

At the time of the land acquisition program, most of these people were not represented by lawyers. They simply could not afford the cost of protracted condemnation proceedings to protect the small current value of their mineral interests. As residents of one of the oldest oil-producing areas in the State of Texas, they were well aware of the potential value of such rights to their children and grandchildren. After making clear their desire to keep their mineral rights, however, they had no choice but to rely on the representations of government agents that all landowners were being treated alike, that all of the minerals were being acquired for the project, and that if they refused voluntary conveyance, the government would take their minerals through condemnation.

Later they discovered that certain notable exceptions had been made. At least four such instances have been found by diligent search of the court and deed records. Through their attorney-in-fact, J. W. Baumgardner, most of the other landowners then requested us to seek reconveyance of their minerals by the Army Engineers.

This we attempted to do in several conferences with the Army while in Washington on other business so as to hold down the expense to these clients. Despite an abundance of documentary evidence showing the gross inequities which had occurred, the Army Engineers failed to grant relief through administrative means. Congressman Teague then introduced the bill which is now before your Committee, H.R. 13370, specifically authorizing reconveyance of such mineral rights under certain conditions.

We feel that H.R. 13370 is most reasonable both in protecting the government and rectifying a grave injustice. Reconveyances under it would, of course, be subject to antipollution laws and drilling restrictions to safeguard the predominant flood control and water conservation purposes of the Navarro Mills Reservoir project. These conditions have been inserted both in deeds where the minerals were reserved and in court decrees revesting the minerals after condemnation, and our clients have no objection to them.

In preparing this statement, we do not have the benefit of the Army's comments on the Teague bill, which we understand have not yet been received. If the Army has any objections, we can only anticipate their content from what has been previously told us.

In replying to our request for administrative relief, the Army Engineers stated that it was their policy not to acquire mineral rights "where the owner objects or where a substantial additional cost would be involved . . ." If the Army had such a policy in Washington, either it did not filter down to its local representatives in Navarro and Hill counties, Texas, or they disregarded it in actual practice. We prefer to place the former interpretation on the results.

The Army further replied that "in those instances where landowners raised specific objections, as opposed to mere inquiries, they were permitted to retain their mineral rights . . ." Sworn affidavits from our clients, however, state unequivocally that this was simply not the case. In several instances, our clients were forced to repurchase small outstanding mineral interests before the government would pay them for their land.

Without unduly lengthening this statement, we attach a copy of the affidavit by Andy J. Snider, which is typical of others in our files. These can be furnished if the Committee so desires.

In his affidavit, Mr. Snider states under oath:

"I want to reiterate that I requested that I be allowed to reserve my minerals from the very first conversation with the Government's agent, and only gave in on this request after being assured by him that the Government had to have all minerals under the land and was taking them from everyone who had land in the lake, under the dam or parks, and that on this point, everyone was being treated the same. I relied upon his representations as being truthful. I have since found them to be false."

While Mr. Snider was relying on the government representations, the owners of land *immediately adjoining* his land were being permitted to keep their minerals. Court records in Civil Action No. 8316, U.S. District Court for the Northern District of Texas, Dallas Division, reveal that the government reconveyed to C. A. Ford et al, the minerals underlying Tract No. 115, which adjoins Mr. Snider's Tract No. 104. In the Ford case, the revestment of minerals took place some 3½ years after the judgment on Declaration of Taking, and presumably, long after most of the other owners had conveyed their minerals.

In view of this glaring example, if the Army reply above quoted was correct, it requires a new definition of "specific objections, as opposed to mere inquiries."