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FEDERAL JUDICIAL DISTRICT
STATE OF NEW MEXICO
COUNTY OF BERNALILLO

FILED OCT 27 1939

IN THE DISTRICT COURT OF BERNALILLO COUNTY
STATE OF NEW MEXICO

PEARL W. BRADEN, et al, }
Plaintiffs, }

vs.

JACK WHITE, et al, }
Defendants. }

No. 17,439

JUDGMENT AND DECREE

This matter came on before the Court upon plaintiffs' Complaint and oral motion for judgment herein, and plaintiffs appeared by their attorney, Neil B. Watson; and it appearing to the Court that a Stipulation has been entered herein on behalf of the defendant Jack White; and it further appearing to the Court that defendant L. H. Owenby has entered his appearance and filed a Disclaimer, and that all of the remaining defendants have been duly served with process, as provided by law, and are in default. It further appearing to the Court that defendant Virginia Marable is a minor and was duly served with process herein and that no Answer or other pleading was filed on behalf of said Virginia Marable within twenty days from the date service was completed upon her and, pursuant to the Motion of plaintiffs, the Court has appointed D. D. Archer, Esq., an Attorney at Law of Artesia, New Mexico, as guardian ad litem to appear for and defend on behalf of said minor, and an Answer has been filed by said guardian ad litem.

Upon the evidence presented herein, including documentary evidence, the Court finds:

1. That due search and inquiry was made to ascertain the names, addresses and whereabouts of the defendants, and proper service has been had in this cause, as required by law; and the Court has jurisdiction of the subject matter and the parties to

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this action for the entry of this Decree.

2. That the material allegations of the Complaint of the plaintiffs have been established.

3. That defendant Jack White has acquired all of the interest of plaintiff Frances C. Culpepper.

4. That, under date of March 4, 1919, M. B. Culpepper and wife conveyed, by Warranty Deed to H. C. Kerr, Trustee, the lands involved in this action and, by Contract Agreement and Declaration of Trust dated March 31, 1919, attached to the Complaint as Exhibit "A", the beneficial ownership under the trust created by the deed to H. C. Kerr, Trustee, was established as of that time, and the said Contract Agreement and Declaration of Trust also provided for certain terms and conditions with reference to the trust property, for the operation thereof. That the original Warranty Deed of March 4, 1919, through a mistake of the scrivener, contained an error in the description, and the Contract Agreement and Declaration of Trust dated March 31, 1919, attached as Exhibit "A" to the Complaint, contained the same error in the description. That, subsequently, by Warranty Deed dated August 25, 1919, the said M. B. Culpepper and wife executed a correction deed to the said H. C. Kerr, Trustee, to correct the description of said property, and said H. C. Kerr, Trustee, subsequently conveyed the surface only of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 18 South, Range 26 East, N.M.P.M., reserving all oil, gas, potash and other minerals. That the trust property involved in this action is correctly described in paragraph 1 of plaintiffs' Complaint, and is as follows:

The surface and mineral estate of the E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 18 South, Range 26 East, N.M.P.M.

All of the oil, gas, potash and other minerals in or under, or that may be produced from the S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 18 South, Range 26 East, N.M.P.M., together with the right of ingress to or egress from said lands for the purpose of prospecting for, mining or removal of said minerals.

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That an Order should be entered as a part of this Decree, correcting and reforming any instruments heretofore executed with reference to the trust properties, to show the true and correct description

5. That H. C. Kerr, the original trustee, is deceased, and of the original beneficial owners, all of such original beneficial owners are deceased except R. L. Halley, Geo. O'Connor, R. M. Thorne and C. P. Pardue; and the said C. P. Pardue conveyed his interest to the Trustees of the Guitar Trust Estate. That the Trust Agreement provided for equal undivided beneficial interests, and there were a total of thirty (30) of such interests under the original Trust Agreement; and the ownership of said thirty beneficial interests is presently vested as follows:

(a) The undivided 1/30th beneficial interest originally owned by H. I. Braden is now owned as follows:

Pearl W. Braden	Undivided 1/30th interest.
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(b) The undivided 1/30th beneficial interest originally owned by W. J. Barber is now owned as follows:

Annie Lee Morris	Undivided 1/60th interest
Barber Nell Hoover	Undivided 1/60th interest.

(c) The undivided 1/30th beneficial interest originally owned by Holly P. Benson is now owned as follows:

Louise B. Benson	Undivided 1/30th interest.
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(d) The undivided 1/30th beneficial interest originally owned by G. M. Cooke is now owned as follows:

Mildred C. Mann	Undivided 1/90th interest
Grace W. Cooke	Undivided 1/90th interest
Georgia Frances Cooke	Undivided 1/90th interest.

