

IN THE UNITED STATES DISTRICT COURT WITHIN AND FOR THE NORTHERN DISTRICT
OF MISSISSIPPI

ELMER RAY,	Plaintiff,)	
)	
vs		)	No. 964 - Civil
)	
Phillip Joseph, H. M. Cobb, W. A. Schmidt,)	
Roxie Schmidt and F. A. Roberts,	Defendants.)	

ORDER APPROVING STIPULATION FOR SETTLEMENT AND DISMISSAL
WITH PREJUDICE

Now on this 10th day of February, 1944, this cause coming on for hearing upon the stipulation of the parties hereto, and the Court being fully advised in the premises, finds that the said stipulation is just, fair and reasonable and should be in all things approved.

IT IS ORDERED, ADJUDGED AND DECREED, that the settlement and agreement between the plaintiff and the defendants herein be, and, the same is hereby approved and that this cause be, and the same is hereby dismissed with prejudice, and the plaintiff shall be liable for his costs herein expended and the defendants shall be liable for their costs herein expended.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 10 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

Mary Smoke, nee Dreadfulwater,	Plaintiff,)	
)	
vs		)	NO. 1142 CIVIL
)	
Goldie Smoke, nee Dreadfulwater, et al.,)	
	Defendants.)	
)	
United States of America,	Intervener.)	

ORDER ALLOWING AND DIRECTING AMENDMENT OF ORIGINAL PETITION
FILED IN THIS ACTION.

Now, on this 10th day of February, 1944, there coming on for hearing, the Motion of the Plaintiff, Mary Smoke, nee Dreadfulwater, for an Order authorizing her to amend the original petition filed in this action in said Court, by striking therefrom a certain portion of the lands described in Paragraph two, to-wit:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 20,
North, Range 20 East, Mayes County, Oklahoma,

and the Court having heard said Motion and being fully advised finds through oversight or inadvertance the description first herein set out was included in the original petition filed in the said Court and that th petition should be amended by striking the same therefrom; it being shown to the Court that the portion of the land first described herein was by the allottee sold, with the approval of the Secretary of the Interior, to one C. W. Trout and is now owned by him, and unless petition is so amended a cloud will be

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

FILED IN JANUARY 1944 TERM

THURSDAY, FEBRUARY 10, 1944

cast on the title of the said C. W. Trout to that portion of his land.

IT IS THEREFORE ordered, adjudged and decreed by the Court that the plaintiff be authorized and directed to amend such petition by striking therefrom the following:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, Township 20 North, Range 20 East, Mayes County, Oklahoma.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE.

ENDORSED: Filed Feb 10 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA,
Successor Trustee for MARY FRANCES WALTER,
Plaintiff,

vs.

In Equity No. 1195.

OKLAHOMA HOSPITAL INC., a corporation; OKLAHOMA HOSPITAL CORPORATION, a corporation; OKLAHOMA HOSPITAL, a corporation; FRED S. CLINTON and JANE H. CLINTON, his wife; EXCHANGE TRUST COMPANY, a corporation; HOWARD C. JOHNSON, Bank Commissioner of the State of Oklahoma; THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA, Successor Trustee of the Frank H. Reed and Isabelle S. Reed Trust; THE FIRST NATIONAL BANK AND TRUST COMPANY, Successor Trustee for John Francis Malloy; J. C. DENTON, C. H. SWEET and F. M. SOWLE, as Trustees; VIRGINIA HAGAN HINTON, Successor Trustee for S. L. Canterbury; FEDERAL NATIONAL BANK OF SHAWNEE, OKLAHOMA, a corporation, Guardian of the Estate of Charline Naomi Crossland, a minor; PHILLIPS UNIVERSITY, a corporation; MOLLIE DAVIS, nee JONES; HAROLD T. WRIGHT; FRANK G. COOPER; TULSA GENERAL HOSPITAL; FLORENCE M. WILSON; and MAUDE C. MARKHAM, Executrix of the Estate of John H. Markham, deceased,
Defendants.

DISCHARGE OF RECEIVER

NOW on this 10th day of February, 1944, Lon R. Stansbery, Receiver herein, having made and submitted his Return and Report setting forth the disbursement of each and all of the funds in his hands as such Receiver, in accordance with the prior order of this Court, and having duly and fully performed all the matters and things required of him as such Receiver in accordance with law and the directions of this Court, and it appearing that nothing further remains to be done by said Receiver, and that he is entitled to be discharged as such Receiver;

IT IS ORDERED that Lon R. Stansbery be, and he hereby is, discharged and released as Receiver herein and from all other or further duties or obligations in anywise connected therewith, and the surety on his bond as such Receiver be, and it hereby is, released and relieved of and from any and all obligation or liability hereafter accruing or incurred.

ENDORSED: Filed Feb 10 1944
H. P. Warfield, Clerk, U. S. District Court

ROYCE H. SAVAGE, District Judge

Court adjourned to February 11, 1944

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

RECEIVED JANUARY 1944 FILE

TUESDAY, FEBRUARY 12, 1944

On this 12th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, not pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Pennsylvania Casualty Company, a corporation, and National Surety Company, a corporation, plaintiff, and Carl R. Phoenix, defendant, No. 838, Civil, the judgment of the said district court in said cause entered on April 9, 1943 was in the following words, viz:

(For portions of Judgment appealed from see Journal 6, Page 225)

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of a cross-appeal by Carl R. Phoenix, agreeably to the act of Congress in such case made and provided, fully and at large appears;

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and forty-three, the said cause came on to be heard before the said United States Circuit Court of Appeals on the transcript of the record from said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Pennsylvania Casualty Company, a corporation, and National Surety Company, a corporation, cross-appellees, have and recover of and from Carl R. Phoenix, cross-appellant, their costs herein.

-- January 5, 1944.

You, therefore, are hereby commanded that such proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said cross-appeal notwithstanding.

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 10th day of February, in the year of our Lord one thousand nine hundred and forty-four.

COSTS OF cross-appellees:
Clerk \$-- --
Printing Record \$-- --
Attorney \$20.00
\$20.00

ROBERT B. CARTWRIGHT
Clerk of the United States Circuit Court of Appeals, Tenth Circuit.

ENDORSED: Filed Feb 12 1944
H. P. Warfield, Clerk
U. S. District Court H

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

No. 225 Civil

CAR. R. PHOENIX,

Defendant.

Now on this 12th day of February, A. D. 1944, it is ordered by the Court that the Clerk file and spread of record the Minutes in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, vs:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

(SEAL)

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between Pennsylvania Casualty Company, a corporation, and National Surety Company, a corporation, plaintiff, and Carl R. Phoenix, defendant, No. 225 Civil, the judgment of the said district court in said cause entered on April 9, 1943, was in the following words viz:

(For portions of Journal Entry of Judgment see Journal 6, Page 225)

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Pennsylvania Casualty Company, a corporation, and National Surety Company, a corporation, agreeably to the Congress, in such cases made and provided, fully and at large appears;

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and forty-three, the said cause came on to be heard before the said United States Circuit Court of Appeals on the transcript of the record from said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby affirmed; and that Carl R. Phoenix, appellee, have and recover of and from Pennsylvania Casualty Company, a corporation, and National Surety Company, a corporation, appellants, his costs herein.

-- January 5, 1944.

You, therefore, are hereby commended that such proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the Honorable HARRIET F. STONE, Chief Justice of the United States, the 10th day of February, in the year of our Lord one thousand nine hundred and forty-four.

COSTS OF	Appellee:
Clerk	\$-- --
Printing Record	\$-- --
Attorney	\$20.00
	<u>\$20.00</u>

ROBERT B. CARTWRIGHT
Clerk of the United States Circuit Court of Appeals, Tenth Circuit

ENDORSED: Filed Feb 12 1944
H. P. Garfield, Clerk
U. S. District Court II

FILED IN CASE NO. 1115

SATURDAY, FEBRUARY 12, 1944

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

UNITED STATES OF AMERICA, Petitioner,)

-vs-

) CIVIL NO. 1115

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing or approximately 192.43 acres, more or less; and Paul S. Crowder, et al., Defendants.

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 10 (11 FW 798)

NOW, on this 12 day of February, 1944, therecoming on for hearing the application of the defendant, George W. Noe, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 10 (11 FW 798), and the Court being fully advised in the premises, finds:

That the defendant, George W. Noe, was the owner of the land designated as Tract No. 10 (11 FW 798) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$2,000.00 for the making of the fee simple title in and to said tract of land. That this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title in and to said premises, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking of said land.

The Court further finds that the defendant, George W. Noe, agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$2,000.00, which was accepted by the petitioner.

The Court further finds that the defendant, George W. Noe, agreed to grant and sell to the petitioner the fee simple title in and to said tract of land for the sum of \$2,000.00, which was accepted by the petitioner.

The Court further finds that the sum of \$2,000.00 is just compensation for the injuries and damages sustained by said defendant.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendant, have any right, title or interest in and to said just compensation, that there are no unpaid taxes thereon.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, George W. Noe, was the owner of the lands designated as Tract No. 10 (11 FE 798) when this proceeding was commenced, and that the sum of \$2,000.00 is just compensation for the taking of the fee simple title in and to said tract of land; that said defendant is the only person having any right, title or interest in and to said just compensation;

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds herein deposited as follows, to-wit:

TO: George W. Noe - Owner Tract No. 10 (11 FW 798) \$2,000.00

ROYCE H. SAVAGE JUDGE

FORWARDED: Filed Feb 12 1944 H. F. Garfield, Clerk U. S. District Court AC

Court adjourned to February 14, 1944

On the 14th day of February, A. D. 1944, the District Court of the United States for the District of Oklahoma, sitting in regular January 1944 Term at Tulsa, Oklahoma, in all-judgment, Hon. Royce E. Seward, Judge, present and presiding.

H. E. Benefield, Clerk, U. S. District Court
Walt V. Long, United States Attorney
John F. Moran, United States Marshal

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

MISCELLANEOUS - ORDER EMPANELING PETIT JURORS.

On this 14th day of February, A. D. 1944, comes the Marshal and takes return on the Venue heretofore issued out of this court for Petit Jurors for this Regular January 1944 Term of this Court, at Tulsa, Oklahoma. Thereupon, the Clerk calls the names of the Jurors so summoned, as follows:

Will A. Crockett, Jr.	Harry G. Benson	George A. Gunn
Clarence Shiplet	Percy W. Kuhn	Walter Richard Bullard
J. Earl Sandmire	W. M. Long	Otis W. Fields
Jess E. Colson	Chester J. Benefield	Elvin William Frick
Jay Phillippe	Geo. D. Brock	Claude R. Fires
William E. Jones	R. Cass Holloway	R. G. (Jack) Horner
Fred H. Rock	Merl Manning	James N. Wallace
D. F. Millard	Nelson J. Barlow	Wm. Metzger
Bert Hodges, Jr.	Larvin Bailey	Frank Nichols
L. J. Hinton	Page Crahan	David C. Allton
John Schickram	Ivan D. Brown	Raymond K. Holmes
W. R. Hutchison	W. T. Rutledge	Boyd Caves
Guernsey L. Wade	Andrew Siggins	Charles W. Howard
Hal LaFayette Pierson	D. W. Jackson	Dewey L. Irwin
Carlton L. Bailey	J. L. Gregory	Howard Elmer Freeman
Bob Collins	C. M. Downing	F. Lee Kennedy
Chester H. Westfall	J. H. Taylor	Harold J. Wilson
Wells Hart	Leo E. Brown	Richard I. Davenport
Marshall N. Bush	Hugh Robinson	Bevel O. McCully
J. F. Spencer	Pet Whitsitt	Robt M. Landrum

Thereupon, the Court examines said Jurors as to their qualifications, and for good cause shown

Will A. Crockett, Jr.	D. W. Jackson
Clarence Shiplet	C. M. Downing
J. Earl Sandmire	J. H. Taylor
Jay Phillippe	Otis W. Fields
D. F. Millard	Elvin William Frick
Hal LaFayette Pierson	Wm. Metzger
Chester H. Westfall	Frank Nichols
J. F. Spencer	David C. Allton
R. Cass Holloway	Boyd Caves
Andrew Siggins	Dewey L. Irwin
Howard Elmer Freeman	Harold J. Wilson
Richard I. Davenport	

are excused from service as Jurors for the term.

And thereupon, it is ordered by the Court that the following names of those who were served but not reporting

RECEIVED JANUARY 24 1944

OKLAHOMA

JANUARY 14, 1944

L. J. Hinton
Gurney L. Cook
Marshall I. Gunn

Hugh Robinson
Pat Whitsett
Robert A. Landrum

and of those not served

Bob Collins
Chester J. Benefield

George A. Gunn
Bevel O. McDally

be, and they are, hereby stricken from the jury roll.

Whereupon, the balance of said array are accepted as Petit Jurors for the regular January 1944 Term of Court.

ENDORSED: Filed In Open Court
Feb 14 1944
H. P. Warfield, Clerk
U. S. District Court

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
		) CIVIL NO. 1054
A CERTAIN PARCEL OF LAND IN MAYES COUNTY,)
OKLAHOMA, containing approximately 1.6)
acres, more or less; and J. F. Harris, et al.,)
Defendants.)

J U D G M E N T

Now, on this the 14th day of February, 1944, there coming on for consideration the stipulation between the petitioner, United States of America, and the defendant, J. F. Harris, filed in this cause as to the real estate hereinafter specifically described.

Whereupon, the Court proceeded to hear and pass upon said stipulation, petition for condemnation and all other matters herein and finds that:

- (1) Each and all of the allegations of said petition for condemnation are true, and the United States of America is entitled to acquire property by eminent domain for the uses and purposes therein set forth.
- (2) The said petition for condemnation was filed at the request of the Administrator of the Federal Works Agency, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.
- (3) In said petition for condemnation, a statement of the authority under which, and the public use for which the estate in said lands were taken, was set forth.
- (4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.

FILED JANUARY 14 1944

DELAWARE, OKLAHOMA

FRIDAY, JANUARY 14, 1944

(6) D.C. process and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants in said petition for condemnation as required by law and order of this court.

The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court finds that the commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the land involved in this proceeding, filed their report herein on December 1, 1943, wherein they fixed the fair cash market value of the estate taken and all damages to the remainder, if any, as to the lands more particularly described and designated as follows, to-wit:

TRACT NO. 1 (2 FW 43 (Rev.)
Fee Title

All that part of the N $\frac{1}{2}$ N $\frac{1}{2}$ NW 10.0 acres of Lot 2, Sec. 2, T 22 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point in the North boundary of said Lot 2, and 200 feet east of the NW corner thereof; thence easterly along said north boundary line a distance of 450.7 feet to a point in the north boundary of said NW 10 acres of Lot 2, and 9.4 feet west of the NW corner thereof; thence S 17° 23' W. 78.6 feet; thence S 4° 10' E 89.6 feet to a point on the South boundary of said N $\frac{1}{2}$ N $\frac{1}{2}$ NW 10.0 acres of Lot 2; thence westerly along said South boundary of said N $\frac{1}{2}$ N $\frac{1}{2}$ NW 10.0 acres of Lot 2 a distance of 431.5 feet to a point in the south boundary of said N $\frac{1}{2}$ N $\frac{1}{2}$ NW 10.0 acres of Lot 2 and 200 feet east of the SW corner thereof; thence Northerly parallel to the west boundary of said Lot 2 a distance of 164.4 feet to the point of beginning containing approximately 1.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (FEE SIMPLE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$120.00

and that said report and proceedings as to the above tract are in all respects regular and in accordance with the law and orders of this Court.

(7) The defendant, J. F. Harris, on December 22, 1943, filed a demand for jury trial thereby excepting to the report of said commissioners; that the petition, United States of America, and the defendant, J. F. Harris, entered into a stipulation dated February 11, 1944, whereby it was stipulated and agreed that the sum of \$135.00, inclusive of interest, shall be in full satisfaction of and just compensation for the taking of said tract of land by the petitioner, together with and including all buildings and improvements thereon and appurtenances thereunto belonging; that said sum of \$135.00 shall be subject to all liens, encumbrances and charges of whatsoever nature existing at the time of the taking of said tract; and that any and all awards of just compensation, ascertained and awarded in this proceeding to any and all other parties, shall be payable and deductible from the same; that the demand for jury trial filed by the defendant, J. F. Harris, shall be withdrawn and dismissed.

The Court finds that said stipulation should be confirmed and approved in all respects and that the just compensation for the estate taken in said tract is the sum of \$135.00.

(8) That the United States of America did, on July 31, 1943, file its Declaration of Taking herein and pay to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto the sum of \$60.00.

(9) The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1936, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1073 (U.S.C. Title 10, Sec. 809); and Executive Order No. 8364, dated November 15, 1941, in the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby declared to be in truth and in fact a public purpose within the meaning and purpose of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the stipulation entered into by and between the petitioner, United States of America, and the defendant, J. F. Harris, dated February 11, 1944 and filed in this cause, be and the same is hereby confirmed and approved in all respects; that the sum of \$135.00 inclusive of interest, is full and just compensation for the taking by the United States of America of the tract of land hereinabove described, together with and including all buildings, improvements, thereon and all appurtenances thereunto belonging; that said sum of \$135.00 shall be subject to all liens, encumbrances and charges of whatsoever nature existing on the 31st day of July, 1943, the time of the taking of said tract of land by the petitioner, and that any and all awards of just compensation asserted and awarded in this proceeding to any and all parties other than the defendant, J. F. Harris shall be payable and deductible from said sum.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the demand for a jury trial filed by the defendant, J. F. Harris, be and is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is entire fee simple title to said land for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the entire fee simple title to said tract of land was vested in the United States of America on the 31st day of July, 1943, upon the filing of the Declaration of Taking and depositing the sum of \$60.00 in the registry of this court, and the right to recover just compensation for the taking of said tract of land is vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken as hereinabove specifically set forth, is hereby deemed to be condemned and taken for the use and benefit of the United States of America, and that the just compensation as determined and fixed herein for the taking of the entire fee simple title to said tract of land is vested in the persons lawfully entitled thereto as the owners of said tract of land, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America, pay into the registry of this Court the sum of \$75.00, said sum being the difference between the sum of \$135.00 the just compensation herein fixed and determined, and the amount deposited with the Declaration of Taking as the estimated just compensation for the taking of said tract of land in the sum of \$60.00.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE OF THE UNITED STATES DISTRICT
COURT, NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Feb 14 1944
H. P. Garfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,

Defendant,

-vs-

CIVIL NO. 1088

CERTAIN PARCELS OF LAND IN TWO TOWNSHIP OF
DECOA, DEKALBE COUNTY, OKLAHOMA; and
CERTAIN PERSONAL PROPERTY LOCATED THEREON
AND USED IN CONNECTION THEREWITH, and R. F.
Ulrich, et al., Defendants.

JUDGMENT CONFIRMING REPORT OF COMMISSIONERS AND FIXING
JUST COMPENSATION AS TO PERSONAL PROPERTY LOCATED ON
AND USED IN CONNECTION WITH TRACT NO. 15 (6 FW 643)

NOW, on this 14th day of February, 1944, it appearing to this Court that the commissioners appointed by this Court to consider the injury and assess the damages sustained by reason of the temporary use of the personal property located upon and used in connection with Tract No. 15 (6 FW 643) by the petitioner from May 18, 1943, to May 22, 1943, in connection with the Grand River Dam Project, and for the safety and defense of the United States, made and filed their report with the Clerk of this Court on September 24, 1943; that more than sixty (60) days have elapsed since the filing of said report; that neither the petitioner nor the owners of said personal property located on and used in connection with said Tract No. 15 (6 FW 643) have filed a demand for jury trial or exceptions to said report and that said report is now final; that the commissioners assessed and awarded damages to the owners of the personal property located upon and used in connection with said Tract No. 15 (6 FW 643), for and in the sum of \$911.42; that said sum of \$911.42 is full and just compensation for the injuries and damages sustained by reason of the temporary use of said personal property on said tract, and the report of commissioners is hereby confirmed in all respects.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the report of commissioners filed herein on September 24, 1943, assessing and fixing the just compensation to be paid by reason of the temporary use of the personal property located upon and used in connection with the lands designated and described as Tract No. 15 (6 FW 643) in the sum of \$911.42, is hereby confirmed and approved and the sum of \$911.42 is adjudged to be the full and just compensation by reason of said taking of said personal property, subject to all liens, encumbrances and charges of whatsoever nature existing at the time of the taking, which shall be payable and deductible from said sum.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners of said personal property located upon and used in connection with Tract no. 15 (6 FW 642) have and recover a judgment against the United States of America, for and in the sum of \$911.42; that upon the petitioner depositing said sum of \$911.42 in the registry of this court, said judgment shall be satisfied in full.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Feb 14 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to February 15, 1944

On the 15th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Tulsa, January 1944 Term at Tulsa, not pursuant to assignment, Honorable Royce H. Savors, Judge, present and presiding,

M. P. Warfield, Clerk, U. S. District Court
Walt V. Jones, United States Attorney
John P. Logan, United States Marshal

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

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

IN THE MATTER OF THE FIRST NATIONAL BANK
AND TRUST COMPANY, OF TULSA, A NATIONAL
BANKING ASSOCIATION, AS DEPOSITORY OF
BANKRUPTCY FUNDS, INCLUDING UNITED STATES
REFEREE'S EXPENSE ACCOUNT.

O R D E R

NOW on this 15th day of February, 1944, on oral application of The First National Bank and Trust Company of Tulsa, the Court finds that The First National Bank and Trust Company of Tulsa is a national banking association with its principal place of business in the City of Tulsa, Oklahoma in this District; that said Bank is an officially designated depository of bankruptcy funds under Section 61 of the Bankruptcy Act; that said Bank is a national member bank of the Federal Reserve Deposit Insurance Corporation and that its deposits are insured under the provisions of Title 12, U.S.C.A., Section 264 of and that said Bank now has on deposit bankruptcy funds not insured under the provisions of said Title 12, U.S.C.A., Section 264 in an amount not exceeding Ten Thousand Dollars (\$10,000.00);

That said Bank has presented its depository bond signed by it without sureties, dated of even date herewith in the sum of Ten Thousand Dollars (\$10,000.00), conditioned substantially as required by General Order in Bankruptcy No. LIII and has offered, pursuant to the provisions of 11 U.S.C.A., Section 101 and 6 U.S.C.A., Section 15, to deposit certain securities in lieu of surety, which bond it has requested the Court to approve and accept in lieu of an existing bond in the sum of Forty Thousand Dollars (\$40,000.00) dated June 19, 1942 in connection with which there has been deposited with the Federal Reserve Bank of Kansas City securities in the principal amount of Forty Thousand Dollars (\$40,000.00).

IT IS THEREFORE ORDERED that said bond of The First National Bank and Trust Company of Tulsa in the amount of Ten Thousand Dollars (\$10,000.00) dated of even date herewith is hereby approved and accepted as the official depository bond of said bank under said General Order in Bankruptcy, and the Clerk of this Court is hereby directed to accept, receive and file the same in lieu of said Forty Thousand Dollar (\$40,000.00) bond dated June 19, 1942.

IT IS FURTHER ORDERED that said security so offered by said The First National Bank and Trust Company of Tulsa, to-wit: Ten Thousand Dollars (\$10,000.00) par value United States Treasury Two Percent (2%) Bond, December 15, 1935-31, with June 15, 1944 and subsequent coupons attached, being Bond No. 8007, is hereby approved and accepted pursuant to the provisions of 11 U.S.C.A., Section 101 and 6 U.S.C.A., Section 15, in lieu of a surety upon the said bond.

IT IS FURTHER ORDERED that The First National Bank and Trust Company of Tulsa direct the Federal Reserve Bank of Kansas City, Missouri which now holds said security in safekeeping for said Bank, to hold the same as security on said bond in lieu of a surety pursuant to the provisions of 11 U.S.C.A., Section 101, 6 U.S.C.A., Section 15 and General Order in Bankruptcy No. LIII, and that said Federal Reserve Bank of Kansas City shall issue its customary receipt therefor.

IT IS FURTHER ORDERED that the First National Bank and Trust Company of Tulsa, Oklahoma through its proper officers and employees, be and is hereby directed from time to time, as they severally shall, to detach from said bond or to cause the Federal Reserve Bank of Kansas City to detach from said bond, the interest thereon accrued thereto and to retain for the use of The First National Bank and Trust Company of Tulsa the interest represented thereby.

IT IS FURTHER ORDERED that said bond shall be withdrawn or other bonds or other securities substituted in its stead only on order of this Court.

IT IS FURTHER ORDERED that the Clerk of this Court, upon receipt of said receipt for said bond from the Federal Reserve Bank of Kansas City, shall, at the expense of The First National Bank and Trust Company of Tulsa, furnish The First National Bank and Trust Company of Tulsa with a photostate thereof, and that thereupon said bond of said Bank in the sum of Forty Thousand Dollars (\$40,000.00) dated June 19, 1942 shall be cancelled, said cancellation effective as of the date of said receipt and the securities deposited with the Federal Reserve Bank of Kansas City, Missouri in lieu of a surety on said bond shall be released to said The First National Bank and Trust Company of Tulsa.

ROYCE H. SAWAGE
J U D G E

ENDORSED: Filed Feb 15 1944
H. P. Warfield, Clerk
U. S. District Court

B O N D

KNOW ALL MEN BY THESE PRESENTS:

That THE FIRST NATIONAL BANK AND TRUST COMPANY OF TULSA, a national banking association with its banking house in Tulsa, Oklahoma, is held and firmly bound unto the UNITED STATES OF AMERICA, in the sum of Ten Thousand Dollars (\$10,000.00) lawful money of the United States, for the payment of which it hereby binds itself, its successors and assigns, firmly by these presents.

SEALED with its Seal this the 15th day of February, 1944.

WHEREAS, The First National Bank and Trust Company of Tulsa has been designated by the District Court of the United States for the Northern District of Oklahoma sitting as a Court of Bankruptcy, as a depository for the money of bankrupt estates, including United States Referee's expense account, pursuant to the provisions of an Act of Congress entitled "An Act to Establish a Uniform System of Bankruptcy throughout the United States" approved July 1, 1898, as amended.

NOW, THEREFORE, the condition of this obligation is such that if said The First National Bank and Trust Company of Tulsa shall well and truly act for and pay over all moneys now on deposit with it as such depository and all moneys hereafter deposited with it as such depository and shall pay out the same only as now or hereafter provided by the Act of Congress in such cases made and provided and the Rules of Court (including the Rules and General Orders of the Supreme Court of the United States) now or hereafter applicable thereto and shall abide by all lawful orders and decrees of the Court in and by the premises, then this obligation to be void; otherwise to remain in full force and virtue.

PROVIDED, HOWEVER, this bond is executed and accepted upon the following express conditions:

That the deposit liability hereunder shall be limited to such part of the deposits as may not be insured or paid or caused to be paid by the Federal Deposit Insurance Corporation;

John S. Adams;
Anna Adams;
Dorothy Adams;
Ed Ludlow;
Edward Ludlow;
Leona Ludlow;
Harold Ludlow;
Harold Ludlow, a minor;
J. P. E. Lively;
Joseph E. Lively;
T. H. Griggs;
Anna L. Griggs;
C. W. Story, Jr.;
Corra Von Dixon Diebert;
William Henry Dixon;
Clec Stealer, also known as C. E. Stealer;
J. R. Mode;
Etta Mode;
W. H. Bailey;
Robert F. Brandenburg;
Carrie B. Jordan, now Cox;
Wattie B. Jordan;
R. B. Butts;
Nettie F. Butts;
C. W. Hamm;
Thiel C. Hamr;
Norman B. Blake;
Katheleen E. Blake;
Earl H. Jensen, Executor of the Estate of George A. Ralph, deceased;
C. L. Harvey;
Wanda Harvey;
Warren Brinson Weeks;
Elizabeth Parker Weeks;
Noah C. Vincent;
Fanny Vincent;
Charles J. Bound;
Wanda Bound;
Arvilla Robinson;
Hazel Madge Smith, also known as Hazel Smith, now
Hunt, Cherokee Citizen, Roll No. N. B. 4477;
Scott Hunt;
Irene Belew;
Clifford C. Nichols;
J. B. Bishop, a minor;
Irene Robinson;
T. G. Otto;
Herb Gibson;
Allie Jane Maxwell;
Millard Smith;
L. R. Moore;
Elsie M. Moore;
Alma Rahorn Hutchinson;
George Hutchinson;
The Federal Lane Bank of Wichita, a corporation;
Land Bank Commissioner;
The Federal Farm Mortgage Corporation, incorporation;

The Federal Land Bank of Wichita, a corporation, agent and attorney-in-fact for the Land Bank Commissioner, and the Federal Farm Mortgage Corporation, a corporation;

Reserve Loan Life Insurance Company of Texas, a corporation;

The First National Bank of Chicago, a corporation, and

Roy C. Osgood, Trustees;

G. L. Shelton; Ethel Shelton; F. C. Sytsma; E. C. Harlin;

Ned Batt; M. J. Cagle; Viola Mode; Martha Sinclair; Merle

Sinclair; William Bean, Cherokee Freedman Roll No. 1849;

R. R. Beam; Selmon Johnson; H. C. Jerome; J. M. Mayberry;

Annie Mayberry; Frank Styles; Mrs. L. W. Cox; George T.

Ourfield; A. H. Huling; Alice B. Morgan; W. P. Morgan;

John W. Wilson; S. P. Blakely; Claude D. Nichols; John D.

Anderson; C. M. Spring; C. B. Muropulos; W. H. Aehnelt;

Lenard Bishop; Claude Bishop; if living, or if deceased,

their known and unknown heirs, administrators, executors,

devisees, legatees, trustees, creditors or assigns, immediate

and remote, and their spouses, if any;

and the known and unknown heirs, administrators, executors,

devisees, legatees, trustees, creditors or assigns, immediate

and remote, and their spouses, if any, of E. M. Sytsma, deceased;

of Mrs. E. B. Maddock, also known as Mrs. E. B. Mattox, deceased;

V. A. Kinnison, deceased; Nancy Buzzard, Cherokee Citizen, Roll

No. 32034, deceased; Flora Hilderbrand, enrolled as Flora Batt,

Cherokee Citizen, Roll No. 17725, deceased; Minerva Courtney

Story, deceased; Jessie L. Courtner, deceased; Isaac M. Mode,

deceased; Sarah Mode, deceased; Francis Mode Dixon, deceased;

Frances M. Mode, Cherokee Citizen, Roll No. 7600, deceased;

David Stealer, Cherokee Citizen, Roll No. 21785, deceased;

Thomas Stealer, deceased; Archable Stealer, deceased; A. C.

Sinclair, deceased; James M. Bell, Cherokee Citizen, Roll

No. 16814, deceased; Delia P. Joran, deceased; George A. Ralph,

deceased; S. A. Robinson, deceased; A. B. Nichols, deceased;

Lucy Bishop, deceased; T. W. Nichols, deceased; Cyrus C.

Cornatzer, Cherokee Citizen, Roll No. 30191, deceased; C. W.

Bradley, deceased; J. C. Holland, deceased; David C. Smith, deceased.

are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above-named defendants, and any or all other persons, firms, corporations, or legal entities, claiming any interest whatever in the real estate herein described and involved, be served by publication.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given the aforesaid defendants, and each of them, by publication, notifying them of the institution of this condemnation proceeding; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court, and that said notice be published in THE GROVE SUN, a newspaper printed and of general circulation in the Northern District of Oklahoma, for four (4) consecutive weeks, notifying said defendants, and each of them of the institution of the condemnation proceedings, and further that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before April 10, 1944, the petitioner, United States of America, will, on April 10, 1944, at the hour of ten o'clock A.M. or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court of the Northern District of Oklahoma, for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma, as commissioners, who shall be selected by the Judge of this Court to inspect said real property, consider the injury and assess the damages which said defendants, as the owners thereof, or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement upon and over the lands involved herein, and that said defendants, and each of them, may be present if they so desire.

ENDORSED: Filed Feb 15 1944

ROYCE H. SAVAGE, JUDGE

H. P. Warfield, Clerk, U. S. District Court

Court adjourned to February 16, 1944

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 16, 1944

On this 16th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

VERDICT

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

United States of America, Plaintiff,
vs. Case No. 1032 - Tract No. 7
Case No. 1046 - Tracts No. 3, 4 & 5
Tyler Boat Works, Defendant.

We, the jury in the above-entitled cause, duly impaneled and sworn, upon our oaths find that damages to Tracts No. 7, No. 3, No. 4 and No. 5 were Twelve Hundred Twelve and 50/100 Dollars (\$1212.50).

C. R. FRIES, Foreman.

ENDORSED: Filed In Open Court
Feb 16 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA, Petitioner,
vs. No. 1053 - Civil
9.50 acres of land, more or less, situate in Tulsa County, Oklahoma, and the City of Tulsa, a municipal corporation, et al., Respondents.

JUDGMENT CONFIRMING STIPULATION AS TO TRACT NO. 3

Now on this 16th day of February, 1944, this cause came on to be heard, and the court having been fully advised in the premises, finds that a written stipulation has been filed in this cause by and between the petitioner, the United States of America, and the respondents The City of Tulsa, a municipal corporation, fixing the fair, cash, market value of the lands involved in this proceeding in the total amount of \$1,355.00.

The Court further finds that there has heretofore been deposited under a Declaration of Taking the sum of \$1,000.00, and that there is a deficiency of \$355.00.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the stipulation in the amount of \$1,355.00, be, and the same is hereby confirmed and approved, and the fair, cash, market value of the

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

REGULAR JANUARY 1944 TERM

OKLAHOMA

WEDNESDAY, FEBRUARY 16, 1944

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

THE UNITED STATES OF AMERICA,	Plaintiff,)	
		)	No. 1071 - Civil
vs.		)	Tract No. 28 (28 FW-568)
)	
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLA. ET AL,	defendants.)	

ORDER OF DISBURSEMENT

Now this 15th day of February, 1944, same being a judicial day of said court this matter comes on for hearing on the application of Joe Buchanan for the disbursement of certain funds and moneys on deposit in the office of the Clerk of this court, plaintiff and the applicant appear by their respective attorneys of record and there being no objections on file it was then shown to the court that notice of hearing has been given on said application for the time and in the manner required by the rules of this court.

Thereupon said application was presented to and considered by said court, and the court being fully advised of the premises finds that applicant is the owner of that certain tract of land described in the petition and proceedings herein as Tract No. 28 (28 FW-568) being located in Delaware County Oklahoma; that plaintiff has condemned and by virtue of its power of eminent domain has appropriated a flowage easement on and over said tract of land for the purposes of its project and now has title to said flowage easement and rights; that the damages caused by the appropriation of a flowage easement on and over said lands as fixed by the plaintiff, as stated in its declaration of taking herein filed, and as paid into the office of the Clerk of this court is \$1234.00; that taxes levied and assessed against said land for 1943 and all former years have been fully paid and that there are no liens or mortgages against said land, so that applicant is entitled to the above moneys now on deposit with the Clerk of this court as damages for the taking of this tract of land.

IT IS THEREFORE ORDERED that the Clerk of this court do forth with pay the sum of \$1234.00 now on deposit in his office as damages for the appropriation of a flowage easement on said tract of land, to the applicant Joe Buchanan, without prejudice to his right to trial by jury herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 16 1944
H. P. Warfield, Clerk
U. S. District Court H

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

The United States of America,	Plaintiff,)	
)	
vs.		)	No. 1073 - Civil
		)	Tract No. 1
Certain Parcels of land in Ottawa County, Oklahoma, et al, C. J. Nicholson and Cleo Nicholson,	Defendants.	)	(14 FW-842)

ORDER OF DISBURSEMENT

Now this 15th day of February, 1944, same being a judicial day of said court, this cause comes on for hearing in its regular order of setting on the application of C. J. Nicholson and Cleo Nicholson for disbursement of funds. The applicants and the Plaintiff herein appear by their attorneys, whereupon said application is presented to and considered by the court, and on a due consideration thereof the Court finds:

The applicants herein are the owners of that certain tract of lands described in the proceedings herein as Tract No. 1 (14 FW-842); that plaintiff herein has condemned, and by virtue of its power of eminent domain has taken a flowage easement on said tract of land for its project; that the damages caused by the taking of said flowage easement as determined by plaintiff, as set forth in its declaration of taking and as paid into the office of the Clerk of this court is \$2016.00; that applicants are the owners of said lands free of all liens and encumbrances and taxes for 1943 and all prior years assessed and levied against same have been paid, and applicants are entitled to said moneys. It further appears that due notice of hearing on said application has been made and no objections have been filed.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith pay to the applicants C. J. Nicholson and Cleo Nicholson the sum of \$2016.00 now on deposit in his said office for the taking of the above described tract of land.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 16 1944
H. P. Warfield, Clerk
U. S. District Court H

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

The United States of America,	Plaintiff,)
		) No. 1076 - Civil
-vs-		) Tract No. 39 (13 FW-838)
)
Certain parcels of land in Delaware County,)
Okla. J. M. Fuser, et al.,	Defendants.)

ORDER OF DISBURSEMENT

Now this 15th day of February, 1944, same being a judicial day of said court, this matter comes on for hearing on the application of J. M. Fuser and his wife Pearl Fuser for distribution of funds. The applicants appear by attorney and plaintiff also appears by attorneys and no objections being filed it was then shown to the court that notice of hearing on said application has been duly given as required by the rules of this court.

Thereupon the court did examine into said application and being fully advised in the premises finds that applicants are the owners of that certain tract of land described in the proceedings herein as Tract No. 39 (13 FW-838); that plaintiff has condemned and by virtue of its power of eminent domain has taken a flowage easement on said tract of land and is in possession thereof under said easement; that the damages occasioned by taking the flowage easement on said tract of land as fixed by plaintiff, as set forth in its declaration of taking and as paid into the office of the Clerk of this court is \$1147.50; that taxes for 1943 and prior years on said lands are paid, there are no mortgage or liens on said lands, and applicants are entitled to said moneys.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith pay the said sum of \$1147.50 now on deposit in his office as damages for the flowage easement on said tract of land, to J. M. Fuser and his wife Pearl Fuser.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 16 1944
H. P. Warfield, Clerk
U. S. District Court H

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

DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 16, 1944

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

United States of America,	Plaintiff,)
)
vs)
)
Certain parcels of land in Delaware)
County, Oklahoma Van Chandler, et al,)
	Defendants.)

