



Bruce Kramer

Of Counsel

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A long-time professor at Texas Tech University School of Law, Bruce M. Kramer is a nationally known oil, gas, energy and land use legal scholar.

Bruce has advised companies on a wide array of legal issues and strategies in the energy arena for more than 40 years. His areas of experience include state and federal laws, as well as regulations and rules affecting exploration, production and upstream facilities. He is also highly experienced in related contracts and leases, deed and lease interpretation issues, drafting of instruments, pooling and utilization contracts and legal issues, surface user rights (statutory and common law), and local regulation of oil and gas operations.

Bruce is the co-author of several important books that have become the definitive references for energy lawyers, including two multi-volume treatises, *The Law of Pooling and Unitization* and *Williams and Meyers Oil and Gas Law* (since 1996). He is also the co-author of the last four editions of the *Manual of Oil and Gas Terms*. Bruce is an authority on land use, zoning and the conflicts that arise between mineral property owners.

Bruce's books and legal articles have been cited as authority in numerous court rulings and appellate opinions, including decisions of the Supreme Courts of Texas and multiple other states, the U.S. Court of Appeals for the Fifth Circuit, the U.S. Court of Appeals for the Tenth Circuit and numerous Federal District Courts as well as testifying before legislative and administrative bodies. Bruce has prepared papers and spoken at more than 80 continuing education programs for lawyers and other professionals in the oil and gas and real estate/land use industries.

Practice Areas

Oil & Gas

Oil & Gas Litigation

Education

The University of Colorado School of Law, Adjunct Professor and Thompson Visiting Professor (2009-2013)

Texas Tech University School of Law, Maddox Professor (1992-2007); Professor (1979-1992); Associate Professor (1977-1979); Assistant Professor (1974-1977)

University of Illinois College of Law, L.L.M., 1975

University of California in Los Angeles, J.D., 1972

University of California in Los Angeles, B.A., 1968

Admissions

BAR

Texas

California



Bruce Kramer

Experience

Oil & Gas/Energy Litigation

Bruce's oil and gas representation includes:

- Advising companies about land use and zoning issues for 30+ years, including homeowner associations, real covenants, planned unit developments, subdivision regulation, rezoning, Constitutional limitations, First Amendment, Fifth Amendment, Fourteenth Amendment, adult entertainment facilities, mineral extraction operations, agricultural zoning, contract and conditional zoning and development agreements.
- Advising companies about international energy law issues, including international oil and gas transactions, as well as resolution of disputes over oil and gas operations in foreign countries.
- Advising about numerous related matters, including water law and the Rule of Capture as viewed from an oil and gas perspective, along with ethics issues in the practice of oil, gas and energy law.
- Providing expert witness testimony in multiple cases involving disputes in oil and gas, land use and zoning, and related matters.
- Serving as Investigator or Principal Investigator on oil, gas, energy, mining and land use legal projects for the U.S. Forest Service and the Texas Energy and Natural Resources Advisory Council.
- Serving as Legal Advisor on projects for the U.S. Environmental Protection Agency and U.S. Corps of Engineers.

News

McGinnis Lochridge Oil & Gas Attorneys to Speak at TexasBar CLE 37th Annual Course on Advanced Oil, Gas and Energy Resource Law

September 18, 2019

Bruce Kramer To Present at Texas Tech Law School Roswell CLE

May 1, 2019

Bruce Kramer and Russell Johnson speak at 3rd Annual Law of Shale Plays Conference

May 16, 2012

Bruce M. Kramer, Oil and Gas Legal Scholar, Joins McGinnis, Lochridge

May 7, 2007

Bruce Kramer

Publications

Speaker, *Recent developments in Oil and Gas Law*, Rocky Mountain Mineral Law Foundation, webinar
January 14, 2021

Panel Member, *Midstream Contracts in Chapter 11: Covenants Running with the Land?*, American Bankruptcy
Institute, webinar
January 7, 2021