(e) The undivided 1/30th beneficial interest originally owned by H. C. Culpepper under all of the lands above described is now owned by Jack White, as to said undivided 1/30th interest; and said Jack White also owns the undivided 1/30th interest originally owned by H. C. Kerr in the oil, gas and other minerals under the S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 18 South, Range 26 East, N.M.P.M.; SUBJECT TO the oil and gas lease to Stanolind Oil and Gas Company embracing the S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 18 South, Range 26 East, N.M.P.M.

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(f) The undivided $1/30$ th beneficial interest originally owned by E. T. Carter is now owned as follows:

Martha Carter	Undivided $1/60$ th interest
Edna Carter	Undivided $1/240$ th interest
Albert E. Carter	Undivided $1/480$ th interest
Alice Houston	Undivided $1/480$ th interest
Eunice Carter	Undivided $1/240$ th interest
Carol Carter Friskie	Undivided $1/720$ th interest
Martha DeMaret	Undivided $1/720$ th interest
June Carter Dunagan	Undivided $1/720$ th interest

(g) The undivided $1/30$ th beneficial interest originally owned by F. F. Doepp is now owned as follows:

Olive N. Doepp	Undivided $1/30$ th interest
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(h) The undivided $1/30$ th beneficial interest originally owned by Scott Etter is now owned as follows:

Carrie Etter (for life)	Undivided $1/30$ th interest,
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then said $1/30$ th to:

Roscoe Etter	Undivided $1/60$ th interest
Frances Ferchand	Undivided $1/60$ th interest.

(i) The undivided $1/30$ th beneficial interest originally owned by J. R. Holt is now owned as follows:

Edna B. Holt	Undivided $1/30$ th interest.
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(j) The undivided $1/30$ th beneficial interest originally owned by R. L. Halley, who is still living, is now owned as follows:

R. L. Halley	Undivided $1/30$ th interest.
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(k) The undivided $1/30$ th beneficial interest originally owned by J. H. James is now owned as follows:

Frank James	Undivided $1/120$ th interest
J. L. James	Undivided $1/120$ th interest
Chas. H. James	Undivided $1/120$ th interest
E. E. James	Undivided $1/120$ th interest.

(l) The undivided $1/30$ th beneficial interest originally owned by H. C. Kerr under the E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 30, Township 18 South, Range 26 East, N.M.P.M., is now owned as follows:

Jarvis Mead	Undivided $1/30$ th interest.
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(m) The undivided $1/30$ th beneficial interest originally owned by W. C. Larable is now owned as follows:

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Bertha Marable
Cara Mae (Warren) Smith
Louise Truett
Susie H. Marable
J. W. Marable, Jr.
Carol Leroy Marable
Valerie Marable
Virginia Marable

Undivided 5/240ths interest
Undivided 1/320ths interest
Undivided 1/320ths interest
Undivided 1/1280ths interest
Undivided 3/2560ths interest
Undivided 1/560ths interest
Undivided 1/80ths interest
Undivided 1/280ths interest

(n) The undivided 1/30th beneficial interest originally owned by W. F. McIlvain is now owned as follows:

Mabel A. McIlvain
Helen M. Daley

Undivided 2/90ths interest
Undivided 1/90th interest.

(o) The undivided 1/30th beneficial interest originally owned by Geo. O'Connor, who is still living, is now owned as follows:

Geo. O'Connor

Undivided 1/30th interest.

(p) The undivided 1/30th beneficial interest originally owned by J. S. Oliver is now owned as follows:

Charles Edward Wooldridge

Undivided 1/30th interest.

(q) The undivided 1/30th beneficial interest originally owned by A. N. Pratt is now owned as follows:

Edna Stewart Pratt Brown

Undivided 1/30th interest.

(r) The undivided 1/30th beneficial interest originally owned by L. H. Pate is now owned as follows:

Ida E. Pate
Theodore H. Pate
Henry D. Pate
Mildred L. Outlaw

Undivided 1/60ths interest
Undivided 1/180th interest
Undivided 1/180th interest
Undivided 1/180th interest.

(s) The undivided 1/30th beneficial interest originally owned by C. P. Pardue is now owned as follows:

John Guitar, Jr., Trustee
Earl B. Guitar, Trustee
Repps B. Guitar, Trustee

Undivided 1/30th interest.

(t) The undivided 1/30th beneficial interest originally owned by S. I. Roberts is now owned as follows:

Marguerite Roberts Bujac
E. A. Roberts
George O. Roberts

Undivided 1/90th interest
Undivided 1/90th interest
Undivided 1/90th interest.

(u) The undivided 1/30th beneficial interest originally owned by C. M. Richards is now owned as follows:

Gertrude Hanson Richards

Undivided 1/30th interest.