No. 1115 Civil
Tract No. 1,
(6 FW 189-A)

ORDER OF DISBURSEMENT

Now this 15th day of February, 1944, same being a judicial day of said court, this matter comes on for hearing on the application of Van Chandler asking the disbursement of certain funds now on deposit with the Clerk of this court. Plaintiff and applicant appear by their attorneys of record and there being no objections filed it was then shown to the court that notice of hearing on said application has been given for the time and in the manner required by the rules of this court.

Thereupon said application was examined into by the court, and the court being well advised of the premises finds that applicant was formerly the owner of that certain tract of land describe in the petition and proceedings herein as Tract No. 1 (6 FW 189-A); that plaintiff herein has condemned and by virtue of its power of eminent domain has taken a fee simple title to said lands and is now the owner thereof; that the damages caused by said appropriation as fixed by plaintiff, as set forth in its declaration of taking and as paid into the office of the Clerk of this Court is \$4980.00; that the taxes for 1943 and all former years duly assessed and levied against said property has been fully paid; that the Bank of Grove, Oklahoma has a mortgage on said lands in the sum of \$3400.00 which is a first and best lien on said lands but that there are no other mortgages or liens against said land, and the applicant is entitled to all moneys so deposited as aforesaid, except said sum of \$3400.00 due the Bank of Grove, Oklahoma on its mortgage debt.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith pay from the funds and moneys on deposit in his office to the credit of this tract, the sum of \$3400.00 to the Bank of Grove, Grove, Oklahoma, and the rest and residue of said moneys so on deposit, being the sum of \$1580.00 be paid to the applicant Van Chandler, without prejudice to the right to trial by jury herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 16 1944
H. P. Warfield, Clerk
U. S. District Court H

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

The United States of America,	Plaintiff,)
)
vs)
)
Certain parcels of land in Delaware County,)
Okla. et al,	Defendants.)

No. 1124 - Civil
Tract No. 4
(28 FW 568-A)

ORDER OF DISBURSEMENT

Now this 15th day of February, 1944, same being a judicial day of said court, this matter comes on for hearing on the application of Joe Buchanan for disbursement of certain funds on deposit in the office of the Clerk of said Court. Plaintiff and applicant appear by their attorneys of record and there being no objections filed it was then shown to the court that notice of hearing on said application

has been given for the time and in the manner required by the rules of this court.

Thereupon said application was presented to and considered by the court and upon a full consideration thereof the court finds that applicant was formerly the owner of that certain tract of land described in the petition and proceedings herein as Tract No. 4 (28 FW 568-A) and that plaintiff herein has condemned and by virtue of its power of eminent domain has taken a fee simple title to said tract and now has the title theretunto; that the damages as fixed by plaintiff as stated in its declaration of taking, and as paid into the office of the Clerk of this Court, for the appropriation of said land is \$1520.00; that taxes for 1943 and all former years levied and assessed against said land has been fully paid; that there are no liens or mortgages against said land and that applicant is entitled to the above described moneys deposited in the office of the Clerk of this court as damages for the appropriation of said land.

IT IS THEREFORE ORDERED that the Clerk of this court do forthwith pay the said moneys now on deposit in his office as damages for the appropriation of the above described tract of land, in the sum of \$1520.00 to the applicant herein, Joe Buchanan, without prejudice to his right to trial by jury herein.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 16 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA, Petitioner,)
vs.) No. 1152 Civil
1.53 acres of land, more or less, situate)
in Tulsa County, State of Oklahoma, and A. E.)
Duran, et al., Respondents.)

JUDGMENT ON THE DECLARATION OF TAKING

This day comes the petitioner, the United States of America, by Curtis P. Harris, Special Attorney for the Department of Justice, and moves the Court to enter a judgment vesting in the United States of America a perpetual easement for the construction, maintenance, patrol and repair of a road and highway in and to the property hereinafter described, and described in the Petition for Condemnation and the Declaration of Taking filed herein.

Thereupon, the Court proceeded to hear and pass upon said motion, the Petition for Condemnation and Declaration of Taking, and finds that:

- (1) Each and all of the allegations in said Petition and Declaration of Taking are true, and the United States of America is entitled to acquire property by eminent domain for the purposes set forth in said petition.
- (2) In said Petition and Declaration of Taking a statement of the authority under which and the public use for which said lands were taken is set forth.
- (3) The Petition and Declaration of Taking were filed at the request of the Secretary of War of the United States, the person duly authorized by law to acquire the lands described in said documents for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceedings.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 16, 1944

(4) A proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking and Petition for Condemnation; and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) A statement is contained in said Declaration of Taking for the sum of money estimated by the acquiring authority to be just compensation for the lands taken, in the amount of Seven Hundred Fifty and no/100 Dollars (\$750.00) and said sum was deposited in the Registry of this Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking;

(6) A statement is contained in said Declaration of Taking that the estimated amount of compensation for the taking of said property in the opinion of the Secretary of War of the United States, will probably be within any limits prescribed by Congress on the price to be paid therefor.

(7) And the Court having fully considered the Petition for Condemnation, the Declaration of Taking, the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. Sec. 258a) and Acts supplementary thereto and amendatory thereof, and the Act of Congress approved August 18, 1890 (26 Stat. 316) as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241), April 11, 1918 (40 Stat. 518; 50 U.S.C., Sec. 171) and March 27, 1942 (Public Law 507 - 77th Congress) and July 2, 1942 (Public Law 649 - 87th Congress), is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS, THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that a perpetual easement for the construction, maintenance, patrol and repair of a road and highway in and to the following described lands was vested in the United States of America upon the filing of said Declaration of Taking and the depositing in the Registry of this Court of the said sum of Seven Hundred Fifty and no/100 Dollars (\$750.00), and said lands are deemed to have been condemned and taken for the use of the United States, and the right to just compensation for the same thereby vested in the persons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands aggregate 1.53 acres, more or less, and are described as follows, to-wit:

TRACT NO. 2-B

All that certain tract or parcel of land in Tulsa County, State of Oklahoma, and described as follows:

A tract of land being One Hundred (100) feet in width and Six Hundred Sixty (660) feet in length off the North side of the Northeast Quarter (NE $\frac{1}{4}$) of Northeast Quarter (NE $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Section Thirteen (13), Township Twenty (20) North, Range Thirteen (13) of the Indian Meridian, containing 1.53 acres, more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be and it is hereby granted leave to take full and complete possession of said lands on the 16th day of February, 1944.

This cause is held open for such other and further orders, judgments and decrees as may be necessary.

Entered this 16th day of February, 1944.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 16 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to February 17, 1944

On this 17th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 1072
CERTAIN PARCELS OF LAND IN DELAWARE)	
COUNTY, OKLAHOMA, containing approximately)	
90.70 acres, more or less; and Cecile F.)	
Traband, et al.,	Defendants.)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING DISTRIBUTION AS TO TRACT NO. 50 (23 FW 566)

NOW, on this 17 day of February, 1944, there coming on for hearing the application of the defendants, Jessie Fedran, Hazel Sparks, Alta Thompson, Wynona Rembert, also known as Rambert, and A. W. McDonald, Jr., for an order fixing title, decreeing just compensation and making distribution as to Tract No. 50 (23 FW 566), and the Court being fully advised in the premises, finds:

That the above-named defendants were the owners of the land designated as Tract No. 50 (23 FW 566) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$245.00 for the taking of a perpetual flowage easement upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual flowage easement, and decreed that the owners and those having any right, title or interest in and to said land and recover just compensation for the taking of said perpetual easement.

The Court further finds that the above-named defendants, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$245.00, which was accepted by the petitioner.

The Court further finds that the sum of \$245.00 is just compensation for the injuries and damages sustained by the above-named defendants.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State other than said defendants have any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendants, Jessie Fedran, Hazel Sparks, Alta Thompson, Wynona Rembert, also known as Rambert, and A. W. McDonald, Jr., were the owners of the land designated as Tract No. 50 (23 FW 566) when this proceeding was commenced, and that the sum of \$245.00 is just compensation for the damages sustained by said defendants; that said defendants are the only person having any right, title or interest in and to said compensation.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs)
		) No. 1092 - Civil
1,435.0748 acres of land, more or less,)
situate in Mayes County, Oklahoma and)
Porter W. Arterberry, et al.,	Respondents.)

ORDER ALLOWING PETITIONER TO AMEND PETITION BY MAKING
ADDITIONAL PARTIES RESPONDENT

Now on this 17 day of February, 1944, the above matter coming on for hearing on the application of the petitioner for permission of the Court to amend its Petition for Condemnation filed herein by adding the names of additional parties defendant, as follows, to-wit:

- Known and unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote, of M. E. Adkins, deceased
- Known and unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote of Jacob Anspaugh, deceased
- Known and unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote of K. H. Arterberry, deceased
- Mrs. K. H. Arterberry
- Melburn Allen
- Hazel E. Bonecutter
- Geo. C. Bonecutter
- Carmen R. Butler
- W. D. Breuninger
- C. G. Bathe
- Barnsdall Refining Company, if existing, and if defunct, its unknown creditors, successors and assigns, if any
- Known and unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote of Ruth Bradley, deceased
- R. W. Black
- P. B. Brown
- Parlee Beckham (Mrs. J. A. Beckham)
- Hoyt R. Boylan
- Known and unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote of J. L. Baugh, deceased
- Cherokee Nation
- Emmet Chitwood
- Emmitt Chitwood
- Capitola Chitwood (Mrs. Emmitt Chitwood)
- B. L. Crossland
- William Carlson
- Choteau Oil & Gas Co., if existing, and if defunct, its unknown creditors, successors and assigns, if any
- Alma R. Crockett (Mrs. Will A. Crockett)
- Known and unknown heirs, executors, administrators, devisees, legatees, trustees and assigns, immediate and remote of Tilda Crockett, deceased
- Ella Collins (Mrs. W. A. Collins)
- Tillman Combs
- Edna Combs (Mrs. Tillman Combs)
- George Coomes
- The F. B. Collins Investment Company, if existing, and if defunct, its unknown creditors, successors and assigns, if any
- John R. Cartmill

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

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Elizabeth C. Cartmill (Mrs. John R. Cartmill)
 Known and unknown heirs, executors, administrators,
 devisees, legatees, trustees and assigns, immediate
 and remote, of DeWitt C. Cochran, 3/4 Blood
 Cherokee Indian, Roll No. 18,347, deceased

William A. Crockett
 Eugenia Crockett
 David M. Crockett
 Maxine W. Crockett
 John P. Crockett
 Lillie L. Crockett
 L. A. Densmore
 Ada Densmore (Mrs. L. A. Densmore)
 R. B. Detweiler, also known as R. B. Detweiler,
 Deemy Detweiler (Mrs. R. E. Detweiler)
 Sarah D. Crew
 Lydia Ann C. Detweiler, also known as Lydia
 Ann Detweiler (Mrs. Levi R. Detweiler)
 Daniels Rike Oil Co., if existing, and if defunct, its
 unknown creditors, successors and assigns, if any
 Known and unknown heirs, executors, administrators, devisees,
 legatees, trustees and assigns, immediate and remote, of W.N.
 Davenport, deceased

Eva Davenport
 H. G. Farnsworth
 The First National Bank of Pryor Creek, Oklahoma, if existing,
 and if defunct, its unknown creditors, successors and assigns, if any
 First National Bank of Wagoner, Oklahoma
 Flora E. Futrell
 The Federal Land Bank of Wichita
 Ross Givens
 Arley A. Garvin
 G. B. Helton
 Mary V. Huggins, also known as Mary Huggins
 (Mrs. A. S. Huggins)
 Known and unknown heirs, executors, administrators, devisees, legatees,
 trustees and assigns, immediate and remote, of J. Z. Hogan, deceased

Mrs. J. Z. Hogan
 Carrie Hamilton
 Joyce D. Hamilton (Mrs. J. J. Harrison)
 Ruth M. Hansen, also known as Ruth Hansen (Mrs. DeWitt Hansen)
 Known and unknown heirs, executors, administrators, devisees,
 legatees, trustees and assigns, immediate and remote of J. R. Hoskins, deceased

Mrs. J. R. Hoskins
 Known and unknown heirs, executors, administrators, devisees, legatees,
 trustees and assigns, immediate and remote, of Dullaney Haynes, deceased

A. W. Haskew
 Frankie Haskew
 Cora Helton
 John Harleson
 Warren Harleson, a minor
 Known and unknown heirs, executors, administrators, devisees, legatees and
 assigns, immediate and remote of Gladys Harleson (Mrs. John Harleson)
 deceased

O. L. Husband
Stella Jackson
Fannie Johnson
Ollie Jones, also known as Ollie Malynn
McCracken Jones and Ollie McCracken Jones (Mrs. John M. Jones)
John M. Jones, also known as J. M. Jones
Known and unknown heirs, executors, administrators, devisees, legatees,
trustees and assigns, immediate and remote, of Richard Ketcher, deceased
Ida Ketcher
Dollie Ketcher
Flossie Ketcher
Ted Ketcher
Ollie King, formerly Ollie Ketcher
Kern Oil & Gas Company, if existing, and if defunct, its unknown creditors,
successors and assigns, if any
Known and unknown heirs, executors, administrators, devisees, legatees, trustees
and assigns, immediate and remote of Wm. A. Kreider, deceased
O. W. Killam
Known and unknown heirs, executors, administrators, devisees, legatees, trustees
and assigns, immediate and remote, of W. R. Layne, deceased
Land Bank Commissioner
Known and unknown heirs, executors, administrators, devisees, legatees, trustees
and assigns, immediate and remote, of W. R. Lane, deceased
Known and unknown heirs, executors, administrators, devisees, legatees, trustees
and assigns, immediate and remote of Fannie I. Lee, deceased.
C. R. Lee
A. M. Landman, Supt. of the Five Civilized Tribes
Known and unknown heirs, executors, administrators, devisees, legatees, trustees
and assigns, immediate and remote, of Walter Miller, deceased,
Mrs. Walter Miller
Myrtle McIntosh
Myrtle McIntosh, Administratrix of the Estate of DeWitt C. Cochran, 3/4 Blood
Cherokee Indian, Roll No. 18,347, deceased
Gertrude Muldrew (Mrs. W. T. Muldrew)
M. M. Moulton
Clifford F. Morain
Mable Morain (Mrs. Clifford F. Morain)
C. H. Morain
Louella Morain (Mrs. C. H. Morain)
Oliver Newton
Miram Newton (Mrs. Oliver Newton)
Phoenix Mutual Life Insurance Co., of Hartford, Connecticut,
The Prospect Company, if existing, and if defunct, its unknown creditors,
successors and assigns, if any
Peninsular Fire Insurance Company of America, if existing, and if defunct,
its unknown creditors, successors and assigns, if any
James K. Peacock
Pioneer Sand and Gravel Company, if existing, and if defunct, its unknown
creditors, successors, and assigns, if any
Antonia Pistotnik, also known as Antonio Pistotnik (Mrs. Frank Pistotnik)
Antonija Pistotnik
Maxine Patterson
H. J. Patterson
John H. Reid
Ayres K. Ross
Jennie Robinson
John A. Raper, Jr.
Lucile Reddin (Mrs. J. C. Reddin)

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

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Oleta Mary Stingley (Mrs. Earl Stingley)
 Della Shankling
 Known and unknown heirs, executors, administrators, devisees, legatees,
 trustees and assigns, immediate and remote of A. G. Sloan, deceased
 T. L. Snodgrass
 S. J. Sarkeys, also known as Sarkeys J. Sarkeys
 Robert Stuart
 R. D. Sloan
 Canaro C. Smith, also known as C. C. Smith
 Lanora E. Smith, also known as Lanaro Smith, a minor
 Marion B. Smith, also known as Marion Smith, a minor
 Marvin L. Smith, also known as Marvin Smith, a minor
 Naomi Ella Smith, also known as Naomi Smith, a minor
 Canaro C. Smith, Jr., also known as C. C. Smith, Jr.,
 a minor
 Known and unknown heirs, executors, administrators, devisees, legatees,
 trustees and assigns, immediate and remote of N. E. Smith, deceased
 Known and unknown heirs, executors, administrators, devisees, legatees,
 trustees and assigns, immediate and remote of Horace I. Smith, deceased
 J. S. Severson
 The Travelers Insurance Company
 J. J. Thompson
 H. L. Tucker
 Louella Tucker (Mrs. H. L. Tucker)
 Known and unknown heirs, executors, administrators, devisees, legatees, trustees
 and assigns, immediate and remote, of Johnson Vann, deceased
 Esther L. Van Arsdale (Mrs. O. M. Can Arsdale)
 Zolla Vandergrift (Mrs. Al Vandergrift)
 Vivien Wood
 Lillian May Wells
 Rachel C. Wilson (Mrs. J. L. Wilson)
 W. D. Wilson
 Mrs. W. D. Wilson
 Margaret V. Warren, also known as Janie Warren,
 and as Jennie Warren (Mrs. George E. Warren)
 Fannie Warren
 J. W. Warren
 E. A. Warren
 Florence Warren (Mrs. E. A. Warren)
 Henry Warren
 Nell Warren (Mrs. Henry Warren)
 Basil Warren
 Billie Warren (Mrs. Basil Warren)
 Wayne Warren
 Known and unknown heirs, executors, administrators, devisees, legatees,
 trustees and assigns, immediate and remote of W. G. Warren, deceased
 Known and unknown heirs, executors, administrators, devisees, legatees,
 trustees and assigns, immediate and remote, of A. Wilson, deceased
 Earl F. Walter
 D. H. Whorton
 W. H. Weaver
 Ruth Wisdom
 A. V. Wisdom

and it appearing to the Court that the above named parties may claim some right, title or interest in and to the real estate sought to be taken by eminent domain in the above entitled action, and that it is necessary and proper that said parties should be made parties respondent in this cause;

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

DISTRICT OF OKLAHOMA

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That the above-named defendants were the owners of the lands designated as Tract No. 25 (23 FW 566-A) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$4972.00 for the taking of the fee simple title in and to said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title in and to said premises, together with all improvements located thereon and appurtenances thereunto belonging, and decreed that the owners and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking thereof.

The Court further finds that the defendants hereinabove named agreed to grant and sell to the petitioner the fee simple title in and to said tract of land, together with all improvements located thereon and appurtenances thereunto belonging for the sum of \$4947.00, which was accepted by the petitioner.

The Court further finds that the sum of \$4947.00 is just compensation for the injuries and damages sustained by the above-named defendants, and that no person, firm, corporation, or taxing subdivision of the State, other than said defendants, have any right, title or interest in and to said just compensation, except as follows, to wit:

David E. Shartel - holder of mortgage - balance due thereon	\$1696.00
The Shartel Mortgage Company - holder of mortgage - balance due thereon	96.00
John Curtis, County Treasurer of Delaware County, Oklahoma, unpaid taxes due	52.20

and that said amounts are to be paid from the just compensation on deposit in the registry of this court.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the defendants, Jessie Fedran, Hazel Sparks, Alta Thompson, Wynona Rambert, also known as Rambert, and A. W. McDonald, Jr., were the owners of the lands designated as Tract No. 25 (23 FW 566-A), when this proceeding was commenced, and that the sum of \$4947.00 is just compensation for the taking of the fee simple title in and to said tract of land, together with all improvements located thereon and all appurtenances thereunto belonging, and that said above-named defendants are the only persons having any right, title or interest in and to said just compensation, except as hereinabove set forth.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds herein deposited, as follows, to-wit:

TO: David E. Shartel, mortgagee, Tract No. 25 (23 FW 566-A)	\$1696.00
The Shartel Mortgage Company, mortgagee, Tract No. 25 (23 FW 566-A)	96.00
John Curtis, County Treasurer of Delaware County, Oklahoma - unpaid taxes on Tract No. 25 (23 FW 566-A)	52.20
Jessie Fedran, owner of an undivided 1/6th interest in Tract No. 25 (23 FW 566-A)	517.14
Hazel Sparks, owner of an undivided 1/6th interest in Tract No. 25 (23 FW 566-A)	517.14

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Alta Thompson, owner of an undivided 1/6th interest in Tract No. 25 (23 FW 566-A) \$517.13

A. W. McDonald, Jr., owner of an undivided 1/6th interest in Tract No. 25 (23 FW 566-A) 517.13

Wynona Rambert, also known as Rambert, owner of an undivided 1/3rd interest in Tract No. 25 (23 FW 566-A) 1034.26

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 17 1944
H. F. Warfield, Clerk
U. S. District Court ME

Court adjourned to February 18, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, FEBRUARY 18, 1944

On this 18th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

" UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAUD FIELDS, Plaintiff,)
)
v.)
)
SQUIRREL FIELDS; CHARLEY FIELDS, JR.;)
BILLY JOE FIELDS; M. B. BAIRD;)
EWING HALSELL; and the Heirs, Executors,) No. 1094 Civil
Administrators, Devisees, Trustees and)
Assigns, immediate and remote, of CHARLEY)
FIELDS, deceased, Defendants.)
UNITED STATES OF AMERICA, Intervener.)

ORDER AND JUDGMENT CONFIRMING SALE

This cause comes on to be heard on this the 18 day of February, 1944, on the motion of the plaintiff to approve and confirm the sale of real property hereinafter described, made by the United States Marshal for the Northern District of the State of Oklahoma in pursuance of order and judgment hereinbefore made by this court in this action.

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

REGULAR JANUARY 1944 TERM

FRIDAY, FEBRUARY 18, 1944

It is shown to the satisfaction of the court that before making sale of said property the said United States Marshall gave notice of the sale of said property for the time and in the manner provided by law by publication of notice hereof in the Nowata Weekly Star-Times for 30 days next before the day of sale and in which said notice the time, place, and terms of sale were stated and the lands and tenements to be sold were described with common certainty. That said newspaper had been printed and published in Nowata County, Oklahoma, for more than 104 weeks successively next before the date of the first publication of said notice, and of bona fida circulation therein and for said period of time, and it was duly authorized under the laws of Oklahoma to publish legal notices, and the court approves said notice. That at the time and place designated in said notice of sale, to wit: at the front door of the Court House of Nowata County, in the City of Nowata, County of Nowata, State of Oklahoma, at 1:30 o'clock P.M., the said United States Marshall offered for sale, and sold said lands and tenements hereinafter described at public auction to Ewing Halsell for the sum of \$1320.00 cash, and that said purchaser was the highest and best bidder. That said sale was legally made and fairly conducted and said real property was sold for its appraised value, and the purchase price has been paid to said United States Marshall. That the Clerk of this court should enter on the journals of this court that the court is satisfied of the legality of said sale.

It is therefore ordered, adjudged and decreed that the sale of said real property situate in the County of Nowata, State of Oklahoma, to wit:

The South Half of the Southwest Quarter (S/2 SW/4) of Section 2, and the North Half of the Northeast Quarter of the Southeast Quarter (N/2 NE/4 SE/4) and the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE/4 NE/4 SE/4) of Section 3, all in Township 27 North, Range 17 East,

made by the said United States Marshall for The Northern District of Oklahoma to the said Ewing Halsell on the 7th day of February, 1944, for the sum of \$1320.00 be and the same is hereby approved and confirmed by the court, and the Clerk of this court is ordered and directed to make an entry on the journals of this court that the court is satisfied of the legality of said sale.

It is further ordered, adjudged and decreed that the United States Marshall for the Northern District of The State of Oklahoma execute and deliver to the said purchaser a proper deed conveying said property to the said purchaser.

It is further ordered and adjudged that the attorney for the plaintiff, Carey Caldwell is allowed \$125.00 as attorney fees and the same is taxed as costs. That the proceeds of said sale be disbursed as follows:

First.

All court costs, including attorney fees, and costs of sale be paid.

Second.

Ewing Halsell be paid \$15.00, the amount he had paid for a grazing lease on a portion of the land for the year of 1944.

THIRD.

The residue be paid as follows: Maud Fields one-third part, Squirrel Fields two-ninth part, Charley Fields, Jr., two-ninth part, and Billy Joe Fields two-ninth part, and that said amounts due the said Maud Fields, Squirrel Fields, Charley Fields, Jr., and Billy Joe Fields be paid to the Superintendent of the Five Civilized Tribes for their use and benefit.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, FEBRUARY 18, 1944

Done in open court this the 18 day of February, 1944.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 18 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to February 19, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, FEBRUARY 19, 1944

On this 19th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 983
)	
CERTAIN PARCELS OF LAND IN MAYES COUNTY, OKLAHOMA;)	
and M. D. Stryker, et al.,	Defendants.)	

ORDER FIXING TITLE AND MAKING DISTRIBUTION
TRACT NO. 4 (2 FW 10)

NOW, on this 19th day of February, 1944, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated;

And the Court being fully advised in the premises finds that the hereinafter named persons, firms, corporations and political subdivisions of the State are the owners of and/or have some right, title or interest in and to the lands involved herein, and that no person, firm, corporation or political subdivision of the State have any right, title or interest in and to said lands other than those hereafter named, and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth are the only persons, firms and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

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

DISTRICT OF OKLAHOMA

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, FEBRUARY 19, 1944

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the following named persons, firms and corporations are the owners of and/or have some right, title or interest in and to the lands involved herein as hereinafter designated, and that they are the only persons having any right, title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto as the owners or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds to said persons, firms and corporations as hereinafter set forth, as follows, to-wit:

TRACT NO. 4 (2 FW 10)

Katy Adams,		
Scott Adams	fee owners	\$5.60
J. E. Vermillion	lessee	\$100.00

It is further ordered that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 19 1944
H. P. Warfield, Clerk
U. S. District Court H

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

CULL SWIMMER,	Plaintiff,)	
)	
vs.)	
		)	No. 994 Civil
WATT HOGSHOOTER, ET AL.,	Defendants.)	
)	
THE UNITED STATES OF AMERICA,)	
	Intervener.)	

ORDER APPROVING SALE BY UNITED STATES MARSHAL

Now, on this the 10th day of February, 1944, coming on for hearing the motion of plaintiff for an Order approving the sale of real estate, made in the above entitled action on the 29th day of January, 1944, return and report of said sale being filed in this court on the 3rd day of February, 1944; the plaintiff appearing by his Attorney, Ernest R. Brown, the United States of America appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, said United States District Attorney also appearing in behalf of the restricted Indians, parties to this action as well as for the United States, and the Court having heard said motion, and being fully advised, finds that pursuant to the decree and orders of this Court, heretofore made, the Honorable John P. Logan, United States Marshal for the Northern District of Oklahoma, did on the 29th day of January, 1944, sell the real estate involved in the above action after advertising the same in all particulars required by law, for the sum of \$1605.00, the same being the highest and best price that could be obtained, and that said sum is within the appraisement as fixed by the Commissioners appointed by this court, which was the sum of \$2400.00; that said sale was made in all particulars in accordance with the orders of this court, and the Statutes both State and Federal in like cases made and provided; and that said report of sale should in all things be confirmed and approved and made firm and effectual forever and that distribution of said funds should be made by the United States Marshal.

IT IS, THEREFORE, ORDERED AND ADJUDGED by the Court that the said United States Marshal's sale of the land described in this action as follows, to-wit:

The South Half of the Southwest Quarter of Section Thirteen (13), Township Twenty-six (26) North, Range Thirteen (13) East of the Indian Base and Meridian, Washington County, Oklahoma,

being the real estate involved herein, be, and the same is in all things approved and confirmed, and made firm and effectual forever, and that the purchaser at said sale, namely: Helen Tyler Beesley is hereby subrogated to the rights of all parties to this action for the protection of her title, subject to a departmental oil and gas lease thereon, in favor of the Western American Oil Company.

IT IS FURTHER ordered, adjudged, and decreed by the court that said United States Marshal make, execute, and deliver to said purchaser, a proper deed conveying the said land to her in accordance with this order, and the orders of this court heretofore made in this action.

IT IS FURTHER ordered, adjudged, and decreed by the court that said United States Marshal deduct out of the funds in his hands the sum of \$7.00 being the cost of publishing the notice of sale herein, and that he pay to the Clerk of this Court the sum of \$169.70, costs incurred herein; that he pay to the Court Clerk of Washington County, Oklahoma, the sum of \$7.10 being the cost incurred prior to the removal to this court; that he pay to Ernest R. Brown, the sum of \$150.00, a reasonable attorney's fee in this action; that distribution of the balance remaining in his hands to be made to the Treasurer of the United States and sent to F. W. Sunderwirth, Disbursing Agent for the Five Civilized Tribes, at Muskogee, Oklahoma, for the use and benefit of the plaintiff and the defendants herein named, distribution to be made by said Disbursing Agent among the parties to this action as follows, to-wit:

- To the plaintiff, Cull Swimmer, 1/2;
- To the defendant, Watt Hogshooter, 1/6;
- To the defendant, Annie Turner, now Downing, 1/6;
- To the defendant, Joe Hogshooter, 1/6;

and that said United States Marshal file a report of said disbursements with the Clerk of this court.

ROYCE H. SAVAGE
United States District Judge.

ENDORSED: Filed Feb 19 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 1010
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)	
OKLAHOMA, containing approximately 46.2 acres,)	
more or less; and Lewis Foster, et al,)	
	Defendants.)	

ORDER APPOINTING AN ATTORNEY TO REPRESENT AND PROTECT THE INTEREST
OF CERTAIN DEFENDANTS AND DIRECTING ENTRY OF JUDGMENT CONFIRMING
REPORT OF COMMISSIONERS IN THE ABOVE STYLED CASE

NOW, on this 19th day of February, 1944, it appearing to the Court that the petitioner United States of America, in the above styled cause has filed the affidavit of R. L. Davidson, Special

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

Saturday, FEBRUARY 19, 1944

Assistant United States Attorney for the Northern District of Oklahoma, and Attorney for the petitioner, that none of the defendants in this cause are in the military service of the United States, except that the petitioner is unable to determine whether or not any of the following defendants are in the military service of the United States, to wit:

V. J. Wilson;
Edith Wilson;
Charles Wilson;
J. A. Ehart;
H. O. Meyer;
O. O. Saxton;
O. E. Saxton;
M. C. Robison;
Frank L. Tolbott;
D. N. Chancellor;
Will G. McCance;
Henry B. Ahler;
Joe McCusker;
Jennie Weaver, Cherokee Roll No. 12735;
Edna Campbell, Cherokee Freedman, Roll No. 1894;
Minea Griggs;
H. B. Harris, if living, or deceased, their known and unknown heirs, executors, administrators, trustees, devisees, legatees, creditors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, trustees, devisees, legatees, creditors and assigns, immediate and remote, and their spouses, if any, of Wm. P. Thompson, deceased; Henry R. Bullock, also known as Henry Edwin Bullock, deceased; James E. Bullock, deceased; Lucy Buzzard, Cherokee Citizen, Roll No. 19368, deceased; Nancy Buzzard, deceased; Annie E. King, Cherokee Roll No. 9227, deceased; Nancie King, Cherokee Citizen, Roll No. 9231, deceased; Oliver D. King, Cherokee Citizen, Roll No. 9229, deceased; T. P. Tobin, deceased; Thomas A. Hopkins, Cherokee Roll No. 30142; deceased; and J. D. Thomason, deceased;

and that the following defendants are in the military service of the United States, to-wit:

J. Charles Mills;
E. R. Durham;

and it further appearing to the Court that an attorney should be appointed to represent and protect the interests of each of said defendants,

It further appearing that the petitioner has complied with all of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended and that a judgment confirming the report of commissioners should be entered in this cause.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Saul A. Yager, a regular practicing attorney of Tulsa, Oklahoma, be, and he is hereby appointed to represent and protect the interests of each of the following defendants, to wit:

J. Charles Mills;
E. R. Durham;
V. J. Wilson;
Edith Wilson;
Charles Wilson;

J. A. Ehart;
H. O. Meyer;
O. O. Saxton;
O. E. Saxton;
M. C. Robison;
Frank L. Tolbott;
D. N. Chancellor;
Will G. McCance;
Henry B. Ahler;
Joe McCusker;
Jennie Weaver, Cherokee Roll No. 12735;
Edna Campbell, Cherokee Freedman, Roll No. 1894;
Mincey Griggs;
H. B. Harris, if living, or deceased, their known and unknown heirs, executors, administrators, trustees, devisees, legatees, creditors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, trustees, devisees, legatees, creditors and assigns, immediate and remote, and their spouses, if any, of Wm. P. Thompson, deceased; Henry R. Bullock, also known as Henry Edwin Bullock, deceased; James E. Bullock, deceased; Lucy Buzzard, Cherokee Citizen, Roll No. 19368, deceased; Nancy Buzzard, deceased; Annie E. King, Cherokee Roll No. 9227, deceased; Nancie King, Cherokee Citizen, Roll No. 9231, deceased; Oliver D. King, Cherokee Citizen, Roll No. 9229, deceased; T. P. Tobin, deceased; Thomas A. Hopkins, Cherokee Roll No. 30142, deceased; and J. D. Thomason, deceased;

and it is FURTHER ORDERED AND DIRECTED that a judgment be entered in this cause, confirming the report of commissioners.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Feb 19 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 46.2 acres, more or less; and Lewis Foster, et al.,	Defendants.)

CIVIL NO. 1010

J U D G M E N T

NOW, on this 19th day of January, 1944, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

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

REGULAR JANUARY 1944 TERM SATURDAY, FEBRUARY 19, 1944

Thereupon, the Court proceeded to hear and pass upon said application, and petition for condemnation, report of commissioners, and all other matters herein, and finds that:

(1) Each and all of the allegations of said petition for condemnation are true and the United States of America is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

(2) The said petition for condemnation was filed at the request of the Administrators of the Federal Works Agency, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.

(3) In said petition for condemnation, a statement of the authority under which, and the public use for which the estate in said lands were taken, was set forth.

(4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this Court.

The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court finds that the commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 5th day of October, 1943, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained, occasioned by the taking of said estate, filed their report herein on the 7th day of October, 1943, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to wit:

TRACT NO. 1 (3 - FW-67)
Flowage Easement

All that part of Lots 1 to 18 inclusive and all that part of Lots 29 to 52 inclusive in the Townsite of Foster Addition to Tia Juana in Delaware County, Oklahoma, as shown on the dedication plat thereof, dated July 12, 1941, situated in the SE 10.0 acres of Lot 7 and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian, lying below Elev. 757 Sea Level Datum containing approximately 0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT)
AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$91.90

TRACT NO. 2 (3 - FW-68)
Flowage Easement

All that part of Lots 19 to 28 inclusive in the Townsite of Foster Addition to Tia Juana in Delaware County, Oklahoma, as shown on the dedication plat thereof dated July 12, 1941, situated in the SE 10.0 acres of Lot 7 and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.80

TRACT NO. 3 (3 - FW-69)
Flowage Easement

All that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 7, and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ in Sec. 7, and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 6.0 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$60.00

TRACT NO. 4 (3 - FW-70)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 18, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$.90

TRACT NO. 5 (3 - FW-71 Rev.)
Flowage Easement

All that part of Lots 2, 3 and 4 of Block B in the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 2.00

TRACT NO. 6 (3 - FW-71 A)
Flowage Easement

All that part of the south 50 feet of Lot 1 in Block B in the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 1.20

TRACT NO. 7 (3 - FW-71 B)
Flowage Easement

All that part of the north 38 feet of Lot 1 in Block B in the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 1.20

TRACT NO. 8 (3 - FW-72)
Flowage Easement

All that part of Lot 5, Block A in the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$125.00

TRACT NO. 9 (3 - FW-73)
Flowage Easement

All that part of Lot 4, Block A in the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 1.00

TRACT NO. 10 (3 - FW-74)
Flowage Easement

All that part of Lot 3, Block A in the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 1.00

TRACT NO. 11 (3 - FW-75)
Flowage Easement

All that part of Lot 2, Block A in the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY \$ 1.00

TRACT NO. 12 (3 - FW-76)
Flowage Easement

All that part of Lot 1, Block A in the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.00

TRACT NO. 13 (3 - FW-77)
Flowage Easement

All that part of Lot 8, Block A in the Townsite of Hinds Lookout Point, Oklahoma, in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.00

TRACT NO. 14 (3 - FW-78)
Flowage Easement

All that part of Lots 1, 2, 3, 4 Block D of the Townsite of Hinds Lookout Point, Oklahoma, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$4.50

TRACT NO. 15 (3 - FW-79)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$.90

TRACT NO. 16 (3 - FW-80)
Flowage Easement

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 17, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.9 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$15.20

TRACT NO. 17 (3 - FW-81)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 6.0 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$33.00

TRACT NO. 18 (3 - FW-82)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and all that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17, T 23 N, R 22 E, of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$20.00

TRACT NO. 19 (3 - FW-83)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ all in Sec. 17, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 7.9 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$202.00

TRACT NO. 20 (3 - FW-84)
Flowage Easement

All that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum containing approximately 1.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$12.00

TRACT NO. 21 (3 - FW-85)

Flowage Easement

All that part of the $S\frac{1}{2}$ NW $\frac{1}{4}$ and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T 23 N, R 22 E, of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$36.00

TRACT NO. 22 (3 - FW-86)

Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$3.85

TRACT NO. 23 (3 - FW-87)

Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the $S\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.7 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$ 9.35

TRACT NO. 24 (3 - FW-88)

Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, except that portion owned by the Grand River Dam Authority, containing approximately 1.4 acres, and all that part of the NE $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, and all that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 2.7 acres.

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.5 acres.

All in T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, the total acreage being approximately 5.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$56.00

TRACT NO. 25 (3 - FW-89)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.75

TRACT NO. 26 (3 - FW-90)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$7.15

TRACT NO. 27 (3 - FW-91)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{2}$ NE $\frac{1}{4}$ on Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.8 acre.

TRACT NO. 28 (3 - FW-92)
Flowage Easement

All that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 1.20

TRACT NO. 29 (3 - FW-93)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ in Sec. 9, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 6.60

TRACT NO. 30 (3 - FW-94)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ in Sec. 9, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.1 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$6.05

TRACT NO. 31 (3 - FW-95)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$.80

TRACT NO. 32 (3 - FW-96)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 8, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 5.50

TRACT NO. 33 (3 - FW-97)
Flowage Easement

All that part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 9, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.30

TOTAL, \$637.45

and that said report and proceedings, as to the above tracts, are in all respects regular and in accordance with the law and orders of this Court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending as to the above described tracts, and that said report of commissioners filed herein should be confirmed and approved in every respect, as to the tracts above particularly described.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, FEBRUARY 19, 1944

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners is final just compensation, in the total amount of \$637.45.

