

**OSAGE MINERALS COUNCIL  
REGULAR MEETING  
OSAGE COUNCIL CHAMBERS  
PAWHUSKA, OKLAHOMA  
FEBRUARY 15, 2017  
MINUTES**

**CALL TO ORDER**

Chairman Everett Waller called the meeting of the Osage Minerals Council to order at 10:00 A.M.

**OPENING PRAYER**

Eddy RedEagle, Jr. gave the opening prayer.

**ROLL CALL**

Osage Minerals Council Executive Administrative Assistant Lacey Reynolds called the roll. Osage Minerals Council Members present were Joseph Cheshewalla, Galen Crum, Stephanie Erwin, Kathryn Red Corn, Talee Redcorn, Everett Waller and Andrew Yates. A quorum was declared. Cynthia Boone arrived at 10:10 a.m.

Visitors signed in were Principal Chief Geoffrey Standing Bear, Joy Ledbetter-OST, Gene Bowline, Jinx Geurin, Myron RedEagle, Florence Bigheart Trnum, Casey Hindman, Nona Roach, Bob Knappe, Leigh Kuykendall, Rosalind Karlin, Rishelle Andaraker, Beverly Brownfield, Teresa Bates Rutherford, Christine Irons Roan, Cecelia Bledsoe Johnson, L. K. Hesko, Scott DuCharme, Jamie Sicking, and Jeffrey Murphy.

Chairman Waller thanked Principal Chief Geoffrey Standing Bear for being at today's meeting.

**Accounting Report:**

Chairman Waller announced that Ms. Young wasn't able to generate the C-395, but as soon as she gets back, she will generate that report for January.

**Auditor Report:**

Jim Swan gave the report for January on the Osage Information Sheet. Total collections for January - \$3,268,694.24; Average Price Per Barrel of Oil in December - \$49.97/bbl.; Average Highest Posted Price for January - \$49.28/bbl.; Average Daily Barrel of Oil produced in December - 13,039 barrels; March Payment for 4<sup>th</sup> Qtr. Production will be \$3,675 per headright; Gross Production Tax for 1<sup>st</sup> Qtr. 2017 - \$424,104.19; In 2016, our oil production paid our headright owners \$12,720 per headright. Our Gross Production Tax for 2016 was \$1,491,466.42 or \$669.13 per headright; Gross Barrels produced in December - 404,400 barrels; Royalty Barrels - 59,308; Gross Barrels vs. Royalty Barrels 14.66%; In January, they collected \$2,972,401 total oil royalty; Total Gas Royalty was \$209,473; Tank Bottom Royalty \$741; Total Oil & Gas Royalty collected in January of \$3,182,615, and \$1.45 for bonus.

**January 12 Report: Principal Chief Standing Bear**

PRINCIPAL CHIEF STANDING BEAR: Thank you Chairman Waller, 2<sup>nd</sup> Chair Red Corn, members of the Osage Tribal Council, Ms. Phillips, the staff and the Wahzhazhe and the producers, I am here at the request

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of Chairman, and I thank you for the opportunity to give this report. I understand having once set in this room with Minerals and our Tribal Council, those days the pressures that you have, I know in my household, like all of yours, my wife and I have been headright owners now for over 40 years. The time goes by, when we were both young, when we received our headright interest, and over the years, we've seen them struggle up to \$2,000 a quarter, and I remember, in the 1990's, we made a pledge here, when I was Assistant Chief, we will never see below \$2,000 again. We pledged that to our headright owners, and I think, since then, the Council and the producers have done a great job of keeping the production up, because the BIA told us to expect a decline, and they kept saying 'decline, decline' and 'brace yourself,' and you beat those odds. You beat them. I just heard this report. Everything's going back up. My part in this, again, is not to involve into the minerals matters, although I am a headright owner, but to support you. In those regards, the head of the government of the Federally-recognized tribe is who the United States of America works with. So, I will call Mr. Waller, regularly, and say, well, here's what's going on, from where I sit, and let me tell you from that perspective, after our January 12 meeting, Chairman Waller and I received an email from Elizabeth Appel, Director of the Office of Regulatory Affairs & Collaborative Action. The Office of the Assistant Secretary for Indian Affairs, who says this, *"Dear Chief Standing Bear and Chairman Waller: As discussed during the October 27 consultation, the Bureau of Indian Affairs is presently working on completing a discussion draft revising the regulations in 25 CFR, Part 226. Please be advised that due to departmental priorities and the recent administration change, we anticipate that there will be a delay in the finalization and approval of the discussion draft. We remain optimistic that we will be able to provide you with the discussion draft in the near future, and will keep you apprised of any developments."* I responded, immediately. I said, *"Your notification does not adequately explain your statement. What departmental priorities?"* I asked them. *"I expect a list of those priorities and why these adversely affect our schedule? Second, what does recent administration change have to do with causing a delay? Please explain,"* I say, *"in detail. We have been struggling with this issue for years. 25 CFR, Part 226 is only a Federal regulation, supposedly based on existing law."* I received no response. I wrote Chairman Waller and asked him to take my statement consideration when I say the position, Department of Interior, is outrageous. They are saying the departmental priorities have changed, and that the Trump Administration is causing their delay. I believe the Minerals Council should start asking the Washington, D.C. officials for an explanation, because the Department of Interior, in my opinion, is getting nowhere in fulfilling their Trust obligations to us. And then, we had further discussions, and these are all through emails. We talked on the phone as well. It is the same type of discussion, where I say, and I think this is shared with, yes, it is, Lacey Reynolds and the entire Council. You all read it, so I'm not going to go through the whole thing. I just said, "The BIA has had years, now, to come up with both new environmental rules and new leasing rules. They act like they are not connected whenever it suits them. This is my own opinion, now, to do one area, in my view, it's just a bureaucratic employment tactic, and I go on from there without how it is, and then, as some of you know, my staff has been working to schedule meetings. We talked about January 12 in Washington, D.C. We don't yet have information on who is going to be the Assistant Secretary of Indian Affairs. Nobody has that information, because that appointment has not been made. We have a list of who is being considered for us. It's a small list. We have that top four. Two of them in particular don't want to be mentioned, because they're going to wait 'til appointee Secretary Zinke is one – confirmed, I mean, he's appointed, confirmed by the Senate. So, we are set, when that occurs. We have people who worked for the United States Senate Indian Affairs Committee. I'm monitoring that closely. Whoever it is will have to go through that committee. We have a meeting with Chairman Waller and I. We're scheduled to meet with Senator Lankford. We're scheduled to meet with U.S. Senator Hoeven. He's a new Chair of the Senate Committee of Indian Affairs. We are scheduled to meet with Representative Lucas, and we're going to continue the discussion on Capitol Hill. I can tell you one matter that I'm going to emphasize, because I'm going to step

