



Osage Minerals Council Newsletter

SUMMER 2017

3rd Osage Minerals Council Official Publication

Councilwoman Boone and Councilman Cheshewalla attend Appropriations Hearings in Washington, D.C.

On May 16, Councilwoman Boone and Councilman Cheshewalla attended the U.S. House of Representatives Committee on Appropriations Subcommittee on Interior, Environment and Related Agencies in Washington, D.C., in which the purpose of the trip was for Councilwoman Boone to testify before the Committee.

Here is her testimony:

"The Osage Mineral Estate has been under continuous development since 1896, making it one of the oldest oil fields in the United States. Despite its long history of development, the Osage Mineral Estate still contains ample proven reserves and was estimated by the Office of the Inspector General in 2015 to generate \$13.6 billion in royalties for the headright owners between Fiscal Years 2012 and 2027.

"Unfortunately, and similar to other energy producing tribes, development of the Osage Mineral Estate has been obstructed by the BIA Osage Agency's lack of sufficient staff, expertise, and resources to effectively manage and oversee energy development. This has prevented the OMC from fully utilizing its resources and has directly limited the revenue received by Osage headright owners. For example, the OMC estimates that it takes BIA Osage Agency, on average, more than one year to approve a simple workover permit, which is required before an operator is allowed to perform maintenance and/or remedial operations in an existing oil or gas well, and the timeframe is longer still for new well permits. This is in large part due to agency understaffing and the delays associated with complying with federal hurdles like the National Environmental Policy Act and the Endangered Species Act, to the great detriment of the Osage people.

"That the BIA is the sole federal agency charged with the management of the Osage Mineral Estate is an especially important detail, given the sparse nationwide budget for the BIA. The Osage Mineral Estate does not receive any benefit from the BLM's or ONNR's comparatively massive annual budgets. Despite the dramatic need for increased BIA resources to manage oil and gas development to benefit many reservations and tribal members across Indian Country, the President's fiscal year 2017 budget instead boosts the oil and gas budget for the BLM by \$27.6 million to a total of \$186.6 million, while the BIA budget for oil and gas development remains flat at a paltry \$5.9 million for the entirety of Indian Country. With such little funding it is no surprise that the Government Accountability Office recently found that BIA's management has 'hindered Indian energy development' and 'needs sweeping changes.'

"The OMC asks that the Subcommittee take action to help tribal nations by increasing the BIA's budget for conventional energy and compliance. Energy development on Indian reservations provides benefits far beyond what are obtained when similar resources are developed on federal lands. Developing Indian energy resources provides needed economic development, jobs, and infrastructure growth on Indian reservations.

"Further, I respectfully request that the Subcommittee provide direct funding to the OMC so that the OMC can ensure the successful future of the Osage people by building infrastructure and hiring personnel to improve and increase the amount of drilling and production in Osage County, studying the environmental impacts of its drilling program, and expanding tribal self-governance programs to manage the Osage Mineral Estate.

"The OMC's energy development is a major economic engine for northeastern Oklahoma. Each year, Osage oil and gas production results in tens of millions of dollars in economic activity on the Osage's reservation, in nearby towns, and throughout the region.

The mining industry and its support services employ many tribal members and help to support tribal and state governmental programs. Currently, the Osage Mineral Estate produces, on average, 13,500 barrels of oil per day and the OMC is attempting to open up additional acres of mineral leases dedicated to exploration. These are exactly the kinds of investments Congress should be making. Increased energy production on Indian lands provides badly needed jobs and revenue for tribal members. Facilitating Indian energy and economic development is exactly what is needed to lift many tribes out of ongoing dependence on federal budgets.

"Currently, the OMC's only source of revenue is an annual drawdown from the mineral royalties trust fund that would otherwise be distributed to the Osage headright owners. Frustratingly, every year since 1921, the State of Oklahoma has assessed and collected a five percent (5%) gross production tax on the Osage Royalty Interest and in many years this tax has generated in excess of five million dollars to the State with no benefit returned to the Osage Mineral Estate. As you are likely aware, Oklahoma's tax on the Osage Royalty Interest is unheard of in Indian Country, outside of Oklahoma.

