

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a  
public corporation,

Petitioner,

Civil No. 226  
Tract No. 2.

-vs-

Joseph S. Cowsley, C. F. Tucker, et al.,

Defendants.

J U D G M E N T

Now, on this 11th day of March, 1940, the aboe entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pockens, and the defendants, C. F. Tucker, and others, appearing in person and by their counsel of record, E. H. Beauchamp; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and acquire by purchase and to maintain, use and operate all kinds of property, real, personal, and mixed or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to acquire by condemnation any and all property of all kinds, real, personal, and mixed, or any interest therein, in the manner provided by general law in respect to condemnation, and to any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 2 (27 GR-D 1432)

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and the E $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 17, T 24 N - R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

TRACT A:

Beginning at the SW corner of said SW $\frac{1}{4}$  NE $\frac{1}{4}$ , thence N. 0° 32' W. along the West boundary of said SW $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 718.4 feet to a point 612.4 feet South of the NW corner thereof; thence S. 59° 02' E. 107.6 feet; thence S. 65° 06' E. 147.6 feet; thence S. 72° 42' E. 182.2 feet; thence S. 79° 12' E. 190.7 feet; thence S. 77° 49' E. 249.4 feet; thence N. 73° 37' E. 152.5 feet; thence S. 0° 06' W. 214.3 feet; thence S. 28° 56' E. 143.2 feet; thence S. 48° 02' E. 176.8 feet; thence S. 73° 31' E. 112.2 feet to a point in the South boundary of said SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 43.8 feet West of the SE corner thereof; thence S. 89° 40' W. along said South boundary a distance of 1281.2 feet to the point of beginning, containing 13.2 acres, more or less.

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TRACT B:

Beginning at the NW corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$ , thence N. 89° 40' E. along the North boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  a distance of 335.3 feet to a point 989.6 feet West of the NE corner thereof; thence S. 33° 17' W. 96.1 feet; thence S. 74° 28' W. 263.6 feet; thence S. 54° 43' W. 33.7 feet to a point in the West boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  and 2484.4 feet North of the SW corner thereof; thence N. 0° 23' W. along said West boundary a distance of 168.4 feet to the point of beginning, containing 0.9 acres, more or less.

TRACT C:

Beginning at the SE corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$ , thence Westerly along the South boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  to the SW corner thereof; thence N. 0° 23' W. along the West boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  a distance of 2195.7 feet to a point 457.0 feet South of the NW corner thereof; thence S. 32° 39' E. 189.8 feet; thence S. 38° 08' E. 143.5 feet; thence S. 44° 04' E. 257.5 feet; thence S. 58° 46' E. 162.5 feet; thence S. 62° 23' E. 221.0 feet; thence S. 77° 12' E. 163.5 feet; thence S. 88° 44' E. 191.0 feet; thence N. 85° 10' E. 284.5 feet to a point in the East boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  and 1125.7 feet South of the NE corner thereof; thence S. 0° 24' E. along said East boundary a distance of 1530.3 feet to the point of beginning, containing 49.2 acres, more or less.

The Three (3) tracts containing in all 63.3 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been served with notice, either by personal service or publication, of the condemnation and appropriation of said land, and with notice of the time and place for the appointment of commissioners more than ten (10) days prior to the date of the hearing of the application for the appointment of commissioners, and that all of the defendants have had due and sufficient notice of the action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 22nd day of September, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names Dan Bishop, Ed Soph, and Hugh Ratcliff, and that thereafter, and on the 26th day of September, 1939, this Court made and entered an order allowing the withdrawal of Hugh Ratcliff as one of the said commissioners, and that on the 29th day of September, 1939, Henry Hoffman was appointed as commissioner herein; that the said three (3) commissioners reside within the confines of the United States Judicial District for the Northern District of Oklahoma, and are disinterested freeholders thereof, and said above named commissioner were appointed to inspect said real property and consider the injury which the owners thereof, or those having any right, title, or interest therein, may sustain by reason of the condemnation and appropriation of the petitioner of said land hereinabove first described, and to assess the damage which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land by the construction of or the proposed construction of the Grand River Dam Project, and to do so and, on the 7th day of November, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and

did assess and award damages in the sum of \$3,510.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 25th day of November, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$3,510.00, for the use of the owners of said land, and that the defendants did, on the 25th day of November, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Jury trial.

And, on the 3th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$3700.00 DOLLARS."

WHICH VERDICT was returned on the 11th day of March, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 2 (27 GR-D 1432)

All that part of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and the E $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 17, T 24 N - R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

TRACT A:

Beginning at the SW corner of said SW $\frac{1}{4}$  NE $\frac{1}{4}$ , thence N. 0° 32' W. along the West boundary of said SW $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 712.4 feet to a point 612.4 feet South of the NW corner thereof; thence S. 59° 02' E. 107.6 feet; thence S. 65° 06' E. 147.6 feet; thence S. 72° 42' E. 182.2 feet; thence S. 79° 12' E. 190.7 feet; thence S. 77° 49' E. 249.4 feet; thence N. 73° 37' E. 152.5 feet; thence S. 0° 06' W. 214.3 feet; thence S. 28° 56' E. 148.2 feet; thence S. 48° 02' E. 176.8 feet; thence S. 73° 31' E. 112.2 feet to a point in the South boundary of said SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 43.8 feet West of the SE corner thereof; thence S. 89° 40' W. along said South boundary a distance of 1281.3 feet to the point of beginning, containing 13.2 acres, more or less.

TRACT B:

Beginning the NW corner of said E $\frac{1}{2}$  SE $\frac{1}{4}$ , thence N. 99° 40' E. along the North boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  a distance of 335.3 feet to a point 999.6 feet West of the NE corner thereof; thence S. 33° 17' W. 98.1 feet; thence S. 74° 28' W. 263.6 feet; thence S. 54° 43' W. 58.7 feet to a point in the West boundary of said E $\frac{1}{2}$  SE $\frac{1}{4}$  and 2482.4 feet North of the SW corner thereof; thence N. 0° 23' W. along said West boundary a distance of 168.4 feet to the point of beginning, containing 0.9 acres, more or less.

TRACT C:

Beginning at the SE corner of said  $E\frac{1}{2}$   $SE\frac{1}{4}$ , thence Westerly along the South boundary of said  $E\frac{1}{2}$   $SE\frac{1}{4}$  to the SW corner thereof; thence N.  $0^{\circ}$   $23'$  W. along the West boundary of said  $E\frac{1}{2}$   $SE\frac{1}{4}$  a distance of 2195.7 feet to a point 457.0 feet South of the NW corner thereof; thence S.  $32^{\circ}$   $39'$  E. 189.9 feet; thence S.  $38^{\circ}$   $08'$  E. 143.5 feet; thence S.  $44^{\circ}$   $04'$  E. 257.5 feet; thence S.  $88^{\circ}$   $46'$  E. 162.5 feet; thence S.  $62^{\circ}$   $23'$  E. 221.0 feet; thence S.  $77^{\circ}$   $12'$  E. 163.5 feet; thence S.  $88^{\circ}$   $44'$  E. 191.0 feet; thence N.  $85^{\circ}$   $10'$  E. 284.5 feet; to a point in the East boundary of said  $E\frac{1}{2}$   $SE\frac{1}{4}$  and 1125.7 feet South of the NE corner thereof; thence S.  $0^{\circ}$   $24'$  E. along said East boundary a distance of 1530.3 feet to the point of beginning, containing 49.2 acres, more or less. The three (3) tracts containing in all 63.3 acres, more or less.

And it is further ordered, adjudged and considered by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$3,700.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$190.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$190.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$3,700.00, and the amount awarded the owners of said land by the commissioners in the sum of \$3,510.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER  
Judge of the United States District Court in  
and for the Northern District of Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
 DISTRICT OF OKLAHOMA

Grand River Dam Authority, a  
 public corporation, )  
 ) Petitioner, )  
 ) Civil No. 226  
 -vs- ) Tract No. 4.  
 )  
 Joseph S. Owsley, Mrs. J. W. Huss, et al., )  
 ) Defendants. )

J U D G M E N T

Now, on this 2nd day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Mrs. J. W. Huss, and others, appearing in person and by their counsel, of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use, and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 4 (31 GR-D 1633)

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 7, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the N W corner of said S $\frac{1}{2}$  NE $\frac{1}{4}$ , thence Southerly along the West boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  to the SW corner thereof, thence Easterly along the South boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  to the SE corner thereof; thence N. 0° 20' E. along the East boundary of said S-NE $\frac{1}{4}$  a distance of 185.4 feet to a point 1138.2 feet South of the NE corner thereof; thence N. 23° 12' W. 288.3 feet; thence N. 3° 03' W. 313.1 feet; thence N. 60° 37' W. 437.4 feet; thence N. 19° 11' W. 363.4 feet to a point in the North boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  and 636.7 feet West of the NE corner thereof; thence S. 89° 47' W. along said North boundary a distance of 1996.5 feet to the point of beginning, containing 72.4 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 22nd day of September, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular just list of names Dan Bishop, Ed Soph, and Hugh Ratcliff, and that thereafter, and on the 26th day of September, 1939, this Court made and entered an order allowing the withdrawal of Hugh Ratcliff as one of the said commissioners, and that on the 28th day of September, 1939, Henry Hoffman was appointed as commissioner herein; that the said three (3) commissioners reside within the confines of the United States Judicial District for the Northern District of Oklahoma, and are disinterested freeholders therein, and said named commissioners were so appointed to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 7th day of November, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$3,875.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 25th day of November, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$3,875.00, for the use and benefit of the owners of said land, and that the defendants did, on the 14th day of November, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury, and that the Grand River Dam Authority, a public corporation, did, on the 28th day of November, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 2nd day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being impaneled and sworn, well and truly try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$4750.00 DOLLARS."

which verdict was returned on the 2nd day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 4 (31 GR-D 1633)

All that part of the S $\frac{1}{2}$  NE $\frac{1}{4}$  of Sec. 7, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

TUESDAY, APRIL 23, 1940

Beginning at the NW corner of said S $\frac{1}{2}$  NE $\frac{1}{4}$ , thence Southerly along the West boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  to the SW corner thereof; thence Easterly along the South boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  to the SE corner thereof; thence N. 0° 20' E. along the East boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  a distance of 185.4 feet to a point 1138.2 feet South of the NE corner thereof; thence N. 23° 12' W. 288.3 feet; thence N. 3° 03' W. 313.1 feet; thence N. 60° 37' W. 437.4 feet; thence N. 19° 11' W. 363.4 feet to a point in the North boundary of said S $\frac{1}{2}$  NE $\frac{1}{4}$  and 636.7 feet West of the NE corner thereof; thence S. 89° 47' W. along said North boundary a distance of 1996.5 feet to the point of beginning, containing 72.4 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$4750.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$875.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$875.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$4750.00, and the amount awarded the owners of said land by the commissioners in the sum of \$3875.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER  
Judge of the United States District Court in  
and for the Northern District of Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

TUESDAY, APRIL 23, 1940

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a  
public corporation,

Petitioner,

-vs-

Joseph S. Owsley, G. W. Sharp, et al.,

Defendants.

Civil No. 226

Tract No. 7

J U D G M E N T

Now, on this 2nd day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, E. L. Davidson and Gayle M. Pickens, and the defendants, G. W. Sharp and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 7 (25 GR-D 1333  
25 GR-D 1359)

NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 24; and the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 13; all in T 25 N - R 23 E, Delaware County, Oklahoma, containing 80.0 acres, more or less, (Cherokee Survey)

AND

Lots 9, 10 and 11, Sec. 23, T 25 N - R 23 E, Delaware County, Oklahoma, containing 72.45 acres, more or less; (Cherokee Survey)

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land,

Said Tract No. 7 containing a total of 152.45 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.



AND

Lots 9, 10, and 11, Sec. 23, T 25 N - R 23 E, Delaware County, Oklahoma, containing 72.45 acres, more or less; (Cherokee Survey)

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land.

Said Tract No. 7 containing a total of 152.45 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$9500.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$965.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$965.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$9500.00, and the amount awarded the owners of said land by the commissioners in the sum of \$8535.00 which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee-simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court in and for the Northern District of Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

Grand River Dam Authority, a  
public corporation,

Petitioner,

-vs-

Joseph S. Owsley, Charlotte B. Browning, et al.,

Defendants.

Civil No. 226

Tract No. 10

J U D G M E N T

Now, on this 23rd day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Charlotte B. Browning, and others

appearing in person and by their counsel of record, Riley Trust; and it appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 10 (23 GE-D 1149)

The whole of Lot 4, the SW $\frac{1}{2}$  NW $\frac{1}{4}$ , the NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , the E $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , and a tract of land all lying the W $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 3, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SE corner of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence Westerly along the South boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the SW corner thereof; thence Northerly along the West boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the NW corner thereof; thence Easterly along the North boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the NE corner thereof; thence S. 0° 08' W. along the East boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 154.2 feet; thence S. 59° 31' W. 55.6 feet; thence S. 12° 21' W. 117 feet; thence S. 17° 10' E. 243.9 feet to a point in the East boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence S. 0° 08' W. along said East boundary a distance of 790.9 feet to the point of beginning, containing 19.5 acres, more or less;

The above described tract containing a total of 137.1 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 22nd day of September, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right

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acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Dan Bishop, Ed Soph, and Hugh Ratcliff, and that thereafter, and on the 26th day of September, 1939, this Court made and entered an order allowing the withdrawal of Hugh Ratcliff as one of the said commissioners, and that on the 28th day of September, 1939, Henry Hoffman was appointed as commissioner herein; that the said three (3) commissioners reside within the confines of the United States Judicial District for the Northern District of Oklahoma, and are disinterested freeholders therein, and said above named commissioners were so appointed to inspect said real property and consider the injury which the owners thereof, or those having any right, title, or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 7th day of November, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$7,325.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority, did, on the 25th day of November, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$7,325.00, for the use of the owners of said land, and that the Grand River Dam Authority, a public corporation did, on the 28th day of November, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury; and, on the 3rd day of April, 1940, said cause was called for trial in its regular order upon the Demand for Jury Trial filed by the petitioner, and at said time in open court said petitioner dismissed its Demand for Jury Trial, which Dismissal was by the Court allowed and confirmed.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the report of the commissioners filed herein on the 7th day of November, 1939, be, and the same is hereby, approved and confirmed and the petitioner, Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire, and unencumbered fee simple title to the following described lands, to-wit:

TRACT NO. 10 (25 GR-D 1149)

The whole of Lot 4, the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , the NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , the E $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , and a tract of land all lying in the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 3, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SE corner of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence Westerly along the South boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the SW corner thereof; thence Northerly along the West boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the NW corner thereof; thence Easterly along the North boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the NE corner thereof; thence S. 0° 08' W. along the East boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 154.2 feet; thence S. 59° 31' W. 55.6 feet; thence S. 12° 21' W. 117 feet; thence S. 17° E. 243.9 feet to a point in the East boundary of the W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence S. 0° 08' W. along said East boundary a distance of 790.9 feet to the point of beginning, containing 137.1 acres, more or less;

The above described tract containing a total of 137.1 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriation of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$7,325.00, upon the award of the commissioners.

F. E. KENNAMER

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk, U. S. District  
Court

Judge of the United States District Court  
In and for the Northern District of Oklahoma

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA  
VINNIA, OKLAHOMA

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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a  
public corporation,

Petitioner,

Civil No. 232  
Tract No. 1

-vs-

Lawford L. Browning, et al.,

Defendants.

J U D G M E N T

Now, on this 11th day of March, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Lawford L. Browning, and others appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to the Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof and to sell and distribute electric energy so produced, and to acquire by purchase and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to acquire by condemnation any and all property of all kinds, real, personal, and mixed, or any interest therein, in the manner provided by general law in respect to condemnation, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 1 (18 GR-D 842  
23 GR-D 1151)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 7 and the East 18.4 acres of Lot 6, of Sec. 4, T 24 N - R 23 E of the Indian Base and Meridian, containing 45.70 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River, incident to the ownership of the above described lands;

AND

SW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  and S. 6.40 acres of Lot 5, and the NW 6.60 acres of Lot 5, Section 3, T 24 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 23.0 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

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Said Tract No. 1 containing a total of 68.70 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been served with notice, either by personal service or publication, of the condemnation and appropriation of said land, and with notice of the time and place for the appointment of commissioners more than ten (10) days prior to the date of the hearing of the application for the appointment of commissioners, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 22nd day of September, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Dan Bishop, Ed Soph and Hugh Ratcliff, and that thereafter, and on the 26th day of September, 1939, this Court made and entered an order allowing the withdrawal of Hugh Ratcliff as one of the said commissioners, and that on the 28th day of September, 1939, Henry Hoffman was appointed as commissioner herein; that the said three (3) commissioners reside within the confines of the United States Judicial District for the Northern District of Oklahoma, and are disinterested freeholders therein, and said above named commissioners were so appointed to inspect said real property and consider the injury which the owners thereof, or those having any right, title, or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 25th day of November, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$4,950.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 6th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$4,950.00, for the use of the owners of said land, and that the Grand River Dam Authority, a public corporation, did, on the 9th day of the December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 11th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at 6700 DOLLARS."

which verdict was returned on the 11th day of March, 1940.