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(v) The undivided 1/30th beneficial interest originally owned by Tom Runyan is now owned as follows:

Ronnie C. Runyan
James Bryan Runyan
Frank W. Runyan
Gertrude Runyan Martin
Edsil Runyan
David Edmond Runyan

Undivided 1/180ths interest
Undivided 1/180ths interest
Undivided 1/180ths interest
Undivided 1/180ths interest
Undivided 1/180ths interest
Undivided 1/180ths interest

(w) The undivided 1/30th beneficial interest originally owned by L. A. Swigart is now owned as follows:

Runeor E. Swigart
Dorothy Swigart

Undivided 1/60th interest
Undivided 1/60th interest.

(x) The undivided 1/30th beneficial interest originally owned by S. D. Stennis, Jr. is now owned as follows:

Jeannie M. Stennis

Undivided 1/30th interest.

(y) The undivided 1/30th beneficial interest originally owned by C. C. Sikes is now owned as follows:

Helen L. VanHorn

Undivided 1/30th interest.

(z) The undivided 1/30th beneficial interest originally owned by R. M. Thorne, who is still living, is now owned as follows:

R. M. Thorne

Undivided 1/30th interest.

That plaintiffs have been unable to determine the present ownership of the beneficial interest, amounting to an undivided 1/30th interest each, held by Y. R. Allen, A. J. Muzzy, James D. McClelland and E. L. Selby.

6. That said Contract Agreement and Declaration of Trust provides, among other things, that in case of the death, refusal or inability to act, the Trustee may be replaced by another by a majority vote of the parties, and it further provides that the said Trustee, when directed by a majority of the parties, shall make disposition of the trust properties by deed, or otherwise, collecting the rents, profits and royalties therefrom and accounting to the parties, as their interests appear. That a majority of the beneficiaries under the trust have agreed that R. L. Halley, a

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resident of Carlsbad, New Mexico, may be appointed as Trustee, to succeed the deceased trustee, H. C. Kerr, and have agreed, further, that the Trustee may be authorized by the District Court of Eddy County, New Mexico to execute an Oil, Gas and Mineral Lease in due form with The Ohio Oil Company, for a consideration of \$10.00 per acre bonus, to be paid to the said Trustee. That a copy of such proposed Lease is attached to plaintiffs' Complaint and marked Exhibit "C".

7. That, by virtue of the Memorandum of Agreement executed in counterparts, copy of which is marked Exhibit "B", and attached to the plaintiffs' Complaint, a majority of the beneficial owners selected R. L. Halley as Trustee, to succeed H. C. Kerr, deceased, and, by reason of such selection, the said R. L. Halley, as Trustee, is the owner of the legal title for the benefit of the beneficial owners, as above set out, being the plaintiffs herein and defendants Virginia Marable, Valorie Marable and Jack White, and of the unknown successors of Y. R. Allen, deceased, A. J. Muzzy, deceased, Jas. D. McClelland, deceased, and E. L. Selby, deceased, of the interests in real estate in Eddy County, New Mexico described in paragraph 2 of the Second Cause of Action of plaintiffs' Complaint; and the title of the said R. L. Halley, Trustee, to said interests in real estate, for the use and benefit of the beneficial owners as found by the Court herein, has been established, and this Decree should provide that such title be quieted and set at rest as against the adverse claims of the defendants.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the typographical errors in the Declaration of Trust and in the deed conveying said properties to H. C. Kerr, Trustee, be, and they hereby are, corrected, and said instruments reformed to correctly describe said properties being subject to this trust as:

The surface and mineral estate of the E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 18 South, Range 26 East, N.M.P.M.

All of the oil, gas, potash and other minerals in or under, or that may be produced from the S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 18 South, Range 26 East, N.M.P.M., together with the right of ingress to or egress from said lands for the purpose of prospecting for, mining

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or removal of said minerals.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the selection of R. L. Halley, as successor Trustee to H. C. Kerr, deceased, by a majority of the beneficial owners is hereby ratified, approved and confirmed by the Court; and the said R. L. Halley is hereby appointed and designated as Trustee for the properties above described, and vested with the full, legal title to the properties above described in this Decree, in trust, for the benefit of the beneficiaries under said trust as found by the Court, and subject to the provisions of said Trust Agreement.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that R. L. Halley, Trustee, be, and he hereby is, authorized to execute an Oil, Gas and Mineral Lease with The Ohio Oil Company, as lessee, in substantially the form of the proposed lease attached as Exhibit "C" to plaintiffs' Complaint, said lease to be for a primary term of five (5) years, with annual rental of \$1.00 per acre, and with the usual 1/8th royalty, and with said lease to be executed and delivered by the Trustee for a consideration of \$10.00 per acre net bonus, to be paid by The Ohio Oil Company to the said Trustee; and said Oil and Gas Lease shall cover and include the entire legal title and the entire beneficial interest in the oil, gas and other minerals in and under said lands; and the consideration to be paid to the Trustee shall be divided among the beneficiaries, as their interests appear, and the interest of any beneficial owner not found shall be paid to the Clerk of this Court, to be held by the Clerk of this Court for such beneficial owner, or the heirs or successors of such beneficial owner.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Trustee shall file a Report with the Court for approval, showing his compliance with this Decree and showing the respective amounts paid to the beneficiaries, and showing any amounts paid in to the Clerk of the Court.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the interest of Virginia Marable, a minor, shall be paid to her Mother, Valerie Marable, as her natural guardian.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that R. L. Halley, Trustee, is the owner of the legal title, for the benefit of the beneficial owners, of the following described interests in real estate in Eddy County, New Mexico, to wit:

The surface and mineral estate of the E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 30, Township 18 South, Range 26 East, N.M.P.M.