"The OMC needs additional funds to be able to successfully manage the Osage Mineral Estate. As the lessor of the Osage Mineral Estate, the OMC enters into leases worth billions of dollars without an expert's assistance or advisement. We are unable to employ necessary staff to advise the OMC in our management of the Osage Mineral Estate. We respectfully request the following specific funding to improve the management of the Osage Mineral Estate for the benefit of the Osage people:

- **\$650,000** to employ experienced technical staff such as a petroleum technical advisors, geomatics engineers or geologists to advise the OMC before entering into mineral leasing agreements and to create a long-term economic development plan;
- **\$500,000** to employ an accountant or auditor to monitor lessee payments and fines for compliance with lease terms;
- **\$350,000** to hire professionals and consultants to develop a Reservation wide energy management analysis and remediation program to consider and address all of the impacts of this energy development to our people, lands, air, water, roads, law enforcement, traffic and health care systems;
- **\$500,000** to create a digital records management and modeling program so the OMC can inventory and monitor well production, environmental hazards, and lease productivity;
- **\$5,000,000** to the Osage Agency to plug abandoned wells."



William Lynn is the new director of Minerals

The Osage Minerals Council selected Mr. William R. Lynn to take the position as director to advise on mineral matters.

He has worked with SM Oil & Gas, Lamamco and other companies for over 30 years.

He received his B.S. in Geology at Oklahoma State University, and is a member of AAPG and the Tulsa Geological Society.

Mr. Lynn began his service with us on May 22. We welcome him and his valuable knowledge of our Osage Mineral Estate.

QUARTERLY REPORT - JUNE, 2017

Data for this report is provided from and compiled by Jim D. Swan, the Minerals Council Auditor. He is responsible for ensuring our accounts are maintained in strict accordance with Federal law. Jim is also responsible for preparing Monthly Oil and Gas Production Reports. Most importantly, he calculates the Quarterly Payment.

This is accomplished by auditing data provided from Office of the Special Trustee in Albuquerque, New Mexico.

Payment for the second quarter (June 2017) is \$3,945.00 per headright.

Computation: Total Revenue \$8,800,328.32 for the first quarter production and collections.

(\$8,800,328.32 divided by 2,228.97393 headrights equals \$3,945.00 rounded back to the nearest \$5.00.)

Major Details of the \$8,213,199.42

Oil and Tank Bottoms Production: 1,079,449 gross barrels or 162,901 royalty barrels

Oil Revenue: \$8,213,199.42

Average price per barrel of oil: \$50.42

Gas Production: 1,364,203 gross Mcf or 238,906 royalty Mcf and 2,423,433 gallons

Gas Revenue: \$745,828.89

Revenue for Mcf: \$495,297.10

Sand and Gravel Royalty: \$68,879.20

Revenue for gallons (liquids): \$250,531.79

Oil and Gas Rental Collected: \$10,718.33

Oil and Gas Bonuses Collected: \$123,270.00

Water Use Royalty: \$28,681.25

Interest Earned: \$17,554.92

Miscellaneous Revenue: \$40,147.72

Misc. Disbursements: \$750,000.00

Gross Production Tax Paid to the State of Oklahoma: \$447,951.41

OSAGE MINERALS COUNCIL

minerals@osagenation-nsn.gov
(918) 287-5346

Cynthia Boone (918) 698-3314
(918) 287-2920 · tom@cowboy.net
cboone@osagenation-nsn.gov

