

SHELL OIL COMPANY.

TO HOUSTON AREA
LEGAL DEPARTMENT

DATE JANUARY 12, 1968
FROM LAND DEPARTMENT
HOUSTON AREA

SUBJECT DE WITT COUNTY, TEXAS
BRUSHY CREEK FIELD
T-12154 - COOPER
SALE OF PRODUCING PROPERTIES
TO W. C. ENGLISH, JR.

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Effective October 1, 1967, at 7:00 a.m., Shell Oil Company attempted to assign all of its interest in the property situated in the Brushy Creek Field Gas Unit No. 1 as to all rights from the surface down to a total depth of 15,000 feet. We have been advised by Highland Oil Company, the successor to Mr. English, that we omitted a certain lease dated July 6, 1933, executed by H. H. Cooper in favor of Shell recorded in Volume 9 at page 4 of the Oil and Gas Records of DeWitt County, Texas.

In 1933, there were two leases acquired by Shell, each covering an undivided 1/2 interest on the 51.5 acres--one from H. H. Cooper and one from A. P. Hill. Sometime thereafter, Mr. Cooper sold all of his royalty leaving him with the leasing rights but no royalty. In the late 1940's, Shell tried to secure a pooling agreement from Mr. Cooper but since he owned no royalty he did not execute same. Therefore, by instrument dated March 24, 1950, Shell purchased all of H. H. Cooper's interest in the subject 51.5 acres, this interest being an undivided 1/2 mineral interest subject to the nonparticipating royalty which he had sold.

The above-mentioned assignment to Mr. W. C. English assigns the A. P. Hill lease which covers a 1/2 interest (No. 9 on the assignment) and the 1/2 minerals (No. 18 on the assignment) acquired from Cooper. Apparently, the purchase of the minerals from Cooper by Shell did not affect a merger of the minerals and lease because of the outstanding royalty interest. If this is the case, please prepare a supplemental assignment, leaving the assignee blank, which will assign any interest Shell may have in the above-mentioned H. H. Cooper lease down to, but not below, 15,000 feet.

We are attaching the caption T-12154 file and producing properties file for your information and aid in preparing the requested assignment.

Original Signed By:
J. B. STANLEY

JBS:sh

J. B. Stanley

cc: Southern Division Land Department