All of the oil, gas, potash and other minerals in or under, or that may be produced from the S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 18 South, Range 26 East, N.M.P.M., together with the right of ingress to or egress from said lands for the purpose of prospecting for, mining or removal of said minerals.

and that said ownership has been established as against all adverse claims of the defendants herein; and the full legal title to the premises in R. L. Halley, Trustee, for the use and benefit of the beneficial owners under the terms and conditions of the trust, is hereby established, forever quieted and set at rest, and the defendants are hereby barred and forever estopped from having or claiming any lien upon, or any right or title adverse to said estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court shall retain jurisdiction of this trust estate, to administer the trust, and for the purpose of enforcing the provisions of this Decree, and for the further purpose of appointing a substitute trustee, in the event of the inability or failure to act of the said R. L. Halley, Trustee.

DONE IN OPEN COURT.

APPROVED:

R. L. Halley

Guardian ad litem,
Eddy County, New Mexico.

Ron Anderson
District Judge.

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FIFTH JUDICIAL DISTRICT
STATE OF NEW MEXICO
COUNTY OF EDDY

IN THE DISTRICT COURT OF EDDY COUNTY

STATE OF NEW MEXICO

FILED NOV 7 - 1958 IN MY OFFICE
MARGUERITE E. WALLER
Clerk of the District Court

PEARL W. BRADEN, et al,
Plaintiffs,

vs.

JACK WHITE, et al,
Defendants.

No. 17,439

R E C E I P T

COMES NOW the undersigned Clerk of the District Court of Eddy County, New Mexico, and does hereby acknowledge receipt from R. L. Halley, Trustee, of the following described amounts in payment of the proportionate part of the lease bonus paid by The Ohio Oil Company for the Oil, Gas and Mineral Lease executed in accordance with the Judgment and Decree entered October 27, 1958, as to the following named persons, or their heirs, devisees or other successors in interest, to wit:

Y. R. Allen proportionate part	\$42.00
A. J. Muzzy proportionate part	\$42.00
James D. McClelland proportionate part	\$42.00
E. L. Selby proportionate part	\$42.00.

DATED this 6 day of November, 1958.

Marguerite E. Waller
Clerk of the District Court,
Eddy County, New Mexico.

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FIFTH JUDICIAL DISTRICT
STATE OF NEW MEXICO
COUNTY OF EDDY

IN THE DISTRICT COURT OF EDDY COUNTY, NEW MEXICO
FILED DEC 22 1958 IN MY OFFICE

STATE OF NEW MEXICO
MARGUERITE E. WALLER
Clerk of the District Court

PEARL W. BRADEN, et al,
Plaintiffs,

vs.

No. 17,439

JACK WHITE, et al,
Defendants.

REPORT OF TRUSTEE

COMES NOW R. L. Halley, Trustee in this cause, and, in compliance with the Judgment and Decree entered herein, makes this his Report to the Court as follows:

1. That, under date of October 31, 1958, your Trustee executed and delivered an Oil, Gas and Mineral Lease to The Ohio Oil Company, as authorized by the said Judgment and Decree, and received from The Ohio Oil Company, in full payment of the bonus provided, the sum of \$1,386.67, being \$10.00 per net acre for the unleased mineral acres, there being an existing lease outstanding as to a fractional interest. That, from said sum of \$1,386.67, expenses advanced by the trustee in the amount of \$138.66 were deducted, said expenses being as follows:

Taxes paid to Eddy County, New Mexico, for years 1953 to 1958, inclusive \$ 70.01

Telephone expense in negotiating sale of lease \$ 12.17

Stationery, postage, and expense and on travel advanced in connection with the same \$ 56.48.

That the said report of the Trustee authorizes the payment of expenses arising from the administration of the trust, and said expenses above authorized are proper and reasonable in order to preserve and protect the trust and carry out the provisions of the trust.

