

OIL & GAS LAW

Law 662, Sec. 51

Professor Glenn S. Krassen

Class Meetings: 4:30 p.m. to 5:45 p.m. on Tuesdays & Thursdays in Room 207.

Course Description: This course provides students with a survey of the law governing interests in oil and gas, including classification of property interests; conservation and administrative regulation of drilling and production; an examination of the oil and gas lease; conveyances; and pooling and utilization. The rights and responsibilities of the parties to the transaction and other affected persons during the various stages of the development process will also be examined. In the course of the semester, students will be exposed to documents and instruments that are integral to oil and gas transactions with attention given to their practical application.

We will be using a course text, Martin & Kramer, *Cases and Materials on Oil and Gas* (9th ed., 2011) as well as supplemental Ohio – specific cases and materials that will be discussed in class. If you need to contact me, the best way is to email me at g.krassen@csuohio.edu. My cell phone number is (216) 272-9754. My office email is gkrassen@bricker.com.

Class Preparation: You must read all assigned materials prior to class and be prepared to discuss the materials.

Exam and Grading: Your grade will be based on your performance on the final exam and, to a lesser extent, on your performance in class (see *Attendance and Participation* below). The exam will be a three-hour in-class essay exam.

Attendance and Participation: Regular attendance is required by Cleveland-Marshall school policy and by the accreditation rules of the American Bar Association. I will use a seating chart to take attendance, so please sit in the same seat throughout the semester. I will call on students at random and will expect everyone to have read the materials and to be prepared to lead the class through the assigned problems. I understand that circumstances may arise that prevent you from attending class or preparing the assigned material. However, if you miss class or take a “pass” when called on in class more than three times during the semester, I reserve the right to lower your grade or remove you administratively from the class. There will also be a drafting assignment.

Class Announcements: I will occasionally send class announcements or supplemental materials to the entire class by email. Please check your email on a regular basis.

Assignments

All Chapter references are to Martin & Kramer –Cases and Materials on Oil and Gas.

Assignment 1 January 14, 2014	<p>Current Ohio Shale oil and gas issue debate/Introduction</p> <p>Read 2011 Ohio Chamber of Commerce Report – An Analysis of the Economic Potential for Shale Formation in Ohio (CSU, OSU, Marietta College) http://www.ohiochamber.com/dococc/HOMEPAGE/-pdf/study.pdf</p> <p>Read Amended Substitute Ohio Senate Bill Number 315 http://www.legislature.state.oh.us/ and Ohio Department of Natural Resources Key Points Summary of 315 http://www.dnr.state.oh.us/tabid/23947/Default.aspx</p> <p>Read Fracking http://www.thinkglobalgreen.org/fracking.html; and</p> <p>Read Chapter1 pp. 1-16</p>
Assignment 2 January 16, 2014	Nature of Interests – Chapter 2 pp. 17-40
January 21, 2014	No class due to Martin Luther King Day
Assignment 3 January 23, 2014	Classification and Consequences of Interests Chapter 2 pp. 40-66
Assignment 4 January 28, 2014	Surface and Subsurface Trespass Chapter 2 pp. 67-98
Assignment 5 January 30, 2014	Adverse Possession Chapter 2 pp. 98-120
Assignment 6 February 4, 2014	Divided Oil and Gas Ownership Chapter 2 pp. 121-145
Assignment 7 February 6, 2014	Ohio Energy Policy – Guest Lecturer, Professor Andrew Thomas (CSU – Levin School)
Assignment 8 February 11, 2014	Successive Interests Chapter 2 pp. 145 – 175
Assignment 9 February 13, 2014	Oil & Gas Leasing 101 (will post lease forms online to be discussed in class)
February 18, 2014	No class due to President’s Day.
Assignment 10 February 20, 2014	The Oil and Gas Lease Chapter 3 pp. 176-178; 182-213
Assignment 11 February 25, 2014	Chapter 3 pp. 213-239
Assignment 12 February 27, 2014	Chapter 3 pp. 239-283

Assignment 13 March 4, 2014	Chapter 3 pp. 283-332
Assignment 14 March 6, 2014	Dormant Minerals Act and Marketable Title Act in Ohio – Guest Lecturer, Daniel Gerken, Bricker & Eckler LLP
March 11, 2014 March 13, 2014	No classes – Spring Break
Assignment 15 March 18, 2014	Royalty Clause Chapter 3 pp. 333-368 Tawney case pp. 369-381
Assignment 16 March 20, 2014	Chapter 3 pp. 410-440
Assignment 17 March 25, 2014	Covenants Chapter 4 pp. 441-506
Assignment 18 March 27, 2014	Title and Conveyancing Chapter 5 pp. 538-547; 553-578
Assignment 19 April 1, 2014	Chapter 5 pp. 589-615
Assignment 20 April 3, 2014	Current Issues in Oil & Gas Litigation – Guest Lecturer, Daniel Gerken, Bricker & Eckler LLP
Assignment 21 April 8, 2014	Mineral and Royalty Interests Chapter 5 pp. 623-645
Assignment 22 April 10, 2014	Chapter 5 pp. 645-677
Assignment 23 April 15, 2014	Chapter 5 pp. 677-711
Assignment 24 April 17, 2014	Chapter 6 pp. 737-765
Assignment 25 April 22, 2014	Drafting assignment due
Assignment 26 April 24, 2014	Pooling and Unitization (Read Ohio Statute) and Chapter 7 pp. 797-801
Assignment 27 April 29, 2014	Ohio Department of Natural Resources Read ORC Chapter 1509; Rights of Way/Easements & Ohio Cases (will post online to be discussed in class)