

Texas Farm & Ranch Ownership Is Rising — Attorneys Warn Buyers About Hidden Legal Pitfalls

Texas farm and ranch purchases are rising in 2026, but buyers face hidden legal risks tied to mineral rights, fencing laws, and unclear title history.

NEW BRAUNFELS, TX, UNITED STATES, August 6, 2026 /EINPresswire.com/ -- As new buyers enter the market, attorneys report a consistent pattern of legal issues discovered only after closing. The most common problems involve mineral ownership, water access rights, fencing obligations, and unclear title history.

The Most Common Legal Mistakes New Texas Farm and Ranch Buyers Make

Texas is experiencing a renewed surge in farm and ranch ownership in 2026, as buyers move beyond city limits in search of acreage, long-term land value, and agricultural opportunity. Data from the Texas A&M Real Estate Research Center shows rural land prices continuing to climb statewide, with median values exceeding \$4,800 per acre and acreage sales rising by roughly 6% to 7% year over year. Attorneys report that many new owners encounter unexpected complications tied to:

1. Mineral ownership: Rights to oil, gas, and other minerals beneath the surface;
2. Water access: Complex groundwater and surface water permitting;
3. Fencing obligations: County-specific stock laws and boundary disputes;
4. Title integrity: Unresolved heirship or historical liens.

This growth is particularly visible in Central Texas. Counties surrounding Seguin and New Braunfels have experienced steady increases in small-to-mid-size acreage transactions, driven by population growth along the Interstate 35 corridor and buyer migration from Austin and San Antonio. [Real estate attorneys](#) analyze that rural tracts between 10 and 100 acres remain among the most competitive segments of the Texas land market.

Buying Land Without the Mineral Rights Beneath It

Mineral rights are one of the most common sources of confusion for buyers. In Texas, mineral estates are legally separate from surface ownership and often remain with prior owners. Industry data indicates that more than 60% of rural properties sold since 2010 include partial or full mineral reservations.

Buyers who assume mineral rights transfer automatically may later discover active leases, access easements, or royalty interests held by third parties. Texas courts continue to affirm that mineral owners retain broad access rights unless deed language limits them, which can affect land use and future development.

“Mineral reservations are one of the most common surprises for new landowners,” said [Stephen K. Ganske](#) from Texas Horizons Law Group, who regularly advises clients on Texas farm and ranch transactions. “If the deed language is not reviewed carefully before purchase, buyers may find that they own the surface but not what lies beneath it.”

Assuming Water Comes With the Property When It May Not

Water access issues represent another growing source of disputes. Groundwater rights may be severed from surface ownership, especially in high-growth regions. Studies from Texas groundwater districts indicate that over 30% of rural land sales in Central Texas include some form of groundwater reservation or shared-well arrangement.

Surface water adds further complexity, as creeks, springs, and stock tanks may be subject to state permitting requirements. Buyers who rely on visible water features without confirming legal access may face restrictions or dependence on neighboring landowners.

Relying on Old Fences Instead of Legal Property Boundaries

Fencing and boundary assumptions also create risk. Texas follows a mix of open-range principles and county-level stock laws. As of 2026, more than 200 Texas counties enforce stock laws that place fencing responsibility on landowners. Courts consistently reject boundary claims based solely on old fence lines, emphasizing that legal boundaries are established by surveys and deed descriptions.

Purchasing Property With Unclear Title or Heir Ownership Issues

Title clarity remains a significant concern, particularly for inherited land. Heir property issues are common in rural Texas, where land may pass through generations without formal probate. Legal researchers estimate that hundreds of thousands of Texas acres remain affected by their property or clouded title, limiting financing and resale options. Buyers may uncover unpaid taxes, unknown heirs, or unresolved liens after closing.

Why Legal Review Matters Before Closing on Rural Land

Attorneys handling rural land transactions note that most of these issues are avoidable with early legal review. Clear deed language, confirmation of mineral and water ownership, updated surveys, and proper title examination reduce risk. As Texas farm and ranch ownership continues

to grow in 2026, legal preparation remains a key factor in avoiding costly disputes.

About Texas Horizons Law Group

Based in Texas, Texas Horizons Law Group provides legal services in real estate, estate planning, probate, business law, and related matters. The firm serves clients across Texas, including Central Texas communities. Additional information is available at <https://thlg.law>.

Stephen K. Ganske

Texas Horizons Law Group

+1 830-386-3805

[email us here](#)

This press release can be viewed online at: <https://www.einpresswire.com/article/932220397>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2026 Newsmatics Inc. All Right Reserved.