

AFFIDAVIT

AMERICAN TRUST BANK CO. NOTARY PUBLIC

State of Kansas Sedgwick County of

Tom Burden

being first duly sworn, on this 15th day of January, 1979

that he is a person of lawful age; that he is and has been for 18 years last past a resident of Sedgwick County, State of Kansas and further

deposes and states:

That affiant has made a thorough investigation in an attempt to locate Mr. Albert Larson and/or his heirs at law, said party being the owner of a 5/24 mineral interest in and under the NW1/4SW1/4NW1/4 of Section 35-23 South, 28 East, Eddy County, New Mexico. Investigation attempts led the Affiant to Mr. D. B. Stalling, attorney at Law of Caldwell, Kansas, who knew the party in question and who at one time was a resident of Kiowa, Kansas. Affiant was advised to contact Mr. Carl McNally of Kiowa, Kansas for information regarding the whereabouts of Mr. Larson. Mr. McNally had been a long time friend of Mr. Larson. Affiant discovered Mr. McNally to be deceased, however, his surviving widow was still living, but quite elderly. She recalled that Mr. Larson had some brothers and sisters, but she did not know their whereabouts. She stated that she thought that Mr. Larson had moved to Los Angeles around 1949 and that she had not heard of or from him since nor from his brothers or sisters. She stated that Mr. Larson had a wife and several children, but they moved when Mr. Larson did. Affiant then checked with various government agencies in Sacramento, California in an attempt to locate Mr. Larson to no avail. Affiant then re-contacted Mr. Stalling for additional information without success. Therefore, affiant considers the above as representative of a thorough investigation to locate Mr. Larson, or his heirs at law, and that same are not locatable.

Further, Affiant saith not:

BEFORE DONALD J. STAMETS, OIL CONSERVATION DIVISION HNG EXHIBIT NO. 4 CASE NO. 6431 Submitted by Hearing Date



(SEAL)

Signed: Tom Burden

Subscribed and sworn to before me this 5th day of January, A. D. 19 79

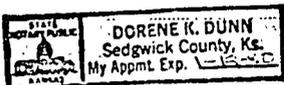
Dorene K. Dunn Notary Public

My Commission Expires 1979

STATE OF Kansas COUNTY OF Sedgwick ss. ACKNOWLEDGMENT FOR INDIVIDUAL (Kans. Okla. and Colo.) Before me, the undersigned, a Notary Public, within and for said County and State, on this 5th day of January, 1979, personally appeared Tom Burden and

to me personally known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

My commission expires



Dorene K. Dunn Notary Public