Joseph Cheshewalla (918) 440-4909
jcheshewalla@osagenation-nsn.gov

Galen Crum (918) 504-3275
gcrum@osagenation-nsn.gov

Stephanie Erwin (918) 287-8008
serwin@osagenation-nsn.gov

Kathryn Red Corn, 2nd Chairwoman
kredcorn@osagenation-nsn.gov

Talee Redcorn (918) 441-7059
talee.redcorn@osagenation-nsn.gov

Everett Waller, Chairman (918) 277-9730

ewaller@osagenation-nsn.gov

Andrew Yates (918) 504-1240
jayates@osagenation-nsn.gov

Director - Minerals Office

William Lynn (918) 287-5433
william.lynn@osagenation-nsn.gov

Executive Administrative Assistant
Lacee Reynolds (918) 287-5447

BIA - OSAGE AGENCY

Superintendent's Office (918) 287-5700

Office of the Special Trustee
IIM (918) 287-5791

Trust Call Center
Toll-Free (888) 678-6836
Probate (918) 287-5750

DEPARTMENT OF INTERIOR

Office of the Solicitor
(918) 669-7730

WHISTLE BLOWER HOTLINE

Phone (918) 287-3107
Toll Free (855) 495-0373

WAH-TIAH-KAH SCHOLARSHIP

Deadline Date for
Fall 2017 Semester is July 1 2017
Spring 2018 is January 1 2018

Oil Industry Field of Study
Four \$1,000 Awards Per Semester

To apply, contact (918) 287-5346, or download
the information from our website. Apply Early!

[http://www.osagenation-nsn.gov/
who-we-are/minerals-council](http://www.osagenation-nsn.gov/who-we-are/minerals-council)

Scheduled Osage Minerals Council Meetings for 2017

All beginning at 10:00 A.M.
in the Council Chambers

July 14 & 19

August 11 & 16

September 15 & 20

October 13 & 18

November 9 & 15

December 15 & 20

Something to think about...

By 2nd Chairwoman Kathryn Red Corn

On April 25, 1940, Joint Resolution (H.J. Res. 289) (Pub. Res., No. 66) 54 Stat. 168, states, in part, "Resolved by the Senate and House of Representatives of the United States of American in Congress assembled, that the State of Oklahoma is authorized...to levy and collect a gross-production tax... The gross-production tax on the royalty interests of the Osage Indians shall be at the rate levied by said State but in no event to exceed 5 per centum..."

At most, five percent of your and my royalty payments have been paid to the State of Oklahoma. From 1941 to June 2017's payment, each full headright has received the sum of **\$834,650.00**. Five percent of that amount would be **\$41,732.50**, and multiplied by **2,229** would be **\$93,021,742.50**.

Osage Minerals Council Newsletter

Vol. III, No. 7

An official quarterly publication of the Third Osage Minerals Council, updating news as it becomes available and published with the permission of the Chairman. All materials must be reviewed by the Media Committee and Chairman, voted on by the Council and may be edited for space and content.

Chairman Waller Discusses March trip to Washington, D.C. with Principal Chief Standing Bear

By Chairman Everett Waller

Councilman Crum and I attended meetings in Washington, D.C. with Principal Chief Standing Bear and staff.

Tuesday, March 14, we met with Osage Nation Washington, D.C. attorney, David Mullen, at his office in the Venable, LLP. Here we discussed the Osage Minerals Council resolutions concerning positions at the Bureau of Indian Affairs, getting Bluestem Ranch into federal trust and funding \$5 million and \$900,000 in the BLM budget that was not budgeted, was reviewed and we asked that we increase that.

The next meeting took place with Senator John Hoeven, Chairman of the Senate Committee on Indian Affairs. Senator Hoeven was unable to attend. We met with Mike Andrews, Staff Director/Chief Counsel, Senate Committee on Indian Affairs. Having completed introductions by Principal Chief Standing Bear, he and I presented our issues. We went right into the removal of the BIA Superintendent. We discussed Bluestem Ranch not being in trust. The Chief's staff discussed some issues that I did not get involved in, due to it not involving the Minerals Council. We then discussed funding, the neg-regs, EIS and how were affected. We discussed loss of production and royalty to our shareholders, because of that.

We continued on to visit with Susan Bodine and Justin Memmott, Counsel, Senate Committee on Environmental and Public Works. They asked why we needed funding for well plugging and for digitalization of the Bureau of Indian Affairs. They, then, asked why the taxpayers would need to pay this. It was made known that we purchased the reservation and we are taxpayers.

