

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

JUL 2 1964

United States of America,)
)
 Plaintiff,)
)
 vs.)
)
 479.40 Acres of Land, More or Less,)
 Situate in Creek, Osage and Pawnee)
 Counties, Oklahoma, and Janet)
 Cunningham, et al., and Unknown)
 Owners,)
)
 Defendants.)

Civil No. 4957
Tract Nos. 1400
1413
1416
1429
1430
1431

NOBLE C. HOOD
Clerk, U. S. District Court

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts, based on the Report of Commissioners filed herein on the 20th day of April, 1964.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Report of Commissioners filed herein on the 20th day of April, 1964, is hereby accepted and adopted as a finding of fact as to all tracts covered by such report. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 6 below.

4. Certain deficiencies exist between the amounts deposited as estimated just compensation for subject tracts and the amounts fixed by the Commission and the Court as just compensation and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 6 below.

5. The Court finds upon the evidence presented that the defendants listed below in paragraph 6 were the sole owners of the above-captioned tracts on the date of taking and are entitled to receive the award thereof.

6. IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$7100.00, as determined by the Report of Commissioners of April 20, 1964, which report is hereby confirmed and the sums therein fixed and adopted as just compensation for subject tracts, as shown by the following schedule:

TRACTS NOS. 1400, 1413, 1416, 1429, 1430 and 1431

Owners: Janet and Esther Cunningham

Award of Just Compensation	\$7100.00
Deposited as Estimated Compensation.	5430.00
Disbursed to Owner	5410.00
Balance due to Owner	1690.00
Deposit Deficiency	1670.00

7. The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1670.00, with interest at 6% per annum from June 30, 1960, until the date of deposit of such deficiency. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Janet and Esther Cunningham \$1690.00 + accrued interest
Entered JUN 2 1964

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee
ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Petitioner,)
)
vs.)
)
8 Tracts of Land, consisting of)
559.58 acres, James Giles,)
Jeff L. Lewis, et al.,)
Defendants.)

Civil No. 5441

FILED
JUN 2 1964

ORDER CONFIRMING REPORT OF COMMISSIONERS

NOBLE C. HOOD
Clerk, U. S. District Court

NOW, on this the 23rd day of September, 1964, the Court considered 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.

The Court finds that:

1. Each and all of the allegations of the said petition for condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes therein set forth.

2. That more than sixty (60) days have elapsed since the filing of the Report of Commissioners herein and no exceptions therein nor demand for jury trial are pending as to the lands hereinafter described and that said Report of Commissioners filed herein on the 25th day of September, 1962, **as modified by stipulation of the parties** should be confirmed and approved in every respect.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Report of Commissioners filed herein on the 25th day of September, 1962, **as modified**, is final and the award as set out and fixed in said report is full and just compensation for the taking of the lands and/or estate therein. The lands and/or estate taken are described as follows, to-wit:

Tract No. 8 (3 MF 6S-27 & 3 MF 6S-40)
Fee Title to

3 MF 6S-27

The following described land in Mayes County, Oklahoma, to-wit:

All of Block or reserve "B" in the original townsite of Salina, together with all those parts of the streets adjacent thereto and incident to the ownership thereof, as shown on the plat of Pryor Engineering Company, dated April 12, 1947; and

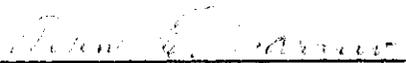
3 MF 6S-40

The following described land in Mayes County, Oklahoma, to-wit:

All of Block 16, in the original townsite of Salina, together with all those parts of the streets adjacent thereto and incident to the ownership thereof, as shown on the plat of Pryor Engineering Company, dated April 12, 1947.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 25th day of September, 1962, upon the depositing of the sum of \$ 11,650.00 with the registry of this Court for the lands and estates taken in and to the above described land.



U. S. District Judge

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

EDGAR DAVIS, JOHN R. POTTS, JIM POTTS,)
AND R. D. TAYLOR, partners, d/b/a)
TULSA GRAIN STORAGE COMPANY,)
)
Plaintiffs,)
)
v.)
)
COMMODITY CREDIT CORPORATION,)
)
Defendant,)
)
MARYLAND CASUALTY COMPANY,)
Additional Defendant on)
Counterclaim.)

