

I. Call to order at 10:24 a.m. by Chairman Waller

II. Opening prayer by Second Chairman Red Eagle

III. Roll call

Councilmember Forman—present, via Zoom

Councilmember Gray—present

Councilmember Harlan—present, via Zoom

Councilmember Redcorn—present, via Zoom from 10:19 a.m. until 11:07 a.m. to travel

Second Chairman Red Eagle—present

Councilmember Revard—present, via Zoom

Chairman Waller—present, via Zoom

Declaration of Quorum

Guests: Devin Robinson, Michael Hiner, Gary Jones, Robert Knapp, John Kannard

IV. New Business

a. Resolution: Table Osage 2

Motion by **Councilmember Gray**

Motion **PASSED** YES: 5

NO: 1

Second by **Chairman Waller**

ABSTAIN: 0 ABSENT: 1

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—y

Councilmember Redcorn—absent

Second Chairman Red Eagle—y

Councilmember Revard—n

Chairman Waller—y

Discussion: Gary Jones, a member of the Osage 2 board, spoke about a conversation he had with Council Redcorn. Draft documents were reviewed by the ON Attorney General. Instead of 501(c) 3, the recommendation from the AG was to do a nonprofit through ON. The AG also recommended all of OMC be members of the nonprofit group. **Council Revard** asked if the proposed entity would be a corporation or LLC. **Mr. Jones** said it would not be an LLC but a proposed nonprofit corporation.

b. Resolution: Accept a three-year oil lease to Robinson Oil Field Services with a \$3,600 bonus per quarter and 20% royalty including reports for data completion, seismic and all BIA reports to also be submitted to OMC for SW 17-29-9, NW 17-29-9, NE 17-29-9, SE 18-29-9

Motion by **Second Chairman Red Eagle**

Motion **PASSED** YES: 6

NO: 0

Second by **Chairman Waller**

ABSTAIN: 0 ABSENT: 1

Councilmember Gray—y

Councilmember Harlan—y

Councilmember Redcorn—absent

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—y

Discussion: Devin Robinson requested a new three-year oil lease on four quarter sections. **Council Gray** asked to include data reports. **Chairman Waller** requested all BIA reports sent to OMC, as well. **Council Revard** asked if there were any unplugged wells. **Mr. Robinson** said there were currently 24 that will be active. **Council Revard** continued asking if there were disposal wells, whether the wells were in compliance, or needed to be re-permitted. **Mr. Robinson** said there were two disposal wells. He assumes the wells are in compliance, but he will contact the BIA to make sure. The previous leases were terminated.

Council Revard asked if Mr. Robinson knew why the leases were terminated. **Mr. Robinson** said he thought the wells were abandoned because they were too far away from the previous lessee's other leases.

- c. Resolution:** Accept a three-year oil and gas lease to Performance Petroleum Company with a \$4,750 bonus per quarter and 20% royalty including reports for data completion, seismic and all BIA reports to also be submitted to OMC for NW 33-25-12

Motion by **Councilmember Gray**

Motion **PASSED** YES: 7 NO: 0

Councilmember Harlan—y

Second Chairman Red Eagle—y

Chairman Waller—y

Councilmember Gray—y

Second by **Councilmember Forman**

ABSTAIN: 0 ABSENT: 0

Councilmember Redcorn—y

Councilmember Revard—y

Councilmember Forman—y

Discussion: **Mr. Knapp** said the lease was previously operated by his company, but they lost it during the pandemic; it was terminated for non-production. A saltwater disposal easement already exists. **Council Forman** said to make sure the bonus amount is correct on the resolution. Council Revard said the bonus amount was \$50 over the standard lease amount and would gladly take the extra \$50 for the Mineral Estate.