The next day, we met with Jack Stevens, Director, Office of Indian Energy and Economic Development and Steven Manydeeds, Chief, OIEED Division of Energy and Mineral Development (by phone from Denver). We met at Interior's South Building. They were looking at how they could

See 'CHAIRMAN' on pg. 4

LEGAL UPDATES

Osage Regulations Status

After Judge Frizzell imposed an injunction in favor of the Osage Minerals Council, barring implementation of the revised regulations for oil and gas leasing on the Osage Mineral Estate, 25 C.F.R. part 226, the United States voluntarily agreed to remand the rules back to the Bureau of Indian Affairs. The Osage Mineral Estate is still being governed under the regulations as they existed prior to the negotiated rulemaking. The Bureau of Indian Affairs is currently reviewing the existing regulations and the OMC and the Osage Nation will be involved in any future revision of the regulations in accordance with the United States' consultation policy and trust responsibility.

Osage Wind Litigation

On September 30, 2015, Judge Payne of the United States Court for the Northern District of Oklahoma issued an Order & Opinion in the *United States v. Osage Wind, et al.* litigation that ruled against the United States and established bad precedent for the Osage Mineral Estate. The Osage Minerals Council was not a party in the District Court. The Osage Minerals Council appealed the merits decision and the decision denying the OMC's right to intervene in the District Court case to the Tenth Circuit Court of Appeals. The Tenth Circuit Court of Appeals held Oral Arguments on the appeals on November 16, 2016. The Tenth Circuit usually takes a few months to issue a ruling, but it is taking longer than usual to issue its decision in this case.

NEPA Litigation

Several lawsuits have been filed in the United States Court for the Northern District of Oklahoma challenging the United States' compliance with the National Environmental Policy Act of 1969 ("NEPA") in regard to the United States' approval of leases and drilling permits for the Osage Mineral Estate. (*Lenker v. Ceja Corporation, et al.*, Case No. 16-cv-532-CVE-PJC; *Chance v. Zinke, et al.*, Case No. 16-

cv-549-JHP-PJC; *Donelson v. Devon Energy Prod. Co., et al.*, Case No. 14-cv-316-JHP-FHM; *Hayes v. Chaparral Energy, LLC, et al.*, Case No. 14-cv-495-GKF-PJC). All of these cases were initiated by owners of surface land in Osage County. In the cases, the landowners have asked the Court to declare OMC's leases void. The Osage Minerals Council moved to intervene as a limited intervener in the *Hayes* and *Donelson* cases in order to file motions to dismiss for failure to join a required and indispensable party under the Federal Rule of Civil Procedure 19.

In the *Donelson* case, the District Court dismissed the case, ruling in favor of the United States and the Producer Defendants, without ruling on the OMC's motion for limited intervention. Donelson has appealed that decision to the Tenth Circuit Court of Appeals.

The *Lenker* and *Chance* cases have both been dismissed because, in each case, the court found that the plaintiff's claims were barred by the statute of limitations, that the plaintiff failed to establish a waiver of the United States' sovereign immunity, that the plaintiff failed to exhaust the administrative remedies, and the plaintiff failed to identify any final agency action with respect to the claim regarding unknown leases and permits.

In the *Hayes* case, the District Court granted the OMC's motion to intervene, but denied its motion to dismiss, and ultimately ruled in Hayes' favor on the merits of the case. The OMC has appealed this decision to the Tenth Circuit Court of Appeals and this litigation is ongoing. The Tenth Circuit Court of Appeals held Oral Arguments on the appeals on May 10, 2017. The Tenth Circuit usually takes a few months to issue a ruling, and we are still waiting for a decision to be issued in this case. In the interim, Hayes has filed a new case in the United States Court for the Northern District of Oklahoma challenging the United States' decision to reissue the leases challenged to a new operator. This case is pending in the district court.

