**AFFIDAVIT OF NON-DEVELOPMENT AND NON-PRODUCTION**

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

 §

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

Before me, the undersigned authority, personally appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hereafter, “Affiant”) who resides at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, who, being of lawful age and being first duly sworn, upon oath states the following:

a

I am personally familiar with and knowledgeable of the facts pertaining to the development and production of oil and gas on the following described tract of land (*enter legal description of tract*): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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At certain times in the past, the Property, and lands pooled with the Property, if any, (*circle one*): **had / did not have** producing oil and/or gas wells located thereon. I know of my own personal knowledge that all previously producing oil and/or gas wells, if any, have ceased to produce on the Property, or lands pooled with the Property, if any, with the last production being on or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*enter month and year*), and that there has been no production of oil or gas on the Property, or lands pooled with the Property, since said date, during the primary term of any oil and gas lease(s) which appear of record.

**IF AFFIANT IS A MINERAL OWNER OF THE PROPERTY, PLEASE COMPLETE THE FOLLOWING:**

I am an owner of an undivided mineral interest in and under the Property. No rental or royalty payments have been paid to me in \_\_\_\_\_\_\_\_\_(*enter number*) **years / months** (*circle one*) under any oil and gas lease appearing of record, and, in the event there was production on the Property, such production of oil and gas or other minerals from the Property has ceased and I have not received delay rentals or shut-in royalty payments under any oil and gas lease appearing of record in \_\_\_\_\_\_\_\_\_(*enter number*) **years / months** (*circle one*).

Further, to the best of my knowledge, there has been no drilling or development of any kind or nature whatsoever for oil and gas on the Property as required or called for under and pursuant to any oil and gas lease appearing of record as of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*enter month and year*).

If any production or drilling did occur on the Property, the same has since ceased and there is not now, pursuant to any oil and gas lease appearing of record, any production or development continuing, and to the best of my knowledge, the Property was not pooled or unitized with any other real property on which oil or gas production was obtained. There is now no one in possession of the Property claiming any interest under an oil and gas lease appearing of record.

Further Affiant sayeth not.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, on this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

[SEAL] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public, State of \_\_\_\_\_\_\_\_\_\_

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

 §

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

The foregoing instrument was acknowledged before me on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*enter name of Affiant*).

[SEAL] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public, State of \_\_\_\_\_\_\_\_\_\_