

Dr. Christopher S. Kulander, South Texas College of Law—Houston

LEGAL AND SCIENTIFIC EXPERIENCE

Director & Professor, Oil & Gas Law Institute, South Texas College of Law Houston, 2014-present

Fulbright Scholar—Teaching & Research, Vytauto Didžiojo Universitetas, Kaunas, Lithuania, 2019

Professor of Law, Texas Tech University School of Law—Lubbock, TX, 2011-2014

Attorney, Haynes & Boone LLP, Energy Group—Houston, 2007-2011 (Of Counsel: 2011-2017)

Licensed to practice law in Texas (2005) and New Mexico (2006)

Attorney, Cotton & Bledsoe LP, Oil & Gas Section—Midland, TX, 2005-2007

Geophysicist, U.S. Geological Survey, Central Energy Team—Denver, 1999-2002

EDUCATION

J.D. (with distinction), University of Oklahoma College of Law, Norman, OK—2005

Managing Editor, *Oklahoma Bar Mineral Law Newsletter*;

Note Editor and Assisting Managing Editor, *American Indian Law Review*;

Research assistant for Professor Owen L. Anderson, Eugene Kuntz Chair of Oil and Gas Law 2002-2005;

Recipient, Certificate of Specialization in American Indian Law; and

Oil and gas lease analyst for VLS & Associates, 2003-2005, Norman, OK

Ph.D., Geophysics (Petroleum Seismology), Texas A&M University, College Station, TX—1999

Dissertation: *Geologic Evolution and Structural Controls on Hydrocarbon Flow in the Ship Shoal Block 274/293 Field, Offshore Louisiana, Gulf of Mexico* (May 1999)

M.S., Geophysics, Wright State University, Dayton, OH—1995

Thesis: *Geology of the Stotlers Crossroads 7.5-Minute Quadrangle in Eastern West Virginia* (June 1995)

B.S., Geology, Wright State University, Dayton, OH—1993

PUBLICATIONS & PRESENTATIONS

Casebook, Supporting Materials, and Book Chapters

Cases and Materials on Oil and Gas Law (7th Ed. West 2018) (with Professors John Lowe, Owen Anderson, Ernest Smith, David Pierce & Monika Ehrman)

Forms Manual for Cases and Materials on Oil and Gas Law (7th Ed. West 2018) (with Professors Ernest Smith, John Lowe, and Owen Anderson)

Teacher's Manual for Cases and Materials on Oil and Gas Law (7th Ed. West 2018) (with Professors John Lowe, Owen Anderson, Ernest Smith, David Pierce & Monika Ehrman)

"United States Offshore Licensing and Concession System" in *Regulation of the Upstream Petroleum Sector: A Comparative Study of Licensing and Concession Systems*, T. Hunter, editor (Edward Elgar, UK, 2015) (with Professor Owen Anderson)

"Texas" in *Hydraulic Fracturing Law and Practice*, Paul Yale, editor (Lexis Nexis, 2017) (contributing author with Paul Yale)

Law Review Articles

Down Step by Step—Ratification of Oil and Gas Leases by Royalty Interests in Texas, S.M.U. L. REV. v. 73 (2020—*in press*)

Conveying Pooled Mineral Interests and the Curious Case of Aery v. Hoskins, 14 TEX. J. OIL, GAS & ENERGY L. 63, (2019)

European Energy Security, American LNG, and the Global Natural Gas Marketplace, 3 OIL & GAS, NAT. RESOURCES, AND ENERGY J. 875 (2017)

The Executive Right to Lease after KCM Financial, LLC v. Bradshaw and a Louisiana Solution to a Texas Problem, 48 ST. MARY'S L.J. 637 (2017)

Fixed vs. Floating Non-Participating Oil & Gas Royalty in Texas: And the Battles Rage On... 4 TEX. A&M L. REV. 41 (2016)

Comparing Subsurface Trespass Jurisprudence—Geophysical Surveying and Hydraulic Fracturing, 46 N.M. L. REV., 67 (2015) (with R. Jordan Shaw)