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back and let Chairman Waller speak for you as is his role. That's his job, right? I digress. When I stand up here, sometimes, we'd send the whole Council up into a room. There's never been anything positive coming from that, because the staff and elected officials hear all these various views. They want to hear the unified view through, at that time, was the Chief, and now, it's the Chair. So, I'm going to step back and say, Chairman Waller, that's your part, what I want to emphasize is the support of the Osage total government in what you're doing, here, and then, my part, I've got to talk about the danger of the State of Oklahoma and others to our water rights and our regulatory rights. The record shows when you're an attorney, or you're somebody that looks at what is the Federal record of the Osage. You're going to see, firsthand, that pops up now, you're going to see that Irby case, Osage Nation v. Irby. You're going to see discussion on the opinion in Federal Courts about the 1906 Act. You're going to see the ruling there in Federal Courts supported by the Supreme Court of the United States, which says, "We conclude that the Osage Reservation has been disestablished by the United States Congress." That's Federal law. I don't hear people talking about it, but that's what they say. That is where Mr. Pruitt, Attorney General, is soon to be head of the EPA, maybe once into the record. The Osage Reservation has been disestablished. The Oklahoma Corporation Commission should have jurisdiction here. The Oklahoma Water Resources should have jurisdiction here, and this water we use for production is not us. That's what I'm going to talk about. What I want to do next year, is watch that lawsuit, in partnership with you, and I know the water that we use for production, but all the surface water, including that which goes into the Arkansas River, which has been used since the 1960's by the Federal Corps of Engineers to make money for the Government by selling our water to Tulsa and cities and towns. I'm going to tell the Congress of the United States, I want to hand the Corps of Engineers the biggest bill they've ever seen for our portion of that money, plus interest. We have to have support on Capitol Hill to overcome the Federal Record. It says, 'our reservation's been disestablished'. Nobody here has the power to overturn that. Nobody in this room. That's a Federal panel of Appeal Judges, the Supreme Court of the United States has said let that decision stand. Let's not pretend it doesn't exist, because those who are against us, use this against us, and if we don't rise up, we could lose everything. Everything. That's what I want to talk about. As far as the regulations, I'll support you. That's all I have.

CHAIRMAN WALLER: Thank you. Council.

COUNCILWOMAN ERWIN: If I recall, at that January 12 meeting, that he said, that the Chairman and the Minerals Council would be going to Washington. Now, I don't know what happened or transpired since then, but you know, we're all responsible to our annuitants. We need to know. I have phone calls every day and every evening. I probably spend four or five hours a day on people wanting to know, people that are angry about things, how they're coming off, and we all need to know. We need to know firsthand.

PRINCIPAL CHIEF STANDING BEAR: May I respond? Yes, and that was the request, I know, from some of the Minerals Council that everyone go. If so-be-it, if that is your wish, I will inform our people in Washington, D.C., and my staff to make arrangements and inform the delegations and Senator Hoeven that you all want to go. That's your choice, but I have some experience in this.

COUNCILWOMAN ERWIN: I understand you do.

PRINCIPAL CHIEF STANDING BEAR: You must understand that if you all go, and you all start talking, the message will get drowned. If you all go, and you all want to speak, in addition to your leader, how's that work?

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COUNCILWOMAN ERWIN: How does it look, when the leader hadn't even asked us what we want. We usually do it by resolution, what we want to be done. He actually speaks for us. But we all decide.

PRINCIPAL CHIEF STANDING BEAR: OK. That's an internal issue. Again, I don't involve myself in your internal matters. I do know if you have a Chair, that they should be able to engage on behalf of this body, and represent you. That's what it means to me. So, how you do this is up to you. If that is the will of this body, then I guess you're saying, Ms. Erwin, there'll be some resolution that says to set up a meeting. You want a resolution, I understand, to...

COUNCILWOMAN ERWIN: No, we want to agree what we want, as a whole.

PRINCIPAL CHIEF STANDING BEAR: OK, if you wish to set up a meeting resolution, that's up to you. Again, Mr. Chairman, I am deferring to you, your leadership, if your Council has a procedure, I'll take direction from you.

CHAIRMAN WALLER: When we pay for the travel, it has to be by resolution. When you pay for the travel, it does not.

PRINCIPAL CHIEF STANDING BEAR: It comes into an appropriation bill that is set aside...

CHAIRMAN WALLER: And for clarification on this item, here, I was actually wanting the Chief to come and request the travel to get the information that my Council would want spoken. So, this is your opportunity, today.

PRINCIPAL CHIEF STANDING BEAR: Whatever you want to do.

CHAIRMAN WALLER: Council.

COUNCILMAN REDCORN: Thank you, Chair. I appreciate the discussion on the Chair, but we did vote in December to have a 2<sup>nd</sup> Chair, and I would like to see the 2<sup>nd</sup> Chair also participate.

CHAIRMAN WALLER: Yes, sir.

COUNCILMAN REDCORN: I think, just that influence would benefit the Osage people, and they can see the elders, how it impacts where it's coming from. I think it will have a profound effect on the people that are making these decisions. So, I think, at least, if we don't all go, that we need to send both our Chair and 2<sup>nd</sup> Chair.

CHAIRMAN WALLER: At your pleasure. Anything else? Council.

PRINCIPAL CHIEF STANDING BEAR: Mr. Chairman?

CHAIRMAN WALLER: Yes?

PRINCIPAL CHIEF STANDING BEAR: I'll just wait here for instruction, either from you, or the Council, because I should get back immediately and make the arrangements for eight, two, one – however you want to do it.

CHAIRMAN WALLER: We'll discuss that in Executive and get right back to you.

PRINCIPAL CHIEF STANDING BEAR: Should I wait?

COUNCILWOMAN ERWIN: No.

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PRINCIPAL CHIEF STANDING BEAR: OK. Is there any questions?

CHAIRMAN WALLER: Any other questions?

2ND CHAIRWOMAN RED CORN: I have a question.

PRINCIPAL CHIEF STANDING BEAR: Yes.

2ND CHAIRWOMAN RED CORN: Chief Standing Bear, how does the people in Washington, how do they view the Tribe, in the way we're set up?