- d. Resolution:** Send a formal request to the BIA for OMC to have access to TAAMS

Motion by **Councilmember Gray**

Motion **PASSED** YES: 7 NO: 0

Councilmember Redcorn—y

Councilmember Revard—y

Councilmember Forman—y

Councilmember Harlan—y

Second by **Councilmember Harlan**

ABSTAIN: 0 ABSENT: 0

Second Chairman Red Eagle—y

Chairman Waller—y

Councilmember Gray—y

Discussion: **Council Gray** explained that she brought items to the agenda as a follow-up to the biannual meeting. **Council Revard** asked if all OMC would have access to TAAMS. **Council Gray** said she researched the topic, and it requires whomever OMC appoints. Appointees must pass a background check. This resolution is the first step to get access to TAAMS, then OMC can choose who has access to it. **Council Revard** said he'd be in favor, if all OMC had access to TAAMS. **Council Gray** said the letter included all OMC, and it was available for his review. **Chairman Waller** said the Chief of Staff will make sure everyone has access. **Council Forman** asked to include the data consultant to have access to TAAMS. In addition to OMC and staff trained on TAAMS, she asked to add to the request to have regular updates from TAAMS in a downloadable form, and the gas consultant have access. **Council Gray** said the request needs to be done, then find out who can or can't access. **Council Forman** said the data consultant already has access to NIOGEMS and has passed security background. He needs to be included in the letter, or it will be another delay. The letter requesting updates and leases available needs to be sent. **Chairman Waller** said he didn't have a problem requesting the updates because OMC made it clear in the biannual meeting they wanted the updates. **Council Gray** said two separate letters should be written. BIA knows OMC wants updates. She'd like it left as is, so it can move forward. **Council Forman** said Chairman said to include the gas consultant in the letter, and it would take "five seconds" to add him to the letter. **Chief of Staff Lacey Reynolds** pointed out the motion was already made, seconded, and would have to be amended to change the letter.

- e. Resolution:** Request Kristen Kokinos to communicate to DEMD that OMC needs critical information updated on NIOGEMS

Motion by **Councilmember Redcorn**

Motion **PASSED** YES: 7 NO: 0

Second Chairman Red Eagle—y

Chairman Waller—y

Councilmember Gray—y

Councilmember Redcorn—y

Second by **Councilmember Gray**

ABSTAIN: 0 ABSENT: 0

Councilmember Revard—y

Councilmember Forman—y

Councilmember Harlan—y

Discussion: **Council Redcorn** said this was a motion resulting from the biannual meeting. He added he was in agreement with tabling the Osage 2 resolution. **Council Revard** wanted to be sure he was included in any discussion and correspondence regarding Osage 2.

- f. Resolution:** Add Rollie Wilson, attorney, to work with MI3 on Phase 2 for EOR on the Osage Reservation

Motion by **Councilmember Redcorn**

Motion **FAILED** YES: 2 NO: 5

Councilmember Revard—n

Councilmember Forman—n

Councilmember Harlan—n

Second Chairman Red Eagle—y

Second by **Second Chair Red Eagle**

ABSTAIN: 0 ABSENT: 0

Chairman Waller—n

Councilmember Gray—n

Councilmember Redcorn—y

Discussion: **Council Harlan** said she was not necessarily opposed to adding the attorney. She said there have been several attorneys and consultants hired. She wanted to know where the money would come from to pay them and whether it was in the budget. She had no idea where the budget was, since there are no longer committee meetings. **Councils Revard and Forman** agreed. **Council Forman** said she supported hiring the attorney, and OMC would continue to need attorneys. She'd like to have a line item budget, so OMC knows where the budget stands. She asked Council Redcorn to share who was on the team and what the need for the attorney was. **Council Redcorn** answered that MI3 requested certain individual's help with the scope for phase 2. Currently, Tim Dowd is the legal counsel. After discussion with MI3 and moving forward with challenges, they decided Mr. Wilson would be a better fit for the EOR project. **Council Forman** said she wanted to be involved in all discussions concerning the project. She wants to see the results of the EOR studies, OMC is behind on the information, and needs to be updated. She added that she supported using the Patterson, et al. law firm. **Council Revard** agreed with Council Forman. Further, he wanted to be invited and included in every meeting of Minerals Council business, particularly including EOR. OMC authorized Councils Redcorn and Gray to go before ON for appropriations to complete the MI3 EOR study, which was a year ago. No updates have been given to OMC since then. He wanted MI3 to address OMC for the update—what's been done and what's left to do. **Chairman Waller** requested the Chief of Staff provide an update of the budget. **Ms. Reynolds** said she was not prepared to update at that time. **Chairman Waller** asked the budget information be shared at a later time. **Council Revard** said he needed more information about MI3 and the EOR study before voting and wanted it tabled until updates are provided. **Council Gray** said she concurred with Council Harlan about the budget. It seemed that legal fees were being added without being responsible for where the money would come to pay them. She agreed with Council Revard about having a presentation from MI3. **Council Redcorn** said he didn't want to share any information publicly because it was critical information to the Osage Nation. He said MI3 is a good company and was selected by DEMD. Phase 2 has not started yet. **Council Forman** agreed with Council