Speaker, *Musings on the Texas Supreme Court: A Journey Into "Never Never Land"*, Oil, Gas & Mineral Law
Section, Houston Bar Association, Webinar
May 28, 2020

Oil & Gas Newsletter: *Producer's Edge*, Vol. 1, Issue 2
August 1, 2019

Speaker, *Recent Developments in Oil and Gas Law*, Texas Tech University School of Law CLE, Roswell, New
Mexico
May 2, 2019

Speaker, *The Role of Conservation Regulation*, Special Institute on the Law of Fracking, Rocky Mountain Mineral
Law Foundation, Westminster, Colorado
January 24, 2019

Speaker, *Recent and Emerging Judicial Decisions in Texas Across a Wide Range of Energy Sectors*, 2017
Energy Law Symposium: The Future of Energy, Texas A&M University, Fort Worth, Texas
March 8, 2017

Co-Author, *The Law of Oil and Gas*, University Casebook Series, Foundation Press, 10th Edition
June 10, 2016

Author, *Horizontal Drilling and Trespass: A Challenge to the Norms of Property and Tort Law*, 25 Colorado
Natural Resources, Energy & Environmental Law Review 2
2014

Author, *The State of State and Local Governmental Relations as it Impacts the Regulation of Oil and Gas
Operations: Has the Shale Revolution Really Changed the Rules of the Game*, 29 Journal of Land Use &
Environmental Law 1, Florida State University
2013

Speaker, *Current Texas Disputes Concerning Indemnification Claims Under the 1989 Form JOA*, 59th Annual
Rocky Mountain Mineral Law Institute, IPAA Law Committee Meeting Lunch, Spokane, Washington
July 2013

Bruce Kramer

Panelist, *Changing Regulatory Frameworks for Shale Development and Social License to Operate*, Institute for Energy Law, Oil & Gas Practice Committee, the University of Colorado Law, Denver, Colorado
July 2013

Author, *Oil and Gas Leases and Pooling Clauses: A Look Back and a Peak Ahead*, 45 Texas Tech Law Review 1
July 2013

Program Co-chair, *Hydraulic Fracturing: More Information, All Viewpoints*, Water Law Institute 2nd Annual Conference, Houston, Texas
June 2013

Author, *History and Current Status of Federal Fracing Regulation*, American Bar Association Energy Litigation Journal, Vol. 12, No. 2
Energy Litigation, ABA Spring 2013
May 30, 2013

Speaker, *Legal Update: Recent Developments in Non-Regulatory Oil and Gas Law*, American Association of Professional Landmen Southwest Land Institute, Dallas, Texas
April 2013

Speaker, *Critical Lease Terms and Keeping the Lease Alive*, Title and Development Issues in the Utica Shale, Columbus, Ohio
April 2013

Speaker, *The Relationship Between a Mineral Owner and a Surface Owner - Common Law and Statutory Developments*, 38th Annual Ernest E. Smith Oil, Gas and Mineral Law Conference, Houston, Texas
March 2013

Speaker, *Contractual Considerations*, Hydraulic Fracking Continuing Legal Education Course, The Seminar Group, Santa Barbara, California
February 2013

Panelist, *Spring 2013 Environmental Forum: Effectively Governing Shale Gas Development*, Florida State University College of Law and the Journal of Land Use & Environmental Law, Tallahassee, Florida
February 2013

Course Director and Speaker, *Environmental Impacts of Oil and Gas Development*, State Bar of Texas/Texas Tech University School of Law, San Antonio, Texas
January 2013

Speaker, *Horizontal Drilling and Trespass: A Challenge to the Norms of Property and Tort Law*, Rocky Mountain Mineral Law Foundation Special Institute on Horizontal Drilling, Westminster, Colorado
November 2012

Bruce Kramer

Speaker, *Issues Facing the Domestic Oil and Gas Industry: Fracking Regulation, Oil and Gas Agreement "Forms" and State Oil and Gas Jurisprudence*, Energy Law Section, Dallas Bar Association, Dallas, Texas
August 2012

