure test
  - Alabama, § 69:19; 69:20
  - Completion or recompletion report, Texas, § 97:3
- Gas well multi-point back pressure test report, Kansas, § 80:24

**PRESSURE REPORT—Cont'd**

- Back-pressure test—Cont'd
  - Multi-point and one-point gas well, New Mexico, § 89:11
  - Natural gas well report, Oklahoma, § 93:10
- Bottom hole pressure report, Colorado, § 74:16
- Fluid level and pressure test report, oil and gas well, Indiana, § 78:26
- Gas reservoir pressure report, Alaska, § 70:14
- Reservoir pressure test report, oil and gas, North Dakota, § 92:14

**PRESUMPTIONS AND BURDEN OF PROOF**

- Division of oil and gas rents and royalties, apportionment presumed, § 40:11
- Equitable relief, § 54:2

**PRICE**

- Implied covenant to market at reasonable price, § 17:21
- Interest of lessee created by oil and gas leases, purchase price payment, § 9:7
- Marketing Oil and Gas, this index
- Sale of oil and gas, contract for
  - Construction of sales contract, price terms, § 52:7

**PRIORITY**

- Liens on oil and gas operations, priority over other claims, § 46:11

**PRIOR LEASE**

- Leases, validity requirements, § 12:15

**PRIVATE ACTIONS FOR PLUGGING VIOLATIONS**

- Anti-waste statutes and regulations, § 4:44

**PRIVILEGED ACTS OF OPERATORS IN USE OF PREMISES**

- Rights and Duties of Oil and Gas Operators and Lessors, this index

## INDEX

### **PRODUCER'S JUST AND EQUITABLE SHARE**

Definitions, § 5:7; 5:18  
Proration of Oil and Gas Production,  
this index

### **PRODUCTION ADJUSTMENTS**

Proration of oil and gas production,  
§ 7:5; 7:10

### **PRODUCTION AND SEVERANCE TAXES ON OIL AND GAS**

Taxation of Oil and Gas, this index

### **PRODUCTION COST**

Trespass damages, § 2:12; 2:13; 2:14

### **PROFIT A PRENDRE INTEREST**

California landowner, § 4:9  
Lessee interest in property, § 9:3;  
9:4; 9:8; 9:14  
Property interest, § 8:9; 8:10

### **PROHIBITION, WRIT OF**

Waste, § 2:24

### **PROMISES**

Contracts for oil and gas leases,  
§ 10:2

### **PROPERTY DAMAGE**

Liability of Oil and Gas Operators for  
Property Damage, this index

### **PROPERTY INTERESTS**

General discussion, § 8:1 to 8:23;  
9:1  
See also Interest of Lessee Created  
by Oil and Gas Leases, this  
index  
Abandoned interest, § 8:11; 8:12  
Acknowledgment of servitude as  
interrupting liberative prescrip-  
tion, § 8:16; 8:19  
Acquirendi causa, § 8:15  
Adverse Possession, this index  
Assignment of mineral interest, § 8:1  
Bill for partition, § 8:10  
Bonus payments, § 8:4  
Classes of mineral interests, § 8:1;  
8:8; 8:9; 8:10

### **PROPERTY INTERESTS—Cont'd**

Classes of rights created from sever-  
ing mineral estate from surface  
estate, § 8:4  
Common-law classifications, § 8:9;  
8:10  
Community property, § 9:24  
Consideration  
Acknowledgment of servitude,  
§ 8:19  
Nominal as indicating leasehold  
interest, § 8:7  
Contiguous and noncontiguous tracts,  
§ 8:18  
Conveyance to minors or disabled  
persons, § 8:23  
Corporeal interest, § 8:9; 8:10; 9:1  
Cotenants' adverse possession claim,  
§ 8:13  
Creation of separate interests in oil  
and gas  
General discussion, § 8:1; 8:2; 9:1  
See also Interest of Lessee Created  
by Oil and Gas Leases, this  
index  
Louisiana, § 8:3; 8:15 to 8:23  
Rights of owners of separate  
interests in oil and gas, § 8:4  
Servitude, § 8:3; 8:9; 8:10; 8:16  
to 8:23  
Deed, mineral, § 8:1; 8:7  
Defeasible fee estate, § 8:7  
Definitions  
mineral deed or fee, § 8:1  
mineral interest, § 8:1  
Servitude and mineral servitude,  
§ 8:3  
Delay rentals, right to receive, § 8:4  
Disability of owner, suspension of  
liberative prescription, § 8:23  
Distinguishing mineral from  
leasehold interest, § 8:6; 8:7  
Dormant minerals acts, § 8:11  
Drilling, effect on servitude, § 8:17  
Dry well, § 8:17  
Duration of separate oil and gas  
interests, § 8:6; 8:8; 8:11 to  
8:23

**PROPERTY INTERESTS—Cont'd**

- Duties of mineral executive rights holders, § 8:5
- Easement, § 8:4; 8:9; 8:13
- Economic value of mineral interest, § 8:1
- Estoppel by warranty, § 8:22
- Evidence, § 8:7; 8:10; 8:13; 8:19
- Executive rights holders, duties of, § 8:5
- Fair dealing standard, § 8:5
- Fee, mineral, § 8:1
- Fee simple interest in subsurface minerals, § 8:4; 8:8 to 8:10
- Fiduciary obligations, § 8:5
- Fraud, § 8:5
- Freehold estate, § 8:9; 8:10
- Geophysical exploration of oil and gas prospects, § 8:17
- Good faith purchaser as interrupting liberative prescription, § 8:15
- Good faith uses of servitude as interrupting liberative prescription, § 8:17
- Government lands, servitudes, § 8:21
- Grants
  - General discussion, § 8:1; 8:2; 8:4; 8:10
  - Direct grant, § 8:2; 8:4
  - Distinguishing mineral from leasehold interest, § 8:6; 8:7
  - Grant with exception, § 8:2; 8:10
  - Grant with reservation, § 8:2; 8:4; 8:10
  - Implied grant, § 8:4
  - Intent of parties, § 8:7
  - Habendum clause, § 8:8
  - History of property interests in land, § 8:9; 8:10
  - Homestead property, § 2:23; 2:36
  - Implied grant, § 8:4
  - Incorporeal hereditaments, § 3:7; 8:9; 8:10; 8:16; 9:1
  - Indivisible mineral servitude, § 8:23
  - Ingress and egress across overlying surface estate, rights of, § 8:4
  - Ingress and egress over surface estate, rights of, § 8:4

**PROPERTY INTERESTS—Cont'd**

- Intention of parties
  - Distinguishing mineral from leasehold interest, § 8:7
  - Interruption of servitude by acknowledgment, § 8:19
- Joinder, effect of, § 8:19
- Jura in re aliena, § 8:9; 8:10; 9:1
- Jura in re propria, § 8:9; 8:10; 9:1
- Lease bonus payments, § 8:4
- Lease delay rentals, right to receive, § 8:4
- Leasehold interest
  - Classifications, § 8:9; 8:10; 9:1
  - Distinguishing mineral from leasehold interest, § 8:6; 8:7
  - Duties of lessee, § 8:7
  - Intent of parties, § 8:7
  - Lessee's. Interest of Lessee Created by Oil and Gas Leases, this index
  - Rights of lessee, § 8:4; 8:6
  - Legal interest of lessee, § 9:1
  - Lessee's. Interest of Lessee Created by Oil and Gas Leases, this index
- Liberative prescription of oil and gas servitudes
  - General discussion, § 8:15 to 8:23
  - Government lands, § 8:21
  - History, § 8:22
  - Interruption by acknowledgment, § 8:16; 8:19
  - Interruption by prevention of use, § 8:16; 8:20
  - Interruption by use, § 8:16 to 8:18
- Life interest, § 8:8; 8:9; 8:10
- Location of servitude, § 8:18
- Loss of oil and gas interests
  - General discussion, § 8:11 to 8:23
  - Abandoned interests, § 8:11; 8:12
  - Acknowledgment of servitude as interrupting liberative prescription, § 8:16; 8:19
  - Acquirendi causa, § 8:15
  - Adverse possession of interests, § 8:13 to 8:23
  - Cotenants' adverse possession claim, § 8:13

## INDEX

### PROPERTY INTERESTS—Cont'd

- Loss of oil and gas interests—Cont'd
  - Disability of owner, suspension of liberative prescription, § 8:23
  - Dormant minerals acts, § 8:11
  - Dry well, § 8:17
  - Due process standards, § 8:11
  - Easement for railroad or highway purposes, § 8:13
  - Estoppel by warranty, § 8:22
  - Geophysical exploration, § 8:17
  - Good faith purchaser as interrupting liberative prescription, § 8:15
  - Good faith uses of servitude as interrupting liberative prescription, § 8:17
  - Government lands, § 8:21
  - History, liberative prescription, § 8:22; 8:23
  - Incorporeal hereditaments or interests, § 8:16
  - Indivisible mineral servitude, § 8:23
  - Interruption by prevention of use, § 8:20
  - Joinder, effect of, § 8:19
  - Lack of production, termination of mineral interest, § 8:12.30; 8:12.70
  - Lapse statutes, § 8:11
  - Liberative prescription of oil and gas servitudes, Louisiana, § 8:16
  - Location of servitude, § 8:18
  - Louisiana, § 8:15 to 8:23
  - Marketable title provisions, § 8:11
  - Merger doctrine, § 8:8
  - Minors, suspension of liberative prescription, § 8:23
  - Nonuse of interests, § 8:11; 8:12
  - Nonuser for 10 years, § 8:16
  - Notice of adverse possession of interests, § 8:13
  - Notice of repudiation, § 8:13
  - Notice of severed mineral interest owner, § 8:11
  - Obstacle preventing use of servitude, § 8:20

### PROPERTY INTERESTS—Cont'd

- Loss of oil and gas interests—Cont'd
  - Paying production, termination of mineral interest, § 8:12.70
  - Possessory estates, § 8:10; 8:14
  - Post-severance of minerals, adverse possession, § 8:14
  - Prescription of oil and gas servitudes, liberative, § 8:16 to 8:23
  - Recordation or registration matters, § 8:11
  - Release of mineral servitude, § 8:16
  - Repudiation notice, § 8:13
  - Reservation of mineral interest, § 8:22
  - Reverting mineral interest to landowner, § 8:11; 8:14; 8:22
  - Servitudes, liberative prescription of, § 8:16 to 8:23
  - Severance of minerals, adverse possession of interests after, § 8:14
  - Statute of limitations for adverse possession claims, § 8:13; 8:14; 8:15; 8:21; 8:22
  - Statutory loss of unused mineral interests, § 8:11
  - Termination of mineral interest, § 8:12.30; 8:12.70
  - Termination of servitude, § 8:16; 8:22; 8:23
  - Unused mineral interests, statutory loss of, § 8:11
  - Use of servitude as interrupting liberative prescription, § 8:16; 8:17; 8:18
- Loss of oil and gas interests by prescription
  - Contiguous and noncontiguous tracts, § 8:18
- Louisiana
  - Creation of separate interests in oil and gas, § 8:3
  - Loss of oil and gas interests, § 8:15 to 8:23
  - Pooling and unitization for oil and gas production, § 6:11
- Merger doctrine, § 8:8

**PROPERTY INTERESTS—Cont'd**

Mineral deed, § 8:1; 8:7  
 Mineral executive rights holder duties, § 8:5  
 Mineral fee, § 8:1  
 Mineral interest  
   General discussion, § 8:9; 8:10  
   Definition of, § 8:1  
   Distinguished from leasehold interest  
     General discussion, § 8:6  
     Intention of parties, § 8:7  
   Executive rights holder duties, § 8:5  
   Reservation of, § 8:22  
   Servitude, § 6:11; 8:3; 8:9; 8:10; 8:16 et seq.  
     Severed from surface estate, § 8:2  
 Mining license, § 8:6; 8:7  
 Minors, suspension of liberative prescription, § 8:23  
 Mistake, § 8:13  
 Nature and extent of mineral interest, limitation on, § 8:1; 8:9; 8:10  
 Nonfreehold estate, § 8:9; 8:10  
 Non-participating perpetual royalty interest, § 8:1  
 Nonpossessory interest, § 8:9; 8:10  
 Nonuser, § 8:11 to 8:13; 8:16  
 Nonuser for 10 years, § 8:16  
 Obstacle preventing use of servitude, § 8:20  
 Ownership classes, § 8:8 to 8:10  
 Partition as creating mineral servitude in the land, § 8:3  
 Perpetuities, § 6:12; 8:1; 8:7  
 Personal property, § 8:1; 8:7  
 Possessory estates, § 8:10; 8:14  
 Possessory interest, § 8:8 to 8:10  
 Prescription. Liberative prescription of oil and gas servitudes, above  
 Preventing use of servitude, § 8:20  
 Profit 0224 prendre, § 8:9; 8:10  
 Proration of oil and gas production, rights, § 7:22; 7:25  
 Real covenant, § 8:9  
 Recordation or registration  
   General discussion, § 8:11

**PROPERTY INTERESTS—Cont'd**

Recordation or registration—Cont'd  
   Acknowledgment of servitude, § 8:19  
 Remainders, § 8:9; 8:10  
 Rentals, right to receive lease delay rentals, § 8:4  
 Reservation of mineral interests, § 8:22  
 Reversionary interest in minerals, § 8:1; 8:2; 8:9 to 8:11; 8:14  
 Reverting mineral interest to landowner, § 8:11; 8:14; 8:22  
 Revival of terminated servitude, § 8:19  
 Rights of owners of separate interests in oil and gas, § 8:4  
 Royalties, § 8:1; 8:4; 8:7  
 Separate mineral estates, creation of, § 8:1; 8:2  
 Servitude, § 8:3; 8:9; 8:10; 8:16 to 8:23  
 Severance of mineral interests from surface estate  
   Attributes, § 8:4  
   Creation of separate interests in oil and gas, § 8:2  
   Loss of oil and gas interest after severance, § 8:11 to 8:23  
 Severance of minerals, adverse possession of interests after, § 8:6; 8:14  
 Statute of frauds, § 8:9  
 Statute of limitations for adverse possession claims, § 8:10; 8:13 to 8:15; 8:21; 8:22  
 Taxes, § 8:10; 9:5  
 Testing and development of premises requirement, effect of, § 8:7  
 Thereafter clause, § 8:8  
 Title to subsurface minerals, § 8:4  
 Transfer of mineral interest, § 8:1; 8:23  
 Unitization on term of interest, § 8:19  
 Utmost fair dealing standard, § 8:5  
 Water rights, § 8:4  
 Years certain interest, § 8:8; 8:9; 8:10

## INDEX

### PROPORTIONATE REDUCTION CLAUSE

- Contracts for assignment of leases  
with, § 55:7
- Leases, rental clause, § 15:12

### PRORATION OF OIL AND GAS PRODUCTION

- General discussion, § 7:1 to 7:46
- Alabama, § 7:4
- Alberta, § 7:44
- Arizona, § 7:5
- Arkansas, § 7:6
- Certificate of compliance, Arizona,  
§ 7:5
- Certificate of legality
  - General discussion, § 7:2
  - Arkansas, § 7:6
  - Louisiana, § 7:12
  - Michigan, § 7:13
  - Mississippi, § 7:15
  - North Carolina, § 7:18
  - North Dakota, § 7:19
- Colorado, § 7:7
- Common carriers, § 7:35; 7:42
- Common Purchaser Act, § 7:35
- Confiscation, seizure and sale
  - Alabama, § 7:4
  - Arkansas, § 7:6
  - Florida, § 7:8
  - Georgia, § 7:9
  - Louisiana, § 7:12
  - Michigan, § 7:13
  - New Mexico, § 7:17
  - North Carolina, § 7:18
  - North Dakota, § 7:19
  - Texas, § 7:42
- Constitutional issues
  - Federal aid, § 7:3
  - Oklahoma, § 7:21 to 7:23
  - Texas, § 7:27; 7:34; 7:35; 7:37;  
7:39; 7:40; 7:42
- Correlative rights
  - General discussion, § 6:3
  - Arizona, § 7:5
  - Colorado, § 7:7
  - Kansas, § 7:10
  - Mississippi, § 5:19; 7:15