That the balance of \$1,245.01 remaining from the lease to The Ohio Oil Company has been distributed and paid to the

Trustee as follows:

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<u>Interest</u>	<u>Beneficiary</u>	<u>Amount Paid</u>
1/30	Pearl W. Braden	\$42.00
1/60	Annie Lee Morris	21.00
1/60	Barber Nell Hoover	21.00
1/30	Louise B. Benson	42.00
1/90	Mildred C. Mann	14.00
1/90	Grace W. Cooke	14.00
1/90	Georgia Frances Cooke	14.00
	Jack White	36.00
1/60	Martha Carter	21.00
1/240	Edna Carter	5.25
1/480	Albert E. Carter	2.63
1/480	Alice Houston	2.63
1/240	Eunice Carter	5.25
1/720	Carol Carter Friskie	1.75
1/720	Martha DeMaret	1.75
1/720	June Carter Dunagan	1.75
1/30	Olive N. Doepp	42.00
1/30	Carrie Etter	42.00
1/30	Edna E. Holt	42.00
1/30	E. L. Halley	42.00
1/120	Frank James	10.50
1/120	J. L. James	10.50
1/120	Chas. H. James	10.50
1/120	D. E. James	10.50
	Jarvis Road (certain lands)	36.00
5/240	Bertha Marable	26.25
1/320	Caroline Smith	3.94
1/320	Louise Smith	3.94
1/1280	James H. Marable	.98
3/2560	J. H. Marable, Jr.	1.48
3/2560	Carol Leroy Marable	1.48
1/1280	Valerie Marable	.98
3/1280	Theresa Marable (paid to Valerie Marable, her mother and natural guardian)	2.95
2/11	Edna L. Hollman	28.00
2/11	Edna L. Hollman	14.00
1/1	Edna L. Hollman	42.00
1/1	Edna L. Hollman	42.00

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1/30	John Guitar, Jr., Earl B. Guitar and Repps B. Guitar, Trustees of the Guitar Trust Estate	\$42.00
1/90	Marguerite Roberts Bujac	14.00
1/90	E. A. Roberts	14.00
1/90	Geo. O. Roberts	14.00
1/30	Gertrude Hanson Richards	42.00
1/180	Bonnie C. Runyan	7.00
1/180	James Bryan Runyan	7.00
1/180	Frank W. Runyan	7.00
1/180	Gertrude Runyan Martin	7.00
1/180	Edsil Runyan	7.00
1/180	David Edmond Runyan	7.00
1/60	Runeor E. Swigart	21.00
1/60	Dorothy Swigart	21.00
1/30	Jeannie M. Stennis	42.00
1/30	Helen L. Van Horn	42.00
1/30	R. M. Thorne	42.00
1/30	Paid to Clerk of the District Court, for Y. R. Allen	42.00
1/30	Paid to Clerk of the District Court, for James D. McClelland	42.00
1/30	Paid to Clerk of the District Court, for A. J. Muzzy	42.00
1/30	Paid to Clerk of the District Court, for E. L. Selby	42.00.

WHEREFORE, your Trustee, having fully complied with the
orders and directions of the Court, prays that the Court approve this
Report in all things.

R. L. Halley
R. L. Halley,
Trustee.

Neil B. Watson
Neil B. Watson,
Attorney for Trustee,
Artesia, New Mexico.

WITNESSED my hand and seal of office
this 1st day of May, 1933.

R. L. Halley, Trustee, being duly sworn upon oath, states:

That he is the Trustee named in the foregoing Report; that
he has read the Report and knows the contents thereof, and the matters
and things therein set forth are true and correct, according to his
knowledge, information and belief.

R. L. Halley
R. L. Halley.

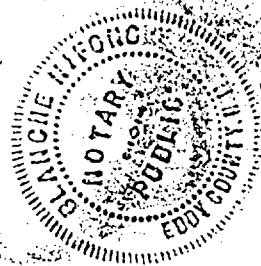
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SUBSCRIBED AND SWORN to before me this 22 day of
December, 1958.

My Commission Expires:

1/24/59

Blanche Nifong
Notary Public.



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FIFTH JUDICIAL DISTRICT
STATE OF NEW MEXICO
COUNTY OF EDDY

IN THE DISTRICT COURT OF EDDY COUNTY

FILED DEC 22 1958

IN MY
OFFICE

STATE OF NEW MEXICO

MARGUERITE E. WALLER
Clerk of the District Court

PEARL W. BRADEN, et al,
Plaintiffs,

vs.

JACK WHITE, et al,
Defendants.

No. 17,439

ORDER APPROVING TRUSTEE'S REPORT, AND
CONFIRMING SALE

This matter came on before the Court upon the Report of R. L. Halley, Trustee, of his acts in connection with the sale of an Oil and Gas Lease to The Ohio Oil Company, as authorized and directed by the Court in Judgment and Decree entered herein on October 27, 1958; and the Court, having examined said Report and being fully advised in the premises, finds that said Report should be approved and the sale and delivery of said Lease confirmed.

IT IS, THEREFORE, ORDERED that the Report of R. L. Halley, Trustee, be, and it hereby is, approved by the Court.

IT IS FURTHER ORDERED that the sale and delivery of said Lease to The Ohio Oil Company for the consideration shown in said Report is approved and confirmed by the Court.