Speaker, *Recent Legislative and Judicial Developments*, IPAA Law Committee Meeting Lunch, 58th Annual Rocky Mountain Mineral Law Institute, Newport Beach, California
July 2012

Speaker, *Major Issues Facing The Energy Industry*, Gulf States Energy Retreat, Louisiana State University Center for Energy Studies, Baton Rouge, Louisiana
June 2012

Panel Chair, *Conventional Fuels in a Low Carbon Future*, Clyde Martz Summer Conference, University of Colorado Law School Natural Resources Law Center, Boulder, Colorado
June 2012

Co-chair and Speaker, *Should Best Management Practices be Defined by Regulation?*, 3rd Annual Law of Shale Plays Conference, Center for American and International Law, Institute for Energy Law, Fort Worth, Texas
June 2012

Author, *2012 Survey on Oil & Gas: Texas*, 18 Texas Wesleyan Law Review 627
Texas Wesleyan Law Review
May 30, 2012

Speaker, *Fundamentals of Colorado Oil and Gas Law*, Colorado Bar Association, Denver, Colorado
April 2012

Speaker, *Impact of Shale Plays on United States and Global Energy Markets*, Texas Wesleyan School of Law, Fort Worth, Texas
March 2012

Co-author, *Manual of Oil & Gas Terms* 10th ed. (1997); 11th ed. (2000); 12th ed. (2003); 13th ed. (2006); 14th ed. (2009); 15th ed.
2012

Speaker, *Current Issues in Marcellus Shale Development*, Steptoe & Johnson General Counsel Forum, Pittsburgh, Philadelphia
January 2012

Course Director and Speaker, *Environmental Impacts of Oil and Gas Development*, Houston Bar Association, Houston, Texas
January 2012

Bruce Kramer

Co-author, *Williams & Meyers Oil & Gas Law* (1996); Abridged 4th ed. (2010); Supplements (1997-2012)
01.04.2012

Co-author, *The Law of Pooling & Unitization Volumes I-IV* (Matthew Bender) (1989); Supplements (1990-2012)
01.04.2012

Speaker, *Recent Developments in Oil and Gas Law*, Houston Bar Association, Houston, Texas
January 2011, January 2012
01.04.2012

Author, *Federal Legislative and Administrative Regulation of Hydraulic Fracturing Operations*, 44 Texas Tech Law Review 837
January 2012

Author, *A Renaissance Year for Oil and Gas Jurisprudence*, The Texas Supreme Court, 18 Texas Wesleyan Law Review 620
January 2012

Speaker, *Current Issues in Marcellus Shale Development*, Steptoe & Johnson Client Dinner, 32nd Annual Energy & Mineral Law Foundation Institute, Farmington, Pennsylvania
May 2011

Speaker, *Cotenancy and Accounting Rules in Oil and Gas*, State Bar of Colorado, Natural Resources Section, Denver, Colorado
January 2011

Speaker, *The Legal Framework for Analyzing Multiple Surface Use Issues*, University of Texas Ernest Smith Oil, Gas and Mineral Law Conference, Houston, Texas
April 2010

Speaker, *Recent Developments in Land Use Law*, University of Texas Annual Land Use Institute, Austin, Texas
March 2010

Author, *Current Decisions on State & Federal Law in Planning & Zoning*, Institute on Planning, Zoning and Eminent Domain 1-1
1994-2000, 2002-2008, 2010
03.04.2010

Author, *Keeping Leases Alive in the Era of Horizontal Drilling and Hydraulic Fracturing: Are the Old Workhorses (Shut-in, Continuous Operations and Pooling Provisions) Up to the Task?*, 49 Washburn Law Journal 283
2010