### PRORATION OF OIL AND GAS PRODUCTION—Cont'd

- Correlative rights—Cont'd
  - New Mexico, § 7:17
  - Oklahoma, § 7:21 to 7:24
  - Texas, § 7:33; 7:35 to 7:38
- Crude oil
  - Kansas, § 7:10
  - New Mexico, § 7:17
  - Texas, § 7:26; 7:29; 7:32
- Discrimination
  - Arizona, § 7:5
  - Kansas, § 7:10; 7:11
  - Nebraska, § 7:16
  - North Carolina, § 7:18
  - North Dakota, § 7:19
  - Oklahoma, § 7:21 to 7:23
  - Texas, § 7:25
  - Washington, § 7:43
- Drainage
  - Alabama, § 7:4
  - Arizona, § 7:5
  - Arkansas, § 7:6
  - Florida, § 7:8
  - Kansas, § 7:11
  - Louisiana, § 7:12
  - Mississippi, § 7:15
  - Nebraska, § 7:16
  - New Mexico, § 7:17
  - North Dakota, § 7:19
  - Oklahoma, § 7:20; 7:23
  - Texas, § 7:31; 7:35; 7:37 to 7:39
- Drilling units
  - Michigan, § 7:13
  - Mississippi, § 7:15
  - New Mexico, § 7:17
  - Oklahoma, § 7:20; 7:24
- Emergency rules
  - Alabama, § 7:4
  - Arkansas, § 7:6
  - Florida, § 7:8
  - Georgia, § 7:9
  - Kansas, § 7:10
  - Michigan, § 7:13
  - Mississippi, § 7:15
  - New Mexico, § 7:17
  - North Dakota, § 7:19
  - Washington, § 7:43

**PRORATION OF OIL AND GAS  
PRODUCTION—Cont'd**

Federal aid, § 7:3  
 Florida, § 7:8  
 Gas energy protection, § 4:31  
 Georgia, § 7:9  
 History  
   Oklahoma, § 7:21 to 7:24  
   Texas  
     Gas, proration of, § 7:34 to 7:38  
     Oil, proration of, § 7:26 to 7:32  
 Illegal oil and gas  
   General discussion, § 7:2  
   Alabama, § 7:4  
   Arizona, § 7:5  
   Arkansas, § 7:6  
   Florida, § 7:8  
   Georgia, § 7:9  
   Louisiana, § 7:12  
   Michigan, § 7:13; 7:14  
   Mississippi, § 7:15  
   New Mexico, § 7:17  
   North Carolina, § 7:18  
   North Dakota, § 7:19  
   Texas, § 7:32; 7:40  
 Injunctions  
   Alabama, § 7:4  
   Arkansas, § 7:6  
   Florida, § 7:8  
   Georgia, § 7:9  
   Kansas, § 7:10; 7:11  
   Louisiana, § 7:12  
   Mississippi, § 7:15  
   New Mexico, § 7:17  
   North Carolina, § 7:18  
   North Dakota, § 7:19  
   Oklahoma, § 7:22  
   Texas, § 7:25; 7:27; 7:28; 7:32;  
     7:37; 7:39; 7:41  
   Washington, § 7:43  
 Inspections, § 7:42  
 Judicial review  
   Alabama, § 7:4  
   Alberta, § 7:44  
   Arkansas, § 7:6  
   Compulsory unit operations,  
     § 6:17  
   Florida, § 7:8

**PRORATION OF OIL AND GAS  
PRODUCTION—Cont'd**

Judicial review—Cont'd  
   Georgia, § 7:9  
   Kansas, § 7:10; 7:11  
   Louisiana, § 7:12  
   Michigan, § 7:13; 7:14  
   Mississippi, § 7:15  
   Nebraska, § 7:16  
   New Mexico, § 7:17  
   North Carolina, § 7:18  
   Texas, § 7:37; 7:39  
   Washington, § 7:43  
 Kansas, § 7:10; 7:11  
 Louisiana, § 7:12  
 Manitoba, § 7:45  
 Marginal wells, § 7:24; 7:25; 7:30  
 Market demand  
   Excess. Market demand excess,  
     below  
   Reasonable market demand, below  
 Market demand excess  
   Alberta, § 7:44  
   Arkansas, § 7:6  
   Florida, § 7:8  
   Kansas, § 7:10; 7:11  
   Michigan, § 7:14  
   New Mexico, § 7:17  
   North Carolina, § 7:18  
   North Dakota, § 7:19  
   Oklahoma, § 7:20 to 7:22  
   Texas, § 7:33; 7:36; 7:37; 7:42  
   Washington, § 7:43  
 Michigan, § 7:13; 7:14  
 Mississippi, § 7:15  
 National Industrial Recovery Act,  
   § 7:3; 7:29  
 Nebraska, § 7:16  
 Net drainage prevention  
   Arkansas, § 7:6  
   Kansas, § 7:11  
   Mississippi, § 7:15  
   New Mexico, § 7:17  
   North Dakota, § 7:19  
 New Mexico, § 7:17  
 1915 Act, § 7:22  
 1940 Act  
   Louisiana, § 7:12

## INDEX

### PRORATION OF OIL AND GAS PRODUCTION—Cont'd

1940 Act—Cont'd  
Texas, § 7:39  
1935 Act, § 7:24; 7:37  
1939 statute, § 7:6; 7:10  
1931 Act, § 7:27  
1932 Act, § 7:28; 7:36  
Nonprorated pools, § 7:10  
North Carolina, § 7:18  
North Dakota, § 7:19  
Oil interstate transportation prohibition, § 7:3  
Oklahoma  
General discussion, § 7:20 to 7:24  
Correlative rights protection, § 7:21 to 7:24  
History, § 7:21 to 7:24  
1915 Act, § 7:22  
1935 Act, § 7:24  
1933 Act, § 7:23  
Owner's just and equitable share  
Alberta, § 7:44  
Colorado, § 7:7  
Manitoba, § 7:45  
New Mexico, § 7:17  
Panhandle field (Texas), § 7:26; 7:28; 7:33 to 7:37  
Petroleum code, § 7:3; 7:29  
Pipeline outlets, § 7:34; 7:35; 7:37  
Producer's just and equitable share  
Alabama, § 7:4  
Arkansas, § 7:6  
Colorado, § 7:7  
Florida, § 7:8  
Louisiana, § 7:12  
Michigan, § 7:13  
Mississippi, § 7:15  
Nebraska, § 7:16  
New Mexico, § 7:17  
North Carolina, § 7:18  
North Dakota, § 7:19  
Texas, § 7:33  
Production adjustments  
Arizona, § 7:5  
Kansas, § 7:10  
Property rights, § 7:22; 7:25  
Public convenience, § 7:14

### PRORATION OF OIL AND GAS PRODUCTION—Cont'd

Reasonable market demand  
Alberta, § 7:44  
Florida, § 7:8  
Kansas, § 7:10  
New Mexico, § 7:17  
North Carolina, § 7:18  
North Dakota, § 7:19  
Oklahoma, § 7:22  
Saskatchewan, § 7:46  
Texas, § 7:25; 7:36; 7:37  
Washington, § 7:43  
Receivers, § 7:41  
Records, § 7:42  
Reports, § 7:42  
Saskatchewan, § 7:46  
Seizures, § 7:42  
State Oil and Gas Board  
Alabama, § 7:4  
Mississippi, § 7:15  
Sweet and sour gas, § 7:34; 7:35; 7:37  
Texas  
General discussion, § 7:25 to 7:42  
Common Purchaser Act, § 7:35  
Enforcement of proration orders  
Injunction and receivership, § 7:41  
Reports, records and inspections, § 7:42  
Gas, proration of, § 7:33 to 7:38  
History  
Gas, proration of, § 7:34 to 7:38  
Oil, proration of, § 7:26 to 7:32  
Injunctions, § 7:41  
Inspections, § 7:42  
Judicial review of probation orders, § 7:39  
National Industrial Recovery Act, § 7:29  
1935 Act, § 7:37  
1931 Act, § 7:27  
1937 Act, § 7:38  
1932 Act, § 7:28; 7:36  
Oil, proration of, § 7:25 to 7:32

**PRORATION OF OIL AND GAS  
PRODUCTION—Cont'd**

Texas—Cont'd

Orders, proration

General discussion, § 7:39 to  
7:42

Enforcement of orders, § 7:40 to  
7:42

Injunctions, § 7:41

Judicial review of, § 7:39

Receiverships, § 7:41

Reports, records and inspec-  
tions, § 7:42

Receiverships, § 7:41

Records, § 7:42

Reports, § 7:42

Rowan and Nichols cases, § 7:30

Shipment tenders, § 7:32

State court challenges, § 7:31

Writ of certiorari, § 7:30

Transportation and delivery, § 7:7

Washington, § 7:43

Waste

General discussion, § 7:1

Individual states, § 7:4 to 7:46

Wells

Alberta, § 7:44

Kansas, § 7:10; 7:11

Louisiana, § 7:12

Manitoba, § 7:45

Michigan, § 7:13; 7:14

Mississippi, § 7:15

Nebraska, § 7:16

New Mexico, § 7:17

North Dakota, § 7:19

Oklahoma, § 7:20 to 7:24

Saskatchewan, § 7:46

Texas, § 7:25 to 7:27; 7:30 to 7:38

Washington, § 7:43

Writ of certiorari, § 7:30

**PROTECTION**

Leases, this index

**PUBLIC CONVENIENCE**

Proration of oil and gas production,  
§ 7:14

**PUBLIC HIGHWAYS**

Geophysical exploration of, § 2:15

**PUBLIC INTEREST**

Conservation statutes and regula-  
tions, § 4:7; 4:9

Owner's right to take oil and gas,  
§ 3:3; 4:9

Pooling and unitization of oil and gas  
production on government land,  
§ 6:13; 6:14

Trespass, injunction, § 2:20

**PUBLIC LANDS**

Pooling and unitization of oil and gas  
production, § 6:13; 6:14

**PUBLIC RIGHTS**

Owner's right to take oil and gas,  
§ 3:1

**PUGH CLAUSE**

Lease clause, § 6:10; 57:34

**PUNITIVE DAMAGES**

Trespass, § 2:12; 2:14

**PURCHASE CONTRACTS, OIL  
AND GAS**

"Evergreen" oil purchase contract,  
§ 68:15

Gas purchase contract, § 68:16

Master gas purchase contract,  
§ 68:18

Spot market gas purchase contract,  
§ 68:17

**PURCHASE PRICE PAYMENT**

Lease interest, § 9:7

Recovery remedy, § 10:9

**PURCHASERS**

Adequacy of consideration, § 12:13

Adverse possession or liberative pre-  
scription, loss of oil and gas  
interests to good faith purchas-  
ers, § 8:15

Bona fide purchasers, § 8:15; 12:12  
to 12:15

Investigation of title, facts requiring,  
§ 12:14

Notice of prior lease, possession of  
land as, § 12:15

## INDEX

### **PURCHASERS—Cont'd**

Power to lease for oil and gas production, § 11:33

Requirements for valid oil and gas leases, § 12:10; 12:12 to 12:15

### **QUARE CLAUSUM**

Trespass, § 2:8

### **QUITCLAIM**

Interest in lease, of, § 59:22

### **QUITCLAIM INSTRUMENT**

Bona fide purchaser, lease assignee as, § 28:6

### **RAILROAD COMMISSION**

Location, spacing and pooling regulations, § 5:34 to 5:45

### **RAILROAD RIGHT OF WAY**

Location, spacing and pooling regulations, § 5:2

Power to lease for oil and gas production, § 11:35

### **RATABLE TAKING OF OIL AND GAS**

General discussion, § 4:1; 4:10

Arkansas, § 4:11

Colorado, § 4:12

Kansas, § 4:13

New Mexico, § 4:11; 4:14

Oklahoma, § 4:15

### **RATIFICATION**

Leases, this index

Pooling and accounting agreement, of, § 64:5

Pooling by royalty interest owner, of, § 64:4

Ratification of existing oil and gas lease, transfers affecting present oil and gas leases, § 37:9

Unit agreement and unit operating agreement, of, § 64:14

Voluntary pool of oil and gas leases, § 6:31

### **REAL COVENANT**

Property interests classification, § 8:9

### **REAL PROPERTY**

Classification of lessee's interest

General discussion, § 9:1; 9:4

Michigan, § 9:20

New Mexico, § 9:24

Pennsylvania, § 9:30

Washington, § 9:35

Royalty, this index

### **REASONABLE DILIGENCE**

Leases, this index

### **REASONABLE MARKET DEMAND**

Proration of Oil And Gas Production, this index

### **REASONABLE PRICE**

Leases, covenants for development, § 17:21

### **REASONABLE TIME**

Leases, § 18:12

### **REASONABLE USE**

Liability of operators for property damage, § 41:5

### **RECEIPTS**

Banker's receipt, lease rental remittance and, § 60:5

Crude oil, receipts by field and detailed statement of treater's deliveries, Arkansas, § 72:28

### **RECEIVERS**

General discussion, § 2:3

Anti-waste statutes and regulations, § 4:17

Co-tenancy, protection of, § 2:29

Proration of oil and gas production, § 7:41

Trespass, § 2:3

### **RECLAMATION OF SITE**

North Carolina oil or gas well site reclamation plan, § 91:7

### **RECORDATION**

Assignment of production of lessee's interest, § 28:30 to 28:32

Contracts for oil and gas leases, recording requirements, § 10:4

**RECORDATION—Cont'd**

Leases, validity requirements, § 12:9  
to 12:11

Mortgage of lease interest, § 28:37

**RECORDKEEPING  
REQUIREMENTS**

Conservation statutes and regulations, § 4:22; 4:23

**RECORDS**

Proration of oil and gas production,  
§ 7:42

**RECOVERABLE OIL**

Wells location, spacing and pooling,  
§ 5:1

**RECOVERY OF OIL AND GAS**

Anti-waste statutes and regulations,  
secondary recovery operations,  
§ 4:30 et seq.

Secondary recovery methods, § 1:4;  
4:30 et seq.