From 'CHAIRMAN', pg. 3
possibly help the Minerals Council.

We talked about \$5 million for plugging. Mr. Manydeeds offered his help on writing of grants. They can do everything but do construction and buying of equipment. They can help us get RFPs ready for the proposals.

We then met with Chris Fluhr, Staff Director, House of Representatives. The Principal Chief discussed the Bluestem Ranch and getting the land into trust. This was not Minerals Council's business, therefore, we did not have much comment on this item. We, then, discussed budgetary restraints. We received the same answer of 'We can't help until we know what we are going to get'.

Early afternoon, we met with Senator James Lankford and his legislative assistant Derek Osborn. The Principal Chief discussed his issues and then introduced us as the Minerals Council, handling all oil and gas. We never once were slighted in any way. I think it was very appropriate.

We met with Congressman Tom Cole and his staff in the Rayburn Building. We asked for more funding for well plugging. Congressman Cole discussed how he tried unsuccessfully to do this, last year. Congressman Cole will be our greatest ally.

Congressman Lucas listened to us for ten minutes and said he would do whatever Senator Lankford says on the issues of the Osage Minerals Council.

In the mid-afternoon, we attended the Senate hearings. Items that were discussed were transportation on reservations, broadband issues in the Navajo Nation, met with tribal delegates on how the new administration is

going to work with the tribes interests.

Frank Keating: I signed wind industry tax breaks, and I was wrong

*By Frank Keating
Feb 25, 2017
(Courtesy Tulsa World)*

In 2001, when I served as governor of Oklahoma, I signed legislation creating the Zero Emissions Tax Credit for industrial wind energy. The tax credit was designed to give a jump-start to a wind industry in its infancy in Oklahoma at the time. It was sold to us as a low-cost way to broaden our already robust energy and economic development program. It was supposed to create jobs and develop a more prosperous future for Oklahoma.

Signing this legislation was simply a mistake. What was promised to cost the state less than \$2 million annually when I was in office has soared to \$113 million for the 2014 tax year and is expected to cost billions in the future. Wind farms average 10 percent to 13 permanent jobs, which hardly lives up to the promised employment growth.

Because the tax credits weren't limited or capped, the Zero Emissions Tax Credit has warped into a scam costing taxpayers millions to the detriment of other publicly funded services. In 2014, the credits became directly refundable, meaning the state writes wind companies checks for 85 percent of the value of each credit. That's essentially a blank check funded by taxpayers that goes to multibillion-dollar corporations based outside of Oklahoma and mostly located in foreign countries. It's the worst kind of corporate handout.

I'm shocked and dismayed that taxpayer money has been spent

so recklessly and at the cost of funding Oklahoma's education system, which we know continues to be at risk. Because of power purchase agreements with other states, people outside of Oklahoma enjoy the majority of this discounted power, thanks to the subsidies we fund. Yes, this really happens!

If you're not upset yet, just wait because it gets worse. The wind industry will tell you there are already controls in place because the current law sunsets these credits in 2021. However, Oklahoma pays these billion-dollar wind companies for the electricity produced by each turbine for 10 years. Turbines put in operation this year will receive tax credits until 2027. Under current law, payments will continue until Jan. 1, 2031, for turbines placed in operation before Jan. 1, 2021.

The wind industry is also not telling you about plans to accelerate the pace of construction so it can benefit from these subsidies on more than four times as many turbines as the number that generated the \$113 million claimed in 2014. This considerable growth could cost us up to \$5.2 billion by the time the last bill is paid.

The costs will continue to rise, opportunity for education will be lost and taxpayers will be on the hook for billions if we don't act now. Decisions made now will affect, and perhaps destroy, our state government financially over the next 14 years.

As your former governor and a proud citizen of Oklahoma, I encourage us all to work together to end this subsidy no later than July 1, 2017, before the planned growth compromises our future. Together, we can and we must protect Oklahoma.

(Frank Keating was governor of Oklahoma 1995-2003.)

