

AFFIDAVIT OF NONDEVELOPMENT
AND NONPAYMENT OF RENTAL

FORM NO 28



STATE OF ~~KANSAS~~ **NEW MEXICO**
County of **Bernalillo** } ss.

Cecil J. D'Spain

duly sworn, deposes and says:

That **he** is the present owner of ~~the~~

A tract of land in **Tajique Grant** described as follows: Beginning at a point S. 0 deg. 24' W. at a distance of 1349 ft. from the SW corner of Sec 6-6-7; thence S. 89 deg. 31' W. 6321 ft; thence S. 89 deg. W. 2710 ft; thence 0 deg. 2' E. 5429 ft; thence N. 89 deg. 31' E. 6532 ft; thence S. 30 deg. 40' W. 1749 ft; thence N 89 deg. 31' E. 747 ft; thence N 30 deg. 40' E. 1749 ft; thence N. 89 deg. 31' E. containing 1096.40 acres more or less.

Another tract in the **Tajique Grant** bounded on the N. by **Cecil D'Spain, E. Grant Land, S. Tajique Hwy. W Bill Mangus**, containing 414 acres.

of Section _____, Township _____, Range _____ in _____

County **Torrance**, which land is described in an oil and gas mining lease executed on **29th** day of **January, 1952**

by **Cecil J. D'Spain and Eloy Helen D'Spain, his wife**

as lessors, and **George A. Sweetman, John A. Aday and W. M. Parnell**

as lessee, recorded in Book _____, Page _____, in the office of the Register of Deeds of said county.

That since the date of said lease there has been no well drilled upon said land, nor any oil or gas produced therefrom, and that none of the rentals accruing under and by virtue of the terms of said lease have been paid or tendered to affiant or said lessors, or to any bank for their credit, by the lessee, or his agents

or assigns, since **Date of lease** and further that the lessee and his assigns had actual notice that rentals were payable to affiant under said lease. Affiant states that he has not at any time executed any extension of said original lease, and that the same has expired.

Affiant further states that by reason of the noncompliance with the terms of said lease by lessee and his assigns, affiant hereby declares said lease forfeited, and will not, by acceptance of rentals, or in any other manner, recognize the same as a valid or existing lease.

Cecil J. D'Spain
Eloy Helen D'Spain

STATE OF KANSAS,
County of _____ } ss.

_____, being first duly sworn deposes and says that he is _____ of the _____ Bank of

_____ and that the records of said Bank show no rentals have been at any time deposited in, or tendered to, said Bank under terms of the oil or gas mining lease above described for the credit of the person who made the above affidavit or the lessor in said lease since _____

NEW MEXICO

ACKNOWLEDGMENT

STATE OF ~~KANSAS~~
COUNTY OF **Torrance** } ss.

BE IT REMEMBERED, That on this **31st** day of **January** in the year of our Lord one thousand nine hundred and **fifty six**, before me, a Notary Public in and for said County and State, came **Cecil J. D'Spain** and **Eloy Helen D'Spain**

to me personally known to be the identical person who executed the above and foregoing instrument, and who each duly acknowledged the execution of the same.

In Witness Whereof, I have hereunto set my official signature and affixed my notarial seal the day and year first above written.

