

247333 C.J.

AFFIDAVIT.

State of Oklahoma,)
County of Tulsa,) SS.

COMPARED

D. B. Cooper, of lawful age being first duly sworn according to law deposes and says; that he is a resident of the County of Tulsa, State of Oklahoma; that upon the 20th day of October 1917 he acquired the fee simple title to the following described land situate in the County of Tulsa, State of Oklahoma, to-wit:

Northwest quarter (NW/4) of the Southwest Quarter (SW/4) of Section

20 Township 17 North, Range 13 East, excepting an undivided one-half interest in and to all the oil and gas in and under said premises;

that said deed was duly filed for record in the County Clerk's Office in and for Tulsa County, Oklahoma upon the 26th. day of November 1917 and recorded in Book 230 at page 301;

that at the time this affiant acquired the title to the above described land there was an oil and gas mining lease covering said land, executed by William F. Applegate and Cora F. Applegate, his wife to a partnership called the Englebach Oil Company consisting of George Englebach, Wm. H. Reese and C. A. Bowen, dated the 24th. day of September 1906, for a term of 15 years from date and as long thereafter as oil or gas or either of them is produced therefrom by second parties their heirs or assigns; that said lease was filed for record in the County Clerk's Office in and for Tulsa County Oklahoma upon the 26th. day of September 1906 and recorded in Book I page 556; that this affiant knows of his own personal knowledge that during the time he has held title to the above described land no well has ever been drilled by said co-partnership the Englebach Oil Company, nor has there ever been paid any rental or royalty under said oil and gas lease; that said oil and gas mining lease has expired by limitation of its term; and said oil and gas mining lease is now null and void and of no force or effect; that upon the 26th. day of July 1916 J. J. Sisson and Lottie May Sisson his wife executed and delivered a certain oil and gas lease covering the above described land to the Kiefer Oil and Gas Company, for a term of 5 years from date hereof; that said oil lease was filed for record in the County Clerk's Office in and for Tulsa County, Oklahoma on the 27th. day of July 1916 and recorded in Book 198 at page 324; that this affiant knows of his own personal knowledge that the said Kiefer Oil and Gas Company has never produced any oil or gas from said premises; that this affiant has never received and rental or royalty by virtue of said oil lease; that the term of said oil and gas lease has expired and that said lease is now null and void and of no force or effect; that upon the 6th. day of August 1920 this affiant acquired the fee simple title to the following described land situate in the County of Tulsa, State of Oklahoma, to-wit:

Northeast quarter (NE/4) of the Southwest Quarter (SW/4) of Section 20

Township 17 North, Range 13 East, containing 40 acres more or less;

that when this affiant acquired the fee simple title to said real estate there was an oil and gas mining lease executed by Charles Timerman and Lydia E. Timerman, his wife to F. S. Lozier, dated the 15th. day of September 1909 covering said land for a term of 15 years and as long thereafter as oil or gas may be produced in paying quantities; that there has been no oil or gas produced from said premises under said oil and gas mining lease, and no rentals or royalties have ever been paid to this affiant, that said lease is null and void and of no force or effect, said oil lease having been filed in the County Clerk's Office in and for Tulsa county on the 22nd. day of September 1909 and recorded in Book 70 at page 398 that upon the 11th. day of November 1916 Eugene W. Davis and Gertrude B. Davis, his wife made, executed and delivered a certain oil and gas mining lease covering the last above described land, to George E. Strevey, Earnest Hoover, James L. Drehnan, Eugene W. Davis and the Solo Oil Company, for a term of 15 years from date thereof, and as long thereafter as oil or gas or either