**RECOVERY OPERATION**

Counterdrainage, § 2:20

Sand fracturing operation, § 2:20

**REDUCTION**

Leases, rental clause, § 15:12

**REENTER**

Application for permit to drill or  
reenter oil and gas well,  
Arizona, § 71:5

Application for permit to reenter oil  
and gas well, Alabama, § 69:3

**REFORMATION**

Contracts for oil and gas leases,  
§ 10:8

Mistakes of fact, for, § 54:8

Mistakes of law, for, § 54:9

**REGISTRATION**

Gas facility registration and change  
of operator, Colorado, § 74:15

Illinois, oil and gas permittee tank  
battery registration form,  
§ 77:26

Virginia oil and gas operations,  
§ 99:2

**REGISTRATION—Cont'd**

West Virginia, oil and gas well  
construction and reclamation  
plan and site registration  
application, § 100:4

**REGULATION**

Conservation Statutes and Regula-  
tions, this index

Federal Energy Regulatory Commis-  
sion, by, § 52:2; 52:3

Gas sales. Contracts for Sale of Oil  
and Gas, this index

Location, Spacing and Pooling  
Regulations, this index

Mineral Leasing Act for Acquired  
Lands, § 51:11

Pipelines, this index

State Conservation Agency, by,  
§ 52:4

**REIMBURSEMENT OF EXPENSES**

Co-tenant taking of oil and gas,  
§ 2:32

**REJECTION**

Contracts for oil and gas leases,  
rejection of performance  
tendered, § 10:7

**RELEASE**

Contracts for oil and gas leases,  
§ 10:3

Facility failure and release report,  
Indiana, § 78:24

Liability for lessee, of, § 59:19

Lien on mineral interests, of, § 61:5

Partial release of lease, § 59:20

Plugging, release of further plugging  
liability, Nebraska, § 87:14

Property damage caused by drilling  
operations, drilling contracts  
provisions, § 67:6; 67:7

Quitclaim of interest in lease, § 59:22

Surety bond, of  
Iowa, § 79:5

Surrender of lease, § 59:21

Termination of oil and gas leases  
Duty of lessee to release lease,  
§ 19:4

statutory regulation, § 19:15

## INDEX

### RELEASE—Cont'd

- Water well completion release for oil and gas well
  - Montana, § 86:9
  - Nevada, § 88:15

### REMAINDERMAN

- Life Tenant and Remainderman, this index
- Power to lease for oil and gas production, § 11:29; 11:30
- Property interests, § 8:9; 8:10
- Waste, rights against third parties, § 2:2; 2:21 to 2:23; 2:26

### REMEDIES

- General discussion, § 2:1
- Breach of contract in assignment of lease, § 28:20
- Contracts for oil and gas leases, § 10:8 to 10:10
- Damages, this index
- Ejectment, § 26:3
- Equitable Relief, this index
- Forfeiture of leases, nonpayment of royalty, § 30:16
- Fraudulent contract or assignment of lease, § 28:27
- Nonperformance. Remedies for Nonperformance of Leases, this index
- Oklahoma lessee's interest, § 9:29
- Receiver, appointment of, § 2:3
- Specific Performance, this index

### REMEDIES FOR NONPERFORMANCE OF LEASES

- General discussion, § 19:1 et seq.
- Duty of lessee to release lease
  - General discussion, § 19:4
  - Statutory regulation, § 19:5
- Effect of nonperformance on lessee's interest under lease, § 19:6
- Fault of lessor, nonperformance due to, § 19:2
- Interest of lessee, effect of nonperformance on, § 19:6
- Lessor's fault, nonperformance due to, § 19:2

### REMEDIES FOR NONPERFORMANCE OF LEASES—Cont'd

- Self-help remedies, § 19:3
- Specific Performance, this index

### REMOVAL OF CASING OF WELLS

- Casing of Wells, this index

### REMOVAL OF WELL CASING AND EQUIPMENT

- Rights and duties of oil and gas operators and lessors, § 41:14

### RENEWAL OF INTERSTATE OIL AND GAS COMPACT FOR CONSERVATION LEGISLATION

- General discussion, § 4:6

### RENT

- General discussion, § 30:1
- Acceptance of late rental, § 21:13
- California, casinghead gas and gasoline, § 34:4
- Cancellation of lease for nonpayment of, § 30:16
- Casinghead gas and gasoline
  - General discussion, § 34:1
  - California, § 34:4
  - Contract principles, § 34:3
  - Kentucky, § 34:5
  - Louisiana, § 34:6
  - Oklahoma, § 34:7
  - Texas, § 34:8 to 34:12
  - West Virginia, § 34:13
- Covenants in assignment of leases for rentals and royalties, § 29:7
- Delay Rentals, this index
- Division of Oil and Gas Rents and Royalties, this index
- Enforcement of right to receive rents, procedures, § 30:15
- Gas Wells, this index
- Kentucky, casinghead gas and gasoline, § 34:5
- Louisiana
  - Casinghead gas and gasoline, § 34:6
- Oklahoma, casinghead gas and gasoline, § 34:7

**RENT—Cont'd**

- Right to receive rents
  - Cancellation of lease for nonpayment of, § 30:16
  - Conversion of oil and gas royalties, § 30:13; 30:14
  - Duty of lessee to market oil and gas, implication of, § 30:11
  - Enforcement of payment, § 30:15
  - Time for payment of royalties, § 30:12
- Texas, casinghead gas and gasoline, § 34:8 to 34:12
- Value of unrealized rents, § 23:7
- West Virginia, casinghead gas and gasoline, § 34:13

**RENTAL CLAUSE**

- Leases, this index

**RENTALS**

- Annual gas well rentals under early oil and gas leases, § 30:9
- Unlocatable mineral interest owners, § 30:3

**RENUNCIATION OF CONTRACT**

- Contracts for oil and gas leases, § 10:5

**REPAIR**

- Gas pipeline system, Arkansas, notice of construction and repair of, § 72:40

**REPLEVIN**

- Trespass, § 2:8

**REPORTS**

- See also individual states
- Incident Reports, this index
- Industry information resources, § 1:8
- Pressure Report, this index
- Proration of oil and gas production, § 7:42
- Seismic exploration completion report, § 98:3

**REPRESSURING FORMATION, GAS USED**

- Conservation statutes and regulations, § 4:27; 4:30

**REPRESSURING FORMATION, GAS USED—Cont'd**

- Subsurface trespass, § 2:20
- Unit production, generally, § 1:3

**REPUDIATION**

- Property interests, loss of oil and gas interests, repudiation notice, § 8:13

**RESCISSION**

- Assignment of Interests in Leases, this index
- Contracts for oil and gas leases, § 10:5; 10:8
- Fraud or mistake, for, § 54:10

**RESERVATION OF MINERAL INTEREST**

- Loss of oil and gas interests, § 8:22

**RESERVATION OF RIGHTS AND POWERS IN OIL AND GAS LEASES**

- Mineral Leasing Act, § 51:8

**RESERVATIONS**

- Construction of Mineral and Royalty Transfers, this index

**RESERVE**

- Gas unit reserve calculation, Alabama, § 69:32
- Request for disposal of reserve pit fluids produced during drilling, Arkansas, § 72:33
- Royalty clause, in-kind with accumulated reserve, § 57:17

**RESERVOIR ENERGY**

- General discussion, § 1:2
- California, § 4:27; 4:28
- Conservation statutes and regulations, § 4:27; 4:28
- Florida, § 5:10
- Georgia, § 5:11
- Hydrostatic pressure, § 1:3
- Kansas, § 4:27; 5:14
- Location, Spacing and Pooling Regulations, this index
- Louisiana, § 4:27
- Michigan, § 5:18

## INDEX

### **RESERVOIR ENERGY—Cont'd**

New Mexico, § 4:27; 5:25  
North Carolina, § 5:26  
Oklahoma, § 4:27  
Texas, § 4:27  
Unit production, rationale, § 1:3

### **RESERVOIRS**

Advantages of unit operation of,  
§ 1:3  
Application to inject fluid into  
reservoir productive of oil and  
gas, Texas, § 97:6  
Energy. Reservoir Energy, this index  
Gas reservoir pressure report, Alaska,  
§ 70:14  
Owner's right to take oil and gas,  
§ 3:1  
Pressure test report, North Dakota,  
§ 92:14  
Shale Reservoir Development Act of  
2011, § 5:29

### **RESOURCES FOR OIL AND GAS INDUSTRY**

General discussion, § 1:8

### **RESTITUTION**

Equitable remedies for oil and gas  
claims, § 54:11

### **RESTORATION OF SURFACE**

Surface Restoration, this index

### **RESTRICTIVE COVENANTS**

Owner's right to take oil and gas,  
§ 3:1; 3:5

### **RESULTING TRUSTS**

Equitable Relief, this index

### **REVERSIONARY INTERESTS**

Conveyances of oil and gas mineral  
interests, § 37:7; 37:8  
Loss of oil and gas interests, § 2:15  
Property interests, § 8:1; 8:2; 8:9 to  
8:11; 8:14  
Transfers of reversionary mineral  
interests under present oil and  
gas lease, § 37:7; 37:8  
Waste, rights against third parties,  
§ 2:2; 2:21; 2:22

### **REVERSIONER**

Trespasser, § 2:2; 2:15  
Waste, § 2:2; 2:21 to 2:23

### **REVERTING MINERAL INTERESTS TO LANDOWNER**

Property interests, § 8:11; 8:14; 8:22

### **REVIVAL OF TERMINATED SERVITUDE**

Property interests, § 8:19

### **REVOCATION**

Contracts for oil and gas leases,  
notice of revocation of offer,  
§ 10:2

### **RIGHT OF WAY**

Power to lease railroad right of way  
for oil and gas production,  
§ 5:2; 11:35

### **RIGHTS AND DUTIES OF OIL AND GAS OPERATORS, LANDOWNERS AND LESSORS**

General discussion, § 41:1  
Accommodation doctrine balances  
rights of operators and surface  
owners, § 41:2

### **RIGHTS AND DUTIES OF OIL AND GAS OPERATORS AND LESSORS**

Access and roads, privileged acts of  
operators in use of premises,  
§ 41:7  
Buildings and structures, privileged  
acts of operators in use of  
premises, § 41:8  
Drilling sites, privileged acts of  
operators in use of premises,  
§ 41:9  
Early cases  
implied right of operators to rea-  
sonable use of premises,  
§ 41:5  
right of lessor to use, sell, or lease  
premises, § 41:16  
Equipment and pipelines, privileged  
acts of operators in use of

**RIGHTS AND DUTIES OF OIL  
AND GAS OPERATORS AND  
LESSORS—Cont'd**

- premises, § 41:10
- Express right of operators to necessary use of premises, § 41:3
- Geophysical exploration operator's duty of confidentiality, § 44:3; 44:4
- Implied right of operators to reasonable use of premises
  - General discussion, § 41:4
  - Drilling locations, § 40:9
  - Early cases, § 41:5
- Lessors, right to use, sell, or lease premises, § 41:15; 41:16
- Operators
  - Duty to restore surface condition of premises, § 42:19
  - Express right of operators to necessary use of premises, § 41:3
  - Geophysical exploration operator's duty of confidentiality, § 44:3; 44:4
  - Implied right of operators to necessary use of premises, § 41:3
  - Implied right of operators to reasonable use of premises, § 41:4; 41:5
  - Privileged acts of operators in use of premises, below
  - Removal of well casing and equipment, § 41:14
- Pipelines and equipment, privileged acts of operators in use of premises, § 41:10
- Privileged acts of operators in use of premises
  - General discussion, § 41:6 to 41:13
  - Access and roads, § 41:7
  - Buildings and structures, § 41:8
  - Drilling sites, § 41:9
  - Equipment and pipelines, § 41:10
  - Saltwater disposal, § 41:11
  - Taking oil, gas, and water, § 41:12
  - Wellbores, § 41:13
- Removal of well casing and equipment, § 41:14

**RIGHTS AND DUTIES OF OIL  
AND GAS OPERATORS AND  
LESSORS—Cont'd**

- Restore surface condition of premises, operators' duty to, § 42:19
- Saltwater disposal, privileged acts of operators in use of premises, § 41:11
- Taking oil, gas, and water as privileged acts of operators in use of premises, § 41:12
- Wellbores, privileged acts of operators in use of premises, § 41:13

**RIGHTS FOR OIL AND GAS  
OPERATIONS, SURFACE AND  
UNDERGROUND**

- Surface and Underground Rights of Oil and Gas Operations, this index

**RIGHTS NECESSARY FOR OIL  
AND GAS PRODUCTION**

- Property interests, § 8:4

**RIGHTS OF LESSOR IN LEASE**

- Divisibility of, § 24:12

**RIGHTS OF OIL AND GAS  
OPERATIONS**

- Surface and Underground Rights of Oil and Gas Operations, this index

**RIGHTS OF OWNERS OF  
SEPARATE INTERESTS IN  
OIL AND GAS**

- Property interests, § 8:4

**ROADWAYS**

- Power to lease for oil and gas production, § 11:34

**ROYALTY**

- General discussion, § 30:1
- Accounting, § 2:13
- Accrued royalty
  - General discussion, § 32:3
  - Division of oil and gas rents and royalties between life tenant and remainderman, § 40:18

## INDEX

### ROYALTY—Cont'd

- Arkansas royalty interests, nature of, § 32:8
- Assignment of
  - Deed, § 63:13
  - Overriding royalty, below
  - Royalty interest, § 30:14
- Bonus distinguished, § 31:2 to 31:5
- Calculation of royalties
  - General discussion, § 33:1 et seq.
  - Capture and hold rule, § 33:2
  - Casinghead gas, below
  - Costs of transportation, § 33:4
  - Dry sweet gas, § 33:12
  - Exclusion of free gas, § 33:16
  - Fractional ownership, reduction of gas royalty, § 33:6
  - Free gas excluded, § 33:16
- Gas royalties
  - General discussion, § 33:10 to 33:17
  - Capture and hold rule, § 33:2
  - Casinghead gas, below
  - Claiming under take-or-pay settlements, § 33:17
  - Costs, compression, storage and transportation costs, § 33:4
  - Dry sweet gas, § 33:12
  - Fractional ownership, reduction of gas royalty, § 33:6
  - Free gas excluded, § 33:16
  - Marketable product rule, § 33:3
  - Measuring volume and pressure, § 33:15
  - Natural Gas Act, application of, § 33:13
  - Pressure and volume, measuring, § 33:15
  - Sour gas, § 33:12
  - Sweet gas, dry, § 33:12
  - Take-or-pay claims settlements, claiming gas royalties under, § 33:17
  - Volume and pressure, measuring, § 33:15
  - Wet gas, § 33:12
- Gravity of crude oil, measuring, § 33:9

### ROYALTY—Cont'd

- Calculation of royalties—Cont'd
    - Marketable product rule, § 33:3
    - General discussion, § 33:3
    - Measuring gas volume and pressure, § 33:15
    - Measuring oil volume and specific gravity, § 33:9
    - Natural Gas Act, § 33:13
  - Oil royalties
    - General discussion, § 33:7 to 33:9
    - Gravity of crude oil, measuring, § 33:9
    - Measuring volume and specific gravity, § 33:9
    - Storage costs, § 33:4
    - Transportation costs, § 33:4
    - Treatment costs, § 33:5
    - Volume and specific gravity, measuring, § 33:9
  - Pressure and volume of gas, measuring, § 33:15
  - Price or value used to calculate oil royalties, § 33:8
  - Reduction of royalties for fractional ownership, § 33:6
  - Sour gas, § 33:12
  - Storage costs, § 33:4
  - Sweet gas, dry, § 33:12
  - Take-or-pay settlements, claiming gas royalties, § 33:17
  - Transportation costs, § 33:4
  - Treatment of oil costs, § 33:5
  - Volume and pressure of gas, measuring, § 33:15
  - Volume and specific gravity of oil, measuring, § 33:9
  - Wet gas, § 33:12
- California royalty interests, nature of, § 32:9 to 32:11
  - Callahan v. Martin, § 32:10
  - Casinghead gas and gasoline, § 34:4
  - Dabney-Johnson Oil Corp. v. Walden, § 32:11
  - Cancellation of lease for nonpayment of, § 30:16
  - Capture and hold rule, § 33:2

**ROYALTY—Cont'd**

- Casinghead gas and gasoline
  - General discussion, § **34:1 et seq.**
  - California, § **34:4**
  - Contracts, § **34:3**
  - Kentucky, § **34:5**
  - Louisiana, § **34:6**
  - Oklahoma, § **34:7**
  - Texas, § **34:8 to 34:12**
  - West Virginia, § **34:13**
- Commingled oil, § **2:7**
- Community leases, pooling and unitization of production, § **6:3; 6:13; 6:28**
- Community property, spousal, § **30:2**
- Contracts for oil and gas leases, § **10:3; 10:8**
- Conversion of oil and gas royalties, § **30:13**
- Conveyances of Oil and Gas Mineral Interests, this index
- Deeds
  - Lease interest, § **9:17**
  - Mineral and royalty deed provisions, § **63:7 to 63:9**
  - Mineral deed provision with royalty interest reservation, § **63:5**
  - Property interest, § **8:1; 8:7**
  - Royalty deed, § **8:1; 63:11 to 63:16**
- Defined, § **32:1; 36:3; 39:2**
- Distinguished from bonus, § **31:2 to 31:5**
- Division of Oil and Gas Rents and Royalties, this index
- Division orders or purchase contracts, calculating gas royalties under, § **33:14**
- Duty of lessee to market oil and gas, implication of, § **30:11**
- Duty to pay royalties, effect of, § **8:7**
- Enforcement of right to receive rents
  - Cancellation of lease for nonpayment of, § **30:16**
- Enforcement of right to receive rents, procedures, § **30:15**
- Fractional ownership, reduction of royalties for, § **33:6**