IT IS THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute and unencumbered fee simple title to the land described as follows, to-wit:

TRACT No. 1 (18 GR-D 842  
23 GR-D 1151)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 7 and the East 18.4 acres of Lot 6, of Sec. 4, T 24 N - R 23 E of the Indian Base and Meridian, containing 45.70 acres, more or less;

And any and all right, interest and title in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

SW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  and S. 6.40 acres of Lot 5, and the NW 6.60 acres of Lot 5, Section 3, T 24 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 23.0 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands.

Said tract No. 1 containing a total of 68.70 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$6700.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$1750.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$1750.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$6700.00, and the amount awarded the owners of said land by the commissioners in the sum of \$4950.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER  
Judge of the United States District Court  
in and for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a  
public corporation,

petitioner,

-vs-

Civil No. 232      Tract No. 2.

Lawford L. Browning, J. E. Herod, sometimes  
knbn as Joe E. Herod, also sometimes known  
as Joel E. Herod, et al.,

Defendants.

J U D G M E N T

Now, on this 12th day of March, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, J. E. Herod, sometimes known as Joe E. Herod, also sometimes known as Joel E. Herod, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to acquire by condemnation any and all property of all kinds, real, personal, and mixed, or any interest therein, in the manner provided by general law in respect to condemnation, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 2 (25 GR-D 1363)

NW $\frac{1}{4}$  NE $\frac{1}{4}$  and S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  and Lot 11, Sec. 24, T 25 N - R 23 E  
of the Indian Base and Meridian, Cherokee Survey, Delaware  
County, Oklahoma, containing 100.33 acres, more or less;

And any and all right, title and interest in and to the bed  
and banks of Grand River incident to the ownership of the  
above described lands;

Said Tract No. 2 containing a total of 100.33 acres, more or less, to be used  
as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

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It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been served with notice, either by personal service or publication, of the condemnation and appropriation of said land, and with notice of the time and place for the appointment of commissioners more than ten (10) days prior to the date of the hearing of the application for the appointment of commissioners, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 22nd day of September, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Dan Bishop, Ed. Soph, and Hugh Ratcliff, and that thereafter, and on the 26th day of September, 1939, this Court made and entered an order allowing the withdrawal of Hugh Ratcliff as one of the said commissioners, and that on the 28th day of September, 1939, Henry Hoffman was appointed as commissioner herein; that the said three (3) commissioners reside within the confines of the United States Judicial District for the Northern District of Oklahoma, and are disinterested freeholders therein; and said above named commissioners were so appointed to inspect said real property and consider the injury which the owners thereof, or those having any right, title, or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 25th day of November, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$5,000.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 6th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$5,000.00, for the use of the owners of said land, and that the Grand River Dam Authority, a public corporation, did, on the 9th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 12th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at 5500.00 DOLLARS,"

which verdict was returned on the 12th day of March, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 2 (25 GR-D 1363)

NW $\frac{1}{4}$  NE $\frac{1}{4}$  and S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  and Lot 11, Sec. 24, T 25 N - R 23 E  
of the Indian Base and Meridian, Cherokee Survey, Delaware  
County, Oklahoma, containing 100.33 acres, more or less;

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

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And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$5,500.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$500.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$500.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$5,500.00, and the amount awarded the owners of said land by the commissioners in the sum of \$5,000.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER  
Judge of the United States District Court  
in and for the Northern District of  
Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a  
public corporation,

Petitioner,

-vs-

Lawford L. Browning, O. W. Smithpeter, et al.,

Defendants.

Civil No. 232      Tract No. 7

J U D G M E N T

Now, on this 13th day of March 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, O. W. Smithpeter, and others, appearing in person and by their counsel of record, Smith and Walker; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is

authorized, and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges, and functions conferred upon it, and to acquire by condemnation any and all property of all kinds, real, personal, and mixed, or any interest therein, in the manner provided by general law in respect to condemnation, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

TRACT No. 7 (24 GR-D 1236  
24 GR-D 1270)

$N\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ,  $N\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Lot 1 and Lot 2, less the NW 5 acres, Sec. 27, T. 25 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, Delaware County, Oklahoma, containing 76.68 acres, more or less,

A tract of land, all lying in the  $W\frac{1}{2}$  of Lot 4 and the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 26, T 25 N - R 23 E, Cherokee Survey, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SW corner of the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence Easterly along the South boundary of the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  to the SE corner thereof; thence N.  $0^{\circ} 02' W$ . along the East boundary of  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  9.4 feet; thence N.  $82^{\circ} 16' W$ . 0.9 feet; thence N.  $36^{\circ} 21' W$ . 18.5 feet; thence N.  $42^{\circ} 40' W$ . 234.1 feet; thence N.  $82^{\circ} 11' W$ . 224.5 feet; thence N.  $86^{\circ} 22' W$ . 148.1 feet; thence N.  $35^{\circ} 56' W$ . 209.7 feet; thence N.  $16^{\circ} 16' E$ . 341.4 feet; thence N.  $33^{\circ} 39' E$ . 403.6 feet; thence S.  $79^{\circ} 37' E$ . 198.8 feet; thence N.  $14^{\circ} 14' E$ . 484.9 feet; thence N.  $38^{\circ} 46' E$ . 26.5 feet; thence N.  $36^{\circ} 38' E$ . 12.0 feet; thence N.  $52^{\circ} 19' E$ . 3.1 feet to a point in the East boundary of the  $W\frac{1}{2}$  of Lot 4; thence N.  $0^{\circ} 02' W$ . along said East boundary a distance of 457.4 feet; thence N.  $87^{\circ} 41' W$ . 374.5 feet to a point in the North boundary of the  $W\frac{1}{2}$  of Lot 4; thence S.  $89^{\circ} 39' W$ . along the North boundary of the  $W\frac{1}{2}$  of Lot 4 a distance of 285.8 feet to the NW corner thereof; thence South-erly along the West boundary of the  $W\frac{1}{2}$  of Lot 4 and the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  to the point of beginning, containing 18.5 acres, more or less;

AND

All that certain tract of land situated in T 25 N - R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

The SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 35, less 3.33 acres Arkansas & Oklahoma R. R. right-of-way, containing 36.67 acres, more or less, any and all reversionary interest in and to the right-of-way of said Arkansas & Oklahoma R. R.;

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Said Tract No. 7 containing a total of 131.85 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been served with notice, either by personal service or publication, of the condemnation and appropriation of said land, and with notice of the time and place for the appointment of commissioners more than ten (10) days prior to the date of the hearing of the application for the appointment of commissioners, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 22nd day of September, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Dan Bishop, Ed Soph, and Hugh Ratcliff, and that thereafter, and on the 26th day of September, 1939, this Court made and entered an order allowing the withdrawal of Hugh Ratcliff as one of the said commissioners, and that on the 28th day of September, 1939, Henry Hoffman was appointed as commissioner herein; that the said three (3) commissioners reside within the confines of the United States Judicial District for the Northern District of Oklahoma, and are disinterested freeholders therein, and said above named commissioners were so appointed to inspect said real property and consider the injury which the owners thereof, or those having any right, title, or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of the Grand River Dam Project, and thereafter did, on the 25th day of November, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$13,185.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 6th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma the sum of \$13,185.00, for the use of the owners of said land, and that the Grand River Dam Authority, a public corporation, did, on the 9th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 13th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$15,750.00 DOLLARS."  
---(as to Map No. 24, Tract No. GR-D 1236),

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at 2800.00 DOLLARS,"  
- - - (as to Map No. 24, Tract No. GR-D 1270),

which verdicts were returned on the 13th day of March, 1940.

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IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 7 (24 GR-D 1236  
24 GR-D 1270)

$N\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ,  $N\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Lot 1 and Lot 2, less the NW 5 acres, Sec. 27, T 25 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, Delaware County, Oklahoma, containing 76.68 acres, more or less.

A tract of land, all lying in the  $W\frac{1}{2}$  of Lot 4 and the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 26, T 25 N - R 23 E, Cherokee Survey, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SW corner of the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence Easterly along the South boundary of the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ , to the SE corner thereof; thence N.  $0^{\circ} 02'$  W. along the East boundary of  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  9.4 feet; thence N.  $82^{\circ} 16'$  W. 0.9 feet; thence N.  $36^{\circ} 21'$  W. 18.5 feet; thence N.  $42^{\circ} 40'$  W. 234.1 feet; thence N.  $82^{\circ} 11'$  W. 224.5 feet; thence N.  $86^{\circ} 22'$  W. 148.1 feet; thence N.  $35^{\circ} 56'$  W. 209.7 feet; thence N.  $16^{\circ} 16'$  E. 341.4 feet; thence N.  $33^{\circ} 39'$  E. 403.6 feet; thence S.  $79^{\circ} 37'$  E. 198.8 feet; thence N.  $14^{\circ} 14'$  E. 484.9 feet; thence N.  $38^{\circ} 46'$  E. 26.5 feet; thence N.  $36^{\circ} 38'$  E. 12.0 feet; thence N.  $52^{\circ} 19'$  E. 3.1 feet to a point in the East boundary of the  $W\frac{1}{2}$  of Lot 4; thence N.  $0^{\circ} 02'$  W. along said East boundary a distance of 457.4 feet; thence N.  $87^{\circ} 41'$  W. 374.5 feet to a point in the North boundary of the  $W\frac{1}{2}$  of Lot 4; thence S.  $89^{\circ} 39'$  W. along the North boundary of the  $W\frac{1}{2}$  of Lot 4 a distance of 285.8 feet to the NW corner thereof; thence South-erly along the West boundary of the  $W\frac{1}{2}$  of Lot 4 and the  $W\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  to the point of beginning, containing 18.5 acres, more or less;

AND

All that certain tract of land situated in T 25 N - R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

The SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 35, less 3.33 acres Arkansas & Oklahoma R. R. right-of-way, containing 36.67 acres, more or less, and any and all reversionary interest in and to the right-of-way of said Arkansas & Oklahoma R. R.;

Said Tract No. 7 containing a total of 131.85 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$18,550.00.

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And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$5365.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$5365.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$18,550.00, and the amount awarded the owners of said land by the commissioners in the sum of \$13,185.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court in  
and for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

Grand River Dam Authority, a  
public corporation,

Petitioner, )

) Civil No. 244 Tract No. 2.

-vs-

E. E. Hinds, J. F. Seabolt, et al.,

Defendants. )

J U D G M E N T

Now, on this 13th day of March, 1940, the above entitled cause coming on for trial, the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, J. F. Seabolt, and thers, appearing in person and by their counsel of record, Rollie C. Clark; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary to convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, right, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction operation and maintenance of the Grand River Dam Project the following described land, to-wit:



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Appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 2nd day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$4,292.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 14th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$4,292.00, for the use of the owners of said land, and that the petitioner, Grand River Dam Authority, did, on the 2nd day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 13th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict rendered according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths, say:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$4480.00 DOLLARS,"

which verdict was returned on the 14th day of March, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 2 (9 GR-D 419  
17 GR-D 773)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  and the E $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 24, T 24 N - R 22 E of the Indian Base and Meridian, containing forth (40.0) acres, more or less.

AND

All the following described land situated in Delaware County, Oklahoma, to-wit:

The West 19.30 acres of Lot 1, Sec. 19; and all that part of the West 19.61 acres of Lot 2, the SE 10.0 acres of Lot 2, and Lot 3, of Sec. 19, particularly described as follows, to-wit:

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Beginning at the NW corner of said West 19.61 acres of Lot 2, thence Easterly along the North boundary of said West 19.61 acres of Lot 2 to the NE corner thereof; thence Southerly along the East boundary of said West 19.61 acres of Lot 2 to the NW corner of said SE 10.0 acres of Lot 2; thence S.  $89^{\circ} 38'$  E. along the North boundary of said SE 10.0 acres of Lot 2 a distance of 131.4 feet to a point 528.3 feet West of the NE corner thereof; thence S.  $5^{\circ} 13'$  E. 32.9 feet; thence S.  $79^{\circ} 28'$  W. 285.5 feet; thence S.  $5^{\circ} 02'$  W. 255.8 feet; thence S.  $7^{\circ} 21'$  W. 238.0 feet; thence S.  $7^{\circ} 37'$  W. 189.0 feet; thence S.  $0^{\circ} 21'$  W. 190.5 feet; thence S.  $7^{\circ} 26'$  W. 246.4 feet; thence N.  $41^{\circ} 36'$  W. 435.0 feet; thence N.  $11^{\circ} 24'$  E. 245.3 feet; thence S.  $37^{\circ} 40'$  W. 249.8 feet to a point in the West boundary of said Lot 3 and 1144.6 feet North of the SW corner thereof; thence N.  $0^{\circ} 14'$  E. along the West boundary of said Lot 3 and Lot 2 a distance of 1494.8 feet to the point of beginning, containing 20.44 acres, more or less;

All in T 24 N - R 23 E of the Indian Base and Meridian;  
the whole tract containing in all 39.74 acres, more or less.

Said tract No. 2 containing a total of 79.74 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$4480.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$188.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$188.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$4480.00 and the amount awarded the owners of said land by the commissioners in the sum of \$4292.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court  
in and for the Northern District of  
Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,

Petitioner,

Civil No. 244 Tract No. 3.

-vs-

E. E. Hinds, Alice Chanley, et al., Defendants.

J U D G M E N T

Now, on this 13th day of March, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Alice Chanley, and others, appearing in person and by their counsel of record, Rollie C. Clark; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 3 (10 GR-D 491  
17 GR-D 770)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The  $W\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  and the  $SE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 13, T 24 N - R 23 E of the Indian Base and Meridian, containing sixty (60.0) acres, more or less;

AND

That certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 4 and the West 19.24 acres of Lot 3, Sec. 18, T 24 N - R 23 E of the Indian Base and Meridian, containing fifty eight and forty-one one hundredths (58.41) acres, more or less.

Said Tract No. 3 containing a total of 118.41 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 2nd day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$11,443.50 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 14th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$11,443.50, for the use of the owners of said land, and that the petitioner, Grand River Dam Authority, did, on the 9th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury; and, on the 13th day of March, 1940, said cause was called for trial in its regular order upon the Demand for Jury trial filed by the petitioner, and at said time in open court said petitioner dismissed its Demand for Jury trial, which Dismissal was by the Court allowed and confirmed.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the report of the commissioners filed herein on the 2nd day of December, 1939, be, and the same is hereby, approved and confirmed and the petitioner, Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the following described lands, to-wit:

Tract No. 3 (10 GR-D 491  
 17 GR-D 770)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The  $W\frac{1}{2}$   $NE\frac{1}{4}$   $NE\frac{1}{4}$  and the  $SE\frac{1}{4}$   $NE\frac{1}{4}$  of Sec. 13, T 24 N - R 22 E of the Indian Base and Meridian, containing sixty (60.0) acres, more or less;

AND

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All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 4 and the West 19.24 acres of Lot 3, Sec. 18, T 24 N - R 23 E of the Indian Base and Meridian, containing fifty eight and forty-one one hundredths (58.41) acres, more or less.

Said Tract No. 3 containing a total of 118.41 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$11,443.50, upon the award of the commissioners.

F. E. KENNAMER

Judge of the United States District Court  
in and for the Northern District of Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

Grand River Dam Authority, a  
public corporation, )  
Petitioner, )

vs-

Civil No. 244 Tract No. 4.