(8) That the United States of America did, on the 1st day of June, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (3 - FW-67)	\$ 9.80
TRACT NO. 2 (3 FW-68)	2.80
TRACT NO. 3 (3 FW-69)	48.00
TRACT NO. 4 (3 FW-70)	.90
TRACT NO. 5 (3 FW-71 REV.)	2.00
TRACT NO. 6 (3 FW-71 A)	1.20
TRACT NO. 7 (3 FW-71 B)	1.20
TRACT NO. 8 (3 FW-72)	201.00
TRACT NO. 9 (3 FW-73)	1.00
TRACT NO. 10 (3 FW-74)	1.00
TRACT NO. 11 (3 FW-75)	1.00
TRACT NO. 12 (3 FW-76)	2.00
TRACT NO. 13 (3 FW-77)	1.00
TRACT NO. 14 (3 FW-78)	4.50
TRACT NO. 15 (3 FW-79)	.90
TRACT NO. 16 (3 FW-80)	15.20
TRACT NO. 17 (3 FW-81)	33.00
TRACT NO. 18 (3 FW-82)	20.00
TRACT NO. 19 (3 FW-83)	202.00
TRACT NO. 20 (3 FW-84)	6.60
TRACT NO. 21 (3 FW-85)	19.80
TRACT NO. 22 (3 FW-86)	3.85
TRACT NO. 23 (3 FW-87)	9.35
TRACT NO. 24 (3 FW-88)	30.80
TRACT NO. 25 (3 FW-89)	2.75
TRACT NO. 26 (3 FW-90)	7.15
TRACT NO. 27 (3 FW-91)	4.40
TRACT NO. 28 (3 FW-92)	1.20
TRACT NO. 29 (3 FW-93)	6.60
TRACT NO. 30 (3 FW-94)	6.05
TRACT NO. 31 (3 FW-95)	.80
TRACT NO. 32 (3 FW-96)	5.50
TRACT NO. 33 (3 FW-97)	1.30
TOTAL	\$654.65

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated Acts of Congress.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to wit:

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TRACT NO. 1 (3 - FW 67)	9.80
TRACT NO. 2 (3 FW-68)	2.80
TRACT NO. 3 (3 FW-69)	60.00
TRACT NO. 4 (3 FW-70)	.90
TRACT NO. 5 (3 FW-71 Rev)	2.00
TRACT NO. 6 (3 FW-71 A)	1.20
TRACT NO. 7 (3 FW-71 B)	1.20
TRACT NO. 8 (3 FW-72)	125.00
TRACT NO. 9 (3 FW-74)	1.00
TRACT NO. 10 (3 FW-73)	1.00
TRACT NO. 11 (3 FW-75)	1.00
TRACT NO. 12 (3 FW-76)	2.00
TRACT NO. 13 (3 FW-77)	1.00
TRACT NO. 14 (3 FW-78)	4.50
TRACT NO. 15 (3 FW-79)	.90
TRACT NO. 16 (3 FW-80)	15.20
TRACT NO. 17 (3 FW-81)	33.00
TRACT NO. 18 (3 FW-82)	20.00
TRACT NO. 19 (3 FW-83)	202.00
TRACT NO. 20 (3 FW-84)	12.00
TRACT NO. 21 (3 FW-85)	35.00
TRACT NO. 22 (3 FW-86)	3.85
TRACT NO. 23 (3 FW-87)	9.35
TRACT NO. 24 (3 FW-88)	56.00
TRACT NO. 25 (3 FW-89)	2.75
TRACT NO. 26 (3 FW-90)	7.15
TRACT NO. 27 (3 FW-91)	4.40
TRACT NO. 28 (3 FW-92)	1.20
TRACT NO. 29 (3 FW-93)	6.60
TRACT NO. 30 (3 FW-94)	6.05
TRACT NO. 31 (3 FW-95)	.80
TRACT NO. 32 (3 FW-96)	5.50
TRACT NO. 33 (3 FW-97)	1.30
TOTAL	\$637.45

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said lands to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, and the interest therein taken by these eminent domain proceedings was vested in the United States of America on the 1st day of June, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$654.65, with the registry of this Court for the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken therein, as hereinbefore specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the taking of said estate in said tracts of land, is vested in the persons lawfully entitled thereto, as the owners of said tracts of land, respectively, or of some right, title or interest therein.

TRACT NO. 1 (3 FW 67)
Flowage Easement

Mamie Foster, fee owner \$9.80
(commissioners' award)

TRACT NO. 2 (3 FW 68)
Flowage Easement

Major E. Stires,
Helen E. Stires,
V. Blanche Stires, now Hogge fee owners \$2.80
(commissioners' award)

TRACT NO. 3 (3 FW 69)
Flowage Easement

R. D. Hudson fee owner \$60.00
(commissioners' award)

TRACT NO. 4 (3 FW 70)
Flowage Easement

E. J. Bigham fee owner \$0.90
(commissioners' award)

TRACT NO. 5 (3 FW 71 (Rev))
Flowage Easement

E. E. Hinds,
L. J. Hinds fee owners \$2.00
(commissioners' award)

TRACT NO. 6 (3 FW 71-A)
Flowage Easement

R. E. Pearson,
Maxine Pearson fee owners \$1.20
(commissioners' award)

TRACT NO. 7 (3 FW 71-B)
Flowage Easement

Carl Bradford fee owner \$1.20
(commissioners' award)

TRACT NO. 8 (3 FW 72)
Flowage Easement

W. T. Peacock fee owner of an undivided
one-half (1/2) interest in
said tract \$62.50

W. B. Peacock fee owner of an undivided
one-half (1/2) interest in
said tract \$62.50
(Commissioners' award)

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

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TRACT NO. 9 (3 FW 73)
Flowage Easement

Viola Slater fee owner \$1.00
(commissioners' award)

TRACT NO. 10. (3 FW 74)
Flowage Easement

W. W. Smyres,
M. A. Smyres, fee owners \$1.00
(commissioners' award)

TRACT NO. 11 (3 FW 75)
Flowage Easement

Bertha S. Green fee owner \$1.00
(commissioners' award)

TRACT NO. 12 (3 FW 76)
Flowage Easement

W. R. Coleman,
E. R. Durham, fee owners \$2.00
(commissioners' award)

TRACT NO. 13. (3 FW 77)
Flowage Easement

C. M. Harding,
Wm. E. Hall, fee owners \$1.00
(commissioners' award)

TRACT NO. 14. (3 FW 78)
Flowage Easement

Luther Rochelle,
Hester Rochelle fee owners
Dock Owsley mortgagee \$4.50
(commissioners' award)

TRACT NO. 15 (3 FW 79)
Flowage Easement

E. J. Bigham fee owner \$0.90
(commissioners' award)

TRACT NO. 16 (3 FW 80)
Flowage Easement

J. L. Coffman,
Charlia N. Coffman fee owners \$15.20
(commissioners' award)

TRACT NO. 17 (3 FW 81)
Flowage Easement

Armand Ellwood White and Walter Howard
Burgess, Trustees, fee owners \$33.00
(commissioners' award)

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

REGULAR JANUARY 1944 TERM

OKMUSA, OKLAHOMA

SATURDAY, FEBRUARY 19, 1944

TRACT NO. 18 (3 FW 82)
Flowage Easement

A. B. Johnston,
W.T.Gooldy,
W. H. McCollough,
R. A. Wilkerson, fee owners \$20.00
(commissioners' award)

TRACT NO. 19. (3 FW 83)
Flowage Easement

H. E. Bagby fee owner \$202.00
(commissioners' award)

TRACT NO. 20 (3 FW 84)
Flowage Easement

Carl Chism fee owner \$12.00
(commissioners' award)

TRACT NO. 21 (3 FW 85)
Flowage Easement

(Pursuant to the request of the Superintendent of the Five Civilized Tribes, by letter dated January 29, 1944, and filed in this cause, distribution of the compensation to be paid for this tract is made as follows, to-wit:

Cornelius Buzzard	1/3 interest	\$12.00
Lena Buzzard	2/15 interest	4.80
Jim Buzzard	2/15 interest	4.80
Mary Buzzard	2/15 interest	4.80
Bushyhead O'Field	2/45 interest	1.60
Charles Glass	1/15 interest	2.40

Cornelius Buzzard for the use and benefit of
Mary Jane O'Field, a minor - 4/135 interest- \$1.06
Kennety O'Field, a minor - 4/135 interest - \$1.07
Ruth Lee O'Field, a minor - 4/135 interest - \$1.07
Phillis Jane Buzzard, a minor - 1/15 interest \$2.40

5.60

TOTAL
(commissioners' award)

\$36.00

TRACT NO. 22 (3 FW 86)
Flowage Easement

C. C. Hemmer,
C. A. Hemmer, fee owners \$3.85
(commissioners' award)

TRACT NO. 23 (3 FW 87)
Flowage Easement

(Pursuant to the request of the Superintendent of the Five Civilized Tribes, by letter dated January 29, 1944, and filed in this cause, distribution of the compensation to be paid for this tract is made as follows, to-wit:

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

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TULSA, OKLAHOMA

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Lila White, now Lowhead
fee owner \$9.35
(commissioners' award)

TRACT NO. 24 (3 FW 88)

Norman B. Blake fee owner \$56.00
(commissioners' award)

TRACT NO. 25 (3 FW 89)
Flowage Easement

(Pursuant to the request of the Superintendent of the Five Civilized Tribes by letter dated January 29, 1944, and filed in this cause, distribution of the compensation to be paid for this tract is made as follows, to-wit:

James W. King - 1/21st interest	\$0.15
Rosa King, now Han - 4/21st interest	0.52
Thomas King - 4/21st interest	0.52
Dora King, now Utley - 4/21st interest	0.52
Pearl King - 4/21st interest	0.52
Maude King - 4/21st interest	0.52

TOTAL \$2.75
(commissioners' award)

TRACT NO. 26 (3 FW 90)
Flowage Easement

(Pursuant to the request of the Superintendent of the Five Civilized Tribes by letter dated January 29, 1944, and filed in this cause, distribution of the compensation to be paid for this tract is made as follows, to-wit:

Rosa King, now Han fee owner \$7.15
(commissioners' award)

TRACT NO. 27 (3 FW 91)
Flowage Easement

(Pursuant to the request of the Superintendent of the Five Civilized Tribes by letter dated January 29, 1944, and filed in this cause, distribution of the compensation to be paid for this tract is made as follows, to-wit:

Rosa King, now Han	1/5th interest	\$0.88
Thomas King	1/5th interest	0.88
Dora King, now Utley	1/5th interest	0.88
Pearl King	1/5th interest	0.88
Maude King	1/5th interest	0.88

TOTAL \$4.40
(commissioners' award)

TRACT NO. 28 (3 FW 92)
Flowage Easement

H. W. Sterling, also known as Harry W. Sterling
fee owner \$1.20
(commissioners' award)

TRACT NO. 29 (3 FW 93)
Flowage Easement

Mary Katherine Hathaway
fee owner \$6.60
(commissioners' award)

TRACT NO. 30 (3 FW 94)
Flowage Easement

Dora B. Mills, Administratrix of the Estate of
O. H. Mills, deceased \$3.33
(1/2 interest in fee)

Mary Ella McCown \$3.02
(commissioners' award)

TRACT NO. 31 (3 FW 95)
Flowage Easement

W. O. Gray fee owner \$0.80
(commissioners award)

TRACT NO. 32 (3 FW 96)
Flowage Easement

(Pursuant to the request of the Superintendent of the Five Civilized Tribes
by letter dated January 29, 1944, and filed in this cause, distribution of
the compensation to be paid for this tract is made as follows, to-wit:

Rosa King, now Han	1/5th interest	\$1.10
Thomas King	1/5th interest	1.10
Dora King, now Utley	1/5th interest	1.10
Pearl King,	1/5th interest	1.10
Maude King	1/5th interest	1.10
TOTAL		\$5.50
(commissioners' award)		

TRACT NO. 33 (3 FW 97)
Flowage Easement

Jeannette Tobin fee owner \$1.30

Treasurer of the United States refund of
the just compensation deposited \$17.20

IT IS FURTHER ORDERED that this cause is held open for such other and further orders
judgments and decrees as may be necessary in the premises.

ENDORSED: Filed Feb 19 1944
H. P. Warfield, Clerk
U. S. District Court H

ROYCE H. SAVAGE
JUDGE

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

JOE MOUSE, Plaintiff,)
)
 vs)
) No. 1093 Civil
 JOHN R. MOUSE, ET AL.,)
 Defendants.)
)
 UNITED STATES OF AMERICA,)
 Intervener.)

ORDER APPROVING SALE BY UNITED STATES MARSHAL

Now, on this the 10th day of February, 1944, coming on for hearing the motion of plaintiff for an Order Approving the Sale of Real Estate, made in the above action on the 8th day of February, 1944, return and report of said sale being filed in this court on the 9th day of February, 1944; the plaintiff appearing by his attorney, Ernest R. Brown, the United States of America appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, said United States District Attorney also appearing in behalf of the restricted Indians, parties to this action as well as for the United States, and the Court having heard said motion, and being fully advised finds that pursuant to the decree and orders of this Court, heretofore made, the Honorable John P. Logan United States Marshal for the Northern District of Oklahoma, did on the 8th day of February, 1944, sell the real estate involved in the above action after advertising the same in all particulars required by law, for the sum of \$1067.00, the same being the highest and best price that could be obtained, and that said sum is within the appraisal as fixed by the commissioners appointed by this court, which was the sum of \$1600.00; that said sale was made in all particulars in accordance with the orders of this court, and the Statutes both State and Federal in like cases made and provided; and that said report of sale should in all things be confirmed and approved and made firm and effectual forever and that distribution of said funds should be made by the United States Marshal

IT IS, THEREFORE, ORDERED AND ADJUDGED by the Court that the said United States Marshal's sale of the land described in this action as follows, to-wit:

The West Half of the Southwest Quarter of Section
 Twenty-two (22), Township Twenty-one (21) North, Range
 Seventeen (17) East of the Indian Base and Meridian,
 Rogers County, Oklahoma,

being the real estate involved herein, be, and the same is in all things approved and confirmed, and made firm and effectual forever, and that the purchaser at said sale, namely W. L. North, is hereby subrogated to the rights of all parties to this action for the protection of his title.

IT IS FURTHER ORDERED, adjudged and decreed by the court that said United States Marshal make, execute, and deliver to said purchaser, a proper deed conveying the said land to him in accordance with this order, and the orders of this court heretofore made in this action.

IT IS FURTHER ordered, adjudged and decreed by the court that said United States Marshal deduct out of the funds in his hands the sum of \$12.00, being the cost of publishing the notice of sale herein, and that he pay to the Clerk of this Court the sum of \$95.78, costs incurred herein; that he pay to the Court Clerk of Rogers County the sum of \$13.81 and to the Court Clerk of Mayes County the sum of \$40.75, being the costs incurred prior to the removal to this court; to Mayes County Abstract Company \$17.50; to Johnson Abstract & Loan Company \$35.00; that he pay to Ernest R. Brown the sum of \$100.00 a reasonable attorney's fee in this action, that distribution of the balance remaining in his hands to be made to the Treasurer of the United States and sent to F. W. Sunderwirth, Disbursing Agent for the Five Civilized Tribes, at Muskogee, Oklahoma, for the use and benefit of the plaintiff and

the defendants herein named, distribution to be made by said Disbursing Agent among the parties to this action as follows, to-wit:

- To the plaintiff, Joe Mouse, 1/3;
- To the defendant, Bob Mouse, 1/3;
- To the defendant, John R. Mouse, 1/3;

and that the said United States Marshal file a report of said disbursements with the Clerk of this Court.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Feb 19 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs		) No. 1103 - Civil
)
8.5 acres of land, more or less, situate in)
Tulsa County, Oklahoma, and O. L. Avey, et al.,)
	Respondents.)

ORDER FOR PAYMENT TO COMMISSIONERS

Now on this 19 day of February, 1944, it appears to the Court that on the 24th day of January, 1944, T. G. Grant, Kenneth Crouch and Morgan Jones were appointed by the Court as appraisers in the above entitled and numbered cause, and pursuant to said appointment did serve as appraisers and fix the value of the real estate being taken by eminent domain and filed their report herein on the 16th day of February, 1944.

It further appears to this Court that the above named are entitled to compensation for such services rendered, in the following amounts set opposite each of their names, respectively:

T. G. Grant	\$50.00
Kenneth Crouch	\$50.00
Morgan Jones	\$50.00

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said T. G. Grant, Kenneth Crouch and Morgan Jones receive for their services rendered in the above entitled and numbered cause, as appraisers, the sum and amounts set opposite each of their names hereinbefore.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 19 1944
H. P. Warfield, Clerk
U. S. District Court AC

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, FEBRUARY 19, 1944

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

CECILIA M. KLABZUBA, Plaintiff,)
)
 -vs-) No. 1119 - Civil
)
 GENERAL AMERICAN LIFE INSURANCE COMPANY,)
 a corporation, Defendant.)

ORDER DISMISSING ACTION WITH PREJUDICE

On this date the above entitled cause came on to be heard upon the stipulation between plaintiff and defendant that it be dismissed with prejudice at the cost of defendant, and the plaintiff appearing in person and by her attorneys of record, and the defendant appearing by its attorneys.

IT IS ORDERED that the above entitled cause be and it hereby is dismissed with prejudice to further action and at defendant's cost.

DATED this 19 day of February, 1944.

ROYCE H. SAVAGE
District Judge

ENDORSED: Filed Feb 19 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to February 21, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, FEBRUARY 21, 1944

On this 21st day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Honorable Bower Broadbuss and Royce H. Savage, Judges, present and presiding]

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

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

UNITED STATES OF AMERICA, Plaintiff,)
)
 -vs-) No. 722 - Civil
)
 THE CENTRAL CONSTRUCTION CO. ET AL., Defendants.)

Now on this 21st day of February, A. D. 1944, it is ordered by the Court that the Clerk file and spread of record the Mandate in the above cause, same being in words and figures as follows, to-wit:

UNITED STATES OF AMERICA, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO THE HONORABLE THE JUDGES OF THE DISTRICT COURT OF THE UNITED

(SEAL)

STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

GREETING:

WHEREAS, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause between United States for the use and benefit of Tom W. Kelly, plaintiff, and Central Construction Company, a corporation, et al., defendants, No. 722, Civil, the judgment of the said district court in said cause, entered on March 20, 1943, was in the following words, viz:'

(For Portions of Journal Entry of Judgment see J 6, P. 169)

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by Continental Casualty Company, a corporation, agreeably to the act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the September Term, in the year of our Lord one thousand nine hundred and forty-three, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of the record from said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby modified by reducing the amount of recovery from \$13,931.82 to \$13,280.65, and as so modified that the judgment be and the same is hereby affirmed; and that Clarence L. Boyd Company, a corporation, appellee, have and recover of and from Continental Casualty Company, a corporation, appellant, its costs herein.

-- January 13, 1944.

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity with the opinion and judgment of this court as according to right and justice, and the laws of the United States, ought to be had.

WITNESS, the Honorable HARLAN F. STONE, Chief Justice of the United States, the 18th day of February, in the year of our Lord one thousand nine hundred and forty-four.

COSTS OF	Appellee:
Clerk	\$-- --
Printing Record	\$-- --
Attorney	\$20.00
	<u>\$20.00</u>

ROBERT B. CARTWRIGHT
Clerk of the United States Circuit Court
of Appeals, Tenth Circuit

ENDORSED: Filed Feb 21 1944
H. P. Warfield, Clerk
U. S. District Court ME

VERDICT

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

NANCY LEWIS,)
Plaintiff,)
vs) Case No. 1034 Civil
The Keener Oil & Gas Company, a corp.)
Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff, and assess damages at Six Hundred and no/100 DOLLARS.

JESS F. COLSON
Foreman

ENDORSED: Filed In Open Court
Feb 21 1944
H. P. Warfield, Clerk
U. S. District Court H

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

ELLA MAE CANOE, nee Vann,)
Plaintiff,)
vs) No. 1143 - Civil
ARCH VANN, et al.,)
Defendant.)

O R D E R

NOW, on this 21st day of February, 1944, this matter coming on before the court on the application of the United States of America for additional time to file its Complaint in Intervention in this case and it appearing to the court, for good cause shown, that said time should be granted.

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted twenty (20) days additional time from February 21, 1944, in which to file its Complaint in Intervention in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 21 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 22, 1944

On this 22nd day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

In the matter of the Appointment of)
United States Commissioner, Pawhuska,)
Oklahoma,)

O R D E R

The Court being sufficiently advised in the premises does hereby appoint Arthur T. Woodward of Pawhuska, Oklahoma, United States Commissioner in and for the Northern District of Oklahoma with headquarters at Pawhuska, Oklahoma, for the discharge of duties of said office as provided by law.

IT IS ORDERED by the Court that said Arthur T. Woodward be, and he is hereby appointed United States Commissioner for the Northern District of Oklahoma, with headquarters at Pawhuska, Oklahoma, for the term of Four (4) Years, commencing the 22nd day of February, A. D. 1944, or until the further order of the Court.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Feb 22 1944
H. P. Warfield, Clerk
U. S. District Court

UNITED STATES OF AMERICA,)
) SS:
NORTHERN DISTRICT OF OKLAHOMA.)

I, Arthur T. Woodward, do solemnly swear that I will administer justice without respect to persons and do equal right to the rich and the poor, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as United States Commissioner, agreeably to the Constitution and Laws of the United States.

I further do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic and that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge and perform the duties of the office on which I am about to enter.
SO HELP ME GOD.

ARTHUR T. WOODWARD
Subscribed and sworn to before me this 22nd day of February, A. D. 1944.
ROYCE H. SAVAGE, United States District Judge

ENDORSED: Filed Feb 22 1944
H. P. Warfield, Clerk
U. S. District Court

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

TUESDAY, FEBRUARY 22, 1944

VERDICT

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

W. B. NATHMAN,	Plaintiff,)	
)	
vs		)	Case No. 946 Civil
)	
CORALENA OIL COMPANY, a corp.,	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths, find for the plaintiff, and assess rental damages at \$550.00. DOLLARS.

IVAN D. BROWN
Foreman

ENDORSED: Filed In Open Court
Feb 22 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 23, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

WEDNESDAY, FEBRUARY 23, 1944

On this 23rd day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer and Hon. Royce H. Savage, Judges, present and presiding.

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

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

ASSIGNMENT OF A DISTRICT JUDGE TO HOLD A DISTRICT COURT OF THE UNITED STATES IN THE EASTERN DISTRICT OF OKLAHOMA

In my judgment the public interest requires the designation, appointment, and assignment of a District Judge to hold a District Court of the United States in the Eastern District of Oklahoma, to hold a district court in the Eastern District of Oklahoma.

I do, therefore, by these presents designate, appoint, and assign Honorable Royce H. Savage, a United States District Judge for the Northern District of Oklahoma, to hold a District Court in the Eastern District of Oklahoma, and to act as a District Judge in such Eastern District of Oklahoma, and to discharge all the judicial duties of a Judge of such District Court from the 19th day of February, A. D. 1944, until the 31st day of December, A. D. 1944.

Witness my hand this 19th day of February, A. D. 1944.

ORIE L. PHILLIPS
Senior Circuit Judge Tenth Judicial Circuit

ENDORSED: Filed Feb 23 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

REGULAR JANUARY 1944 TERM

PELSA, OKLAHOMA

WEDNESDAY, FEBRUARY 23, 1944

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

FANNIE E. WILLIAMS,	Plaintiff,)	
)	
vs)	
		)	NO. 761 - CIVIL
CALLIE BUSHYHEAD, et al,	Defendants,)	
)	
UNITED STATES OF AMERICA,	Intervener.)	

JOURNAL ENTRY OF JUDGMENT

This cause coming on for hearing this 23 day of February, 1944, upon the application of the United States of America for judgment and the plaintiff appearing by her attorneys, Saul A. Yager and Eben L. Taylor, and the intervener appearing by Whit Y. Mauzy, United States Attorney for the Northern District of Oklahoma, and the court being fully advised in the premises finds that judgment was heretofore entered in this cause on the 4th day of December, 1942, from which judgment an appeal was taken to the Circuit Court of Appeals for the Tenth Circuit. That the Circuit Court of Appeals has rendered its opinion in said cause and that the mandate from said court has been spread of record in the clerk's office of this court and that the court has entered its findings of fact and conclusions of law pursuant to the opinion and mandate of the Circuit Court of Appeals for the Tenth Circuit. The court finds that the intervener, United States of America, is entitled to judgment as demanded and pursuant to the opinion and mandate of the Circuit Court of Appeals for the Tenth Circuit.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that Callie Bushyhead, Butler Bushyhead, Joe Bushyhead, Ross Bushyhead, Robert Lee Bushyhead and Dennis Bushyhead, now deceased, were the sole and only heirs at law of William Bushyhead, deceased.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Callie Bushyhead was the sole and only heir at law of the said Dennis Bushyhead, deceased.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the following described real estate, to-wit:

East Half of Northeast Quarter and North Half of Northeast Quarter of Southeast Quarter and Northwest Quarter of Northwest Quarter of Southeast Quarter of Section Sixteen (16), Township Twenty-four (24) North, Range Twenty-four (24) East, Delaware County, Oklahoma,

be and the same is hereby forever settled and quieted in the following persons in the following proportions to-wit:

Callie Fox, now Bushyhead,	7/15ths undivided interest
Butler Bushyhead,	2/15ths undivided interest
Joe Bushyhead	2/15ths undivided interest
Ross Bushyhead	2/15ths undivided interest
Robert Lee Bushyhead	2/15ths undivided interest

and the said title be and the same hereby is forever settled and quieted against all claims or demands by the plaintiff, Fannie K. Williams, and all persons claiming under, through or by her and the unknown heirs, executors, devisees, trustees and assigns, immediate and remote of William Bushyhead, deceased, and the unknown heirs, executors, administrators, devisees, trustees and assigns, immediate and remote of Dennis Bushyhead, deceased, and all persons claiming through, under or by them.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the warranty deed from William Bushyhead and Callie Bushyhead, his wife, dated March 21, 1934, to F. M. Hartley, recorded in Book 118, at Page 79, in the office of the County Clerk of Delaware County, Oklahoma, and the warranty deed from F. M.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, FEBRUARY 24, 1944

On this 24th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-) CIVIL NO. 999
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)
OKLAHOMA; and Board of County Commissioners)
of Delaware County, Oklahoma, et al, Defendants.)

ORDER APPOINTING AN ATTORNEY TO REPRESENT AND PROTECT THE INTERESTS OF CERTAIN DEFENDANTS AND DIRECTING ENTRY OF JUDGMENT CONFIRMING REPORT OF COMMISSIONERS IN THE ABOVE STYLED CASE

NOW, on this 24 day of February, 1944, it appearing to the Court that the petitioner United States of America, in the above styled cause has filed the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, and attorney for the petitioner, that none of the defendants in this cause are in the military services of the United States, except that the petitioner is unable to determine whether or not any of the following defendants are in the military service of the United States, to-wit:

- Bebb Ironside;
Mayme Ironside Ward;
LeRoy H. Collins;
William R. Polson,
Clora Foreman, Cherokee Freedman, Roll No. 1038,
G. Keiser,
Rosa Belle Melton, Cherokee Citizen, Roll No. 186,
W. A. King,
C. A. Turner,
Axton Brown,
Evelyn V. Green, Cherokee Citizen, Roll No. 11735,
Nelson Beck, Cherokee Freedman, Roll No. 3851,
D. W. Bohart,
Norma O. Catman, nee Armor, Cherokee Citizen, Roll No. 7285,
Chauncy Fields, Cherokee Citizen, Roll No. 36,
Minerva Hendricks, Cherokee Citizen, Roll No. 35,
William H. Hunter,
L. W. Malone,
R. K. Hill,
George Fluke, Cherokee Citizen, Roll No. 24247,
Jennie Howdeshell, Cherokee Citizen, Roll No. 24173,
William H. Baysinger,

Robert Spicer, if living, or deceased, their known and unknown heirs, executors, administrators, trustees, devisees, legatees, creditors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, trustees, devisees, legatees, creditors and assigns, immediate and remote, and their spouses, if any, of Catherine King, Cherokee Roll No. 9225, deceased; George King, deceased; Susan King Ironside, deceased; James King, deceased; James W. King, deceased; Catherine King Ward, deceased; Dixie King Deckman, deceased; Laura B. Clasby, nee King, deceased; Tracy King Keller, deceased; Wm. P. Thompson, deceased; A. G. Couch, deceased; Jeff D. Sexton, deceased; Jennie Sexton, deceased; Lewis Sexton, deceased; J. D. Thomason, deceased; Vivian Herbert Emmons, Cherokee Citizen, Roll No. 32766, deceased; William A. Smith, Cherokee Roll No. 26572, deceased; and E. W. Cox, also known as Elhaney W. Cox, deceased;

and that the following defendants are in the military service of the United States, to-wit:

Willard Schuetz;
Richard Buss;
Clell W. Babler;
Jeff D. Sexton, Jr., one and the same person as Dennis Sexton;

and it further appearing to the Court that an attorney should be appointed to represent and protect the interests of each of said defendants;

It further appearing that the petitioner has complied with all of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and that a judgment confirming the report of commissioners should be entered in this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that Saul A. Yager, a regular practicing attorney of Tulsa, Oklahoma, be, and he is hereby appointed to represent and protect the interests of each of the following defendants, to-wit:

Willard Schuetz;
Richard Buss;
Clell W. Babler;
Jeff D. Sexton, Jr., one and the same person as Dennis Sexton;
Bebb Ironside;
Mayme Ironside Ward;
LeRoy H. Collins;
William R. Polson;
Clora Foreman, Cherokee Freedman, Roll No. 1038,
W. Keiser,
Rosa Belle Melton, Cherokee Citizen, Roll No. 186,
W. A. King,
C. A. Turner,
Axton Brown,
Evelyn V. Green, Cherokee Citizen, Roll No. 11735,
Nelson Beck, Cherokee Freedman, Roll No. 3851.
D. W. Bohart,
Norma O. Oatman, nee Armor, Cherokee Citizen, Roll No. 7285,
Chauncy Fields, Cherokee Citizen, Roll No. 36,
Minerva Hendricks, Cherokee Citizen, Roll No. 35,

William H. Hunter,
 L. W. Malone,
 R. K. Hill,
 George Fluke, Cherokee Citizen, Roll No. 24247,
 Jennæ Howdeshell, Cherokee Citizen, Roll No. 24173
 William H. Baysinger,
 Robert Spicer, if living, or deceased, their known and unknown
 heirs, executors, administrators, trustees, devisees,
 legatees, creditors and assigns, immediate and remote,
 and their spouses, if any; and the known and unknown heirs,
 executors, administrators, trustees, devisees, legatees,
 creditors and assigns, immediate and remote, and their
 spouses, if any, of Catherine King, Cherokee Roll No. 9225,
 deceased; George King, deceased; Susan King Ironside, deceased;
 James King, deceased; James W. King, deceased; Catherine King
 Ward, deceased; Dixie King Deckman, deceased; Laura B. Clasby,
 nee King, deceased; Tracy King Keller, deceased; Wm. P. Thompson,
 deceased; A. G. Couch, deceased; Jeff D. Sexton, deceased;
 Jennie Sexton, deceased; Lewis Sexton, deceased; J. D. Thomason,
 deceased; Vivian Herbert Emmons, Cherokee Citizen, Roll No.
 32766, deceased; William S. Smith, Cherokee Roll No. 26572,
 deceased; and E. W. Cox, also known as Elhaney W. Cox, deceased.

AND it is FURTHER ORDERED AND DIRECTED that a judgment be entered in this cause,
 confirming the report of Commissioners.

ROYCE H. SAVAGE
 J U D G E

ENDORSED: Filed Feb 24 1944
 H. P. Warfield, Clerk
 U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-)
		) CIVIL NO. 999
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)
OKLAHOMA, containing 18 acres, more or less;)
and Board of County Commissioners of Delaware)
County, Oklahoma, et al.,	Defendants.)

J U D G M E N T

NOW on this 24th day of February, 1944, there comes on for hearing pursuant to
 regular assignment, the application of the petitioner herein for a judgment approving the commissioners'
 report heretofore filed in this proceeding, as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, and
 petition for condemnation, report of commissioners, and all other matters herein, and finds that:

(1) Each and all of the allegations of said petition for condemnation are true,
 and the United States of America is entitled to acquire property by eminent domain for the uses and
 purposes therein set forth.

(2) The said petition for condemnation was filed at the request of the Administrator of the Federal Works Agency, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.

(3) In said petition for condemnation, a statement of the authority under which and the public use for which the estate in said lands were taken, was set forth.

(4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this Court.

The Court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court finds that the commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 18th day of October, 1943, by taking and filing herein their oath of office, as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 20th day of October, 1943, wherein they fixed the fair cash market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to-wit:

TRACT NO. 1 (4 - FW-132)
Flowage Easement

All that part of the N $\frac{1}{2}$ of the W. 14.22 acres of Lot 5 in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.00

TRACT NO. 2 (4 - FW-132)
Flowage Easement

All that part of the S $\frac{1}{2}$ of the W. 14.22 acres of Lot 5, and all that part of Lot 7, and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of Lot 9, and all that part of the SE 10.0 acres of Lot 8, in Sec. 6, T 23 N, R. 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand river Dam Authority has the right of flowage, containing approximately 4.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$45.00

TRACT NO. 3 (4 - FW-134)
Flowage Easement

All that part of the SE 10.0 acres of Lot 5 in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.00

TRACT NO. 4 (4 - FW-135)
Flowage Easement

All that part of the N $\frac{1}{2}$ of the West 14.17 acres of Lot 8 $\frac{1}{4}$ in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$3.50

TRACT NO. 5 (4 - FW-136)
Flowage Easement

All that part of the S $\frac{1}{2}$ of the West 14.17 acres of Lot 8, Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.80

TRACT NO. 6 (4 - FW-137)
Flowage Easement

All that part of the NE 10.0 acres of Lot 8, in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$.80

TRACT NO. 7 (4 - FW-138)
Flowage Easement

All that part of Lot 10 in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$6.00

TRACT NO. 8 (4 - FW-139)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$3.00

TRACT NO. 9 (4 FW-140)
Flowage Easement

All that part of the SW 10.0 acres of Lot 2, Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$3.85

TRACT NO. 10 (4 - FW-141)
Flowage Easement

All that part of the SE 10.0 acres of Lot 2, and all that part of the south 20.0 acres of Lot 1 and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority, has the right of flowage, containing approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$5.00

TRACT NO. 11 (4 - FW-142)
Flowage Easement

All that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$4.05

TRACT NO. 12 (4 - FW-143)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$6.00

TRACT NO. 13 (4 - FW-144)
Flowage Easement

All that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.6 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$16.00

TRACT NO. 14 (4 - FW-145 Rev.)
Flowage Easement

All that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the Northwest 10.0 acres of Lot 6, and all that part of the south 23.55 acres of Lot 6, in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.2 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$4.80

TRACT NO. 15 (4 - FW-146)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.00

TRACT NO. 16 (4 - FW-147)
Flowage Easement

All that part of the northeast 10.0 acres of Lot 6, in Sec. 6, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.00

TRACT NO. 17 (4 - FW-148)
Flowage Easement

All that part of the $S\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 5, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.5 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$5.00

TRACT NO. 18 (4 - FW-149)
Flowage Easement

All that part of the northeast 9.79 acres of Lot 4, and all that part of the south 20.0 acres of Lot 4, and all that part of the $N\frac{1}{2}$ $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 5, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.8 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$54.00

TRACT NO. 19 (4 - FW-150)
Flowage Easement

All that part of the NW 9.79 acres of Lot 4, and Sec. 5, T 23 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.4 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$4.00

TRACT NO. 20 (4 - FW-151)
Flowage Easement

All that part of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.80

TRACT NO. 21 (4 - FW-152)
Flowage Easement

All that part of the $NW\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing

approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.00

TRACT NO. 22 (4 - FW-153)
Flowage Easement

All thatpart of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$3.00

TRACT NO. 23 (4 - FW-154)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.40

TRACT NO. 24 (4 - FW-155)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elevation 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing 0.3 acres.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2.10

TRACT NO. 25 (4 - FW-155A)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$.45

TRACT NO. 26 (4 - FW-156)
Flowage Easement

All thatpart of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 0.1 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.00

TRACT NO. 27 (4-- FW-157)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$1.20

TRACT NO. 28 (4 - FW-158)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$.80

TRACT NO. 29 (4 - FW-159)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32, T 24 N, R 22 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.1 acre

TOTAL FAIR CASH MARKET VALUE OF THE ESTATE TAKEN (PERPETUAL EASEMENT) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$.40

TOTAL \$ 184.95

and that said report and proceedings, as to the above tracts, are in all respects regular and in accordance with the law and orders of this Court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending as to the above described tracts, and that said report of commissioners filed herein should be confirmed and approved in every respect, as to the tracts above particularly described.

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners, is final just compensation, in the total amount of \$184.95.

