



CITE AS
25 Energy & Min. L. Inst. ch. 13 (2005)

Chapter 13

Oil and Gas Law Update

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§ 13.01. Introduction.

This chapter was prepared so that it will serve as a quick reference tool for the oil and gas law practitioner as to this past year's decisions and statutory changes. Although this chapter covers a broad spectrum of legal issues in the oil and gas field, one of the most significant movements in the industry over the past year is the coalbed methane (CBM) issue, which is arising more and more all over the United States. After a review of the cases and statutory changes, a number of states have dealt with this issue head-on, while others have attempted to side-step the CBM issue for now.

This chapter will first briefly summarize the significant state and federal case law decisions over the past year. Second, the chapter will provide a brief outline of the major state and federal statutory additions and amendments that went into effect over the past year.

§ 13.02. State Case Law Update.

[1] — Alabama.

[a] — CERCLA Petroleum Exclusion.

In *Morgan v. Exxon Corp.*,² the surface owners brought an action against oil operators alleging that the companies willfully, wantonly, recklessly and negligently caused their real and personal property to become

² *Morgan v. Exxon Corp.*, 869 So. 2d 446, 447 (Ala. 2003).