Revard about being updated on the project. Full council needs to know what's going on before decisions are made. She suggested tabling the resolution until everyone is brought up to speed first.

g. Resolution: Request an audit of the gross production tax at the Osage Agency

Motion by **Councilmember Gray**

Second by

Motion **FAILED**

YES:

NO:

ABSTAIN:

ABSENT:

Discussion: **Council Gray** said this resolution was another subject discussed in the biannual meeting. She said OMC wanted to know where the money was being spent. **Motion died for lack of a second.** Council Harlan said the Superintendent issued a letter to the State of Oklahoma requesting information about the GPT. She wanted to see the response and then, possibly, bring back the resolution. She reminded OMC they needed to do due diligence before moving ahead; more information was needed on several of the items. **Council Gray** said since the [BIA's] letter was sent, it made her think OMC's message was received. **Council Forman** agreed with Council Harlan. She said the 1906 Act had two amendments relating to the GPT. The second amendment eliminated the first amendment's responsibility of the BIA to provide OMC with an accounting every year. An amendment may be required to obligate the BIA to provide accounting of the GPT. **Chairman Waller** said OMC could coordinate with the ON Tax Commission to follow an audit trail. GPT is used to help funding with schools and transportation.

h. Resolution: Authorize expenditures for the fifth OMC inauguration and swearing in ceremonies including donation (a) \$5,000 for Osage Nation Congress' Inauguration Celebration, (b) blankets and embroidery not to exceed \$2,500, (c) photographer not to exceed \$500, (d) caterer and cake not to exceed \$1,000, and (e) frames not to exceed \$100

Motion by **Chairman Waller**

Second by **Second Chair Red Eagle**

Motion **PASSED**

YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 1

Chairman Waller—y

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—y

Councilmember Redcorn—absent

Second Chairman Red Eagle—y

Councilmember Revard—y

Discussion: **Ms. Reynolds** said the resolution was made because it takes a long amount of time to get funds to pay for items through the Nation. **Council Forman** said "We need to know how much money we have." She isn't opposed to the resolution but wants an update of the budget. She asked if money was available to cover inauguration costs. **Ms. Reynolds** said money was available. The line item amount planned for spending is shown in the resolution. **Council Gray** read the amounts, adding the money is there because it was already budgeted.

i. Resolution: Drumkeeper donation of \$5,000 to each district

Motion by **Councilmember Gray**

Second by **Second Chair Red Eagle**

Motion **PASSED**

YES: 6

NO: 0

ABSTAIN: 0

ABSENT: 1

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—y

Councilmember Redcorn—absent

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Discussion: **Chairman Waller** said this was a line item in the budget. **Council Gray** said this was budgeted a year ago and is budgeted each year.

- j. Resolution:** Pay travel expense for OMC to travel to the 2022 Osage Oil and Gas Summit on April 13-15, 2022 at the Osage Casino in Tulsa using funds from the Oil and Gas Summit account

Motion by **Councilmember Gray**

Second by **Chairman Waller**

Motion **PASSED** YES: NO:

ABSTAIN: ABSENT: 1

Councilmember Gray—y

Councilmember Harlan—y

Councilmember Redcorn—absent

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—abstain

Discussion: Council Gray said the resolution was for OMC and staff attending the Summit.

- k. Resolution:** Invite BIA Deputy Director and staff to discuss TERA options

Motion by **Councilmember Gray**

Second by

Motion **FAILED** YES: NO:

ABSTAIN: ABSENT:

Discussion: Council Gray said this was another discussion from the biannual meeting. **Motion died for lack of a second.**

- l. Resolution:** Invite Federal Agencies to Discuss 214 Leases

Motion by **Councilmember Gray**

Second by **Councilmember Harlan**

Motion **PASSED** YES: 4 NO: 0

ABSTAIN: 2 ABSENT: 1

Councilmember Harlan—y

Councilmember Redcorn—absent

Second Chairman Red Eagle—y

Councilmember Revard—abstain

Chairman Waller—y

Councilmember Forman—abstain

Councilmember Gray—y

Discussion: Council Gray said this is to hold trustees accountable and another follow-up to the biannual meeting.