CIVIL ACTION NO. 5463

FILED

JUN -2 1964

NOBLE C. HOOD
Clerk, U. S. District Court

JUDGMENT

The above cause came regularly on for trial before the Court on the 26th day of March, 1964, Plaintiffs appearing in person and by their Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Imel, United States Attorney, and the Defendant, Maryland Casualty Company, appearing by its attorney, A.M. Covington, and testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion herein, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiffs take nothing by this action, and their Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation, have Judgment on its Counterclaim against the Plaintiffs, Edgar Davis, John R. Potts, Jim Potts, and R. D. Taylor, partners, d/b/a Tulsa Grain Storage Company, and the Defendant, the Maryland Casualty Company, jointly and severally, for the sum of \$63,614.49, together with interest at the rate of six percent (6%) per annum from April 6, 1962, on the sum of \$40,325.99, and interest at the rate of six percent (6%) per annum on the sum of \$23,288.50 from the date of this Judgment, until paid, and for all costs and disbursements in this action, for all of which let execution issue.

Dated this 6th day of May, 1964.

Allen E. Burrow
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ROBERT L. TRIPLETT, HAROLD F. DAVIS)
AND W. D. SPEER, partners, d/b/a)
TRIPLETT GRAIN & STORAGE COMPANY,)
)
Plaintiffs,)
)
v.)
)
COMMODITY CREDIT CORPORATION,)
)
Defendant,)
)
TRI-STATE INSURANCE COMPANY,)
Additional Defendant on)
Counterclaim.)

CIVIL ACTION NO. 5463

FILED

JUL 12 1964

NOBLE C. HOOD
Clerk, U. S. District Court

JUDGMENT

The above cause came regularly on for trial before the Court on the 26th day of March, 1964, Plaintiffs; appearing in person and by their Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Imel, United States Attorney, and the Defendant, the Tri-State Insurance Company, appearing by its attorney, Joe Francis, and testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiffs take nothing by this action, and their Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation, have Judgment on its Counterclaim against the Plaintiffs, Robert L. Triplett, Harold F. Davis, and W. D. Speer, partners, d/b/a Triplett Grain & Storage Company, and the Defendant, the Tri-State Insurance Company, jointly and severally, for the sum of \$29,830.64, together with interest at the rate of six percent (6%) per annum from June 6, 1962, on the sum of \$8,184.42, and interest at the rate of six percent (6%) per annum on the sum of \$21,646.22 from the date of this Judgment, until paid, and for all costs and disbursements in this action, for all of which let execution issue.

Dated this 6th day of May, 1964.


United States District Judge

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEWEY GRAIN COMPANY, INC., an)
Oklahoma Corporation,)
)
Plaintiff,)
)
v.)
)
COMMODITY CREDIT CORPORATION,)
)
Defendant,)
)
UNITED STATES FIDELITY AND)
GUARANTY COMPANY,)
Additional Defendant on)
Counterclaim.)

CIVIL ACTION NO. 5463

FILED

MAY 2 1964

NOBLE C. HOOD
Clerk, U. S. District Court

JUDGMENT

The above cause came regularly on for trial before the Court on the 26th day of March, 1964, Plaintiff appearing in person and by their Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Imel, United States Attorney, and the Defendant, United States Fidelity and Guaranty Company, appearing by its attorney, Joe Francis, and testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion herein, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiff take nothing by this action, and their Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation, have Judgment on its Counterclaim against the Plaintiff, Dewey Grain Company, Inc., an Oklahoma Corporation, and the Defendant, the United States Fidelity and Guaranty Company, jointly and severally, for the sum of \$8,083.89, together with interest at the rate of six percent (6%) per annum from April 30, 1962, on the sum of \$190.62, and interest at the rate of six percent (6%) per annum on the sum of \$7,893.27 from the date of this Judgment, until paid, and for all costs and disbursements in this action, for all of which let execution issue.

Dated this 6th day of May, 1964.


United States District Judge

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

WILLARD A. EMERY, JOE O. ELLIS,)
and LLOYD FLEMING, partners, d/b/a)
E & E GRAIN STORAGE COMPANY,)
)
Plaintiffs,)
)
v.)
)
COMMODITY CREDIT CORPORATION,)
)
Defendant,)
)
THE AETNA CASUALTY AND SURETY COMPANY,)
Additional Defendant on Counterclaim.)