(8) That the United States of America did, on the 21st day of May, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners of and the persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (4 - FW-132)	\$.70
TRACT NO. 2 (4 - FW-133)	20.25
TRACT NO. 3 (4 - FW-134)	.40
TRACT NO. 4 (4 - FW-135)	3.50
TRACT NO. 5 (3 - FW-136)	2.80
TRACT NO. 6 (4 - FW-137)	.80
TRACT NO. 7 (4 FW -138)	2.40
TRACT NO. 8 (4 - FW-139)	1.55
TRACT NO. 9 (4 - FW-140)	3.85
TRACT NO. 10 (4 - FW-141)	1.75
TRACT NO. 11 (4 - FW-142)	4.05
TRACT NO. 12 (4 - FW-143)	2.70
TRACT NO. 13 (4 - FW-144)	7.20
TRACT NO. 14 (4 - FW-145 Rev.)	4.80
TRACT NO. 15 (4 - FW-146)	.90
TRACT NO. 16 (4 - FW-147)	.80
TRACT NO. 17 (4 - FW-148)	2.00
TRACT NO. 18 (4 - FW-149)	22.60
TRACT NO. 19 (4 - FW-150)	1.60
TRACT NO. 20 (4 - FW-151)	2.80
TRACT NO. 21 (4 - FW-152)	.40
TRACT NO. 22 (4 - FW-153)	1.20
TRACT NO. 23 (4 - FW-154)	2.40
TRACT NO. 24 (4 - FW-155)	2.10
TRACT NO. 25 (4 - FW-155A)	.45
TRACT NO. 26 (4 - FW-156)	.45
TRACT NO. 27 (4 - FW-157)	1.20
TRACT NO. 28 (4 - FW-158)	.80
TRACT NO. 29 (4 - FW-159)	.40
TOTAL	\$ 96.95

(9) The Court having fully considered the petition for condemnation, the declaration of taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S. C. Title 40, Secs. 401-403), as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated Acts of Congress.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to-wit:

TRACT NO. 1 (4 - FW-132)	1.00
TRACT NO. 2 (4 - FW-133)	45.00
TRACT NO. 3 (4 - FW-134)	1.00
TRACT NO. 4 (4 - FW-135)	3.50
TRACT NO. 5 (4 - FW-136)	2.80
TRACT NO. 6 (4 - FW-137)	.80
TRACT NO. 7 (4 - FW-138)	6.00
TRACT NO. 8 (4 - FW-139)	3.00
TRACT NO. 9 (4 -FW-140)	3.85
TRACT NO. 10 (4 - FW-141)	5.00
TRACT NO. 11 (4 - FW-142)	4.05
TRACT NO. 12 (4 - FW-143)	6.00
TRACT NO. 13 (4 - FW-144)	16.00
TRACT NO. 14 (4 - FW-145 Rev.)	4.80

TRACT NO. 15 (4 - FW-146)	2.00
TRACT NO. 16 (4 - FW-147)	2.00
TRACT NO. 17 (4 - FW-148)	5.00
TRACT NO. 18 (4 - FW-149)	54.00
TRACT NO. 19 (4 - FW-150)	4.00
TRACT NO. 20 (4 - FW-151)	2.80
TRACT NO. 21 (4 - FW-152)	1.00
TRACT NO. 22 (4 - FW-153)	3.00
TRACT NO. 23 (4 - FW-154)	2.40
TRACT NO. 24 (4 - FW-155)	2.10
TRACT NO. 25 (4 - FW-155A)	.45
TRACT NO. 26 (4 - FW-156)	1.00
TRACT NO. 27 (4 - FW-157)	1.20
TRACT NO. 28 (4 - FW-158)	.80
TRACT NO. 29 (4 - FW-159)	.40
TOTAL	\$ 184.95

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is a perpetual easement upon and over said lands to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences and other improvements, and to enter upon said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project in Oklahoma.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 21st day of May, 1943, upon the filing of a Declaration of Taking and the depositing of the sum of \$96.95, with the registry of this Court for the estate taken in and to the above described tracts of land, and the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinbefore specifically set forth, is hereby deemed to be condemned and taken for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein for the taking of said estate in said tracts of land, is vested in the persons lawfully entitled thereto, and as the owners of said tracts of land, respectively, or of some right, title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petition pay into the registry of this Court the sum of \$88.00, said sum being the deficiency between the sum of \$184.95, the just compensation herein fixed by the report of commissioners, and the amount deposited with the Declaration of Taking as the just compensation for the taking of said tracts of land in the sum of \$96.95.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE OF THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Feb 24 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 999
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)	
OKLAHOMA, containing 18 acres, more or less,)	
and Board of County Commissioners, et al.,)	
	Defendants.)	

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 24th day of February, 1944, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated;

And the Court, being fully advised in the premises finds that the hereinafter named persons, firms, corporations and political subdivisions of the State are the owners of and/or have some right, title or interest in and to the lands involved herein, and that no person, firm, corporation or political subdivision of the State have any right, title or interest in and to said lands other than those hereafter named, and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth, are the only persons, firms, and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the following named persons, firms and corporations are the owners of and/or have some right, title or interest in and to the lands involved herein as hereinafter designated, and that they are the only persons having any right, title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto as the owners or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds to said persons, firms and corporations as hereinafter set forth - all as follows, to-wit:

TRACT NO. 1 (4 FW 132)
Flowage Easement

L. Keith Smith fee owner \$1.00
(commissioners' award)

TRACT NO. 2 (4 - FW 133)
Flowage Easement

L. Keith Smith fee owner 45.00
(commissioners' award)

TRACT NO. 3 (4 - FW 134)
Flowage Easement

Norman B. Blake fee owner \$1.00
(commissioners' award)

TRACT NO. 4 (4 FW 135)
Flowage Easement

Charles McNamara fee owner \$3.50
(commissioners' award)

TRACT NO. 5 (4 - FW 136)
Flowage Easement

Willard Schultz fee owner \$1.40
Richard Buss fee owner \$1.40
(commissioners' award)

TRACT NO. 6 (4 FW 137)
Flowage Easement

Ruth Tatum Rodecker, now Jacobs fee owner \$0.80
(commissioners' award)

TRACT NO. 7 (4 FW 138)
Flowage Easement

Floyd G. Kapp
Mr. R. Kapp, fee owners \$6.00
(commissioners' award)

TRACT NO. 8 (4 FW 139)
Flowage Easement

J. R. Ballard fee owner \$3.00
(commissioners' award)

TRACT NO. 9 (4 FW 140)
Flowage Easement

B. G. Mayfield fee owner \$1.92
Clell W. Babler fee owner \$1.93
(commissioners' award)

TRACT NO. 10 (4 FW 141)
Flowage Easement

Norman B. Blake fee owner \$5.00
(commissioners' award)

TRACT NO. 11 (4 FW 142)
Flowage Easement

S. J. Courington fee owner \$4.05
(commissioners' award)

TRACT NO. 12 (4 FW 143)
Flowage Easement

L. Keith Smith fee owner \$5.00
(commissioners' award)

TRACT NO. 13 (4 FW 144)
Flowage Easement

Norman B. Blake fee owner 16.00
(commissioners' award)

TRACT NO. 14 (4 FW 145 (Rev.))
Flowage Easement

T. C. Nowlin fee owner 4.80
(commissioners' award)

TRACT NO. 15 (4 FW 146)
Flowage Easement

United States Treasurer for the use and benefit of
Scott Cochran, Cherokee Citizen, Roll No.
17973 fee owner \$2.00
(commissioners' award)

TRACT NO. 16 (4 FW 147)
Flowage Easement

James L. Harney fee owner \$2.00
(commissioners' award)

TRACT NO. 17 (4 FW 148)
Flowage Easement

Norman B. Blake fee owner \$5.00
(commissioners' award)

TRACT NO. 18 (4 FW 149)
Flowage Easement

Warren Howard Emmons partial fee owner 21.60
Dallas Edwin Emmons partial fee owner 10.80
F. E. Hones partial fee owner 21.60
(commissioners' award)

TRACT NO. 19 (4 FW 150)
Flowage Easement

Dallas Edwin Emmons fee owner 4.00
(commissioners' award)

TRACT NO. 20 (4 FW 151)
Flowage Easement

Alma E. Smith, now Reno fee owner 2.80
(commissioners' award)

TRACT NO. 21 (4 FW 152)
Flowage Easement

Ralph Nelson,
C. A. Ramming,
B. W. Brown,
Lawrence L. Polson fee owner \$1.00
(commissioners' award)

TRACT NO. 22 (4 FW 153)
Flowage Easement

Jim Mathews	fee owner	3.00
(commissioners' award)		

TRACT NO. 23 (4 FW 154)
Flowage Easement

Ramon Reno	fee owner	2.40
(commissioners' award)		

TRACT NO. 24 (4 FW 155)
Flowage Easement

A. H. Beighley	fee owner	2.10
(commissioners' award)		

TRACT NO. 25 (4 FW 155-A)
Flowage Easement

Irvin Owen		
Rigby Owen	fee owners	\$0.45
(commissioners' award)		

TRACT NO. 26 (4 FW 156)
Flowage Easement

Arthur Smith	fee owner	\$1.00
(commissioners' award)		

TRACT NO. 27 (4 FW 157)
Flowage Easement

Stella LaRoe,		
Effie Proudlove,		
Laura Baltes,		
Beatrice Cox	fee owners	\$1.20
(commissioners' award)		

TRACT NO. 28 (4 FW 158)
Flowage Easement

Melcolm Cullen	fee owner	\$0.80
(commissioners' award)		

TRACT NO. 29 (4 FW 159)
Flowage Easement

J. Hiram Tandy	fee owner	\$0.40
(commissioners' award)		

IT IS FURTHER ORDERED that this cause is held open for such other and further order, judgment and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 24 1944
H. P. Warfield, Clerk
U. S. District Court H

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

MANNIE LEWIS,	Plaintiff,)
)
vs		) No. 1034 - Civil
)
KEENER OIL & GAS COMPANY,)
a corporation,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

This cause coming on for hearing before me, Royce H. Savage, Judge of the said Court, and the same having been regularly set for trial and regularly reached on the trial docket;

And the plaintiff appearing in person and by her attorneys, James S. Watson and G. C. Spillers, and the defendant appearing by its attorney, Wilbur J. Hobbeman;

And all parties having announced ready for trial in open court, and a jury having been regularly empaneled and to try the issues in said cause;

And the plaintiff having introduced her testimony and rested, and the defendant having introduced its testimony and rested, and James S. Watson having argued the cause for the plaintiff, and Wilbur J. Hobbeman having waived argument on behalf of the defendant;

And the court having instructed the jury, and the jury having retired to consider their verdict;

Thereupon, the jury returned into court a verdict in favor of the plaintiff and against the defendant, which, omitting the caption, is in words and figures as follows, to wit:

"We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find for the plaintiff, and assess damages at Six Hundred and no/100 Dollars,
(Signed) Jeff F. Colson,
Foreman."

And the Court being advised in the premises, finds that a judgment should be entered on the verdict in favor of the plaintiff and against the defendant.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff have and recover of and from the defendant the sum of Six Hundred Dollars (\$600.00), and that the same bear interest from and after the date hereof until fully paid and satisfied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the plaintiff have and recover of and from the defendant all accrued costs herein in the sum of \$_____ and any and all costs which may hereafter accrue.

To satisfy said judgment with interest and costs, LET EXECUTION ISSUE returnable according to law.

To all of which the defendant objects.

DONE IN OPEN COURT this the 21st day of February, 1944.

ROYCE H. SAVAGE
JUDGE OF THE DISTRICT COURT OF THE UNITED
STATES FOR THE NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Feb 24 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

Nannie Lewis,	Plaintiff,)
)
vs		) No. 1034 Civil
)
The Keener Oil & Gas Company, a)
corporation,	Defendant.)

O R D E R

Defendant having filed a motion for new trial herein, execution on the judgment entered is stayed during the pendency of said motion.

Dated this 24th day of February, 1944.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 24 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

JACKSON MATERIALS COMPANY	Plaintiff,)
)
vs.		) No. 1097 Civil
)
THE MASSMAN CONSTRUCTION COMPANY,)
a corporation, et al,	Defendants.)

ORDER FOR ENLARGEMENT OF TIME IN WHICH TO FILE ANSWER

Upon application of the defendant, The Massman Construction Company, and for good cause shown, the defendant, The Massman Construction Company is granted an extension of time in which to file answer, until March 20, 1944.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Feb 24 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA	Petitioner,)
)
vs		) No. 1106 - Civil
)
2.5 acres of land, more or less, situate in)
Tulsa County, Oklahoma, and C. H. McCormick,)
et al.,	Defendants.)

JUDGMENT ON THE VERDICT

Now on this 17th day of February, 1944, this cause came on for trial pursuant to regular assignment at Tulsa, Oklahoma, the petitioner appearing by and through Curtis P. Harris, Special Attorney for the Department of Justice, and the respondents appearing by and through their attorney, Walter L. Kimmel.

A jury having been duly impaneled and sworn, the respondents introduced their evidence and rested and the petitioner introduced its evidence and rested. Arguments of counsel were heard, and the jury, in charge of a sworn bailiff, retired to deliberate upon their verdict, and returned the following verdict, to-wit:

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

United States of America,)
Plaintiff,)
vs.	) Case No. 1106
)
C. H. McCormick,)
Defendant.)

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find the fair market value of property on November 13, 1943 was Six Thousand Dollars (\$6,000.00)

/s/ Fred H. Rock
Foreman."

The Court finds that there has heretofore been deposited under a Declaration of Taking the sum of \$5,000.00 and that there is a deficiency of \$1,000.00 as to the lands involved in this proceeding, being Tract No. 1.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that judgment be, and the same is hereby, rendered upon the verdict of the jury as above set out, and the fair, cash, market value of the lands herein involved is hereby fixed at the total sum of \$6,000.00.

IT IS FURTHER ORDERED that the petitioner, the United States of America, deposit the additional sum of \$1,000.00 to make up the deficiency.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 24 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 1140
)	
CERTAIN PARCELS OF LAND IN CRAIG, DELAWARE,)	
AND OTTAWA COUNTIES, OKLAHOMA, and Robert)	
D. Owens, et al.,	Defendants.)	

ORDER GRANTING LEAVE TO FILE AN AMENDMENT
TO PETITION IN CONDEMNATION

NOW on this 24 day of February, 1944, there coming on for hearing the application of the petitioner, United States of America, for leave to file an amendment to its petition herein, and the court being fully advised in the premises, finds that said application should be granted and the petitioner granted leave to file an amendment to its petition herein, making additional parties defendant.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America be, and it is hereby granted leave and permission of this Court to file an amendment to its petition herein, making additional parties defendant.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Feb 24 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to February 28, 1944

On this 28th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

SOUTH PENN OIL COMPANY, a corporation, et al.	Plaintiffs,)	No. 671 CIVIL
vs)		
PHILLIPS PETROLEUM COMPANY, a corporation, et al.,	Defendants.)	

ORDER EXTENDING TIME FOR FILING BRIEF

Now on this 28th day of February, 1944, for good cause shown, the plaintiffs herein are hereby granted an extension of thirty (30) days from the 26th day of February, 1944, in which to file with the court the memorandum brief heretofore ordered by the court.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Feb 28 1944
H. P. Warfield, Clerk
U. S. District Court H

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

UNITED STATES OF AMERICA,	Petitioner,)	CIVIL NO. 1075
-vs-)		
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 214.30 acres, more or less; and Lucy A. Wallace, et al.,	Defendants.)	

ORDER APPOINTING COMMISSIONERS

NOW, on this 28th day of February, 1944, the above cause comes on regularly for hearing upon the petition of the United States of America for an order appointing commissioners, and it appearing to the Court that the United States of America has the power and authority to acquire by eminent domain the estate in the lands hereinafter described and the acquisition of said estate in said lands is necessary to provide for the storage of waters to be impounded by the Grand River Dam Project in Oklahoma, and for generating the supplying power for the manufacture of explosives or munitions of war, or otherwise necessary to the safety and defense of the United States.

The Court finds that pursuant to the Act of August 1, 1888, 25 Stat. 357 (U.S.C. Title 40, Sec. 257); the Act of February 26, 1931, 46 Stat. 1421 (U.S.C. Title 40, Secs. 258 (a) to 258 (e)); Title II of the Act of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1063 (U.S.C. Title 16, Sec. 809); and Executive Order No. 8944, dated November 19, 1941, the Administrator of the Federal Works Agency is authorized to acquire in the name of the United States of America, said estate in said lands.

That pursuant to and by virtue of said authority, the Administrator of the Federal Works Agency has duly selected for acquisition by the United States for said public purposes, a perpetual easement to inundate, submerge and flow; to cut and clear all timber therefrom and to remove or require the removal therefrom of all obstructions, natural or artificial structures, buildings, fences, and other

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) CIVIL NO. 1156
)
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA, containing approximately 160.70 acres, more or less; and Clay A. Babb, et al.,	Defendants.)

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause, on the 28th day of February, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes ~~as~~ set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also, under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$4,626.85, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, On this 28th day of February, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (31 - FW-937)
Flowage Easement

All that part of the S. 3.70 acres of Lot 11 in Sec. 6, T 25 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 2 (31 - FW-1157)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T 25 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

"Beginning at the SE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 25 N, R 24 E, thence North 366 feet, thence West 357.4 feet; thence South 366 feet; thence East 357.4 feet to the point of beginning" lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acres.

TRACT NO. 3 (31 - FW-1158)
Flowage Easement

All that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ less 3.0 acres in the SE corner thereof, and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, of Sec. 6, T 25 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.1 acres.

TRACT NO. 4 (31 - FW-1159)
Flowage Easement

All that part of Lot 1, all that part of Lot 2, all that part of Lot 3, and all that part of Lot 4 in Sec. 6, T 25 N, R 24 E; and all that part of Lot 1, all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, all that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 1, T 25 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 19.6 acres.

TRACT NO. 5 (31 - FW-1160)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 6, T 25 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.2 acres.

TRACT NO. 6 (31 - FW-1164)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, T 25 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing

approximately 1.1 acres.

TRACT NO. 7 (31 - FW-1149)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.6 acres.

TRACT NO. 8 (31 - FW-1163 A)
Flowage Easement

All that part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 33, T 25 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre.

TRACT NO. 9 (39 - FW-1166)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 28, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TRACT NO. 10 (44 - FW-1196)
Flowage Easement

All that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.8 acre.

TRACT NO. 11 (44 - FW-1197)
Flowage Easement

All that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, and all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 10, all in T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.9 acres.

TRACT NO. 12 (44 - FW-1198)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, and all that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 10, all in T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.8 acres.

TRACT NO. 13 (44 - FW-1199)
Flowage Easement

All that part of the SE $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 10, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.5 acres.

TRACT NO. 14 (44 - FW-1200)
Flowage Easement

All that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the N $\frac{1}{2}$ SW $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 10, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.8 acres.

TRACT NO. 15 (44 - FW-1201)
Flowage Easement

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 10, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.5 acres.

TRACT NO. 16 (44 - FW-1202)
Flowage Easement

All that part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 3, except a tract of land particularly described as follows, to-wit:

"Beginning at a point in the North line of SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3-26-24 and 253.8 feet East of the Northwest corner thereof; thence Southwesterly along the East boundary line of the Grand River Dam Authority tract a distance of 67.0 feet to a point; thence East parallel with the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 125.0 feet to a point; thence Northeasterly parallel with the first course a distance of 67.0 feet to a point in the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence west 125 feet to the point of beginning, containing 0.18 acres more or less."

and all that part of the NW $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 10, all in T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 7.1 acres.

TRACT NO. 17 (44 - FW-1203)
Flowage Easement

All that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 3, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 37.7 acres.

TRACT NO. 18 (44 - FW-1206 A)
Flowage Easement

All that part of the $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ of Sec. 3, and all that part of the $SE\frac{1}{4}SE\frac{1}{2}NW\frac{1}{4}$, and all that part of the $SW\frac{1}{2}NE\frac{1}{4}$, and all that part of the $SW\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ of Sec. 9, all in T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

TRACT NO. 19 (44 - FW-1207)
Flowage Easement

All that part of the $NE\frac{1}{4}NW\frac{1}{4}$ of Sec. 10, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 20 (44 - FW-1208)
Flowage Easement

All that part of the $NW\frac{1}{2}NW\frac{1}{4}$, and all that part of the $NW\frac{1}{4}SW\frac{1}{2}NW\frac{1}{4}$ of Sec. 10, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.5 acres.

TRACT NO. 21 (44 - FW-1209)
Flowage Easement

All that part of the $N\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$ of Sec. 9, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.3 acres.

TRACT NO. 22 (44 - FW-1210)
Flowage Easement

All that part of the $S\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$ and all that part of the $N\frac{1}{2}SE\frac{1}{2}NE\frac{1}{4}$ of Sec. 8, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acres.

TRACT NO. 23 (44 - FW-1211)
Flowage Easement

All that part of the $SW\frac{1}{2}SE\frac{1}{4}$ of Sec. 5, and all that part of the $NW\frac{1}{4}NE\frac{1}{2}$ of Sec. 8, all in T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.0 acres.

TRACT NO. 24 (44 - FW-1212)
Flowage Easement

All that part of the $W\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 5, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 1.3 acres.

TRACT NO. 25 (44 - FW-1213)
Flowage Easement

All that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 5, and all that part of the $N\frac{1}{2}$ $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 8, all in T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.3 acre.

TRACT NO. 26 (44 - FW-1214)
Flowage Easement

All that part of the $S\frac{1}{2}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$, and all that part of the $SW\frac{1}{2}$ $SW\frac{1}{2}$ of Sec. 5, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

TRACT NO. 27 (44 - FW-1272)
Flowage Easement

All that part of Lot 4, in Sec. 9, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.5 acres.

TRACT NO. 28 (44 - FW-1273)
Flowage Easement

All that part of the $NE\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$, and all that part of Lot 3, in Sec. 9, T 26 N, R 24 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 29 (44X-FW-1204)
Flowage Easement

All that part of the $N\frac{1}{2}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 2, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 4.5 acres.

TRACT NO. 30 (44X-FW-1205)
Flowage Easement

All that part of Lot 2 and all that part of Lot 4, and all that part of the $SW\frac{1}{2}$ $NW\frac{1}{4}$ of Sec. 2, T 26 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma,

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also, under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$3,956.20, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, on this 28th day of February, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, upon and over certain of the land hereinafter described and designated as "Flowage Easement" and "Perpetual Easement for Permanent Flowage"; and a perpetual easement to inundate, submerge and flow, intermittently, during flood periods, upon and over certain of the lands hereinafter described and designated as "Perpetual Easement for Intermittent Flowage During Flood Periods"; and to enter upon all of said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (48 - FW-1281)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority.

TRACT NO. 2 (48 - FW-1282)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, and except that portion occupied and used as the St. L. & S. F. RR R/W, containing approximately 4.3 acres.

TRACT NO. 3 (48 - FW-1288)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the west boundary, of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 476.4 feet from the SW corner thereof, thence N. 53° 40' E. 103.1 feet; thence West 83.7 feet to a point on the West boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 122.7 feet from the NW corner thereof; thence southerly along said west boundary a distance of 61.1 feet to the point of beginning, containing less than 0.1 acre.

TRACT NO. 4 (48 - FW-1289)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and except that portion occupied and used as the St. Louis & San Francisco R R R/W, containing approximately 0.7 acre.

TRACT NO. 5 (48 - FW-1290)
Flowage Easement

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and except that portion occupied and used as the St. Louis & San Francisco RR R/W, containing less than 0.1 acre.

TRACT NO. 6 (48 - FW-1291)
Perpetual Easement for Permanent Flowage

All that part of the south 20.0 acres of Lot 7, and all that part of Lot 8 in Sec. 25, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 feet Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.4 acres which includes the bed and banks of Neosho River adjacent to said Lot 8, lying below Elev. 756.1 feet Sea Level Datum.

Perpetual Easement for Intermittent Flowage
during Flood Periods

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 25, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and that portion occupied and used as the St. L & S. F. RR right-of-way, and all that part of said south 20.0 acres of Lot 7, and all that part of said Lot 8 lying between Elev. 756.1 feet Sea Level Datum, and Elev. 760 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 7 (48 - FW-1293)
Perpetual Easement for Permanent Flowage

All that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 feet Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.9 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.5 acres.

TRACT NO. 8 (48 - FW-1294)
Perpetual Easement for Permanent Flowage

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 feet Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.6 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of said W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 3.2 acres.

TRACT NO. 9 (48 - FW-1295)
Perpetual Easement for Permanent Flowage

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 feet Sea level Datum, containing less than 0.1 acre.

Perpetual Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.3 acre.

TRACT NO. 10 (48 - FW-1296)
Perpetual Easement for Permanent Flowage

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the south 20.0 acres of Lot 6, and all that part of the NW 8.30 acres of Lot 6 in Sec. 25, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 feet Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 8.8 acres.

Perpetual Easement for Intermittent Flowage
during flood periods

All that part of said $N\frac{1}{2}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$, and all that part of said south 20.0 acres of said Lot 6 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 4.9 acres.

TRACT NO. 11 (48 - FW-1305)
Flowage Easement

All that part of the $SE\frac{1}{2}$ $SE\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 4.5 acres.

TRACT NO. 12 (48 -FW-1306)
Flowage Easement

All that part of the $E\frac{1}{2}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 16.6 acres.

TRACT NO. 13 (48 - FW-1308
48 - FW-1309)
Flowage Easement

All that part of the $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority and except that portion particularly described as follows, to-wit:

"Beginning at a point on the North boundary line of $NW\frac{1}{4}$ $SE\frac{1}{4}$ 587.3 feet west of the Northeast corner thereof; thence East along the north boundary 200 feet; thence South a distance of 264 feet; thence West to a point on a line marking the boundary of that portion on said $NW\frac{1}{4}$ $SE\frac{1}{4}$ heretofore acquired by the Grand River Dam Authority; thence Northerly on said boundary of that portion acquired by the Grand River Dam Authority to the point of beginning"

lying below Elev. 758 Sea Level Datum, containing approximately 6.6 acres.

TRACT NO. 14 (48 - FW-1310 Rev.)
Flowage Easement

All that part of the $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Commencing at a point in the north boundary of said $NW\frac{1}{4}$ $SE\frac{1}{4}$ 938.5 feet east of the NW corner thereof; thence south 132.0 feet to the point of beginning; thence south 132.0 feet thence westerly along a line parallel to the north boundary of said $NW\frac{1}{4}$ $SE\frac{1}{4}$ 183.8 feet to a point on the Grand River Dam

Authority property line; thence N. 33° 09' W. 117.2 feet; thence N. 16° 10' E. 35.4 feet; thence Easterly along a line parallel to the north boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 238.1 feet to the point of beginning, lying below Elev. 758 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 15 (48 - FW-1311 Rev.)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, particularly described as follows, to-wit:

Commencing at a point in the north boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 938.5 feet east of the NW corner thereof, thence south 66.0 feet to the point of beginning; thence South 66.0 feet; thence westerly along a line parallel to the north boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 238.1 feet to a point on the Grand River Dam Authority property line; thence N. 16° 10' W. 68.6 feet; thence easterly along a line parallel to the north boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 219.0 feet to the point of beginning lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 16 (48 - FW-1312)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows:

Beginning at a point on the north boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 738.5 feet from the N W corner thereof; thence S. 16° 10' W. 68.6 feet; thence easterly parallel to the north boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 219.0 feet; thence north 66.0 feet to a point on the north boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 387.3 feet west of the N E corner thereof; thence westerly along said north boundary a distance of 200 feet to the point of beginning, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 17 (48 - FW-1313)
Flowage Easement

All that part of Lot 20 in the Townsite of Coulemelle, in Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's Office June 10, 1943, situated in Lot 3 in Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 18 (48 - FW-1314)
Flowage Easement

All that part of Lot 19 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's Office June 10, 1943, situated in Lot 3 in Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 19 (48 - FW-1315)

Flowage Easement

All that part of Lot 18 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lot 3 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 20 (48 - FW-1316)

Flowage Easement

All that part of Lot 17 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lot 3 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 21 (48 - FW-1317)

Flowage Easement

All that part of Lot 16 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lot 3 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 22 (48 - FW-1318)

Flowage Easement

All that part of Lot 15 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lot 3 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elevation 758 Sea Level Datum, containing approximately 0.1 acre, including all right, title and interest in and to the streets, avenues, and alleys adjacent to said Lot 15.

TRACT NO. 23 (48 - FW-1319)

Flowage Easement

All that part of Lot 14 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lots 2 and 3, of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.3 acre, including all right, title and interest in and to the streets, avenues and alleys adjacent to said Lot 14.

TRACT NO. 24 (48 - FW-1320)

Flowage Easement

All that part of Lot 13 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lots 2 and

3 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 25 (48 - FW-1321)
Flowage Easement

All that part of Lot 12 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lot 2 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 26 (48 - FW-1322)
Flowage Easement

All that part of Lot 11 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by the dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lot 2 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 27 (48 - FW-1322 B)
Flowage Easement

All that part of Lot 1, all that part of Lot 2, all that part of Lot 3, and all that part of Lot 4 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lots 1 and 2 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.3 acre.

TRACT NO. 28 (48 - FW-1322 C)
Flowage Easement

All that part of Tract A in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lots 1 and 2 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.3 acre.

TRACT NO. 29 (48 - FW-1323)
Flowage Easement

All that part of Lot 3, and all that part of Lot 2 less the east 880 feet thereof, all in Sec. 31, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.5 acre.

TRACT NO. 30 (48 - FW-1324)
Flowage Easement

All that part of the west 440 feet of the east 880 feet of Lot 2 in Sec. 31, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and that portion on which the Grand River Dam Authority has the right of flowage.

TRACT NO. 31 (48 - FW-1325)
Flowage Easement

All that part of the east 440 feet of lot 2 in Sec. 31, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority,

TRACT NO. 32 (48 - FW-1326)
Flowage Easement

All that part of Lot 1 in Sec. 31, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.2 acres.

TRACT NO. 33 (48 FW-1327)
Flowage Easement

All that part of the $S\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 31, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.0 acres.

TRACT NO. 34 (48 - FW-1328)
Flowage Easement

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 31, and all that part of Lot 4 in Sec. 30, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.4 acres.

TRACT NO. 35 (48 - FW-1526)
Flowage Easement

All that part of Lot 3 in Sec. 25, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.8 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said Lot 3 lying between Elev. 756.1 feet Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 4.5 acres.

TRACT NO. 38 (48 - FW-1527)
Perpetual Easement for Permanent Flowage

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 25, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 feet Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.5 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 8.0 acres.

TRACT NO. 37 (48 - FW-1528)
Perpetual Easement for Permanent Flowage

All that part of Lot 3 in Sec. 26, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 13.6 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said Lot 3 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 11.0 acres.

TRACT NO. 38 (48 - FW-1531)
Perpetual Easement for Permanent Flowage

All that part of Lot 2 in Section 26, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.5 acres.

Perpetual Easement for Intermittent Flowage during
Flood Periods

All that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.8 acres.

TRACT NO. 39 (48X - FW-1286)
Flowage Easement

All that part of the East 19.84 acres of Lot 1 in Sec. 2, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea

Level Datum, except that portion owned by the Grand River Dam Authority and less 1.4 acres St. Louis-San Francisco Railroad Company right-of-way, containing approximately 8.8 acres.

TRACT NO. 40 (48X-FW-1286 A)
Flowage Easement

All that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 2.4 acres.

TRACT NO. 41 (48X - FW-1286 B)
Flowage Easement

All that part of the W $\frac{1}{2}$ of Lot 1 in Sec. 2, T 26 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, containing approximately 0.2 acre.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America, be, and it is hereby vested with perpetual easements as hereinabove set forth, upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 6th day of March, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE OF THE UNITED STATES DISTRICT
COURT, NORTHERN DISTRICT OF OKLAHOMA

ENFORSED: Filed Feb 28 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to February 29, 1944

On this 29th day of February, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA,	Plaintiff,)	
)	
vs		)	No. 118 Civil
)	
BOARD OF COUNTY COMMISSIONERS OF OSAGE COUNTY, ET AL,	Defendants.)	

O R D E R

This matter coming on for hearing this 28th day of February, 1944, upon the application of the United States to strike from the decree rendered in this cause on the 26th day of May, 1942, in the first to the fifth causes of action, inclusive, findings of fact by the court that said property was properly assessed for taxes for certain years including 1937. The court finds that the year 1937 was included in said finding of fact by error and a misconstruction of the law in that the attorney for the plaintiff, as well as the attorney for the defendants were of the opinion that the Act of Congress of June 20, 1936, referred to the 1936 taxes and that later, the Circuit Court of Appeals for the Tenth Circuit determined that the Act of June 20, 1936, referred to the 1937 taxes and not to the 1936 taxes, therefore, said finding of fact should be stricken from each of the causes of action.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that there be stricken from the decree entered in this cause on the 26th day of May, 1942, all finding as to the 1937 taxes.

AND IT IS SO ORDERED.

F. E. KENNAMER
JUDGE

ENDORSED: Filed Feb 29 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to March 2, 1944

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 1055
CERTAIN PARCELS OF LAND IN THE TOWNSHIP OF)	
CLEORA, DELAWARE COUNTY, OKLAHOMA; and R. F.)	
Ulrich, et al.,	Defendants.)	

ORDER FIXING TITLE AND MAKING DISTRIBUTION

NOW, on this the 1st day of March, 1944, the above cause comes on for hearing pursuant to regular assignment for the determination of the rightful claimants in and to any funds that may have been deposited and that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto as the owners of the real estate and the estates therein taken and involved in this proceeding as hereinafter described and designated;

And the Court being fully advised in the premises finds that the hereinafter named persons, firms, corporations and political subdivision of the State are the owners of and/or have some right, title or interest in and to the lands involved herein, and that no person, firm, corporation or political subdivision of the State have any right, title or interest in and to said lands other than those hereafter named, and that the owners and those having any right, title or interest in and to said lands as hereafter named and set forth, are the only persons, firms and corporations having any right, title or interest in and to the funds that are now on deposit or that may hereafter be deposited in the above entitled proceeding for the rightful claimants thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the following named persons, firms and corporations are the owners of and/or have some right, title or interest in and to the lands involved herein as hereinafter designated, and that they are the only persons having any right, title or interest in and to the funds that are now on deposit and that may hereafter be deposited for the use and benefit of the rightful claimants thereto as the owners or those having any right, title or interest in and to the real estate involved in this proceeding, and that the Clerk of this Court be, and he is hereby authorized and directed to make distribution of said funds to said persons, firms and corporations as hereinafter set forth - all as follows, to-wit:

TRACT NO. 1 (6 FW 628)
Fee Title

R. F. Ulrich	fee owner	\$163.86	
John Curtis, County Treasurer of Delaware County, Oklahoma, Taxes on Lots 1 to 5, inclusive, and Lots 7 to 12, inclusive, all in Block 5, Town of Cleora, Delaware County, Oklahoma		1.14	
	Total		\$165.00
(commissioners' award)			

TRACT NO. 2 (6 FW 629)
TRACT NO. 18 (6 FW 646)
Fee Title

Everett Adcox; C. O. Adcox; Cora Ventress; Blanche Rosenbarger; Helen Downs; Dessie Cook	fee owners.		
	Tract 2 (6 FW 629)	15.00	
	Tract 18 (6 FW 646)	20.00	
	Total		\$35.00
(commissioners' award)			

TRACT NO. 3 (6 FW 631)

Fee Title

E. B. Raxter	fee owner	13.98	
John Curtis, County Treasurer of Delaware County, Oklahoma, taxes on Lot 8, Block 4, Town of Cleora, Delaware County, Oklahoma,			
		1.02	

Total

\$15.00

(commissioners' award)

TRACT NO. 4 (6 FW 632)

Fee Title

(Ad V. Coppedge fee owner of Lots 9, 10, 11 and 12, Block 4, Town of Cleora, Delaware County, Oklahoma, was paid the sum of \$50.00, as per order of distribution made February 7, 1944 \$50.00)

Ella M. Armstrong; Riley Armstrong; Catherine Armonstron, now Thompson, Banola Armstrong; Leola Armstrong, now Tomlin; and Betty Armstrong fee owners of that part of said tract described as Lot 7, Block 4, Towns of Cleora, Delaware County, Oklahoma \$6.30

John Curtis, County Treasurer of Delaware County, Oklahoma, Taxes on Lot 7, Block 4, Town of Cleora, Delaware County, Oklahoma \$6.20

Total

\$62.50

(commissioners' award)

TRACT NO. 5 (6 FW 633)

Fee Title

Bruce R. Sexton	fee owner	\$49.43	
John Curtis, County Treasurer of Delaware County, Oklahoma, taxes on Lot 14, Block 4, Town of Cleora, Delaware County, Oklahoma			
		\$15.57	

Total

\$65.00

(commissioners' award)

(claim by letter filed)

TRACT NO. 6 (6 FW 634)

Fee Title

Marie T. Whipple	fee owner	\$14.89	
John Curtis, County Treasurer of Delaware County, Oklahoma, taxes on Lot 11, Block 7, Town of Cleora, Delaware County, Oklahoma,			
		0.11	

Total

\$15.00

(commissioners' award)

TRACT NO. 7 (6 FW 635)

Fee Title

R. E. Reed fee owner

(the sum of \$1955.00 was paid pursuant to order of distribution dated December 24, 1943. Just compensation is fixed in the sum of \$2,000.00. Therefore, additional distribution should be made as follows:)

R. E. Reed	\$45.00	
(commissioners' award)		

TRACT NO. 8 (6 FW 636)

Fee Title

Julia E. Lee, also known as Julia Lee, the fee owner of this tract of land was paid the sum of \$275.00, pursuant to order of distribution dated December 28, 1943. Just compensation is fixed in the sum of \$400.00. Therefore, additional distribution should be made as follows:

Julia Lee, also known as Julia E. Lee	\$122.70	
John Curtis, County Treasurer of Delaware County, Oklahoma, taxes on Lots 1, 2, 3 and 4, Block 4, Town of Cleora, Delaware County, Oklahoma	2.30	
Total		\$400.00
(commissioners' award)		

TRACT NO. 9 (6 FW 637)

Fee Title

(Distribution in the sum of \$550.00 made pursuant to order dated February 9, 1944 - said distribution being made pursuant to stipulation).