Edwards Aquifer Authority v. Day and Bragg — Predictions on Their Effects for Regulatory Takings Claims for Groundwater Used in Oil & Gas Operations, 66 BAYLOR L. REV. 471 (2014)

Intruder Alert! Running the Regulatory Gauntlet to Purchase, Own, and Operate American Energy/Mineral Assets by Foreign Entities, 46 TEX. TECH L. REV. 995 (2014)

Out Through the In Door—Shale Gas Set to Reverse the Direction of LNG Sales in America, 2 LSU J. OF ENERGY L. & RESOURCES 204 (2014)

Common Law Aspects of Shale Oil & Gas Development, 49 IDAHO L. REV. 367 (2013)

The Executive Right to Lease Mineral Real Property in Texas Before and After Lesley v. Veterans Land Board, 44 ST. MARY'S L.J. 529 (2013)

Shale Oil & Gas State Regulations Issues and Trends, 63 CASE W. RES. L. REV. 1101 (2013)

American Law and Jurisprudence on Fracing—2012, 58 ROCKY MTN. MIN. L. INST. 4-1, 188 pages (2012) (with Thomas Kurth, Michael Mazzone, and Mary Mendoza)

Navasota v. First Source Texas and Its Effects on Packaged Sales and Preferential Rights to Purchase Clauses, 52 S. TEX. L. REV. 233 (2011) (with Kirk Worley)

The Arctic: Past the Last Frontier, 20 NORTHERN MARINER/LE MARIN DU NORDM 71 (2010) (with Sergei Lomako)

Big Money vs. Grand Designs: Revisiting the Executive Right to Lease Oil & Gas Interests, 42 TEX. TECH L. REV. 33 (2009)

Surface Damages, Site-Remediation and Well Bonding in Wyoming - Results and Analysis of Recent Regulations, 9 WYO. L. REV. 413 (2009)

A Flock of Trouble: Liability Under Oil and Gas Joint Operating Agreements After Seagull v. Eland, 14 TEX. WESLEYAN L. REV. 217 (2008) (with David Lauritzen)

Split-Estate Issues on Indian Lands, 2 TEX. J. OIL, GAS & ENERGY L. 125 (2007)

Take-or-Pay Royalties, the Trust Doctrine, & the Shoshone Case, 29 AM. INDIAN L. REV. 101 (2005)

Other Publications

2017 Oil & Gas Case Law Update, 59 S. TEX. L. REV. 281, (2018)

2016 Oil & Gas Case Law Update, 58 S. TEX. L. REV. 291, 74 pages (2017)

2015 Oil & Gas Case Law Update, 41 T. MARSHALL L. REVIEW 151, 64 pages (2016)

The Executive Right to Lease, LANDMAN, Vol. 60, No. 5, Oct. 2015

2014 Oil & Gas Case Law Update, 47 TEX. TECH L. REV. 661, 63 pages (2015)

Old Faves and New Raves: How Case Law Has Affected Form Joint Operating Agreements—Problems and Solutions, OIL AND GAS, NAT. RESOURCES, AND ENERGY J., Vol. 1 & 2, 103 pages in two parts (2015)

2013 Oil, Gas, & Energy Case Summaries, 9 TEX. J. OIL, GAS & ENERGY L. 381, 31 pages (2014)

2012 Texas Oil & Gas Case Law Update, 1 TEX. A&M L. REV. 287, 18 pages (2013)

Shale Oil and Gas State Regulatory and Litigation Issues and Trends in Texas, Proceedings of *Environmental Impacts of Oil & Gas Production*, San Antonio, TexasBarCLE and Texas Tech School of Law, Jan. 25, 2013

The Arctic is White Hot, OIL, GAS & ENERGY LAW INTELLIGENCE (OGEL) Special Edition—Arctic Region: Boundaries, Resources & the Promise of Co-operation, Vol. 10, Issue 2, Jan. 2012 (with Sergei Lomako)

Environmental Effects of Petroleum Production: 2010-2011 Texas Legislative Developments, TEX. TECH L. REV., Vol. 44, No. 4 (symposium article) (2012)

Gas Shale and Hydraulic Fracturing Work for Our Nation, ENVIRONMENTAL LEADER, Oct. 25, 2010

