



HEIRS INFORMATION SHEET

I (We) are heirs to a mineral interest or leasehold ownership, what do we do?

First, contact us so that we may place the account in suspense.

When an Owner passes away:

Title to real property owned by the deceased party passes in one of two ways – either by testate succession or by intestate succession. Testate succession is with a probated Last Will and Testament. This Last Will and Testament must be probated in the state where the mineral interest is located to be recognized. Intestate succession is without a will. In the absence of a Will, or if the Will has not been probated in the state where the mineral interest is located, title to real property passes according to the Laws of Descent and Distribution for the State in which the wells/minerals are located, and not the state of residence.

Depending on the circumstance, the documentation we must be provided is:

If owner has died with a Will (testate) and Probate proceedings have been or will be conducted in the state where the property is located, we need to be provided with the following:

- Certified copy of Death Certificate,
- Letters Testamentary,
- Last Will and Testament and Final Decree of Distribution or Order Admitting Will to Probate
- Recorded deeds (if appropriate) to beneficiaries along with addresses
- A complete and signed W9 for each heir/beneficiary.

If owner has died with a Will (testate) and probate proceedings are conducted in a state other than the state where the property is located, we need to be provided with the following:

- Certified copy of Death Certificate,
- Documentation of ancillary probate proceedings opened in all affected states,
- or Death and Heirship Affidavit filed of record in the county where the property is located (the State Laws of Descent and Distribution will apply)
- A complete and signed W9 for each heir

Owner died without a Will (intestate), we need to be provided with the following:

- Certified copy of death certificate,
- Death and Heirship Affidavit filed of record in the county where the property is located (the State Laws of Descent and Distribution will apply)
- A complete and signed W9 for each heir



**HEIRS INFORMATION SHEET
(Continued)**

Death and Heirship Affidavit Instructions

Please have the Death and Heirship Affidavit completed by a **disinterested** party (someone who is not a parent, sibling, child or person entitled to a share of the decedent's estate under the laws of descent and distribution for the jurisdiction) who was well acquainted with the decedent. Have the Affiant's signature notarized and the Supporting Affidavit completed and notarized. Please have the completed Death and Heirship Affidavit recorded in the county where the property is located and then furnish a recorded copy to us, along with a certified copy of the death certificate and complete addresses of the heirs. When a Death and Heirship Affidavit is used, the interest is distributed according to the Laws of Descent and Distribution for the state where the property is located.

**ALL DOCUMENTS AFFECTING CHANGE OF OWNERSHIP MUST BE FILED OF
RECORD IN THE COUNTY WHERE THE PROPERTY IS LOCATED**