**ROYALTY—Cont'd**

- Indiana royalty interests, nature of, § **32:12**
- Interest created by lease, payments
  - California, § **9:9**
  - Kentucky, § **9:17**
- Kansas royalty interests, nature of, § **2:36; 32:13; 32:14**
- Kentucky royalty interests
  - Casinghead gas and gasoline, § **34:5**
  - Nature of, § **9:17; 32:15**
- Lease clauses
  - General discussion, § **57:16**
  - extension of lease, § **14:21**
  - Extra payment interval, with, § **57:23**
  - Free market gas, § **57:20**
  - Free market oil and gas, § **57:18**
  - Habendum clause with termination for royalty nonpayment, § **57:9**
  - In-kind with accumulated reserve, § **57:17**
  - Long-term gas sales contract, § **57:19**
  - Off-lease pool and unit wells, including, § **57:22**
  - Shut-in gas royalty clause, § **57:21 to 57:23**
  - shut-in royalty payments, § **14:21**
- Louisiana, nature of royalty interest, § **32:16**
- Marketable product rule. Calculation of royalties, above
- Mineral and royalty deed
  - Mineral reservation, with, § **63:9**
  - Property interest, § **8:1; 8:7**
  - Subject to oil and gas lease, § **63:8**
  - Term limitation, with, § **63:7**
- Mineral deed with royalty interest reservation, § **63:5**
- Mineral interests
  - Distinguishing nonparticipating royalty from, § **32:5 to 32:7**
  - Termination of mineral interest, below

## INDEX

### ROYALTY—Cont'd

- Mineral reservation
  - Mineral and royalty deed with, § 63:9
  - Mineral deed with royalty interest reservation, § 63:5
- Montana royalty interest, nature of, § 32:17
- Nature of oil and gas royalty
  - General discussion, § 32:1 et seq.
  - Arkansas royalty interests, § 32:8
  - Definition of “royalty,” § 32:1
  - Distinguishing nonparticipating royalty from interest in minerals, § 32:5 to 32:7
  - Indiana royalty interests, § 32:12
  - Jurisdiction, royalty interests by, § 32:8 to 32:27
  - Kansas royalty interests, § 2:36; 32:13; 32:14
  - Kentucky royalty interests, § 32:15
  - Louisiana royalty interest, § 32:16
  - Montana royalty interest, § 32:17
  - Nonparticipating royalty, § 32:4 to 32:7
  - Ohio royalty interest, § 32:18
  - Oklahoma royalty interest, below
  - Pennsylvania royalty interest, § 32:23
  - Real or personal property, below
  - Texas royalty interest, § 32:24 to 32:26
  - West Virginia royalty interest, § 32:27
- Nonparticipating oil and gas royalty interest
  - General discussion, § 32:4
  - Confusing “profits” with “land,” § 32:6
  - Distinguished from mineral interests, § 32:5 to 32:7
  - Drafting rules, § 32:7
  - Nature of, § 32:4 to 32:7
- Nonparticipating perpetual royalty deed, § 8:1
- Nonuser for 10 years, § 8:16
- Ohio royalty interest, nature of, § 32:18

### ROYALTY—Cont'd

- Oil payment as bonus vs. royalty, § 31:2; 31:4
- Oil royalties, § 33:6 to 33:9
- Oklahoma royalty interest, nature of
  - General discussion, § 32:19 to 32:22
  - Casinghead gas and gasoline, § 34:7
  - Effect of conveyances, § 32:21
  - Pooling and unitization, § 6:18
  - Real or personal property, § 32:20
- Overriding royalty, assignment of
  - Lease assignment with overriding royalty reservation, § 63:24; 63:26
  - Operating rights with overriding royalty reservation, assignment of, § 63:37
  - Partial assignment of lease with depth limitation and overriding royalty reservation, § 66:32
  - Pooling power retained, assignment of overriding royalty with, § 63:19
- Overriding royalty deed, § 63:16
- Overriding royalty interest as bonus, § 31:5
- Pennsylvania royalty interest, nature of, § 32:23
- Periodic minimum oil and gas royalties, § 30:10
- Personal property. Real or personal property, below
- Pooling and unitization of oil and gas production
  - General discussion, § 6:3
  - Allocating adjustable or sliding scale royalties, § 6:4
  - Compulsory unit operations, § 6:18
  - Cross-conveyance theory, § 6:5; 6:12
- Louisiana mineral servitudes and royalties, § 6:11
- Municipality leases, § 6:13
- Non-consenting royalty owners, § 6:35

## **ROYALTY—Cont'd**

- Pooling and unitization of oil and gas production—Cont'd
  - Ratification of pooling by royalty interest owner, § **6:31; 64:4**
  - Shut-in royalty payments for lease acreage inside and outside a pooled unit, § **6:9**
  - Statutory pooling of oil and gas royalty, § **6:18**
- Price or value used to calculate oil royalties, § **33:8**
- Property interests, § **8:1; 8:4; 8:7**
- Real or personal property
  - General discussion, § **32:2; 32:3**
  - Accrued and unaccrued royalties, § **32:3**
  - Kansas royalty interests, § **2:36; 32:14**
  - Oklahoma royalty interests, § **32:20**
- Reduction of royalties for fractional ownership, § **33:6**
- Right to receive royalties
  - Cancellation of lease for nonpayment of, § **30:16**
  - Conversion of oil and gas royalties, § **30:13**
  - Duty of lessee to market oil and gas, implication of, § **30:11**
  - Enforcement of payment, § **30:15**
  - Time for payment of royalties, § **30:12**
- Royalty deed
  - Mineral and royalty deed, above
  - Model form, § **63:11**
  - Non-participating interest subject to oil and gas lease, § **63:12**
  - Oil and gas lease royalty, § **63:15**
  - Overriding royalty deed, § **63:16**
  - Property interest, § **8:1; 8:7**
  - Pursuant to contract to assign royalty, § **63:13**
  - With term limitation subject to oil and gas lease, § **63:14**
- Shut-in royalty payments, § **14:21**
- Storage costs, § **33:4**
- Tax treatment, Texas, § **32:26**

## **ROYALTY—Cont'd**

- Texas royalty interest, nature of
  - General discussion, § **32:24 to 32:26**
  - Casinghead gas and gasoline, § **34:8 to 34:12**
  - Early cases, § **32:25**
  - Time for payment of, § **30:12**
  - Transportation costs, § **33:4**
  - Trespass, royalty rule, § **2:13**
- Unaccrued royalty
  - General discussion, § **32:3**
  - Division between life tenant and remainderman, § **40:18**
  - Real or personal property, § **32:3**
- Unlocatable mineral interest owners, § **30:3**
- West Virginia royalty interest
  - Casinghead gas and gasoline, § **34:13**
  - Nature of, § **32:27**

## **ROYALTY INTEREST**

- Assignment of Interests in Leases, this index
- Co-tenancy, § **2:36**
- Covenants for rentals and royalties in assignment of lease, § **29:7**
- Divisibility of leases, duty to pay royalties, § **24:9**
- Enforcement, overriding royalty interest owners, § **29:17**
- Kansas treatment as personal property, § **2:36**
- Overriding royalty interest. Assignment of Interests in Leases, this index
- Partition of oil and gas interests, royalty interest, § **27:5**
- Test wells, breach of covenant to drill, § **23:7**
- Value of unrealized rents and royalties, § **23:7**

## **ROYALTY POOL ASSOCIATIONS**

- Fraud in conveyances of oil and gas mineral interests, § **35:11**

## **RULE AGAINST PERPETUITIES**

- Leases, duration, § **14:17**

## INDEX

### **RULE AGAINST PERPETUITIES**

#### **—Cont'd**

Pooling and unitization of oil and gas production, § 6:12

Transfers of mineral interests under present and future oil and gas lease, § 6:12; 38:2 to 38:6

### **RULE OF CAPTURE**

Owner's right to take oil and gas, § 3:2

Trespass, negative rule of capture, § 2:20

### **SALES**

Classification of oil lessee's interest, § 9:9

Contracts for Sale of Oil and Gas, this index

Divisibility of leases, duty to pay royalties, § 24:9

Partition of oil and gas interests by sale, § 27:2 to 27:5

Power of vendors and purchasers to lease for oil and gas production, § 11:11; 11:33

### **SALTWATER DISPOSAL**

Rights and duties of oil and gas operators and lessors, privileged acts of operators in use of premises, § 41:11

### **SALTWATER DISPOSAL CASE**

Trespass by fluid injection into saltwater table, § 2:20

### **SALTWATER DISPOSAL CONTRACT**

Rights for oil and gas operations, § 58:7

### **SALTWATER DISPOSAL LEASE**

Rights for oil and gas operations, § 58:8

### **SALTWATER DISPOSAL**

#### **STATUTES LIABILITY**

Liability of Oil and Gas Operators for Pollution, this index

### **SALTWATER ON**

#### **NON-CONSENTING SURFACE OWNER'S TRACT, USING**

Pooling and unitization of oil and gas production, § 6:36

### **SALVAGE**

Interest of lessee created by oil and gas leases, § 9:7

### **SAMPLE AND CORE RECORD FOR OIL AND GAS WELL**

Alabama, § 69:17

### **SAND FRACTURING OPERATION**

Co-tenant costs, § 2:35

Trespass, § 2:20

### **SASKATCHEWAN**

Proration of oil and gas production, § 7:46

Wells location, spacing and pooling, § 5:51

### **SAVINGS CLAUSE**

Lease clause, § 57:12; 57:40

### **SAVINGS CLAUSES**

Oil and gas leases, § 14:3.50

### **SCHOOL LANDS, OIL AND GAS PRODUCTION ON**

Louisiana, § 50:23

Mississippi, § 50:27

New Mexico, § 50:30

Power to lease limited interests in lands for oil and gas production, § 11:40

Texas, § 50:43

### **SEALED STRATA**

Owner's right to take oil and gas, § 3:8

### **SEALING**

Validity of oil and gas leases, § 12:4

### **SECONDARY RECOVERY OPERATIONS OR METHODS**

General discussion, § 1:4

Anti-waste statutes and regulations, § 4:30 et seq.

Unitizations, § 6:1; 6:25

### **SECURITIES REGULATION**

Assignment of production in lease, § 28:33 to 28:35

**SECURITY**

Assignment for security in lieu of cash for oil and gas operations, Arizona, § 71:4

**SECURITY TRANSACTION**

Mortgage of lease interest, § 28:36 to 28:41

**SEEPAGE**

Conservation statutes and regulations of surface waste, § 4:26; 4:37

**SEISMIC OPERATIONS**

Application to conduct  
Arkansas, § 72:31  
Maryland, § 82:4  
Oklahoma, § 93:3  
Oregon, § 94:9  
Utah, § 98:2  
Completion report, Colorado, § 74:22  
Notice of intent to conduct, Colorado, § 74:21  
Plugging report for seismic holes, Kansas, § 80:22  
Right of entry agreement, Maryland, § 82:7  
Surety bond  
Arkansas, § 72:32  
Oklahoma, § 93:8  
Utah, this index

**SEIZURES**

Proration of oil and gas production, § 7:42

**SELF-HELP REMEDIES**

Nonperformance of oil and gas leases, § 19:3

**SEPARATE MINERAL ESTATES**

Property interests, § 8:1; 8:2

**SEPARATE PROPERTY**

Bonus, rentals, and royalties, § 30:2

**SERVICES**

Liens on oil and gas operations, labor and services qualifying for, § 46:5

**SERVITUDE OF REAL RIGHTS**

Classification of Louisiana lessee's interest, § 9:19  
History of property interests in oil and gas, § 8:22; 8:23  
Loss of oil and gas interests, § 8:13 to 8:23

**SERVITUDES**

Louisiana mineral servitudes and royalties, § 6:11; 8:16 to 8:23  
Property interests, § 8:3; 8:9; 8:10; 8:16 to 8:23

**SEVERABILITY**

Contracts for oil and gas leases  
Damages remedy for breach, § 10:9  
Marketable title is condition of contract, § 10:6  
Performance of contract, § 10:5; 10:6  
Specific performance remedy for breach, § 10:3; 10:10  
Covenants in Leases, Divisibility of, this index

**SEVERANCE OF MINERALS FROM SURFACE**

Adverse possession of oil and gas after, § 8:6; 8:14  
Trespass, damages, § 2:11

**SEVERANCE TAXES**

Taxation of Oil and Gas, this index

**SHALE RESERVOIR DEVELOPMENT ACT OF 2011**

General discussion, § 5:29

**SHUT-IN**

Gas royalty lease clause, § 57:21 to 57:23

**SLANDER**

Trespass as causing slander of lessor's title or interest, § 2:14

**SLANT DRILLING**

Restrictive covenant, § 3:5  
Trespass, § 2:4; 2:5

## INDEX

### **SNODGRASS, SOUTH PENN OIL CO. v.**

Leases, duration, extension of lease despite lack of production, § 14:38

### **SOIL ANALYSIS REPORT FOR OIL AND GAS OPERATIONS**

Colorado, § 74:26

### **SOIL EROSION AND SEDIMENTATION CONTROL PLAN FOR OIL AND GAS WELL**

Michigan, § 83:7

### **SOLID MINERALS ANALOGY**

Owner's right to take oil and gas, § 3:6; 3:7

### **SOLVENCY**

Trespass, § 2:17

### **SOUR GAS**

Calculation of royalties, § 33:12

### **SOUTH CAROLINA**

State lands, oil and gas production on, § 50:37

### **SOUTH DAKOTA**

Application for permit to drill oil and gas well

Certificate of applicant, § 96:7

Form, § 96:2

Bonds

Plugging and performance bond for oil and gas well, § 96:4

Cancellation of lease, § 22:41

Certificate

Applicant for oil and gas permit, of, § 96:7

Negotiation with surface owner for damages from drilling, of, § 96:5

Completion or recompletion report, oil and gas well, § 96:8

Damages

Certificate of negotiation with surface owner for damages from drilling, § 96:5

Forms, oil and gas, § 96:1 et seq.