TRACT NO. 10 (6 FW 638)

Fee Title

Gladys Devlin	fee owner	\$45.78
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John Curtis, County Treasurer of Delaware County, Oklahoma, Taxes on Lots 5, 6 and 7 (Tract No. 9 (6 FW 637) and Lots 8 and 9 (Tract No. 10 (6 FW 638)), all in Block 14, Town of Cleora, Delaware County, Oklahoma,

Total		\$50.00
(commissioners' award)		

TRACT NO. 11 (6 FW 639)

Fee Title

Lucille Partain	fee owner	\$260.00
(commissioners' award)		

TRACT NO. 12 (6 FW 640)

Fee Title

R. I. Devlin	fee owner	\$928.44
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John Curtis, County Treasurer of Delaware County,
Oklahoma, Taxes on Lots 13 to 22, inclusive,
Block 13, Town of Cleora, Delaware County,
Oklahoma 1.56
Total \$930.00

TRACT NO. 13 (6 FW 641)
Fee Title

R. F. Ulrich fee owner of Lots 2, 3 and 4, Block 13,
Town of Cleora, Delaware County, Oklahoma \$219.79

John Curtis, County Treasurer of Delaware County, Oklahoma,
Taxes on Lots 2, 3 and 4, Block 13, Town of Cleora,
Delaware County, Oklahoma 30.21

Church of Christ of Cleora, Oklahoma, and L. B. Spencer,
Trustee of the Church of Christ of Cleora, Oklahoma
-- fee owner of Lots 23 and 24, Block 13, Town of
Cleora, Delaware County, Oklahoma 400.00
Total \$650.00
(commissioners' award)

TRACT NO. 14 (6 FW 642)
Fee Title

J. A. Bowen fee owner \$130.00
(commissioners' award)

TRACT NO. 15 (6 FW 643)
Fee Title

Audie R. Ulrich fee owner \$2949.00
John Curtis, County Treasurer of Delaware County,
Oklahoma, taxes on Lots 1, 2, and 4, and Lots
17 to 18, inclusive, Block 8, Town of Cleora,
Delaware County, Oklahoma (Tract 15 (6 FW 643)
and on Lot 3, Block 8, Town of Cleora, Oklahoma,
Delaware County, (Tract 20 (6 FW 648) 51.00
Total \$3000.00
(commissioners' award)

TRACT NO. 16 (6 FW 644)
Fee Title

Kenneth Lunday fee owner \$18.22

John Curtis, County Treasurer of Delaware County,
Oklahoma, taxes on Lot 19, Block 8, Town of
Cleora, Delaware County, Oklahoma 1.78
Total \$ 20.00
(commissioners' award)

TRACT NO. 17 (6 FW 645)
Fee Title

Lewis Self fee owner \$32.50

John Curtis, County Treasurer of Delaware County,
Oklahoma, taxes on Lots 20 and 21, Block 8,
Town of Cleora, Delaware County, Oklahoma

7.50

Total \$40.00
(commissioners' award)

TRACT NO. 18 (6 FW 646)

(See Tract No. 2 above)

TRACT NO. 19 (6 FW 647)

Fee Title

W.C. Thompson fee owner \$2,000.00
(commissioners' award)

TRACT NO. 20 (6 FW 648)

Fee Title

R. F. Ulrich fee owner \$275.00
(taxes on this tract were paid in distri-
bution on Tract No. 15 above)
(commissioners' award)

TRACT NO. 21 (6 FW 649)

Fee Title

R. E. Ulrich fee owner \$20.98

John Curtis, County Treasurer of Delaware County,
Oklahoma, taxes on Lots 17 and 18, Block 3,
(Tract No. 21 (6 FW 649) and on Lots 1 to 16,
Block 3 (Tract No. 22 (6 FW 650) all in the
Town of Cleora, Delaware County, Oklahoma

9.02

Total

\$30.00

TRACT NO. 22 (6 FW 650)

Fee Title

R. F. Ulrich fee owner \$380.00
(taxes paid in distribution on Tract No.
21 above)
(commissioners' award)

TRACT NO. 23 (6 FW 651)

Fee Title

Lucille Partain fee owner \$60.00
(commissioners' award)

TRACT NO. 24 (6 FW 652)

TRACT NO. 25 (6 FW 653)

Fee Title

Mrs. John Davis fee owner \$153.01
(1/3rd interest)
Flossie Hartsock fee owner 76.51
(1/6th interest)

Ruby Davis Gillette	fee owner	76.51	
(1/6th interest)			
Ruth Flammger	fee owner	19.13	
(1/24th interest)			
Jean T. Davis	fee owner	19.13	
(1/24th interest)			
William A. Davis	fee owner	19.13	
(1/24th interest)			
Margaret Davis Martin	fee owner	19.13	
(1/24th interest)			
Frances M. Davis	fee owner	19.13	
(1/24th interest)			
Ben Davis	fee owner	19.13	
(1/24th interest)			
Georgia Davis Arnold	fee owner	19.13	
(1/24th interest)			
Jack Davis Gray	fee owner	19.13	
(1/24th interest)			
	Total		\$459.07

John Curtis, County Treasurer of Delaware County, Oklahoma, Taxes on Lots 1 to 8, inclusive, and Lot 21, in Block 2 (Tract No. 24) and Lot 22, in Block 2 (Tract No. 25) all in the Town of Cleora, Delaware County, Oklahoma

(award as to Tract No. 24 (6 FW 652)	\$265.00	
(award as to Tract No. 25 (6 FW 653)	200.00	

Total

\$465.00

(commissioners' award)

TRACT NO. 26 (6 FW 654)
Fee Title

(Distribution made pursuant to order dated January 19, 1944, said distribution being pursuant to stipulation)

TRACT NO. 27 (6 FW 655)
Fee Title

Bruce R. Sexton fee owner \$14.10

John Curtis, County Treasurer of Delaware County, Oklahoma, taxes on Lot 6, Block 23, Town of Cleora, Delaware County, Oklahoma

Total

10.90

\$25.00

(commissioners' award)
(claim by letter filed)TRACT NO. 28 (6 FW 657)
Fee Title

J. A. Bowen fee owner \$568.24

John Curtis, County Treasurer of Delaware County,
Oklahoma, taxes on Lots 1 to 9, inclusive, Block
24, Town of Cleora, Delaware County, Oklahoma,
4.26

Total \$572.50
(commissioners' award)

Treasurer of the United States \$2,487.50
(refund of past compensation deposited with Declaration of
Taking)

IT IS FURTHER ORDERED that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 2 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA, Petitioner,)

-vs-

) CIVIL NO. 1055

CERTAIN PARCELS OF LAND IN THE TOWNSHIP OF
CLEORA, DELAWARE COUNTY, OKLAHOMA, and R.)
F. Olrich, et al., Defendants.)

ORDER APPOINTING AN ATTORNEY TO REPRESENT AND PROTECT THE INTERESTS
OF CERTAIN DEFENDANTS AND DIRECTING ENTRY OF JUDGMENT CONFIRMING
REPORT OF COMMISSIONERS IN THE ABOVE STYLED CASE

NOW, on this 1st day of March, 1944, it appearing to the Court that the petitioner United States of America, in the above styled cause has filed the affidavit of R. L. Davidson, Special Assistant United States Attorney for the Northern District of Oklahoma, and attorney for the petitioner, that none of the defendants in this cause are in the military service of the United States, except that the petitioner is unable to determine whether or not any of the following defendants are in the military service of the United States, to-wit:

- J. M. Crawford,
- J. C. Crawford,
- A. G. Couch,
- Maggie Couch,
- Wiley E. Wilson,
- S. J. Smith,
- Charlotte Richardson,
- S. H. Brown,
- Frona Brown,
- Frank Gray, if living, or if deceased either known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors, successors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate

and remote, and their spouses, if any, of Tony S. Smith, deceased; of Jeff D. Sexton, Sr., deceased; of Jennie Sexton, deceased; of Lewis Sexton, deceased; of A. C. Adcox, deceased; of N. V. Adcox, same as Vaughn Adcox, deceased; of R. A. Armstrong, deceased; of Josephine Lunday, deceased; of Rose Duncan, also known as Rose Lunday Duncan, deceased; of Nancy Elizabeth Smith, deceased; of C. W. Agee, deceased; of H. E. Smith, deceased;

and that the following defendants are in the military service of the United States, to-wit:

Jeff D. Sexton, Jr., same as Dennis Sexton;
Kenneth Lunday;

and it further appearing to the Court that an attorney should be appointed to represent and protect the interests of each of said defendants;

It further appearing that the petitioner has complied with all of the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940, as amended, and that a judgment confirming the report of commissioners should be entered in this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Saul A. Yager, a regular practicing attorney of Tulsa, Oklahoma, be, and he is hereby appointed to represent and protect the interests of each of the following defendants, to-wit:

Jeff D. Sexton, Jr., same as Dennis Sexton;
Kenneth Lunday;
J. M. Crawford;
J. C. Crawford,
A. G. Couch,
Maggie Couch,
Wiley E. Wilson,
S. J. Smith,
Charlotte Richardson,
S. H. Brown,
Frona Brown,
Frank Gray, if living, or if deceased their known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors, successors and assigns, immediate and remote, and their spouses, if any; and the known and unknown heirs, executors, administrators, devisees, legatees, trustees, creditors and assigns, immediate and remote, and their spouses, if any, of Tony S. Smith; deceased; of Jeff D. Sexton, Sr., deceased; of Jennie Sexton, deceased; of Lewis Sexton, deceased; of A. C. Adcox, deceased; of N. V. Adcox, same as Vaughn Adcox, deceased; of R. A. Armstrong, deceased; of Josephine Lunday, deceased; of Rose Duncan, also known as Rose Lunday Duncan, deceased; of Nancy Elizabeth Smith, deceased; of C. W. Agee, deceased; of H. E. Smith, deceased.

And it is FURTHER ORDERED AND DIRECTED that a judgment be entered in this cause, confirming the report of Commissioners.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 2 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,

Petitioner,)

-vs-

CERTAIN PARCELS OF LAND IN THE TOWNSITE
OF CLEORA, DELAWARE COUNTY, OKLAHOMA, and
R. F. Ulrich, et al.,

Defendants.)

CIVIL NO. 1055

J U D G M E N T

NOW, on this 1st day of March, 1944, there comes on for hearing, pursuant to regular assignment, the application of the petitioner herein for a judgment approving the commissioners' report heretofore filed in this proceeding, and certain accepted offers of sale as to the real estate hereinafter specifically described.

Thereupon, the Court proceeded to hear and pass upon said application, the petition for condemnation, report of commissioners, contracts and accepted offers of sale, and all other matters herein, and finds that:

(1) Each and all of the allegations of said petition for condemnation are true, and the United States of America is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

(2) The said petition for condemnation was filed at the request of the Administrator of the Federal Works Agency, the person duly authorized by law to acquire the estate in the lands described in said document, for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceeding.

(3) In said petition for condemnation, a statement of the authority under which, and the public use for which the estate in said lands were taken, was set forth.

(4) A proper description of the lands sufficient for the identification thereof is set out in said petition for condemnation, and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) Due, proper and legal notice of the application of the United States of America for the appointment of commissioners herein was served upon each and all of the defendants named in said petition for condemnation as required by law and order of this court.

The court hears evidence and finds that the returns as filed by the United States Marshals are true and correct, and that the same are in accordance with law.

The Court further finds that the publication notice and affidavit of the publisher, as filed herein, are in all respects in accordance with the law in such cases made and provided and the same are hereby approved by this Court.

(6) The Court finds that the commissioners appointed herein to appraise and fix the damages occasioned by the taking of the estate in the lands involved in this proceeding, duly qualified on the 20th day of October, 1943, by taking and filing herein their oath of office as such, and said duly qualified commissioners, after inspection of the premises and consideration of the damages sustained occasioned by the taking of said estate, filed their report herein on the 22nd day of October, 1943, wherein they fixed the fair cash-market value of the estate taken, and all damages to the remainder, if any, as to the land more particularly designated and described as follows, to wit:

TRACT NO. 1 (6 FW 628)
Fee Title

Lots 1 to 5 inclusive, and Lots 7 to 12 inclusive, in Block 5 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$165.00

TRACT NO. 2 (6 FW 629)
Fee Title

Lot 6 in Block 5 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lot.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 15.00

TRACT NO. 3 (6 FW 631)
Fee Title

Lot 8 in Block 4 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lot.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 15.00

TRACT NO. 4 (6 FW 632)
Fee Title

Lots 7, 8, 10, 11 and 12 in Block 4 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$62.50

TRACT NO. 5 (6 FW 633)
Fee Title

Lot 14 in Block 4 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title and interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lot.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE), AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$65.00

TRACT NO. 6 (6 FW 634)

Fee Title

Lot 11 in Block 7 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues, and alleys adjacent thereto, incident to the ownership of said lot.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$15.00

TRACT NO. 7 (6 FW 635)

Fee Title

Lots 1 to 10 inclusive, and Lots 12 to 16 inclusive, in Block 7 in the original townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys, adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$2000.00

TRACT NO. 8 (6 FW 636)

Fee Title

Lots 1, 2, 3, and 4 in Block 14 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$400.00

TRACT NO. 10 (6 FW 638)

Fee Title

Lots 8 and 9 in Block 14 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$ 50.00

TRACT NO. 11 (6 FW 639)

Fee Title

Lots 10, 11 and 12 in Block 14 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$260.00



TRACT NO. 12 (6 FW 640)

Fee Title

Lots 13 to 22 inclusive in Block 13 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) IN AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$930.00

TRACT NO. 13 (6 FW 641)

Fee Title

Lots 1 to 4 inclusive, and Lots 23 and 24 in Block 13 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$650.00

TRACT NO. 14 (6 FW 642)

Fee Title

Lots 1, 2, 3 & 4 in Block 25 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$130.00

TRACT NO. 15 (6 FW 643)

Fee Title

Lots 1, 2 and 4, and Lots 7 to 18 inclusive, in Block 8 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$3000.00

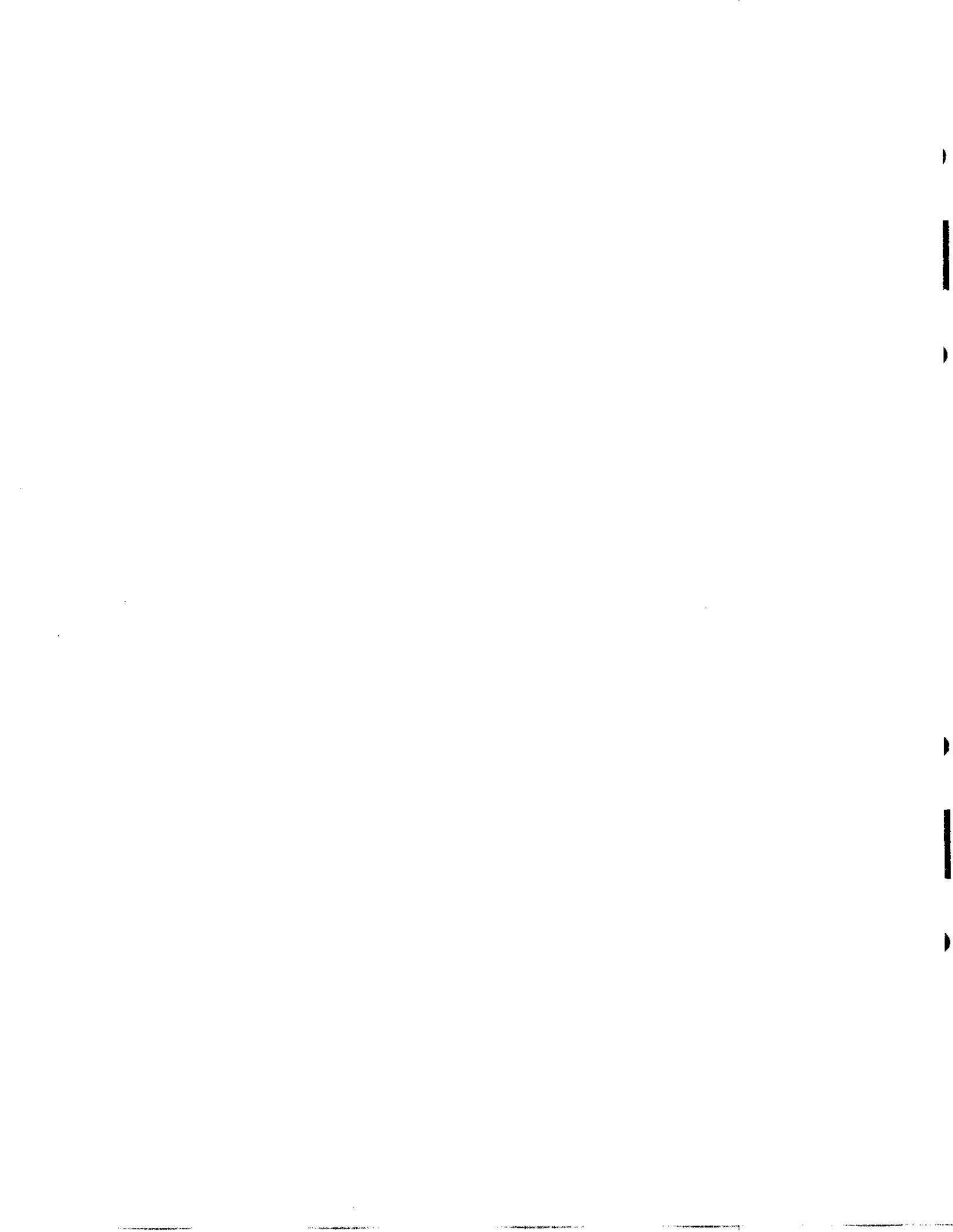
TRACT NO. 16 (6 FW 644)

Fee Title

Lot 19 in Block 8 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said Lot.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY,

\$20.00



TRACT NO. 17 (6 FW 645)
Fee Title

Lots 20 and 21 in Block 8 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, alleys avenues and adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$40.00

TRACT NO. 18 (6 FW 646)
Fee Title

Lot 22 in Block 8 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lot.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$20.00

TRACT NO. 19 (6 FW 647)
Fee Title

Lots 5 and 6 in Block 8 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues, and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2000.00

TRACT NO. 20 (6 FW 648)
Fee Title

Lot 3 in Block 8 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lot.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$275.00

TRACT NO. 21 (6 FW 649)
Fee Title

Lots 17 and 18 in Block 3 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues, and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$30.00

TRACT NO. 22 (6 FW 650)
Fee Title

Lots 1 to 16 inclusive, in Block 3 in the original Townsite of

Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$380.00

TRACT NO. 23 (6 FW 651)
Fee Title

Lots 9, 10 and 11 in Block 2 in the Original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$ 60.00

TRACT NO. 24 (6 FW 652)
Fee Title

Lots 1 to 8 inclusive, and Lot 21 in Block 2 in the Original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$265.00

TRACT NO. 25 (6 FW 653)
Fee Title

Lot 22 in Block 2 in the Original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said Lot.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$200.00

TRACT NO. 27 (6 FW 655)
Fee Title

Lot 6 in the Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lot,

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$25.00

TRACT NO. 28 (6 FW 657)
fee title

Lots 1 to 9 inclusive in Block 24 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including

all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$572.50

TOTAL \$11,645.00

and that said report and proceedings, as to the above tracts, are in all respects regular and in accordance with the law and orders of this Court.

(7) More than sixty (60) days have elapsed since the filing of the report of commissioners herein, and no written exceptions thereto, nor demands for jury trial are pending, and that said report of commissioners filed herein should be confirmed and approved in every respect, as to the tracts above particularly described.

(8) The Court finds that the petitioner and the owners entered into agreements and stipulations in the form of accepted offers of sale as to the just compensation to be paid for the estate taken in the lands in these proceedings, and more particularly designated and described as follows, to-wit:

TRACT NO. 9 (6 FW 637)
Fee Title

Lots 5, 6 and 7 in Block 14 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said Lots.

STIPULATED TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$550.00

TRACT NO. 26 (6 FW 654)
Fee Title

Lots 1 to 16 inclusive in Block 22 in the original Townsite of Cleora, Delaware County, State of Oklahoma, including all right, title or interest in and to the streets, avenues and alleys adjacent thereto, incident to the ownership of said lots.

STIPULATED TOTAL FAIR CASH MARKET VALUE (FEE TITLE) AND ALL DAMAGES TO THE REMAINDER, IF ANY, \$2800.00

TOTAL \$3350.00

and that said stipulations, agreements and accepted offers of sale entered into between the petitioner and the owners are in all respects regular and should be confirmed and approved in every respect, said said sums as set out in the aforementioned accepted offers of sale are just compensation for the estate taken.

The Court further finds that the just compensation for the estate taken herein for the tracts herein designated, as fixed by the report of commissioners and by the accepted offers of sale hereinabove set forth, is final just compensation, in the total amount of \$14,995.00.

(9) That the United States of America did, on the 31st day of July, 1943, file its Declaration of Taking herein, and paid to the Clerk of this Court for the use and benefit of the owners and

persons entitled thereto, the following sums, to-wit:

TRACT NO. 1 (6 FW 628)	\$165.00
TRACT NO. 2 (6 FW 629)	15.00
TRACT NO. 3 (6 FW 631)	15.00
TRACT NO. 4 (6 FW 632)	62.50
TRACT NO. 5 (6 FW 633)	65.00
TRACT NO. 6 (6 FW 634)	15.00
TRACT NO. 7 (6 FW 635)	1955.00
TRACT NO. 8 (6 FW 636)	275.00
TRACT NO. 9 (6 FW 637)	640.00
TRACT NO. 10 (6 FW 638)	50.00
TRACT NO. 11 (6 FW 639)	340.00
TRACT NO. 12 (6 FW 640)	1150.00
TRACT NO. 13 (6 FW 641)	950.00
TRACT NO. 14 (6 FW 642)	130.00
TRACT NO. 15 (6 FW 643)	4205.00
TRACT NO. 16 (6 FW 644)	20.00
TRACT NO. 17 (6 FW 645)	40.00
TRACT NO. 18 (6 FW 646)	20.00
TRACT NO. 19 (6 FW 647)	1740.00
TRACT NO. 20 (6 FW 648)	405.00
TRACT NO. 21 (6 FW 649)	30.00
TRACT NO. 22 (6 FW 650)	380.00
TRACT NO. 23 (6 FW 651)	75.00
TRACT NO. 24 (6 FW 652)	265.00
TRACT NO. 25 (6 FW 653)	275.00
TRACT NO. 26 (6 FW 654)	3470.00
TRACT NO. 27 (6 FW 655)	15.00
TRACT NO. 28 (6 FW 657)	715.00
TOTAL	\$17,482.50

(10) The Court having fully considered the petition for condemnation, the Declaration of Taking, and all proceedings had herein, and the provisions of Title II of the Act of Congress of June 16, 1933, 48 Stat. 200-203 (U.S.C. Title 40, Secs. 401-403) as amended and supplemented; the Act of June 10, 1920, 41 Stat. 1062 (U.S.C. Title 16, Sec. 909); and Executive Order No. 8944, dated November 19, 1941, is of the opinion that the United States of America was and is entitled to take said property and have the title to the estate therein taken vested in it, and that the alleged public purpose and use, as set out in said petition for condemnation, is hereby adjudged to be in truth and in fact a public purpose and use within the meaning and purport of the above designated Acts of Congress.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the report of commissioners filed herein, is final and the damages sustained as set out and fixed in said report of commissioners and as hereinabove set forth, is full and just compensation for the taking of said estate in the lands designated as follows, to wit:

TRACT NO. 1 (6 FW 628)	\$165.00
TRACT NO. 2 (6 FW 629)	15.00
TRACT NO. 3 (6 FW 631)	15.00
TRACT NO. 4 (6 FW 632)	62.50
TRACT NO. 5 (6 FW 633)	65.00
TRACT NO. 6 (6 FW 634)	15.00
TRACT NO. 7 (6 FW 635)	2000.00
TRACT NO. 8 (6 FW 636)	400.00
TRACT NO. 10 (6 FW 638)	50.00

TRACT NO. 11 (6 FW 639)	260.00
TRACT NO. 12 (6 FW 640)	930.00
TRACT NO. 13 (6 FW 641)	650.00
TRACT NO. 14 (6 FW 642)	130.00
TRACT NO. 15 (6 FW 643)	3000.00
TRACT NO. 16 (6 FW 644)	20.00
TRACT NO. 17 (6 FW 645)	40.00
TRACT NO. 18 (6 FW 646)	20.00
TRACT NO. 19 (6 FW 647)	2000.00
TRACT NO. 20 (6 FW 648)	275.00
TRACT NO. 21 (6 FW 649)	30.00
TRACT NO. 22 (6 FW 650)	380.00
TRACT NO. 23 (6 FW 651)	60.00
TRACT NO. 24 (6 FW 652)	265.00
TRACT NO. 25 (6 FW 653)	200.00
TRACT NO. 27 (6 FW 655)	25.00
TRACT NO. 28 (6 FW 657)	572.50
TOTAL	\$11,645.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the offers of sale made by the owners and accepted by the petitioner are hereby confirmed and approved in all respects, and the sum of money set forth therein to be paid in full and just compensation for the estate taken as to the tracts of land and the sums as set forth, as follows, to wit:

TRACT NO. 9 (6 FW 637)	\$550.00
TRACT NO. 26 (6 FW 654)	2800.00
TOTAL	\$3350.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken for said public use is the full fee simple title in and to the lands hereinabove described, subject only to the existing rights of the Grand River Dam Authority, if any.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, and the interest therein taken by these eminent domain proceedings, was vested in the United States of America on the 31st day of July, 1943, upon the filing of a Declaration of Taking and depositing the sum of \$17,482.50, with the registry of this court, for the estate taken in and to the above described tracts of land, the right to recover just compensation for the estate taken vested in the persons entitled thereto.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate therein taken, as hereinbefore specifically set forth, is hereby deemed to be condemned and taken, for the uses and purposes of the United States of America, and that the just compensation as determined and fixed herein, in the total sum of \$14,995.00, for the taking of said estate in said tracts of land, is vested in the persons lawfully entitled thereto, as the owners of said tracts of land, respectively, or of some right title or interest therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of this Court refund to the United States of America the sum of \$2487.50, said amount being the difference between the estimated just compensation in the sum of \$17,482.50, deposited with the Declaration of Taking filed herein, and the just compensation determined and fixed herein in the sum of \$14,995.00.

This cause is held open for the purpose of entering such further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE OF THE UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Mar 2 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) CIVIL NO. 1055
)
CERTAIN PARCELS OF LAND IN THE TOWNSITE OF)
CLEORA, DELAWARE COUNTY, OKLAHOMA, and R. F.)
Olrich, et al.,	Defendants.)

ORDER FIXING ATTORNEY FEE

NOW, on this 2 day of March, 1944, it appearing to the Court that the pet United States of America, filed its affidavit as to the military service of the defendants heret in compliance with Section 200 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940, appro October 17, 1940, as amended, and it appearin from said affidavit that the petitioner was unabl determine if all of said defendants were not in the military service of the United States, and t it was necessary that the Court appoint an attorney as provided in said Act, and the Court did a Saul A. Yager, a regular practicing attorney at Tulsa, Oklahoma, to represent said defendants, a further appearing that the said Saul A. Yager, did appear and plead for certain defendant on the day of March, 1944, and that this Court has not fixed and determined the compensation to be paid attorney for his services, and the Court being fully advised in the premises, finds that the sum \$15.00 is a reasonable fee for the services rendered by said attorney in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Saul A. Yager be, and hereby allowed the sum of \$15.00 as a fee for his services as an attorney for certain defendants case, who are in or may be in the military service of the United States of America, and

IT IS FURTHER ORDERED that the petitioner pay to the said Saul A. Yager a fee in the sum of \$15.00.

ROYCE H. SAVAGE
J U D G E

ENCLOSURE: Filed Mar 2 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

METROPOLITAN LIFE INSURANCE COMPANY, m)
a corporation,	) Plaintiff,
)
vs)
)
MARIE F. BEALL and ELOISE F. DALE,	) Defendants.

No. 1113 - CIVIL

O R D E R

The request of defendant, Marie F. Beall for leave to attach to her motio heretofore filed to construe Rule 36 of the Rules of Civil Procedure, a copy of her request to E. F. Dale for admission of certain documents and a copy of the answer of Eloise F. Dale thereto, is granted; and

IT IS ORDERED that leave be and is hereby given to Marie F. Beall to attach copies of said request and said answer to her said motion as a part thereof.

ROYCE W. SAVAGE
United States District Judge

ENDORSED: Filed Mar 2 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-		)	CIVIL NO. 1160
)	
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY,)	
OKLAHOMA, containing approximately 452.50)	
acres, more or less; and Annie M. Chuwalooky,)	
et al.,	Defendants.)	

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 1st day of March, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of

\$17,283.35, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, on this 1st day of March, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, upon and over certain of the lands hereinafter described and designated as "Flowage Easement" and "Perpetual Easement for Permanent Flowage"; and a perpetual easement, to inundate, submerge and flow, intermittently, during flood periods upon and over certain of the lands hereinafter described and designated as "Perpetual Easement for Intermittent Flowage During Flood Periods"; and to enter upon all of said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (46 - FW-1297)

Perpetual Easement for Permanent Flowage

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 feet Sea Level Datum, containing approximately 2.1 acres.

Perpetual Easement for Intermittent Flowage
during flood periods

All that part of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 5.4 acres.

TRACT NO. 2 (46 - FW-1298)

Perpetual Easement for Permanent Flowage

All that part of the North 19.90 acres of Lot 4, and all that part of the SE 10.0 acres of Lot 4 in Sec. 26, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 feet Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.3 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said North 19.90 acres of Lot 4, and all that part of said SE 10.0 acres of Lot 4, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 3.9 acres.

TRACT NO. 3 (36 - FW-1298A)

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 4 (36 - FW-1299)
Perpetual Easement for Permanent Flowage

All that part of the SW 10.0 acres of Lot 4, all that part of Lot 6, all that part of the East 6.9 acres of Lot 7, all that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 26, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 21.3 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said SW 10.0 acres of Lot 4, all that part of said Lot 6, all that part of said East 6.9 acres of Lot 7, all that part of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, all that part of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of said E $\frac{1}{2}$ SW $\frac{1}{4}$, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 23.0 acres.

TRACT NO. 5 (36 - FW-1300)
Perpetual Easement for Permanent Flowage

All that part of the East 5.61 acres of Lot 8, and all that part of the West 6.70 acres of Lot 7 in Sec. 26, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage containing approximately 8.7 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said E. 5.61 acres of Lot 8, and all that part of said West 6.70 acres of Lot 7, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.8 acre.

TRACT NO. 6 (46-FW-1301)
Perpetual Easement for Permanent Flowage

All that part of the West 4.99 acres of Lot 8 in Sec. 26, and all that part of Lot 1 in Sec. 27, all in T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said West 4.99 acres of Lot 8, and all that part of said Lot 1, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 7 (46 - FW-1302)
Perpetual Easement for Permanent Flowage

All that part of the SW 10.0 acres of Lot 2, all that part of the SE 9.60 acres of Lot 2, all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 27, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 17.6 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said SW 10.0 acres of Lot 2, all that part of said SE 9.60 acres of Lot 2, all that part of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the SE $\frac{1}{2}$ NW $\frac{1}{4}$ in said Sec. 27, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 16.4 acres.

TRACT NO. 8 (46 - FW-1303)
Perpetual Easement for Permanent Flowage

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the NW 8.5 acres of Lot 2 in Sec. 27, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of said NW 8.5 acres of Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.6 acres.

TRACT NO. 9 (47 - FW-1304)
Perpetual Easement for Permanent Flowage

All that part of Lot 13 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing less than 0.1 acre.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said Lot 13 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 10 (47 - FW-1533 A)
Perpetual Easement for Permanent Flowage

All that part of Lot 7 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, ~~except~~ that portion owned by the Grand River Dam Authority, containing approximately 3.2 acres.





TRACT NO. 11 (47 - FW-1536)
Perpetual Easement for Permanent Flowage

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, all that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of Lot 1 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 18.7 acres, including the bed and banks of Grand River adjacent to said Lot 1.

Perpetual Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of said Lot 1 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 13.5 acres.

TRACT NO. 12 (47 - FW-1537)
Perpetual Easement for Permanent Flowage

All that part of Lot 1 in Sec. 15, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said Lot 1 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 13 (47 - FW-1538)
Perpetual Easement for Permanent Flowage

All that part of Lot 2 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.1 acres.

TRACT NO. 14 (47 - FW-1538 A)
Perpetual Easement for Permanent Flowage

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 32.3 acres.

Perpetual Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 18.3 acres.

TRACT NO. 15 (47 - FW-1539)
Perpetual Easement for Permanent Flowage

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, all that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of Lot 3, in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 29.4 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of said SE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of said Lot 3, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 14.4 acres.

TRACT NO. 16 (47 - FW-1540)
Perpetual Easement for Permanent Flowage

All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 12.1 acre.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said N $\frac{1}{2}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 14.8 acres.

TRACT NO. 17 (47 - FW-1541)
Perpetual Easement for Permanent Flowage

All that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.4 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.3 acres.

TRACT NO. 18 (47 - FW-1543)
Perpetual Easement for Permanent Flowage

All that part of Lot 5, and all that part of Lot 6 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.9 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said Lot 5, and all that part of said Lot 6 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 4.2 acres.

TRACT NO. 19 (47 - FW-1579)
Perpetual Easement for Permanent Flowage

All that part of the south 8.9 acres of Lot 12 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.3 acre.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said south 8.9 acres of Lot 12 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.7 acre.

TRACT NO. 20 (47 - FW-1580)
Perpetual Easement for Permanent Flowage

All that part of the $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 1.6 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said $N\frac{1}{2}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.8 acres.

TRACT NO. 21 (47 - FW-1581
47 - FW-1583)
Perpetual Easement for Permanent Flowage

All that part of the $SW\frac{1}{2}$ $NW\frac{1}{4}$, and all that part of the $NW\frac{1}{2}$ $SW\frac{1}{4}$ of Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.4 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said $SW\frac{1}{2}$ $NW\frac{1}{4}$, and all that part of said $NW\frac{1}{2}$

SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 8.5 acres.

TRACT NO. 22 (47 - FW-1582)
Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 21, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 23 (47 - FW-1584)
Perpetual Easement for Permanent Flowage

All that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.3 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.4 acres.

TRACT NO. 24 (47 - FW-1585)
Perpetual Easement for Permanent Flowage

All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.6 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.7 acres.

TRACT NO. 25 (47 - FW-1586)
Perpetual Easement for Permanent Flowage

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 21, and all that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 16, all in T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.5 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said N $\frac{1}{2}$ NE $\frac{1}{4}$ and all that part of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum, and Elev. 760 Sea Level Datum, containing approximately 11.4 acres.

TRACT NO. 26 (47 - FW-1587)
Perpetual Easement for Permanent Flowage

All that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 21, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.7 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said S $\frac{1}{2}$ NE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.5 acres.

TRACT NO. 27 (47 - FW-1588)
Perpetual Easement for Permanent Flowage

All that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the SE $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 21, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 7.3 acres.

Perpetual Easement for Intermittent
Flowage During Flood Periods

All that part of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of said SE $\frac{1}{2}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 11.1 acres.

TRACT NO. 28 (47 - FW-1590)
Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.7 acre.

TRACT NO. 29 (47 - FW-1593)
Perpetual Easement for Permanent Flowage

All that part of the SW $\frac{1}{2}$ SW $\frac{1}{2}$ of Sec. 15, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.1 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said SW $\frac{1}{2}$ SW $\frac{1}{2}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.9 acres.

TRACT NO. 30 (47 - FW-1594)
Perpetual Easement for Permanent Flowage

All that part of the $E\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.3 acre.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said $E\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Said Sec. 22, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.7 acres.

TRACT NO. 31 (47 - FW-1596)
Perpetual Easement for Permanent Flowage

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of Lot 10 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.6 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said N $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of said Lot 10 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.9 acres.

TRACT NO. 32 (47 - FW-1597)
Perpetual Easement for Permanent Flowage

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 6.2 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 7.4 acres.

TRACT NO. 33 (47 - FW-1598)
Perpetual Easement for Permanent Flowage

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 6.6 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, all that part of said W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ in said Sec. 14, and

all that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 15, T 27 N, R 27 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 14.2 acres.

TRACT NO. 34 (47 - FW-1599)

Perpetual Easement for Permanent Flowage

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 10.5 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of NE $\frac{1}{4}$ SW $\frac{1}{4}$ in said Sec. 14, lying below Elev. 760 Sea Level Datum, and all that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of said E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 23.3 acres.

TRACT NO. 35 (47 - FW-1602)

Perpetual Easement for Permanent Flowage

All that part of Lot 10, all that part of Lot 11, all that part of Lot 12, and all that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 9.7 acres.

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of said Lot 10, all that part of said Lot 11, all that part of said Lot 12, and all that part of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 9.4 acres.

TRACT NO. 36 (47X - FW-1591)

Perpetual Easement for Intermittent Flowage
During Flood Periods

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 37 (47X - FW-1592)

Perpetual Easement for Intermittent Flowage
during Flood Periods

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.1 acres.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the lands taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said land, in the amount of \$6,393.50 and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior, will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, on this 2nd day of March, 1944, ORDERED, ADJUDGED AND DECREED by this Court that the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACE NO. 1 (34 - FW-1139)
Fee Title

All of Lots 18, 23 and 24 in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues and alleys adjacent to said lots.

TRACE NO. 2 (34 - FW-1142)
Fee Title

Lots 13 to 17 inclusive in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the NE $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues, and alleys adjacent to said lots.

TRACE NO. 3 (34 - FW-1143)
Fee Title

Lots 11 and 12 in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situate in the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues, and alleys adjacent to said lots.

TRACE NO. 4 (34 - FW-1145)
Fee Title

All of Lots 1, 6, 9 and 10 in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situated in the NW $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of

the streets, avenues and alleys adjacent to said lots.

TRACT NO. 5 (34 - FW-1148)
Fee Title

Lot 2 in Block A, as shown on the dedication plat of the original Townsite of Guffey's Cabin Site dated the 29th day of April, 1941, situate in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 9, T 25 N, R 24 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, together with all that part of the streets, avenues and alleys adjacent to said lots.

TRACT NO. 6 (35 - FW-1070)
Fee Title

All that part of the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 20, 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 a point in the east boundary of said S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 486.6 feet south of the NE corner thereof; thence S. 34° 53' W. 326.0 feet; thence S. 40° 56' W. 262.8 feet; thence S. 55° 38' E. 304.6 feet; thence N. 62° 31' E. 56.8 feet; thence S. 41° 35' W. 55.2 feet; thence S. 52° 34' E. 215.9 feet to a point in the east boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 129.7 feet north of the SE corner thereof; thence northerly along the east boundary of said N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 704.3 feet to the point of beginning, containing approximately 3.8 acres.