Exploring the Great White North, OIL AND GAS INVESTOR, Vol. 30, No. 9, Sep. 2010

Surface Use and Access for Oil & Gas Exploration in Frontier Areas, LANDMAN, Vol. 54, No. 3, June 2009

The New Petroleum Categories and Valuation Requirements of the SEC, Oklahoma Mineral Law Section Newsletter, Vol. XXX, No. 3, Jul. 2009 (with Bill Nelson)

Operator Removal Under Form Joint Operating Agreements in Texas, Permian Basin Landmen Association Newsletter, May 2009

Wagner & Brown, Ltd. v. Sheppard - the Supreme Court Releases Opinion Affecting Texas Landmen, Houston Association of Professional Landmen Newsletter, May 2009

Additional Provisions to Form Joint Operating Agreements, Oil, Gas & Energy Resources Law Section Report, State Bar of Texas, Vol. 33, No. 2, Dec. 2008 (with Mark Mathews)

Practitioner's Pathfinder for Approaching Foreign Investment in Oil & Gas Real Property in Texas and New Mexico, TEXAS TRANSNATIONAL LAW QUARTERLY, Vol. 21, No. 3, Jun. 2008

The Art of Reconciling the Joint Operating Agreement and the COPAS Accounting Procedure, Arkansas Bar Association Natural Resource Law Institute, Feb. 2006 (with Susan Richardson)

Gas Balancing Agreements - Fundamentals & New Developments, Oklahoma Mineral Law Section Newsletter, Vol. XXVI, No. 5, Dec. 2005

Regional Seismic Lines Across the Rome Trough and Alleghany Plateau of northern West Virginia, western Maryland, and southwestern Pennsylvania, U.S. Geological Survey, Geological Investigations Series Map I-2791, 2005 (with Robert Ryder)

Interpreted Regional Seismic Reflection Lines, National Petroleum Reserve in Alaska, U.S. Geological Survey, Open-File Report 2005-1402, Dec. 2005 (with Christopher Potter)

Published numerous case-analysis as a member of the Board of Editors of the Oil and Gas Reporter (Institute for Energy Law) 2013-2017.

Presentations and Proceedings (Fall 2019 – Spring 2012)

Oil and Gas Law Annual Short Course, Oct. 22, 2019, Denver, Rocky Mountain Mineral Law Foundation (Presentation titles: "The Oil and Gas Lease: Defining the Royalty Obligation" and "The Royalty Obligation, Division Orders, and Check Stub Statutes")

32nd Annual Energy Law Institute for Attorneys & Landman, Aug. 28, 2019, Houston, Harry L. Reed Oil & Gas Law Institute (Presentation title: "Shale gas and LNG in the USA—Lessons for Importers")

16th International Conference of Young Scientists on Energy Issues, May 23, 2019, Kaunas, Lithuania (Presentation title: "Shale gas and LNG in the USA. Lessons for Importers")

Oil and Gas Crash Course, Oct. 10, 2018, Houston, Haynes and Boone, LLP and the Harry L. Reed Oil & Gas Law Institute joint presentation (Presentation title: "Basics of Oil and Gas Law and Lending")

Oil and Gas Law Annual Short Course, Oct. 9, 2018, Houston, Rocky Mountain Mineral Law Foundation (Presentation titles: "The Oil and Gas Lease: Defining the Royalty Obligation" and "The Royalty Obligation, Division Orders, and Check Stub Statutes")

Oil Gas & Mineral Titles Examination Course 2018, June 14-15, 2018, Houston, TexasBarCLE (Presentation title: "Executive Rights to Lease Mineral Properties in Texas")

Thirty Years of International Law: Where We've Been and Where We're Going, Apr. 4-5, 2018, Houston, International Law Section of the State Bar of Texas (Presentation title: "American LNG and the Global Natural Gas Marketplace")

20th Annual Permian Basin Oil & Gas Law, Feb. 23, 2018, Midland, TX, Live Oak CLE (Presentation title: "Fixed v. Floating Royalty Fractions in Deeds")

Annual Case Law Update, Jan. 25, 2018, Houston, Houston Bar Association Oil & Gas Section (Presentation title: "Oil & Gas Case Law Update—2017")