CIVIL ACTION NO. 5463

FILED

MAY 2 1964

NOBLE C. HOOD
Clerk, U. S. District Court

JUDGMENT

The above cause came regularly on for trial before the Court on the 26th day of March, 1964, Plaintiffs appearing in person and by their Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Inel, United States Attorney, and the Defendant, the Aetna Casualty and Surety Company, appearing by ~~its attorney, Joe Francis~~, testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion herein, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiffs take nothing by this action, and their Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation, have judgment on its Counterclaim against the Plaintiffs, Willard A. Emery, Joe O. Ellis, and Lloyd Fleming, partners, d/b/a E & E Grain Storage Company, and the Defendant, the Aetna Casualty and Surety Company, jointly and severally, for the sum of \$10,193.45, together with interest at the rate of six percent (6%) per annum from March 26, 1962, on the sum of \$2,606.58, and interest at the rate of six percent (6%) per annum on the sum of \$7,586.87 from the date of this Judgment, until paid, and for all costs and disbursements in this action, for all of which let execution issue.

Dated this 6th day of May, 1964.

United States District Judge

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ALLEN S. JAMES, JR., REX BAUGH,
AND FERN H. PRAY, partners, d/b/a
SAPULPA GRAIN STORAGE COMPANY

Plaintiffs,

v.

COMMODITY CREDIT CORPORATION,

Defendant,

THE AETNA CASUALTY AND SURETY COMPANY,
Additional Defendant on
Counterclaim.

CIVIL ACTION NO. 5463

FILED

JUN 2 1964

NOBLE C. HOOD
Clerk, U. S. District Court

JUDGMENT

The above cause came regularly on for trial before the Court on the 26th day of March, 1964, Plaintiffs appearing in person and by their Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Imel, United States Attorney, and the Defendant, the Aetna Casualty and Surety Company, appearing by its attorney, Joe Francis, and testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion herein, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiffs take nothing by this action, and their Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation, have Judgment on its Counterclaim against the Plaintiffs, Allen S. James, Jr., Rex Baugh, and Fern H. Pray, partners, d/b/a Sapulpa Grain Storage Company, and the Defendant, the Aetna Casualty and Surety Company, jointly and severally, for the sum of \$35,689.02, together with interest at the rate of six percent (6%) per annum from July 10, 1962, on the sum of \$7,455.95, and interest at the rate of six percent (6%) per annum on the sum of \$28,233.07 from the date of this Judgment, until paid, and for all costs and disbursements in this action, for all of which let execution issue.

Dated this 6th day of May, 1964.



United States District Judge

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

GEORGE THOMPSON, R. O. HARRIS,)
TED DEWITT, W. F. DORNEY and)
LLOYD B. FLEMING, partners, d/b/a)
READING GRAIN STORAGE COMPANY,)
)
Plaintiffs,)

v.)

CIVIL ACTION NO. 5463

COMMODITY CREDIT CORPORATION,)
)
Defendant,)

FILED

THE AETNA CASUALTY AND SURETY)
COMPANY, Additional Defendant on)
Counterclaim.)

JUN - 2 1964

NOBLE C. HOOD
Clerk, U. S. District Court

JUDGMENT

The above cause came regularly on for trial before the Court on the 26th day of March 1964, Plaintiffs, appearing in person and by their Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Imel, United States Attorney, and the Defendant, the Aetna Casualty and Surety Company, appearing by ~~its attorney, Joe Francis,~~ and testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiffs take nothing by this action, and their Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation have Judgment on its Counterclaim against the Plaintiffs, George Thompson, R. O. Harris, Ted DeWitt, W. F. Dorney and Lloyd B. Fleming, partners, d/b/a Reading Grain Storage Company, and the Defendant, The Aetna Casualty and Surety Company, jointly and severally, for the sum of \$35,184.69, together with interest at the rate of six percent (6%) per annum from June 27, 1962, on the sum of \$16,955.16, and interest at the rate of six percent (6%) per annum on the sum of \$18,229.53, from the date of this Judgment, until paid, and for all costs and disbursements in this action, for all of which let execution issue.

DATED this 6th day of May, 1964.



United States District Judge

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

THOMAS A. SCHERER, d/b/a)
)
SCHERER GRAIN STORAGE COMPANY,)
)
)
Plaintiff,)
)
v.)
)
)
COMMODITY CREDIT CORPORATION,)
)
)
Defendant,)
)
)
WESTERN CASUALTY AND SURETY COMPANY,)
)
Additional Defendant on)
Counterclaim.)