TRACT NO. 7 (35 - FW-1081 A)
Fee Title

All that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 20, and all that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 17, all in T 25 N, R 26 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the NW corner of said S $\frac{1}{2}$ SW $\frac{1}{4}$, thence southerly along the west boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 63.0 feet; thence S. 23° 37' E. 65.7 feet; thence S. 23° 21' E. 433.1 feet; thence S. 41° 42' E. 245.9 feet; thence S. 68° 01' E. 481.2 feet; thence S. 50° 53' E. 414.2 feet; thence S. 71° 54' E. 267.2 feet; thence S. 67° 34' E. 269.4 feet to a point in the south boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ and 1011.6 feet west of the SE corner thereof; thence S. 67° 34' E. 140.0 feet; thence S. 57° 55' E. 439.5 feet; thence S. 77° 43' E. 271.4 feet; thence N. 81° 04' E. 187.2 feet; thence S. 43° 51' E. 83.2 feet to a point in the east boundary of said N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 20, 284.7 feet north of the SE corner thereof; thence northerly along the east boundary of said N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 378.8 feet to the NE corner thereof; thence northerly along the east boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 377.7 feet; thence N. 37° 57' W. 491.0 feet; thence N. 28° 06' W. 572.5 feet; thence N. 36° 13' W. 265.7 feet; thence N. 38° 51' W. 92.1 feet to a point in the north boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$, thence westerly along said north boundary of said S $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 1684.6 feet to the point of beginning, containing approximately 56.7 acres.

TRACT NO. 8 (35 - FW-1082 A)

Fee Title

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 17, 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 SW corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence easterly along the south boundary thereof a distance of 351.1 feet; thence N. 38° 51' W. 76.8 feet; thence N. 46° 01' W. 234.2 feet; thence N. 72° 06' W. 62.7 feet to a point on the west boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence southerly along said west boundary of a distance of 314.8 feet to the point of beginning, containing approximately 1.4 acres.

TRACT NO. 9 (35 - FW-1083 A)

Fee Title

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 17, all in T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence northerly along the east boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 314.3 feet; thence N. 72° 06' W. 542.2 feet; thence N. 85° 43' W. 540.0 feet; thence N. 86° 07' W. 521.6 feet; thence S. 3° 50' W. 74.0 feet; thence S. 26° 09' E. 321.1 feet; thence S. 23° 39' E. 223.1 feet to a point in the south boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence easterly along said south boundary a distance of 16.4 feet to the SE corner thereof of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence easterly along the south boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning, containing 16.2 acres, more or less.

TRACT NO. 10 (36 - FW-1060)

Fee Title

All that part of the NW 1.0 acre of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 7, T 25 N, R 25 E of the Indian Base and Meridian, Seneca Survey, in Delaware County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SW corner of said NW 1.0 acre of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, thence northerly along the west boundary of said NW 1.0 acre of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to a point 82.8 feet south of the NW corner thereof; thence N. 74° 45' E. 16.7 feet; thence S. 86° 08' E. 114.3 feet; thence S. 48° 55' E. 104.5 feet to a point in the east boundary of said NW 1.0 acre of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 156.3 feet south of the NE corner thereof; thence southerly along said east boundary to the SE corner of said NW 1.0 acre of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence westerly along the south boundary of said NW 1.0 acre of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the point of beginning, containing approximately 0.5 acre.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America in connection with the completion and full utilization of the Grand River Dam (Pensacola Project), and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it is hereby vested with entire fee simple title in and to the lands hereinabove described, subject only to the rights, if any, of the Grand River Dam Authority, a public corporation, for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America, on or before the 9th day of March, 1944, and that this cause is held open for such other and further orders, judgments, and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE OF THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Mar 2 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to March 3, 1944

On this 3rd day of March, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA,

Petitioner,)

-vs-

CERTAIN PARCELS OF LAND IN MAYES COUNTY,
OKLAHOMA, et c; and Cary Caldwell, et al.,

Defendants:)

) CIVIL NO. 1046

JUDGMENT ON VERDICT AS TO TRACTS 3, 4 and 5,
AND TRACT NO. 7 in Case No. Civil 1032, CONSOLIDATED
WITH SAID TRACTS 3, 4 and 5, IN CIVIL CASE NO. 1046

NOW, on this, the 15th day of February, 1944, the United States District Court for the Northern District of Oklahoma, being regularly and duly convened and in session in Tulsa, Oklahoma, within said district and state, the above proceeding came on for jury trial upon the demand of the defendant, Tyler Boat Works, a corporation, and the petitioner, the United States of America, and pursuant to the regular assignment, the petitioner, the United States of America, appeared by Whit Y. Mauzy, United States

Attorney for the Northern District of Oklahoma, and Q. B. Boydston, Assistant Chief Counsel, Southwestern Power Administration, Department of the Interior, and Jesse L. Ballard, Attorney for the Southwestern Power Administration, Department of the Interior, and the defendant, Tyler Boat Works, a corporation, appeared by its attorneys, Ernest A. Brown of Pryor, Oklahoma, L Keith Smith of Jay, Oklahoma, and Frank Nesbitt Miami, Oklahoma. Whereupon, all parties announced ready for trial.

It was stipulated and agreed in open Court between all the parties, that the defendant, Tyler Boat Works, corporation is the owner of the lands designated and described as Tracts 3, 4 and 5 in this proceeding, and Tract No. 7 in Case No. Civil 1032, pending in this Court, and was the owner of said tracts of land on the 16th day of July, 1943, at the time of the taking by the petitioner. It was further stipulated and agreed between the parties, in open court, that Tract No. 7 in Case No. Civil 1032, in this court, should be transferred from cause No. Civil 1032 and consolidated with Tracts 3, 4 and 5 in this cause, Civil No. 1046.

A stipulation was filed, in open court, pursuant to Public Law No. 752, 77th Congress whereby it was stipulated and agreed to exclude from the taking, in Tracts No. 3, 4 and 5, and Tract No. 7 in Civil No. 1032, "the right to cut and clear all timber, remove or require the removal of all obstructions natural or artificial structures, buildings, fences and other improvements,"; that the owner of said tracts waived any right to claim compensation by reason of the taking of said rights excluded by said stipulation which stipulation was approved by the Court. It was further stipulated between the parties that the compensation to be determined in said trial was for the taking of a perpetual easement to inundate, submerge and flow said tracts of land, and to enter upon said tracts of land for the purpose of inundating, submerging and flowing the same in connection with the Grand River Dam (Pensacola) Projects as of July 16, 1943.

A jury was duly impaneled and sworn to try the cause according to law; and opening statements were made by attorneys for the defendant, Tyler Boat Works, a corporation, and attorneys for the petitioner, United States of America, whereupon the defendant introduced evidence and rested, and the petitioner introduced evidence and rested. Whereupon, and on the 16th day of February, 1944, the said jury in charge of its bailiff returned its verdict into Court, which verdict is in words and figures, as follows, to-wit:

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

United States of America,	Plaintiff,	)	Case No. 1032 - Tract No. 7
vs.		)	Case No. 1046 - Tracts No. 3, 4 & 5
Tyler Boat Works,	Defendant.)	

We, the jury in the above-entitled case, duly impaneled and sworn, upon our oaths find that damages to Tracts No. 7, No. 3, No. 4 and No. 5 were Twelve Hundred Twelve and 50/100 Dollars (\$1212.50)

C. R. Fries
Foreman."

ENDORSED:
Filed In Open Court,
Feb 16 1944
H. P. Warfield, Clerk
U. S. District Court"

Whereupon, IT IS BY THE COURT ORDERED, ADJUDGED AND DECREED that said verdict be accepted and approved in every respect, and that the defendant shall receive just compensation in the total sum of \$1,212.50 by reason of the condemnation and taking of a perpetual easement by the United States of America to inundate, submerge and flow the lands designated and described as Tracts 3, 4 and 5 in this cause, and Tract 7 in Civil No. 1032, and to enter upon said lands for the purpose of inundating, submerging and flowing the same in connection with the operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the public use and purpose for which said estate in said lands is taken by the petitioner, is strictly in accordance with the Acts of Congress made and provided in said cases, and that a legal description of said real estate upon and over which said easement is taken by the defendant herein proceedings is as follows, to-wit:

TRACT NO. 3 (1-FW-57 Revised)
Flowage Easement

All that part of the following described tract of land lying south of and adjacent to Block 23 in the original Townsite of Disney, Oklahoma, situate in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ in Sec. 13, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, to-wit:

"Beginning at the SE corner of said Block 23, thence S 18° 26' W. 180.5 feet approx. to the north boundary line of property owned by C.R.D.A., thence S. 68° 56' W 130.5 feet; thence N. 78° 35' W 169.1 feet approx.; thence N 20° 52' W. 27 feet approx.; thence North 152.5 feet to the southwest corner of said Block 23; thence east along the south boundary of Block 23 a distance of 350 feet to the point of beginning, "

lying below Elev. 757 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 4 (1-FW-57-A)
Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 13, T 23 N, R 21 E of the Indian Base and Meridian in Mayes County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 325.5 feet north of the SW corner thereof; thence northerly along said west boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 20.9 feet to a point 313.2 feet south of the NW corner thereof; thence east 50 feet to the SW corner of Block 23 in the Townsite of Disney, Oklahoma; thence South 152.5 feet; thence N. 20° 52' W 140.8 feet to the point of beginning,

lying below Elev. 757 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 5 (1-FW-57-B-Revised)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ all that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 13, described as follows, to-wit:

TRACT A (Described in Declaration of Taking on J 6 - Page 499)

Tract B (Described in Declaration of Taking in J6 - P. 499)

TRACT NO. 7 (1-FW-58) (Civil No. 1032)

(Described in J 6-Page 432)

That said estate taken in said real estate is a perpetual easement to inundate, submerge and flow, and to enter upon said land from time to time in the performance of said acts, in connection with the maintenance and operation of the Grand River Dam (Pensacola) Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to said estate and interest taken by these eminent domain proceedings did vest in the United States of America, on the 16th day of July, 1943, upon the depositing in the registry of this Court the sum of \$74.20 for Tracts 3, 4 and 5 in Civil No. 1046, and the sum of \$52.20 for Tract 7 in Civil No. 1032, or a total sum, for all of said tracts, of \$106.20.

money so received should be made by the United States Marshal in and for the Northern District of Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT, that the said Marshal's sale of the lands involved in this action and described as follows, to-wit:

The East Half of the Northwest Quarter of the Northeast Quarter of Section Thirteen and the Northeast Quarter of the Northeast Quarter of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter of the Northwest Quarter of Section Twenty-four, Township Twenty-two North, Range Twelve East of the Indian Base and Meridian in Tulsa County, Oklahoma,

being the real estate involved herein, be, and the same is in all things approved and confirmed, and made firm and effectual forever and that the purchaser of said land be subrogated to the rights of all the other parties to said action for the protection of his title.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT, that the United States Marshal for the Northern District of Oklahoma, Honorable John P. Logan, make, execute and deliver to the purchaser Grover C. McBroom, a proper conveyance, conveying the said land to him in accordance with this order and the former orders and direction of this Court heretofore made in accordance with the statutes in such cases made and provided.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT, that said United States Marshal pay the publication fee herein in the amount of \$20.00 for publishing Notice of Sale, pay the Court Clerk of the United States District Court for the Northern District of Oklahoma, the sum of \$115.85 as costs incurred herein, that he pay the Court Clerk of Tulsa County the sum of \$65.75 as costs incurred prior to removal to this Court, and that he pay to Harry Seaton and John M. Goldesberry, attorneys for plaintiff, the sum of \$200.00 reasonable attorneys' fee, the said sums to be first deducted out of the price received for the tract of land last described herein.

IT IS FURTHER ORDERED BY THE COURT that the balance remaining in the hands of said United States Marshal be divided as follows, to-wit: that he pay to Daniel W. Tyner the sum of \$350.00 the amount due him for his homestead interest in and to said property and that the balance of said money be a sum equal to an undivided one-fifth of said sum to, Daniel W. Tyner, Nora Tiblow, Nedith Carpenter, Catherine Gibson and Irene Daylight, that said sums be paid to the Superintendent of the Five Civilized Tribes Agency for the benefit of said afore-described Indians.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States Marshal in and for the Northern District of Oklahoma, file a report of all disbursements made under this order with the Clerk of this Court.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 6 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,

Petitioner,

-vs-

CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,
OKLAHOMA, containing approximately 55.89
acres, more or less; and Zaida Gray, et al.,

Defendants.

CIVIL NO. 1124

ORDER SETTING TITLE, DETERMINING JUST COMPENSATION AND
MAKING DISTRIBUTION AS TO TRACT NO. 10
(28 FW 951)

NOW, on this 3rd day of March, 1944, therecoming on for hearing the application of the defendants, E. C. Calfee, J. W. Calfee, Ella Calfee, Jeanette Lee and Jesse C. Calfee, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 10 (28 FW 951), and the Court having heard the testimony of witnesses sworn and examined in open court, finds that Thomas F. Calfee was the owner of the entire fee simple title to the lands designated and described as Tract No. 10 (28 FW 951) in this proceeding; that the said Thomas F. Calfee died intestate in Delaware County, Oklahoma, in 1918, seized with the entire fee simple title to said property; that the said Thomas F. Calfee left surviving as his sole and only heirs at law, the following:

- Ella Calfee - widow;
- E. C. Calfee - son;
- J. W. Calfee - son;
- Jeanette Lee - daughter;
- Jesse C. Calfee - son;

and that they are the only persons entitled to share in the estate of the said Thomas F. Calfee, deceased, and that said heirs are now vested with entire fee simple title in and to said tract of land.

The Court further finds that there has been no judicial determination of the heirs of Thomas F. Calfee, deceased, in any court having jurisdiction to determine said heirs; that there are no inheritance taxes due the State of Oklahoma on the estate of Thomas F. Calfee, deceased; that the persons named herein as the heirs of Thomas F. Calfee, deceased, were the owners of said Tract No. 10 (28 FW 951) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$637.50 for the taking of the entire fee simple title to said tract of land.

The Court further finds that the defendants, Ella Calfee, E. C. Calfee, J. W. Calfee, Jeanette Lee and Jesse C. Calfee, in writing, agreed to sell and convey to the petitioner, the entire fee simple title to said tract of land for the sum of \$627.50, and that the petitioner agreed to pay said sum of \$627.50.

The Court further finds that the sum of \$627.50 is full and just compensation for the taking of the entire fee simple title to said tract of land, and that no person, firm, corporation, or taxing subdivision of the state other than said defendants have any right, title or interest in and to said just compensation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that Ella Calfee, E. C. Calfee, J. W. Calfee, Jeanette Lee and Jesse C. Calfee, are the sole and only heirs at law of Thomas F. Calfee, deceased, and were the owners of the entire fee simple title to the land designated as Tract No. 10 (28 FW 951) at the time these condemnation proceedings were instituted, and are the only persons entitled to the compensation to be paid for the taking of said tract of land.

IT IS FURTHER ORDERED AND DECREED that the sum of \$627.50 is full and just compensation to the owners of said tract of land occasioned by the taking of the entire fee simple title thereto by the petition.

IT IS FURTHER ORDERED that the Clerk of this Court be and he is hereby authorized and directed to make distribution of the funds deposited as just compensation for the taking of said tract as follows, to-wit:

Ella Calfee	1/3 interest	\$209.18
E. C. Calfee	1/6th interest	104.58
J. W. Calfee	1/6th interest	104.58
Jeanette Lee	1/6th interest	104.58
Jesse C. Calfee	1/6th interest	104.58
TOTAL	\$627.50	

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 11 1944
H. P. Warfield, Clerk
U. S. District Court

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

SAMUEL H. BROWN, Plaintiff,)
vs.) NO. 1150 CIVIL
C. R. COLPITT, et al.,)
Defendants.)

O R D E R

NOW, on this 3rd day of March, 1944, this matter coming on before the court on the application of the United States of America for additional time to plead and it appearing to the court, for good cause shown, that said time should be granted.

IT IS THEREFORE THE ORDER OF THE COURT that the United States of America be and it hereby is granted thirty (30) days additional time from March 4, 1944 in which to plead in this cause of action.

AND IT IS SO ORDERED.

ROYCE H. SAVAGE
UNITED STATES DISTRICT JUDGE

ENDORSED: Filed Mar 3 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs.)
		) No. 1152 - Civil
1.53 acres of land, more or less, situate in)
Tulsa County, State of Oklahoma, and A. E. Duran,)
et al.,	Respondents.)

JUDGMENT CONFIRMING STIPULATION

Now on this 3rd day of March, 1944, this cause came on to be heard and the Court, having been fully advised in the premises, finds that a written stipulation has been filed in this cause by and between the petitioner, the United States of America, and the respondents A. L. Farmer, Marion W. Farmer, A.E. Duran, and Hester M. Duran, fixing the fair, cash, market value of the estate taken in the lands involved in this proceeding in the total amount of \$750.00.

The Court further finds that there has heretofore been deposited under a Declaration of Taking the sum of \$750.00 and that no deficiency exists.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the stipulation in the amount of \$750.00 be, and the same is hereby, confirmed and approved, and the fair, cash, market value of the estate taken in the lands involved herein shall be the total sum of \$750.00, including interest and all damages of every kind and character.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 3 1944
H. P. Warfield, Clerk
U. S. District Court LN

Court adjourned to March 4, 1944

On this 4th day of March, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

R. P. Warfield, Clerk, U. S. District Court
Whit Y. Manzy, United States Attorney
John P. Logan, United States Marshal

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

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs)
		) No. 1009 - Civil
94.35 acres of land, more or less, situate in)
Tulsa County, State of Oklahoma, and A. E. Duran, et al.,)
	Respondents.)

The Northeast Quarter of the Southwest Quarter of the Northeast Quarter and the West Half of the Southwest Quarter of the Northeast Quarter and the Southeast ten acres of Lot 2, and the Southwest 10 acres of Lot 2 and the North 20.85 acres of Lot 2, in Section 5, Township 27 North, Range 13 East containing 70.35 acres, more or less.

And the Court further finds that on July 15, 1943, said Commissioners took the oath required by law to faithfully and impartially do their duties to the best of their ability, and the same day filed their report that they had viewed said real estate and that the same could not be partitioned without manifest injury among the parties in accordance with their respective interests, and they thereupon appraised the same at \$1750.00, and recommended that said real estate be sold, as provided by law and the proceeds divided according to the respective interests of the parties, and no objections or exceptions having been filed to said report, the Court finds that the same should in all things be approved and confirmed, and an order should be made for the sale of said real estate.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT, that the report of said Commissioners and the appraisement of said real estate be, and the same is hereby in all things approved and confirmed.

IT IS FURTHER ORDERED, CONSIDERED, ADJUDGED AND DECREED by the Court that the said real estate be, and the same is hereby ordered sold in the same manner as in sales of real estate on execution, and John P. Logan, United States Marshal for the Northern District of Oklahoma is hereby appointed by the Court as Special Commissioner, to sell said property at public sale for not less than two-thirds of the appraised value fixed by said Commissioners, to-wit: \$1750.00, and that he advertise said real estate in some newspaper in Washington County, Oklahoma, authorized to make such legal publications for a period of thirty (30) days and sell the same at public sale to the highest bidder for cash in hand at the West Front Door of the Court House at Bartlesville, Washington County, Oklahoma, the county seat of the county where the said real estate is located, subject to the approval of this Court, and report his acts to this Court, a certified copy of this order shall be his authority to act in the premises.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed Mar 56 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

The Atchison, Topeka and Santa Fe Railway)
Company, a corporation,) Complainant,)
vs.) No. 1006 - Civil)
Braden Steel Corporation,)
a corporation,) Defendant.)

U R D E R

Upon agreement of the parties hereto plaintiff's claim for undercharges upon car PRR-440567, Exhibit 5 to plaintiff's complaint is hereby dismissed with prejudice.

Dated this ___ day of March, 1944.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 6 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)	
)	
-vs-)	
		)	CIVIL NO. 1043
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY,)	
OKLAHOMA, containing approximately 87.20)	
acres, more or less; and Rome Williams, et al.,)	
	Defendants.)	

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 41
(10 FW 715)

NOW, on this 6th day of March, 1944, there coming on for hearing the application of the defendant, E. L. Spurck, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 41 (10 FW 715) and the Court being fully advised in the premises, finds:

That the defendant, E. L. Spurck, was the owner of the land designated as Tract No. 41 (10 FW 715) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$125.00, for the taking of a perpetual easement upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, a perpetual flowage easement, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, E. L. Spurck, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$125.00, which was accepted by the petitioner.

The Court further finds that the sum of \$125.00 is just compensation for the injuries and damages sustained by said defendant, E. L. Spurck.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendant, have any right, title or interest in and to said just compensation, except

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, E. L. Spurck, was the owner of the land designated as Tract No. 41 (10 FW 715), when this proceeding was commenced, and that the sum of \$125.00 is just compensation for the damages sustained by the defendant, E. L. Spurck, and that said defendant is the only person, having any right, title or interest in and to said just compensation, except

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

TO: E. L. Spurck	Owner	
	TRACT NO. 41 (10 FW 715)	\$125.00

ROYCE H. SAVAGE
J N U D G E

ENDORSED: Filed Mar 6 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

ALMEDA BEAVER,	Plaintiff,)
)
vs		) NO. 1059 CIVIL
)
WALGREEN DRUG STORES, INC., a corporation,	Defendant.)

ORDER OF DISMISSAL

Now, on this 6 day of March, 1944, this matter coming on to be heard upon motion of the plaintiff to dismiss the above action with prejudice, and the court being advised in the premises, finds that the said cause has been fully settled and compromised and should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff's cause of action be and the same is hereby dismissed with prejudice.

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 6 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

UNITED STATES OF AMERICA,	Petitioner,)
)
-vs-		) CIVIL NO. 1115
)
CERTAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA, containing approximately 192.43 acres, more or less, and Vann S. Chandler, et al.,	D Defendants.)

ORDER FIXING TITLE, DECREERING JUST COMPENSATION AND MAKING
DISTRIBUTION AS TO TRACT NO. 22 (20 FW 873)

NOW, on this 6th day of March, 1944, there coming on for hearing the application of the defendant, F. M. Post, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 22 (20 FW 873), and the Court being fully advised in the premises, finds:

That the above named defendant was the owner of the lands designated as Tract No. 22 (20 FW 873) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the sum of \$2455.50 for the taking of the fee simple title in and to said tract of land; that this court entered a judgment upon said Declaration of Taking filed by the petitioner, thereby vesting in the petitioner, United States of America, the fee simple title in and to said premises, together with all improvements located thereon and appurtenances thereunto belonging, and decree that the owner and those having any right, title or interest in and to said tract of land, have and recover just compensation for the taking thereof.

The Court further finds that the defendant, F. M. Post agreed to grant sell to the petitioner the fee simple title in and to said tract of land, together with all improvements located thereon and appurtenances thereunto belonging for the sum of \$2455.50, which was accepted by the petitioner.

The Court further finds that the sum of \$2455.50 is just compensation for the injuries and damages sustained by the said F. M. Post and that no person, firm, corporation or taxing subdivision of the State, other than said defendant has any right, title or interest in and to said just compensation, except there are unpaid taxes on said premises in the sum of \$104.40, and that said amount is to be deducted from the just compensation on deposit in the registry of this court and paid to the County Treasurer of Delaware County, Oklahoma.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, F. M. Post, was the owner of the lands designated as Tract No. 22 (20 FW 873) when this proceeding was commenced, and that the sum of \$2455.50 is just compensation for the taking of the fee simple title in and to said tract of land, together with all improvements located thereon and all appurtenances thereunto belonging, and that said defendant is the only person having any right, title or interest in and to said just compensation, except as hereinabove set forth.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds herein deposited, as follows, to-wit:

TO: John Curtis, County Treasurer of Delaware County, Oklahoma - taxes on Tract No. 22 (20 FW 873)	\$104.40
F. M. Post - Owner - Tract No. 22 (20 FW 873)	2351.10
Total - \$2455.50.	

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 6 1944
H. P. Warfield, Clerk
U. S. District Court ME

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

United States of America,	Plaintiff,)
)
v		) No. 1154 CIVIL
)
Mrs. Evalina Hunt,	Defendant.)

JOURNAL ENTRY OF JUDGMENT

Now on this 6th day of March, 1944, this matter having come on for hearing before the Court on February 28, 1944, on the application of the United States for a temporary injunction, plaintiff appearing by Whit Y. Mauzy, United States Attorney and Joe W. Howard, Assistant United States Attorney, for the Northern District of Oklahoma, but the defendant made no appearance except Mr. Perry Porter, an attorney, suggested to the Court that he had been contacted and although was not her attorney, advised the Court of certain conditions and circumstances, whereupon a temporary injunction was issued, and it further appearing that although defendant has been duly and regularly served with summons and a copy of the complaint in this action she has also failed to answer, demurrer, or otherwise plead herein, and it further appearing that the defendant is not in the military forces of the United States,

Special Attorney for the Department of Justice and moves the Court to enter a judgment vesting in the United States of America the full fee simple title, subject, however, to existing easements for public roads and highways, for public utilities, for railroads and for pipe lines, in and to the property hereinafter described, and described in the Petition for Condemnation and the Declaration of Taking filed herein.

Thereupon, the Court proceeded to hear and pass upon said motion, the Petition for Condemnation and Declaration of Taking, and finds that:

(1) Each and all of the allegations in said Petition for Condemnation and Declaration of Taking are true, and the United States of America is entitled to acquire property by eminent domain for the purposes set forth in said Petition.

(2) In said Petition and Declaration of Taking a statement of the authority under which and the public use for which said lands were taken is set forth.

(3) The Petition and Declaration of Taking were filed at the request of the Secretary of War of the United States, the person duly authorized by law to acquire the lands described in said documents for the purposes therein set forth, and at the direction of the Attorney General of the United States, the person authorized by law to direct the institution of such proceedings.

(4) A proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said Declaration of Taking and Petition for Condemnation; and a statement of the estate or interest in said lands taken for said public use is set out therein.

(5) A statement is contained in said Declaration of Taking of the sum of money estimated by the acquiring authority to be just compensation for the lands taken, in the amount of Two Hundred and no/100 Dollars (\$200.00), and said sum was deposited in the Registry of this Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking.

(6) A statement is contained in said Declaration of Taking that the estimated amount of compensation for the taking of said property in the opinion of the Secretary of War of the United States will probably be within any limits prescribed by Congress on the price to be paid therefor.

(7) And the Court having fully considered the Petition for Condemnation, the Declaration of Taking, the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. Sec. 258a) and Acts Supplementary thereto and amendatory thereof, and the Act of Congress approved August 18, 1890, (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241), April 11, 1918 (40 Stat. 518; 50 U.S.C., Sec. 171) and March 27, 1942 (Public Law 507 - 77th Congress) and July 2, 1942 (Public Law 649 - 77th Congress), is of the opinion that the United States of America was and is entitled to take said property and have the title thereto vested in it.

IT IS THEREFORE, CONSIDERED BY THE COURT, AND IT IS THE ORDER, JUDGMENT AND DECREE OF THE COURT that the full fee simple title, subject, however, to existing easements for public roads and highways, for public utilities, for railroads, and for pipe lines, in and to the lands hereinafter described, was vested in the United States of America upon the filing of said Declaration and the depositing in the Registry of this Court of the said sum of Two Hundred and no/100 Dollars (\$200.00), and said lands are deemed to have been condemned and taken for the use of the United States, and the right to just compensation for the same thereby vested in the persons entitled thereto, the amount of said compensation to be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

The lands involved herein are described as follows, to-wit:

TRACT NO. 5

A tract of land in the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirteen (13), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, in Tulsa County, Oklahoma,

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA FRIDAY, MARCH 10, 1944

GREETING:

Whereas, lately in the District Court of the United States for the Northern District of Oklahoma, before you, or some of you in a cause entitled In the Matter of the Estate of Peter Micco, Seminole No. 1600, deceased, No. 826, Civil, the judgment of the said district court in the said cause entered on April 14, 1943, was in the following words, viz.:

* * * * *

"It is therefore ordered, adjudged and decreed that the application of L. F. Merrell, E. F. O'Neal and Perry Chisholm, administrators appointed by the County Court of Okfuskee County, be and the same hereby is overruled, and

"It is further ordered, adjudged and decreed that this cause proceed and the estate of Peter Micco, deceased, be fully administered,

"And it is so ordered."

as by the inspection of the transcript of the record of the said District Court, which was brought into the United States Circuit Court of Appeals, Tenth Circuit, by virtue of an appeal by L. F. Merrell, E. F. O'Neal and Perry Chisholm, Co-administrators of the Estate of Peter Micco, deceased, under appointment by the County Court of Okfuskee County, Oklahoma, agreeably to the Act of Congress, in such case made and provided, fully and at large appears;

AND WHEREAS, at the January Term, in the year of our Lord one thousand nine hundred and forty-four, the said cause came on to be heard before the said United States Circuit Court of Appeals, on the transcript of the record from the said district court and was argued by counsel.

On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said district court in this cause be and the same is hereby reversed; and that this cause be and the same is hereby remanded to the said district court for further proceedings in accordance with the views expressed in the opinion of the court.

-- January 31, 1944.

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity with the opinion and judgment of this court as according to right and justice, and the laws of the United States, ought to be had.

WITNESS, the Honorable Harlan F. Stone, Chief Justice of the United States, the 7th day of March, in the year of our Lord one thousand nine hundred and forty-four.

ROBERT B. CARTER
Clerk of the United States Circuit Court of Appeals,
Tenth Circuit

ENDORSED: Filed Mar 10 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to March 11, 1944

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

SATURDAY, MARCH 11, 1944

On this 11th day of March, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

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

SONKEN-GALAMBA SUPPLY COMPANY,
a corporation,

Plaintiff,

vs

ERLE P. HALLIBURTON, INC., a
corporation,

Defendant.

CIVIL NO. 921

ORDER OF DISMISSAL

Now on this day comes on to be heard the motion of the plaintiff in the above cause to dismiss the same without prejudice, and the court, being fully advised in the premises, is of the opinion that said motion should be sustained.

IT IS, THEREFORE, ORDERED that said cause be, and the same is hereby dismissed without prejudice.

Dated at Tulsa, Oklahoma, this 11th day of March, 1944.

ROYCE HL SAVAGE
Judge of the United States Court

ENDORSED: Filed Mar 11 1944
H. P. Warfield, Clerk
U. S. District Court H

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

The City of Drumright, Oklahoma, a
Municipal Corporation, ex rel
Leonard Versluis,

Plaintiff,

vs

Ruth Alexander, et al.,

Defendants.

CIVIL ACTION NO. 929

ORDER APPOINTING SPECIAL MASTER

Now on this 11th day of March, 1944 the application of the plaintiff for appointment of a Special Master to sell real estate to satisfy judgments rendered in this cause, comes on for hearing and it appearing to the court that J. V. Frazier is a proper person to serve as Special Master for such purpose.

REGULAR JANUARY 1944 TERM

SATURDAY, MARCH 11, 1944

Ora M. Hopper, widow; Edith Walker, daughter; Jennie Durbin,
daughter; Ruth Deason, daughter; F. D. Hopper, son; Clara
Mills, daughter; Cleo Bailey, daughter; Lawton Hopper, son;
Glen Hopper, son; and Hazel Cross, daughter;

That no person, firm, corporation, or taxing subdivision of the State other than the heirs of M. M. Hopper deceased, have any right, title or interest in and to said just compensation; that the defendant, Ora M. Hopper, is entitled to receive all of said compensation in the sum of \$361.00 - the remaining heirs of M. M. Hopper, deceased, having entered their appearance herein and waived any claim or right to any part of said compensation and consented that said compensation be paid to the defendant, Ora M. Hopper.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the entire fee simple title to the tract of land designated as Tract No. 15 (19 FW 765) was vested in M. M. Hopper at the time the petitioner instituted these proceedings, and took title to same; that the sum of \$361.00 is full and just compensation to be paid for the taking of the entire fee simple title to said tract of land.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the heirs of M. M. Hopper, deceased are the only persons entitled to receive the just compensation to be paid for said tract; that said heirs are as follows:

Ora M. Hopper; Edith Walker; Jennie Durbin; Ruth Deason; F. D. Hopper;
Clara Mills; Cleo Bailey; Lawton Hopper; Glen Hopper and Hazel Cross;

IT IS FURTHER ORDERED that the Clerk of this Court make distribution of the just compensation in the sum of \$361.00, to the defendant, Ora M. Hopper, the remaining heirs of M. M. Hopper, deceased, having entered their appearance herein and waived any claim or right to any part of said compensation.

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 11 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

BEN PICKUP,

Plaintiff,)

vs)

No. 1141 Civil)

John Pickup, Smith Pickup and Billie Pickup, and
the unknown heirs, executors, administrators,
devisees, trustees and assigns, both immediate
and remote, of Jennie Pickup, nee Sanders, de-
ceased, a Cherokee Indian, Roll No. 29750,

Defendants.)

United States of America,

Intervener.)

DECREE DETERMINING HEIRSHIP, QUIETING TITLE AND AWARDED
PARTITION

THE ABOVE cause coming on for hearing in its regular order, on this the 11th day of March, 1944, Ben Pickup, the plaintiff, appearing by his attorney, John S. Severson, the Intervener, the United States of America, appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the

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

REGULAR JANUARY 1944 TERM

SATURDAY, MARCH 11, 1944

Northern District of Oklahoma, who likewise appears for all of the full blood Indians, parties to said action, the defendant, Billie Pickup, appearing by his guardian ad litem, M. S. Robertson, United States Probate Attorney, the defendants, the Unknown heirs, executors, administrators, devisees, trustees and assigns, both immediate and remote of Jennie Pickup, nee Sanders, deceased, Cherokee Indian, Roll No. 29650, appearing not and no one appear for them, and it being first shown to the Court that said unknown defendants were properly served with summons by publication, said publication being made in The Pryor Jeffersonian, a newspaper of general circulation, published in Pryor, Mayes County, Oklahoma, said publication appearing in the following issues of said paper, to-wit: November 18 and 25 and December 2 and 9, 1943, and that the answer date as fixed therein, to-wit: the 31st day of December, 1943, was more than forty-one days after the said first publication, proper affidavit in order to secure such publication having been filed and made a part of the petition herein; and said unknown defendants appearing not and no one appearing for them they are adjudged in default and the allegations of said petition are taken as confessed as to them and each of them; and it being further shown that proper notice was served on the Superintendent of the Five Civilized Tribes, personally, by the United States marshal for the Eastern District of Oklahoma, as contemplated by the Act of Congress of April 12, 1926; proof of said service being examined is by the Court approved; and it being further shown that proper personal service was had on the minor defendant Billie Pickup, and that answer in his behalf was duly made by his guardian ad litem, M. S. Robertson, United States Probate Attorney, duly appointed as such by this Court; and the Court having examined the pleadings and having heard evidence in support thereof, and being fully advised in the premises, finds: that this action was properly filed in the District Court of Mayes County, Oklahoma, under No. 7356, on the 17th day of November, 1943, and that said Court had jurisdiction of the person and the subject matter thereof; that upon petition of the United States of America, under the pertinent Acts of Congress in like cases made and provided, said action was by said District Court of Mayes County, Oklahoma, by proper Order, removed to this Court, and said action was thereupon properly filed, herein, and that this Court has jurisdiction of said case, as well as of the persons and of the subject matter thereof.

The Court further finds that the allegations of said petition as to the material averments are all true; that the lands involved in this action and hereinafter described were allotted to Jennie Pickup, nee Sanders, Cherokee Indian, Roll No. 29650, that she died, intestate, on or about the 28th day of October, 1943, in Mayes County, Oklahoma, and was seized and possessed of the same at the time of her said death, and that she left as her sole and only heirs at law the following named persons, to-wit:

Plaintiff, Ben Pickup, her son,
Defendant, John Pickup, her husband, an uninrolled Cherokee Indian,
Defendant, Smith Pickup, and
Defendant, Billie Pickup, her sons,

all of legal age except defendant, Billie Pickup, a minor, over fourteen years of age; that said decedent left no other issue or the issue of a deceased issue who could in any wise inherit any portion of the lands involved herein.

The Court further finds that said decedent was seized and possessed at the time of her death of the following lands, in Mayes County, Oklahoma, to-wit:

The East Half of the Northeast Quarter of Section 21, Township 20 North,
Range 20 East, containing 80 acres, more or less, and

that immediately upon her death the title to said lands passed to and became vested in the parties to this action in common, in the following proportionate partes, to-wit:

Plaintiff, Ben Pickup,	2/9ths
Defendant, Smith Pickup,	2/9ths
Defendant, Billie Pickup,	2/9ths
Defendant, John Pickup,	3/9ths

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

REGULAR JANUARY 1944 TERM

SATURDAY, MARCH 11, 1944

and that the said plaintiff and said defendants are now in the peaceable possession of the same, and that they are entitled to have the same partitioned in kind so that they might each have and hold their interest in severalty, if the same can be done without manifest injury to said estate; otherwise, said land should be appraised and a sale thereof should be had and the proceeds divided in the proportionate parts as heretofore set out.

The Court further finds the said plaintiff and the said defendants heretofore named are the sole and only heirs of said Jennie Pickup, nee Sanders, deceased, and that their title thereto is valid and perfect and should be quieted against the adverse claims of the unknown defendants as herein named.

The Court further finds that the adverse claims of the unknown heirs of the said Jennie Pickup, nee Sanders, deceased, Cherokee Indian, Roll No. 29750, constitute clouds on the title to said land and as such should be canceled, set aside and held for naught, and said defendants and each of them should be forever barred and enjoined from claiming or asserting any interest in and to said lands adverse to the title of the plaintiff and the defendants herein named.

IT IS THEREFORE ordered, adjudged and decreed by the Court that the findings heretofore made be and the same hereby are made the judgment of this Court, and that the title of the plaintiff, Ben Pickup, and of the defendants, John Pickup, Smith Pickup and Billie Pickup, be decreed valid and perfect and quieted in them and each of them, and that the adverse claims of said unknown defendants as named in the caption hereof, and each of them, are hereby canceled, set aside and held for naught, and said unknown defendants, and each of them, are hereby forever barred and enjoined from claiming or asserting any adverse interest in and to said lands.