Oil & Gas Joint Operations and the New AAPL Form 610 Model Form Operating Agreement, Dec. 6, 2017, Denver, Rocky Mountain Mineral Law Foundation (Presentation Title: "Judicial Interpretation of the Joint Operating Agreement")

Oil and Gas Law Annual Short Course, Oct. 23-27, 2017, Denver, Rocky Mountain Mineral Law Foundation (Presentation titles: "The Oil and Gas Lease: Defining the Royalty Obligation" and "The Royalty Obligation, Division Orders, and Check Stub Statutes")

30th Annual Energy Law Institute for Attorneys and Landman, Aug. 30, 2017, Houston, Harry L. Reed Oil & Gas Law Institute (Presentation title: "2016-2017 Texas Oil & Gas Case Law Update")

Innovation, Property Rights, and the Structure of Energy, Aug. 15, 2017, Bozeman, MT, Property and Environment Research Center (Presentation title: "Comments as Discussant on Vulnerability and the U.S. Energy Transitions")

Fundamentals of Oil, Gas and Mineral Law, Apr. 13, 2017, Houston, UT Law CLE (Presentation title: "Interests in Oil & Gas")

"Oil and Gas, Natural Resources, and Energy Journal Symposium, Apr. 7, 2017, University of Oklahoma College of Law, Norman, Oklahoma (Presentation: "The Future of Oil & Gas Law")

Annual Case Law Update, Feb. 23, 2017, Houston, Houston Bar Association Oil & Gas Section (Presentation title: "Oil & Gas Case Law Update—2016")

Oil & Gas Joint Operations and the New AAPL Form 610 Model Form Operating Agreement, Nov. 3-4, 2016, Houston, Rocky Mountain Mineral Law Foundation (Presentation Title: "Judicial Interpretation of the Joint Operating Agreement")

Oil and Gas Law Annual Short Course, Oct. 18-22, 2016, Houston, Rocky Mountain Mineral Law Foundation (Presentation Titles: "The Oil and Gas Lease: Defining the Royalty Obligation" and "The Royalty Obligation, Division Orders, and Check Stub Statutes")

29th Energy Law Institute for Attorneys and Landmen, Aug. 31-Sep. 1, 2016, Houston, Houston College of Law (**Course Director**; Presentation title: "Oil & Gas Case Law Update—2015-16")

Review of Oil & Gas Law XXXI, Aug. 18, 2016, Dallas, Dallas Bar Association Oil & Gas Section (Presentation title: "The Executive Right to Lease--A Primer and Recent Developments")

Houston Association of Law Librarians Annual Conference, Mar. 9, 2016, Houston (Presentation title: "Oil & Gas Law Primer")

67th Annual Oil and Gas Law Conference, Feb. 18, 2016, Houston, Institute for Energy Law (Presentation title: "Recent Developments in Oil and Gas Law-2015")

Annual Case Law Update, Jan. 28, 2016, Houston, Houston Bar Association Oil & Gas Section (Presentation title: "Oil & Gas Case Law Update—2015")

2015 Texas Water Law Institute, Oct. 29, 2015, Austin, University of Texas School of Law (Panel Topic: Groundwater Regulation in Light of Recent Takings Litigation)

Oil and Gas Law Annual Short Course, Oct. 19-23, 2015, Denver, Rocky Mountain Mineral Law Foundation (Presentation Titles: "Royalty Responsibilities of Oil & Gas Leases" and "Division Orders and Check Stub Statutes")

Third Annual Energy Symposium, Oct. 1, 2015, Houston, Texas Southern University (Presentation title: "Oil & Gas Case Law Update—2014-15")

Handling Your First (or Next) Oil and Gas Lease, Sep. 16, 2015, Austin, TexasBarCLE (Presentation title: "What Is an Oil & Gas Lease?")