CIVIL ACTION NO. 5463

FILED

JUN - 2 1964

NOBLE C. HOOD
Clerk, U. S. District Court

JUDGMENT

The above cause came regularly on for trial before the Court on the 26th day of March 1964, Plaintiff, appearing in person and by his Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Imel, United States Attorney, and the Defendant, the Western Casualty and Surety Company, appearing by its attorney, Joe Francis, and testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiff take nothing by this action, and his Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation, have Judgment on its Counterclaim against the Plaintiff, Thomas A. Scherer, d/b/a Scherer Grain Storage Company, and the Defendant, The Western Casualty and Surety Company, jointly and severally, for the sum of \$16,925.87, together with interest at the rate of six percent (6%) per annum from April 5, 1962, on the sum of \$7,111.12, and interest at the rate of six percent (6%) per annum on the sum of \$9,814.75 from the date of this Judgment, until paid, and for all costs and disbursements in this action, for all of which let execution issue.

DATED this 6th day of May, 1964.


United States District Judge

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

W. J. LAMBERTON, d/b/a)
W. J. LAMBERTON WAREHOUSE,)
)
Plaintiff,)
)
v.)
)
COMMODITY CREDIT CORPORATION,)
)
Defendant,)
)
CONTINENTAL CASUALTY COMPANY,)
Additional Defendant:)
on Counterclaim.)

CIVIL ACTION NO. 5463

FILED

MAY 2 1964

JUDGMENT

NOBLE C. HOOD
Clerk, U. S. District Court

The above cause came regularly on for trial before the Court on the 26th day of March, 1964, Plaintiff, appearing in person and by his Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Imel, United States Attorney, and the Defendant, the Continental Casualty Company, appearing by its attorney, Joe Francis, and testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiff take nothing by this action, and his Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation, have judgment against the Plaintiff for all costs and disbursements in this action.

Dated this 6th day of May, 1964.



United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

OOLOGAH FEED COMPANY, a co-partnership)
consisting of W. D. Speer and R. J. Keeling,)
)
Plaintiff,)
)
v.)
)
COMMODITY CREDIT CORPORATION,)
)
Defendant.)

CIVIL ACTION NO. 5463

FILED

JUN - 2 1964

JUDGMENT

NOBLE C. HOOD
Clerk, U. S. District Court

The above cause came regularly on for trial before the Court on the 26th day of March 1964, Plaintiffs, appearing in person and by their Attorney, Joe Francis, and the Defendant, Commodity Credit Corporation, appearing by John M. Imel, United States Attorney, and testimony having been offered and Briefs filed by both parties, and the Court having filed its Findings of Fact, Conclusions of Law, and Order of Judgment, and its Memorandum Opinion, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Court that Plaintiffs take nothing by this action, and their Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Commodity Credit Corporation have Judgment against the Plaintiffs for all of its costs and disbursements in this action.

Dated this 6th day of May, 1964.

Allen C. Carron
United States District Judge

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)

Plaintiff,)

vs)

1 Tract of Land Containing 213.1 acres,)
Roger Bogle, et al.,)

Civil No. 5694

Defendants.)

FILED

JUN - 2 1964

JUDGMENT ON VERDICT

NOBLE C. HOOD
Clerk, U. S. District Court

This action came on for trial before the Court and a jury,
Honorable Luther Bohannon, District Judge, presiding, and
the issues being to determine the just compensation to be paid for the
taking of the lands designated and described in this proceedings as
Tract No. 7 MF 54 + FE, and the jury having rendered its verdict
awarding and fixing just compensation in the amount of \$ 34,000.00.

The Court finds that the verdict of the jury is regular in all
respects and that each and all of the allegations of the petition in
condemnation are true and that the Grand River Dam Authority is entitled
to acquire property by eminent domain for the uses and purposes set
forth in said petition; and, that it is necessary and convenient to ac-
quire by condemnation the lands and/or estate therein, as hereinafter
described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of
\$ 34,000.00, fixed by jury verdict, is full and just compensa-
tion for the taking of the lands and/or estate therein.

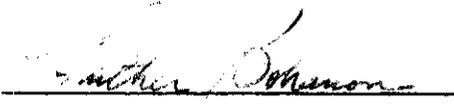
The lands or estate taken are as follows, to-wit:

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the _____
Roger Bogle and Wilma Bogle, his wife
have and recover a judgment against Grand River Dam Authority,
a public corporation
for and in the sum of \$ 8,100.00, together with interest at the rate of 6% per annum from the 23rd day of August, 1963, until paid, the same being the difference between the award of the commissioners and the verdict of the jury.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 23 day of August, 1963, upon the depositing of the commissioners' award with the registry of this Court for the lands and estates taken in and to the above described land.