IT IS FURTHER ORDERED that the expenses deducted by the Trustee prior to distribution are approved by the Court as reasonable, proper and necessary charges and expenses to preserve the trust estate and to complete the sale and delivery of the Lease to The Ohio Oil Company.

ONE IN OPEN COURT.

Chapman
District Judge.

BEGINNING WITH THE STATUS OF TITLE ACCORDING
TO THE COURT ORDER DATED OCTOBER 27, 1958

Interest
Owned

Kerr Trust - Mineral Owners

1/30

PEARL W. BRADEN (Deceased)
Probate #3386 handled by J. D. Mathews, Attorney
Residue of her estate to:

- * JAMES S. WELPTON (deceased), nephew - 1/60
- HARRY ROBERT BRQDEN - 1/120
- 4213 N. W. 56 Terrace
- Oklahoma City, Oklahoma 73112
- LUCILLE BRQDEN - 1/120
- 4213 N. W. 56 Terrace
- Oklahoma City, Oklahoma 73112

*James S. Welpton's daughter, Margaret Linnewah, 1401 Westridge, Carlsbad, New Mexico, states that her mother died and her father remarried. When her father died, all his property when to the step mother, Thelma, who she thinks continues to reside in the home at 3255 Binyon Street, Fort Worth, Texas 76133. Mrs. Linnewah assumes that Mrs. Thelma Welpton would have 1/60 interest and she (Mrs. Linnewah) would have none.

1/30

W. J. BARBER (Deceased)

ANNIE LEE MORRIS - 1/60
BARBER NELL HOOVER - 1/60

c/o W. P. Morris
2942 Chevy Chase Drive
Houston, Texas 77019

1/30

LOUISE B. BENSON (Deceased)
Probate #4089 handled by Blenden, McCormick & Norrid, Attorneys
All interest to:

BOB DEAN
Drawer 629
Pecos, Texas 79772

1/30

G. M. COOKE (Deceased)

MILDRED C. MANN - 1/90

GRACE W. COOKE - 1/90

GEORGIA FRANCES COOKE - 1/90

✓ 1/30

M. B. CULPEPPER

Now owned by Jack H. White, P. O. Box 98, White's City, New Mexico

1/30

E. T. CARTER (Deceased)

- *MARTHA CARTER (Deceased) - 1/60
- Probate #2647, J. W. Stagner, Attorney
- EDNA CARTER - 1/240
- 1411 Chico Street
- Carlsbad, New Mexico 88220
- ALBERT E. CARTER - 1/480
- 1411 West Orchard Lane
- Carlsbad, New Mexico 88210

Interest
Owned

Kerr Trust - Mineral Owner

E. T. CARTER (Continued),

- ALICE HOUSTON - 1/480
11 Hampton Road
Wichita, Kansas 67207
- EUNICE CARTER - 1/240
704 22nd Street
Box 206
Greeley, Colorado 80631
- CAROL CARTER FRISKE - 1/720
115 Fairway Lane
Fort Collins, Colorado 80521
- MARTHA DEMARET - 1/720
2700 Dundee Court
Fort Collins, Colorado 80521
- JUNE CARTER DUNAGAN - 1/720
1407 West Orchard Lane
Carlsbad, New Mexico 88220

*Martha Carter's 1/60 interest divided as follows:

- ALICE HOUSTON - 3/12
- ALBERT CARTER - 3/12
- JUNE DUNAGAN - 2/12
- MARTHA DEMARET - 2/12
- CAROL FRISKE - 2/12

1/30

F. F. DOEPP (Deceased)

OLIVE N. DOEPP (Deceased)
All to: (By Deed from Executor of Estate)

JAMES F. ZIMMERMAN
905 West Riverside Drive
Carlsbad, New Mexico 88220

1/30

SCOTT ETTER (Deceased)

CARRIE ETTER (Deceased) Probate #1585, L. May, Attorney
Interest to:

- *ROSCOE ETTER (Deceased) - 1/60
Probate #4191
- FRANCES FOREHAND USSERY - 1/60
614 Lakeside Drive
Carlsbad, New Mexico 88220

*Roscoe Etter's 1/60 interest to his wife:

OVAMAY ETTER
761 Youngfield Court
Denver, Colorado 80228

* 1/30

J. R. HOLT (Deceased)

EDNA R. HOLT
Currently owned by ~~YATES PETROLEUM CORPORATION~~

* 1/30

R. L. HALLEY

Currently owned by ~~YATES PETROLEUM CORPORATION~~

Interest
Owned

Kerr Trust - Mineral Owner

1/30

J. H. JAMES (Deceased)

FRANK JAMES (Deceased) a/k/a Horace Franklin James, Probate #3283
Interest to: Don McCormick, Attorney

LENA JAMES (surviving wife) - 1/120
905 East Riverside Drive
Carlsbad, New Mexico 88220

J. L. JAMES (Deceased)
No probate in Eddy County
Former wife, Mrs. Gladys James
says estate probably probated
in Albuquerque, but she is
certain passed to their two
children equally.