PRINCIPAL CHIEF STANDING BEAR: Yes, that is a great question, Ms. Red Corn. So the question is, how do the people in Washington, D.C. view the Tribe, how we're set up. The majority, like 99% view us as a Federally-recognized Indian Tribe, and they pool us all together. If you're a Chickasaw, you have a Governor and a Council, or you're a Navajo, you have a President or Pawnee, you have a President, they look to the head of the government, always. It's a government-to-government relationship, and by experience, they always go to the head of the government. Within the Bureau of Indian Affairs, is a group that understands the nature of Osage as to detail, and that comes from the settlement agreement that was entered into with the United States of America, the Minerals Council, and the Osage Congress, and the Chief, at the time. That group is a relatively small group in the Interior, OK, understands, yes, there is the Minerals Council, which is in charge of all mineral matters of the Osage. But the vast majority do not understand that. Now, Senator Lankford has, as you all know, Derrick Osborn, who understands that. But he's one staffer of the junior Senator of Oklahoma. OK? This is what I think Senator Hoeven, it's important for him and his staff. My staff has already met with Mike Andrews, the Staff Director of the Senate Committee on Indian Affairs, to prepare the ground on this, including what is the background, how we're structured. It's important for the Committee of Indian Affairs to understand this. Senator Hoeven, from South Dakota, is who we need to meet with. Representative Zinke is from Montana, and his so-far reputation, by all accounts, has been one of very positive for energy producing tribes. Very different than the Obama administration, which I personally saw the Chair of the Crow Tribe, Darrin Old Coyote is his name, speak to President Obama, and said, 'Mr. President, you're an adopted member of the Crow Tribe'. There's Obama, and there's the Chair of the Crow. He said, 'We need our coal across Canada, so we can get to Vancouver and get it to market,' and the President of the United States says to his own Tribal Chairman, adopted, just cold as ice, quick, too, said, and I'll never forget this, 'Mr. Chairman, fossil fuels are a thing of the past. Clean energy is where you need to be.' This other Chairman and I look at each other, like, does he realize Crow people rely so much on coal for their income? Now, we're in a new administration. What we've got to do is realize the dangers that are ahead for all tribes in this administration, and we've got to carve our way into surviving. I can tell you one problem, from all my sources, the National Congress of American Indians, where people usually go, that is not well-received by the new administration, because for a couple of years after every NCAI event, you had a 'Rock-the-Vote' event, sponsored by the Hillary Clinton people. NCAI is branded as a Hillary Clinton operation. Our job, my job is to work with whoever it is, Obama, Trump, and their appointees. If we're going to survive, we've got to do that. But, the game's changed. So, how to approach this, Chairman Waller and I have been talking about this in length about this, carefully, and we must go in the steps we recommended. The travel dates are, I believe, Mr. Waller, they've scheduled us – I gave that report to all of you, today. Is that not – March 14 and 15<sup>th</sup>? Yes. So, I can tell you, 99% of the people in Washington, D.C., just treats us like another tribe. We got to show that we're an energy tribe, and also we are not taking one side or the other, except the side of our people. We're not part of this group or that group. We've got to, I guess, work both sides. That's what we've got going to Washington, D.C. Our attorney, David Mullin, was Chief Counsel for the United States Committee

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on Indian Affairs. He is the attorney that will do every single piece of Indian legislation that went across that Senate Committee, then he served as General Counsel to the National Congress of American Indians, which is why I know so much about NCAI. That's our #1 lawyer in D.C., and that's who will be joining us in our meetings. So, 99% of the people in D.C. came for just another tribe.

2ND CHAIRWOMAN RED CORN: Now, on the Reservation Status, you said that it was – when was that decided?

PRINCIPAL CHIEF STANDING BEAR: No, the *Irby* Decision was decided by the 10<sup>th</sup> Circuit Court of Appeals on March 5, 2010. It was then appealed to the Supreme Court of the United States who, a year and a half later, said 'let it stand'.

2ND CHAIRWOMAN RED CORN: And when the Solicitor was here the last time, and Mr. Black, I asked them, I said, why is it in Washington that all the maps and everything have us down as a reservation, and you say we're not? And he said, 'well, that's a good question, because this has, for the lack of a better term, 'underground reservation' status, and the surface went out in allotment time. Was that...

PRINCIPAL CHIEF STANDING BEAR: It was all up to the 10<sup>th</sup> Circuit in a Trial Court in Tulsa, in that case, by the attorneys at that time, and if you go to the *Irby* Case, and you can get it online, is "*Osage Nation v. Irby*", I-R-B-Y, and you can look at the footnotes, you'll get a hint of what's in there, in the record, because this is an opinion. What they relied upon is not readily acceptable. It says, "In reaching the conclusion, we carefully considered all the other arguments raised by the Nation, including that Tribal, Federal and State's sovereign authorities currently coexists within a reservation's boundary, that the District Court – They go through a whole list, including modern academic commentary, historian's demography, the number of people, Osages, and remember when this was going on, a map was being shown around and showed the country, and it showed Osage County as a reservation. That was obviously not persuasive. That map's been around a long time, and it still may be there.

2ND CHAIRWOMAN RED CORN: It is.

PRINCIPAL CHIEF STANDING BEAR: But you have to understand what the Federal Courts had said. They have power over the BIA. They have power over every Federal agency to stop it or strike it, and see what happened on the immigration ban? Federal Court stepped in...BOOM! That's the power of the Federal Court. The Federal Court rulings are a matter of record. Read it. Understand it. Then, go to the record of what has been filed by Scott Pruitt about us. Read it. Understand the threat. Really, fighting internally doesn't make sense to me, when we've got enemies on the outside.

COUNCILMAN REDCORN: Thank you, Chairman. I'm encouraged to go, whatever we decide to do.

PRINCIPAL CHIEF STANDING BEAR: I'll do whatever you all say.

COUNCILMAN REDCORN: But, thank you, Chief, for all the information. Just want to bring out these people that are coming into these high positions, Department of Interior, Environmental are coming from oil and gas states. So, President Obama's not very heartened by oil and gas, as well known relation to me, being involved in an energy sector. So, naturally, all his appointees will be flowing in that same vein. So, we've got to move President. We've got new folks coming up there. They are oil- and gas-minded folks. So, just an encouragement, I think. I'm reading Oil and Gas Journal coming in, I've got World Oil coming in, I read all these quickly, but I'm seeing hints of the BLM model for environmental might be in suspect. Environmental, that's something we're dealing with. Some of the regulations that we think are hard to

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overcome is those things. They might be a thing of the past in months. So, I just want us to consider – You know, sometimes, we might be hasty, but maybe a bit of time to see. I know we've got threats, but we've got to move this oil. We've got to move this oil. We got to get this production. As Chief said, we've got to get this royalty up. Just to be cognizant of that, things are going to change in D.C., probably pretty quick, and I think what we have is holdovers that are trying to get their vision through before they get run out of office. So, I don't know what's going on, but again, there's something that we're seeing in the news. So, I just want, as we communicate, Chairman, Vice Chair, that time, also, might benefit the ("Osage people" spoken in Osage). Our people. Because we have oil and gas folks coming aboard. The second thing I want to say is, Ms. Erwin, Councilwoman Erwin, you said, in the last meeting, we might have to ditch everybody and just be Osage.

COUNCILWOMAN ERWIN: That's right.

COUNCILMAN REDCORN: Forget about being Indians with everybody else. We bought this reservation. We paid for it.

COUNCILWOMAN ERWIN: It's ours.

COUNCILMAN REDCORN: And we have the receipt. So, the guy out of Texas, when we were involved in 97% of the land in Texas is privately owned. Same way in Montana. So, our title speaks a lot. Our names are on that title. That might be the strongest case we can make, that we have a receipt, and we purchased this, and not so much we're a bunch of Indians. No, we are the Osage coming to the United States. We made an agreement in 1806, Chairman, as you vividly say, continually. I appreciate your comments on Veterans' status. I appreciate your comments on our commitment to the United States. I continually request that they acknowledge our existence with the United States throughout all these years. As you said, when you were out west...there, trying to undermine the Osage. We made a decision back then. We make them, today, and I think that relationship was established years ago, and now I'm asking the United States to help us. We helped you. You help us. We helped them expand, protect our Louisiana Purchase. Now, they should be here to help us stabilize and solidify our title, our holdings, out here in the County office. Thank you, Chairman.