28th Energy Law Institute for Attorneys and Landmen, Sep. 1-2, 2015, Houston, South Texas College of Law (**Course Director**; Presentation title: "Oil & Gas Case Law Update—2014-15")

Review of Oil & Gas Law XXX, Aug. 28, 2015, Dallas, Dallas Bar Association Oil & Gas Section (Presentation title: "Oil & Gas Case Law Update—2014-15")

Oil & Gas Law Technical Workshop, Apr. 21, 2015, Houston, Houston Association of Petroleum Landman (Presentation title: "The Current State of the Executive Right to Lease in Texas")

Fundamentals of Oil, Gas and Mineral Law, Mar. 26, 2015, Houston, UT Law CLE (Presentation title: "Interests in Oil & Gas")

17th Annual Permian Basin Oil & Gas Law, Feb. 27, 2015, Midland, TX, Live Oak CLE (Presentation title: "Executive Rights—Fiduciary Duty Lite")

66th Annual Oil & Gas Law Conference, Feb. 19, 2015, Houston, Institute for Energy Law (Presentation Title: "Recent Developments in Oil and Gas Law-2014")

2014-2015 Seminar Series, Feb. 13, 2015, Houston, Continuing Legal Education Committee of the Houston Bar Association (Presentation Title: "Update on Texas Oil & Gas Law")

Annual Case Law Update, Jan. 20, 2015, Houston, Houston Bar Association Oil & Gas Section (Presentation title: "Oil & Gas Case Law Update—2014")

Oil and Gas Law Annual Short Course, Oct. 20-24, 2014, Houston, Rocky Mountain Mineral Law Foundation (Presentation Titles: "Royalty Responsibilities of Oil & Gas Leases" and "Division Orders and Check Stub Statutes")

2014 Shale Seminar, Oct. 2, 2014, Houston, Houston Association of Petroleum Landmen (Presentation Title: "How to Avoid Trouble with the Executive Right to Lease")

Texas Land Institute Oil & Gas Law Seminar, Sep. 22, 2014, Houston, American Association of Petroleum Landmen (Presentation Title: "The Executive Right to Lease—A Primer and Recent Developments")

Exploration, Transportation and Exportation of Liquefied Natural Gas: Current Challenges and Potential Responses, Sep. 13, 2014, Chicago, American Bar Association Business Law Section - 2014 Section Annual Meeting (Presentation Title: "Natural Gas, LNG, and Energy Demand and Geopolitics")

27th Annual Energy Law Institute for Attorneys and Landmen, Aug. 27-28, 2014, Houston, South Texas College of Law (Presentation Title: "Case Law Update from Outside of Texas")

Invited Lecture Series, Hispanic Law Students Association & Energy Law Interest Group joint presentation, Apr. 23, 2014, Lubbock, TX, Texas Tech School of Law (Presentation Title: "¡Reforma Energética! Mexico's Energy Reforms—from Monolithic State Empire to Target for International Investment?")

Sixth Annual Energy Symposium, Mar. 21, 2014, Ft. Worth, TX, Texas A&M School of Law (Panel title: "Acquisition, Financing, Development, and Divestiture of American Oil & Gas Real Property by Foreigners")

16th Annual Permian Basin Oil & Gas Law, Feb. 28, 2014, Midland, Texas, Live Oak CLE/Texas Tech School of Law (Presentation title: "Seismic and Fracing Trespass")

65th Annual Oil & Gas Law Conference, Feb. 20, 2014, Houston, Institute for Energy Law (Presentation Title: "Recent Developments in Oil and Gas Law-2013")

Annual Case Law Update, Jan. 31, 2014, Houston, Houston Bar Association Oil & Gas Section (Presentation title: "Oil & Gas Case Law Update—2013")

Energy Policy: Political, Legal and Economic Issues, Dec. 6–7, 2013, Property and Environmental Research Center, Big Sky, MT (Presentation title: "Permit This — Groundwater Rights and Permitting in Texas")

Distinguished Lecture Series, Nov. 18, 2013, Austin, University of Texas School of Law (Presentation title: "Shake and Quake: Remote Sensing and Fracing Trespass")

Energy Lecture Series, Nov. 8, 2013, Baton Rouge, Louisiana State University Paul M. Hebert Law Center (Presentation title: "LiviNG in the USA: from Imports to Exports")

Oil & Gas Law Annual Short Course, Oct. 22, 2013, Denver, Rocky Mountain Mineral Law Foundation (Presentation titles: "Division Orders & Check Stub Statutes" & "Royalty and Oil & Gas Leases")