HAROLD JAMES - 1/240
11720 Tivoli, N.E.
Albuquerque, New Mexico 87111
MARY JAMES DOYAL - 1/240
1716 North Canal
Space 19
Carlsbad, New Mexico 88220

CHARLES H. JAMES (Deceased)
Probate #3884
Don McCormick, Attorney
Interest to wife Lenna (deceased),
Probate #3992, interest to:

WILLIAM O. JAMES (son) - 1/300
1504 Lincoln Drive
Carlsbad, New Mexico 88220

MARILIE CADDELL (daughter) - 1/480
1111 North Eddy
Carlsbad, New Mexico 88220

JEAN ANN STELL (granddaughter) - 1/480
1117 North Canal
Carlsbad, New Mexico 88220

JAMES GORDON DEBLOIS (grandson) - 1/1200
P. O. Box 3202
Albuquerque, New Mexico 87110

E. E. JAMES (deceased)
Wife resides in Oregon, send mail to Tommy James
Children:

BUSTER JAMES (503) 258-4106
39499 East Lacombe Road
Lebanon, Oregon 97355

TOMMY JAMES (503) 466-5515
Box 123
Brownsville, Oregon

PAT JAMES (713) 524-2208
1521 Maryland
Houston, Texas 77006

JOE E. JAMES (deceased), wife remarried to Jake Sides
2204 South Union, Roswell, New Mexico, 88201.
Two children:

Interest
OwnedKerr Trust - Mineral Owner

LARRY SIDES works for Campus Crusade for Christ
Arrowhead Springs, California

GARY SIDES lives in Wyoming

Mrs. Gladys James works in Gift Shop at Guadalupe Medical
Center Hospital in Carlsbad. Her address is 1716 North
Canal, Space 17, Carlsbad, New Mexico. 887-6633 or 885-9972

1/30

H. C. KERR

~~deceased~~ JARVIS MEAD 885-3087 (Kerr Hill)
P. O. Box 1477
Carlsbad, New Mexico 88220

1/30

W. C. MARABLE (Deceased)

BERTHA MARABLE (deceased) - 5/240
Mother of Cara Mae

CARA MAE (WARREN) SMITH - 1/320
4120 Thomason
El Paso, Texas

LOUISE TRUETT - 1/320
Route 1, Box 46
Amity, Oregon 97101

SUSIE H. MARABLE 623-2997 - 1/1230
806 South Richardson
Roswell, New Mexico

J. W. MARABLE, JR. - 3/2560
Ward 3B South, Room 326
Martinez V.A. Hospital
Martinez, California

CAROL LEROY MARABLE - 3/2560
48 North Maple Street
Mesa, Arizona 85205
(602) 832-0204

VALERIE MARABLE - 1/1280
c/o Virginia M. Marable
402 North 4th Street
Walla Walla, Washington 99362

VIRGINIA MARABLE (address above) - 3/1280

* 1/30

W. F. McILVAIN

HELEN M. DALEY to ~~YATES PETROLEUM CORPORATION~~

1/30

GEORGE O'CONNOR (Deceased)
Probate #3150, Don McCormick, Atty.
Interest to:

PERRY O'CONNOR (son) - 1/60
640 Solano Circle West
Solano Beach, California 92071

JEAN O'CONNOR FULLER (daughter) - 1/60
43 Maple Road
Baldwinsville, New York

1/30

CHARLES EDWARD WOOLDRIDGE (Deceased)

C. C. Wooldridge, 1803 North Third Street or at Wooldridge's
301 North Main.

Interest
Owned

Kerr Trust - Mineral Owner

1/30

A. N. PRATT (Deceased)

EDNA STEWART PRATT BROWN (sent letter to all Edna Browns in Columbus)
Columbus, Ohio

1/30

L. H. PATE (Deceased)

* IDA E. PATE (Deceased) - 1/60
Probate #3024

** THEODORE H. PATE (Deceased) - 1/180
Probate #3265

*** HENRY D. PATE (Deceased) - 1/180
Probate #3408

**** MILDRED OUTLAW (Deceased) - 1/180
Probate in Post, Texas

** Possible that Theodore Pate deeded his 1/180 interest to his mother, Ida E. Pate, prior to his death. His heirs are two sons:

THEODORE H. PATE, JR.
7127 East Oneda Circle
Tucson, Arizona 85715

LOUIS ED PATE
1511 South Country Club
Carlsbad, New Mexico 88220

* Ida Pate's interest went to:

THEODORE H. PATE, JR. (1/6)
LOUIS ED PATE (1/6)
HENRY D. PATE (son) (1/3)
MILDRED OUTLAW (1/3)
(daughter)

*** Henry D. Pate's interest passed to his wife:

MRS. KAYE PATE
1204 West Riverside Drive
Carlsbad, New Mexico 88220

**** Mildred Outlaw's interest passed, according to Louis Ed Pate, by quitclaim deed equally to Theodore H. Pate, Jr., Louis Ed Pate and Jennifer Pate Cromer (daughter of Henry D. Pate) 3113 Blume, N.E., Albuquerque, New Mexico 87111.