COUNCILWOMAN BOONE: I just have to say for the record that if the opportunity was presented for this Council to go with the Chief of the Osage Nation to Washington, D.C., that I would have to think long and hard about going there, as it's presented. The Chief's constituents are different than my constituents, and it gives a negative appearance from the constituents that I serve. I just spent a whole Sunday afternoon over in Fairfax, the other day, excuse me, at Grayhorse, on Sunday, where people believe that the Chief is interfering in their business, and I think, for us to go with the Chief may give the appearance that he's trying to interfere in our business, and that you talk about an internal threat, there's always the threat of what is the Minerals Council going to do? Is the Chief going to take over the Mineral Estate? So, that's why I would have to think long and hard traveling with the Chief to D.C. Thank you.

PRINCIPAL CHIEF STANDING BEAR: Chairman Waller, I want to say something about that. Your constituents are headright owners. My constituents are headright owners. You cannot separate us, 'cause I'm a headright owner. I am your constituent, and so is my wife. As far as my political enemies on that Congress says, you want to choose sides and go with them, that's your right. But I did not have anything illegal. I want to be fair and open. Some of the Congress don't like that. You want to get on that side, stay there. You and I will not be allies.

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COUNCILWOMAN BOONE: I did not say you were doing anything illegal, Chief. I don't know where that comment came from. I did not say you were doing anything illegal, and I understand that you are...

PRINCIPAL CHIEF STANDING BEAR: I am doing the best for our people. You can vote like...oh, do you not vote in Osage elections for Chief?

COUNCILWOMAN BOONE: Yes, I do, but...

PRINCIPAL CHIEF STANDING BEAR: Well, good. Then vote against me.

COUNCILWOMAN BOONE: OK. And, don't you have some other people that are not headright owners that vote for a Chief?

PRINCIPAL CHIEF STANDING BEAR: Yes, we do.

COUNCILWOMAN BOONE: That's what I'm saying. Your constituents...

PRINCIPAL CHIEF STANDING BEAR: I have four children that are Osage, and I have eight grandchildren that are Osage, and they don't have headright interest because I and their mother are alive. Think about that how that works.

CHAIRMAN WALLER: Councilwoman Erwin.

COUNCILWOMAN ERWIN: Mr. Chief, it's probably neither the time, nor the place, but I would like to make a comment about the water. The water is a big issue. We have fought and argued with the State in the neg-regs about water. Of course, this is my opinion, and I haven't discussed it with the rest of the Minerals Council, but to win that fight, I think that we're going to have to be united and I want to be a part of that, because I want to make sure that the annuitants get their fair share, because it is attached to the Mineral Estate. I told that to them, last time we met with the BIA. They understand that. Vanessa Ray-Hodge was very clear about that. But I would like to be a part of it, but I think it's a combined fight to get, because we're fighting the State and every big ranch out here in the Osage.

PRINCIPAL CHIEF STANDING BEAR: Mr. Chair.

CHAIRMAN WALLER: Yes.

PRINCIPAL CHIEF STANDING BEAR: That's a good point. Can I address it?

CHAIRMAN WALLER: Please.

PRINCIPAL CHIEF STANDING BEAR: Lead counsel on the battle for the water in the Osage is the Attorney General of the Osage Nation's office, currently led by Holli Wells. But, the expert is really the McElroy Law Firm out of Boulder, Colorado and David Mullin in Washington, D.C. Mr. Mullin knows Tom Fredericks for decades, and he and Mr. Fredericks do speak. No lawsuit has been launched. We certainly are not going to follow the Chickasaw and Choctaw model. My gosh. We have a much bigger claim. I can tell you those attorneys are under the direction of the Attorney General. I will support what Stephanie Erwin just said. If you want a larger voice in that, I have no problem with that. I will support that voice with the legal team. So, I can do that much. But I would ask that perhaps the entire water team local counsel has been designated to be Riggs Abney Law Firm. Let me tell you, very quickly, they've got a lot of business how this works is that you must be prepared to go into Federal Court and State Court. There's something called the McCarren Amendment, which is a Federal law. We said, when a tribe wants to do general stream

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adjudication, for fights, you must go to State Court. That's Federal law. We don't want to be in State Court. We want to be in Federal Court. Very complex, but you have to have local counsel stand by. That is Riggs Abney Law Firm in Tulsa. We have a specialist. It would be the Van Ness Law Firm in Denver. She's a young attorney, brilliant. Her name is Maranda Compton. She will work in the initial research I asked to be put together three years ago. The Law Firm called Greenberg Traurig in Denver. She left Greenberg Traurig, and is now with the Van Ness Firm. So, Maranda works with the McLeroy Law Firm in Boulder. David Mauldin in D.C. This all has to go through the Senate with local counsel, Riggs Abney Law Firm coordinated by the Attorney General's office of the Osage Nation. Mr. Fredericks has just been in visits with this group. He has not been involved in producing the documentation. If he wants to take a larger role, that's up to you all paying him, right? He bills you.

COUNCILWOMAN ERWIN: How many attorneys do you have?

PRINCIPAL CHIEF STANDING BEAR: That's why I asked Holli and Clint Patterson to coordinate this and not let everybody get in a room and bill away, right?

COUNCILWOMAN ERWIN: That's right.

PRINCIPAL CHIEF STANDING BEAR: So, these are mature lawyers, anyway.

COUNCILWOMAN ERWIN: Yes they are.

PRINCIPAL CHIEF STANDING BEAR: So, I think if Mr. Fredericks wants to have, on your behalf, a larger role...

COUNCILWOMAN ERWIN: I would like for him review the stuff to make sure our annuitants are being taken care of.

PRINCIPAL CHIEF STANDING BEAR: I would have your Chairman contact Ms. Wells, and I don't control her office, I will support you, if you want to make that request to Ms. Wells.

CHAIRMAN WALLER: Our Council. Mr. Fredericks called me last night.

COUNCILWOMAN ERWIN: Yes.

CHAIRMAN WALLER: I asked the same questions that some of you have. You see, it's time we start looking like we're together, or we're done.

COUNCILWOMAN ERWIN: Yes.

CHAIRMAN WALLER: Now, I've set on many governments here. This is our last shot. I'm the only one that's ever filed against the United States and voted, and we fought 15 years to get there. I'm not going to pick a fight with them, or otherwise, I'm going to come back and ask you guys to vote for Fredericks and me to sue in the Federal Court of Claims. You have no other avenue than that. The rhetoric's old. I'm tired of it.

COUNCILWOMAN ERWIN: I'm ready to go to Court, anytime.