### **SOUTH DAKOTA—Cont'd**

Inspection, permission to inspect oil and gas well facilities, § 96:6

Location, spacing and pooling regulations, § 5:33

Monthly production report for oil and gas wells, § 96:9

Notice

Sundry notice and report on oil and gas wells, § 96:10

Transfer of operator for oil and gas wells, § 96:12

Organization report for oil and gas operations, § 96:3

Permission to inspect oil and gas well facilities, § 96:6

Plugging

Bond for oil and gas well, plugging and performance, § 96:4

Report for oil and gas wells, § 96:11

Reports

Oil and gas well completion or recompletion report, § 96:8

Organization report for oil and gas operations, § 96:3

Plugging report for oil and gas wells, § 96:11

Production report for oil and gas wells, monthly, § 96:9

Sundry notice and report on oil and gas wells, § 96:10

State lands, oil and gas production on, § 50:38

Sundry notice and report on oil and gas wells, § 96:10

Surface owner damages from drilling, certificate of negotiation with surface owner, § 96:5

Transfer of operator for oil and gas wells, § 96:12

Wells location, spacing and pooling, § 5:33

### **SOUTH PENN OIL CO. v. SNODGRASS**

Leases, duration, extension of lease despite lack of production, § 14:38

**SPACING REGULATIONS**

Location, Spacing and Pooling  
Regulations, this index

**SPACING UNIT**

Definitions, § 5:2

**SPECIFIC PERFORMANCE**

General discussion, § 26:1 to 26:3  
Breach of contract for oil and gas  
lease, remedy, § 10:3; 10:10  
Ejectment by lessee to recover pos-  
session, § 26:3  
Lessee's suit for, § 26:2  
Lessor's suit for, § 26:1  
Statute of frauds, § 10:3; 10:9

**SPILL INCIDENT REPORTS**

Alabama, notification of fire, spill,  
leak or blowout incident report,  
§ 69:36  
Arkansas fire, leak, spill or blowout  
incident report, § 72:37

**SPOT MARKET CONTRACTS**

Gas purchase contract, § 68:17  
Sale of oil and gas, § 52:10

**SPOUSAL INTEREST**

Division of oil and gas rents and  
royalties, surviving spouse life  
estate created after oil and gas  
lease, § 40:20  
Partition of mineral interest, pooling  
and unitization, § 6:37

**STATE AGENCY LANDS, OIL AND  
GAS PRODUCTION ON**

Louisiana, § 50:23

**STATE CONSERVATION AGENCY**

Regulation of gas sales by, § 52:4

**STATE LANDS, OIL AND GAS  
PRODUCTION ON**

General discussion, § 50:1 et seq.  
Alabama, § 50:2  
General discussion, § 50:2  
Alaska  
General discussion, § 50:3  
Exploration licenses for oil and  
gas, § 50:6  
Leases for oil and gas, § 50:4

**STATE LANDS, OIL AND GAS  
PRODUCTION ON—Cont'd**

Alaska—Cont'd  
Leases for oil shale, § 50:5  
Arizona, § 50:7  
Arkansas, § 50:8  
California  
General discussion, § 50:9  
Leases and permits  
General discussion, § 50:10 to  
50:13  
County and city lands, § 50:12  
Oil and gas leases, § 50:11  
Submerged lands, § 50:13  
Colorado, § 50:14  
Florida, § 50:15  
Georgia, § 50:16  
Idaho, § 50:17  
Illinois, § 50:18  
Indiana, § 50:19  
Iowa, § 50:20  
Kansas, § 50:21  
License for exploration on Alaska  
state lands, § 50:6  
Louisiana  
General discussion, § 50:22  
Agency and school lands, § 50:23  
Michigan, § 50:24  
Minnesota, § 50:24.50  
Mississippi  
General discussion, § 50:25  
County and city lands, § 50:26  
School lands, § 50:27  
Montana, § 50:28  
Nebraska, § 50:29  
New York, § 50:31  
North Dakota, § 50:32  
Ohio, § 50:33  
Oklahoma, § 50:34  
Oregon, § 50:35  
Pennsylvania, § 50:36  
Pooling and unitization, § 6:14  
South Carolina, § 50:37  
South Dakota, § 50:38  
Texas, this index  
Utah, § 50:45  
Vermont, § 50:46  
Virginia, § 50:47

## INDEX

### **STATE LANDS, OIL AND GAS PRODUCTION ON—Cont'd**

Washington, § 50:48

West Virginia, § 50:49

Wyoming, § 50:50

### **STATE OIL AND GAS BOARD**

Proration of oil and gas production,  
§ 6:2; 7:4; 7:15

### **STATE TAXATION OF OIL AND GAS**

Taxation, this index

### **STATUS QUO**

Trespass, § 2:3; 2:18

### **STATUTE OF ANNE**

Co-tenancy rights, § 2:28

### **STATUTE OF FRAUDS**

Breach of contract, remedies, § 10:9

Classification of property interests,  
§ 8:9

Delay rentals, § 10:3

Equitable relief

Constructive and resulting trust  
remedies for joint ventures,  
§ 54:5

Oil and gas claims, statute of  
frauds bars oral contracts to  
convey oil and gas interests,  
§ 54:12

Oral contracts to convey oil and  
gas interests barred, § 54:12

Escrow, § 10:3

Interest of lessee created by oil and  
gas leases

General discussion, § 8:9; 9:3; 9:4

Oklahoma, § 9:28

Texas, § 9:33

License interest, § 9:3

Oil and gas leases, § 10:1; 10:3; 10:9

Oklahoma, interest of lessee created  
by oil and gas leases, § 9:28

Property interests classification, § 8:9

Specific performance, § 10:3

Texas, interest of lessee created by oil  
and gas leases, § 9:33

Validity of lease requirements, § 12:3

### **STATUTE OF GLOUCESTER**

Waste, § 2:25

### **STATUTE OF LIMITATIONS**

California, § 2:10

Equitable claims for oil and gas liti-  
gation, defense to, § 54:14

Loss of oil and gas interests, adverse  
possession claims, § 8:10; 8:13  
to 8:15; 8:21; 8:22

Pollution, limitations periods for  
liability of operators for, § 42:17

Trespass, § 2:4; 2:10

### **STATUTE OF WESTMINSTER**

Co-tenancy rights, § 2:28

### **STATUTES**

Frauds. Statute of Frauds, this index

Implied covenants to drill offset  
wells, statutory provisions,  
§ 17:19

Limitations. Statute of Limitations,  
this index

Loss of oil and gas interests, statutory  
period, § 8:10

Pooling and Unitization for oil and  
Gas Production, this index

Power of guardians to lease, early  
leases under statutes for sale of  
land, § 11:11

Power to lease for oil and gas produc-  
tion

Administrators, power of, § 11:5

Executors, power of, § 11:5

Guardians, power of, § 11:7 to  
11:10

Trustees, power of, § 11:5

### **STATUTORY LIENS ON OIL AND GAS OPERATIONS**

Liens on Oil and Gas Operations, this  
index

Perfection. Procedure for perfection  
of liens, below

### **STEP RATE TEST**

Oil and gas well, report, § 77:34

### **STIMULATION PROGRAM**

Acid treatments and frac jobs,  
Nevada checklist, § 88:4

## STORAGE

### Alabama

Bond for underground storage facility, § **69:12**

Gas injected/withdrawn for natural gas storage facilities monthly report, § **69:28**

Monthly report from oil and gas wells, transporter's and storer's, § **69:26**

Natural gas storage operations, affidavit of ownership or control of, § **69:10**

Anti-waste statutes and regulations, rules, and orders, § **4:7; 4:21; 4:35; 4:36**

Application for fluid storage facility for oil and gas operations, Indiana, § **78:6**

Application for liquid oilfield waste tank permit, Illinois, § **77:23**

Applications for transfer of underground storage permit, New York, § **90:8**

Application to construct concrete storage structure for oil and gas operations, Illinois, § **77:16**

Application to create, operate and maintain underground hydrocarbon storage facility, Mississippi, § **84:3**

Arkansas, oil and gas transporter's and storer's monthly report, § **72:18**

Bond for underground storage facility, Alabama, § **69:12**

Costs, royalty calculations, § **33:4**

Gas storage operator's annual report, Texas, § **97:4**

### Illinois

Construct concrete storage structure for oil and gas operations, application to, § **77:16**

Liquid oilfield waste tank permit, application for, § **77:23**

Indiana, fluid storage facility for oil and gas operations application, § **78:6**

## STORAGE—Cont'd

Mississippi, application to create, operate and maintain underground hydrocarbon storage facility, § **84:3**

### Monthly reports

Alabama, § **69:26**

Arkansas, § **72:18**

Natural gas storage facilities monthly report, gas injected/withdrawn for, Alabama, § **69:28**

Natural gas storage operations, affidavit of ownership or control of, Alabama, § **69:10**

New York, transfer of underground storage permit application, § **90:8**

Oil and gas lease clause granting underground gas storage rights, § **57:41**

Oil and gas operating agreement, gas storage and balancing provisions, § **65:4**

Pennsylvania, request for approval of pit for control, handling or storage of production fluids, § **95:5**

Report, gas storage operator's annual report, Texas, § **97:4**

Request for approval of pit for control, handling or storage of production fluids, Pennsylvania, § **95:5**

Royalty calculations, costs, § **33:4**

Rule of capture, effect of, § **3:2**

Texas, gas storage operator's annual report, § **97:4**

Trespass, subsurface, § **2:20**

Underground gas storage lease or easement, § **58:9**

Underground storage facility bond, Alabama, § **69:12**

## STRANGERS TO TITLE

Construction of mineral and royalty transfers, § **39:8**

## STRIP AND GORE DOCTRINE

Leases, validity requirements, § **12:8**

## SUBDIVISION

Leases, duration, extension of lease despite lack of production, § **14:25**

## INDEX

### **SUBDIVISION—Cont'd**

Leases, request for permission to consolidate or subdivide oil leases, Texas, § **97:19**

### **SUBLEASE**

Covenants in assignment of leases, whether sublessee bound by, § **29:2**

Distinguishing between assignment and sublease, § **29:3 to 29:5**

Transfer of operative rights in lease (form), § **101:4**

### **SUBMERGED LANDS**

California leases and permits for oil and gas production on submerged lands, § **50:13**

Federal lands, oil and gas production on, § **51:13**

Oil and gas lease of under Outer Continental Shelf (OCS) Lands Act, Bureau of Ocean Energy Management forms, § **102:2**

Oil and gas production on, Texas, § **50:43**

Texas, oil and gas production on, § **50:43**

### **SUBMERGED LANDS ACT**

Federal lands, oil and gas production on, § **51:13**

### **SUBORDINATION AGREEMENTS FOR OIL AND GAS LEASES**

Agricultural tenant's agreement, § **61:8**

Deed of trust on leased premises, § **61:3**

Lien on leased premises, § **61:1**

Mortgage on leased premises, § **61:2**

Release of lien on mineral interests, § **61:5**

Vendor's lien on leased premises, § **61:4**

Waiver of priority lien for oil and gas lease benefits, § **61:6**

Waiver of surface easements by lessee, § **61:7**

### **SUBSEQUENT PURCHASERS**

Leases, validity requirements, § **12:10**

### **SUBSURFACE**

Injections report, oil and gas subsurface, Nevada, § **88:11**

Trespass, § **2:20**

### **SUBTERRANEAN WATERS ANALOGY**

Owner's right to take oil and gas, § **3:6; 3:8**

### **SUNDRY NOTICES AND REPORTS**

Alaska, § **70:6; 70:8**

Arizona, § **71:13**

Colorado, § **74:7**

Iowa, § **79:6**

Montana, § **86:7**

Nebraska, § **87:11**

Nevada, § **88:12**

New Mexico, § **89:4**

North Dakota, § **92:7**

South Dakota, § **96:10**

Utah, § **98:9**

### **SUPERSEDEAS BOND**

Trespass, § **2:14**

### **SUPERVISION OF DRILLING OPERATIONS**

Anti-waste statutes and regulations, § **4:22; 4:43**

### **SURETY BOND**

Acknowledgment, Indiana, § **78:10**

Blanket surety bond for

Multiple oil and gas wells, North Dakota, § **92:6**

Oil and gas operations, Indiana, § **78:12**

Pennsylvania, § **95:3**

Conformance with laws

Iowa, § **79:4**

Michigan, § **83:9**

County oil and gas test hole surety bond, Indiana, § **78:16**

Oil and gas operations

Alaska, § **70:3**

Arkansas, § **72:2**

Illinois, § **77:35**

Indiana, § **78:11 to 78:13**

Maryland, § **82:9; 82:10**

Missouri, § **85:2**

**SURETY BOND—Cont'd**

- Oil and gas operations—Cont'd
  - Montana, § 86:3
  - Nevada, § 88:7
  - Oklahoma, § 93:7
- Operator's bond, Virginia, § 99:4
- Personal surety bond for oil and gas operations, Indiana, § 78:13
- Release of surety bond for oil and gas operations
  - Iowa, § 79:5
- Seismic operations, Arkansas, § 72:32
- Seismic operations and plugging, Oklahoma, § 93:8
- Single deep oil and gas well surety bond, North Dakota, § 92:5
- Statewide oil and gas drilling, Nevada, § 88:8
- Test hole surety bond, Indiana, § 78:15; 78:16

**SURFACE AND UNDERGROUND RIGHTS OF OIL AND GAS OPERATIONS**

- Gas storage lease or easement, underground, § 58:9
- Geophysical exploration permit for oil and gas, § 58:1
- Lease for oil and gas operations, surface, § 58:2
- Pipeline easement
  - Adjacent maintenance easement, § 58:6
  - Oil and gas, § 58:3 et seq.
  - Partial assignment of easement option, § 58:4
  - Ratification, § 58:5
- Saltwater disposal contract, § 58:7
- Saltwater disposal lease, § 58:8
- Waiver of surface easements by lessee, § 61:7

**SURFACE EASEMENTS**

- Waiver of by lessee, § 61:7

**SURFACE INJURY**

- Liability of Oil and Gas Operators for Property Damage, this index

**SURFACE INJURY—Cont'd**

- Negotiation with surface owner for damages from drilling, South Dakota, § 96:5

**SURFACE LEASE FOR OIL AND GAS OPERATIONS**

- Entitlement to, § 58:2

**SURFACE NUISANCE**

- Conservation statutes and regulations, rules, and orders, § 4:8; 6:13
- Owner's right to take oil and gas, § 3:1; 3:7
- Wells location, spacing and pooling, § 6:13

**SURFACE OWNER**

- Certificate of negotiation with surface owner for damages from drilling, South Dakota, § 96:5

**SURFACE PIT**

- Certification of closure surface pit for oil and gas operations, Kansas, § 80:18
- Request for change of operator and transfer of injection or surface pit permit, Kansas, § 80:6

**SURFACE POSSESSION**

- Classification of lessee's interest, § 9:8

**SURFACE RESTORATION**

- Bond
  - Florida, § 75:3
  - New York, § 90:15
- Duty of operator to restore surface condition of premises, § 42:19
- Florida
  - Notice of well plugging completion and site restoration, § 75:20
  - Performance bond, § 75:3
- Liability of oil and gas operators for property damage, money damages, § 42:25
- Liability of oil and gas operators for surface damage, § 42:19

## INDEX

### **SURFACE RESTORATION—Cont'd**

- New York, surface restoration bond, § **90:15**
- Notice of well plugging completion and site restoration, Florida, § **75:20**
- Pennsylvania, site restoration report, § **95:10**
- Performance bond, Florida, § **75:3**
- Report, Pennsylvania, site restoration report, § **95:10**

### **SURFACE WASTE OF OIL OR GAS**

- Blowouts, caving, seepage and wild wells, § **4:26; 4:37**
- Burning, § **4:36; 4:38**
- Gas escape limitations, § **4:1; 4:9**

### **SURRENDER CLAUSE**

- Surrender of Lease, this index

### **SURRENDER OF LEASE**

- General discussion, § **25:1**
- Assignment of lease with reservation of power to surrender lease, § **63:21**
- Clause of surrender
  - Classification of lessee's interest, § **9:16; 9:22**
  - Consideration, adequacy of, § **13:6; 13:7**
  - Contracts for oil and gas lease, § **10:9**
  - Drilling clause, § **15:3; 15:27**
  - Model form, § **57:27**
- Effect of, § **25:3**
- Federal lands, Mineral Leasing Act, surrender of leases on, § **51:6**
- Model form, § **59:21**
- Operation of law, by, § **25:2**

### **SURVEYS**

- Location of oil and gas well, survey record of, Michigan, § **83:4**
- Michigan, survey record of location of oil and gas well, § **83:4**

### **SURVIVING SPOUSE**

- Division of oil and gas rents and royalties between life tenant and remainderman, § **40:20**

### **SUSPENSION OF OPERATIONS**

- Financial responsibility regulations, failure to conform to, § **4:20**

### **SWEET GAS**

- Calculation of royalties, § **33:12**
- Proration of oil and gas production, § **7:34; 7:35; 7:37**