Dated this the 2nd day of June, 19 64.



U. S. District Judge

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

GRAND RIVER DAM AUTHORITY,)
a public corporation,)

Plaintiff,)

vs)

1 Tract of land containing 7.7 acres,)
more or less, in Mayes County, Oklahoma,)
Jessie M. Horn, et al.,)

Defendants.)

Civil No. 5780

FILED

JUN - 2 1964

JUDGMENT ON VERDICT

NOBLE C. HOOD
Clerk, U. S. District Court

This action came on for trial before the Court and a jury,

Honorable Luther Bohanon, district Judge, presiding, and the issues being to determine the just compensation to be paid for the taking of the lands designated and described in this proceedings as Tract 6 MF 52 FE Rev., and the jury having rendered its verdict awarding and fixing just compensation in the amount of \$ 7,000.00.

The Court finds that the verdict of the jury is regular in all respects and that each and all of the allegations of the petition in condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes set forth in said petition; and, that it is necessary and convenient to acquire by condemnation the lands and/or estate therein, as hereinafter described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of \$ 7,000.00, fixed by jury verdict, is full and just compensation for the taking of the lands and/or estate therein.

The lands or estate taken are as follows, to-wit:

TRACT No. 6 MF 58 FE Rev.
(Perpetual Easement Upon)

The following described land situated in Mayes County, Oklahoma, to-wit:

All that part of the NW $\frac{1}{4}$ of Section 15, T 22 N, R 21 E of the Indian Base and Meridian described as follows: Beginning at a point in said NW $\frac{1}{4}$ 397.5 feet North and 120 feet East of the Southwest corner thereof, thence on a curve to the right 25 feet Southerly from and parallel to the center line of State Highway Number Twenty (20) as now located, a distance of approximately 440 feet to a point 520 feet East and 590 feet North of said Southwest corner, thence Southerly parallel to the West boundary of said NW $\frac{1}{4}$ a distance of 90 feet, thence in a Southeasterly direction to a point 440 feet North and 580 feet East of the Southwest corner of said NW $\frac{1}{4}$, thence in a Southeasterly direction to a point 850 feet East and 330 feet North of said Southwest corner, thence Easterly parallel to the South boundary of said NW $\frac{1}{4}$ to a point in the Southernmost boundary of the Southernmost City of Tulsa conduit line right of way, thence in a Southeasterly direction on and along said Southernmost right of way boundary to a point 1058.8 feet East and 238.4 feet North of said Southwest corner, thence S 4° 30' W a distance of 239.1 feet to a point in the South boundary of said NW $\frac{1}{4}$ 1040 feet East of the Southwest corner thereof, thence Westerly along said South boundary a distance of 619 feet, thence in a Northwesterly direction to the point of beginning, containing 7.7 acres.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate taken is the entire and unencumbered fee simple title to the lands designated as "fee title"; that the estate taken in and to the lands designated as "perpetual easement" is the perpetual right, privilege and authority to flow the waters impounded by the Markham Ferry dam thereon, and withdraw the same therefrom, and to inundate intermittently from time to time, free and clear of all liens and encumbrances of whatsoever nature, together with the right to remove, or cause to be removed, such structures and improvements and other objects that may be located thereon and as herein described, reserving unto the owners the right of occupancy and use of said lands for any and all purposes that do not interfere with the construction, maintenance and operation of the Markham Ferry Project.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the _____

Jessie M. Horn

have and recover a judgment against Grand River Dam Authority,
a public corporation

for and in the sum of \$ 2,000.00 , together with interest at the rate of 6% per annum from the 23rd day of December , 19 63 , until paid, the same being the difference between the award of the commissioners and the verdict of the jury.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the estate in all of the above designated and described real estate, as described in the petition, and the interest therein taken by these eminent domain proceedings, was vested in the Grand River Dam Authority on the 23rd day of December , 1963 , upon the depositing of the commissioners' award with the registry of this Court for the lands and estates taken in and to the above described land.

Dated this 2nd day of June , 19 64 .

Luther Bohannon
U. S. District Judge

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 5871

FILED

Josephine Heilig,

vs.

Studebaker Corporation, a Corporation

JUDGMENT
1964

NOBLE C. HOOD
Clerk, U. S. District Court

This action came on for trial before the Court and a jury, Honorable Allen E. Barrow, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict,

It is Ordered and Adjudged that the plaintiff take nothing, that the action is dismissed on its merits, and that the defendant, Studebaker Corporation, a Corporation, recover of the plaintiff, Josephine Heilig, its costs of action.