Bruce Kramer

Speaker, *Coastal Oil & Gas Corporation v. Garza Energy Trust: Some New Paradigms for the Rule of Capture and Implied Covenant Jurisprudence*, 30th Annual Energy & Mineral Law Foundation Institute, Hilton Head Island, South Carolina
May 2009

Speaker, *Local Land Use Regulation of Oil and Gas Development: Pumpjacks and Preemption*, Louisiana Mineral Law Institute 198, Baton Rouge, Louisiana
April 2009

Co-Author, *International Petroleum Transactions*, 2nd ed. (2004), 3rd ed.
2009

Speaker, *Pooling for Horizontal Wells: Can They Teach an Old Dog New Tricks?*, 55 Rocky Mountain Mineral Law Institute 8-1, San Francisco, California
2009

Author, *The Legal Framework for Analyzing Multiple Surface Use Issues*, 44 Rocky Mountain Mineral Law Foundation Journal 273
Houston Environmental & Energy Law & Policy Journal
April 1, 2007

Author, *Compulsory Pooling & Unitization With an Emphasis on the Statutory & Common Law of the Eastern United States*, Energy & Mineral Law Foundation 6-1
2006

Author, *The Legal Framework for Analyzing Multiple Surface Use Issues*, 2 Houston Environmental & Energy Law & Policy Journal, the University of Houston Law Center
2006

Co-Author, *The Rule of Capture – An Oil and Gas Perspective*, 35 Environmental Law 699
2005

Author, *Recent Developments in Non-Regulatory Oil & Gas Law*, 57 Institute on Oil & Gas Law 1-1
2005

Author, *Drilling in the Cities and Towns: Rights and Obligations of Lessees, Royalty Owners and Surface Owners in an Urban Environment*, 23 Petroleum Accounting and Financial Management Journal 58, University of North Texas, Denton, Texas
2004

Author, *Local Regulation of Oil & Gas Operations: Don't All Homeowners Want a Pumpjack in Their Backyard?*, 41 Rocky Mountain Mineral Law Foundation Journal 213
2004

Bruce Kramer

Author, *Interpreting the Royalty Obligation by Looking at the Express Language: What A Novel Idea*, 35 Texas Tech Law Review 223

2004

Author, *The Pit and the Pendulum: Local Governmental Regulation of Oil & Gas Activities Returns From the Grave*, 50 Institute on Oil and Gas Law and Taxation 5-1

1999

Author, *Amoco Production Company Southern Ute Indian Tribe: Restatement or Revolution?*, 45 Rocky Mountain Mineral Law Institute 7-1

1999

Author, *Recent Developments in Land Use and Environmental Law*, Institute on Planning, Zoning and Eminent Domain 5-1

1998

Author, *Lease Maintenance in This Century and the Next Oil & Gas Law For A New Century: Precedent As Prologue*, (Matthew Bender)

1997

Author, *Modern Applications of the Rule Against Perpetuities to Oil and Gas Transactions: What the Duke of Norfolk Didn't Tell You*, 37 Natural Resources Journal 281

1997

Author, *Local Land Use Regulation of Extractive Industries: Evolving Judicial and Regulatory Approaches*, 14 UCLA Journal of Environmental Law & Policy 42

1996

Author, *The Interaction Between the Common Law Implied Covenants to Prevent Drainage and Market and the Federal Oil and Gas Lease*, 15 Journal of Energy, Natural Resources and Environmental Law 1-1

1995

Author, *Lease Maintenance for the Twenty-First Century: Old Oil & Gas Law Doesn't Die, it Just Fades Away*, 41 Rocky Mountain Mineral Law Institute 15-1

1995

Author, *Liability to Royalty Owners for Proceeds from Take or Pay and Settlement Monies*, 15 Eastern Mineral Law Institute 14-1

1994

Co-author, *Real Property*, Chapter 77 — Accretion (1989); Chapter 79A — Flood Plain Zoning (Matthew Bender) (1994)

