

Conrad Hester

Partner

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Conrad Hester is an experienced litigator who focuses his practice on the oil and gas industry. He represents clients in contract disputes, lease termination and title suits, surface access and damage disputes, and royalty litigation. Conrad has drafted and negotiated deeds and leases and operational, production, and exploration agreements. Additionally, Conrad represents clients in complex commercial litigation matters.

Chambers USA: America's Leading Lawyers for Business has recognized Conrad as an "Up and Coming lawyer" and *The Legal 500* named him an "emerging talent" in Energy Litigation: Oil and Gas (USA). In addition, he has been named to the "40 & Under Hot List" by *Benchmark* (2018, 2020, 2022), "Rising Stars" list by *Texas Super Lawyers* (2017–2022) and "Up-and-Coming 100" list (2022), and *Fort Worth, Texas* magazine "Top Attorneys" list (2017-2019).

Conrad is board certified in oil, gas, and mineral law by the Texas Board of Legal Specialization.

Representative Experience

Lessor/Lease Litigation

- Represented clients at all state levels of lease termination litigation, including production in paying quantities, retained acreage cases, and total cessation.
- Provided pre-dispute counseling on a variety of lease matters, including negotiation, maintenance, expiration, and acquisition.
- Represented clients in damages disputes and surface access matters, including easements, saltwater disposal, water rights, and injunctions.
- Represented the payors and payees in royalty disputes, including overriding royalties, underpayment, nonparticipating royalty rights, post-production, and suspension issues.
- Represented a Texas-based client in a series of allocation-well cases.
- Counseled clients on production-sharing agreement issues and well-allocation formulas.

Title Issues

- Represented clients in leasehold title and mineral deed litigation, including defect guidance, cotenancy rights, trespass to real property, bona fide purchaser issues, farmouts, and partition suits.

Industry Contract Disputes

- Represented both operators and non-operators in a variety of joint operating agreement litigation, in addition to advising on operational compliance matters.
- Represented clients in upstream and midstream indemnification, fraud, breach of contract, and related tort cases.

Publications & Presentations

Publications

- “From Trash to Treasure: Who Owns Valuable Wastewater in the Oil Patch?” *Texas Lawyer*, May 24, 2022.
- “Caveat Lessor,” *Oil and Gas Investor*, July 2019.
- “Don’t Let the Suspense Get to You,” *Landman Magazine*, March/April 2018.
- “Loose Canons: The Effect on Mineral and Royalty Deeds as Texas Courts Favor Expressions of Intent Over Default Canons of Deed Construction,” *Texas Oil & Gas Magazine*, Vol. 6, No. 2, February 19, 2018.
- “Carefully Consider Options When Facing a Lease Termination Dispute,” *PB Oil & Gas Magazine*, March 1, 2016.
- “Completely Complete: Determining When a Well Can Be Considered Completed,” *Landman Magazine*, March/April 2016.

Presentations

- “Fort Worth Association of Professional Landmen - Consent, Assign; Resent, Resign,” Fort Worth Association of Professional Landmen January Meeting, January 20, 2022.
- “DFW Association of Lease and Title Analysts - Consent, Assign; Resent, Resign,” DFW Association of Lease and Title Analysts (ALTA) August Meeting, August 18, 2021.
- “Perpetual Motion- Current Issues in Continuous Development Clauses,” December Meeting and Spring Seminar, December 9, 2020 and May 24, 2021 (Spring Seminar).
- “Continuous Development Clause Litigation CLE,” Dallas Bar Association Energy Section January Meeting, January 20, 2021.
- “The Force Majeure Made Me Do It: Excusing Nonperformance in a Pandemic,” Texas General Counsel Forum December Meeting, December 3, 2020.
- “Hot Topics in Oil and Gas Litigation,” Texas Oil and Gas Association Production Law Committee Meeting, November 2, 2020.
- “Who is in the Right? Terminating Oil and Gas Leases,” Energy, Environmental, and Natural Resource Systems Law Program Speaker Series, October 1, 2020.
- “Postmodern Duhig,” Oil, Gas & Mineral Title Examination, TexasBarCLE, June 18-19, 2020.
- “Postmodern Duhig,” Dallas Bar Association Energy Section, Dallas, TX, November 20, 2019.
- “Squaring the Circle: Units in the Oil Patch,” NALTA Conference, Westminster, CO, August 29, 2019.
- “Don’t Box Me in by Squaring the Circle: Units in the Oil Patch,” *Texas Journal of Oil, Gas, and Energy Law Symposium*, Austin, TX, February 7, 2019.
- “Production in Paying Quantities,” guest lecturer, Energy and Environmental Law, Southern Methodist University, Dallas, TX, April 17, 2018.
- “Strategy and Advocacy in E-Discovery,” Master’s Conference, Dallas, TX, February 28, 2018.
- “When Kings, Queens, and Minerals Are Not Royalty,” *Texas Journal of Oil, Gas, and Energy Law Symposium*, Austin, TX, February 1, 2018.
- “The State of Allocation Wells in Texas Today,” Dallas Fort Worth Association of Lease & Title Analysts, Dallas, TX, November 15, 2017.

- “Allocation Wells and Where We Are Today,” Dallas Bar Association Oil and Gas Review, Dallas, TX, August 11, 2017.

Professional & Community Engagement

- 2019–2020 Rocky Mountain Mineral Law Institute, Dallas/Fort Worth regional chair
- State Bar of Texas
- Dallas Bar Association
- Tarrant County Bar Association
- Fort Worth Wildcatters
- Young Professionals in Energy
- Petroleum Club of Fort Worth
- Dallas-Fort Worth Association of Lease and Title Analysts (DFW-ALTA)
- Pro Bono College of Texas (2010–2017)

Education

- The University of Texas (J.D., 2008)
- Abilene Christian University (B.S., 2005)

Admitted to Practice

- Texas

Related Services

Litigation | Commercial | Environment, Land Use & Natural Resources | Oil & Gas | Land Use | Oil & Gas Litigation