RESOLUTIONS

Note: Only Council Members who voted 'No', 'Absent' or 'Abstain' appear due to space constraint.

3/16/17

3-198 Resolution to send letter to Tom Cole to request additional funding; BY: Erwin, 2nd by Boone; 5 Aye 0 Nay 3 Absent (Crum, Waller, Yates) **PASSED**

3/22/17

3-199 Resolution to waive the sandy soil permit for the City of Ponca City on the relocation of utility poles at the intersection of City View Road and Highway 60; BY: Crum, 2nd by Cheshewalla; 7 Aye 0 Nay 1 Absent (T. Redcorn) **PASSED**

3-200 - Resolution to grant Paul Revard the right to conduct Fibrosis Seismic Operations on the NW/4 29-23-8, SW/4 29-23-8, NW/4 32-23-8, and SW/4 20-23-8, extending the boundary extension, subject to the approval of Seismic Project Activity application presented to the BIA Osage Superintendent and upon processing of any BIA permits; BY: Councilwoman Erwin, Second by Councilman Crum. By Erwin, 2nd by Crum, 8 Aye 0 Nay 0 Abs **PASSED**

3-202 - Resolution for Chairman Waller, to be considered for the Royalty Policy Committee, voted by closed ballot; BY: Crum, 2nd by Redcorn, 7 Aye, 1 Nay (Crum) 0 Abs **PASSED**

4/19/17

3-201 - Resolution to disburse funds to the drumkeepers of each district; BY: Erwin, 2nd by Cheshewalla, 7 Aye, 0 Nay 1 Absent (T. Redcorn) **PASSED**

5/1/17

3-204 - Resolution to hire William Lynn as Minerals Director; BY: Erwin, 2nd by T. Redcorn, 6 Aye 0 Nay 0 Abstain 2 Absent (Boone, Cheshewalla) **PASSED**

5/5/17

3-203 - Resolution to authorize travel for OMC Councilmembers to attend Appropriations Hearings in Washington, D.C.; BY: Erwin, 2nd by T. Redcorn, 7 Aye 0 Nay 1 Absent (Crum) **PASSED**

5/19/17

3-205 - Resolution to approve two new 2-year oil and gas leases (less CBM) with Warrior Exploration & Production LLC for minimum lease bonus and 20% royalty; BY: Boone, 2nd by T. Redcorn, 8 Aye 0 Nay 0 Abs **PASSED**

3-206 - Resolution to waive the permitting process for Travis Anderson for property located across from Lake Road on Highway 20, BY: Crum, 2nd by Cheshewalla, 6 Aye 0 Nay 1 Abstain (T. Redcorn) 1 Absent (Erwin) **PASSED**

3-207 - Resolution to give Chairman the ability to instruct the BIA to make the determination to waive sandy soil permit. BY: T. Redcorn, 2nd by Crum, 7 Aye 0 Nay 0 Abstain 1 Absent (Erwin) **PASSED**

3-208 - Resolution to accept Burbank Materials proposal to expand the quarry by adding 399 acres of new leased ground and eliminating 80 acres; Royalty on all new and previous existing leases will be 10% of sale price; Materials from all leases will be scaled at Burbank Materials Scale House and reported on one monthly report reflecting production from all leases. BY: Crum, 2nd by Cheshewalla, 6 Aye 2 Nay (Boone, Erwin) **PASSED**

3-209 - Resolution to donate \$500 to Chilocco Alumni Association; BY: Cheshewalla, 2nd by Erwin, 8 Aye 0 Nay **PASSED**

3-210 - Resolution to not do verbatim meeting minutes; only a summary; BY: Crum, 2nd by K. Red Corn, 5 Aye 2 Nay (Boone, Erwin) 1 Abstain (Cheshewalla) **PASSED**

Environmental Standards of Assessment of Bluestem Ranch

By Rosemary Wood
(Courtesy Osage News, May 2017 Edition)

According to a recent Bureau of Indian Affairs' evaluation, Bluestem Ranch is too environmentally unfit to be taken into trust. Unfit due to oil and gas production sites. Yet, according to previous BIA evaluations the ranch had been fit enough to release oil companies from their bonds.