CHAIRMAN WALLER: I know you are. I pitched it. I know you'll knock it out of the park. With that, is there any other question? I wanted the Chief to come here so you all could know that wanted to go. I want

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to go. I have an A-Pass at the White House. Do any of you have an A-Pass? Do you even know what it is?

COUNCILWOMAN ERWIN: No.

CHAIRMAN WALLER: That means I can go down that tunnel and be the last one left after they blow us to Kingdom Come. I'm going to be bringing it, Chief.

PRINCIPAL CHIEF STANDING BEAR: I have clearance. I'll be in a deeper tunnel.

CHAIRMAN WALLER: Thank you. Thank you. I'll be with him. Council, Tom Fredericks will advise us on what to say on our behalf, but you already know what it is. 1906.

2ND CHAIRWOMAN RED CORN: Chairman?

CHAIRMAN WALLER: Yes.

2ND CHAIRWOMAN RED CORN: I'd like to say something.

CHAIRMAN WALLER: I'd like to have this as closing.

2ND CHAIRWOMAN RED CORN: I just wanted to say that I think that we need to come together and make a statement as to how we view ourselves, because, I want us to know how each of us feel to have a unified statement that says, 'this is how the Osage is set up,' because people don't understand that, and other tribes don't understand it, and sometimes, it's hard for me to understand it. It's very unique in all of the United States. Nobody else is set up like this. So we need to address that, and say that, that this is how we view ourselves, and that would be one of the strongest statements we could make, and also in addition to say, but this group paid for it, this reservation. All these things need to come out.

PRINCIPAL CHIEF STANDING BEAR: Most of you all know I worked for Kathryn, when I was in college. So, she's my boss. I love what Talee said. That is something that will separate us from the other tribes. That is a great, powerful argument, and will be glad to take that to our officials. Thank you. That was very good. May I be excused?

2ND CHAIRWOMAN RED CORN: No. *(Laughter)*

CHAIRMAN WALLER: God go with you.

### **BIA Report:**

SUPERINTENDENT PHILLIPS: The Osage Agency would like to report for the month of January.

In the Branch of Field Operations: 2,115 Purchaser run tickets reviewed and scanned; 13 Well pluggings witnessed; 48 Trucking Permits prepared; 49 Leases checked for production under primary term; 22 Gas meter reports scanned into Osage Nation Report; 2 OERB Evaluations; 52 Lease Inspections; 89 Lease inspections/follow-up; 15 Gas meter calibrations/provings witnessed; 2 Trucks stopped for permit check; 10 Tank Strappings Witnessed; 7 Complaints responded to; 18 Spills/leaks inspected; 19 Spill/leaks inspection/follow-up/ 68 Tank gauged; 35 Run tickets figured; 70 Calculations; 3 Tank bottom removals witnessed.

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Branch of Lease Management: 1 Division Order; 1 Lease Termination; Producing Wells for January : 18,091 less 3,257 for SWD and other wells = 14,834

Other Minerals (25 CFR Part 214) Sales reported per lease: APAC – 36,618.28 tons; Candy Creek Crusher - 10,295.22; Casey Hindman – 3,743.45 cubic yards; and, Rocky Banks – 108 cubic yards.

Number of requests for lease information: FOA Requests – 1; non-FOIA Requests – 18

Branch of Subsurface Minerals: 1 Approved Drilling Permit; 17 Approved Workover Permits; 6 Approved Plugging Permits; 26 Pending drilling permits.

Branch of Enforcement and Lease Compliance: Number of EA's Approved for APDs – 1 covering 1 permit; 34 Non-Compliance Notices; 12 Non-Production Letters – 33 Extension Letters; 4 Final Notice Letters; 5 Spill Remediation and Reporting Form Acknowledgement Letters

During the month of January, the Branch of Accounting identified, I'm sure the Minerals Council has heard, that the Osage Agency notified all the lessees, reminding them that the reports are due on the 25<sup>th</sup> of the month. We had, I think, 3.9%, at that time, that were late. We are down to 0.8%. So, we are getting those reports in on time.

During last month, I believe that Councilwoman Boone brought up a letter that was an appeal from Tina Van, is that correct? Unfortunately, I can't talk about the appeal, but she appealed a decision that the Agency made on an assignment. But I will ensure to you that Richard Winlock and I performed an inspection on her property, personally. We identified that there were several issues out there. We're working with the lessee, the new assignee in addressing those issues. Unfortunately, he is having issues with accessing to the property, and I do have a copy of a report that he apparently went out there to the property and Miss Van gave him some issues and some problems where he had to resort to file something against her. So I am providing that to you. I've instructed my staff to inform him that if he has any issues in the future, that maybe he should call one of the Council members to see if maybe they could provide some assistance to him, maybe, with law enforcement. I don't know. That I will refer back to you all.

Councilwoman Erwin asked about Steve Cornelius. That lease has been cancelled for lack of a bond. The letter was mailed out January 18. He's got 30 days for an appeal. We haven't received anything to this date. I've got somebody who's going out there and measure those tanks. Those tanks have been red-sealed.

Councilman Crum asked about a meeting with Mr. Swan. That has been set up as the Chairman said earlier, we'll meet on the 5<sup>th</sup> of the month, from now on, and if by chance Mr. Swan and James, then that will be fine. If it's someone else, then Richard or I will accompany James over. So, you guys just make that decision if it's just going to be the two of them.

Councilman Yates asked about lease terminations during the last few months, and wanted to know why there was a big difference and Cammi informed me he was working on some other things, as opposed to the lease terminations. We do have some lease termination responses for inspections that did come in, and so that will probably generate an increase of notification of lease terminations. That's about all I can tell you there.

Also, the Osage Agency, we draft a letter at the last meeting. There was a question asked about how we can assist in providing copies of records, and I think Councilman Crum asked if we could assist the Minerals Council in coming up with a letter. I have a generic draft letter here. It's asking our lessees who come in or landowners to also fill out, so that we can have documentation in to what is being released. I believe that Councilwoman Erwin had asked for copies of permits for drilling. I asked my subsurface, from now on, to include the notices of the approval of drilling permits to include the Osage Minerals Council at the bottom. So you should be receiving those. I've got, right here, copies of the ones for the month of January that you can have. But, in the future, they'll be coming on a regular basis to the Minerals Council. Right now, at this point, Richard and I are scanning a lot of stuff, because Minerals Council has asked for us to ensure that it

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comes by email, as well as delivery. We're going to have to stop doing that, and we're going to have to rely on the Minerals Council staff to ensure that whatever we deliver is disseminated to all of the Council members, because it's just bogging us down. So, anyway, I've told all of my Branch Chiefs to ensure that the Minerals Council gets a copy of everything that we are doing over there. Letters that are going out, permits that are approved. So, you should be getting that and if you all would just, the Minerals Council staff to just ensure that is disseminated, that would help me out a lot, and I know that we've been asked for copies of things that we've already provided. So I'm hoping that – I did see something that was provided, where you're logging in now, and hoping that maybe the Minerals Council staff will have files set up so that there's not a duplication of work on that side. We've got so many things going on, when we're asked to provide copies, something we've already provided, it is taking away from other things we're trying to do. So, if you all would do that, I'd appreciate it, and I think that takes care of all my notes.