- m. Resolution:** Accept a three-year combination oil and gas lease to Gateway Enterprises with a \$4,700 bonus per quarter and 20% royalty, including reports for data completion, seismic and all BIA reports to also be submitted to OMC for NW 8-27-7 and NW 17-27-7

Motion by **Councilmember Forman**

Second by **Councilmember Harlan**

Motion **PASSED** YES: 6 NO: 0

ABSTAIN: 0 ABSENT: 1

Second Chairman Red Eagle—y

Councilmember Revard—y

Chairman Waller—y

Councilmember Forman—y

Councilmember Gray—y

Councilmember Harlan—y

Councilmember Redcorn—absent

Discussion: Mr. Kannard of Gateway Enterprises, an oil company affiliated and partnered with Big Elk Oilfield Services. Gateway has also helped with OMC's plugging program. Gateway acquired a lease at the lease sale, but the geology is incomplete for the lease. The offsets need to be acquired because the laterals from the lease sale go into the quarter sections in the resolution. Their objective is to rework and start production, hoping to make money. Gateway and Big Elk intend to be good partners to the Osage Nation and are environmentally-friendly companies. He will provide data to OMC. Council Revard suggested that OMC have the leases consolidated. Council Forman said the decision would be a consideration for Mr. Kannard. It's important that the tracts are acquired for producing to start. She appreciates him coming back and spending more money on something he didn't know he'd need. Council Revard said if he didn't

acquire the leases, he'd need tank batters which isn't economical. **Chairman Waller** said the due diligence regarding consolidation is up to Mr. Kannard.

- n. Resolution:** Accept a three-year combination oil and gas lease to Michael Hiner with a \$4,700 bonus per quarter and 20% royalty including reports for data completion, seismic and all BIA reports submitted to also be submitted to OMC for NW 8-27-7 and NW 17-27-7 (This resolution replaces the original resolution, which was for gas only.)

Motion by **Second Chair Red Eagle**

Motion **PASSED** YES: 5 NO: 1

Councilmember Revard—y

Councilmember Forman—y

Councilmember Harlan—n

Second Chairman Red Eagle—y

Second by **Chairman Waller**

ABSTAIN: 0 ABSENT: 1

Chairman Waller—y

Councilmember Gray—y

Councilmember Redcorn—absent

Discussion: **Mr. Hiner** asked to amend his original lease because it was a gas lease. **Chairman Waller** said the standard three-year term for oil and gas leases are \$4,700 bonuses and 20% royalty. **Mr. Hiner** agreed. The original lease was only a gas lease. After discussion with Mr. Wickstrom, they thought it would be better to have an oil and gas lease. They are following through on the process to get it done, and he deferred to OMC about how to get it done. **Chairman Waller** announced the original resolution would be stricken from the record, and this new motion would replace it. **Mr. Hiner** agreed. **Councilmember Gray** asked for all data, i.e. BIA reports, be copied to OMC. **Council Revard** clarified the bonus amount changed from gas only to oil and gas. **Mr. Hiner** said he'd go with the standard terms of \$4,700 bonus and 20% royalty. **Council Revard** restated the \$4,700 and 20% for clarity. **Mr. Hiner** asked how to make an initial payment for the lease. **Chairman Waller** said to take the resolution to the BIA and make payment there. **Council Revard** said the original resolution being amended was a project proposal between Iron Hawk Energy and Mr. Hiner. The oil and gas lease royalty and bonus was the only thing changing. The approval of an attached agreement that sets out various terms for varying royalty rates would remain. **Chairman Waller** disagreed saying the original resolution is stricken, and the new resolution with the conventional oil and gas rates is what will be in place. They can return with specifics of a gas element later, if necessary. **Mr. Hiner** said he agreed. **Council Gray** wanted the assurance that OMC would get a copy of the data and information for reporting. **Mr. Hiner** agreed.

V. Motion: Enter Executive Session

Motion by **Council Forman**

Motion **PASSED** YES: 5 NO: 1

Chairman Waller—y

Councilmember Gray—y

Councilmember Redcorn—absent

Councilmember Revard—y

Time: 12:02 p.m.

