

Mineral Rights Research Guide

Overview

This research guide includes information and resources on mineral rights in Texas. Also termed a mineral interest, mineral rights are “the right to search for, develop, and remove minerals from the land or to receive a royalty based on the production of minerals.” (*Black’s Law Dictionary*, 11th ed.) Mineral rights can often be separate from other property rights. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Related guides: Deeds, Deeds of Trust, Estate Planning, Wills

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Administrative Code

- Title 1, §358.351 Mineral Rights
[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=15&ch=358&rl=351](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=1&pt=15&ch=358&rl=351)

Texas Estates Code

- Ch. 358 Matters Relating to Mineral Properties
<https://statutes.capitol.texas.gov/Docs/ES/htm/ES.358.htm>

Texas Property Code

- Ch. 67 Oil and Gas Liens
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.67.htm>
- Ch. 75 Texas Minerals
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.75.htm>

Texas Natural Resources Code (Title 3. Oil and Gas)

- Ch. 91 Provisions Generally Applicable (Oil & Gas)
<https://statutes.capitol.texas.gov/Docs/NR/htm/NR.91.htm>
- Ch. 92 Mineral Use of Subdivided Land
<https://statutes.capitol.texas.gov/Docs/NR/htm/NR.92.htm>
- Ch. 102 Pooling
<https://statutes.capitol.texas.gov/Docs/NR/htm/NR.102.htm>

Texas Tax Code

- Ch. 201 Gas Production Tax
<https://statutes.capitol.texas.gov/Docs/TX/htm/TX.201.htm>
- Ch. 202 Oil Production Tax
<https://statutes.capitol.texas.gov/Docs/TX/htm/TX.202.htm>
- Ch. 204 Tax Credit for New Field Discoveries
<https://statutes.capitol.texas.gov/Docs/TX/htm/TX.204.htm>

Secondary Resources in Print

West Texas Forms Legal and Business REF KFT 1352 .A65T4

- Vol. 3A, Ch. 3A Oil, Gas, and Mineral Rights
 - §3A:18 Mineral Deed
 - §3A:30 Mineral Deed Checklist
 - §3A:265 Perpetual Mineral Warranty Deed
 - §3A:270 Quitclaim of Mineral Rights

West’s Texas Forms REF KFT 1268 .W47

- Vol. 6, Ch. 1 Conveyances and Reservations of Mineral Interests §1:3 Mineral Deed
- Vol. 12, Ch. 23 Mineral Property Matters

Texas Real Estate Forms Manual REF KFT 1326 .T4

- Vol. 1, Ch. 5 Deeds, Bills of Sale, and Other Transfers
 - §5.14 General Considerations for Minerals
 - Form 5-7, Clauses 5-7-8 to 5-7-14 (mineral estate)
 - Form 5-8, Clauses 5-8-34 to 5-8-36 (mineral estate/lease/reservation by predecessor)
- Vol. 1, Ch. 10 Form 10-11 Lienholder's Subordination to Oil, Gas, and Mineral Lease

Texas Transaction Guide REF KFT 1268 .K45

- Vol. 17, Ch. 73 Deeds §73.222 Accommodation agreement between surface and mineral interest, form of general warranty deed to drillsites pursuant to
- Vol. 17, Ch. 75 Restrictions on Land Use §75.203 *et seq* Accommodation Agreements Between Surface and Mineral Interests
- Vol. 17, Ch. 77 Oil and Gas Leases §77.226 Mineral Deed – General form (deed of mineral interest); see also §77.227-§77.239
- Vol. 17, Ch. 77A Oil and Gas Operating Agreements
- Vol. 22, §92.235 Provision to Sell, Convey, and Manage Mineral Interests

West's Texas Forms Pleading and Practice REF KFT 1730 .A65 T482

- Vol. 8B, Ch. 170 Mines and Minerals

Owning Your Piece of Texas REF KFT 1310 L37

- Ch. 3 Oil and Gas Law

Federal Income Taxation of Oil and Gas Investments KT 6482 .B78

Advanced Oil, Gas, and Mineral Law KFT 1458 .A1S7

Online Resources

Central Library FAQs (Tarrant County Clerk)

<https://www.tarrantcountytexas.gov/en/county-clerk/real-estate-records/central-library-faqs--frequently-asked-questions-.html>

Exploration & Surface Ownership (Railroad

Commission of TX) <https://www.rrc.texas.gov/about-us/faqs/oil-gas-faq/oil-gas-exploration-and-surface-ownership/>

Determining Mineral Ownership in Texas 2018 (AgriLife Extension)

<https://agrilife.org/texasaglaw/files/2018/10/Determining-Mineral-Ownership-in-Texas.pdf>

Texas Land & Mineral Owners Association (TLMA)

<https://www.tlma.org/>

FAQ'S – Property Tax and Mineral Tax (Tarrant County Tax Assessor-Collector)

<https://www.tarrantcountytexas.gov/en/tax/property-tax/FAQs-Property-Tax.html>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up

<https://www.tarrantbar.org/>

- Dallas County LegalLine Sign-up

<https://www.dallasbar.org/index.cfm?pg=legalline>

CLE Materials

Oil, Gas & Mineral Title Examination KFT 1458 .L4 044

- 2020 Ch. 13 Title Issues in Mineral and Royalty Transactions
- 2020 Ch. 21 Mineral Liens

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)