E. E. Hinds, John M. Countryman, same as )  
J. R. Countryman, Jr., et al., )  
Defendants. )

J U D G M E N T

Now, on this 14th day of March, 1940, the above entitled cause coming on for trial and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, John M. Countryman, same as J. R. Countryman, Jr., and others, appearing in person and by their counsel of record, Carey Caldwell; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things to control, store and preserve the waters of Grand River and its tributaries for any useful purpose and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

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Tract No. 4 (10 GR-D 469  
11 GR-D 530  
11 GR-D 531)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing forty (40.0) acres, more or less,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 1, T 24 N - R 22 E of the Indian Base and Meridian, containing forty (40.0) acres, more or less;

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The S $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 1, T 24 N - R 22 E of the Indian Base and Meridian, containing twenty (20.0) acres, more or less,

Said Tract No. 4 containing a total of one hundred (100.0) acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land, was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 2nd day of December, 1939, make their report in writing to the Clerk of the

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United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$3,450.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 14th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$3,450.00, for the use of the owners of said land, and that the petitioner, Grand River Dam Authority, did, on the 9th day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury; and, on the 14th day of March 1940, said cause was called for trial in its regular order upon the Demand for Jury Trial filed by the petitioner, and at said time in open court said petitioner dismissed its Demand for Jury trial, which Dismissal was by the Court allowed and confirmed.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the report of the commissioners, filed herein on the 2nd day of December, 1939, be, and the same is hereby, approved and confirmed and the petitioner, Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the following described lands, to-wit:

Tract No. 4 (10 GR-D 469  
11 GR-D 530  
11 GR-D 531)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The NW $\frac{1}{2}$  NW $\frac{1}{4}$  of Sec. 12, T 24 N - R 22 E of the Indian Base and Meridian, containing forty (40.0) acres, more or less,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 1, T 24 N - R 22 E of the Indian Base and Meridian, containing forty (40.0) acres, more or less;

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 1, T 24 N - R 22 E of the Indian Base and Meridian, containing twenty (20.0) acres, more or less,

Said Tract No. 4, containing a total of one hundred (100.0) acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$3,450.00, upon the award of the commissioners.

F. E. KENNAMER  
Judge of the United States District Court  
in and for the Northern District of Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation, Petitioner,

vs.

Civil No. 245 Tract No. 2.

William T. Sheldon, Jacob Dubois, et al., Defendants.

J U D G M E N T

Now, on this 9th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Mavry Dubois, and others, appearing in person and by their counsel of record, Ad V. Coppedge and E. H. Beauchamp; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

- Tract No. 2 17 GR-D 737
18 GR-D 875
18 GR-D 881)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The NW 1/4 NW 1/4, Section 16, Township 24 North, Range 23 East of the Indian Base and Meridian, containing 40.0 acres, more or less;

and

Two tract of land all lying in the NE 1/4 NE 1/4, and the NW 1/4 SE 1/4 NE 1/4, Sec. 8, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

TRACT A:

Beginning at a point in the South boundary of the NW 1/4 SE 1/4 NE 1/4, and 252.7 feet West of the SE corner thereof; thence N. 36° 37' W. 353.3 feet; thence S. 7° 24' E. 285.9 feet to a point in the

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South boundary of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence S. 89° 59' E. along said South boundary a distance of 173.9 feet to the point of beginning, containing 0.6 acre, more or less,

TRACT B:

Beginning at a point in the South boundary of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 361.7 feet West of the SE corner thereof; thence N. 9 15' E. 225.0 feet; thence N. 29° 23' E. 83.9 feet; thence N. 89° 04' W. 117.6 feet; thence N. 25° 56' W. 37.1 feet; thence N. 9° 29' W. 119.9 feet; thence N. 0° 29' W. 126.3 feet; thence N. 19° 20' E. 71.5 feet; thence N. 27° 16' E. 85.5 feet; thence N. 32° 29' E. 162.5 feet; thence N. 9° 56' E. 114.7 feet; thence S. 43° 55' W. 136.2 feet; thence S. 55° 06' W. 157.6 feet; thence N. 64° 00' W. 142.5 feet; thence N. 59° 59' W. 165.2 feet; thence N. 7° 20' W. 48.3 feet; thence N. 69° 21' W. 46.3 feet; thence S. 34° 20' E. 128.0 feet; thence S. 21° 20' E. 91.7 feet; thence S. 41° 02' E. 106.8 feet; thence S. 0° 46' E. 84.8 feet; thence S. 15° 31' W. 77.0 feet; thence S. 26° 01' W. 58.6 feet; thence S. 35° 38' E. 77.7 feet; thence S. 3° 35' E. 216.3 feet; thence S. 2° 10' E. 271.5 feet; thence S. 14° 07' E. 196.0 feet; thence S. 8° 01' E. 54.7 feet; to a point in the East boundary of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence N. 0° 03' E. along said East boundary a distance of 287.4 feet to the NE corner thereof; thence S. 89° 59' E. along the South boundary of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 197.4 feet to the point of beginning, containing 5.5 acres, more or less;

Aggregate acreage to be acquired: 6.1 acres, more or less.

AND

SE $\frac{1}{4}$  SE $\frac{1}{4}$  and SW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 8, T 24 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 50.0 acres, more or less.

Said Tract No. 2 containing a total of 96.1 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 13th day of November, 1939, the Judge of this Court, after considering the petition and application of the petitioner made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of

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names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 24th day of January, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma and did assess and award damages in the sum of \$7,450.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 10th day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$7,450.00, for the use of the owners of said land, and that the Grand River Dam Authority did, on the 21st day of February, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 9th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$8,000.00 DOLLARS,"

which verdict was returned on the 9th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right, and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 2 (17 GR-D 737  
18 GR-D 875  
18 GR-D 881)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 16, Township 24 North, Range 23 East of the Indian Base and Meridian, containing 40.0 acres, more or less;

AND

Two tracts of land, all lying in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 8, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

TRACT A:

Beginning at a point on the South boundary of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 252.7 feet West of the SE corner thereof; thence N. 36° 37' W. 353.3 feet; thence S. 7° 24' E. 285.9 feet to a point in the South boundary of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence S. 89° 59' E. along

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said South boundary a distance of 173.9 feet to the point of beginning, containing 0.6 acres, more or less.

TRACT B:

Beginning at a point in the South boundary of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 361.7 feet West of the SE corner thereof; thence N. 9° 15' E. 235.0 feet; hence N. 29° 00' E. 83.9 feet; thence N. 89° 04' W. 117.6 feet; thence N. 25° 56' W. 37.1 feet; thence N. 9° 29' W. 119.9 feet; thence N. 0° 29' W. 126.3 feet; thence N. 19° 20' E. 71.5 feet; thence N. 27° 16' E. 85.5 feet; thence N. 32° 29' E. 162.5 feet; thence N. 9° 56' E. 114.7 feet; thence N. 43° 55' W. 136.2 feet; thence S. 55° 06' W. 157.6 feet; thence N. 64° 00' W. 142.5 feet; thence N. 59° 59' W. 165.2 feet; thence N. 7° 20' W. 48.3 feet; thence N. 69° 21' W. 46.3 feet; thence S. 34° 20' E. 128.0 feet; thence S. 21° 20' E. 91.7 feet; thence S. 41° 02' E. 106.8 feet; thence S. 0° 46' E. 84.8 feet; thence S. 15° 31' W. 77.0 feet; thence S. 26° 01' W. 58.6 feet; thence S. 35° 38' E. 77.7 feet; thence S. 3° 35' E. 216.3 feet; thence S. 2° 10' E. 271.5 feet; thence S. 14° 07' E. 196.0 feet; thence S. 8° 01' E. 54.7 feet to a point in the East boundary of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence N. 0° 03' E. along said East boundary a distance of 287.4 feet to the NE corner thereof; thence S. 89° 59' E. along the South boundary of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 197.4 feet to the point of beginning, containing 5.5 acres, more or less;

Aggregate acreage to be acquired; 6.1 acres, more or less.

AND

SE $\frac{1}{4}$  SE $\frac{1}{4}$  and SW $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , of Sec. 8, T 24 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 50.0 acres, more or less.

Said Tract No. 2 containing a total of 96.1 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$8,000.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$550.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$550.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$8,000.00, and the amount awarded the owners of said land by the commissioners in the sum of \$7,450.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk

F. E. KENNAMER  
Judge of the United States District Court in and  
the Northern District of Oklahoma.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation, )  
Petitioner, )

-vs-

Civil No. 245 Tract No. 3.

William T. Sheldon, J. T. Shelman, et al., )  
Defendants. )

J U D G M E N T

Now, on this 10th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, J. T. Shelman, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate the water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 3 (31 GR-D 1637  
31 GR-D 1643)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The Soth 25.0 acres of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T. 25 N - R 24 E of the Indian Base and Meridian, containing 25.0 acres, more or less,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 8, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, containing 40.0 acres, more or less,

Said Tract No. 3 containing a total of 65.0 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee

simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been made by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 13th day of November, 1939, the Judge of this Court after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 24th day of January, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$5,325.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 10th day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$5,325.00, for the use of the owners of said land, and that the Grand River Dam Authority did, on the 21st day of February, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 10th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$5,800.00 DOLLARS,"

which verdict was returned on the 10th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 3 (31 GR-D 1637  
31 GR-D 1643)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
VENITA, OKLAHOMA

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The South 25.0 acres of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, containing 25.0 acres, more or less,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 8, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, containing 40.0 acres more or less,

Said Tract No. 3 containing a total of 65.0 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$5,800.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$475.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$475.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$5,800.00, and the amount awarded the owners of said land by the commissioners in the sum of \$5,325.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court in and  
for the Northern District of Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF  
OKLAHOMA.

Grand River Dam Authority, a  
public corporation, )  
Petitioner, )  
vs. ) Civil No. 245 Tract No. 6  
William T. Sheldon, Ben F. Squibbs,  
et al., )  
Defendants. )

J U D G M E N T

Now, on this 10th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Fickens, and the defendants, Ben F. Squibbs, and there, appearing in person and by their counsel of record, Rollie C. Clark; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 6 (25 GR-D 1360)

Lot 12, Sec. 23, T 25 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, Delaware County, Oklahoma, containing a total of 37.95 acres, more or less,

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land,

Said Tract No. 6 containing a total of 37.95 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 13th day of November, 1939, the Judge of this Court after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 24th day of January, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$3,450.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 16th day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$3,450.00 for the use of the owners of said land, and that the Grand River Dam Authority did, on the 21st day of February, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury; and it appearing to the Court that no Demand for Jury Trial was filed by the land owner or those having any right, title, or interest in the above described land, and on the 10th day of April, 1940, said cause was called for trial in its regular order upon the Demand for Jury trial filed by the petitioner, and at said time in open court said petitioner dismissed its Demand for Jury Trial, which Dismissal was by the Court allowed and confirmed.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the report of the commissioners filed herein on the 24th day of January, 1940, be, and the same is hereby, approved and confirmed and the petitioner, Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the following described lands, to-wit:

Tract No. 6 (25 GR-D 1360)

Lot 12, Sec. 23, T 25 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, Delaware County, Oklahoma, containing a total of 37.95 acres, more or less,

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land.

- . Said Tract No. 6 containing a total of 37.95 acres, more or less.

And it is further ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$3,450.00 upon the award of the commissioners.

F. E. KENNAMER

Judge of the United States District Court  
 in and for the Northern District of Oklahoma.

ENDORSED: Filed Apr 23 1940  
 H. P. Warfield, Clerk  
 U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

Grand River Dam Authority, a public corporation,	Petitioner,	)	
		)	
vs.		)	Civil No. 245    Tract No. 7.
		)	
William T. Sheldon, E. H. Beauchamp, et al,	Defendants.	)	

J U D G M E N T

Now, on this 11th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, E. H. Beauchamp, and others, appearing in person and by their counsel of record, Rollie C. Clark; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 7 (10 GR-D 471  
11 GR-D 537  
11 GR-D 581)

All the following described land situated in Delaware County, Oklahoma, to-wit:

The SE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 12, Containing 10.0 acres, more or less; and that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 12, particularly described as follows, to-wit:

Beginning at the SW corner of said W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence N. 0° 45' E. along the West boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 434.2 feet to a point 889.2 feet South of the NW corner thereof; thence N. 57° 11' E. 176.2 feet; thence S. 83° 04' E. 182.5 feet; thence N. 69° 25' E. 329.0 feet; thence N. 14° 36' E. 108.2 feet to a point in the East boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 585.8 feet South of the NE corner thereof; thence S. 0° 43' W. along said East boundary a distance of 737.4 feet to the SE corner thereof; thence Westerly along the South boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  to the point of beginning, containing 8.4 acres, more or less;

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All in T 24 N - R 22 E of the Indian Base and Meridian; the whole tract containing in all 18.4 acres, more or less,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The  $W\frac{1}{2}$   $SW\frac{1}{4}$   $NE\frac{1}{4}$ , the SW 10.0 acres of Lot 2, the N. 26.39 acres of Lot 2, Lot 3 and Lot 4, less 0.18 acres K. O. & G. R. R. r/w. of Sec. 1, containing 148.28 acres, more or less; and the N. 25.89 acres of Lot 1 of Sec. 2, less 2.85 acres K. O. & G. R. R. r/w and less 1 acre Belleview School Land in the NE corner thereof; containing 22.04 acres, more or less,

All in T 24 N - R 22 E of the Indian Base and Meridian; the whole tract containing in all 170.32 acres, more or less; and any and all reversionary interest in and to the right-of-way of said K. O. & G. R. R.,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The  $S\frac{1}{2}$   $SW\frac{1}{4}$   $SE\frac{1}{4}$ , less 2.01 acres K. O. & G. R. R. right-of-way, of Sec. 35, T 25 N - R 22 E of the Indian Base and Meridian, containing 17.99 acres, more or less; and any and all reversionary interest in and to the right-of-way of said K. O. & G. R. R.,

Said Tract No. 7 containing a total of 206.71 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 13th day of November, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to

inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 24th day of January, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$11,270.00, as to 10 GR-D 471 and 11 GR-D 537, and did assess and award damages in the sum of \$1,116.00, as to 11 GR-D 581, to the owners of said lands for the appropriation and taking of the same; and the Grand River Dam Authority did, on the 21st day of February, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 11th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, rendered the following verdicts at the direction of the Court;

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$9,000.00 DOLLARS, (as to 10 GR-D 471 and 11 GR-D 537),

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$900.00 DOLLARS, (as to 11 GR-D 581),

which verdicts were returned on the 11th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 7 (10 GR-D 471  
11 GR-D 537  
11 GR-D 581

All the following described land situated in Delaware County, Oklahoma, to-wit:

The SE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 12, containing 10.0 acres, more or less; and that part of the W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 12 particularly described as follows, to-wit:

Beginning at the SW corner of said W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence N. 0° 45' E. along the West boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 434.2 feet to a point 889.2 feet South of the NW corner thereof; thence N. 57° 11' E. 176.2 feet; thence S. 83° 04' E. 182.5 feet; thence N. 69° 25' E. 329.0 feet; thence N. 14° 36' E. 108.2 feet to a point in the East boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 585.8 feet South of the NE corner thereof; thence S. 0° 43' W. along said East boundary a distance of 737.4 feet to the SE corner thereof; thence Westerly along the South boundary of said W $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  to the point of beginning, containing 8.4 acres, more or less;

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
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All in T 24 N - R 22 E of the Indian Base and Meridian; the whole tract containing in all 18.4 acres, more or less,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The  $W\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , the SW 10.0 acres of Lot 2, the N. 26.39 acres of Lot 2, Lot 3 and Lot 4, less 0.18 acre K. O. & G. R. R. r/w of Sec. 1., containing 148.28 acres, more or less; and the N. 25.89 acres of Lot 1 of Sec. 2, less 2.85 acres K. O. & G. R. R. r/w and less 1 acre Belleview School Land in the NE corner thereof; containing 22.04 acres, more or less.