CHAIRMAN WALLER: OK, just on the last comment, Mr. Brock and I have already looked at that. We'll get the letters on a spreadsheet, and Council will have that. The redundancy on the paperwork, we understand that a lot. I'm just trying to please a lot of people with a lot of things. We already have the files available. They've been here since I've been sitting here.

SUPERINTENDENT PHILLIPS: Very good.

CHAIRMAN WALLER: So, we'll take care of that. With that, I'd like to turn the floor over to Ms. Boone, on the first comment she had had.

COUNCILWOMAN BOONE: Getting back to the Vann letter, what's the penalty for late reports?

SUPERINTENDENT PHILLIPS: Late reports? \$50.

COUNCILWOMAN BOONE: Just \$50...

SUPERINTENDENT PHILLIPS: ...per day.

COUNCILWOMAN BOONE: Per day.

SUPERINTENDENT PHILLIPS: And we have a maximum of \$200.

COUNCILWOMAN BOONE: Well, then why are some of our people being fined \$200 for being 27 days late, and somebody else gets a fine of \$200 for being four days late?

SUPERINTENDENT PHILLIPS: Well, originally, when we did the notification to all the lessees, we originally charged \$50 a day, and we had individuals that were basically being charged up into the several thousand, because they were not getting them in within 30 days, and as you and I both know, these monies do not benefit the Agency or the Osage Minerals Council. So, what we were trying to do, is that we were trying to put a policy into place that notification would be the date that we would cut everything off. What that basically means is if it's on the 25<sup>th</sup>, comes in on the 26<sup>th</sup> – 26<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, my staff is ensuring that all of it is in to the system, the Osage sweet. On the 29<sup>th</sup> day, they will ask I.T. to run a report. Those individuals who provided nothing, they did not send any type of report, by the time we'd get a letter out, that \$50 a day would just continue to accumulate. So, what we did, is that we went back and looked to see how many individuals had paid anything over \$200, and we found none. So those reports may be older reports, as far as timely filing of records. So, we generated, made a decision of a policy of \$200, based on the four days that the Agency would be putting in the information in.

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COUNCILWOMAN BOONE: And so, it doesn't matter if they're two days late, four days late or 54 days late, your penalty is going to be how much?

SUPERINTENDENT PHILLIPS: It's going to be \$200. Now you need to keep...

COUNCILWOMAN BOONE: Just a flat \$200?

SUPERINTENDENT PHILLIPS: No, it's \$50 a day, per day, up to the maximum of \$200. Now, you got to keep in mind, if an individual continues to not report, then they're in non-compliance of the lease. So that's a whole other issue. This is just timely reports.

COUNCILWOMAN BOONE: And that's what I'm looking at, timely reports. One person gets a 27-day late penalty of \$200, and another one, he's only four days late, and he gets the same amount. That's the point I was trying to make. Alright. Thank you.

CHAIRMAN WALLER: Council.

COUNCILWOMAN ERWIN: I had a request sent over to the office for some gas leases that were denied. Companies for gas leases. Do you know when you'll have those over to us? I need to forward them on to our attorney.

SUPERINTENDENT PHILLIPS: OK, I need the Chairman to put that in a written form.

COUNCILWOMAN ERWIN: I understand that, now, and it probably will be done. That's not my understanding we agreed on last month, when we could ask for it, and you would send it back to him. But, nevertheless, I need to know when the gas contracts are going to be coming. How long is it going to take you to do it?

SUPERINTENDENT PHILLIPS: I will check with Cammi and get back with you, today.

COUNCILWOMAN ERWIN: OK, I need to send those to our attorneys.

SUPERINTENDENT PHILLIPS: OK.

COUNCILWOMAN ERWIN: Furthermore, I need to ask about Coast. I think this started out with Richard, and you weren't here in a meeting, about taking the red tags off. You said you could do that. I've got it in minutes somewhere. I could send them to you. I don't have them in front of me, right now about getting that red tag off that tank of oil, and then you said you would check into it and try to do something about it. Where are we on that?

SUPERINTENDENT PHILLIPS: Oh, I...

CHAIRMAN WALLER: Council.

DEPUTY SUPERINTENDENT WINLOCK: OK, is that the one with the waterflood?

COUNCILWOMAN ERWIN: I think so. Mr. Cornelius. You also said that you were going to contact him. Did you contact him?

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DEPUTY SUPERINTENDENT WINLOCK: OK, well, we can take the seals off, and we can tell the purchaser to release the funds. Mr. Coast will not receive the funds.

COUNCILWOMAN ERWIN: I don't care about Mr. Coast. I care about getting that money into the March payment.

DEPUTY SUPERINTENDENT WINLOCK: Well, in the first place, we had the tank seal, we advised the purchaser not to hold the royalty for the Tribe to release the oil to the Tribe.

COUNCILWOMAN ERWIN: Yes. That's why I'm...

DEPUTY SUPERINTENDENT WINLOCK: It's always been released.

COUNCILWOMAN ERWIN: It's been, what, six...

DEPUTY SUPERINTENDENT WINLOCK: The red seal...

COUNCILWOMAN ERWIN: ...months trying to get the royalty. I'd like to see it in March payment.

DEPUTY SUPERINTENDENT WINLOCK: The royalty has already been released.

COUNCILWOMAN ERWIN: OK.

DEPUTY SUPERINTENDENT WINLOCK: What we told them to hold was the...

COUNCILWOMAN ERWIN: ...but if you...

DEPUTY SUPERINTENDENT WINLOCK: ...funds.

COUNCILWOMAN ERWIN: OK, so they have picked up the oil?

DEPUTY SUPERINTENDENT WINLOCK: Yes.

COUNCILWOMAN ERWIN: OK, because...

*(Both speaking at the same time, and could not be transcribed.)*

COUNCILWOMAN ERWIN: ...the tank filled again, and we can get some more royalty out of it.

DEPUTY SUPERINTENDENT WINLOCK: They're OK to pick it up. They were just told to hold the lessee's funds. At least the royalty...

COUNCILWOMAN ERWIN: ...in suspense. OK. I will check it, because I will call him myself. I did, last time. Thank you.

SUPERINTENDENT PHILLIPS: I need to clarify that. Steve Cornelius, his lease was cancelled on January 18, and his lease, right now, we're in a 30-day appeal. I looked at this. Richard was knowledgeable on this. Richard was in another meeting. I looked at this, before I came over, and there has been nothing picked up. So, right now, at this point, everything should be in the tanks, and like I just said a minute ago, we're going to send that out to ensure everything that he's reporting is still in the tank.

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COUNCILWOMAN ERWIN: OK, but can you take the tags off? You have to take the tags off before they can pick it up.

SUPERINTENDENT PHILLIPS: My understanding is the purchaser would be able to...