IT IS FURTHER ORDERED that the plaintiff is excused from filing an affidavit showing the mailing of publication notices and petitions to the unknown defendants, it having been shown that he has been unable to ascertain the names of any of said unknown defendants since the filing of this action and the issuing of the first publication herein.

IT IS FURTHER ordered, adjudged and decreed by the Court that C. C. Weber, Elmer Vick and J. F. Pickens are hereby appointed Commissioners to partition said land in kind among the true owners thereof, as follows:

Plaintiff, Ben Pickup,	2/9ths,
Defendant, Smith Pickup,	2/9ths,
Defendant, Billie Pickup,	2/9ths,
Defendant, John Pickup,	3/9ths,

if the same can be done without manifest injury to said estate; otherwise, said Commissioners shall make an appraisal and valuation of the same, and make a report to the Clerk of this Court without unnecessary delay. The Clerk of this Court shall issue a writ of partition to the Commissioners above named, in accordance with this decree.

ROYCE H. SAVAGE
U. S. District Judge

ENDORSED: Filed Mar 11 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

MARY SMOKE, nee Dreadfulwater, Plaintiff,)

vs)

GOLDIE SMOKE, nee Dreadfulwater, Ella Squirrel, nee Dreadfulwater, Cora Dreadfulwater, a minor, Betsy Herriod, nee Swimmer, Martin England, and the Unknown heirs, executors, administrators, devisees, trustees and assigns, both immediate and remote, of Andrew Dreadfulwater, deceased, Cherokee Indian, Roll No. 18153, and of Maudie Dreadfulwater, deceased Cherokee Indian, enrolled as Maudie Howe, Roll No. 21331, Defendants.)

No. 1142 CIVIL

United States of America, Intervener.)

DECREE DETERMINING HEIRSHIP, QUIETING TITLE AND AWARDED PARTITION

The above case coming on for hearing in its regular order this the 11th day of March 1944, the plaintiff, Mary Smoke, nee Dreadfulwater, appearing by her attorney, John S. Severson; the intervener, The United States of America, appearing by the Honorable Whit Y. Mauzy, the United States District Attorney for the Northern District of Oklahoma, who likewise appears for all of the full blood Cherokee Indians, parties to said action; the defendant Cora Dreadfulwater, a minor, appearing by her guardian ad litem, M. S. Robertson, United States Probate Attorney; the defendant, Martin England appearing in person, and the unknown heirs, executors, administrators, devisees, trustees and assigns, both immediate and remote, of Andrew Dreadfulwater, deceased Cherokee Indian, Roll No. 18153, and of Maudie Dreadfulwater, deceased Cherokee Indian, enrolled as Maudie Rowe, Roll No. 21331, appearing not and no one appearing for them, and it being first shown to the Court that said unknown defendants were properly served with summons by publication, said publication being in The Prior Jefferson, a newspaper of general circulation, published at Pryor, Oklahoma, Mayes County, in the issues of said paper, to-wit: December 16, 23 and 30, 1943, and January 6, 1944, and that the answer date as fixed therein, to-wit: January 27, 1944, was more than forty-one days after said publication, proper affidavit in order to secure such publication having been filed and made a part of the petition filed herein; and said unknown defendants appearing not and no one appearing for them, they are adjudged in default and the allegations of said petition are taken as confessed as to them and each of them; and it being further shown that proper notice was served on the Superintendent of the Five Civilized Tribes, personally, by the United States Marshal for the Eastern District of Oklahoma, as contemplated by the Act of Congress of April 12, 1926; proof of said service being examined is by the Court approved; and it being further shown that lawful personal service was had on the minor defendant, Cora Dreadfulwater, and that answer in her behalf was duly filed by her guardian ad litem, M. S. Robertson, United States Probate Attorney, duly appointed as such by this Court; and the Court having examined the pleadings and having heard evidence in support thereof, and being fully advised in the premises finds:

That this action was properly filed in the District Court of Mayes County, Oklahoma, under number 7367, on the 15th day of December, 1943, and said Court had jurisdiction of the persons and of the subject matter thereof; that upon petition of the United States of America, under the pertinent Acts of Congress in like cases made and provided, said action was, by said district court of Mayes County, Oklahoma, by proper Order, removed to this Court, and that said action was thereupon filed herein under number 1142, Civil, and that upon filing thereof this Court obtained jurisdiction of said cause, as well as of the persons and of the subject matter thereof.

The Court further finds that the allegations of said petition as to the material averments are all true; that the lands involved in this action were duly allotted as set out in said petition, as follows:

To Andrew Dreadfulwater, the $SE\frac{1}{4}$ $NW\frac{1}{4}$ and the $NE\frac{1}{4}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 24, and the $E\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 17, all in Township 20 North, Range 20 East, Mayes County, Oklahoma;

that he died, intestate, on or about December 12, 1937, seized and possessed of said land; that he left as his sole heirs his widow, Maudie Dreadfulwater, and the following children: Mary Smoke, nee Dreadfulwater, the plaintiff, and the defendants Goldie Smoke, nee Dreadfulwater, Ella Squirrel, nee Dreadfulwater, and Cora Dreadfulwater, and that said land descended to and became vested in his said heirs in the following manner, to-wit: Maudie Dreadfulwater $4/12$ ths, and to the four children herein before named each an undivided $2/12$ ths, and that said plaintiff and said defendants are now in the lawful possession thereof through their tenant, Martin England.

The Court further finds that subsequent to the death of said Andrew Dreadfulwater, his widow, Maudie Dreadfulwater, departed this life, intestate, on or about the 6th day of August, 1943, and left her surviving as her sole and only heirs the following named children, to-wit: the plaintiff, Mary Smoke, nee Dreadfulwater, and the defendants, Goldie Smoke, nee Dreadfulwater, Ella Squirrel, nee Dreadfulwater and Cora Dreadfulwater, children by her said deceased husband, Andrew Dreadfulwater; that she also left as one of her heirs the defendant, Betsy Herriod, nee Swimmer, a daughter born to her by a former marriage, and that she was seized and possessed of the following land, same having been allotted to her by the Cherokee Nation and described as follows, to-wit:

$NW\frac{1}{4}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$ Section 6, Township 23 North, Range 14 East, Washington County, Oklahoma;

$NE\frac{1}{4}$ $NW\frac{1}{4}$ $SW\frac{1}{4}$ Section 14, Township 25 North, Range 14 East, Nowata County, Oklahoma, and

$E\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 24, Township 26 North, Range 14 East, Nowata County, Oklahoma,

together with the one-third undivided int rest inherited by her from her deceased husband, Andrew Dreadfulwater, in and to the lands in Mayes County, Oklahoma, described as

$SE\frac{1}{4}$ $NW\frac{1}{4}$ and $NE\frac{1}{4}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 24, and the $E\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 17, all in Township 20 North, Range 20 East,

and by virtue thereof the interests of the plaintiff and the defendants in and to the lands allotted to Andrew Dreadfulwater, and described as the:

$SE\frac{1}{4}$ $NW\frac{1}{4}$ and the $NE\frac{1}{4}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 24, and the $E\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 17, all in Township 20 North, Range 20 East; Mayes County, Oklahoma, are as follows:

Plaintiff, Mary Smoke, nee Dreadfulwater,	$14/60$ ths
Defendant, Goldie Smoke, nee Dreadfulwater,	$14/60$ ths
Defendant, Ella Squirrel, nee Dreadfulwater,	$14/60$ ths
Defendant, Cora Dreadfulwater,	$14/60$ ths
Defendant, Betsy Herriod,	$4/60$ ths

The Court further finds that the title to the land allotted to Maudie Dreadfulwater deceased, described as follows, to-wit:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6, Township 23 North, Range 14 East,
Washington County, Oklahoma;

NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14, Township 25 North, Range 14 East,
Nowata County, Oklahoma, and

E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, Township 26 North, Range 14 East,
Nowata County, Oklahoma,

descended to and is now vested in the plaintiff and said named defendants in equal undivided one-fifth portions, to-wit:

Plaintiff, Mary Smoke, nee Dreadfulwater,	2/5th,
Defendant, Goldie Smoke, nee Dreadfulwater,	1/5th,
Defendant, Ella Squirrel, nee Dreadfulwater,	1/5th,
Defendant, Cora Dreadfulwater,	1/5th,
Defendant, Betsy Herriod,	1/5th,

The Court further finds that plaintiff and said defendants are entitled to partition of said land in kind, if the same can be administered without manifest injury to said parties, and if not so capable of being divided in kind the same should be sold and the profits divided in the proportionate parts above set out; and commissioners should be appointed by this Court to make said partition or valuation thereof as aforesaid.

The Court further finds that the persons as herein before set out are the sole and only heirs of the deceased persons, Andrew Dreadfulwater and Maudie Dreadfulwater, and that they left no other children nor descendants of children capable of inheriting any interest therein, and that the title to said lands should be quieted in them in the proportionate parts as above set out.

The Court further finds that the adverse claims of the unknown Heirs, Executors, Administrators, Devisees, Trustees, Assigns, both immediate and remote, of Andrew Dreadfulwater, Cherokee Indian, Roll No. 18153, and of Maudie Dreadfulwater, deceased Cherokee Indian, Roll No. 21331, constitute clouds on the title to said lands and as such should be canceled, set aside and held for naught and said unknown defendants, and each of them, should be forever barred and enjoined from claiming or asserting any interest in and to said land.

IT IS THEREFORE ordered, adjudged and decreed by the court that the findings heretofore made be and the same hereby are made the judgment of this Court, and that the title of the plaintiff Mary Smoke, nee Dreadfulwater, and the defendants, Goldie Smoke, nee Dreadfulwater, Ella Squirrel, nee Dreadfulwater, Cora Dreadfulwater and Betsy Herriod, be decreed valid and perfect and quieted in them and each of them, in the proportionate parts herein before as well as herein after set out, and that the adverse claims of said unknown defendants as set out in the caption thereof, and each of them, are hereby canceled, set aside and held for naught, and said unknown defendants, and each of them, are hereby forever barred and enjoined from claiming or asserting any adverse interest in and to said lands.

IT IS FURTHER ORDERED THAT the plaintiff be excused from filing an affidavit showing the mailing of publication notices and petitions to said unknown defendants, it having been shown that she has been unable to ascertain the names of any of said unknown defendants since the filing of this action and the issuing of the first publication herein.

IT IS FURTHER ordered, adjudged and decreed by the Court that C. C. Weber, Elmer Vick and J. F. Pickens be and they are hereby appointed Commissioners to partition said tracts of land, in king among the owners thereof, the lands allotted to Andrew Dreadfulwater, and described as:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, and E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 17, all in Township 20 North, Range 20 East, Mayes
County, Oklahoma, as follows, to-wit:

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

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Plaintiff, Mary Smoke, nee Dreadfulwater,	14/60ths
Defendant, Goldie Smoke, nee Dreadfulwater,	14/60ths
Defendant, Ella Squirrel, nee Dreadfulwater,	14/60ths
Defendant, Cora Dreadfulwater,	14/60ths
Defendant, Betsy Herriod,	4/60ths,

and the lands allotted to Maudie Dreadfulwater, and described as:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6, Township 23 North,
Range 14 East, Washington County, Oklahoma;

NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14, Township 25 North, Range
14 East, and the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24,
Township 26 North, Range 14 East, Nowata
County, Oklahoma, as follows, to-wit:

Plaintiff, Mary Smoke, nee Dreadfulwater,	1/5th
Defendant, Goldie Smoke, nee Dreadfulwater,	1/5th
Defendant, Ella Squirrel, nee Dreadfulwater,	1/5th
Defendant, Cora Dreadfulwater,	1/5th
Defendant, Betsy Herriod	1/5th

It is further ordered, adjudged and decreed by the Court that if the Commissioners find the said lands cannot be divided in kind according to value, without manifest injury to said estate the said Commissioners shall make separate appraisements of the lands allotted to Andrew Dreadfulwater and the lands allotted to Maudie Dreadfulwater, as herein before described, by reason of the fact that the interests of the parties to this action are not identical in said two tracts of land, and in either event the said Commissioners shall make a report to the Clerk of this Court without unnecessary delay; the Clerk of this Court shall issue a Writ of Partition to the Commissioners above named, in accordance with this decree.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Mar 11 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

Ella Mae Canoe, nee Vann,	Plaintiff,)
)
vs)
)
Arch Vann, Jack Vann, Joe Vann, Elsie McIntosh, nee Vann, Lila Smith, nee Vann, Mollie Vann, and Dorothy Ann Vann, Ruby Jane Vann, George Vann and Sam Vann, minors, and the Unknown heirs, executors, administrators, devisees, trustees and assigns of Nannie Vann, deceased, and of Fredn Vann, deceased,	Defendants.)
)
United States of America,	Intervener.)

NO. 1143 CIVIL

DECREE DETERMINING HEIRSHIP, QUIETING TITLE AND AWARDED PARTITION

The above case coming on for hearing in its regular order, on this 11th day of March,

1944, Ella Mae Cance, Plaintiff, appearing personally and by her attorney, John S. Severson; United States of America appearing by the Honorable Whit Y. Mauzy, United States District Attorney for the Northern District of Oklahoma, who likewise appears for all of the full blood Cherokee Indians parties to said action; the defendants, Dorothy Ann Vann, Ruby Jane Vann, George Vann and Sam Vann, minors, appearing by their guardian ad litem, M. S. Robertson, United States Probate Attorney, and the unknown heirs, executors, administrators, devisees, trustees and assigns of Nannie Vann, deceased, and of French Vann, deceased, both of whom were enrolled members of the Cherokee Nation and members of the Five Civilized Tribes, appearing not, and it being first shown to the Court that said unknown defendants were properly served with summons by publication, said publication being made in The Morning Examiner, a newspaper of general circulation, published in Bartlesville, Washington County, Oklahoma, in the regular issues of December 16, 23 and 30, 1943, and January 6, 1944, and that the answer date as fixed therein, to-wit: the 27th day of January, 1944, was more than forty-one days after the date of the first publication, and that proper affidavit was filed in order to secure such publication and made a part of the petition herein; and said unknown defendants appearing not and no one appearing for them they are adjudged in default and the allegations of said petition are taken as confessed as to them and each of them; and it being further shown that proper notice was served on A. M. Landman, Superintendent of the Five Civilized Tribes, personally, by the United States Marshal for the Eastern District of Oklahoma, as contemplated by the Act of Congress of April 12, 1926; proof of said service by publication as well as service on the Superintendent of the Five Civilized Tribes being examined is by the Court approved; and it being further shown that proper personal service was had on the minors, Dorothy Ann Vann, Ruby Jane Vann, George Vann and Sam Vann, as required by the laws of the State of Oklahoma, and that answer in their behalf was duly made by their guardian ad litem, M. S. Robertson, United States Probate Attorney, duly appointed as such by this Court, and the Court having examined the pleadings and having heard the evidence introduced in support thereof and the argument of counsel, and being fully advised in the premises, finds:

That this action was properly filed in the District Court of Washington County, Oklahoma, on the 14th day of December, 1943, under number 14322, and that said Court had jurisdiction of the persons and of the subject matter of the action; that upon petition of the United States of America, under the pertinent Acts of Congress in like cases made and provided, said action was by said District Court of Washington County, Oklahoma, by proper order duly entered, removed to this Court, and that said action was thereupon properly filed herein, under No. 1143, and that this Court has jurisdiction of said case, as well as of the persons and of the subject matter thereof, the United States of America having filed its Intervening Petition.

The Court further finds that the allegations of said petition as to all material averments therein are true; that a portion of the lands involved in this action, to-wit:

The $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 29, Township 24 North,
Range 13 East, Washington County, Oklahoma,

was allotted to Nannie Vann, duly enrolled Cherokee Indian, Roll No. 21242; that she died, intestate, on or about the 17th day of March, 1925, and left as her sole and only heirs at law, French Vann, her husband, and the following children: Ella Mae Cance, nee Vann, Plaintiff herein, and the defendants Arch Vann, Jack Vann, Joe Vann, Elsie McIntosh, nee Vann, Lila Smith, nee Vann, to whom said land descended, as follows:

1/3rd or 6/18ths to the said husband, French Vann,
and the remaining 2/3rds to the children above named,
each inheriting a 2/18ths interest therein.

The Court further finds that subsequent to the death of the said Nannie Vann the said French Vann married the defendant Mollie Vann, nee Steely, to which marriage four children were born, namely, Dorothy Ann Vann, Ruby Jane Vann, George Vann and Sam Vann, all of whom are minors, Dorothy Ann Vann being about eleven years of age, Ruby Jane Vann about nine, George Vann about three, and Sam Vann, being a posthumous child, born February 1, 1943.

The Court further finds that the said French Vann died, intestate on or about the 17th day of June, 1942; that he was seized and possessed of the following land, in Washington County, Oklahoma, to-wit:

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE NORTHERN
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An undivided one-third interest in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 29,
Township 24 North, Range 13 East,

the same being the undivided interest inherited by him from his deceased first wife, Nannie Vann, which said interest passed and became vested in his heirs at law in the following proportionate parts, to-wit: 6/198ths each, and that the plaintiff and the defendants Joe Vann, Arch Vann, Ella Mae Canoe, nee Vann, Lila Smith, nee Vann, Jack Vann and Elsie McIntosh, nee Vann, had theretofore inherited in said land originally allotted to their said deceased mother, Nannie Vann, an undivided 22/198ths each, and by virtue of said inherited interests the plaintiff and the named defendants became vested with the following undivided interests therein, to-wit:

Joe Vann	an undivided 28/198ths interest,
Arch Vann,	an undivided 28/198ths interest,
Ella Mae Canoe, nee Vann	an undivided 28/198ths interest,
Lila Smith, nee Vann	an undivided 28/198ths interest,
Jack Vann,	an undivided 28/198ths interest,
Elsie McIntosh, nee Vann	an undivided 28/198ths interest,
Mollie Vann,	an undivided 6/198ths interest,
Dorothy Ann Vann	an undivided 6/198ths interest,
Ruby Jane Vann,	an undivided 6/198ths interest,
George Vann, 8	an undivided 6/198ths interest,
Sam Vann,	an undivided 6/198ths interest,

The Court further finds that the said French Vann at the time of his said death owned and was seized and possessed of the lands allotted to him as a member of the Cherokee Nation of Indians described as follows, to-wit:

W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$
and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29,
Township 24 North, Range 13 East, Washington County,
Oklahoma,

which said land descended to the plaintiff, Ella Mae Canoe, nee Vann, and the defendants, Arch Vann, Jack Vann, Joe Vann, Elsie McIntosh, nee Vann, Lila Smith, nee Vann, Mollie Vann, Dorothy Ann Vann, Ruby Jane Vann, George Vann and Sam Vann, in equal one-elevenths interest each, and that they became seized and possessed of the same, and entered into the peaceable possession thereof;

The Court further finds that one of the defendants, to-wit: Jack Vann, departed this life, intestate, on the 8th day of February, 1944, seized and possessed of his said undivided interests in the lands herein before described; that he left as his sole and only heirs his two children, Raymond Vann, son, age sixteen years, and Maxine Vann, daughter, age fourteen years past, and that he left neither wife nor the issue of deceased, issue, and that upon his death his undivided interests as heretofore set out in the lands heretofore described became vested in his said two children as his sole heirs, and that they are now vested with title to the same in equal undivided portions thereof.

The Court further finds that pursuant to proper orders of this court, upon the suggestion of death of said Jack Vann, an Order was made, on the 23rd day of February, 1944, reviving said cause of action in the names of said Raymond Vann and Maxine Vann, as to the undivided interests inherited by them from their said deceased father, Jack Vann.

The Court further finds that upon motion of the plaintiff and upon suggestion of the said Raymond Vann and Maxine Vann, minors, an Order was made by this Court appointing the Honorable M. S. Robertson, United States Probate Attorney, as their guardian ad litem, and that he has filed Answer in their behalf and is properly present and representing them.

The Court further find that the plaintiff and said defendants are entitled to have said lands partitioned in kind so that they might each have and hold their respective interests in severalty if the same can be administered in kind, without manifest injury to said estate; otherwise the lands allotted to Nannie Vann, deceased, and to French Vann, deceased, should be separately appraised and a sale thereof should be had and the proceeds thereof divided in the the proportionate parts as heretofore set out.

The Court further finds from the evidence that said plaintiff and said named defendants are the sole and only heirs of the deceased persons, Nannie Vann, and French Vann, in accordance with the facts as herein before set out, and that their title is valid and perfect and should be quieted against the adverse claims of the unknown defendants as herein named.

The Court further finds that the adverse claims of the unknown heirs of said Nannie Vann, deceased, Cherokee Indian Roll No. 21242, and of French Vann, deceased, Cherokee Indian, Roll No. 21241, constitute clouds on the title to said lands; that they are void and without right and as such should be canceled, set aside and held for naught, and the said unknown defendants, and each of them, should be foreclosed and enjoined from claiming or asserting any interest in and to said lands adverse to the title of the plaintiff and the defendants herein named.

IT IS THEREFORE ordered, adjudged and decreed by the Court that the adverse claims of the unknown heirs, executors, administrators, devisees, trustees and assigns, both immediate and remote of Nannie Vann, deceased, Cherokee Indian, Roll No. 21242, and of French Vann, deceased, Cherokee Indian, Roll No. 21242, be and the same are hereby canceled, set aside and held for naught, and that the title of the plaintiff and of the defendants heretofore named be and the same is declared perfect and quieted in them and each of them, and that the adverse claims of the said unknown defendants and each of them are forever barred and enjoined from claiming or asserting any interest in and to the said lands adverse to the title of the plaintiff and the named defendants herein, and that the findings herein before made be and the same are hereby made the judgment of this Court to the same extent as if again specifically set out herein.

IT IS FURTHER ORDERED that the plaintiff is excused from filing an affidavit showing the mailing of publication notices and petitions to the unknown defendants, it having been shown that she has been unable to ascertain the names or post office addresses of said unknown defendants since the filing of this action and the issuance of the first publication herein.

IT IS FURTHER ORDERED, adjudged and decreed by the Court that C. C. Weber, Elmer Vick and J. F. Pickens be and they are hereby appointed commissioners to partition said lands in kind, in the following proportionate parts, to-wit:

$\frac{3}{8}$ NW $\frac{1}{4}$ Section 29, Township 24 North, Range 13 East, Washington County, Oklahoma, as follows:

Joe Vann,	an undivided 28/198ths interest,
Arch Vann,	an undivided 28/198ths interest,
Ella Mae Cance, nee Vann	
	an undivided 28/198ths interest,
Lila Smith, nee Vann	an undivided 28/198ths interest,
Elsie McIntosh, nee Vann	an undivided 28/198ths interest,
Raymond Vann	an undivided 24/198ths interest,
Maxine Vann	an undivided 14/198ths interest,
Mollie Vann,	an undivided 6/198ths interest,
Dorothy Vann Vann	an undivided 6/198ths interest,
Ruby Jane Vann,	an undivided 6/198ths interest,
George Vann	an undivided 6/198ths interest,
Sam Vann	an undivided 6/198ths interest;

and that the following land, to-wit:

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

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W 1/2 NW 1/4 SE 1/4 and SE 1/4 NW 1/4 SW 1/4 and W 1/2 SW 1/4 NE 1/4 and SW 1/4 SE 1/4 SE 1/4 and SW 1/4 SE 1/4 Section 29, Township 24 North, Range 13 East, Washington County, Oklahoma,

be divided and set apart to the plaintiff and the defendants, as follows:

Joe Vann	an undivided 1/11th interest
Arch Vann	an undivided 1/11th interest
Ella Mae Cance, nee Vann	an undivided 1/11th interest
Lila Smith, nee Vann	an undivided 1/11th interest
Elsie McIntosh, nee Vann	an undivided 1/11th interest
Raymond Vann	an undivided 1/22nd interest
Maxine Vann	an undivided 1/22nd interest
Mollie Vann	an undivided 1/11th interest
Dorothy Ann Vann	an undivided 1/11th interest
Ruby Jane Vann	an undivided 1/11th interest
George Vann	an undivided 1/11th interest
Sam Vann	an undivided 1/11th interest

if the same can be done without manifest injury to said estate, otherwise said commissioners shall make an appraisal and valuation of the same, and in either event make a report to the Clerk of this Court without unnecessary delay. The Clerk of this Court shall issue a writ of partition to the commissioners above named, in accordance with this decree.

ROYCE H. SAVAGE
U. S. DISTRICT JUDGE

ENDORSED: Filed Mar 11 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA,	Petitioner,)
)
vs)
		) No. 1152 - Civil
1.53 acres of land, more or less, situate in)
Tulsa County, State of Oklahoma, and A. E.)
Duran, et al.,	Respondents.)

ORDER OF DISTRIBUTION

Now on this 11th day of March, 1944, this cause came on to be heard and the Court, having been fully advised in the premises, finds that distribution as to Tract No. 2-B should be made.

IT IS THEREFORE ORDERED AND DIRECTED that the Clerk of this Court issue a check payable as follows:

A. L. Farmer, Marion Welch Farmer, A. E. Duran, Hester M. Duran,
Water Improvement District No. 5 and the County Treasurer of Tulsa
County, Oklahoma (award in full) \$750.00

ROYCE H. SAVAGE
JUDGE

ENDORSED: Filed Mar 11 1944
H. P. Warfield, Clerk
U. S. District Court AC

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

UNITED STATES OF AMERICA, Petitioner,)
vs) CIVIL NO. 1167
CERTAIN PARCELS OF LAND IN OTTAWA COUNTY, OKLAHOMA,)
and Pauline F. Newton, et al., Defendants.)

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 11th day of March, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof, and of the condemnation petition filed herein, said Declaration of Taking, the statutes, in such cases made and provided, and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition.

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior of the United States of America, the authority empowered by law to acquire the lands described in said petition, and also, under authority of the Attorney General of the United States.

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior of the United States of America is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the use of the United States in connection with the management, operation, completion and full utilization of the Grand River Dam (Pensacola) Project in the State of Oklahoma, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use.

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking.

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money estimated by said acquiring authority to be just compensation for the estates taken in said lands, in the amount of \$5,393.00, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property in the opinion of the Secretary of the Interior of the United States of America will be within any limits prescribed by Congress as to the prior to be paid therefor.

IT IS THEREFORE, on this 11th day of March, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement for the erection, operation and maintenance of a line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures for the transmission of electric current, together with the perpetual easement and right to cut down, remove or trim any trees that may interfere with or endanger said transmission line or lines, or the maintenance or operation thereof, together with the perpetual easement, right and privilege to set the necessary guy and brace

poles and anchors, and to attach all necessary guy wires thereto; and the perpetual right, privilege and authority to erect, maintain and operate said line or lines of poles, h-frame structures, towers, or other structures, wires, cables and fixtures, upon, over and across any street, alley, highway or other right-of-way now existing or hereafter established, on or across the hereinafter described lands or adjoining the same or adjacent thereto, the lands upon which said easement is taken are situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described by courses and distances as follows, to-wit:

TRACT NO. 1 (305 - 31.2 A)
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the West boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ 410.3 feet from the NW corner thereof, thence East to a point in the East boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ 410.3 feet from the NE corner thereof.

TRACT NO. 2 (305 - 31.3)
Perpetual Easement

The West 100 feet of the North 460.3 feet of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 32, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma.

TRACT NO. 3 (305 - 42.1)
Perpetual Easement

The West 100 feet of the W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 29, T 28 N, R 23 E of the Indian Base and Meridian, in Quapaw Survey, in Ottawa County, Oklahoma.

TRACT NO. 4 (305 - 42.2)
Perpetual Easement

The West 100 feet of Lot 6 in Sec. 29, T 28 N, R 23 E, of the Indian Base and Meridian in Quapaw Survey, in Ottawa County, Oklahoma.

TRACT NO. 5 (305 - 42.3)
Perpetual Easement

The West 100 feet of Lot 3 and the West 100 feet of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma.

TRACT NO. 6 (305 - 43.1 Rev.)
Perpetual Easement

The West 100 feet of the W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ less the South 150 feet thereof, the West 100 feet of the South 100 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the South 100 feet of the S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, all in Sec. 20, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma.

TRACT NO. 7 (305 - 44.1)
Perpetual Easement

The South 100 feet of the $SE\frac{1}{4} NE\frac{1}{4}$ lying south and east of the K. O & G. RR in Sec. 19, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma.

TRACT NO. 8 (305 - 44.2)
Perpetual Easement

The South 100 feet of the $S\frac{1}{2} NE\frac{1}{4}$ lying north and west of the St. L. & S. F. RR right-of-way in Sec. 19, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma.

TRACT NO. 9 (305 - 44.3 Rev.)
Perpetual Easement

A strip of land 100 feet in width in the $E\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$ less the West 165 feet thereof, in Sec. 19, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said $E\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$ 50.0 feet from the SE corner thereof, thence Southwesterly to a point in the South boundary of said $E\frac{1}{2} SE\frac{1}{4} NW\frac{1}{4}$ 184.9 feet from the SE corner thereof.

TRACT NO. 10 (305 - 44.4)
Perpetual Easement

All that part of the East 857.8 feet of the $NE\frac{1}{4} SW\frac{1}{4}$ of Sec. 19, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, (the same having been dedicated as Edgewood Place Addition to the townsite of Miami, Ottawa County, Oklahoma) particularly described as follows, to-wit:

A strip of land 100 feet in width the centerline of which is described as follows, to-wit:

Beginning at a point in the North boundary of said $NE\frac{1}{4} SW\frac{1}{4}$ 184.9 feet from the NE corner thereof, thence Southwesterly to a point in the West boundary of said East 857.8 feet of said $NE\frac{1}{4} SW\frac{1}{4}$ 182 feet from the NW corner thereof.

TRACT NO. 11 (305 - 44.5 Rev.)
Perpetual Easement

A strip of land 100 feet in width in Lot 18 as shown on the dedication plat of the townsite of Labadies Subdivision situated in the $NE\frac{1}{4} NW\frac{1}{4}$ of Lot 3 in Sec. 19, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said Lot 18 182 feet from the NE corner thereof, thence Westerly to a point in the West boundary of said Lot 18, 188 feet from the NW corner thereof.

TRACT NO. 12 (305 - 44.6 Rev.)
Perpetual Easement

All that part of the following described tract of land situated in Lot 3, Sec. 19, T 28 N, R 23 E, of the Indian Base and Meridia, Quapaw Survey, in Ottawa County, Oklahoma;

"Beginning at the NW corner of Lot 3, thence East along the North boundary of Lot 3 a distance of 990 feet; thence South parallel with the West boundary a distance of 890 feet; thence West parallel with the South boundary a distance of 990 feet; thence North along the West boundary 890 feet to the point of beginning," particularly described as follows, to-wit:

A strip of land 100 feet in width the center line of which is described as follows:

Beginning at a point in the East boundary of the above described tract of land in Lot 3, 188 feet from the NE corner thereof, thence Westerly to a point in the West boundary of said Lot 3, 197 feet from the NW corner thereof.

TRACT NO. 13 (305 - 45.1)
Perpetual Easement

All that part of Lot 8 and all that part of the public ways adjacent to said Lot 8 and incident to the ownership thereof, all as shown on the dedication plat of Finley's Addition to the townsite of Miami situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

A strip of land 100 feet in width the center line of which is described as follows, to-wit:

Beginning at a point on the section line running along the East end of said Lot 8, 197 feet from the NE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence Westerly to a point in the center line of the public way along the West end of said Lot 8, 198 feet south of the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$.

TRACT NO. 14 (305 - 45.2)
Perpetual Easement

All that part of Lot 9 and all that part of the public way adjacent to said Lot 9 and incident to the ownership thereof as shown on the dedication plat of Finley's addition to the townsite of Miami, situate in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 24, T 28 N, R 22 E, of the Indian Base and Meridian, Quapaw Survey in Ottawa County, Oklahoma, particularly described as follows, to-wit:

A strip of land 100 feet in width the center line of which is described as follows, to-wit:

Beginning at a point on the center line of the public way along the East end of said Lot 9, 198 feet South of the North boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence Westerly to a point in the West boundary of said Lot 9, 199 feet from the NW corner thereof.

TRACT NO. 15 (305 - 45.3)
Perpetual Easement

a strip of land 100 feet in width in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 24, T 28 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 199 feet from the NE corner thereof, thence Westerly to a point in the West boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, 200 feet from the NW corner thereof.

TRACT NO. 16 (305 - 45.4)
Perpetual Easement

A strip of land 100 feet in width in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 24, T 28 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 200 feet from the NE corner thereof, thence Westerly to a point in the West boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 201 feet from the NW corner thereof.

TRACT NO. 17 (305 - 45.5)
Perpetual Easement

A strip of land 100 feet in width in the W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 24, T 28 N, R 22 E of the Indian Base and Meridian in Ottawa County, Oklahoma, the center line of which is described as follows, to-wit:

Beginning at a point in the East boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 201 feet from the NE corner thereof; thence Westerly to a point in the West boundary of said W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ 202 feet from the NW corner thereof.

and entire fee simple title in and to a certain tract of land situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described by courses and distances as follows, to-wit:

TRACT NO. 18 (105 - 1)
Substation Site
Fee Title

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T 28 N, R 23 E, of the Indian Base and Meridian, Quapaw Survey in Ottawa County, Oklahoma, particularly described as follows, to-wit:

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

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of the defendant, Beatrice Dutton, for an order fixing title, decreeing just compensation and making distribution as to Tract No. 50 (29 FW 985) and the Court being fully advised in the premises, finds:

That the defendant, Beatrice Dutton, was the owner of the land designated as Tract No. 50 (29 FW 985) when this proceeding was commenced; that the petitioner filed a Declaration of Taking and deposited in the registry of this Court the estimated just compensation in the sum of \$1932.00 for the taking of a perpetual flowage easement upon and over said tract of land; that this Court entered a judgment upon said Declaration of Taking filed by the petitioner thereby vesting in the petitioner, United States of America, a perpetual flowage easement, and decreed that the owners and those having any right, title or interest in and to said land, have and recover just compensation for the taking of said perpetual easement.

The Court further finds that the defendant, Beatrice Dutton, in writing, agreed to grant and sell to the petitioner a perpetual flowage easement upon and over said tract of land for the sum of \$1932.00, which was accepted by the petitioner.

The Court further finds that the sum of \$1932.00 is just compensation for the injuries and damages sustained by said defendant, Beatrice Dutton.

The Court further finds that no person, firm, corporation, or taxing subdivision of the State, other than said defendant have any right, title or interest in and to said just compensation except

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the defendant, Beatrice Dutton, was the owner of the land designated as Tract No. 50 (29 FW 985), when this proceeding was commenced, and that the sum of \$1932.00 is just compensation for the damages sustained by the defendant, Beatrice Dutton, AND THAT SAID DEFENDANT was the only person having any right, title or interest in and to said just compensation, except

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby authorized and directed to make distribution from the funds deposited as just compensation for the taking of said tract as follows, to-wit:

TO: Beatrice Dutton Owner
TRACT NO. 50 (29 FW 985)

\$1932.00

ROYCE H. SAVAGE
J U D G E

ENDORSED: Filed Mar 13 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

CHESTER BOWLES, Administrator Office of Price Administration, Plaintiff,)
vs) CIVIL NO. 1158
PRESTON CARL TITLE, an individual, Defendant.)
d/b/a/ A and P Bar,)

J U D G M E N T

NOW, on this 13th day of March, 1944, this cause came on for trial, the same having been regularly set for trial on the 14th day of March, 1944, upon the application of the plaintiff for preliminary injunction against the defendant herein, on which said 13th day of March, 1944, plaintiff appeared by and through his attorney, John J. D. Cobb, and the defendant voluntarily appeared in person, and waived notice of hearing; at which time a formal stipulation was presented wherein it was agreed that a permanent injunction should issue, and the Court having heard statement of counsel and being fully advised of the premises, finds that said injunction should issue.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the defendant, his agents, servants, employees and all persons in active concert or participation with defendant, be and they are hereby enjoined from directly or indirectly selling, delivering, transferring or offering for sale any beverage item for prices in excess of the maximum prices set forth in Tulsa Order No. G-1, under General Order No. 50, of the Office of Price Administration.

IT IS FURTHER ORDERED that defendant be required to pay the costs in this cause.

ROYCE H. SAVAGE
United States District Judge

ENDORSED: Filed In Open Court
Mar 13 1944
H. P. Warfield, Clerk
U. S. District Court

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

CHESTER BOWLES, Administrator, Office of Price Administration, Plaintiff,)
vs) CIVIL NO. 1159
CHARLES G. COLLINS, an individual, Defendant.)

J U D G M E N T

NOW, on this 13th day of March, 1944, this cause came on for trial which cause was originally set for trial on March 14, 1944, upon application of plaintiff for preliminary injunction against the defendant herein; on which said 13th day of March, 1944, plaintiff appeared by and through his attorney John J. D. Cobb, and defendant voluntarily appeared in person and by and through his attorney, Irvine E. Ungerman, at which time a formal stipulation was presented, wherein it was agreed a permanent injunction should issue, and the Court having heard the statement of Counsel and being fully advised in the premises, finds said injunction should issue.

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$35,245.30, and that said sum was deposited in the registry of this court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, on this 13th day of March, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (50 - FW-1329)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.7 acres.

TRACT NO. 2 (50 - FW-1330)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of Lot 3, and all that part of Lot 4, in Sec. 29, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acres.

TRACT NO. 3 (50 - FW-1331)
Flowage Easement

All that part of the N $\frac{1}{2}$ SE $\frac{1}{4}$, and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 29, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 7.5 acres.

TRACT NO. 4 (50 - FW-1332)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the sw $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 14.7 acres.

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TRACT NO. 5 (50 - FW-1334)
Flowage Easement

All that part of the north 15.0 acres of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned on which the Grand River Dam Authority has the right of flowage, containing approximately 11.0 acres.