All in T 24 N - R 22 E of the Indian Base and Meridian; the whole tract containing in all 170.32 acres, more or less; and any and all reversionary interest in and to the right-of-way of said K. O. & G. R. R.,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows to-wit:

The S $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , less 2.01 acres, K. O. & G. R. R. right-of-way, of Sec. 35, T 25 N - R 22 E of the Indian Base and Meridian, containing 17.99 acres, more or less; and any and all reversionary interest in and to the right-of-way of said K. O. & G. R. R.,

Said Tract No. 7 containing a total of 206.71 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$9,000.00, as to 10 GR-D 471 and 11 GR-D 537, and \$900.00, as to 11 GR-D 581.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$9,000.00, as to 10 GR-D 471 and 11 GR-D 537, and \$900.00, as to 11 GR-D 581, to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said lands, shall be vested with the absolute, entire and unencumbered fee simple title to said lands, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

F. E. KENNAMER

JUDGE OF THE UNITED STATES DISTRICT COURT IN AND  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation, )  
Petitioner, )  
-vs- ) Civil No. 246 Tract No. 1  
H. H. Thompson, et al., )  
Defendants. )

J U D G M E N T

Now, on this 15th day of March, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, H. H. Thompson, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries, for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 1 (18 GR-D 843  
19 GR-D 960 E & W)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 3, the W $\frac{1}{2}$  of Lot 2, and the W. 9.1 acres of Lot 6 of Sec. 4, T 24 N - R 23 E of the Indian Base and Meridian, containing 68.31 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land;

AND

W $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 33, T 25 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 20.0 acres, more or less; and

SE $\frac{1}{2}$  SE $\frac{1}{4}$ , Lot 5, Lot 6 and Lot 7, Sec. 32, T 25 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 98.98 acres, more or less;

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And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

Said Tract No. 1 containing a total of 187.29 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 16th day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$16,830.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 28th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$16,830.00, for the use of the owners of said land, and that the defendants did, on the 21st day of December, 1939, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by jury, and that the Grand River Dam Authority, a public corporation, did, on the 15th day of January, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 15th day of March, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"WE, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at 23,500.00 DOLLARS."

which verdict was returned on the 15th day of March, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows to-wit:

Tract No. 1 (18 GR-D 843  
19 GR-D 960 E & W)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 3, the  $W\frac{1}{2}$  of Lot 2, and the W. 9.1 acres of Lot 6 of Sec. 4, T 24 N - R 23 E of the Indian Base and Meridian containing 68.31 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land;

AND

$W\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 33, T 25 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 20.0 acres, more or less; and

SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Lot 5, Lot 6 and Lot 7, Sec. 32, T 25 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma containing 98.98 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land;

Said Tract No. 1 containing a total of 187.29 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$23,500.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$6,670.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$6,670.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$23,500.00, and the amount awarded the owners of said land by the commissioners in the sum of \$16,830.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court in  
and for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation, )  
Petitioner, )  
-vs- ) Civil No. 246 Tract No. 3.  
H. H. Thompson, Lewis Dubois, et al., )  
Defendants. )

J U D G M E N T

Now, on this 5th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Lewis Dubois, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered among other things, to control store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 3 (17 GR-D 736  
18 GR-D 882  
22 GR-D 1073)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SW $\frac{1}{4}$  NW $\frac{1}{4}$  and Lot 1, Section 16, T 24 N - R 23 E of the Indian Base and Meridian, containing 79.5 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 1, Lot 2, and the North 14.60 acres of Lot 6, Sec. 17, T 24 N - R 23 E of the Indian Base and Meridian, containing 61.40 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

A tract of land, all lying the SW $\frac{1}{4}$  SEP NWP, the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , the W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and the W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 9, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SW corner of the NE $\frac{1}{2}$  SW $\frac{1}{4}$ , thence N. 89° 37' W. along the North boundary of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 681.8 feet; thence S. 74° 59' W. 83.0 feet; thence N. 57° 55' W. 41.7 feet to a point in the North boundary of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence N. 89° 23' W. along said North boundary a distance of 522.0 feet to the NW corner thereof; thence Southerly along the West boundary of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  to the SW corner thereof; thence S. 89° 36' E. along the South boundary of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and the W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 2845.1 feet; thence N. 80° 50' E. 45.6 feet; thence N. 73° 58' E. 107.0 feet; thence N. 27° 33' E. 62.6 feet; thence N. 58° 47' E. 239.0 feet; thence N. 72° 08' E. 65.8 feet; thence N. 80° 19' E. 13.7 feet; to a point in the East boundary of the W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 241.9 feet North of the SE corner thereof; thence N. 0° 10' W. along said East boundary a distance of 323.2 feet; thence N. 89° 26' W. 135.4 feet; thence S. 81° 05' W. 272.1 feet; thence N. 81° 19' W. 122.0 feet; thence S. 17° 18' W. 34.2 feet; thence S. 68° 18' W. 175.3 feet; thence S. 74° 29' W. 240.5 feet; thence S. 81° 54' W. 232.5 feet; thence N. 56° 12' W. 185.1 feet; thence N. 41° 43' W. 34.4 feet; thence S. 53° 54' W. 191.2 feet; thence S. 52° 25' W. 152.8 feet; thence S. 73° 40' W. 998.4 feet; thence N. 84° 27' W. 168.5 feet; thence N. 71° 48' W. 96.0 feet; thence N. 61° 26' W. 70.8 feet; thence N. 32° 55' W. 114.8 feet; thence N. 2° 04' W. 85.5 feet; thence N. 55° 39' E. 105.9 feet; thence N. 48° 01' E. 50.0 feet; thence N. 36° 41' E. 67.2 feet; thence N. 13° 57' E. 154.0 feet; thence N. 47° 47' E. 255.3 feet; thence N. 59° 24' E. 130.4 feet; thence N. 78° 18' E. 182.7 feet; thence S. 85° 36' E. 100.3 feet; thence N. 71° 03' E. 43.1 feet; thence N. 43° 04' E. 75.5 feet; thence S. 86° 54' E. 65.2 feet; thence S. 69° 23' E. 145.5 feet; thence N. 87° 16' E. 23.7 feet; thence N. 20° 15' E. 35.9 feet; thence N. 11° 33' E. 149.3 feet; thence N. 37° 47' E. 104.5 feet; thence N. 87° 54' E. 150.4 feet; thence S. 81° 17' E. 173.4 feet; thence N. 73° 50' E. 49.6 feet; thence N. 5° 15' W. 12.7 feet; thence N. 38° 10' W. 200.5 feet; thence N. 26° 07' W. 98.0 feet; thence N. 61° 05' E. 181.7 feet; thence N. 74° 27' E. 183.7 feet; thence N. 45° 25' E. 137.6 feet; thence N. 69° 07' E. 102.5 feet; thence N. 82° 50' W. 159.8 feet; thence N. 73° 09' W. 200.8 feet; thence N. 8° 14' W. 89.1 feet; thence N. 17° 54' E. 135.7 feet; thence N. 6° 43' W. 66.5 feet; thence N. 33° 41' W. 159.7 feet; thence S. 80° 06' W. 27.1 feet; thence S. 22° 11' W. 178.9 feet; thence S. 32° 14' W. 208.5 feet; thence S. 39° 50' W. 108.3 feet; thence S. 49° 34' W. 140.4 feet; thence S. 56° 10' W. 237.6 feet; thence S. 60° 33' W. 197.6 feet; thence S. 73° 39' W. 135.2 feet; thence S. 84° 48' W. 193.6 feet; thence N. 38° 18' W. 104.8 feet; thence N. 16° 46' E. 124.9 feet; thence N. 19° 19' E. 137.1 feet; thence N. 10° 39' E. 275.3 feet; thence N. 10° 44' E. 247.6 feet; thence N. 36° 26' E. 93.8 feet; thence N. 9° 26' W. 185.8 feet; thence N. 14° 19' E. 256.1 feet; thence N. 59° 45' E. 104.9 feet; thence N. 72° 38' E. 96.3 feet to a point in the East boundary of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence N. 0° 05' W. along said East boundary a distance of 243.8 feet; thence N. 27° 44' W. 42.3 feet; thence N. 13° 17' E. 41.6 feet to a point in the North boundary of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and 9.9 feet West of the NE corner thereof; thence N. 89° 39' W. along said North boundary a distance of 631.3 feet; thence S. 36° 47' E.

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IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
VINITA, OKLAHOMA

TUESDAY, APRIL 23, 1940

66.0 feet; thence S. 15° 13' E. 143.0 feet; thence S. 12° 44' W. 118.7 feet; thence S. 29° 39' W. 113.2 feet; thence S. 31° 16' W. 23.1 feet to a point in the West boundary of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence S. 0° 03' E. along the West boundary of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; and the NE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 1451.4 feet to the point of beginning, containing 95.2 acres, more or less;

AND

The SW $\frac{1}{4}$  SE $\frac{1}{4}$  and Lot 7 of Sec. 15, T 24 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 49.90 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

NW $\frac{1}{4}$  NE $\frac{1}{4}$  and Lots 2, 5 and 6, of Sec. 22, T 24 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 92.1 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

Said Tract No. 3 containing 378.10 acres, more or less.

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land herein above first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 16th day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$28,512.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 28th day of December, 1939, pay into and

deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$28,512.00, for the use of the owners of said land, and that the Grand River Dam Authority, a public corporation, did, on the 15th day of January, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 5th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$30180.00 DOLLARS,"

which verdict was returned on the 5th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 3 (17 GR-D 736  
18 GR-D 882  
22 GR-D 1073)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SW $\frac{1}{4}$  SW $\frac{1}{4}$  and Lot 1, Section 16, T 24 N - R 23 E of the Indian Base and Meridian, containing 79.5 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River, incident to the ownership of the above described lands;

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

Lot 1, Lot 2, and the North 14.60 acres of Lot 6, Sec. 17, T 24 N - R 23 E of the Indian Base and Meridian, containing 61.40 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

A tract of land, all lying in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , the W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and the W $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 9, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SW corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , thence N. 89° 37' W. along the North boundary of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 681.8 feet; thence S. 74° 59' W. 83.0 feet; thence N. 57° 55' W. 41.7 feet to a point in the North boundary of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; thence N. 89° 37' W. along said North boundary a distance of 522.0 feet to the NW corner thereof; thence Southerly along the West boundary of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  to the SW corner thereof; thence S. 89° 36' E. along the South boundary of the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and the W $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 2845.1 feet; thence N. 30° 50' E. 45.6 feet; thence N. 73° 58' E. 107.0 feet; thence N. 27° 33' E. 62.6 feet; thence N. 58° 47' E. 239.0 feet; thence N. 72° 08' E. 65.8 feet; thence N. 80° 19' E. 13.7 feet to a point in the East boundary of the W $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  and 241.9 feet North of the SE corner thereof; thence N. 0° 10' W. along said East boundary a distance of 323.2 feet; thence N. 89° 26' W. 135.4 feet; thence S. 81° 05' W. 272.1 feet; thence N. 81° 19' W. 122.0 feet; thence S. 17° 18' W. 34.2 feet; thence S. 68° 18' W. 175.3 feet; thence S. 74° 29' W. 240.5 feet; thence S. 81° 54' W. 232.5 feet; thence N. 56° 12' W. 185.1 feet; thence N. 41° 43' W. 34.4 feet; thence S. 53° 54' W. 191.2 feet; thence S. 52° 25' W. 152.8 feet; thence S. 73° 40' W. 98.4 feet; thence N. 84° 27' W. 168.5 feet; thence N. 71° 48' W. 96.0 feet; thence N. 61° 26' W. 70.8 feet; thence N. 32° 55' W. 114.8 feet; thence N. 2° 04' W. 85.5 feet; thence N. 55° 39' E. 105.9 feet; thence N. 48° 01' E. 50.0 feet; thence N. 36° 41' E. 67.2 feet; thence N. 13° 57' E. 154.0 feet; thence N. 47° 47' E. 255.3 feet; thence N. 59° 24' E. 130.4 feet; thence N. 78° 18' E. 182.7 feet; thence S. 85° 36' E. 100.3 feet; thence N. 71° 03' E. 43.1 feet; thence N. 43° 04' E. 75.5 feet; thence S. 86° 54' E. 65.2 feet; thence S. 69° 23' E. 145.5 feet; thence N. 87° 16' E. 23.7 feet; thence N. 20° 15' E. 35.9 feet; thence N. 11° 33' W. 149.3 feet; thence N. 37° 47' E. 104.5 feet; thence N. 87° 54' E. 150.4 feet; thence S. 81° 17' E. 173.4 feet; thence N. 73° 50' E. 49.6 feet; thence N. 5° 15' W. 12.7 feet; thence N. 38° 10' W. 200.5 feet; thence N. 26° 07' W. 98.0 feet; thence N. 61° 05' E. 181.7 feet; thence N. 74° 27' E. 183.7 feet; thence N. 45° 25' E. 137.6 feet; thence N. 69° 07' E. 102.5 feet; thence N. 82° 50' W. 159.8 feet; thence N. 73° 09' W. 200.2 feet; thence N. 8° 14' W. 79.1 feet; thence N. 17° 54' E. 135.7 feet; thence N. 6° 43' W. 66.5 feet; thence N. 33° 41' W. 159.7 feet; thence S. 80° 06' W. 27.1 feet; thence S. 22° 11' W. 178.9 feet; thence S. 32° 14' W. 208.5 feet; thence S. 39° 50' W. 108.3 feet; thence S. 49° 34' W. 140.4 feet; thence S. 56° 10' W. 237.6 feet; thence S. 60° 33' W. 197.5 feet; thence S. 73° 39' W. 135.2 feet; thence S. 84° 48' W. 193.3 feet; thence N. 38° 18' W. 104.8 feet; thence N. 16° 46' E. 124.9 feet; thence N. 19° 19' E. 137.1 feet; thence N. 10° 39' E. 275.3 feet; thence N. 10° 44' E. 247.6 feet; thence N. 36° 26' E. 93.8 feet; thence N. 9° 26' W. 185.8 feet; thence N. 14° 19' E. 256.1 feet; thence N. 59° 45' E. 104.9 feet; thence N. 72° 38' E. 96.3 feet to a point in the East boundary of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence N. 0° 05' W. along said East boundary a distance of 243.8 feet; thence N. 27° 44' W. 42.3 feet; thence N. 13° 17' E. 41.6 feet to a point in the North boundary of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$  and 9.9 feet West of the NE corner thereof; thence N. 89° 39' W. along said North boundary a distance of 631.3 feet; thence S. 36° 47' E. 66.0 feet; thence S. 15° 13' E. 143.0 feet; thence S. 12° 44' W. 118.7 feet; thence S. 29° 39' W. 113.2 feet; thence S. 31° 16' W. 23.1 feet to a point in the West boundary of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence S. 0° 03' E. along the West boundary of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; and the NE $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 1551.4 feet to the point of beginning, containing 95.2 acres, more or less;

AND

The SW $\frac{1}{4}$  SE $\frac{1}{4}$  and Lot 7 of Sec. 15, T 24 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 49.90 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

NW $\frac{1}{4}$  NE $\frac{1}{4}$  and Lots 2, 5 and 6 of Sec. 22, T 24 N - R 23 E of the Indian Base and Meridian, Delaware County, Oklahoma, containing 92.2 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

Said Tract No. 3 containing 378.10 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$30,180.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$1668.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$1668.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$30,180.00, and the amount awarded the owners of said land by the commissioners in the sum of \$28,512.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court in and for the Northern District of Oklahoma.

ENDORSED: Filed April 23, 1940  
H. P. Warfield, Clerk  
U. S. District Court



AND

All that certain tract of land situated in Ottawa County, Oklahoma, described as follows, to-wit:

Lot 6, Lot 7, Lot 8, and Lot 9, of Sec. 6, T 25 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing one hundred twenty-two and twelve hundredths (122.12) acres, more or less,

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land,

AND

All that certain tract of land situated in Ottawa County, Oklahoma, described as follows, to-wit:

The North 9.60 acres of Lot 10, Sec. 6, T 25 N - R 24 E of the Indian Base and Meridian, Cherokee Survey,

And any and all right, title and interest in to the bed and banks of Grand River incident to the ownership of the above described land,

Said Tract No. 5 containing 147.02 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, Grand River Dam Authority, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 16th day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$7,400.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 28th day of December, 1939,

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
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pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$7,400.00, for the use of the owners of said land, and that the Grand River Dam Authority, a public corporation, did, on the 16th day of January, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury, and on the 5th day of April, 1940, said cause was called for trial in its regular order upon the Demand for Jury Trial filed by the petitioner, and at said time in open court said petitioner dismised its Demand for Jury Trial, which Dismissal was by the Court allowed and confirmed.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the report of the commissioners filed herein on the 16th day of December, 1939, be, and the same is hereby, approved and confirmed and the petitioner, Grand River Dam Authority, a public corporation, is hereby vested with the absolute, entire and unencumbered fee simple title to the following described lands, to-wit:

Tract No. 5 (26 GR-O 29  
31 GR-O 54  
31 GR-O 54 A)

All that part of Lot 1 and the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 1, T 25 N - R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said Lot 1, thence Southerly along the East boundary of said Lot 1 and SE $\frac{1}{4}$  NE $\frac{1}{4}$  to the SE corner of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence S. 39° 00' W. along the South boundary of said SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 271.2 feet; thence N. 7° 44' W. 86.9 feet; thence N. 13° 52' E. 117.5 feet; thence N. 6° 40' E. 283.8 feet; thence N. 5° 06' E. 259.7 feet; thence N. 6° 41' E. 223.4 feet; thence N. 5° 49' W. 295.4 feet; thence N. 6° 43' W. 207.6 feet; thence N. 12° 03' W. 273.2 feet; thence N. 16° 35' W. 224.0 feet; thence N. 23° 39' W. 130.7 feet; thence N. 28° 16' E. 38.0 feet; thence N. 2° 20' W. 199.6 feet; thence N. 28° 11' W. 153.0 feet; thence N. 0° 13' E. 167.9 feet; thence N. 14° 29' E. 23.7 feet to a point in the North boundary of said Lot 1; thence N. 89° 16' E. along said North boundary a distance of 411.4 feet to the point of beginning, containing 15.3 acres, more or less.

