



ROBERT J. MCFADDEN

PARTNER

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PROFILE

Bob McFadden is a partner with Foulston's real estate, energy and environmental law practice group. Bob grew up in Wichita and graduated from Pittsburg State University with a B.S. in Engineering. After graduation and before entering law school, he spent a year gaining worldly experience backpacking Australia and the Pacific. From there Bob attended Washburn University School of Law where he discovered a passion for real estate and energy law.

Bob assists clients with a wide variety of legal matters related to oil and gas production, real estate development, wind and solar energy, and other natural resource mining. He negotiates and drafts the gamut of agreements in the commercial real estate and energy industries, including oil and gas leases, purchase and sale agreements, easements, operating agreements, farmout agreements, unitization agreements, and surface use and saltwater disposal agreements. In particular, he enjoys the mineral, oil and gas title examination process, and is on the faculty of the Mineral Title Examination course at Washburn University School of Law. Bob also represents clients in administrative proceedings before the Kansas Corporation Commission and actively participates in the Kansas oil and gas bar.

Education

- Washburn University (J.D., 2016)
summa cum laude; *Washburn Law Journal*; Dawson Scholar; CALI Award in the following courses: Real Estate Transactions, Advanced Oil & Gas Law, Contracts, Secured Transactions, Civil Procedure, Remedies, Debtor/Creditor Relations, Decedents' Estates and Trusts, Legal Analysis, Research & Writing I and II
- Pittsburg State University (B.S. in Engineering, 2008)

Admissions

- Kansas (2016)
- Colorado (2019)

PRACTICE AREAS

- Energy
- Oil, Gas & Minerals
- Real Estate
- Renewable Energy, Electric Storage & Transmission
- Environmental Law
- Administrative/Regulatory

INDUSTRIES

- Energy & Natural Resources
- Real Estate

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- Wichita Business Journal, Emerging Leaders, 2023
- Wichita Business Journal, 40 Under 40 Honoree, 2024
- Selected by peers for inclusion in *Best Lawyers: Ones to Watch®* in the areas of Energy Law and Environmental Law, 2021-2026; Natural Resources Law and Oil and Gas Law, 2022-2026; and Administrative / Regulatory Law, 2026
- Kansas Bar Association
- Kansas Title Standards Committee, 2019-present
- Wichita Bar Association, Real Estate & Business Law Committee
- Kansas Independent Oil & Gas Association (KIOGA)
- Eastern Kansas Oil & Gas Association (EKOGA)
- The Foundation for Natural Resources and Energy Law, Member
- Young Lawyers Section of the Wichita Bar Association

RECENT PRESENTATIONS

2019

- Guest Lecturer, Mineral Title Examination Course (Washburn University School of Law)

2018

FOULSTON

ATTORNEYS AT LAW

- Kansas' Marketable Record Title Act: To Use or Not to Use, That is the Question (Kansas Bar Association Oil, Gas & Mineral Law CLE; Eastern Kansas Oil & Gas Law Conference; Wichita Association of Petroleum Landmen)

2017

- Guest Lecturer, Mineral Title Examination Course (Washburn University School of Law)

RECENT PUBLICATIONS

2021

- Title Examinations Chapter
-Kansas Bar Association, Kansas Real Estate Practice and Procedure Handbook, 6th Ed.
- Terms of Oil and Gas Lease Modified from Course of Action
-Kansas Bar Association, Oil, Gas & Mineral Section

2020

- Kansas Court of Appeals Reverses BOTA's "Fair Market Value" Reasoning, Upholds Ruling on Equipment
-Kansas Bar Association, Oil, Gas, & Mineral Section

2017

- Jason Oil Company, LLC v. Frank E. Littler, et al., Rush County Kansas
-Kansas Bar Association, Oil, Gas, & Mineral Section

2016

- The BOTS Act: A Small Step for Fankind When a Giant Leap is Needed
-55 Washburn L.J. 427 (2016)

2014

- Criminal Forfeitures: The Supreme Court Gives Unbridled Discretion to Curtail the Sixth Amendment
-54 Washburn L.J. 253 (2014)

COMMUNITY INVOLVEMENT

- Heartspring, Board of Directors