COUNCILWOMAN ERWIN: No, I don't believe it works that way, because I talked to the purchaser, myself. Coffeyville Resources.

SUPERINTENDENT PHILLIPS: OK. That would be something that he's...

COUNCILWOMAN ERWIN: You have to take the red tags off, don't you?

SUPERINTENDENT PHILLIPS: Richard?

DEPUTY SUPERINTENDENT WINLOCK: We either take the tags off, ourselves, or we'll get a purchaser's permission to take them off.

COUNCILWOMAN ERWIN: One way or the other, it needs to be done. Thank you.

CHAIRMAN WALLER: There's a couple of options, there, so that you can use. Councilman.

COUNCILMAN YATES: Ms. Phillips, last month, we had a delay in reporting possibly payment for one of our purchasers. Could you give us the circumstances behind that, or why that would happen?

SUPERINTENDENT PHILLIPS: I did go back and review that, and I believe that the check came in and hit the lockbox, and the Agency, we processed it and it went over to the Office of Special Trustee. At the time that that's happening, there was a holiday leave, Christmas, and it didn't make it into the account until such time that it would be for the next month, so we were not able to report it. I believe Joy had the same finding that you found?

COUNCILMAN YATES: Yes. Is that also, I understand it was a different purchaser, I say Sunoco, for November, 2016. Is that...

SUPERINTENDENT PHILLIPS: That's the one.

COUNCILMAN YATES: That's the one?

SUPERINTENDENT PHILLIPS: Yes.

COUNCILMAN YATES: OK, I thought it was probably Resources or it happened twice. Even just the once makes me nervous.

CHAIRMAN WALLER: Yes, sir.

COUNCILMAN YATES: Alright, thank you very much.

SUPERINTENDENT PHILLIPS: You're welcome.

CHAIRMAN WALLER: Council.

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COUNCILMAN CRUM: I have a couple of things. I'm not certain exactly what your announcement was about materials from you. You did send us out a list of the permits that have been OK'd through both drilling and workovers. Is that going to continue, we're going to get that list...?

SUPERINTENDENT PHILLIPS: Yes.

COUNCILMAN CRUM: Just the list of...one thing I'd like to see happen, if possible, and that's for the ones that have not yet been approved, we have a date when they were approved, but we don't know when they were pliable. And in order for me to try and evaluate how we're doing in getting these permits out, first off, I'm heartened by how many drilling permits came in. It looked good to me, but I don't know how long they were held up. So, if you're still going to continue to make that one, maybe you could add another line into the printout that says 'Date Submitted'.

SUPERINTENDENT PHILLIPS: OK.

COUNCILMAN CRUM: So, you can see what action they're waiting on over there, but I don't know how long they've been waiting on. The second thing is that I didn't see a Coffeyville Report, this time. You normally email those out to us, and you know how I am. I like to go through them, and see where we're at on the things. So...

SUPERINTENDENT PHILLIPS: And I apologize, because now, yes, I didn't send those to you. So, normally, it's by separate email. The Agency that gives the report each month, we will continue to do the same report, as far as correspondence and stuff goes. Those will be something we will rely on your staff. But, yeah, you're right. I just realized that I didn't send that to you, so I'll get that for you, today.

COUNCILMAN CRUM: OK, and I have a third thing. Last week, we talked about, you didn't know whether it come through because it didn't come through your desk, and that was the Newpek bundle that we got. Is everything OK with that. That went through? But it'd be nice to announce that Newpek come in and leased 8,640 acres, ten days ago, all in one pot. It's up in the northern part of the deal. That will add \$432,000 to the June payment. We're wanting to have a lease sale, and if we'd had a lease sale that leased out 8,640 acres for nearly half a million dollars, we'd had thought that lease sale was pretty successful, but we end up doing a similar thing in one pot. Just wanted to let people know that was going on.

SUPERINTENDENT PHILLIPS: The Osage Agency will be sending out an acknowledgement letter to that effect, and we'll let them know and cc: you, so that you'll know what we're working on it, OK?

CHAIRMAN WALLER: Has their agreement elapsed?

SUPERINTENDENT PHILLIPS: Yes.

CHAIRMAN WALLER: Councilwoman.

COUNCILWOMAN ERWIN: I'm kind of curious on this Newpek. I thought the last time we had spoke about it, they wanted an emergency Council meeting to come back up here and bring their offer or whatever, and we didn't do it. So, when did this come about, this \$430,000 worth of 8,640? When did this happen?

COUNCILMAN CRUM: Ten days ago. I got it in an email. It was sent to everyone by Lacey, I think, and sent it out to everybody, and what they did was that they exercised their option on their lease, where they had, what was it, 32,000 acres that they were excited about paying the lease price on it on 8,640 at \$50 an

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acre. They exercised what was in part of their concession agreement, which had to be done by now. I think it's up, probably.

COUNCILWOMAN ERWIN: So, let me make sure I understand. OK, \$50 an acre for 8,640 acres?

COUNCILMAN CRUM: That's what my email said. The same one you got.

COUNCILWOMAN ERWIN: I don't know. I didn't see it, sir.

CHAIRMAN WALLER: Council.

COUNCILMAN YATES: ...They were a little nervous that they were coming up at the end of their concession, so they exercised what was their legal right to take down that acreage before their concession ran out, and they were wanting to make sure it was getting done. That's why they were requesting an emergency meeting and then we discussed it with...

COUNCILWOMAN ERWIN: I don't recall getting the emails...

COUNCILMAN YATES: ...the Superintendent. She decided she could provide him with a letter confirming the approval, and that would take care of the meeting. It's nothing we had to approve of. She was exercising her right under the concession.

COUNCILWOMAN ERWIN: I understand that, now. I didn't understand the emergency meeting, and then being able to get this lease. I don't recall getting the email.

COUNCILMAN CRUM: If you recall, they come out of several different ties, they wanted the whole amount for nothing. Just two more years, and they cut it down, and they gave us another offer to cut it down. At no point were we going to get any funds for it. We were just going to let them have the concession for two more years, I guess, and the rest of the stuff stayed. But, anyway, it worked out, and in my mind, they exercised their end of the concession agreement, and we're getting \$430,000 and 8,642 acres are now on the clock, that they have to drill on, and hope where our production is going.

SUPERINTENDENT PHILLIPS: I'd like to say you guys did a good job there.

COUNCILMAN YATES: Thank you.

CHAIRMAN WALLER: Council? I just have one comment on the 18,091 wells minus 3,257 saltwater disposals = 14,834, how many open doors do we have that's non-producing? Estimate.

DEPUTY SUPERINTENDENT WINLOCK: I would estimate probably 1,680, give or take.

CHAIRMAN WALLER: Thank you. I appreciate it. With that, thank you so much.

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## **NEW BUSINESS**

### **Dr. Edgar Rebeiro – New Oil & Gas Lease: Jamie Sicking**

Mr. Sicking sent out an email per the Council's request outlining the offer for a new oil lease in the amount of \$3,650 at SE/4 20-27-9 and saltwater easement for \$300/yr. There was discussion on the offer, motion and 2<sup>nd</sup>, followed by calling of the question.