AND

All that certain tract of land situated in Ottawa County, Oklahoma, described as follows, to-wit:

Lot 6, Lot 7, Lot 8, and Lot 9, of Sec. 6, T 25 N - R 24 E of the Indian Base and Meridian, Cherokee Survey, containing one hundred twenty-two and twelve hundredths (122.12) acres, more or less,

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land,

AND

All that certain tract of land situated in Ottawa County, Oklahoma, described as follows, to-wit:

The North 9.60 acres of Lot 10 of Sec. 6, T 25 N - R 24 E of the Indian Base and Meridian, Cherokee Survey,

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land,

Said Tract No. 5 containing 147.02 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$7,400.00, upon the award of the commissioners.

F. E. KENNAMER

Judge of the United States District Court in and for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,	)	
	)	Petitioner,
	)	
-vs-	)	Civil No. 246    Tract No. 6
	)	
H. H. Thompson and G. C. Ray, et al.,	)	
	)	Defendants.

J U D G M E N T

Now, on this 8th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Fickens, and the defendants, G. C. Ray, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA  
REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

TUESDAY, APRIL 23, 1940

Tract No. 6 (31 GR-D 1635  
33 GR-D 1678)

All the following described land, situated in Delaware County, Oklahoma, to-wit:

The NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, containing 40.0 acres, more or less; and that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 7 particularly described as follows, to-wit:

Beginning at the SE corner of said W $\frac{1}{2}$  SE $\frac{1}{4}$ , thence Northerly along the East boundary of said W $\frac{1}{2}$  SE $\frac{1}{4}$  to the NE corner thereof; thence Westerly along the North boundary of said W $\frac{1}{2}$  SE $\frac{1}{4}$  to the NW corner thereof; thence S. 0° 06' W. along the West boundary of said W $\frac{1}{2}$  SE $\frac{1}{4}$  to a point 1362.4 feet North of the SW corner thereof; thence S. 16° 26' E. 279.7 feet; thence S. 23° 27' E. 306.6 feet; thence S. 26° 42' E. 519.2 feet; thence S. 28° 43' E. 238.2 feet; thence S. 26° 53' E. 146.9 feet; thence S. 33° 39' E. 16.2 feet to a point in the South boundary of said W $\frac{1}{2}$  SE $\frac{1}{4}$  and 624.8 feet East of the SW corner thereof; thence S. 89° 29' E. along said South boundary to the point of beginning, containing 71.6 acres, more or less;

All in T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey; the whole tract containing 111.6 acres, more or less,

AND

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 16, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence N. 89° 40' W. along the North boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 656.4 feet to a point 669.2 feet East of the NW corner thereof; thence S. 27° 47' E. 29.3 feet; thence S. 13° 58' W. 184.1 feet; thence S. 46° 10' W. 203.5 feet; thence S. 70° 16' W. 227.6 feet; thence S. 26° 36' W. 153.0 feet; thence S. 30° 04' W. 371.7 feet; thence N. 87° 42' E. 331.8 feet; thence N. 54° 20' E. 237.8 feet; thence N. 38° 19' E. 113.9 feet; thence N. 63° 13' E. 282.1 feet; thence S. 88° 41' E. 356.9 feet; thence S. 16° 26' E. 147.1 feet; thence N. 20° 09' E. 171.0 feet to a point in the East boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 836.5 feet North of the SE corner thereof; thence N. 0° 23' W. along said East boundary a distance of 497.4 feet to the point of beginning, containing 13.7 acres, more or less;

Said tract No. 6 containing 125.3 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of

TUESDAY, APRIL 23, 1940

the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 16th day of December, 1939, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$6,660.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 28th day of December, 1939, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$6,660.00, for the use of the owners of said land, and that the Grand River Dam Authority, a public corporation, did, on the 15th day of January 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 8th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$7,000.00 DOLLARS,"

which verdict was returned on the 8th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 6 (31 GR-D 1635  
31 GR-D 1678)

All the following described land, situated in Delaware County, Oklahoma, to-wit:

The NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, containing 40.0 acres, more or less; and that part of the W $\frac{1}{2}$  SE $\frac{1}{4}$  of Sec. 7 particularly described as follows, to-wit:

Beginning at the SE corner of said W $\frac{1}{2}$  SE $\frac{1}{4}$ , thence Northerly along the East boundary of said W $\frac{1}{2}$  SE $\frac{1}{4}$  to the NE corner thereof; thence Westerly along the North boundary of said W $\frac{1}{2}$  SE $\frac{1}{4}$  to the NW corner

thereof; thence S. 0° 06' W. along the West boundary of said  $W\frac{1}{2}$  SE $\frac{1}{4}$  to a point 1362.4 feet North of the SW corner thereof; thence S. 16° 26' E. 279.7 feet; thence S. 23° 27' E. 306.6 feet; thence S. 26° 42' E. 519.2 feet; thence S. 28° 43' E. 238.2 feet; thence S. 26° 53' E. 146.9 feet; thence S. 33° 39' E. 16.2 feet to a point in the South boundary of said  $W\frac{1}{2}$  SE $\frac{1}{4}$  and 624.8 feet East of the SW corner thereof; thence S. 89° 29' E. along said South boundary to the point of beginning, containing 71.6 acres, more or less;

All in T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey; the whole tract containing 111.6 acres, more or less,

AND

All that part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 16, T 25 N - R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of said SW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence N. 89° 40' W. along the North boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 656.4 feet to a point 669.2 feet East of the NW corner thereof; thence S. 27° 37' E. 29.3 feet; thence S. 13° 58' W. 184.1 feet; thence S. 46° 10' W. 203.5 feet; thence S. 70° 16' W. 227.6 feet; thence S. 26° 36' W. 153.0 feet; thence S. 30° 04' W. 371.7 feet; thence N. 87° 42' E. 331.8 feet; thence N. 54° 20' E. 237.8 feet; thence N. 38° 19' E. 113.9 feet; thence N. 63° 13' E. 282.1 feet; thence S. 88° 41' E. 356.9 feet; thence S. 16° 26' E. 147.1 feet; thence N. 20° 09' E. 171.0 feet to a point in the East boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 836.5 feet North of the SE corner thereof; thence N. 0° 23' W. along said East boundary a distance of 497.4 feet to the point of beginning, containing 13.7 acres, more or less;

Said Tract No. 6 containing 125.3 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$7,000.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$340.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$340.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$7,000.00, and the amount awarded the owners of said land by the commissioners in the sum of \$6,660.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court in  
and for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court





The SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 28, T 25 N - R 23 E of the Indian Base and Meridian, containing forth (40) acres, more or less,

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SW $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  and E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 32, T 25 N - R 23 E of the Indian Base and Meridian, containing thirty (30.0) acres, more or less;

Said two tracts containing 70.0 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$9,900.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$3,450.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$3,450.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$9,900.00, and the amount awarded the owners of said land by the commissioners in the sum of \$6,450.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to and said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER  
 Judge of the United States District Court in  
 and for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
 H. P. Warfield, Clerk  
 U. S. District Court

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 IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation,	)		
	)	Petitioner,	
-vs-	)		Civil No. 246 Tract No. 7
H. H. Thompson, Roy Wood, et al.,	)	Defendants.	

J U D G M E N T

Now, on this 8th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel

of record, R. L. Davidson, and Gayle M. Pickens, and the defendants, Roy Wood, and thers, appearing in person and by their counsel of record, Rollie C. Clark and Bert Chandler; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the apquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, right, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 7 (19 GR-D 909  
19 GR-D 912  
19 GR-D 959  
20 GR-D 1008)

$\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$  less NW 1 acre and NW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , of Sec. 28, T 25 N - R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, containing 129.0 acres, more or less;

AND

E $\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and a tract of land beginning At the NE corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence Westerly along the North boundary of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 210.0 feet; thence South 840.0 feet; thence East 210.0 feet to a point in the East boundary of the SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence Northerly along said East bounday a distance of 840.0 feet to the point of beginning, containing 4.0 acres, of Sec. 29, T 25 N - R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, containing a total acreage of 114.0 acres, more or less;

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 28, T 25 N - R 23 E of the Indian Base and Meridian, containing 40.0 acres, more or less;

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The NW 10 acres of Lot 1 and the E. 13.80 acres of Lot 1, of Sec. 32, T 25 N - R 23 E of the Indian Base and Meridian, containing 23.80 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

The whole of the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and a tract of land all lying in the N $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 20, T 25 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SE corner of the N $\frac{1}{2}$  SE $\frac{1}{4}$ , thence Westerly along the South boundary of the N $\frac{1}{2}$  SE $\frac{1}{4}$  to the SW corner thereof; thence Northerly along the West boundary of the N $\frac{1}{2}$  SE $\frac{1}{4}$  to the NW corner thereof, thence S. 89° 51' E. along the North boundary of the N $\frac{1}{2}$  SE $\frac{1}{4}$  a distance of 425.5 feet to a point 2201.2 feet West of the NE corner thereof; thence S. 4° 36' W. 122.1 feet; thence S. 13° 58' E. 561.0 feet; thence S. 86° 55' E. 465.0 feet; thence S. 87° 32' E. 477.0 feet; thence N. 88° 55' E. 491.0 feet; thence S. 80° 21' E. 220.0 feet; thence N. 26° 25' E. 185.4 feet; thence N. 12° 53' E. 570.0 feet; thence S. 77° 04' E. 220.2 feet to a point in the East boundary of the N $\frac{1}{2}$  SE $\frac{1}{4}$  and 62.5 feet South of the NE corner thereof; thence S. 0° 13' W. along said East boundary a distance of 1255.6 feet to the point of beginning, containing 49.20 acres, more or less;

Aggregate acreage to be acquired: 89.20 acres, more or less.

Said Tract No. 7 containing 396.0 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 9th day of October, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 2nd day of January, 1940, make their Amended Report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma,

and did assess and award damages in the sum of \$21,943.00, to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 6th day of January, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$21,943.00, for the use of the owners of said land, and that the Grand River Dam Authority, a public corporation, did, on the 15th day of January 1940, within thirty (30) days after the filing of said commissioners's report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 8th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above entitled case, duly impaneled and sworn, upon our oaths assess damages at \$22,000.00 DOLLARS,"

which verdict was returned on the 9th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 7 (19 GR-D 909  
19 GR-D 912  
19 GR-D 959  
20 GR-D 1008)

$S\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$  less NW 1 acre and NW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , of Sec. 28, T 25 N - R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, containing 129.0 acres, more or less;

AND

$E\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and a tract of land beginning at the NE corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence Westerly along the North boundary of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  a distance of 210.0 feet; thence South 840.0 feet; thence East 210.0 feet to a point in the East boundary of the SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence Northerly along said East boundary a distance of 840.0 feet to the point of beginning, containing 4.0 acres, of Sec. 29, T 25 N - R 23 E of the Indian Base and Meridian, in Delaware County, Oklahoma, containing a total acreage of 114.0 acres, more or less;

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 28, T 25 N - R 23 E of the Indian Base and Meridian, containing 40.0 acres, more or less;

AND

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The NW 10 acres of Lot 1 and the E. 13.80 acres of Lot 1, of Sec. 32, T 25 N - R 23 E of the Indian Base and Meridian, containing 23.80 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described lands;

AND

The whole of the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and a tract of land all lying in the N $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 20, T 25 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SE corner of the N $\frac{1}{2}$  SE $\frac{1}{4}$ , thence Westerly along the South boundary of the N $\frac{1}{2}$  SE $\frac{1}{4}$  to the SW CORNER thereof; thence Northerly along the West boundary of the N $\frac{1}{2}$  SE $\frac{1}{4}$  to the NW Corner thereof; thence S. 89° 51' E. along the North boundary of the N $\frac{1}{2}$  SE $\frac{1}{4}$  a distance of 425.5 feet to a point 2201.2 feet West of the NE corner thereof; thence S. 4° 36' W. 122.1 feet; thence S. 13° 58' #. 561.0 feet; thence S. 86° 55' E. 465.0 feet; thence S. 87° 32' E. 477.0 feet; thence N. 88° 55' E. 491.0 feet; thence S. 80° 21' E. 220.0 feet; thence N. 26° 25' E. 185.4 feet; thence N. 12° 53' E. 570.0 feet; thence S. 77° 04' E. 220.2 feet to a point in the East boundary of the N $\frac{1}{2}$  SE $\frac{1}{4}$  and 62.5 feet south of the NE corner thereof; thence S. 0° 13' W. along said East boundary a distance of 1255.6 feet to the point of beginning, containing 49.20 acres, more or less;

Aggregate acreage to be acquired; 89.20 acres, more or less.

Said Tract No. 7 containing 396.00 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$22,000.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$57.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$57.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$22,000.00, and the amount awarded the owners of said land by the commissioners in the sum of \$21,943.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court  
in and for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, )  
a public corporation, ) petitioner, )  
-vs- ) Civil No. 263 Tract No. 7.  
A. O. Kephart, Sarah E. Buchanan, et al., )  
Defendants. )

J U D G M E N T

Now, on this 15th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Sarah E. Buchanan, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain use and operate all kinds of property, real, personal and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 7 (28 GR-D 1504-D)

All that part of Lot 4, Lot 5, the SE 1/4 NW 1/4, and the S. 20.0 acres of Lot 3, Sec. 6, T 24 N - R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NE corner of the S. 20.0 acres of Lot 3, thence Westerly along the North boundary of said S. 20.0 acres of Lot 3 to the NW corner thereof; thence N. 0° 01' E. along the East boundary of Lot 4 a distance of 807.0 feet to a point 48.4 feet South of the NE corner thereof; thence S. 80° 51' W. 20.8 feet; thence S. 55° 42' W. 318.6 feet; thence S. 73° 32' W. 301.2 feet; thence S. 76° 29' W. 264.2 feet; thence N. 72° 34' W. 379.5 feet; thence N. 4° 54' W. 44.7 feet; thence S. 54° 37' W. 12.5 feet to a point in the West boundary of Lot 4 and 225.8 feet South of the NW corner thereof; thence S. 0° 31' W. along the West boundary of Lot 4 and Lot 5 a distance of 2487.4 feet to a point in the West boundary of Lot 5 and 169.0 feet North of the SW corner thereof; thence N. 68° 56' E. 225.6 feet; thence N. 55° 24' E. 238.0 feet; thence N. 81° 41' E. 263.0 feet; thence N. 73° 35' E. 187.2 feet; thence N. 56° 22' E.

439.3 feet; thence N. 52° 28' E. 160.6 feet; thence N. 79° 33' E. 352.0 feet; thence N. 73° 20' E. 302.0 feet; thence N. 34° 05' E. 418.7 feet; thence N. 47° 09' E. 429.4 feet to a point in the East boundary of Lot 3 and 227.7 feet North of the SE corner thereof of said Lot 3; thence N. 0° 01' E. along said East boundary a distance of 442.3 feet to the point of beginning, less 5.82 acres Arkansas & Oklahoma R. R. right-of-way, containing 32.43 acres, more or less, and all reversionary interest in and to said railroad right-of-way,

Said Tract No. 7 containing in all 82.43 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 13th day of November, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 24th day of January, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$8,220.00 to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 16th day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$8,220.00 for the use of the owners of said land, and that the petitioner, Grand River Dam Authority, did, on the 21st day of February, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by jury.

And thereafter on the 15th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel upon their oaths say:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$9375.00 DOLLARS."

which verdict was returned on the 14th day of April, 1940.