### **TAKE-OR-PAY SETTLEMENTS**

- Calculation of gas royalties, § **33:17**

### **TANGIBLE PROPERTY**

- Definitions, § **9:12**

### **TAXATION**

- General discussion, § **49:1 et seq.**
- Ad valorem taxation of interests in oil and gas
  - General discussion, § **49:2**
  - Alabama, § **49:2**
  - Arkansas, § **49:3**
  - California, § **49:4**
  - Colorado, § **49:5**
  - Idaho, § **49:6**
  - Illinois, § **49:7**
  - Kansas, § **49:8**
  - Kentucky, § **49:9**
  - Mississippi, § **49:10**
  - Nebraska, § **49:11**
  - New York, § **49:12**
  - Ohio, § **49:13**
  - Oklahoma, § **49:14**
  - Pennsylvania, § **49:15**
  - Tennessee, § **49:16**
  - Texas, § **49:17**
  - West Virginia, § **49:18**
- Bonus, § **31:8**
- Certification of eligibility for severance tax benefits, operator request for, Arkansas, § **72:43**
- Classification of lessee's interest
  - General discussion, § **9:4**
  - California, § **9:9**
  - Illinois, § **9:12**
  - Kansas, § **9:15**
  - New York, § **9:25**
  - Texas, § **9:34**
  - West Virginia, § **9:37**

## **TAXATION—Cont'd**

- Construction of mineral and royalty transfers, tax foreclosures, § 39:9
- Foreclosures, § 39:9
- Gas well category determination, operator request for, Arkansas, § 72:44
- Leases clause, tax reimbursement, § 57:24
- Mineral deed with tax and mortgage liens provision, § 63:3
- Pipelines and storage facilities, taxation of, § 53:14
- Production and severance taxes on oil and gas
  - General discussion, § 49:19
  - Alabama, § 49:20
  - Alaska, § 49:21
  - Arkansas, § 49:22; 72:43; 72:44
  - Colorado, § 49:23
  - Florida, § 49:24
  - Indiana, § 49:25
  - Kansas, § 49:26
  - Kentucky, § 49:27
  - Louisiana, § 49:28
  - Michigan, § 49:29
  - Mississippi, § 49:30
  - Montana, § 49:31
  - Nebraska, § 49:32
  - Nevada, § 49:33
  - New Mexico, § 49:34
  - North Carolina, § 49:35
  - North Dakota, § 49:36
  - Ohio, § 49:38
  - Oklahoma, § 49:37
  - Oregon, § 49:39
  - Tennessee, § 49:40
  - Texas, § 49:41
  - Utah, § 49:42
  - West Virginia, § 49:43
  - Wyoming, § 49:44
- Property interests, § 8:10; 9:4
- Reimbursement of tax, lease clause, § 57:24
- Royalty, this index

## **TAXATION—Cont'd**

- Severance taxes. Production and severance taxes on oil and gas, above

## **TEMPORARY CESSATION DOCTRINE**

- Performance of covenants for development for leases, § 18:13

## **TEMPORARY INJUNCTION**

- Trespass, § 2:18

## **TENANCY AT WILL**

- Leases, consideration, § 13:11

## **TENANT'S AFFIDAVIT**

- Possession of land, § 62:2; 62:4

## **TENANT'S AGREEMENT**

- Agricultural tenant, § 61:8

## **TENANTS' LIABILITY**

- Waste, § 2:21 to 2:23

## **TENNESSEE**

- Cancellation of lease, § 22:42
- Classification of lessee's interest, § 9:32
- Conservation statutes and regulations, plugging violations, § 4:44

## **TERMINATION OF MINERAL INTERESTS**

- Habendum clause with termination for royalty nonpayment, § 57:9
- Mineral Leasing Act, cancellation and termination of oil and gas leases on federal lands, § 51:6

## **TERMINATION OF OIL AND GAS LEASES**

- General discussion, § 20:1 et seq.
- Breach of lessee's duties, § 8:6
- Cancellation of lease, nonpayment of rent or royalty, § 30:16
- Covenant to market oil and gas, § 17:22
- Federal lands, Mineral Leasing Act, cancellation and termination of leases on, § 51:6
- Notice, § 20:2

## INDEX

### TERMINATION OF OIL AND GAS LEASES—Cont'd

- Pooling and unitization operations, termination of, § 6:15; 6:37
- Remedies, this index
- Suit for cancellation of terminated lease, § 20:6
- Surrender of Lease, this index
- “Unless” clause, § 20:3 to 20:5
- Waiver and estoppel of, § 20:4

### TESTS AND TESTING

- Agreement, application for oil and gas well testing agreement, Indiana, § 78:9
- Alabama, this index
- Alaska
  - Gas-oil ratio tests, report for oil and gas well status and, § 70:12
  - Gas well open flow potential test report, § 70:17
- Application for
  - Assumption of test wellsite responsibility, Indiana, § 78:8
  - Oil and gas test hole permit, Illinois, § 77:13
  - Oil and gas well testing agreement, Indiana, § 78:9
  - Permit, Indiana, § 78:7
  - Seismic or information hole drilling operations, Oregon, § 94:9
- Assumption of test wellsite responsibility, application for, Indiana, § 78:8
- Back-pressure test report. Pressure Reports, this index
- Bottom hole pressure report, § 74:16
- Bradenhead test report, oil and gas well, § 74:20
- Checklist for injection or flow test for oil and gas operations, Nevada, § 88:3
- Colorado, this index
- Completion report, Indiana, § 78:23
- Duty to test premises, § 8:7
- Electric log, sample and core record for oil and gas well, § 69:17

### TESTS AND TESTING—Cont'd

- First production or retest report for oil and gas well, § 69:18
- Gas-oil ratio tests, report for oil and gas well status and, § 70:12
- Gas unit reserve calculation, § 69:32
- Gas well back pressure test, completion or recompletion report and well log, Texas, § 97:3
- Gas well capacity test, § 69:31
- Gas well deliverability test report
  - Louisiana, § 81:2
  - Mississippi, § 84:5
  - New Mexico, § 89:12
- Gas well open flow potential test report, § 70:17
- Mechanical integrity test report, oil and gas well, § 74:23
- Mechanical integrity test report for oil and gas well, Oklahoma, § 93:20
- Monthly oil and gas well production and test report, Florida, § 75:14
- Multi-point and one-point back pressure test for gas well, New Mexico, § 89:11
- Multipoint back-pressure test report for gas well, § 69:19
- Natural gas well
  - Back pressure test report, Oklahoma, § 93:10
  - Deliverability test report, Oklahoma, § 93:11
- Oil and gas well potential test, completion or recompletion report and well log, Texas, § 97:23
- Permit application, Indiana, § 78:7
- Pressure Reports, this index
- Production or potential test report, Oklahoma, § 93:17
- Reservoir pressure test report, oil and gas, North Dakota, § 92:14
- Soil analysis report for oil and gas operations, § 74:26
- Surety bond, Indiana, § 78:15; 78:16

### TEST WELLS

- Damages for breach of covenant to drill, § 23:4 to 23:9

## TEXAS

- Abandonment
  - Lease, of, § **22:44; 22:45**
  - Notice of intention to plug and abandon oil and gas well, § **97:25**
- Annual reports
  - Disposal and injection well monitoring annual report, § **97:8**
  - Gas storage operator's annual report, § **97:4**
  - Hazardous oil and gas waste annual report, § **97:10**
- Application
  - Commingle oil and gas production, for exception to, § **97:21**
  - Drill, recomplete or re-enter oil and gas well, for permit to, § **97:22**
  - Enhanced oil recovery project and area designation approval, for, § **97:9**
  - Fresh water production, application to condition well for, § **97:27**
  - Gas field application for absolute open flow status, § **97:2**
  - Injection well under area permit, for, § **97:7**
  - Payment for reactivating or plugging orphaned oil and gas well, for, § **97:12**
  - Reservoir productive of oil and gas, to inject fluid into, § **97:6**
  - Subdivide or consolidate oil leases, request for permission to, § **97:19**
  - Voluntary cleanup program application, § **97:28**
- Assignment of lease production
  - Recordation, § **28:32**
  - Securities regulation of assignment of production in lease, § **28:35**
- Cancellation of lease, § **22:43 to 22:48**
- Carbon black manufacture regulations, § **4:40; 4:41**
- Casinghead Gas and Gasoline, this index

## TEXAS—Cont'd

- Certification
  - Pooling authority for oil and gas leases, certificate of, § **97:20**
  - Producer's certificate of compliance and transportation authority, oil and gas, § **97:14**
- Cleanup program
  - Voluntary cleanup program, below
- Commingle oil and gas production, application for exception to, § **97:21**
- Completion
  - Application for permit to drill, recomplete or re-enter oil and gas well, § **97:22**
  - Gas well back pressure test, completion or recompletion report and well log, § **97:3**
  - Oil and gas well potential test, completion or recompletion report and well log, § **97:23**
- Conservation statutes and regulations
  - Casinghead gas regulations, § **4:33; 4:41**
  - Constitutionality of conservation legislation, § **4:9**
  - Interstate compact, § **4:6**
  - Manufacture of carbon black, § **4:40; 4:41**
  - Natural gasoline regulations, § **4:40; 4:41**
  - Plugging violations, § **4:44**
  - Pooling and unit operations, § **6:2**
  - Reservoir energy regulations, § **4:27**
- Consolidate or subdivide oil leases, request for permission to, § **97:19**
- Conveyances of Oil and Gas Mineral Interests, this index
- Co-tenancy, § **2:44; 11:26**
- Disposal and injection well monitoring annual report, § **97:8**
- Division of rents and royalties after oil and gas lease, § **40:9**
- Enhanced oil recovery project and area designation approval, application for, § **97:9**

## INDEX

### TEXAS—Cont'd

- Executive rights holders duties, § 8:5
- Forfeiture of lease, implied, § 22:46
- Forms, oil and gas, § 97:1 et seq.
- Gas field application for absolute open flow status, § 97:2
- Gas storage operator's annual report, § 97:4
- Gas well back pressure test, completion or recompletion report and well log, § 97:3
- Gas well status report, § 97:5
- Hazardous oil and gas waste annual report, § 97:10
- Implied forfeiture of lease, § 22:46
- Inadequate legal remedy, § 22:47
- Individual performance bonds for oil and gas operations, § 97:17
- Injection
  - Annual disposal and injection well monitoring report, § 97:8
  - Application for injection well under area permit, § 97:7
  - Application to inject fluid into reservoir productive of oil and gas, § 97:6
  - Trespass by fluid injection, § 2:20
- Interstate oil and gas compact for conservation legislation, § 4:6
- Irrevocable blanket letter of credit for oil and gas operations, § 97:16
- Leases
  - Consolidate or subdivide oil leases, request for permission to, § 97:19
  - Interest of lessee, § 9:33; 9:34
  - Pooling authority for oil and gas leases, certificate of, § 97:20
  - Relinquishment Act lands, Texas oil and gas lease for, § 56:22
- Letter of credit, oil and gas operations, irrevocable, § 97:16
- Location, spacing and pooling regulations
  - General discussion, § 5:34 to 5:45; 6:2
  - History, § 5:36 to 5:45
  - Initial order, effect of, § 5:43
  - Injunctions, § 5:45

### TEXAS—Cont'd

- Location, spacing and pooling regulations—Cont'd
- Litigation over rule 37 spacing, § 5:37
- Necessary parties, § 5:42
- Normanna fields, § 5:34
- Notice requirements, § 5:42
- Prevention of confiscation or waste, § 5:39
- Protection of vested rights, § 5:40
- Railroad commission, § 5:34 to 5:45
- Review of agency orders, § 5:44
- Rule 37 spacing exceptions, § 5:38 to 5:45
- Vested rights, protection, § 5:40
- Voluntary subdivision rule, § 5:41
- Monthly production report for oil and gas well, § 97:13
- Natural gasoline regulations, § 4:40; 4:41
- Normanna fields, § 5:34
- Notice of intention to plug and abandon oil and gas well, § 97:25
- Oil division order, statutory, § 68:6
- Organization report for oil and gas operations, § 97:15
- Orphaned oil and gas well, application for payment for reactivating or plugging, § 97:12
- Partial cancellation of lease, § 22:48
- Parties necessary for location, spacing and pooling matters, § 5:42
- Partition of oil and gas interests, § 27:3
- Payment for reactivating or plugging orphaned oil and gas well, application for, § 97:12
- Plugging
  - Conservation statutes and regulations, plugging violations, § 4:44
  - Notice of intention to plug and abandon oil and gas well, § 97:25
  - Oil and gas well plugging record, § 97:24

**TEXAS—Cont'd**

- Plugging—Cont'd
  - Reactivating or plugging orphaned oil and gas well, application for payment for, § **97:12**
- Pollution, statutory liability of operators for, § **42:12**
- Pooling and unit operations, § **6:2; 6:23**
- Pooling authority for oil and gas leases, certificate of, § **97:20**
- Power to lease for oil and gas production, cotenant, § **11:26**
- Producer's certificate of compliance and transportation authority, oil and gas, § **97:14**
- Production report for oil and gas well, monthly, § **97:13**
- Property interests in oil and gas, § **8:5; 8:7; 8:10**
- Proration of oil and gas production
  - General discussion, § **6:2; 7:25 to 7:42**
  - Common Purchaser Act, § **7:35**
  - Enforcement of proration orders
    - Injunction and receivership, § **7:41**
    - Reports, records and inspections, § **7:42**
  - Gas, proration of, § **7:33 to 7:38**
  - History
    - General discussion, § **6:2**
    - Gas, proration of, § **7:34 to 7:38**
    - Oil, proration of, § **7:26 to 7:32**
  - Injunctions, § **7:41**
  - Inspections, § **7:42**
  - Judicial review of probation orders, § **7:39**
  - National Industrial Recovery Act, § **7:29**
  - 1935 Act, § **7:37**
  - 1931 Act, § **7:27**
  - 1937 Act, § **7:38**
  - 1932 Act, § **7:28; 7:36**
  - Oil, proration of, § **7:25 to 7:32**
  - Orders, proration
    - General discussion, § **7:39 to 7:42**

**TEXAS—Cont'd**

- Proration of oil and gas production
  - Cont'd
- Orders, proration—Cont'd
  - Enforcement of orders, § **7:40 to 7:42**
  - Injunctions, § **7:41**
  - Judicial review of, § **7:39**
  - Receiverships, § **7:41**
  - Reports, records and inspections, § **7:42**
- Receiverships, § **7:41**
- Records, § **7:42**
- Reports, § **7:42**
- Rowan and Nichols cases, § **7:30**
- Shipment tenders, § **7:32**
- State court challenges, § **7:31**
- Writ of certiorari, § **7:30**
- Reactivating or plugging orphaned oil and gas well, application for payment for, § **97:12**
- Recordation of assignments of lease production, § **28:32**
- Relinquishment Act lands, Texas oil and gas lease for, § **56:22**
- Reports
  - Completion or recompletion report and well log, oil and gas well potential test, § **97:23**
  - Disposal and injection well monitoring annual report, § **97:8**
  - Electric log status report for oil and gas well, § **97:11**
  - Gas storage operator's annual report, § **97:4**
  - Gas well back pressure test, completion or recompletion report and well log, § **97:3**
  - Gas well status report, § **97:5**
  - Hazardous oil and gas waste annual report, § **97:10**
  - Injection well monitoring report, annual disposal and, § **97:8**
  - Oil and gas well plugging record, § **97:24**
  - Oil and gas well potential test, completion or recompletion report and well log, § **97:23**
  - Oil well status report, § **97:26**

