



**Syllabus of Record**

**BLAW 440 The Law of Property Oil and Gas Leasing I**  
3 lecture hours, 0 lab hours, 3 credits

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3 lecture hours, 0 lab hours, 3 credits

**Prerequisites: BLAW 235 (Undergraduate), BLAW 633 (Graduate)**

**I. Catalog Description**

Designed to give students an understanding of fundamental energy law including oil and gas law. Includes analysis of natural resource leases and contracts, rights and ownership of the mineral estate, law of capture, contracts, clauses and covenants of the oil and gas lease, oil and gas operating agreements, title and conveyance of oil and gas leases, pooling and utilization of

private and federal lands, easements and right of ways in connection with natural resource exploration, environmental considerations and impacts of natural resource drilling and production, the legal structure of the energy industry (Public Utility Holding Company Act

### III. Course Outline by Week

#### Topical coverage

**Week 1:** **Hours 3**

Introduction to energy law, structure of courts, ownership rights in mineral estates

**Week 2:** **Hours 3**

Basics of Real Property basics necessary to understand advanced concepts in other weeks

including adverse possession, law of capture, landholder's rights and obligations, what it is that

**Week 3:** **Hours 3**

Basics of Real Property basics necessary to understand advanced concepts in other weeks

**Week 14:**

**Hours 3**

**Environmental regulation and liability: From a common law perspective**

environmental regulations that must be seen as a part of the common law

**Assignment Description: Graduate**

**Assignment/Case Study.** In one assignment students will analyze two court cases discussing issues with natural resource lease agreements and apply legal reasoning in reaching a decision in the cases. In another assignment students will analyze an actual lease agreement and be able to identify the important legal issues in the lease.

**Assignment Drafting a lease agreement:** students will draft a lease agreement for a sample plot of land in order to extract the natural resources such as oil and gas.

**Assignment Research Project Report (For Graduate Students only):**

Graduate students will conduct an exploratory research related to legal options/risk assessment and strategy used by energy companies based on the theories/models discussed in class and present their findings in a research report. An example would be: legal requirement in a Marcellus drilling

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program.

**Attendance Policy:** The Attendance policy complies with the Indiana University of Pennsylvania guidelines

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**V. Required Textbook**

**Cases and Materials on the Law of Oil and Gas (University Casebook Series) 2011 by Richard C. Maxwell, Stephen F. Williams, Patrick H. Martin and Bruce M. Kramer**  
**ISBN-10: 0882779834 ISBN-13: 978-0882779836**

**VI. Special Resource Requirements**

Classroom must be equipped with Internet access and display capabilities for the teacher. Students must have access to high speed Internet for 2 hours per week outside of class hours.

**VII. Bibliography**

**Books:**

**Oil and Gas Law in a Nutshell, 5th Edition (Nutshell Series) [Paperback]**  
John S. Lowe 2012

**Energy Law in a Nutshell (Nutshell Series) [Paperback]**  
by Joseph P. Tomain and Richard D. Cudahy 2011

**The Law and Regulation of Mining: Minerals to Energy (Law Casebook) by Barlow Burke and Robert Beck (Nov 30, 2009)**

**Academic Articles and Journals**

American Institute of CPAs, Entities with oil and Gas Producing Activities, p.7-95 (2011)

Bibikos, George and King, Jeffrey C., "A Primer on Oil And Gas Law in the Marcellus

**B. Course Proposal Format**

**1. Under Graduate Curriculum Authorization Form**

See Cover Page

**2. Course Description and Particulars**

**A: Attachments**

**2b. Rationale: With the increasing interest, profit and employment in the Energy and Shale industry this course will benefit our students and the local economy. This course will be**

**included as a major area elective in our undergraduate and graduate program**

**2c. Other Courses and Programs:**

**a. This course does not overlap with any other courses or programs**

**3b. Frequency: This course will be offered once during the academic year**

**3c. Enrollment:**

**The max expected enrollment will be 35 students**

**4. Catalogue Description:**

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