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN  
DISTRICT OF OKLAHOMA

REGULAR MARCH 1940 TERM

VINITA, OKLAHOMA

TUESDAY, APRIL 23, 1940

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 7 (28 GR-D 1504 - D)

All that part of Lot 4, Lot 5, the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and the S. 20.0 acres of Lot 3, Sec. 6, T 24 N - R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the N E corner of the S. 20.0 acres of Lot 3, thence Westerly along the North boundary of said S. 20.0 acres of Lot 3 to the NW corner thereof; thence N. 0° 01' E. along the East boundary of Lot 4 a distance of 807.0 feet to a point 48.4 feet South of the NE corner thereof; thence S. 80° 51' W. 20.8 feet; thence S. 55° 42' W. 318.6 feet; thence S. 73° 32' W. 301.2 feet; thence S. 76° 29' W. 264.2 feet; thence N. 72° 34' W. 379.5 feet; thence N. 4° 54' W. 44.7 feet; thence S. 54° 37' W. 12.5 feet to a point in the West boundary of Lot 4 and 225.8 feet South of the NW corner thereof; thence S. 0° 31' W. along the West boundary of Lot 4 and Lot 5 a distance of 2487.4 feet to a point in the West boundary of Lot 5 and 169.0 feet North of the SW corner thereof; thence N. 68° 56' E. 225.6 feet; thence N. 55° 24' E. 238.0 feet; thence N. 81° 41' E. 263.0 feet; thence N. 73° 35' E. 187.1 feet; thence N. 56° 22' E. 439.3 feet; thence N. 52° 28' E. 160.6 feet; thence N. 79° 33' E. 352.0 feet; thence N. 73° 20' E. 302.0 feet; thence N. 34° 05' E. 418.7 feet; thence N. 47° 09' E. 499.4 feet to a point in the East boundary of Lot 3 and 227.7 feet North of the SE corner thereof of said Lot 3; thence N. 0° 01' E. along said East boundary a distance of 442.3 feet to the point of beginning, less 5.82 acres Arkansas & Oklahoma R. R. right-of-way, containing 82.43 acres, more or less, and all reversionary interest in and to said railroad right-of-way.

Said Tract No. 7 containing in all 82.43 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$9,375.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$1155.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$1155.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$9,375.00, and the amount awarded the owners of said land by the commissioners in the sum of \$8,220.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, the and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER  
Judge of the United States District Court in and  
for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

Grand River Dam Authority, a public corporation, )  
Petitioner, )  
-vs- ) Civil No. 264 Tract No. 1  
C. M. Copeland, et al., )  
Defendants. )

J U D G M E N T

Now, on this 5th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, C. M. Copeland, and others, appearing in person and by their counsel of record, Frank Settle and Rollie C. Clark; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 1 (21 GR-D 1036  
21 GR-D 1030)

All that part of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 26, T 24 N - R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence Westerly along the South boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  to the SW corner thereof; thence N. 0° 16' E. along the West boundary of said NW $\frac{1}{4}$

NW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 234.0 feet to a point 423.9 feet South of the NW corner thereof; thence N. 38° 02' E. 135.5 feet; thence N. 38° 51' E. 233.6 feet; thence N. 41° 49' E. 180.2 feet to a point in the North boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 348.2 feet East of the NW corner thereof; thence S. 89° 51' E. along said North boundary a distance of 167.8 feet to a point 137.5 feet West of the NE corner thereof; thence S. 36° 06' W. 301.8 feet; thence S. 20° 16' W. 198.8 feet; thence S. 8° 06' E. 182.7 feet; thence N. 89° 31' E. 332.0 feet; thence N. 87° 01' E. 23.8 feet to a point in the East boundary of said NW $\frac{1}{4}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 606.9 feet South of the NE corner thereof; thence S. 0° 15' W. along said East boundary a distance of 51.0 feet to the point of beginning, containing 4.0 acres, more or less;

AND

All that part of the S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , the N $\frac{1}{2}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , the SE $\frac{1}{4}$  SE $\frac{1}{4}$  NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , the S $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , the W $\frac{1}{2}$  SE $\frac{1}{4}$ , and the SW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 26, T 24 N - R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , thence Easterly along the North boundary of said S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  to the NE corner thereof; thence N. 0° 13' E. along the West boundary of said NE $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 364.7 feet to a point 293.1 feet South of the NW corner thereof; thence S. 14° 26' E. 282.9 feet; thence S. 63° 53' E. 462.9 feet; thence S. 66° 20' E. 290.9 feet; thence S. 34° 40' E. 385.7 feet; thence S. 44° 39' E. 178.9 feet; thence S. 23° 23' E. 234.6 feet; thence S. 3° 56' E. 256.6 feet; thence S. 23° 43' E. 212.2 feet; thence S. 30° 34' E. 89.5 feet; thence S. 55° 35' E. 308.2 feet; thence S. 57° 34' E. 182.0 feet; thence S. 70° 39' E. 207.4 feet; thence S. 89° 21' E. 318.6 feet; thence S. 69° 07' E. 204.5 feet; thence N. 87° 01' E. 424.7 feet; thence S. 74° 05' E. 402.9 feet to a point in the East boundary of said SW $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 598.9 feet South of the NE corner thereof; thence S. 0° 06' W. along said East boundary a distance of 25.2 feet to a point 33.6 feet North of the SE corner thereof; thence S. 87° 57' W. 894.8 feet; thence N. 62° 15' W. 219.1 feet; thence S. 68° 23' W. 197.6 feet; thence N. 79° 43' W. 342.6 feet; thence N. 56° 16' W. 179.4 feet; thence S. 45° 32' W. 119.5 feet; thence S. 34° 59' E. 255.9 feet; thence S. 17° 41' E. 310.5 feet; thence S. 15° 20' W. 482.4 feet; thence S. 47° 44' E. 219.7 feet; thence S. 5° 09' E. 284.7 feet; thence S. 1° 50' W. 179.6 feet; thence S. 73° 23' E. 318.0 feet; thence S. 27° 21' E. 312.0 feet; thence S. 77° 16' W. 261.5 feet; thence S. 23° 22' W. 191.8 feet; thence N. 39° 09' W. 71.5 feet; thence N. 30° 37' E. 173.1 feet; thence N. 55° 02' W. 80.2 feet; thence N. 82° 20' W. 180.7 feet; thence N. 22° 27' W. 287.3 feet; thence N. 0° 04' W. 129.5 feet; thence N. 11° 34' W. 387.4 feet; thence N. 74° 48' W. 152.9 feet to a point in the West boundary of said W $\frac{1}{2}$  SE $\frac{1}{4}$  and 1640.2 feet North of the SW corner thereof; thence N. 0° 11' E. along said West boundary a distance of 90.1 feet to a point 900.8 feet South of the NW corner thereof; thence N. 7° 36' E. 392.8 feet; thence N. 38° 51' W. 231.7 feet; thence N. 30° 44' W. 273.1 feet; thence S. 56° 31' W. 407.5 feet; thence N. 32° 47' E. 424.7 feet; thence N. 16° 22' E. 103.9 feet; thence N. 27° 03' W. 372.2 feet; thence N. 38° 05' W. 311.1 feet; thence N. 49° 45' W. 112.3 feet; thence N. 31° 53' W. 215.6 feet; thence N. 37° 12' W. 267.7 feet; thence S. 79° 51' W. 187.2 feet; thence N. 12°

43' E. 105.6 feet; thence N. 85° 53' W. 115.6 feet; thence N. 64° 03' W. 217.8 feet; thence S. 79° 55' W. 429.4 feet; thence S. 48° 44' W. 238.6 feet; thence N. 88° 45' W. 501.0 feet to a point in the West boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 1127.0 feet North of the SW corner thereof; thence N. 0° 16' E. along the West boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  and S $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 846.7 feet to the point of beginning, containing 78.4 acres, more or less;

Said Tract No. 1 containing a total of 82.4 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners as prayed for in petitioner's petition and application.

It further appearing that on the 12th day of December, 1939, the Judge of this Court after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 6th day of February, 1940, make their report in writing to the Clerk of the United States District Court for the Northern District of Oklahoma, and did assess and award damages in the sum of \$8,460.00 to the owners of said land for the appropriation and taking of the same; and that the Grand River Dam Authority did, on the 2nd day of March, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 5th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, rendered the following verdict at the direction of the Court:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at 6,000.00 DOLLARS,"

which verdict was returned on the 5th day of April, 1940.

IT IS, THEREFORE CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner, Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 1 (21 GR-D 1036  
21 GR-D 1030)

All that part of the  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$  of Sec. 26, T 24 N - R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$ , thence Westerly along the South boundary of said  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$  to the SW corner thereof; thence N.  $0^{\circ} 16'$  E. along the West boundary of said  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$ , a distance of 234.0 feet to a point 423.9 feet South of the NW corner thereof; thence N.  $38^{\circ} 02'$  E. 135.5 feet; thence N.  $38^{\circ} 51'$  E. 233.6 feet; thence N.  $41^{\circ} 49'$  E. 180.2 feet to a point in the North boundary of said  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$  and 348.2 feet East of the NW corner thereof; thence S.  $89^{\circ} 51'$  E. along said North boundary a distance of 167.8 feet to a point 137.5 feet West of the NE corner thereof; thence S.  $36^{\circ} 06'$  W. 301.8 feet; thence S.  $20^{\circ} 16'$  W. 198.8 feet; thence S.  $8^{\circ} 06'$  E. 182.7 feet; thence N.  $89^{\circ} 31'$  E. 332.0 feet; thence N.  $87^{\circ} 01'$  E. 23.8 feet to a point in the East boundary of said  $NW\frac{1}{4} NW\frac{1}{4} NW\frac{1}{4}$  and 606.9 feet South of the NE corner thereof; thence S.  $0^{\circ} 15'$  W. along said East boundary a distance of 51.0 feet to the point of beginning, containing 4.0 acres, more or less;

AND

All that part of the  $S\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$ , the  $SW\frac{1}{4} NW\frac{1}{4}$ , the  $NE\frac{1}{4} NW\frac{1}{4}$ , the  $N\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$ , the  $SE\frac{1}{4} SE\frac{1}{4} NW\frac{1}{4}$ , the  $NE\frac{1}{4} NE\frac{1}{4} SW\frac{1}{4}$ , the  $S\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ , the  $W\frac{1}{2} SE\frac{1}{4}$  and the  $SW\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$  of Sec. 26, T 24 N - R 23 E of the Indian Base and Meridian in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said  $S\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$ , thence Easterly along the North boundary of said  $S\frac{1}{2} NW\frac{1}{4} NW\frac{1}{4}$  to the NE corner thereof; thence N.  $0^{\circ} 13'$  E. along the West boundary of said  $NE\frac{1}{4} NW\frac{1}{4}$  a distance of 364.7 feet to a point 293.2 feet South of the NW corner thereof; thence S.  $14^{\circ} 26'$  E. 282.9 feet; thence S.  $63^{\circ} 53'$  E. 462.9 feet; thence S.  $66^{\circ} 20'$  E. 290.9 feet; thence S.  $34^{\circ} 40'$  E. 385.7 feet; thence S.  $44^{\circ} 39'$  E. 178.9 feet; thence S.  $23^{\circ} 23'$  E. 234.6 feet; thence S.  $3^{\circ} 56'$  E. 256.6 feet; thence S.  $23^{\circ} 43'$  E. 212.2 feet; thence S.  $30^{\circ} 34'$  E. 89.5 feet; thence S.  $55^{\circ} 35'$  E. 308.2 feet; thence S.  $57^{\circ} 34'$  E. 182.0 feet; thence S.  $70^{\circ} 39'$  E. 207.4 feet; thence S.  $89^{\circ} 21'$  E. 318.6 feet; thence S.  $69^{\circ} 07'$  E. 204.5 feet; thence N.  $87^{\circ} 01'$  E. 424.7 feet; thence S.  $74^{\circ} 05'$  E. 402.9 feet to a point in the East boundary of said  $SW\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$  and 598.9 feet South of the NE corner thereof; thence S.  $0^{\circ} 06'$  W. along said East boundary a distance of 25.2 feet to a point 33.6 feet North of the SE corner thereof; thence S.  $87^{\circ} 57'$  W. 894.8 feet; thence N.  $62^{\circ} 15'$  W. 219.1 feet; thence S.  $68^{\circ} 23'$  W. 197.6 feet; thence N.  $79^{\circ} 43'$  W. 342.6 feet; thence N.  $56^{\circ} 16'$  W. 179.4 feet; thence S.  $45^{\circ} 32'$  EW. 119.5 feet; thence S.  $34^{\circ} 59'$  E. 255.9 feet; thence S.  $17^{\circ} 41'$  E. 310.5 feet; thence S.  $15^{\circ} 20'$  W. 482.4 feet; thence S.  $47^{\circ} 44'$  E. 219.7 feet; thence S.  $5^{\circ} 09'$  E. 284.7 feet; thence S.  $1^{\circ} 50'$  W. 179.6 feet; thence S.  $73^{\circ} 23'$  E. 318.0 feet; thence S.  $27^{\circ} 21'$  E. 312.0 feet; thence S.  $77^{\circ} 16'$  W. 261.5 feet; thence S.  $23^{\circ} 22'$  W. 191.8 feet; thence N.  $39^{\circ} 09'$  W. 71.5 feet; thence N.  $30^{\circ} 37'$  E. 173.1 feet; thence N.  $55^{\circ} 02'$  W. 80.2 feet; thence N.  $82^{\circ} 20'$  W. 180.7 feet; thence N.  $22^{\circ} 27'$  W. 287.2 feet; thence N.  $0^{\circ} 04'$  W. 129.5 feet; thence N.  $11^{\circ} 34'$  W. 387.4

feet; thence N. 74° 48' W. 152.9 feet to a point in the West boundary of said  $W\frac{1}{2}$  SE $\frac{1}{4}$  and 1640.2 feet North of the SW corner thereof; thence N. 0° 11' E. along said West boundary a distance of 90.1 feet to a point 900.8 feet South of the NW corner thereof; thence N. 7° 36' E. 392.8 feet; thence N. 38° 51' W. 231.7 feet; thence N. 30° 44' W. 273.1 feet; thence S. 56° 31' W. 407.5 feet; thence N. 32° 47' E. 424.7 feet; thence N. 16° 22' E. 103.9 feet; thence N. 27° 03' W. 372.2 feet; thence N. 38° 05' W. 311.1 feet; thence N. 49° 45' W. 112.3 feet; thence N. 31° 53' W. 215.6 feet; thence N. 37° 12' W. 267.7 feet; thence S. 79° 51' W. 187.2 feet; thence N. 12° 43' E. 105.6 feet; thence N. 85° 53' W. 115.6 feet; thence N. 64° 03' W. 217.8 feet; thence S. 79° 55' W. 429.4 feet; thence S. 48° 44' W. 238.6 feet; thence N. 88° 45' W. 501.0 feet to a point in the West boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 1127.0 feet North of the SW corner thereof; thence N. 0° 16' E. along the West boundary of said SW $\frac{1}{4}$  NW $\frac{1}{4}$  and S $\frac{1}{2}$  NW $\frac{1}{4}$  a distance of 846.7 feet to the point of beginning containing 78.4 acres, more or less;

said Tract No. 1 containing a total of 82.4 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$6,000.00.

