

Robbie Querner

From: tlma@memberclicks-mail.net on behalf of Texas Land & Mineral Owners Association
<tlma@memberclicks-mail.net>
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May 2026 Member Update

Primary Runoffs Bring Upsets to Incumbents

The runoffs following the March primaries brought significant upsets and potential changes to both parties. Races in which incumbents were defeated:

- Longtime Republican U.S. Senator John Cornyn was defeated by Attorney General Ken Paxton, who received 63.84% of the vote to Cornyn's 36.16%.
- Railroad Commission Chairman Jim Wright was defeated by former Tarrant County Republican Party Chair Bo French (R-Fort Worth). French received 50.56% to Wright's 49.44%.
- In the Democratic primary, Rep. Hubert Vo (D-Houston, HD-149) was defeated by Darlene Breaux, who took 61% to Vo's 39%.

Other notable results:

- **Attorney General (R)** – State Senator Mayes Middleton (55.24%) defeated Congressman Chip Roy (44.76%).
- **Court of Criminal Appeals (R)** – Thomas Smith (58.09%) defeated Alison Fox.

- **Lt. Governor (D)** – State Rep. Vikki Goodwin of Austin (67.76%) defeated Marcos Isaias Velez (D-Deer Park), who took 32.24%.
- **Attorney General (D)** – State Senator Nathan Johnson of Dallas (60.51%) defeated Joe Jaworski of Galveston (39.49%).
- **State Senate District 19 (D)** – Marcus Cardenas defeated Robert Marks, Jr. (both of San Antonio) with 52% of the vote. Cardenas will challenge Senator Roland Gutierrez (D-San Antonio) in the General Election.
- **U.S. House of Representatives (D)** – Venton Jones (D-Dallas) received 83% of the vote to defeat Amanda Richardson.

In open seat runoffs for the Texas House of Representatives:

- Republican Gary Groves (63%) defeated Sergio Sanchez (37%)
- Democrat Julio Salinas (56%) defeated Victor "Seby" Haddad (44%)
- Democrat Montserrat Garibay (62%) defeated Kathie Tovo (38%)
- Democrat Adrian Reyna (80%) defeated Michelle Barrientes Vela (20%)
- Republican Stan Stanart (67%) defeated Kelly Peterson (33%)
- Democrat Staci Childs (62%) defeated Lawrence Allen, Jr. (38%)

Runoffs to determine challengers to incumbents:

- Democrat Oziel "Ozzie" Ochoa, Jr. (62%) defeated Esmeralda "Esmi" Cantu-Castle (38%) and will challenge Rep. Janie Lopez (R-San Benito).
- Republican Celeste Cabrera-Huff (69%) defeated Nehemias "Memo" Gomez (31%) and will challenge Rep. Terry Canales (D-Edinburg).
- Democrat Beth Llewellyn McLaughlin (56%) defeated Diane Symons (44%) and will challenge Rep. John McQueeney (R-Fort Worth).

The General Election will be held on Tuesday, November 3, 2026.

A special election held in early May determined the replacement for former Senator and current Texas Tech University Chancellor Brandon Creighton in Senate District 4. Montgomery County District Attorney Brett Ligon defeated Ron Angeletti 75% to 25%.

Hlavinka Brief Filed

In a years-long battle, *Hlavinka v. HSC Pipeline* has returned to the First Court of Appeals. TLMA filed a brief supporting Hlavinka addressing three issues: (1) whether there is legally sufficient evidence that the property's highest and best use was for pipeline sales; (2) whether comparable pipeline sales were properly admitted; and (3) whether the trial court properly excluded post-date-of-taking evidence.

The Texas Supreme Court issued an opinion in 2022 remanding the case to trial court, which then found for Hlavinka. We will continue to monitor the case as it moves through the judicial process.

You can read our full brief [here](#).

Boerschig v. Rio Grande Electric Cooperative

The Texas Supreme Court handed landowners a win in *Boerschig v. Rio Grande Electric Cooperative*. Mr. Boerschig purchased a ranch with an existing blanket easement on the property. The Court found that while an easement by estoppel existed, it did not cover upgrades subsequently completed by RGEC. As a result, RGEC will be responsible for compensating the landowner for those upgrades.

You can read the [majority opinion](#), the [concurring opinion](#), and the [dissenting opinion](#) at the links below.

TLMA filed a brief supporting Boerschig in this case, drafted by [Nicholas Laurent](#), Partner at Barron, Alder, Clough & Oddo. John McFarland also has a helpful write-up on his [Oil and Gas Lawyer Blog](#).
[Add URL]

TLMA Weighs In on Injunctive Relief Case

TLMA submitted an [amicus brief](#) in [Family Dollar Stores of Texas, LLC v. JLMH Investments, LLC](#) — an unusual case for the association, but one with significant implications for landowner rights. Our brief addresses a question left unanswered in the Respondent's briefing: why Texas courts hold that the statute of limitations does not apply to abating a nuisance.

This case matters to land and mineral owners because a leak or other nuisance may start small and remain below the threshold worth litigating for several years — only to grow significantly later. If the Supreme Court reverses the Court of Appeals decision, landowners would need to sue over every minor nuisance to preserve their rights should a larger problem develop down the road.

Thank you to [Ryan Gaddis](#), Partner at Burns Charest, for his expertise in drafting this brief.

TCEQ Land Application of Produced Water Rule

Following the passage of SB 1145, TCEQ issued a [proposed rule](#) for public comment allowing the land application of produced water. [Public comments](#) are open until June 16, 2026.

Braun & Gresham Texas Landowner Essentials Guide

The Braun & Gresham team is developing the *Texas Landowner Essentials Guide* — a practical, straightforward resource covering the core areas every landowner needs to protect their land, understand the challenges they face, and define their legacy.

The guide is nearing release. Click the link below to join the priority waitlist and be among the first to receive a copy.

[Join the waitlist](#)

NARO-TX Convention

Our friends at NARO-TX are hosting their annual convention July 14-18 at the Omni Barton Creek in Austin. They have a great agenda lined up. You can register using this [link](#). Early bird registration ends June 15.



Additional Reading

- [The Oil and Gas Lease Part IV Revisited: The Royalty Clause](#)
 - [The Oil and Gas Lease Part V Revisited: Implied Covenants](#)
 - [The Oil and Gas Lease Part VI – Pooling](#)
 - [Oil and Gas Lawyer Blog: *City of Crowley v. Total Energies* – Another Case on Post-Production Costs](#)
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Upcoming Events

- **Wednesday, June 24** – Senate State Affairs Committee Hearing (Broadband Charge)
- **July 14–18** – NARO TX Convention, Omni Barton Creek, Austin
- **August 3–5** – Texas A&M Beef Cattle Short Course, College Station
- **Tuesday, October 6** – TLMA Statewide Members Meeting, McNay Art Museum, San Antonio

- **Tuesday, November 3** – General Election Day



Contact Info:

Texas Land & Mineral
Owners Association
Jennifer Bremer Owen,
Executive Director
512-479-5000
info@tlma.org

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Texas Land and Mineral Owners Association • 1005 Congress Ave., Suite 360, Austin, Texas 78701,
United States • [512-479-5000](tel:512-479-5000)

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