TRACT NO. 6 (50 - FW-1340)
Flowage Easement

All that part of Lot 65 fronting on Broadway Street as shown on the dedication plat of the original townsite of Wyandotte, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 7 (50 - FW-1344)
Flowage Easement

All that part of Lot 60 fronting on Broadway Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 8 (50 - FW-1348)
Flowage Easement

All that part of Lot 16 fronting on Main Street as shown on the dedication plat of the original townsite of Wyandotte, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 9 (50 - FW-1349)
Flowage Easement

All that part of Lot 14 fronting on Main Street as shown on the dedication plat of the original Townsite of Wyandotte, Ottawa County, Oklahoma, lying below Elev. 758 Sea Level Datum.

TRACT NO. 10 (50 - FW-1360)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 27, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except 1.3 acres St. L & S. F. R. R. R/W, containing 7.1 acres, more or less.

TRACT NO. 11 (50 - FW-1370)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 28, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.5 acres.

TRACT NO. 12 (51 - FW-1361)
Flowage Easement

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and all that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 21, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 40.0 acres.

TRACT NO. 13 (51 FW-1362 Revised)

Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (otherwise divided and described as Lots 1 and 2) of Sec. 21, T 27 N, R 24 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at the SE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence westerly along the south boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 989.1 feet; thence N. 20° 47' W. 70.0 feet; thence N. 2° 29' W. 100.8 feet; thence N. 15° 54' E. 94.6 feet; thence N. 31° 42' E. 144.1 feet; thence N. 49° 56' E. 84.6 feet; thence N. 71° 49' E. 142.5 feet; thence N. 0° 18' E. to a point in the north boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence easterly along said north boundary to the NE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence southerly along the east boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the point of beginning.

lying below Elev. 760.0 Sea Level Datum except that portion owned by the Grand River Dam Authority, containing approximately 17.1 acres.

And all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, T 27 N, R 24 E, of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, less 0.9 acre St. Louis-San Francisco Railway Company right-of-way, containing approximately 32.3 acres.

The total acreage being in all approximately 49.4 acres.

TRACT NO. 14 (51 - FW-1363)

Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 22, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, less 0.3 acre St. Louis-San Francisco Railway Company right-of-way, containing approximately 8.9 acres.

TRACT NO. 15 (51 FW-1364)

Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 22, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 14.4 acres.

TRACT NO. 16 (51 - FW-1365 Rev.)

Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 31.7 acres.

TRACT NO. 17 (51 - FW-1366)

Flowage Easement

All that part of the SW NW $\frac{1}{4}$ of Sec. 22, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County,

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Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.2 acres.

TRACT NO. 18 (51 - FW-1366 A Rev.)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, otherwise divided and described as Lots 1 and 2, except the following described tract of land, to-wit:

Beginning at the SE corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence westerly along the south boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ 989.1 feet; thence N. 20° 47' W. 70.0 feet; thence N. 2° 29' W. 100.8 feet; thence N. 15° 54' E. 94.6 feet; thence N. 31° 42' E. 144.1 feet; thence N. 49° 56' E. 84.6 feet; thence N. 71° 49' E. 142.5 feet; thence N. 0° 18' E to a point in the north boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$.

and all that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Sec. 21, T 27 N, R 24 E, of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 29.4 acres.

TRACT NO. 19 (52 - FW-1395 Rev.)
Flowage Easement

All that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 9, T 27 N, R 24 E, of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760.0 Sea Level Datum, containing approximately 15.6 acres.

TRACT NO. 20 (51 - FW-1368)
Flowage Easement

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.2 acres.

TRACT NO. 21 (51 - FW-1369)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 1.3 acres.

TRACT NO. 22 (51 - FW-1372)
Flowage Easement

All that part of the SE $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 3.0 acres.

TRACT NO. 23 (51 - FW-1373)

Flowage Easement

All that part of the East 15 feet of the $S\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 24 (51 - FW-1376)

Flowage Easement

All that part of the $NW\frac{1}{4}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of the $NE\frac{1}{4}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of the $N\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 10.0 acres.

TRACT NO. 25 (51 - FW-1379)

Flowage Easement

All that part of the $NE\frac{1}{4}$ $SW\frac{1}{4}$, and all that part of the $NW\frac{1}{4}$ $SE\frac{1}{4}$ and all that part of the $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 15.3 acres.

TRACT NO. 26 (51 - FW-1380)

Flowage Easement

All that part of the $SE\frac{1}{4}$ $NW\frac{1}{4}$, and all that part of the $NE\frac{1}{4}$ $NW\frac{1}{4}$ of Sec. 20, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 7.7 acres.

TRACT NO. 27 (51 - FW-1381)

Flowage Easement

All that part of the south 330 feet of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 17, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.5 acre.

TRACT NO. 28 (51 - FW-1382)

Flowage Easement

All that part of the $E\frac{1}{2}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$, and all that part of the $SW\frac{1}{4}$ $SE\frac{1}{4}$ and all that part of the $SE\frac{1}{4}$ $SW\frac{1}{4}$ less the south 330 feet thereof, all in Sec. 17, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.0 acre.

TRACT NO. 29 (51 - FW-1383)

Flowage Easement

All that part of the $SW\frac{1}{4}$ $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 17, T 27 N, R 24 E

of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.2 acre.

TRACT NO. 30 (51 - FW-1384)
Flowage Easement

All that part of Lots 1, 2 and 3 in Sec. 17, and all that part of Lot 1 in Sec. 16, all in T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.8 acres.

TRACT NO. 31 (51 - FW-1509)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 17, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 24.9 acres.

TRACT NO. 32 (51 - FW-1510)
Flowage Easement

All that part of Lot 10 in Sec. 17, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.6 acres.

TRACT NO. 33 (51 - FW-1516)
Flowage Easement

All that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 17, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.7 acres.

TRACT NO. 34 (52 - FW-1385)
Flowage Easement

All that part of Lot 4 in Sec. 9, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.9 acres.

TRACT NO. 35 (52 - FW-1386)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.6 acres.

TRACT NO. 36 (52 - FW-1387)

Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority containing approximately 7.0 acres.

TRACT NO. 37 (52 - FW-1389)

Flowage Easement

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 2.3 acres.

TRACT NO. 38 (52 - FW-1392)

Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and all that part of the SE 10.0 acres of Lot 3, all in Sec. 9, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 21.6 acres.

TRACT NO. 39 (52 - FW-1394 Rev.)

Flowage Easement

All of Lot 1 in Section 9; and all that part of Lot 5 lying below Elev. 760.0 Sea Level Datum in Section 4, all in T 27 N, R 24 E, of the Indian Base and Meridian in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 43.3 acres.

TRACT NO. 40 (52 - FW-1396)

Flowage Easement

All that part of Lot 2, and all that part of Lot 3, and all that part of Lot 4, in Sec. 4, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.9 acre.

TRACT NO. 41 (52 - FW-1499)

Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 33.5 acres.

TRACT NO. 42 (52 - FW-1501)

Flowage Easement

All that part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by

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the Grand River Dam Authority, containing approximately 12.0 acres.

TRACT NO. 43 (52 - FW-1503)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 5, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 10.1 acres.

TRACT NO. 44 (52 - FW-1504)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 23.1 acres.

TRACT NO. 45 (52 - FW-1505)
Flowage Easement

All that part of the west 20.0 acres of Lot 5, and all that part of Lot 6 in Sec. 9; and all that part of Lot 1, all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the S $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{2}$ of Sec. 8, all in T 27 N, R 24 E of the Indian Base and Meridian in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 121.3 acres.

TRACT NO. 46 (52 - FW-1507)
Flowage Easement

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T 27 N, R 24 E of the Indian Base and Meridian, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 55.6 acres.

TRACT NO. 47 (52 - FW-1508)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 7.2 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding, and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it is hereby vested with a perpetual easement upon and over the lands hereinabove described for the use and purposes herein stated.

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$7,750.25, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior, will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, on this 13th day of March, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow, upon and over certain of the lands hereinafter described and designated as "Flowage Easement"; and a perpetual easement to inundate, submerge and flow, intermittently, during flood periods, upon and over certain of the lands hereinafter described and designated as "Easement for Intermittent Flowage During Flood Periods"; and to enter upon all of said lands from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Ottawa, State of Oklahoma, and more particularly described as follows:

TRACT NO. 1 (47 - FW-1589)

Flowage Easement

All that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 21, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756 Sea Level Datum particularly described as follows, to-wit:

Beginning at a point in the east boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ 458.4 feet from the SE corner thereof, thence northerly along the east boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 466.4 feet; thence N. 76° 29' W. 81.6 feet; thence S. 51° 29' E. 101.6 feet to a point in the east boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence southerly along said east boundary a distance of 48.9 feet to a point 841.8 feet from the SE corner thereof; thence S. 14° 38' W. 471.6 feet; thence S. 82° 42' E. 63.6 feet; thence N. 42° 43' E. 68.9 feet to the point of beginning containing 0.5 acres, more or less.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ in said Sec. 21 lying below Elev. 760.0 Sea Level Datum, except that part described above, containing approximately 11.8 acres.

TRACT NO. 2 (47 - FW-1595 Rev.)

Flowage Easement

All that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of Lot 11, lying below Elev. 756.1 Sea Level Datum, and all of the north 9.05 acres of Lot 12 in Sec. 22, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, except that portion owned by the Grand River Dam Authority, containing approximately 8.9 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of said

Lot 11, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 3.1 acres.

TRACT NO. 3 (47 - FW-1600)
Flowage Easement

All that part of the West 10.15 acres of Lot 2, all that part of Lot 3, and all that part of Lot 4 in Sec. 23, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 20.9 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said west 10.15 acres of Lot 2, all that part of said Lots 3, lying above Elev. 756.1 Sea Level Datum, and all that part of said Lot 4 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 3.1 acres.

TRACT NO. 4 (47 - FW-1601)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Cherokee Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 15.3 acres.

TRACT NO. 5 (48 - FW-1322 A)
Flowage Easement

All that part of Lot 10 in the Townsite of Coulemelle, Ottawa County, Oklahoma, as shown by dedication and plat recorded in the County Clerk's office June 10, 1943, situated in Lot 2 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point 1010.3 feet north and 134.1 feet east of the SW corner of said Lot 2 in Sec. 26, thence N. 46° 48' E. 17.4 feet; thence S. 44° 19' E. 25.3 feet; thence N. 78° 27' W. 31.0 feet to the point of beginning, lying below Elev. 758 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 6 (48 - FW-1322 D)
Flowage Easement

All that part of Lots 1 & 2 of Sec. 36, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, particularly described as follows, to-wit:

Beginning at a point on the north R/W line of the relocation Shell Pipe Line 898.1 feet westerly along said North R/W line, from the east boundary of said Sec. 36, thence N. 16° 00' E. 360.8 feet; thence S. 74° 00' E. 50.0 feet; thence N. 16° 00' E. 150.0 feet; thence N. 74° 00' W. 75.0 feet; thence S. 16° 00' W. 49.22 feet; thence N. 35° 44' W. 226.52 feet; thence N. 54° 22' E. 125.0 feet; thence N. 56° 12' E. 150.0 feet; thence N. 59° 43' E. 100.0 feet; thence N. 80° 48' E. 75.0 feet; thence N. 9° 12' W. 30.97 feet to a point on the 750 foot contour as established by Holway and Neuffer Engineers; thence N. 84° 53' W. along said 750 foot contour a distance of 76.5 feet; thence S. 58° 38' W. along said 750 foot contour 272.0 feet; thence S. 53° 18' W. along said 750 foot contour 211.7 feet; thence S. 46° 48' W. along said 750 foot contour 270.0 feet; thence S. 44° 19' E. 54.47 feet; thence N. 45° 41' E. 175.0 feet; thence N. 48° 51' E. 119.79 feet; thence S. 35° 44' E. 231.56 feet; thence S. 16° 00' W. 413.68 feet to a point in the north R/W line of the relocation Shell Pipe Line; thence S. 73° 55' E. along said R/W line a distance of 50 feet to the point of beginning, lying below Elev. 758 Sea Level Datum, containing approximately 0.3 acre.

TRACT NO. 7 (49 - FW-1511)
Flowage Easement

All that part of Lot 9, Ottawa Reserve, and all that part of Lot 1, Wyandotte Reserve, all in Sec. 18, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 15.2 acres.

TRACT NO. 8 (49 - FW-1512)
Flowage Easement

All that part of the E $\frac{1}{2}$ of Lot 8 in Ottawa Reserve in Sec. 18, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.6 acre.

TRACT NO. 9 (49 - FW-1513)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 19, T 27 N, R 24 E of the Indian Base and Meridian, Wyandotte Reserve, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.4 acres.

TRACT NO. 10 (49 - FW-1514)
Flowage Easement

All that part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 18, and all that part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 19, all in T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.8 acres.

TRACT NO. 11 (49 - FW-1515)
 Flowage Easement

All that part of the $E\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 18, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 12 (49 - FW-1517)
 Flowage Easement

All that part of the $NW\frac{1}{2}$ $NE\frac{1}{4}$, and all that part of the $S\frac{1}{2}$ $NE\frac{1}{2}$ $NE\frac{1}{4}$, and all that part of the $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 19, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.3 acres.

TRACT NO. 13 (49 - FW-1518)
 Flowage Easement

All that part of Lot 4, and all that part of Lot 5 lying west of the following described line:

"Beginning at a point on the North line of Lot 5 and 452.1 feet east of the NW corner thereof; thence S. 43° 28' E. 41.35 feet; thence west 132.5 feet; thence S. 20° 40' W. 401.3 feet; thence S. 41° 20' W. 160.0 feet to the North bank of the Neosho River"

in Sec. 19 T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing less than 0.1 acre.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said Lot 4, and all that part of said Lot 5 described above, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing less than 0.1 acre.

TRACT NO. 14 (49 - FW-1519)
 Flowage Easement

All that part of the $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ of south of Highway in Sec. 19, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing approximately 0.13 acre.

Easement for Intermittent
 Flowage During Flood Periods

All that part of said $S\frac{1}{2}$ $SE\frac{1}{4}$ $NW\frac{1}{4}$ south of Highway, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 15 (49 - FW-1520)
 Flowage Easement

All that part of Lot 1, all that part of Lot 2, and all that part of Lot 3 in Sec. 19, T 27 N, R 24 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1, and all that part of said Lot 2 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.4 acres.

TRACT NO. 16 (49 - FW-1521)
Flowage Easement

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that part of Lot 3 in Sec. 24, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 1.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 24 lying below Elev. 760 Sea Level Datum, and all that part of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of said Lot 3, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.6 acres.

TRACT NO. 17 (49 - FW-1522)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 24, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing 6.8 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 4.8 acres.

TRACT NO. 18 (49 - FW-1523)
Flowage Easement

All that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 24, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 4.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 4.7 acres.

TRACT NO. 19 (49 - FW-1524)
Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 24, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 12.8 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said S $\frac{1}{2}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 28.3 acres.

TRACT NO. 20 (49 - FW-1524 A)
Easement for Intermittent
Flowage During Flood Periods

All that part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.1 acre.

TRACT NO. 21 (49 - FW-1525)
Flowage Easement

All that part of Lot 1 in Sec. 24, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 5.3 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 3.5 acres.

TRACT NO. 22 (49 - FW-1529)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 3.7 acres.

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 13, 1944

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 9.4 acres.

TRACT NO. 23 (49 - FW-1530)
Flowage Easement

All that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 2.6 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 3.2 acres.

TRACT NO. 24 (49 - FW-1532)
Flowage Easement

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 23, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.6 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 25 (49 - FW-1533)
Flowage Easement

All that part of Lot 1 in Sec. 23, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 0.4 acre.

TRACT NO. 26 (49 - FW-1534)
Flowage Easement

All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 23, T 27 N, R 23 E of

the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.1 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{2}$ SW $\frac{1}{4}$ lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 1.0 acre.

TRACT NO. 27 (49 - FW-1535)

Easement for Intermittent
Flowage During Flood Periods

All that part of the SE $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 760 Sea Level Datum, containing approximately 0.2 acre.

TRACT NO. 28 (49 - FW-1544)

Flowage Easement

All that part of Lot 5 in Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.6 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 5 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 29 (49 - FW-1545)

Flowage Easement

All that part of the SE $\frac{1}{2}$ SW $\frac{1}{4}$, and all that part of Lot 4 in Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 0.7 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said SE $\frac{1}{2}$ SW $\frac{1}{4}$, and all that part of said Lot 4 lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum.

TRACT NO. 30 (49 - FW-1546)

Flowage Easement

All that part of Lot 3 in Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Wyandotte Reserve, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea Level Datum, containing less than 0.1 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 3 lying between Elev. 756.1 Sea Level Datum and Elev. 750 Sea Level Datum, containing approximately 0.3 acre.

TRACT NO. 31 (49 - FW-1547)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, all that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of Lot 2 in Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Ottawa Reserve, Quapaw Survey, in Ottawa County, Oklahoma, lying below Elev. 756.1 Sea level datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.2 acres.

Easement for Intermittent
Flowage During Flood Periods

All that part of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, and all that part of said Lot 2, lying between Elev. 756.1 Sea Level Datum and Elev. 760 Sea Level Datum, containing approximately 2.5 acres.

TRACT NO. 32 (49 - FW-1550)
Flowage Easement

All that part of Lot 1 in Sec. 14, T 27 N, R 23 E of the Indian Base and Meridian, Ottawa Reserve, Quapaw Survey, in Ottawa County, Oklahoma, lying between Elev. 756.1 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 6.1 acre.

Easement for Intermittent
Flowage During Flood Periods

All that part of said Lot 1 lying above Elev. 756.1 Sea Level Datum, containing approximately 2.4 acres.

be, and the same are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America, be, and it is hereby vested with perpetual easements as hereinabove set forth, upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 20th day of March, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

ROYCE H. SAVAGE
JUDGE OF THE UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Mar 13 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to March 16, 1944

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

REGULAR JANUARY 1944 TERM

THURSDAY, MARCH 16, 1944

On this 16th day of March, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-)
CERAIN PARCELS OF LAND IN DELAWARE COUNTY,) CIVIL NO. 1066
OKLAHOMA, containing approximately 246.60)
acres, more or less; and Don Emery, et al.,)
Defendants.)

ORDER GRANTING LEAVE TO FILE AN AMENDMENT TO PETITION FOR CONDEMNATION

NOW, on this 16th day of March, 1944, there coming on for hearing the application of the petitioner, United States of America, for leave to file an amendment to its petition herein, and the Court being fully advised in the premises, finds that said application should be granted, and the petitioner granted leave to file an amendment to its petition herein, making additional parties defendant.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the petitioner, United States of America be, and it is hereby granted leave and permission of this Court to file an amendment to its petition herein, making additional parties defendant.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF OKLAHOMA.

ENDORSED: Filed Mar 16 1944
H. P. Warfield, Clerk
U. S. District Court LN

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

UNITED STATES OF AMERICA, Petitioner,)
-vs-)
CERAIN PARCELS OF LAND IN DELAWARE COUNTY, OKLAHOMA,) CIVIL NO. 1173
containing approximately 21.90 acres, more or less;)
and R. L. Hill, et al.,)
Defendants.)

JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above entitled cause on the 16th day of March, 1944, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America and upon consideration thereof, and of the condemnation

petition filed herein, said Declaration of Taking, and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court;

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also, under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such lands as are described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said lands taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands in the amount of \$3,654.30, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, On this 16th day of March, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement to inundate, submerge and flow; and to enter upon from time to time in the performance of said acts, for use in connection with the completion and full utilization of the Grand River Dam Project, upon and over the lands situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to-wit:

TRACT NO. 1 (28 - FW-477)

Flowage Easement

All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 758 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 0.4 acre.

TRACT NO. 2 (28 - FW-480)

Flowage Easement

All that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, less the following described tract of land:

"Beginning at the N E corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence South 225 feet, thence West to Highway

No. 59; thence North along the East boundary of said Highway to the North boundary of NW $\frac{1}{4}$ SE $\frac{1}{2}$ SW $\frac{1}{4}$; thence East to the point of beginning."

lying below Elev. 758 Sea Level Datum, containing approximately 0.5 acre.

TRACT NO. 3 (28 - FW-482 Rev)
Flowage Easement

All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, and all that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{2}$ SE $\frac{1}{4}$, and all that part of the W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{2}$ less the North 200 feet thereof, of Sec. 7, all in T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority and that portion on which the Grand River Dam Authority has the right of flowage, containing approximately 1.0 acre.

TRACT NO. 4 (28 - FW-484 Rev.)
Flowage Easement

All that part of the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the SE $\frac{1}{2}$ NE $\frac{1}{4}$, and all that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, and all that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{2}$ of Sec. 7, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion owned by the Grand River Dam Authority, containing approximately 4.8 acres.

TRACT NO. 5 (28 - FW-491)
Flowage Easement

All that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, particularly described as follows, to-wit:

"Beginning at a point in the south boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 217.00 feet East of the SW corner thereof; thence Easterly along said South boundary a distance of 251.9 feet; thence North 165.0 feet; thence Westerly parallel to the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 271.6 feet; thence S. 6° 58' E. 166.3 feet to the point of beginning, containing 1.0 acres, more or less."

lying below Elev. 757 Sea Level Datum, containing approximately 0.3 acre.

TRACT NO. 6 (28 - FW-493)
Flowage Easement

All that part of Block 8 in Sequoyah Addition to the town of Grove, Oklahoma, situate in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with that part of the streets, avenues and alleys adjacent to said Block 8 lying below Elev. 757 Sea Level Datum.

TRACT NO. 7 (28 - FW-941)
Flowage Easement

All that part of the $W\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 6, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 6.2 acres.

TRACT NO. 8 (28 - FW-942)
Flowage Easement

All that part of the N. 11.5 acres of the $E\frac{1}{2}$ $SW\frac{1}{4}$ $NE\frac{1}{4}$ and all that part of the N. 11.5 acres of the $W\frac{1}{2}$ $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Sec. 6, T 24 N, R 24 E of the Indian Base and Meridian, in Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, containing approximately 1.3 acres.

TRACT NO. 9 (28 - FW-945)
Flowage Easement

All that part of Lot 3 in Block 21 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum.

TRACT NO. 10 (28 - FW-946)
Flowage Easement

All that part of Lot 2 in Block 21 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea level datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot 1, lying below Elev. 757 Sea Level Datum.

TRACT NO. 11 (28 - FW-947)
Flowage Easement

All that part of Lot 1 in Block 21 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot 1, lying below Elev. 757 Sea Level Datum, and that all part of the streets, avenues, and alleys incident to the ownership of Lot 6 in Block 21 in said Townsite of Grove, Oklahoma, lying below Elev. 757 Sea Level Datum.

TRACT NO. 12 (28 - FW-948)
Flowage Easement

All that part of Lots 5 to 10 inclusive in Block 20 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TRACT NO. 13 (28 - FW-949)
Flowage Easement

All that part of the streets, avenues, and alleys incident to the ownership of Lot 4 in Block 23 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum.

TRACT NO. 14 (28 - FW-950)
Flowage Easement

All that part of Lots 1 and 2 in Block 20 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lots, lying below Elev. 757 Sea Level Datum.

TRACT NO. 15 (28 - FW-952)
Flowage Easement

All that part of Block 9 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Block, lying below Elev. 757 Sea Level Datum.

TRACT NO. 16 (28 - FW-954)
Flowage Easement

All that part of Lot 6 in Block 10 of the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lot, lying below Elev. 757 Sea Level Datum.

TRACT NO. 17 (28 - FW-955)
Flowage Easement

All that part of Lot 7 in Block 10 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lot, lying below Elev. 757 Sea Level Datum.

TRACT NO. 18 (28 - FW-956)
Flowage Easement

All that part of the streets, avenues, and alleys incident to the ownership of Lot 1 in Block 10 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum.

TRACT NO. 19 (28 - FW-957)
Flowage Easement

All that part of Lot 1 in Block 5 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, except that portion on which the Grand River Dam Authority has the right of flowage, together with all that part of the streets, avenues, and alleys adjacent

to said lot, lying below Elev. 757 Sea Level Datum.

TRACT NO. 20 (28 - FW-958)
Flowage Easement

All that part of Lot 9, in Block 11 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum, and all that part of the streets, avenues, and alleys incident to the ownership of Lot 1 in Block 11 in said Townsite of Grove, lying below Elev. 757 Sea Level Datum.

TRACT NO. 21 (28 - FW-959)
Flowage Easement

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

Beginning at a point in the North boundary of said South 20.0 acres of Lot 4, 239.5 feet East of the NW corner thereof; thence S. 80° 56' E. 494.8 feet; thence to the right on a curve with a radius of 2033.5 feet a distance of 156.2 feet; thence S. 13° 20' W. 50.0 feet; thence S. 76° 30' E. 0.0 feet; thence to the right on a curve with a radius of 1983.5 feet a distance of 240.0 feet; thence S. 69° 36' E. 1639.6 feet to a point on the East boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ 155.5 feet South of the NE corner thereof; thence Northerly along the East boundaries of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and said South 20.0 acres of Lot 3 a distance of 213.4 feet to a point 602.1 feet South of the NE corner of said South 20.0 acres of Lot 3; thence N. 69° 36' W. 1565.0 feet; thence to the left on a curve with a radius of 2183.5 feet a distance of 142 feet to a point on the North boundary of said South 20.0 acres of Lot 4; thence Westerly along the North boundary of said South 20.0 acres of Lot 4 a distance of 124.9 feet to the NE corner of Block 66; thence S. 13° 30' W. 16.7 feet to the SW corner of Block 66; thence N. 76° 30' W. 0.0 feet; thence to the left on a curve with a radius of 2133.5 feet a distance of 72.5 feet to a point on the North boundary of said South 20.0 acres of Lot 4; thence Westerly along said North boundary of 595.4 feet to the point of beginning, lying below Elev. 757 Sea Level Datum, containing approximately 2.6 acres.

TRACT NO. 22 (28 - FW-960)
Flowage Easement

All that part of Lots 5 to 7 inclusive in Block 12 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TRACT NO. 23 (28 - FW-961)
Flowage Easement

All that part of Lot 1, and Lot 2 less the S. 6.0 feet thereof, in Block 12 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TRACT NO. 24 (28 - FW-962)
Flowage Easement

All that part of Lot 2 in Block 13 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the Streets, avenues, and alleys adjacent to said Lot, lying below Elev. 757 Sea Level Datum.

TRACT NO. 25 (28 - FW-963)
Flowage Easement

All that part of Lots 6, 7 and 8 in Block 15 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lots, lying below Elev. 757 Sea Level Datum.

TRACT NO. 26 (28 - FW-965)
Flowage Easement

All that part of Lot 2 in Block 4 in the original Townsite of Grove, Delaware County, Oklahoma, lying below Elev. 757 Sea Level Datum, together with all that part of the streets, avenues, and alleys adjacent to said lot, lying below Elev. 757 Sea Level Datum.

TRACT NO. 27 (28 - FW-966)
Flowage Easement

All that part of the North 23.79 acres of Lot 4 in Sec. 5, T 24 N, R 24 E of the Indian Base and Meridian in Delaware County, Oklahoma, except that portion owned by the Grand River Dam Authority, and except that portion described as follows, to-wit:

Commencing at the NW corner of Sec. 5, thence South 96 feet; and 4 inches, thence S. 15° 03' E. 725.0 feet; thence N. 89° 56' E. 210.6 feet to the point of beginning; thence N. 89° 56' E. 439.3 feet; thence N. 15° 03' W. 68.7 feet; thence N. 30° 29' W. 211.0 feet; thence S. 84° 52' W. 322.7 feet; thence S. 13° 34' E. 166.0 feet; thence S. 21° 17' W. 42.3 feet to the point of beginning, containing approximately 1.99 acres,

lying below Elev. 757 Sea Level Datum, containing approximately 4.8 acres.

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

THURSDAY, MARCH 16, 1944

BE, AND THE SAME are hereby deemed to have been condemned and taken for the use of the United States of America, and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America be, and it is hereby vested with a perpetual easement upon and over the lands hereinabove described for the uses and purposes herein stated.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that this Court the owners and those in possession or having any right, title or interest in and to the lands hereinabove described, surrender and deliver up possession of said lands to the United States of America for the purpose of exercising all of the rights and privileges herein acquired on or before the 23rd day of March, 1944, and this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

F. E. KENNAMER
JUDGE OF THE UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF OKLAHOMA

ENDORSED: Filed Mar 16 1944
H. P. Warfield, Clerk
U. S. District Court H

Court adjourned to March 17, 1944

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

FRIDAY, MARCH 17, 1944

On this 17th day of March, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. F. E. Kennamer, Judge, present and presiding.

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

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

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

JACKSON MATERIALS COMPANY, a corporation, Plaintiff,)
vs.)
THE MASSMAN CONSTRUCTION COMPANY, a corporation,) No. 1087 - Civil
FIDELITY & DEPOSIT COMPANY OF MARYLAND, a corporation, et al,)
Defendant.)

O R D E R

FOR GOOD CAUSE SHOWN, the defendants are granted an extension of time to March 24, 1944, in which to file their answers in the above styled cause.

DATED this 17th day of March, 1944.

F. E. KENNAMER
United States District Judge

ENDORSED: Filed Mar 17 1944
H. P. Warfield, Clerk
U. S. District Court ME

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 20, 1944

SECOND: That a petition in condemnation was filed at the request of the Secretary of the Interior, the authority empowered by law to acquire the land described in said petition, and also under the authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which and the public use for which said land is taken; that the Secretary of the Interior is the person duly authorized and empowered by law to acquire such land as is described in the petition, for the construction of public works and in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project; and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in said land taken for said public use;

SIXTH: That a plan map showing the land taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said land, in the amount of \$84.00, and that said sum was deposited in the registry of this Court for the use of the persons entitled thereto, upon, and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of said Secretary of the Interior will be within any limits prescribed by Congress as to the price to be paid therefor;

IT IS THEREFORE, on this 17th day of March, 1944, ORDERED, ADJUDGED AND DECREED by this Court that a perpetual easement for road purposes, subject to any existing rights held by the public, the State of Oklahoma, or any subdivision thereof, for road purposes, if any; and subject to the right of flowage, if any, held by the United States of America, and/or the Grand River Dam Authority, a public corporation, for use in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project, in, upon and over the land, situate, lying and being in the County of Delaware, State of Oklahoma, and more particularly described as follows, to wit:

TRACT NO. 1 (34 FW-CR 1113)
Perpetual Easement for Road Purposes

All that part of the $SE\frac{1}{4} SW\frac{1}{4}$ and all that part of the $S\frac{1}{2} SW\frac{1}{4} SE\frac{1}{4}$ of Sec. 10, 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 SW corner of said $SE\frac{1}{4} SW\frac{1}{4}$, thence northerly along the west line of said $SE\frac{1}{4} SW\frac{1}{4}$ a distance of 305.3 feet; thence S. $42^{\circ} 29'$ E. 413.5 feet to a point on the south line of said $SE\frac{1}{4} SW\frac{1}{4}$; thence westerly along said south line a distance of 278.9 feet to the point of beginning, containing approximately 1.0 acre.

be, and the same is hereby deemed to have been condemned and taken for the use of the United States of America, in connection with the completion and full utilization of the Grand River Dam (Pensacola) Project and the right to just compensation for the property taken, upon the filing of the Declaration of Taking, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein, pursuant to law; and

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

REGULAR JANUARY 1944 TERM

TULSA, OKLAHOMA

MONDAY, MARCH 20, 1944

Ella Mae Sourjohn, nee Wilson;
Mollie S. Lavelock, also known as Lovelock;
Helen F. Shirkey;
Fred Fluke;
Anna B. Fluke, now Abel;
T. J. Fluke;
Eugene B. Fluke;
Donald Kenneth Fluke;
Charles L. Skelley;
Martin Fuser, Jr.;
Natalie Fuser;
Mack Tompkins;
Clarice Tompkins;
Charles O. Rule;
Betty Rule;
Frank Muskrat
Virginia Smith;
Ira Smith;
Joe Smith;
Alene Maloney, now Jones;
Emmons Jones;
Sadie Robinson, nee Victor;
James E. Robinson;
Julia A. Harrell;
W. J. Harrell;
Lillie L. Coddington;
Evelyn J. Ballard, now Lawrence;
C. K. Lawrence;
Elizabeth Jane Hukill;
Thomas Jukill;
Mary Hukill Sherwood;
Charles Gleason Hukill;
Ray Hukill;
Glen Hukill;
Tracy Hukill;
J. A. Matthew;
Bessie T. Matthew;
C. A. Allen, Trustee for Walten Trust Company;
Walter Alvin Foster, sometimes known as Jim Walter Alvin Foster;
O. C. Miller;
Lou T. Miller;
E. L. Spurck;
Louise C. Spurck;
Argyll Miller;
Harold K. Miller;
Lillie Barger, now Wise;
Henry Wise;
S. R. Barger;
H. L. Thompson;
G. O. Thompson;
Frank Thompson;
Linnie Rockey;
Paul V. Thompson;
Pearl Myer;
Walter Thompson;
Willis H. Smith;
Myrtle G. Smith;
Wilson Chenoweth;

Nadine Chenoweth;
Josie King;
Walter G. Hartley, Trustee of the Estate of A. L. Wilbur, deceased;
Katherine Louise Fullerton Moore;
Patience Jean Fullerton Stevenson;
Patience Lee Fullerton, a minor;
Mary Elizabeth Greenwood;
Mary Elizabeth Greenwood, guardian of Patience Lee Fullerton, a minor;
Elizabeth Ann Fullerton Coleman;
The Union Central Life Insurance Company, a corporation;
The Deming Investment Company, a corporation;
The State Life Insurance Company, a corporation;
Aetna Life Insurance Company, a corporation;
The Federal Land Bank of Wichita, a corporation;
Land Bank Commissioner;
The Federal Farm Mortgage Corporation, a corporation;
The Federal Land Bank of Wichita, a corporation, agent and attorney-
in-fact for Land Bank Commissioner and The Federal Farm Mortgage
Corporation, a corporation;
Ozark Pipe Line Company;
Baxter State Bank of Baxter Springs, Kansas, a corporation;
C. C. Nelson and Company, Kansas City, Missouri;
Roscoe Wesley Wolf, Leonore Adams, Lida V. Muhler, Leona Williams
Shearer, formerly Lykins, N. D. Elford, if living or if de-
ceased, their known and unknown heirs, administrators,
executors, devisees, legatees, trustees, creditors or assigns,
immediate and remote, and their spouses, if any;
and the known and unknown heirs, administrators, executors, devisees,
legatees, trustees, creditors and assigns, immediate and remote,
and their spouses, if any, of Lula Wilson, formerly Gooden,
Cherokee Roll No. 24462, deceased; of Nellie Wilson, deceased;
of George W. Lavelock, sometimes known as Lovelock, deceased; of
Cora B. Skelley, otherwise known as Cora Skelly, deceased; of
Andrew Fluke, deceased; of Frederick Fluke, deceased; of
Charles E. Pierce, Cherokee Roll No. 31896, deceased; of Mattie
A. Blythe, Cherokee Roll No. N. B. 831, deceased; of Joseph D.
Muskrat, deceased; of Nina Pearl Smith, deceased; of S. G.
Victor, sometimes known as Samuel G. Victor, deceased; of
Nellie M. Muskrat, Cherokee Roll No. 23721, deceased; of
Charles Hukill, deceased; of R. L. Casey, deceased; of Meala
R. Bandy, Cherokee Roll N. B. No. 871 deceased; of H. K.
Miller, deceased; of Julia McHenry, deceased; of T. J. Thompson,
deceased; of Pauline Thompson, deceased; of Garland G. McConkey,
also known as G. G. McConkey, deceased; of Robert P. Chenoweth,
deceased; of Fay F. Green, Cherokee Citizen, Roll No. 13852,
deceased; of Theresa A. Durbin, deceased; of S. C. Fullerton
deceased;

are non-residents of the State of Oklahoma, or with due and reasonable diligence are not to be found in the State of Oklahoma, and that it is therefore necessary that the above named defendants, and any and all other persons, firms, corporations, or legal entities claiming any interest whatever in the real estate herein described and involved, to be served by publication.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED that notice should be given to the aforesaid defendants, and each of them, by publication; that said notice be signed by the attorneys for the petitioner herein and duly attested by the Clerk of this Court; that notice to those of said defendants owning or having any right, title or interest in and to the lands situated in Craig County, Oklahoma, be published in the Vinita Daily Journal, a newspaper printed and of general circulation

in Craig County, Oklahoma, for four (4) consecutive weeks; that notice to those of said defendants owning or having any right, title or interest in and to the lands situated in Delaware County, Oklahoma, be published in the Grove Sun a newspaper printed and of general circulation in Delaware County, Oklahoma, for four (4) consecutive weeks; that notice to those of said defendants owning or having any right, title or interest in and to the lands situated in Ottawa County, Oklahoma, be published in the Afton American, a newspaper printed and of general circulation in Ottawa County, Oklahoma, for four (4) consecutive weeks - notifying said defendants, and each of them, of the institution of the condemnation proceedings, and further, that if they do not apply to the Judge of this Court for an order appointing from the regular jury list three (3) disinterested freeholders of the Northern District of Oklahoma, as commissioners, on or before the 15th day of May, 1944, the petitioner, United States of America, will on said 15th day of May, 1944, at the hour of 10 o'clock A.M., or as soon thereafter as counsel may be heard, apply to the Judge of the United States District Court for an order appointing from the regular jury list three (3) disinterested freeholders of said Northern District of Oklahoma as commissioners who shall be selected by the Judge of said Court to inspect said real property, consider the injury and assess the damages which said defendants as the owners thereof, or having any right, title or interest therein may sustain by reason of the condemnation and appropriation of a perpetual easement for transmission line purposes upon, over and across the lands involved herein; that said defendants, and each of them, may be present if they so desire.

F. E. KENNAMER

J U D G E

ENDORSED: Filed Mar 21 1944
H. P. Warfield, Clerk
U. S. District Court ME

Court adjourned to March 22, 1944

On this 22nd day of March, A. D. 1944, the District Court of the United States for the Northern District of Oklahoma, sitting in Regular January 1944 Term at Tulsa, met pursuant to adjournment, Hon. Royce H. Savage, Judge, present and presiding.

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

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

MISCELLANEOUS - ADMISSION TO BAR.

Now on this 22nd day of March, A. D. 1944, it being made to satisfactorily to appear that W. C. Abrams and Norman Barker 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.

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