My commission expires **January 12, 1959** *Merle K. Smith* Notary Public

from
Bureau of Mines
Socorro

NW 1
12-6N-6E

SAMPLE DESCRIPTION

PAGE 1

DESCR. BY

DATE

VALLIANT PRINTING CO., ALBUQUERQUE--65200

COMPANY					WELL NO.					LEASE		COUNTY					STATE		
Sweetman & Aday					Cecil D'Spain					1		Torrance					N. Mex.		
DEPTH		ANHY.	POLY	SALT	NON-RED SHALE		RED SHALE		SANDSTONE		GRANITE WASH		DOLOMITE			LIMESTONE			MISCELLANEOUS
FROM	TO				%	DESCR.	%	DESCR.	%	DESCR.	%	DESCR.	%	COLOR	DESCR.	%	COLOR	DESCR.	
40	50			Pennsylvanian											100	tan gray	xtlin		
	60								Tr						"	"	"		
	80														"	"	"		
	96														100	buff	dense		
	110					Tr.									"	dark gray	"		
	130														"	tan	dense		
	140														"	buff	"		
	150				20	Gray sandy									80	"	"		
	160						50	"	50	Green fine									
	180														100	tan Gray	xtlin		
	210				20	Gray			80	Green fine									
	230										100	Salmon							
	240				20	Gray			40	Green fine	40	"							
	290														100	Tan	xtalin		
310															100	"	"		
340															100	Gray to tan	"		
360															"	Tan	"	Tr chert	
370							50	"	50	Green fine									
400															"	dark tan	"		
410					10	Gray									90	dark gray	"		
430									20	Green fine	80	red fine							
440					20	Green									80	gray green	fine		
470															100	Tan	fine	Tr chert	
480					100	Gray													
490															100	Tan	fine		
510					100	Gray to black													
520															100	Tan	fine		
530					100	Gray to black													
540									100	green fine mica									
550							80		20	"									
560					50	Gray to black			50	green medium									
580															95	Tan	"	5 chert	
600					100	Gray to black													
610															100	Tan	xtalin		
620					80	"			20	Green fine									
630					25	"			10	Green fine	65	salmon coarse							
640									80	"					20	Tan	xtalin		
660															100	"	"		

SAMPLE DESCRIPTION

PAGE 2

DESCR. BY _____

DATE _____

VALLIANT PRINTING CO., ALBUQUERQUE—65209

COMPANY					WELL NO.					LEASE		COUNTY					STATE		
Sweetman & Aday					Cecil D'Spain					1		Torrance					N. Mex.		
DEPTH		ANHY.	POLY	SALT	NON-RED SHALE		RED SHALE		SANDSTONE		GRANITE WASH		DOLOMITE			LIMESTONE			MISCELLANEOUS
FROM	TO				%	DESCR.	%	DESCR.	%	DESCR.	%	DESCR.	%	COLOR	DESCR.	%	COLOR	DESCR.	
660	670															100	Tan	xtalin	
	680						50	"	50	Green fine									
	710															100	Tan	xtalin	Tr chert
	720				100	Gray to black													
	730															100	Gray to tan	xtalin	
	740								100	green fine									
	750										100	salmon medium							
	758															100	buff	fine	
	762								100	green fine									
	780						50	"								50	Gray to tan	fine	
	790															100	Gray to tan	fine	
	805								100	clear medium angular									
805	810		No	Sample															
	820															50	Gray		
																50	Tan	xtalin	
	860															100	Gray to tan	fine	
	870										20	Green				80	buff	fine	
	880															100	"	"	
	890				50	black										50	dark tan	xtalin	
	900				50	Gray										50	dark gray	fine	
	910															80	tan	xtalin	
																20	dk gray	fine	
	920				50	black										50	dark gray	coarse	
	930				50	dk gray			20	gray coarse						30	tan mott	xtalin	
930	940		No	Sample															
	950				50	black										50	tan & dk gray	xtalin	chert
	960															100	tan	fine	
	970				50	black										50	dk gray	fine	
	980															100	tan & black	xtalin	chert
	990															80	buff		
																20	tan	fine	chert
	1000															100	tan	fine	
	1010															100	gray & tan	fine	
	1020								10	green fine						90	gray to black	fine	clear Angular
	1030															100	gray	fine	chert
	1040				10	gray			80	gray fine						10	dk gray	fine	
	1050				50	black										50	gray to tan	fine	
	1060				100	gray													
	1070															100	black & white mott	fine	black chert
	1080				40	gray										30	gray	fine	
																30	tan	fine	
	1090															100	dk	fine	black chert

SAMPLE DESCRIPTION

PAGE 3

DESCR. BY _____

DATE _____

VALLIANT PRINTING CO., ALBUQUERQUE—53209

COMPANY				WELL NO.				LEASE		COUNTY				STATE				
Sweetman & Aday				Cecil D'Spain				1		Torrance				N. Mex.				
DEPTH		ANHY.	POLY	SALT	NON-RED SHALE		RED SHALE		SANDSTONE		GRANITE WASH		DOLOMITE		LIMESTONE			MISCELLANEOUS
FROM	TO				%	DESCR.	%	DESCR.	%	DESCR.	%	DESCR.	%	COLOR	DESCR.	%	COLOR	
1090	1110														100	black & white mott fine	black chert	
	1120				50	grey									50	black & white mott fine	chert	
	1140				25	grey			Tr	green fine					"	"	"	
	1170				25	black												
	1180				80	black									20	"	"	
	1240				50	grey	50	red							50	Grey to Tan	"	
	1250				80	grey & red											20 pink quartzite	
1250	1383				Quartzite with opal, microcline and veinlets of calcite -- Pre-Cambrian													