**Motion to accept Dr. Rebeiro's offer stated above by Councilwoman Erwin, 2<sup>nd</sup> by Councilwoman Boone. (Res. 3-192)**

**MOTION PASSED: CYNTHIA BOONE-YES, JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-ABSTAIN.**

### **Burbank Materials – Renegotiation of royalty rate per January 4 letter: Casey Hindman**

Mr. Hindman came before the Council to renegotiate mining lease at Burbank Materials. He proposed the value of the royalty at 10% on rock on sale price that goes across scales at 53 cents per ton. Discussion was held.

**Motion to accept Casey Hindman's agreement to accept the royalty value of rock at 10% by Councilman Crum, 2<sup>nd</sup> by Councilman Yates. (Res. 3-193)**

**MOTION PASSED: JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-YES.**

### **Rocky Banks & Schmitt Brothers: Sandy Soil Permit**

Chairman Waller stated that this has been taken care of and has been discussed.

### **OMC Working with TORP (Tertiary Oil Recovery Program) at University of Kansas: Jim Hessert & Councilman Redcorn**

Councilman Redcorn mentioned that the Council had seen the presentation the week before. He proposed that they bring Mr. Hessert from the University of Kansas and let him speak with the Council. It will be put on the agenda, per Chairman Waller.

### **Conference Presentation in Denver: Councilman Redcorn**

Discussion was held on travel for anyone on Council to attend the meeting in Denver on February 28.

**Motion to pay for travel to and from Denver for presentation by Councilwoman Erwin, 2<sup>nd</sup> by Councilman Redcorn. (Res. 3-194)**

**MOTION PASSED: GALEN CRUM-YES, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-YES, JOSEPH CHESHEWALLA-YES.**

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A break was taken at 12:00 p.m. and all Council members returned at 12:16 p.m.

**Special Oil and Gas Lease: George Shannon**

Mr. Shannon presented his idea for a Million-Acre Lease to the Council, in which in his own words, "(w)e would take away the job of the Bureau of Indian Affairs...and we would do that under a new company, a new corporation, a new LLC, but the Minerals Council would still be involved as directors in that corporation." Mr. Shannon and members of the Osage Minerals Council discussed his idea. No action was taken at this time.

**Motion to go into Executive Session by Councilwoman Erwin, 2<sup>nd</sup> by Councilman Crum.**

**MOTION PASSED: STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-ABSENT, JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES.**

**Executive Session – 1:15 P.M.**

\* \* \* \* \*

**Motion by Councilwoman Erwin to Exit Executive Session, 2<sup>nd</sup> by Councilwoman Boone – 2:20 P.M.**

**MOTION PASSED: KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-YES, JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-YES.**

Regarding the EIS, Chairman Waller announced that Councilman Redcorn and Councilman Crum will do the markups on documents that the Council has from Mr. Fredericks.

Regarding the 25 CFR 226 discussion, Councilwoman Erwin read the "Therefore" section of the resolution, *"Therefore, be it resolved, the Osage Minerals Council hereby requests that the Department of Interior halt its review of the regulations in 25 CFR Part 226 – Leasing of Osage Reservation Lands for Oil and Gas Mining until such time that the Osage Minerals Council is confident in the DOI's ability to act in the Osage Headright Owner's best interest."*

**Motion by Councilwoman Erwin to present resolution as written, 2<sup>nd</sup> by Councilwoman Boone (Res. 3-195)**

**MOTION PASSED: TALEE REDCORN-YES, EVERETT WALLER-NO, ANDREW YATES-NO, CYNTHIA BOONE-YES, JOSEPH CHESHEWALLA-YES, GALEN CRUM-NO, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES.**

Councilwoman Erwin spoke regarding the trip to Washington, D.C., and Chairman concurred about the open resolution for travel.

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Motion by Councilwoman Erwin for the travel to Washington, D.C. the Osage Minerals Council is allowed to go attend the meetings, 2<sup>nd</sup> by Councilman Redcorn (Res. 3-196)

**MOTION PASSED: EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-YES, JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES.**

## **OLD BUSINESS**

### **ODOT-MOU:**

Chairman Waller and the Council discussed the ODOT MOU. The State of Oklahoma is offering 54 cents now. They did put in the other element that Trustee goes to the 10%. After the discussion, Chairman Waller tabled this, and will bring it back.

### **Amshore Letter:**

Councilwoman Erwin mentioned a letter from them asking to see the Council. Chairman Waller will call them what was discussed in the open meeting.

### **Meeting Minutes: 12/16/16, 12/21/16 and 1/18/17**

Councilman Crum wanted to table the 1/18/17 minutes so that he could look over them.

**Motion by Councilwoman Boone to approve the 12/16/16 and 12/21/16 Meeting Minutes, 2<sup>nd</sup> by Councilman Redcorn.**

**MOTION PASSED: ANDREW YATES-YES, CYNTHIA BOONE-YES, JOSEPH CHESHEWALLA-YES, GALEN CRUM-ABSTAIN, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES.**

### **Freedom of Information Request Case: Councilman Crum**

Discussion was held on the upcoming case scheduled for February 24

## **COMMITTEE REPORTS**

### **Wah-Tiah-Kah Scholarship Awards:**

Councilman Yates announced that four scholarships were awarded. Three of the four were Fall recipients, and the fourth was a new one. The winners are Blake Evans, Petroleum Engineering graduate at Texas Tech; Bret Fugate, Energy Management; Gabriel Pelayo from Skiatook, Tulsa Community College, Petroleum Engineering; and, Brandon Edwards.

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Motion by Councilman Yates to award the four Wah-Tian-Kah Scholarship winners that have been chosen, 2<sup>nd</sup> by Councilman Redcorn. (Res. 3-197)

MOTION PASSED: CYNTHIA BOONE-YES, JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES.

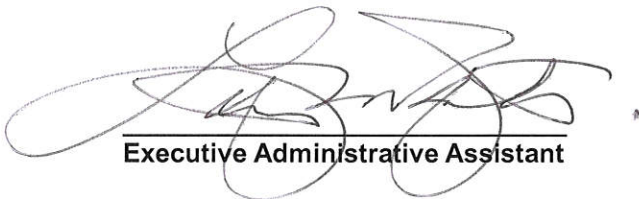
#### ADJOURNMENT

Motion to adjourn by Councilwoman Boone, 2<sup>nd</sup> by Councilwoman Erwin.

MOTION PASSED: JOSEPH CHESHEWALLA-YES, GALEN CRUM-YES, STEPHANIE ERWIN-YES, KATHRYN RED CORN-YES, TALEE REDCORN-YES, EVERETT WALLER-YES, ANDREW YATES-YES, CYNTHIA BOONE-YES.

Adjournment – 2:50 P.M.

Approved:



Executive Administrative Assistant



Chairman

Osage Minerals Council Minutes  
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