## INDEX

### TEXAS—Cont'd

#### Reports—Cont'd

- Organization report for oil and gas operations, § 97:15
- Plugging record, oil and gas well, § 97:24
- Production report for oil and gas well, monthly, § 97:13
- Request for permission to subdivide or consolidate oil leases, § 97:19
- Reservoir energy regulations, § 4:27
- Royalty, this index
- Securities regulation of assignment of production in lease, § 28:35
- State lands, oil and gas production on
  - General discussion, § 50:39 to 50:44
  - City lands, § 50:40
  - County lands, § 50:40
  - Early cases, § 50:42
  - Early statutes, § 50:44
  - Relinquishment Act lands, § 50:41; 50:42
  - School lands, § 50:43
  - Submerged lands, § 50:43
- Status reports
  - Electric log status report for oil and gas well, § 97:11
  - Gas well status report, § 97:5
  - Oil well status report, § 97:26
- Storage
  - Gas storage operator's annual report, § 97:4
- Subdivide or consolidate oil leases, request for permission to, § 97:19
- Testing
  - Gas well back pressure test, completion or recompletion report and well log, § 97:3
  - Oil and gas well potential test, completion or recompletion report and well log, § 97:23
- Tight oil, Eagle Ford formation production, § 1:5
- Transfers affecting present and future oil and gas lease, § 38:18
- Transporters, producer's certificate of compliance and transportation

### TEXAS—Cont'd

- authority, oil and gas, § 97:14
- Trespass by fluid injection, § 2:20
- Voluntary cleanup program
  - Agreement, § 97:29
  - Application, § 97:28
- Voluntary subdivision rule, § 5:41
- Waste, annual hazardous oil and gas waste report, § 97:10

### THEREAFTER CLAUSES

- Assignment of lease, "thereafter" clause, production requirement, § 14:14
- Duration of leases
  - Interpretation
    - General discussion, § 8:8
    - Long definite term lease with thereafter clause and with or without drill or pay clause, § 14:27
  - Duration of oil and gas property interests, effect of "thereafter" clause, § 8:8

### THIRD PARTIES

- Loss of oil and gas interests, adverse possession, § 8:14
- Waste, rights of reversioners and remaindermen as against third parties, § 2:2; 2:21 to 2:23; 2:26

### TIME

- Contracts for assignment of leases, time for performance, § 28:19
- Contracts for oil and gas leases, formation requirements, § 10:2; 10:7
- Covenants for development for leases, time for performance, § 18:12
- Essence, time of the essence, § 10:7
- Performance of contracts for oil and gas leases, § 10:2; 10:7
- Property interests duration, § 8:6; 8:8; 8:11 to 8:23
- Rental payments, § 15:7 to 15:20
- Royalty payment, § 30:12

## **TITLE**

- Abstract of title requirement, § 28:17
- Assignment of Interests in Leases, this index
- Cloud on title, removing, § 10:7
- Confusion of goods by trespasser, transfer of title by, § 2:7
- Defects in title
  - Contracts for oil and gas leases, § 10:3; 10:5
- Investigation of title, bona fide purchasers, § 12:14
- Joint operating agreements, title to minerals, § 48:14
- Lease clause, § 57:2
- Leases, validity requirements, § 12:14
- Limitation title, § 10:6
- Marketable title
  - Condition for contracts for oil and gas leases, § 10:6; 10:7
  - Performance of contracts to assign leases, § 28:18
- Receiver appointment pending title dispute, § 2:3
- Record title interest in federal OCS oil and gas lease, assignment of, Bureau of Ocean Energy Management forms, § 102:5
- Slander of lessor's title caused by trespass, § 2:14
- Trespass
  - Confusion of goods by trespasser, transfer of title by, § 2:7
  - Injunction against, § 2:3; 2:18
  - Junior lessees with disputed title, § 2:6; 2:7
  - Slander of lessor's title or interest, causing, § 2:14
- Vested title, classification of lessee's interest, § 9:21; 9:22

## **TOP LEASE, OIL AND GAS**

- Bonus agreement
  - Deferred, § 56:15
  - Supplemental, § 56:16
- Definite term, with, § 56:16
- Distinguished from bottom lease, § 9:2

## **TOP LEASE, OIL AND GAS**

### **—Cont'd**

- Instructions, § 56:12
- Interest of lessee, § 9:2
- Presently vested interest, with, § 56:17
- Rider, § 56:13
- Subordination agreement, § 56:14

## **TRANSFER OF WELL**

- Notice of well transfer or name change, Arkansas, § 72:36

## **TRANSFER ORDERS**

- Gas and casinghead transfer order, § 68:14
- Oil and gas transfer order, § 68:12
- Oil transfer order, § 68:13

## **TRANSFERS OF OIL AND GAS MINERAL INTERESTS**

- Conveyances of Oil and Gas Mineral Interests, this index

## **TRANSPORTATION**

- Anti-waste statutes and regulations, rules, and orders, § 4:7; 4:12; 4:21; 4:35

## **TRANSPORTATION AND DELIVERY COSTS**

- Calculation of royalties, § 33:4
- Proration of oil and gas production, § 7:7

## **TRANSPORTATION COSTS**

- Calculation of royalties, § 33:4

## **TRESPASS**

- General discussion, § 2:1; 2:4 to 2:20
- Accession doctrine, § 2:12; 2:13; 2:16
- Accounting for past trespass damages, § 2:13; 2:19
- Bill in equity, § 2:18
- Bill of discovery, § 2:5
- Bona fide purchaser of intentional trespasser, § 2:12
- Confusion of goods, by, § 2:7
- Continuous trespass, § 2:8; 2:17
- Conversion, § 2:8; 2:12; 2:42

## INDEX

### TRESPASS—Cont'd

- Cotenants, § 2:1; 2:42; 2:44
- Counterdrainage, § 2:20
- Damages
  - General discussion, § 2:11 to 2:16
  - Accession doctrine, § 2:12; 2:13; 2:16
  - Accounting for damages for past trespasses, § 2:19
  - Bona fide purchaser of intentional trespasser, § 2:12
  - Confusion of goods, § 2:7
  - Disparagement of plaintiff's interest by drilling dry well, § 2:14; 2:15
  - Dry well, drilling, § 2:14
  - Geophysical exploration, § 2:14; 2:15
  - History, § 2:16
  - Inadvertence, § 2:16
  - Injection of fluids, § 2:20
  - Innocent trespass, § 2:9; 2:10; 2:11; 2:13; 2:16
  - Intentional trespass, § 2:9; 2:11; 2:12
  - Land value, depreciation, § 2:11
  - Leasing value, loss or depreciation, § 2:14; 2:15
  - Production costs, § 2:12; 2:13; 2:14
  - Punitive damages, § 2:12; 2:14
  - Royalty rule, § 2:13
  - Severance costs, § 2:11
  - Severed resource value, § 2:11
  - Speculative market value of lease, § 2:14
  - Supersedeas bond, suit on, § 2:14
  - Theories, § 2:11; 2:16
- Debonis asportatis, § 2:8
- Detection of trespass, § 2:5
- Directional or slant well, by
  - general discussion, § 2:4
  - detection of trespass, § 2:5
- Directional surveys, § 2:5
- Disparagement of plaintiff's interest by drilling dry well, § 2:14; 2:15
- Dry well, drilling, § 2:14
- Ejectment, § 2:18

### TRESPASS—Cont'd

- Equitable remedies
  - General discussion, § 2:17 to 2:26
  - Accounting for past trespass damages, § 2:13; 2:19
  - Continuous trespass, § 2:8; 2:17
  - Injection of fluids, § 2:20
  - Injunction, § 2:5; 2:17 to 2:19
  - Irreparable injury, § 2:17; 2:18
  - Legal remedies, adequacy of, § 2:8
  - Receiver, appointment of, § 2:3
  - Solvency, § 2:17
  - Subsurface trespass, § 2:5; 2:20
  - West Virginia, § 2:17
- Ferae naturae principle, § 2:20
- Fraudulent confusion of goods, § 2:7
- Geophysical exploration, § 2:14; 2:15
- Good faith, § 2:6; 2:9; 2:13; 2:14
- Homestake Mining test, § 2:9
- Illinois, this index
- Inadvertence, § 2:16
- Indiana, injunctive relief, § 2:17
- Injection of fluids, § 2:20
- Injunction
  - General discussion, § 2:17 to 2:19
  - Abuse of discretion, courts of equity, § 2:18
  - accounting for damages, § 2:19
  - Counterdrainage, § 2:20
  - Debonis asportatis, § 2:8
  - Injection of fluids, § 2:20
  - Irreparable injury, § 2:17; 2:18
  - Land value depreciation, § 2:11
  - Leasing value, loss or depreciation, § 2:14; 2:15
  - Necessity of title, § 2:18
  - Negative rule of capture, § 2:20
  - Private property interest, § 2:20
  - Public interest, § 2:20
  - Quare clausum, § 2:8
  - Receiver, § 2:3
  - Recovery operations, § 2:20
  - Sand fracturing operation, § 2:20
  - Solvency, § 2:17
  - Status quo, § 2:3; 2:18
  - Temporary injunction, § 2:18
  - West Virginia, § 2:17

## **TRESPASS—Cont'd**

- Innocent trespass, § 2:9; 2:10; 2:11; 2:13; 2:16
- Intentional trespass
  - Legal damages, § 2:11
  - Legal remedies, § 2:9
- Irreparable injury, § 2:17; 2:18
- Junior lessees with disputed title, by, § 2:6; 2:7
- Legal remedies
  - General discussion, § 2:8
  - Distinguishing intentional and innocent trespass, § 2:9
  - Equitable remedies, generally, § 2:8; 2:17
- Mistake in trespass, § 2:6; 2:7; 2:9; 2:16
- Negative rule of capture, § 2:20
- Oklahoma, co-tenants, § 2:42
- Pooling and unitization for oil and gas production, § 6:35; 6:36
- Quare clausum, § 2:8
- Receiver, § 2:3
- Recovery operation
  - Counterdrainage, § 2:20
  - Sand fracturing operation, § 2:20
- Remedies, generally, § 2:8
- Replevin, § 2:8
- Reversioners and remaindermen rights, § 2:2; 2:15
- Royalty rule, § 2:13
- Sand fracturing operation, § 2:20
- Severed resource damages, calculating, § 2:11
- Slander of lessor's title or interest, § 2:14
- Solvency, § 2:17
- Status quo, § 2:3; 2:18
- Statute of limitations, § 2:4; 2:10
- Subsurface trespass
  - Remedies, § 2:5; 2:20
  - Statute of limitations, § 2:10
- Supersedeas bond, suit on, § 2:14
- Temporary injunction, § 2:18
- Title to property
  - Injunction, necessity of title, § 2:18

## **TRESPASS—Cont'd**

- Title to property—Cont'd
  - Junior lessees with disputed title, by, § 2:6; 2:7
  - Slander of lessor's title or interest, § 2:14
  - Transfer by confusion of goods, § 2:7
- Trespass damage theories, § 2:11
- Trover, § 2:8; 2:35
- West Virginia, injunctive relief, § 2:17
- Willful trespass, § 2:6; 2:9

## **TROVER**

- Co-tenancy, § 2:35
- Trespass, § 2:8; 2:35

## **TRUSTS AND TRUSTEES**

- Equitable Relief, this index
- Pooling Trusts, this index
- Power to lease for oil and gas production, § 11:4; 11:5

## **UNACCRUED ROYALTY**

- Royalty, this index

## **UNDERGROUND GAS STORAGE**

- Lease or easement, § 58:9
- Oil and gas lease clause granting underground gas storage rights, § 57:41
- Pipeline gas. Pipelines, this index

## **UNDERGROUND**

### **HYDROCARBON STORAGE FACILITY**

- Application to create, operate and maintain underground hydrocarbon storage facility, Mississippi, § 84:3

## **UNDERGROUND INJECTION CONTROL OPERATIONS**

- Affidavit of ownership or control, Alabama, § 69:9

## **UNDERGROUND INJECTION FORMATION PERMIT APPLICATION**

- Colorado, § 74:30

## INDEX

### UNDERGROUND RIGHTS

Surface and Underground Rights of  
Oil and Gas Operations, this  
index

### UNDERGROUND STORAGE FACILITY

Bond for, Alabama, § 69:12

### UNDERGROUND STORAGE PERMIT

Application for transfer of, New  
York, § 90:8

### UNIFORM PRINCIPAL AND INCOME ACT

Co-tenancy, Kansas, § 2:36  
Division of oil and gas rents and  
royalties between life tenant and  
remainderman, § 40:21

### UNITED STATES DEPARTMENT OF ENERGY (“DOE”)

Website, § 1:8

### UNITED STATES OIL & GAS ASSOCIATION

Website, § 1:8

### UNITIZATION OF OIL AND GAS PRODUCTION

Pooling and Unitization of Oil and  
Gas Production, this index

### UNIT OPERATIONS FOR OIL AND GAS

Pooling and Unitization of Oil and  
Gas Production, this index

### UNIT OPERATORS

Operators, this index

### UNJUST ENRICHMENT

Restitution of benefits to redress  
unjust enrichment in oil and gas  
litigation, § 54:11

### UNLESS DRILLING CLAUSES

General discussion, § 15:2  
Compared to drill or pay, § 15:2  
Consideration for oil and gas leases  
with, § 13:8  
Continuity of “entire” lease, § 24:5

### UNLESS DRILLING CLAUSES

#### —Cont’d

Duty of lessee to pay rental, effect  
on, § 15:4  
Termination of lease under, § 20:3 to  
20:5  
Time for payment of delay rental,  
§ 15:9

### UNLESS DRILLING LEASE

Delay rentals, § 15:9

### UTAH

Agency  
Designation of agent or operator  
for oil and gas lessee, § 98:6  
Annual fluid injection report for oil  
and gas operations, § 98:13  
Application  
Drill oil and gas well, for permit  
to, § 98:4  
Injection well for oil and gas  
operations, for, § 98:12  
Seismic exploration, for permit to  
conduct, § 98:2  
Cancellation of lease, § 22:49  
Completion  
Designation of workover or  
recompletion of oil and gas  
well, § 98:11  
Oil and gas well completion or  
recompletion report and well  
log, § 98:8  
Designation of agent or operator for  
oil and gas lessee, § 98:6  
Designation of workover or  
recompletion of oil and gas well,  
§ 98:11  
Entity action for oil and gas opera-  
tions, § 98:7  
Fluid injection annual report for oil  
and gas operations, § 98:13  
Forms, oil and gas, § 98:1 et seq.  
Injection wells  
Annual fluid injection report for oil  
and gas operations, § 98:13  
Application for injection well for  
oil and gas operations,  
§ 98:12

## UTAH—Cont'd

- Leases, designation of agent or operator for oil and gas lessee, § 98:6
- Location, spacing and pooling regulations, § 5:46
- Monthly oil and gas production report, § 98:10
- Notice, sundry notices and reports on oil and gas wells, § 98:9
- Oil shale deposits, significant, § 1:6
- Production monthly report, oil and gas, § 98:10
- Reports
  - Fluid injection annual report for oil and gas operations, § 98:13
  - Oil and gas production monthly report, § 98:10
  - Oil and gas well completion or recompletion report and well log, § 98:8
  - Seismic exploration
    - Completion report, § 98:3
  - Sundry notices and reports on oil and gas wells, § 98:9
  - Seismic exploration
    - Application for permit to conduct, § 98:2
    - Completion report, § 98:3
  - State lands, oil and gas production on, § 50:45
  - Sundry notices and reports on oil and gas wells, § 98:9
  - Surety bond for oil and gas operations, § 98:5
  - Taxation, production and severance taxes on oil and gas, § 49:42
  - Wells location, spacing and pooling, § 5:46

## UTMOST FAIR DEALING STANDARD

- Mineral executive rights holders, § 8:5

## VACUUM PUMPS AND OPERATIONS

- Application for vacuum permit for oil and gas operations, Illinois, § 77:19

## VACUUM PUMPS AND OPERATIONS—Cont'd

- Application to use vacuum pump in oil and gas operations, Oklahoma, § 93:14
- Conservation statutes and regulations, § 4:29
- Verified affidavit for oil and gas, Kansas, § 80:17

## VALIDITY

- Assignment of Interests in Leases, this index
- Leases, this index

## VENDORS

- Lien
  - Marketable title is condition to contract, § 10:6
  - Subordination agreement for oil and gas lease, lien on leased property, § 61:4
- Power to lease for oil and gas production, § 11:33

## VENTING OF GAS

- Kansas
  - Affidavit for extended gas venting from gas well, § 80:14
  - Affidavit for venting of coalbed natural gas, § 80:14; 80:15
  - Application for venting or flaring of gas other than casinghead gas, § 80:13
- Oklahoma, application to flare or vent natural gas, § 93:13

## VERMONT

- State lands, oil and gas production on, § 50:46

## VESTED INTEREST

- Interest of Lessee Created by Oil and Gas Leases, this index

## VESTED TITLE

- Lease interest, § 9:21; 9:22

## VIRGINIA

- Application for oil and gas permit, permit modification or transfer Form, § 99:3
- Notice of, § 99:5

## INDEX

### **VIRGINIA—Cont'd**

Application for oil and gas permit,  
permit modification or transfer  
—Cont'd

Technical data sheet for

Oil and gas permit application,  
§ 99:6

Oil and gas permit modification  
to plug or replug, § 99:7

Bond, oil and gas operator's surety  
bond, § 99:4

Cancellation of lease, § 22:50

Checklist, oil and gas operations  
plan, § 99:8

Completion report, oil and gas well,  
§ 99:10

Drilling report, oil and gas well,  
§ 99:9

Forms, oil and gas, § 99:1 et seq.