The Bureau of Indian Affairs' Regulations require oil companies to purchase bonds against damages occurring to land during their work. The Bureau is NOT to release the producer from their responsibilities until the land is judged to be fit.

It does not seem reasonable that a production site is environmentally fit for release of bonding, but not environmentally fit for trust status? It is the same trustee making the judgments. It is the same sites being judged. I suppose there could be a few reasons for this apparent incongruity.

The Bureau was in error when their previous evaluations prompted them to release producers from those sites on the ranch.

- The Bureau was in error when their most recent evaluation prompted

them to refuse trust status to the tribe.

- The Bureau has no standard tools for environmental evaluation other than ad hoc, catch as catch can, by whomever, and whenever.
- The Bureau has different evaluation "standards" depending on whether it is the tribe or some other entity/person prompting the Environmental Assessment. (EA)
- The Bureau has uniform evaluation "standards" but apply them differently depending on whether it is the tribe or some other entity/person prompting the environmental evaluation.

The Bureau has standard environmental evaluation tools which have changed over time.

The only ethical and legal reason for the site to be judged "fit" for producers and "unfit" for the tribe would be that the environmental assessment tools "changed over time." And, it is necessary to change with changing times. However, folks can get caught in a time warp.

If a production site is within regulatory standards at the time of production, and the standards change, placing that site outside the new standards, it would be wrong to hold anyone accountable. The U.S. Constitution also disagrees with this type of policing. They call it *ex post facto* law. (Clause 3 of Article I, Section

9 of the United States Constitution)
"ex post facto law. A law that makes illegal an act that was legal when committed, increases the penalties for an infraction after has been committed, or changes the rules of evidence to make conviction easier. The Constitution prohibits the making of ex post facto law." (Google)

But, would it not be reasonable, for the trustee to anticipate and plan for such a contingency? It's not like the concept is new. It has been around since 1787. And, there is a remedy for time-warps caused by *ex post facto* laws. It is known as a "Grandfather Clause."

"... Grandfather is a clause exempting certain classes of people or things from the requirements of a piece of legislation affecting their previous rights, privileges, or practices" (Google)

"... a clause creating an exemption based on circumstances previously existing." (Google)

"... part of a law which says that the law does not apply to certain people and things because of conditions that existed before the law was passed." (Google)

I would like to encourage our Osage Minerals Council, Congress and Executive Branch to fight the Bureau. Let our Government know that the people are behind them and support them on this issue of buying back our land. It is a step toward making us whole again.



Third Osage Minerals Council

Osage Minerals Council Phone: 918.287.5346
 813 Grandview Avenue FAX: 918.287.5369
 Pawhuska, OK 74056 Email: minerals@osagenation-nsn.gov

In this Issue:

- P.1 Councilwoman Boone and Councilman Cheshewalla Attend Appropriation Meeting in D.C.
- P.2 Quarterly Report / Contact Numbers / Something to Think About
- P.3 Chairman Waller Discusses March Trip to D.C. / Legal Updates
- P.4 Frank Keating: I signed wind industry tax breaks and I was wrong
- P.5 Resolutions / Environmental Standards of Assessment of Bluestem Ranch
- P.6 Fifth Osage Tribal Council (1912-14)



GEORGE ALBERTY
COUNCILMAN



PRIN. CHIEF
A-SHE-GAH-HRE



ASST. CHIEF
PERRY KING



ANDREW BIGHORSE
COUNCILMAN



CLEMENT DeNOYA
COUNCILMAN



EN-GRON-KAH-SHIN-KAH
COUNCILMAN



EDGAR MCCARTHY
COUNCILMAN



NE-KAH-WAH-SHE-TUN-KAH
COUNCILMAN



FRANKLIN SHAW
COUNCILMAN



EVES TALLCHIEF
COUNCILMAN

Fifth Osage Tribal Council 1914-1916