✓ 1/30

C. F. PARDUE

JOHN GUITAR, JR., TRUSTEE
EARL B. GUITAR, TRUSTEE
REPPS B. GUITAR, TRUSTEE
c/o Earl B. Guitar
Box 486
Abilene, Texas 79604

1/30

S. I. ROBERTS

MARGUERITE ROBERTS BUJAC - 1/90
502 West Riverside Drive
Carlsbad, New Mexico 88220

Interest
OwnedKerr Trust - Mineral Owner

E. A. ROBERTS (Deceased) - 1/90
 Wife Jane G. Roberts lives at
 505 North Canyon Street
 Carlsbad, New Mexico 88220
 Son Douglas G. Roberts, 1616 Live Oak, Carlsbad, says there
 is no will and he assumes his mother Jane will inherit all
 of his father's interest. There is another son, Eugene A.
 Roberts, Jr., 3218 Southland Boulevard, San Angelo, Texas 76901.

GEORGE O. ROBERTS (Deceased) - 1/90
 Wife also deceased
 According to Douglas, he had one son named George O. Roberts,
 Jr., last known address in Salt Lake City, Utah. A better
 address can be obtained from Jane Roberts who will return
 to Carlsbad from a trip around June 1.

1/30

C. M. RICHARDS (Deceased)
 Wife, Gertrude W. Richards (Deceased)
 Interest to (equally):

EARL P. HANSON (nephew)
 317 Calle Empalme
 San Clemente, California 92672

WILLIAM C. HANSON (nephew)
 1336 West San Bruno
 Fresno, California 93705

JOSEPHINE CUNNINGHAM (niece)
 1249 Logan Avenue
 Corpus Christi, Texas 78404

MABEL COLVIN (sister)
 No current address

✓ 1/30

TOM RUNYAN (Deceased)

BONNIE C. RUNYAN (Deceased)
 JAMES BRYAN RUNYAN
 804 Mann Avenue
 Artesia, New Mexico 88210
 FRANK W. RUNYAN
 Hope, New Mexico
 GERTRUDE RUNYAN MARTIN
 915 South 4th
 Artesia, New Mexico 88210
 EDSIL RUNYAN
 Mayhill, New Mexico
 DAVID EDMUND RUNYAN
 Mayhill, New Mexico

- ~~1/180~~
 - 1/180 - YPC
 150
 - 1/180 - YPC
 150
 - 1/180
 150
 - 1/180 - YPC
 150
 - 1/180 - YPC
 150

1/30

L. A. SWIGART (Deceased).

* RONEOR E. SWIGART (Deceased) - 1/60
 Probate #2533
 DOROTHY SWIGART CARLSON - 1/60
 114 West Church Street
 Carlsbad, New Mexico 88220

* Runeor E. Swigart interest to Dorothy S. Carlson

1/30

S. D. STENNIS, JR.

JEANNIE M. STENNIS (Deceased)
 Probate Book 38, Page 862
 Children:

Interest
Owned

Kerr Trust - Mineral Owner

SAMUEL Y. STENNIS, Executor
1830 Milam Street
Amarillo, Texas (806) 372-6056
Daughter married to H. E. HOWARD
Route #3, Box 280
Kemp, Texas 75143 (214) 432-2906
HAMPTON STENNIS
5818 Llano
Dallas, Texas 75206
HUGH STENNIS (Deceased)
Wife Shirley Stennis
Route 1, Box 282D
Conroe, Texas 77301

✓ 1/30

C. C. SIKES (Deceased)

HELEN VAN HORN
310½ West Church
Carlsbad, New Mexico 88220

1/30

R. M. THORNE (Deceased)
Probate #2688
Mary Agnes Thorne (wife)(deceased)
Interest to:

* RICHARD WALLACE THORNE (deceased) - 1/60
ELIZABETH AGNES HENDERSON - 1/60
Route 4, Box 72
Santa Fe, New Mexico 87501

* Richard Wallace Thorne is survived by his wife Fay Thorne. They have one daughter who is married to an attorney in Albuquerque. It is believed that Mrs. Fay Thorne has all the 1/60 interest of Richard Wallace Thorne. Her address is 1331 Park Avenue, S.W., Albuquerque, New Mexico, 87102.

1/30

Y. R. ALLEN (no information available)

1/30

A. J. MUZZY (no information available)

1/30

JAMES D. McCLELLAND (no information available)

1/30

E. L. SELBY (no information available)