03.04.1994

Bruce Kramer

Author, *Royalty Interests in the United States: Not Cut From the Same Cloth*, 29 Tulsa Law Journal 449
1994

Author, *Property & Oil & Gas Don't Mix: The Mangling of Common Law Property Concepts*, 33 Washburn Law Journal 540
1994

Author, *Recent Developments in Non-Regulatory Oil & Gas Law*, 42 Institute on Oil & Gas Law and Taxation 1-1
1993

Author, *The Sisyphean Task of Interpreting Mineral Deeds & Leases: An Encyclopedia of Canons of Construction*, 24 Texas Tech Law Review 1
1993

Author, *Transboundary Air Pollution and the Clean Air Act: An Historical Perspective*, 32 Kansas Law Review 181
1993

Author, *Pooling and Unitization Orders - Application of Administrative Law Principles*, 34 Institute on Oil & Gas Law and Taxation 259
1993

Author, *The Mother Hubbard Clause in Mineral Deeds & Leases*, 13 Eastern Mineral Law Foundation 12-1
1992

Author, *The Temporary Cessation Doctrine: A Practical Response to an Ideological Dilemma*, 43 Baylor Law Review 519
1991

Author, *Conveying Mineral Interests - Mastering The Problem Areas*, 27 Tulsa Law Journal 175
1991

Co-author, *Jurisdiction of Commission and Court: The Public Right/Private Right Distinction in Oklahoma Law*, 26 Tulsa Law Journal 535
1990

Author, *Royalty Obligations for Take or Pay and Settlement Payments: Lessees Under the Gun*, 39 Institute on Oil & Gas Law and Taxation 5-1
1988

Author, *Compulsory Pooling and Unitization: State Options in Dealing with Uncooperative Owners*, 7 Journal of Energy Law & Policy 255
1986

Bruce Kramer

Co-author, *The Implied Marketing Covenant in Oil and Gas Leases: Some Needed Changes for the 80's*, 46 Louisiana Law Review 787
1986

Author, *Section 1983 and Municipal Liability: Selected Issues Two Years After Monell v. Department of Social Sciences*, 12 Urban Lawyer 232 (1980). Reprint *Section 1983: Sword and Shield*, Freilich & Carlisle editors, American Bar Association
1983

Speaker, *Recent Developments in Oil and Gas Law*, Houston Bar Association, Houston, Texas
January 2011, January 2012

Honors & Recognition

- Recipient, Center for American and International Law, Deans of the Oil and Gas Practice Award (2008)
- Recipient, Rocky Mountain Mineral Law Foundation, Clyde O. Martz Award for Service to Natural Resources Legal Education (2007)
- Co-Recipient, Southwestern Legal Foundation, John Rogers Award for Service to the Oil & Gas Industry
- Recipient, Texas Tech University President's Excellence in Teaching Award (1998-1999)
- Recipient, Texas Tech University President's Academic Achievement Award (1995-1996)
- Recipient, State Bar of Texas, Oil, Gas & Mineral Law Section Research Grant (Summer 1991)
- Recipient, Texas Tech University Dub Rushing Research Award (1986-1987, 1992-1993)

Community & Professional

- Rocky Mountain Mineral Law Foundation (Trustee 1989-present)
- Energy and Mineral Law Foundation (Trustee 1990-present)
- State Bar of Texas: Oil Gas & Mineral Law Section (Council Member 1991-94); General Practice Digest — Governmental Entities (Contributing Author 1988-1996); Oil, Gas & Mineral Law Specialization Exam Committee (Chair 1990-2001)
- Institute for Energy Law: Center for American and International Law (Executive Committee, Advisory Board)
- Institute for Local Government Studies: Center for American and International Law (Treasurer and Chair)
- Center for American and International Law, Oil & Gas Reporter: Editorial Board (Administrative Editor)
- Southwestern Legal Foundation: Oil and Gas Reporter - Volumes 5-140 (Matthew Bender & Co.) (Indexing Author)