Gas production report, monthly,  
§ 99:12

Monthly gas production report,  
§ 99:12

Monthly oil production report,  
§ 99:13

Notice of application for oil and gas  
permit or permit modification,  
§ 99:5

Oil production report, monthly,  
§ 99:13

Operator's surety bond, oil and gas,  
§ 99:4

Plugging

Affidavit, oil and gas well plug-  
ging, § 99:11

Technical data sheet for oil and gas  
permit modification to plug or  
replug, § 99:7

Registration for oil and gas opera-  
tions, § 99:2

Reports

Completion report, oil and gas  
well, § 99:10

Drilling report, oil and gas well,  
§ 99:9

Gas production report, monthly,  
§ 99:12

Oil production report, monthly,  
§ 99:13

### **VIRGINIA—Cont'd**

State lands, oil and gas production  
on, § 50:47

Surety bond, oil and gas operator's,  
§ 99:4

### **VOLUME AND PRESSURE OF GAS**

Calculation of royalties, § 33:15

Report. Pressure Report, this index

### **VOLUME AND SPECIFIC GRAVITY OF OIL**

Calculation of royalties, § 33:9

### **VOLUNTARY AGREEMENTS**

Cleanup program, Texas, § 97:29

Pooling and Unitization of Oil and  
Gas Production, this index

### **VOLUNTARY WASTE**

General discussion, § 2:21; 2:25

### **WAIVER**

Acquiescence in drilling delay,  
§ 21:12

Contracts for oil and gas leases,  
condition precedent, § 10:6

Damages for nonperformance of  
lease, § 23:13

Drilling contract performance, waiver  
or excuse of, § 45:5

Drill or pay leases, forfeiture under,  
§ 21:10 to 21:14

Fault of lessor, § 21:14

Late rental, acceptance as waiver of  
forfeiture under drill or pay  
leases, § 21:13

Liens on oil and gas operations,  
§ 46:13

Partition of pooling and unitization of  
oil and gas production, § 6:4

Priority lien for oil and gas lease  
benefits, of, § 61:6

Surface easements by lessee, of,  
§ 61:7

Termination of lease, remedy for  
nonperformance, § 20:4

### **WALDEN, DABNEY-JOHNSON OIL CORP. v.**

California royalty interests, § 32:11

## WARRANTY

Lease clause, warranty clause with proportionate reduction clause, § 57:6

## WASHINGTON

Classification of lessee's interest, § 9:35  
Proration of oil and gas production, § 7:43  
State lands, oil and gas production on, § 50:48  
Wells location, spacing and pooling, § 5:47

## WASTE

General discussion, § 1:7; 2:1  
Accounting for damages for past waste, § 2:26; 2:45  
Alabama  
    Certificate of eligibility to transport oil and gas field wastes, § 69:34  
    Manifest for oil and gas field wastes, § 69:35  
    Taking of oil and gas by cotenants, § 2:31  
Annual reports  
    Hazardous oil and gas waste annual report, Texas, § 97:10  
    Waste production report, Pennsylvania, § 95:9  
Application  
    Class II waste injection well permit application, Louisiana, § 81:16  
    Class I waste injection well permit application, Louisiana, § 81:15  
    Liquid oilfield waste tank permit application, Illinois, § 77:23  
    Liquid oilfield waste transportation system permit application, Illinois, § 77:22  
Arkansas, taking of oil and gas by cotenants, § 2:32  
California, taking of oil and gas by cotenants, § 2:33  
Certification of exploration and production waste transfer, Kansas, § 80:19

## WASTE—Cont'd

Colorado, this index  
Contingent remainderman rights, § 2:26  
Correlative rights doctrine, § 3:3  
Cotenants, § 2:1; 2:23; 2:27 to 2:46  
Damages  
    General discussion, § 2:25  
    Accounting for damages for past waste, § 2:26; 2:45  
    Co-tenancy liability, § 2:30; 2:35; 2:45  
Defeasible fee, person with, § 2:23  
Definitions, § 2:21; 4:1; 4:5; 4:11; 4:12; 4:14  
Equitable remedies, § 2:26; 2:30  
Equitable waste, § 2:21  
Escape of gas, § 4:1; 4:9  
Estrepeement, writ of, § 2:24  
Executor with defeasible fee, § 2:23  
Forfeiture remedy, § 2:25; 2:37  
Georgia, taking of oil and gas by cotenants, § 2:34  
Hazardous oil and gas waste annual report, Texas, § 97:10  
Homestead property, § 2:23; 2:36  
Illinois  
    Liquid oilfield waste tank permit, application for, § 77:23  
    Liquid oilfield waste transportation system permit, application for, § 77:22  
    Taking of oil and gas by cotenants, § 2:35  
Injunction, § 2:24; 2:26; 2:45  
Kansas  
    Taking of oil and gas by cotenants, § 2:36  
    Waste transfer, certification of exploration and production, § 80:19  
Kentucky, taking of oil and gas by cotenants, § 2:37  
Kinds, § 2:21  
Legal remedies, § 2:24 to 2:26  
Legal waste, § 2:21  
Life tenants, § 2:2; 2:21 to 2:23

## INDEX

### WASTE—Cont'd

#### Louisiana

Class II waste injection well permit application, § **81:16**

Class I waste injection well permit application, § **81:15**

Notice, exploration and production waste unauthorized discharge and disposal, § **81:14**

Taking of oil and gas by cotenants, § **2:38**

Michigan, taking of oil and gas by cotenants, § **2:39**

Mississippi, operator's report and authority to transport waste crude oil or condensate, § **84:9**

Missouri, taking of oil and gas by cotenants, § **2:40**

Montana, taking of oil and gas by cotenants, § **2:41**

Multiple damages, § **2:25**

Multiplicity of suits, avoiding, § **2:26**

North Carolina, waste management plan, § **91:6**

Notice, exploration and production waste unauthorized discharge and disposal, Louisiana, § **81:14**

#### Oklahoma

Proration and well spacing, § **6:2**

Taking of oil and gas by cotenants, § **2:42**

Open mine doctrine, § **2:22**

Operator's report and authority to transport waste crude oil or condensate, § **84:9**

Owner's right to take oil and gas, § **3:1; 3:4**

#### Pennsylvania

Annual waste production report, § **95:9**

Taking of oil and gas by cotenants, § **2:43**

Permissive waste, § **2:21; 2:25**

Pooling and unit operations prevention goal, § **6:2; 6:17**

Present interest owner, § **2:22; 2:23; 2:26**

Prohibition, writ of, § **2:24**

### WASTE—Cont'd

Proration of oil and gas production, § **4:1; 6:2; 7:1; 7:4 to 7:46**

Receiver, appointment of, § **2:3; 2:29; 7:41**

Remainderman, § **2:2; 2:21 to 2:23; 2:26**

Remedies, § **2:24 to 2:26**

#### Reports

Annual reports, above

Operator's report and authority to transport waste crude oil or condensate, Mississippi, § **84:9**

Reversioner, § **2:2; 2:21 to 2:23**

Statute of Gloucester, § **2:25**

Taking of oil and gas by cotenants, § **2:30 to 2:46; 3:1**

Tenants' liability, § **2:21 to 2:23; 2:30**

#### Texas

Hazardous oil and gas waste annual report, § **97:10**

Proration and well spacing, § **6:2**

Taking of oil and gas by cotenants, § **2:44**

Third parties, § **2:2; 2:21**

Transport waste crude oil or condensate

Application for liquid oilfield waste transportation system permit, Illinois, § **77:22**

Certification of exploration and production waste transfer, Kansas, § **80:19**

Operator's report and authority to, Mississippi, § **84:9**

Treble damages, § **2:25; 2:37; 2:41**

Trustee with defeasible fee, § **2:23**

Voluntary waste, § **2:21; 2:25**

Wells location, spacing and pooling, § **6:2**

West Virginia, taking of oil and gas by cotenants, § **2:45**

Writ of prohibition, § **2:24**

Wyoming, taking of oil and gas by cotenants, § **2:46**

### WATER

North Carolina water management plan for oil or gas wells, § **91:5**

## **WATER—Cont'd**

- Owner's right to take oil and gas, subterranean waters analogy, § 3:6; 3:8
- Property interests, rights needed for production, § 8:4
- Saltwater disposal statutes liability. Liability of Oil and Gas Operators for Pollution, this index
- Taking oil, gas, and water as privileged acts of operators in use of premises, § 41:12

## **WEBSITES**

- Industry information resources, § 1:8

## **WELLBORES**

- Rights and duties of oil and gas operators and lessors, privileged acts of operators in use of premises, § 41:13

## **WELLS**

- See also: Location, Spacing and Pooling Regulations, this index
- Arkansas, Class II salt water disposal well permit application, § 72:46
- Casing of Wells, this index
- Completion or recompletion report and log (form), § 101:14
- Cycling and recycling gas, § 1:3
- Drilling, this index
- Dry well, drilling, § 2:14; 8:17
- Fracturing, costs, § 2:35
- Gas. Gas Wells, this index
- Joint operating agreements, consent to drill or rework wells, § 48:10
- Leases, this index
- Location, Spacing and Pooling Regulations, this index
- Loss of oil and gas interests, § 8:17
- North Carolina
  - construction design, § 91:4
  - permit application, § 91:3
  - site reclamation plan, § 91:7
  - waste management plan, § 91:6
  - water management plan, § 91:5
- Open flow of gas wells, § 3:4
- Pooling and Unitization for Oil and Gas Production, this index

## **WELLS—Cont'd**

- Proration of Oil and Gas Production, this index
- Recovery operations, generally, § 1:4
- Sundry notices and reports on wells (form), § 101:15
- Test Wells, this index
- Wild wells, § 4:37

## **WESTERN COALBED GAS LEASE**

- Model form, § 56:10

## **WEST VIRGINIA**

- Abandonment
  - Notice and application to plug and abandon oil and gas well, § 100:5
- Abandonment of lease, § 22:52
- Ad valorem taxation of interests in oil and gas, § 49:18
- Affidavit of plugging and filling oil and gas well, § 100:8
- Application
  - Coalbed methane work permit, for, § 100:6
  - Construction and reclamation plan and site registration application, oil and gas well, § 100:4
  - Oil and gas well work permit, for, § 100:2
  - Plug and abandon oil and gas well, to, § 100:5
- Cancellation of lease, § 22:51 to 22:54
- Casinghead gas and gasoline, § 34:13
- Classification of lessee's interest, § 9:36; 9:37
- Coalbed methane work permit, notice and application for, § 100:6
- Conservation statutes and regulations, plugging violations, § 4:44
- Construction and reclamation plan and site registration application, oil and gas well, § 100:4
- Conveyances of Oil and Gas Mineral Interests, this index
- Co-tenancy rights, § 2:45
- Forfeiture of lease, implied, § 22:53
- Forms, oil and gas, § 100:1 et seq.

## INDEX

### **WEST VIRGINIA—Cont'd**

- Fraud, cancellation of lease, § 22:54
- Implied forfeiture of lease, § 22:53
- Lease interest, § 9:36; 9:37
- Location, spacing and pooling of wells
  - GPS coordinates, § 100:3
- Nature of royalty interest, § 32:27
- Notice
  - Coalbed methane work permit, for, § 100:6
  - Oil and gas well work permit, for, § 100:2
  - Plug and abandon oil and gas well, to, § 100:5
- Operator's report of
  - Initial oil-gas ratio, oil and gas well, § 100:7
  - Well work, oil and gas well, § 100:9
- Plugging
  - Affidavit of plugging and filling oil and gas well, § 100:8
  - Conservation statutes and regulations, plugging violations, § 4:44
  - Notice and application to plug and abandon oil and gas well, § 100:5
- Power of cotenant to lease for oil and gas production, § 11:27
- Production and severance taxes on oil and gas, § 49:43
- Reclamation plan and site registration application, oil and gas well construction and, § 100:4
- Rent, casinghead gas and gasoline, § 34:13
- Reports
  - Initial oil-gas ratio report of operator, oil and gas well, § 100:7
  - Well work report of operator, oil and gas well, § 100:9
- Royalty, this index
- Site registration application, oil and gas well construction and reclamation plan and, § 100:4
- State lands, oil and gas production on, § 50:49

### **WEST VIRGINIA—Cont'd**

- Transfers
  - before oil and gas lease, § 36:14
  - present and future oil and gas lease, affecting, § 38:19
  - present oil and gas leases, affecting, § 37:20
- Trespass, injunctive relief, § 2:17
- Waste, co-tenancy liabilities, § 2:45
- Work permit application
  - Coalbed methane work permit, for, § 100:6
  - Oil and gas well work permit, for, § 100:2

### **WET GAS**

- Calculation of royalties, § 33:12
- Secondary recovery regulations, repressuring plan, § 4:30

### **WILD ANIMALS ANALOGY**

- Owner's right to take oil and gas, § 3:9

### **WILD WELLS**

- Conservation statutes and regulations of surface waste, § 4:37

### **WIRELINE SERVICE COMPANY**

- Kansas monthly report, § 80:36

### **WORKING INTERESTS**

- Interest of lessee created by oil and gas leases, § 9:1.50

### **WORK PERMIT**

- West Virginia
  - Coalbed methane work permit application, § 100:6
  - Oil and gas well work permit application, § 100:2

### **WRITING REQUIREMENT**

- Drilling contracts, § 45:2

### **WRIT OF CERTIORARI**

- Proration of oil and gas production, § 7:30

### **WRIT OF ERROR**

- Anti-waste statutes and regulations, rules, and orders, § 4:16

**WRIT OF PROHIBITION**

Waste, § 2:24

**WRIT OF WASTE**

General discussion, § 2:24

**WRITTEN ACTS AND MATTERS**

Contracts for oil and gas leases, writing requirement, § 10:3

Notations by parties control over printed forms, § 16:7

Requirements for valid leases, § 12:2; 12:3

**WYOMING**

Cancellation of lease, § 22:55

Carbon black manufacture regulations, § 4:38

Classification of lessee's interest, § 9:38

**WYOMING—Cont'd**

Conservation statutes and regulations, plugging violations, § 4:44

Co-tenancy rights, § 2:46

Co-tenant rights to take oil and gas, § 2:46

Location, spacing and pooling regulations, § 4:38; 5:48

Oil shale deposits, significant, § 1:6

Plugging violations, § 4:44

State lands, oil and gas production on, § 50:50

Taxation, production and severance taxes on oil and gas, § 49:44

Wells location, spacing and pooling, § 4:38; 5:48