And it is further considered, ordered and adjudged by the Court that the petitioner, Grand River Dam Authority, a public corporation, upon the payment of the sum of \$6,000.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

F. E. KENNAMER

Judge of the United States District Court  
in and for the Northern District of Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

637

IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

Grand River Dam Authority, a public corporation, )  
Petitioner, )  
-vs- ) Civil No. 264  
C. M. Copeland, E.B. Wensel, the same as ) Tract No. 2.  
E. B. Wensell, et all, )  
Defendants. )

J U D G M E N T

Now, on this 16th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, E. B. Wensel, the same as E. B. Wensell, et al., appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 2 (17 GR-D 834  
18 GR-D 880  
18 GR-D 876)

The whole of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  and a tract of land all lying in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 16, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SE corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , thence N. 0° 16' E. along the East boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  a distance of 634.4 feet; thence S. 55° 24' W. 21. feet; thence S. 62° 10' W. 129.7 feet; thence S. 70° 00' W. 65.8 feet; thence N. 87° 51' W. 98.9 feet; thence N. 71° 33' W. 161.9 feet; thence N. 50° 50' W. 128.8 feet; thence N. 43° 57' W. 138.5 feet; thence N. 23° 35' W. 101.9 feet; thence N. 8° 44' E. 92.0 feet; thence N. 72° 28' E. 79.2 feet; thence N. 87° 52' E. 90.5 feet; thence N. 77° 06' E. 75.6 feet; thence N. 70° 44' E. 87.1 feet; thence S. 72° 50' E. 142.0 feet; thence N. 21° 48' E. 102.0 feet; thence N. 22° 45' E. 105.2 feet; thence N. 57° 15' E. 75.0 feet; thence N. 72° 09' E. 60.2 feet to a point in the East boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence N. 0° 16' E. along said East boundary a distance of 67.2 feet; to the NE corner thereof; thence W<sub>e</sub>sterly along the North boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  to the NW corner thereof; thence Southerly along the West boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  to the SW corner thereof;

thence Easterly along the South boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  to the point of beginning, containing 73.3 acres, more or less;

AND

All the following described land situated in Delaware County, Oklahoma, to-wit:

Lot 4, and the S $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, containing 51.70 acres, more or less; and that part of Lot 3 of Section 8 particularly described as follows, to-wit:

Beginning at the SE corner of Lot 3, thence running along the East side of Lot 3, 950 feet to a point on the massive ledge of limestone on the North bluff of Grand River, said point being marked by a perpendicular groove 18 inches long; thence N. about 66° W. with said ledge of limestone to a point 406 feet W. from the East line of said Lot 3; thence S. 9° 15' W. to the meanders of Grand River; thence with said meanders to their intersection with the South line of said Lot 3; thence along the South line of said Lot 3 to the place of beginning, containing 10.0 acres, more or less;

All in T 24 N - R 23 E of the Indian Base and Meridian; the whole tract containing in all 61.70 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land;

AND

A tract of land, all lying in the N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 8, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at a point in the South boundary of the N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 272.9 feet West of the SE corner thereof; thence N. 28° 04' E. 132.2 feet; thence N. 23° 52' E. 125.0 feet; thence N. 51° 29' W. 38.9 feet; thence S. 65° 15' W. 181.7 feet; thence S. 72° 55' W. 114.0 feet; thence N. 70° 59' W. 25.0 feet; thence N. 2° 18' W. 135.0 feet; thence N. 12° 52' E. 204.5 feet; thence N. 16° 08' E. 137.1 feet; thence N. 11° 53' E. 161.8 feet; thence N. 14° 37' W. 124.3 feet; thence N. 16° 16' E. 87.3 feet; thence N. 43° 40' E. 68.1 feet; thence N. 66° 25' E. 80.0 feet; thence N. 67° 19' E. 109.6 feet; thence N. 60° 10' E. 92.1 feet; thence N. 70° 36' W. 82.5 feet; thence N. 54° 34' W. 73.0 feet; thence N. 47° 38' W. 95.0 feet; thence N. 1° 48' W. 64.1 feet; thence N. 28° 05' E. 130.4 feet; thence N. 52° 59' E. 57.9 feet; thence N. 52° 38' E. 105.8 feet; thence N. 59° 25' E. 117.6 feet to a point in the East boundary of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 351.9 feet South of the NE corner thereof; thence N. 0° 03' E. along said East boundary a distance of 141.5 feet; thence S. 86° 17' W. 25.9 feet; thence S. 68° 17' W. 106.8 feet; thence S. 76° 09' W. 104.0 feet; thence S. 88° 46' W. 74.0 feet; thence N. 55° 26' W. 62.6 feet; thence N. 31° 53' W. 66.2 feet; thence N. 26° 19' W. 123.4 feet; thence N. 15° 04' W. 75.8 feet to a point in the North boundary of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence N.

89° 59' W. along said North boundary a distance of 197.4 feet to the NW corner thereof; thence S. 0° 03' W. along the West boundary of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  to the SW corner thereof; thence N. 89° 59' W. along the North boundary of the S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 14.6 feet to a point 644.6 feet East of the NW corner thereof; thence S. 12° 48' W. 43.0 feet; thence S. 25° 16' W. 96.0 feet; thence S. 66° 37' W. 75.8 feet; thence N. 36° 37' W. 198.0 feet; to a point in the North boundary of the S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 406.5 feet East of the NW corner thereof; thence N. 89° 59' W. along said North boundary a distance of 173.9 feet; thence S. 7° 24' E. 6.2 feet; thence S. 12° 41' E. 286.2 feet; thence S. 24° 03' E. 279.9 feet; thence S. 6° 13' E. 92.0 feet; thence S. 31° 52' W. 43.0 feet; thence S. 69° 41' W. 139.9 feet; thence S. 4° 57' W. 47.0 feet; thence S. 30° 31' E. 101.0 feet; thence S. 0° 16' E. 85.4 feet; thence S. 24° 47' W. 179.0 feet; thence S. 10° 04' W. 213.3 feet to a point in the South boundary of the N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence S. 89° 59' E. along said South boundary a distance of 858.6 feet to the point of beginning, containing 26.0 acres, more or less;

Said Tract No. 2 containing a total of 161.0 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 12th day of December, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular list of names, Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 6th day of February, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$18,020.00 to the owners of said land from the appropriation and taking of the same, and the Grand River Dam Authority did, on the 27th day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$18,020.00 for the use of the owners of said land, and that the Grand River Dam Authority did, on the 2nd day of March, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

REGULAR MARCH 1940 TERM

TUESDAY, APRIL 23, 1940

And, on the 16th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oaths assess damages at \$18,750.00 DOLLARS,"

which verdict was returned on the 16th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 2 (17 GR-D 834  
18 GR-D 880  
18 GR-D 876)

The whole of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  and a tract of land all lying in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 16, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the SE corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , thence N. 0° 16' E. along the East boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , a distance of 634.4 feet; thence S. 55° 24' W. 221 feet; thence S. 62° 10' W. 129.7 feet; thence S. 70° 00' W. 65.8 feet; thence N. 87° 51' W. 98.9 feet; thence N. 71° 33' W. 161.9 feet; thence N. 50° 50' W. 128.8 feet; thence N. 43° 57' W. 138.5 feet; thence N. 23° 35' W. 101.9 feet; thence N. 8° 44' E. 92.0 feet; thence N. 72° 28' E. 79.1 feet; thence N. 87° 52' E. 90.5 feet; thence N. 77° 06' E. 75.6 feet; thence N. 70° 44' E. 87.1 feet; thence S. 72° 50' E. 142.0 feet; thence N. 21° 48' E. 102.0 feet; thence N. 22° 35' E. 105.3 feet; thence N. 57° 15' E. 75.0 feet; thence N. 72° 09' E. 60.2 feet to a point in the East boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence N. 0° 16' E. along said East boundary a distance of 67.2 feet to the NE corner thereof; thence Westerly along the North boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  to the NW corner thereof; thence Southerly along the West boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  to the SW corner thereof; thence Easterly along the South boundary of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  to the point of beginning, containing 73.3 acres, more or less;

AND

All the following described land situated in Delaware County, Oklahoma, to-wit:

Lot 4, and the S $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, containing 51.70 acres, more or less; and that part of Lot 3 of Section 8 particularly described as follows, to-wit:

Beginning at the SE corner of Lot 3, thence running along the East side of Lot 3, 950 feet to a point on the massive ledge of limestone on the North bluff of Grand River, said point being marked by a perpendicular groove 18 inches long; thence N. about 66° W. with said ledge of limestone to a point

406 feet W. from the East line of said Lot 3; thence S.  $9^{\circ} 15'$  W. to the meanders of Grand River; thence with said meanders to their intersection with the South line of said Lot 3; thence along the South line of said Lot 3 to the place of beginning, containing 10.0 acres, more or less;

All in T 24 N - R 23 E of the Indian Base and Meridian; the whole tract containing in all 61.70 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land;

AND

A tract of land, all lying in the  $N\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ ,  $S\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$ , and the  $NE\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$ , Sec. 8, T 24 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at a point in the South boundary of the  $N\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$  and 272.9 feet West of the SE corner thereof; thence N.  $28^{\circ} 04'$  E. 132.2 feet; thence N.  $23^{\circ} 52'$  E. 125.0 feet; thence N.  $51^{\circ} 29'$  W. 38.9 feet; thence S.  $65^{\circ} 15'$  W. 181.7 feet; thence S.  $72^{\circ} 55'$  W. 114.0 feet; thence N.  $70^{\circ} 59'$  W. 25.0 feet; thence N.  $2^{\circ} 18'$  W. 135.0 feet; thence N.  $12^{\circ} 52'$  E. 204.5 feet; thence N.  $16^{\circ} 08'$  E. 137.1 feet; thence N.  $11^{\circ} 53'$  E. 161.8 feet; thence N.  $14^{\circ} 37'$  W. 124.3 feet; thence N.  $16^{\circ} 16'$  E. 87.3 feet; thence N.  $43^{\circ} 40'$  E. 68.1 feet; thence N.  $66^{\circ} 25'$  E. 80.0 feet; thence N.  $67^{\circ} 19'$  E. 109.6 feet; thence N.  $60^{\circ} 10'$  E. 92.1 feet; thence N.  $70^{\circ} 36'$  W. 82.5 feet; thence N.  $54^{\circ} 34'$  E. 73.0 feet; thence N.  $47^{\circ} 38'$  W. 95.0 feet; thence N.  $1^{\circ} 48'$  W. 64.1 feet; thence N.  $28^{\circ} 05'$  E. 130.4 feet; thence N.  $52^{\circ} 59'$  E. 57.9 feet; thence N.  $52^{\circ} 38'$  E. 105.8 feet; thence N.  $59^{\circ} 25'$  E. 117.6 feet; to a point in the East boundary of the  $NE\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$  and 351.9 feet South of the N E corner thereof; thence N.  $0^{\circ} 03'$  E. along said East boundary a distance of 141.5 feet; thence S.  $86^{\circ} 17'$  W. 25.8 feet; thence S.  $68^{\circ} 17'$  W. 106.8 feet; thence S.  $78^{\circ} 09'$  W. 104.0 feet; thence S.  $88^{\circ} 46'$  W. 74.0 feet; thence N.  $55^{\circ} 26'$  W. 62.5 feet; thence N.  $31^{\circ} 53'$  W. 66.2 feet; thence N.  $26^{\circ} 19'$  W. 123.4 feet; thence N.  $15^{\circ} 04'$  W. 75.8 feet to a point in the North boundary of the  $NE\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$ ; thence N.  $89^{\circ} 59'$  W. along said North boundary a distance of 197.4 feet to the N W corner thereof; thence S.  $0^{\circ} 03'$  W. along the West boundary of the  $NE\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$  to the SW corner thereof; thence N.  $89^{\circ} 59'$  W. along the North boundary of the  $S\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$  a distance of 14.6 feet to a point 644.6 feet East of the NW corner thereof; thence S.  $12^{\circ} 48'$  W. 43.0 feet; thence S.  $25^{\circ} 16'$  W. 96.0 feet; thence S.  $66^{\circ} 37'$  W. 75.8 feet; thence N.  $36^{\circ} 37'$  W. 198.0 feet to a point in the North boundary of the  $S\frac{1}{2} SE\frac{1}{4} NE\frac{1}{4}$  and 406.5 feet East of the NW corner thereof; thence N.  $89^{\circ} 59'$  W. along said North boundary a distance of 173.9 feet; thence S.  $7^{\circ} 24'$  E. 6.2 feet; thence S.  $12^{\circ} 41'$  E. 286.2 feet; thence S.  $24^{\circ} 03'$  E. 279.9 feet; thence S.  $6^{\circ} 13'$  E. 92.0 feet; thence S.  $31^{\circ} 52'$  W. 43.0 feet; thence S.  $69^{\circ} 41'$  W. 139.9 feet; thence S.  $4^{\circ} 57'$  W. 47.0 feet; thence S.  $20^{\circ} 31'$  E. 101.0 feet; thence S.  $0^{\circ} 16'$  E. 85.4 feet; thence S.  $24^{\circ} 47'$  W. 179.0 feet; thence S.  $10^{\circ} 04'$  W. 213.3 feet to a point in the South boundary of the  $N\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$ ; thence S.  $89^{\circ} 59'$  E. along said South boundary a distance of 858.6 feet to the point of beginning, containing 26.0 acres, more or less;

Said Tract No. 2 containing a total of 161.0 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$18,750.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$730.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$730.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$18,750.00, and the amount awarded the owners of said land by the commissioners in the sum of \$18,020.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said exceptions were allowed by the Court.

F. E. KENNAMER  
JUDGE of the United States District Court  
in and for the Northern District of  
Oklahoma.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

Grand River Dam Authority, a public corporation, )  
Petitioner, )  
-vs- )  
G. M. Copeland, Goldie Newburn, et al., )  
Defendants. )

Civil No. 264 Tract No. 3.

J U D G M E N T

Now, on this 17th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Goldie Newburn, and others, appearing in person and by their counsel of record, Frank Nesbitt and Keith Smith; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered, among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute

electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 3 (24 GR-D 1232  
24 GR-D 1233  
19 GR-D 961)

$W\frac{1}{2}$  of Lot 4, Section 25, T 25 N - R 23 E, Cherokee Survey, Delaware County, Oklahoma, containing 10.43 acres, more or less;

AND

The whole of Lot 1; the East half of Lot 2; the  $SE\frac{1}{4} NE\frac{1}{4}$ ; and a tract of land all lying in the  $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ , Sec. 26, T 25 N - R 23 E, Cherokee Survey, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the N E corner of the  $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ ; thence Southerly along the East boundary of the  $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$  to the SE corner thereof; thence N. 89° 56' W. along the South boundary a distance of 254.2 feet; thence N. 44° 40' W. 55.2 feet; thence N. 46° 47' W. 211.7 feet; thence N. 17° 14' E. 41.5 feet; thence N. 17° 05' W. 175.0 feet; thence N. 28° 35' W. 221.8 feet; thence N. 42° 42' W. 98.3 feet to a point in the West boundary of the  $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$  and 657.7 feet North of the SW corner thereof; thence N. 0° 04' W. to the Northwest corner thereof; thence Easterly along the North boundary of the  $E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$  to the point of beginning, containing 17.2 acres, more or less;

Said Tract containing a total of 88.6 acres, more or less;

AND

Lot 4, Lot 5,  $SE\frac{1}{4} SW\frac{1}{4}$ ,  $E\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4}$ , Section 33, T 25 N - R 23 E, Delaware County, Oklahoma, containing a total of 126.45 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land;

Said Tract No. 3 containing a total of 225.48 acres, more or less,

to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner, Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 12th day of December, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of name Ed Soph, Dan Bishop and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof, or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter did, on the 6th day of February, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$8,660.00, as to 24 GR-D 1232 and 24 GR-D 1233, and in the sum of \$10,415.00, as to 19 GR-D 961, to the owners of said land for the appropriation and taking of the same, and the Grand River Dam Authority did, on the 27th day of February, 1940, pay into and deposit with the Clerk of the United States District Court in and for the Northern District of Oklahoma, the sum of \$16,075.00 for the use of the owners of said land, and that the Grand River Dam Authority did, on the 2nd day of March, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 17th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, and a true verdict render according to the evidence, having heard the evidence and charges of the Court, and the argument of counsel, upon their oaths say:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$16,500.00 DOLLARS,"

which verdict was returned on the 17th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority, and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute, and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 3 (24 GR-D 1232  
24 GR-D 1233  
19 GR-D 961)

W $\frac{1}{2}$  of Lot 4, Section 25, T 25 N - R 23 E, Cherokee Survey,  
Delaware County, Oklahoma, containing 10.43 acres, more or less;

AND

The whole of Lot 1; the East Half of Lot 2; and the SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; and a tract of land all lying in the E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 26, T 25 N - R 23 E, Cherokee Survey, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the N E corner of the E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; thence Southerly along the East boundary of the E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  to the SE corner thereof; thence N. 89° 56' W. along the South boundary a distance of 254.2 feet; thence N. 44° 40' W. 55.2 feet; thence N. 46° 47' W. 211.7 feet; thence N. 17° 14' E. 41.5 feet; thence N. 17° 05' W. 175.0 feet; thence N. 28° 35' W. 221.8 feet; thence N. 42° 42' W. 98.3 feet to a point in the West boundary of the E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 657.7 feet North of the SW corner thereof; thence N. 0° 04' W. to the Northwest corner thereof; thence Easterly along the North boundary of the E $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  to the point of beginning, containing 17.2 acres, more or less;

Said Tract containing a total of 88.6 acres, more or less;

AND

Lot 4, Lot 5, SE $\frac{1}{4}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section, 33, T 25 N - R 23 E, Delaware County, Oklahoma, containing a total of 126.45 acres, more or less;

And any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land;

Said Tract No. 3 containing a total of 225.48 acres, more or less.