Second by **Second Chairman Red Eagle**

ABSTAIN: 0 ABSENT: 1

Councilmember Forman—y

Councilmember Harlan—n

Second Chairman Red Eagle—y

VI. Motion: Exit Executive Session

Motion by **Second Chair Red Eagle**

Motion **PASSED** YES: 5 NO: 0

Councilmember Forman—y

Councilmember Harlan—n

Time: 12:49 p.m.

Second by **Councilmember Gray**

ABSTAIN: 0 ABSENT: 2

Councilmember Gray—y

Councilmember Redcorn—absent

Second Chairman Red Eagle—y
Chairman Waller—y

Councilmember Revard—absent

- a. Resolution:** OMC acknowledges subsurface pore space, which is interstitial space not occupied by soil or rock within the solid material of the earth, is an attribute of the oil and gas mineral estate as part of the Osage Mineral Estate; OMC declares that said interstitial space is part of the Osage Mineral Estate, which the OMC governs

Motion by **Councilmember Forman**

Motion **PASSED** YES: 6 NO: 0

Councilmember Gray—y

Councilmember Redcorn—absent

Councilmember Revard—y

Councilmember Forman—y

Second by **Councilmember Harlan**

ABSTAIN: 0 ABSENT: 1

Councilmember Harlan—y

Second Chairman Red Eagle—y

Chairman Waller—y

VII. Old Business

- a. Amend Resolution 4-533A:** Approve writing and submitting to the DEMD a grant to determine and assess natural gas reserves and its components in recoverable elements in produced water in the Osage Mineral Estate; said grant shall be titled *Assessing Natural Gas Reserves and Recoverable Elements in Produced Water in the Osage Mineral Estate*

Motion by **Councilmember Forman**

Motion **PASSED** YES: 6 NO: 0

Councilmember Harlan—y

Second Chairman Red Eagle—y

Chairman Waller—y

Councilmember Gray—y

Second by **Councilmember Gray**

ABSTAIN: 0 ABSENT: 1

Councilmember Redcorn—absent

Councilmember Revard—y

Councilmember Forman—y

Discussion: Council Forman is working on the assessment of natural gas reserve grant needs to be amended slightly to study more elements.

- b. Resolution:** Request from the BIA a copy of all 214 Leases on the Osage Mineral Estate

Motion by **Councilmember Gray**

Motion **PASSED** YES: 6 NO: 0

Second Chairman Red Eagle—y

Chairman Waller—y

Councilmember Gray—y

Councilmember Redcorn—absent

Second by **Councilmember Forman**

ABSTAIN: 0 ABSENT: 1

Councilmember Revard—y

Councilmember Forman—y

Councilmember Harlan—y

Discussion: Council Gray said the aggregate grant needs to establish all leases of quarries. Superintendent informed her a resolution and letter were needed. The grant should be complete in June. **Chairman Waller** thought the lease information was available in the OMC office. **Ms. Reynolds** said she did not have them. **Council Gray** asked if there was a file on the leases. She reiterated the request is for leases on existing quarries. **Council Revard** asked if the leases were on the OMC shared “Z” drive. **Ms. Reynolds** was not aware whether the leases were on it. **Council Gray** said the current OMC hadn’t negotiated any aggregate leases, so that information is needed to wrap up the grant study.

VIII. Motion: Approve minutes

Motion by **Councilmember Harlan**

Second by **Councilmember Gray**

Motion **PASSED** YES: 6 NO: 0 ABSTAIN: 0 ABSENT: 1
Councilmember Revard—y Chairman Waller—y
Councilmember Forman—y Councilmember Gray—y
Councilmember Harlan—y Councilmember Redcorn—absent
Second Chairman Red Eagle—y

IX.**Motion:** AdjournMotion by **Councilmember Harlan**Motion **PASSED** YES: 6 NO: 0

Chairman Waller—y

Councilmember Gray—y

Councilmember Redcorn—absent

Councilmember Revard—y

Discussion: **Chairman Waller** wished safe travels to Councilmember Redcorn.**Time** 1:01 p.m.Second by **Councilmember Gray**

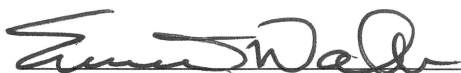
ABSTAIN: 0 ABSENT: 1

Councilmember Forman—y

Councilmember Harlan—y

Second Chairman Red Eagle—y

Approved by the Fourth Osage Minerals Council on April 20, 2022.



Everett Waller, Chairman



Executive Administrative Assistant