Advanced Oil, Gas, and Energy Resources Law Course, Oct. 3–4, 2013, TexasBarCLE, Houston (Presentation titles: "Executive Leasing and Development Rights and Duties Owed to Non-Leasing Interests")

Scholar Exchange Program, Sep. 9, 2013, University of Oklahoma College of Law, Norman, OK (Presentation titles: "Over the Line! — Seismic and Fracturing and Trespass")

How Should Hydraulic Fracturing be Regulated? Apr. 19, 2013, New York City, Columbia Law School (Presentation title: "State Regulation of Onshore Unconventional Oil & Gas Development")

Legal and Regulatory Issues on Hydraulic Fracturing, Mar. 29, 2013, Boise, University of Idaho School of Law 2013 Law Review Symposium (Presentation title: "Hydraulic Fracturing and the Common Law")

Fifth Annual Energy Symposium, Mar. 22, 2013, Ft. Worth, TX, Texas Wesleyan School of Law (Presentation title: "Updates in Texas Oil & Gas Case Law")

15th Annual Permian Basin Oil & Gas Law, Feb. 22, 2013, Midland, TX, Live Oak CLE (Presentation title: "Executive Rights & Self-Development Rights of Mineral Co-Tenants")

Environmental Impacts of Oil & Gas Production, Jan. 25, 2013, San Antonio, TexasBarCLE and Texas Tech School of Law (Presentation titles: "Texas Legislative Regulatory Developments and General Tort Trends Related to Hydraulic Fracturing" and "The Federal Role in Regulating Hydraulic Fracturing")

Annual Case Law Update, Jan. 22, 2013, Houston, Houston Bar Association Oil & Gas Section (Presentation title: "Oil & Gas Case Law Update—2012")

The Law and Policy of Hydraulic Fracturing—Addressing the Issues of the Natural Gas Boom, Nov. 16, 2012, Cleveland, OH, Case Western Reserve School of Law (Presentation title: "State Regulation of Hydraulic Fracturing—Where Are the States Going & Will the EPA Stop Them?")

NSF-SFS Workshop on Educational Initiatives in Cybersecurity for Critical Infrastructure, Nov. 9, 2012, Lubbock, TX, Texas Tech University (Presentation title: "American Energy Property and Foreign Ownership, Control & Threats")

Oil and Gas Law Annual Short Course, Oct. 18, 2012, Houston, Rocky Mountain Mineral Law Foundation (Presentation titles: "The Oil & Gas Lease: Defining the Royalty Obligation" and "Drilling Contracts")

The Water-Energy Nexus: Acquisition, Use, & Disposal of Water for Energy & Mineral Development, Sep. 13-14, 2012, Denver, Rocky Mountain Mineral Law Foundation (Presentation title: "State Regulatory Issues")

Shale Gas: Lessons and Implications of the American Experience for Europe, Sep. 7, 2012, Houston, Haynes and Boone, LLP (Presentation titles: “Basics of Shale Geology and Mechanics of Hydraulic Fracturing” & “The American Experience with Horizontal Well Hydraulic Fracture Completion”)

58th Annual Rocky Mountain Mineral Law Institute, Jul. 19-21, 2012, Newport Beach, CA, Rocky Mountain Mineral Law Foundation (Presentation title: “One Fracing Regulatory Scheme to Rule Them All—Where Are the States Going & Will the EPA Stop Them?”)

Oklahoma Bar Association Mineral Law Section Meeting, Mar. 8, 2012, Oklahoma City, (Presentation title: “(Some of) What Every Energy Lawyer Should Know about Geophysics + Thoughts on Trespass”)

Federalism & Energy in the United States, Mar. 1-2, 2012, Chicago, Northwestern University Law School (Presentation title: “If State Regulators Build the House We Want, Will the Feds Allow Us to Live in It?”)

Environmental Impacts of Oil and Gas Production, Jan. 13, 2012, Houston, State Bar of Texas and Texas Tech School of Law (co-sponsored). (Presentation Title: “2011 Texas Legislative Developments”)