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$16,500.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$425.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, the said sum of \$425.00 being the difference between the amount awarded the owners of said land by the jury in the sum of \$16,500.00, and the amount awarded the owners of said land by the commissioners in the sum of \$16,075.00, which last amount has heretofore been paid to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

To all of which findings, verdict, award and judgment the petitioner, Grand River Dam Authority, a public corporation, then and there excepted and said Exceptions were allowed by the Court.

F. E. KENNAMER

Judge of the United States District Court  
in and for the Northern District of Oklahoma

ENDORSED: Filed Apr 23 1940  
H. F. Warfield, Clerk  
U. S. District Court

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IN THE UNITED STATES DISTRICT COURT IN AND FOR THE NORTHERN DISTRICT  
 OF OKLAHOMA

Grand River Dam Authority, a public corporation, )  
 Petitioner, )  
 -vs- ) Civil No. 264 Tract No. 4.  
 C. M. Copeland, Lee Howe, Administrator of )  
 the Estate of J. T. Hardy, deceased, Mamie )  
 Hardy, et al., Defendants. )

J U D G M E N T

Now, on this 11th day of April, 1940, the above entitled cause coming on for trial, and the petitioner, Grand River Dam Authority, a public corporation, appearing by its counsel of record, R. L. Davidson and Gayle M. Pickens, and the defendants, Lee Howe, Administrator of the Estate of J. T. Hardy, deceased, Mamie Hardy, and others, appearing in person and by their counsel of record, J. G. Austin; and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, filed herein its petition and application for the acquisition of the fee simple title to certain lands located in Delaware County, State of Oklahoma, and it appearing to this Court that the petitioner, Grand River Dam Authority, a public corporation, was created under the Acts of the Legislature of the State of Oklahoma, and under said Acts petitioner is a public corporation, possessing the powers of government for the public benefit, and is authorized and empowered among other things, to control, store and preserve the waters of Grand River and its tributaries for any useful purpose, and to develop and generate water power and electric energy through the use thereof, and to sell and distribute electric energy so produced, and to acquire by purchase or condemnation and to maintain, use and operate all kinds of property, real, personal, and mixed, or any interest therein necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it, and to do any and all acts and things necessary to the exercise of such powers, rights, privileges and functions.

And it further appearing that the petitioner, Grand River Dam Authority, has heretofore determined and declared that it is necessary to acquire for use in the construction, operation and maintenance of the Grand River Dam Project the following described land, to-wit:

Tract No. 4 (11 GR-D 542  
 10 GR-D 454  
 19 GR-D 937  
19 GR-D 910)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The NE $\frac{1}{4}$  SW $\frac{1}{4}$  and the SW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 2, T 24 N - R 22 E of the Indian Base and Meridian, containing 50.0 acres, more or less;

AND

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 10, T 24 N - R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the N E corner of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence S. 0° 57' W. along the East boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 517.5 feet to a point 144.4 feet North of the SE corner thereof; thence S. 67° 45' W. 164.1 feet; thence S. 84° 12' W. 308.4 feet; thence N. 65° 13' W. 316.8 feet; thence N. 39° 29'

E. 455.0 feet; thence N.  $29^{\circ} 51'$  W. 153.8 feet to a point in the North boundary of said  $NW\frac{1}{4} SE\frac{1}{4} NE\frac{1}{4}$  and 124.0 feet East of the NW corner thereof; thence S.  $89^{\circ} 18'$  E. along said North boundary a distance of 542.3 feet to the point of beginning, containing 8.0 acres, more or less;

AND

The whole of the  $S\frac{1}{2}$  Lot 1, the NE 10 acres of Lot 2, and a tract of land all lying in the  $SE\frac{1}{4} NW\frac{1}{4}$ , Sec. 31, T 25 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NE corner of the  $SE\frac{1}{4} NW\frac{1}{4}$ , thence Westerly along the North boundary of the  $SE\frac{1}{4} NW\frac{1}{4}$  to the NW corner thereof; thence Southerly along the West boundary of the  $SE\frac{1}{4} NW\frac{1}{4}$  to the SW corner thereof; thence S.  $89^{\circ} 50'$  E. along the South boundary of the  $SE\frac{1}{4} NW\frac{1}{4}$  a distance of 440.8 feet to a point 879.2 feet West of the SE corner thereof; thence N.  $24^{\circ} 03'$  W. 25.2 feet; thence N.  $46^{\circ} 31'$  W. 116.5 feet; thence N.  $26^{\circ} 52'$  W. 238.4 feet; thence N.  $1^{\circ} 38'$  W. 206.7 feet; thence N.  $39^{\circ} 20'$  E. 294.4 feet; thence S.  $82^{\circ} 29'$  E. 361.1 feet; thence N.  $83^{\circ} 11'$  E. 199.0 feet; thence N.  $30^{\circ} 14'$  E. 282.3 feet; thence N.  $58^{\circ} 53'$  E. 233.6 feet; thence N.  $88^{\circ} 35'$  E. 2.9 feet to a point in the East boundary of the  $SE\frac{1}{4} NW\frac{1}{4}$ , and 1093.8 feet North of the SE corner thereof; thence N.  $0^{\circ} 01'$  W. along said East boundary a distance of 228.5 feet to the point of beginning, containing 21.2 acres, more or less.

Aggregate acreage to be acquired: 50.9 acres, more or less;

AND

$E\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$  and  $E\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$ , Sec. 28, T 25 N - R 23 E, Delaware County, Oklahoma, containing 40.0 acres, more or less;

Said Tract No. 4 containing a total of 148.9 acres, more or less, to be used as a basin and reservoir for the lake formed by the Grand River Dam and for such other uses and purposes as may be authorized by law.

It further appearing that the petitioner Grand River Dam Authority, a public corporation, has been unable to secure and acquire by purchase the entire, unencumbered and absolute fee simple title to the land hereinabove described, and that the only manner in which the said Grand River Dam Authority, a public corporation, may acquire title to said land is by condemnation.

It further appearing to this Court that all requirements as required by law have been met by the petitioner, Grand River Dam Authority, a public corporation, and that all of the defendants have been duly served with notice, either by personal service or publication, of the condemnation and appropriation of said land, for the length of time required by law, and that all of the defendants herein have had due and sufficient notice of this action and of the appointment of commissioners, as prayed for in petitioner's petition and application.

It further appearing that on the 12th day of December, 1939, the Judge of this Court, after considering the petition and application of the petitioner, made and entered an order finding and determining that the petitioner, Grand River Dam Authority, had the authority and right

to acquire said land, and finding and determining that the only manner in which the petitioner could acquire said land was by condemnation, and did select and appoint from the regular jury list of names, Ed Soph, Dan Bishop, and Henry Hoffman, three (3) disinterested freeholders residing within the confines of the United States Judicial District for the Northern District of Oklahoma, to inspect said real property and consider the injury which the owners thereof or those having any right, title or interest therein, may sustain by reason of the condemnation and appropriation by the petitioner of said land hereinabove first described, and to assess the damages which said owners may sustain by reason of such appropriation irrespective of any benefits accruing to said land from the construction of or the proposed construction of the Grand River Dam Project, and thereafter, did on the 19th day of March, 1940, make their report in writing to the Clerk of the United States District Court in and for the Northern District of Oklahoma, and did assess and award damages in the sum of \$7,753.00 to the owners of said land for the appropriation and taking of the same; and the Grand River Dam Authority did, on the 28th day of March, 1940, within thirty (30) days after the filing of said commissioners' report, file with the Clerk of the United States District Court in and for the Northern District of Oklahoma written Demand for Trial by Jury.

And, on the 11th day of April, 1940, this cause coming on for trial in its regular order before a jury of twelve (12) good men, who, being duly impaneled and sworn, well and truly to try the issues joined between the petitioner and the defendants, rendered the following verdict at the direction of the Court:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths assess damages at \$6250.00 DOLLARS,"

which verdict was returned on the 11th day of April, 1940.

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED by the Court that the petitioner Grand River Dam Authority, a public corporation, has the right and authority and that it is necessary and convenient to acquire by condemnation for use in the construction, operation and maintenance of the Grand River Dam Project the entire, absolute and unencumbered fee simple title to the land described as follows, to-wit:

Tract No. 4 (11 GR-D 542  
10 GR-D 454  
19 GR-D 937  
19 GR-D 910)

All that certain tract of land situated in Delaware County, Oklahoma, described as follows, to-wit:

The NE $\frac{1}{4}$  SW $\frac{1}{4}$  and the SW $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 2, T 24 N - R 22 E of the Indian Base and Meridian, containing 50.0 acres, more or less;

AND

All that part of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 10, T 24 N - R 22 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows to-wit:

Beginning at the NE corner of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ , thence S. 0° 57' W. along the East boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  a distance of 517.5 feet to a point 144.4 feet North of the SE corner thereof; thence S. 67° 45' W. 164.1 feet; thence S. 84° 12' W. 308.4 feet; thence N. 65° 13' W. 316.8 feet; thence N. 39° 29' E. 455.0 feet; thence N. 29° 51' W. 153.8 feet to a point in the North boundary of said NW $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 124.0 feet East of the NW corner thereof; thence S. 89° 18' E. along said North boundary a distance of 542.3 feet to the point of beginning, containing 8.0 acres, more or less;

AND

The whole of the  $S\frac{1}{2}$  of Lot 1, the N E 10 acres of Lot 2, and a tract of land all lying in the  $SE\frac{1}{4} NW\frac{1}{4}$ , Sec. 31, T 25 N - R 23 E, Delaware County, Oklahoma, more particularly described as follows:

Beginning at the NE corner of the  $SE\frac{1}{4} NW\frac{1}{4}$ , thence Westerly along the North boundary of the  $SE\frac{1}{4} NW\frac{1}{4}$  to the NW corner thereof; thence Southerly along the West boundary of the  $SE\frac{1}{4} NW\frac{1}{4}$  to the SW corner thereof; thence S.  $89^{\circ} 50'$  E. along the South boundary of the  $SE\frac{1}{4} NW\frac{1}{4}$  a distance of 440.8 feet to a point of 879.2 feet West of the SE corner thereof; thence N.  $24^{\circ} 03'$  W. 25.2 feet; thence N.  $46^{\circ} 31'$  W. 116.5 feet; thence N.  $26^{\circ} 52'$  W. 238.4 feet; thence N.  $1^{\circ} 38'$  W. 296.7 feet; thence N.  $39^{\circ} 20'$  E. 294.4 feet; thence S.  $82^{\circ} 29'$  E. 361.1 feet; thence N.  $83^{\circ} 11'$  E. 199.0 feet; thence N.  $30^{\circ} 14'$  E. 282.3 feet; thence N.  $58^{\circ} 53'$  E. 233.6 feet; thence N.  $88^{\circ} 35'$  E. 2.9 feet to a point in the East boundary of the  $SE\frac{1}{4} NW\frac{1}{4}$  and 1093.8 feet North of the SE corner thereof; thence N.  $0^{\circ} 01'$  W. along said East boundary a distance of 228.5 feet; to the point of beginning, containing 21.2 acres, more or less,

Aggregate acreage to be acquired: 50.9 acres, more or less;

AND

$E\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$  and  $E\frac{1}{2} NE\frac{1}{4} SW\frac{1}{4}$ , Sec. 28, T 25 N - R 23 E, Delaware County, Oklahoma, containing 40.0 acres, more or less;

Said Tract No. 4 containing a total of 148.9 acres, more or less;

And it is further considered, ordered and adjudged by the Court that the damages sustained by the defendants and the owners of said land by reason of the taking and appropriating of the land herein described by the Grand River Dam Authority, a public corporation, are assessed at \$6,250.00.

And it is further considered, ordered and adjudged by the Court that the petitioner Grand River Dam Authority, a public corporation, upon the payment of the sum of \$6,250.00 to the Clerk of the United States District Court in and for the Northern District of Oklahoma, for the use and benefit of the owners of said land, shall be vested with the absolute, entire and unencumbered fee simple title to said land, and the Grand River Dam Authority, a public corporation, shall have all rights incident to the ownership of said land, including the right of immediate possession thereof.

F. E. KENNAMER  
Judge of the United States District Court  
in and for the Northern District of  
Oklahoma

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court

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MISCELLANEOUS - ORDER DISCHARGING PETIT JURORS.

On this 23rd day of April, A. D. 1940, it is ordered by the Court that all Petit Jurors be, and they are, hereby discharged for this Regular March 1940 Term of this Court, at Vinita Oklahoma.

ORDER TO PAY PETIT JURORS AND WITNESSES MILEAGE AND PER DIEM.

On this 23rd day of April, A.D. 1940, it is ordered by the Court that the Marshal of this District pay the Petit Jurors and Witnesses for this Regular March 1940 Term of Court, at Vinita, their mileage and per diem as shown by the Record of Attendance.

Court adjourned subject to call.

REGULAR JANUARY 1940 TERM TULSA, OKLAHOMA TUESDAY, APRIL 23, 1940

On this 23rd day of April, A. D. 1940, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1940 Term at Tulsa, met pursuant to adjournment, Hon. Alfred P. Murrah, Judge, present and presiding.

H. P. Warfield, Clerk, U. S. District Court  
Whit Y. Mauzy, U. S. Attorney  
John P. Logan, U. S. Marshal

Public proclamation having been duly made, the following proceedings were had and entered, to-wit:

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 23rd day of April, A. D. 1940, it being made satisfactorily to appear that Eugene S. Champlin, Leonard F. May and Elmore A. Page are duly qualified for admission to the Bar of the Court, the oath prescribed by law is administered and said attorneys are declared admitted to the Bar of the Court. (A.P.M.J)

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

Addie Moomau, Plaintiff, )  
vs. ) No. 225 - Civil  
Gordon W. Lillie and Nellie Kenney, Defendants. )

O R D E R

Now on this 22nd day of April, 1940, this cause comes on for hearing on the motion of the plaintiff and her attorney of record to dismiss the above and foregoing action with prejudice, and the court finds that said motion should be, and the same is hereby, sustained.

IT IS THEREFORE ORDERED that the above and foregoing action be, and the same is hereby, dismissed with prejudice to the bringing of another action, and that the costs be taxed to the defendant.

ALFRED P. MURRAH  
U. S. DISTRICT JUDGE

OK & COPY RECEIVED  
G. G. McBRIDE, Atty for Plaintiff

NED LOONEY, Atty for Defendants

ENDORSED:  
Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court ME

IN THE UNITED STATES DISTRICT COURT, FOR THE NORTHERN DISTRICT OF OKLAHOMA

Eva J. Knight, Administratrix of the Estate )  
of Alfred Frank Knight, deceased, Plaintiff, )  
vs. ) No. 359 Civil  
The Salvation Army, a corporation, and )  
Clarence Spencer, Defendants. )

JOURNAL ENTRY OF JUDGMENT

This cause came on to be heard this 23rd day of April, 1940, pursuant to agreement of all parties, the plaintiff being present by her attorney, H. Tom Kight, Jr., and the defendant The Salvation Army, a corporation, by its attorney, Wilbur J. Holleman; and the defendant Clarence Spencer having entered his appearance by his attorney, Wilbur J. Holleman, in open court, and being present by his said attorney; and all parties announcing ready for trial, and a jury being waived in open court, the court proceeded to hear the evidence of witnesses and argument of counsel. And the court, being fully advised, on consideration finds that the plaintiff has sustained the allegations of her petition and is entitled to judgment accordingly.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the said plaintiff, Eva J. Knight, Administratrix of the Estate of Alfred Frank Knight, deceased, have and recover of the said defendants, The Salvation Army, a corporation, and Clarence Spencer, on the first cause of action in her petition stated, the sum of Fifty Dollars (\$50.00) and on the second cause of action in her petition stated, the sum of Seven Hundred Dollars (\$700.00), and for the costs of this action in this court.

ALFRED P. MURRAH  
JUDGE

O.K. KIGHT & KIGHT, Attorney for Plaintiff.  
O.K. GIBSON & HOLLEMAN, Attorney for Defendants.

ENDORSED: Filed Apr 23 1940  
H. P. Warfield, Clerk  
U. S. District Court ME