Dated at Tulsa, Oklahoma, this 2nd day of June, 1964.

NOBLE C. HOOD,

Clerk of Court

By *Ben B. Ballenger*
Ben B. Ballenger,
Deputy.

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

FILED

GRAND RIVER DAM AUTHORITY,)
a public corporation,)
)
Plaintiff,)
)
vs)
)
77.5 Acres of Land, more or less,)
Rachel Smith Hardesty, et al.,)
)
)
Defendants.)

JUN - 3 1964

NOBLE C. HOOD
Clerk, U. S. District Court

Civil No. 5683

JUDGMENT ON VERDICT

This action came on for trial before the Court and a jury, Honorable Allen E. Barrow, District Judge, presiding, and the issues being to determine the just compensation to be paid for the taking of the lands designated and described in this proceedings as Tract 5 MF 35 + FE, and the jury having rendered its verdict awarding and fixing just compensation in the amount of \$ 17,400.00.

The Court finds that the verdict of the jury is regular in all respects and that each and all of the allegations of the petition in condemnation are true and that the Grand River Dam Authority is entitled to acquire property by eminent domain for the uses and purposes set forth in said petition; and, that it is necessary and convenient to acquire by condemnation the lands and/or estate therein, as hereinafter described.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sum of \$ 17,400.00, fixed by jury verdict, is full and just compensation for the taking of the lands and/or estate therein.

The lands or estate taken are as follows, to-wit:

5 NF 35 + PE

(Fee Title to and Perpetual Easement Upon)

The following described land situated in Mayes County, Oklahoma, to-wit:

FEE TITLE to:

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, lying South of the County Highway except a 33-foot strip South of and adjacent to the center line of said Highway, and all of Lots 2 and 6, and that part of Lot 1 lying South and West of the following described line: Beginning at a point in the East boundary of said Lot 1, 495 feet South of the Northeast corner thereof, thence Westerly parallel to the North boundary of said Lot 1 a distance of 330 feet, thence in a Northwesterly direction to a point in the North boundary of said Lot 1, 660 feet West of the Northeast corner thereof, in Section 10, all in T 22 N, R 20 E of the Indian Base and Meridian, containing 71.9 acres including any and all right, title and interest in and to the bed and banks of Grand River incident to the ownership of the above described land.

PERPETUAL EASEMENT upon:

All that part of Lot 1 lying North and East of the following described line: Beginning at a point in the East boundary of said Lot 1, 495 feet South of the Northeast corner thereof, thence Westerly parallel to the North boundary of said Lot 1 a distance of 330 feet, thence in a Northwesterly direction to a point in the North boundary of said Lot 1, 660 feet West of the Northeast corner thereof in Section 10, T 22 N, R 20 E of the Indian Base and Meridian, containing 5.6 acres.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

1,632.12 Acres of Land, More or Less,
Situate in Osage County, Oklahoma, and
Osage Tribe of Indians, et al., and
Unknown Owners,

Defendants.

Civil No. 5866

Tracts Nos. 273-1M

273-2M

273-3M

273-4M

2710-2M

FILED

JUN 3 1964

NOBLE C. ELLIOTT
Clerk, U. S. District Court

AMENDED PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for an Amended Partial Judgment, amending a partial judgment filed May 26, 1964. Said Partial Judgment, filed May 26, 1964, is hereby amended by substituting entirely therefor this Amended Partial Judgment.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the oil lessee interest; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendant was the sole owner of the oil lessee interest on the date of taking, and is entitled to receive the award therefor.

4. The Court finds that plaintiff and A. E. Basinger, defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$1500.00, inclusive of interest.

5. The Court finds the amount of \$1500.00, inclusive of interest, is just compensation for the taking of the oil lessee estate by the plaintiff in the above tracts, as such estate and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$763.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessee interests upon the filing of the Declaration of Taking herein.

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

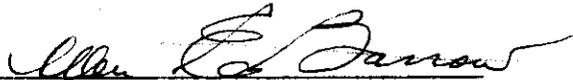
(a) The vesting in plaintiff of title to the oil lessee estate set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above oil lessee interest is the sum of \$1500.00, inclusive of interest;

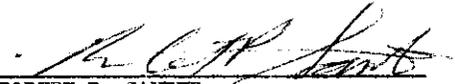
(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$737.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

A. E. Basinger \$1500.00

Entered this 2nd day of June, 1964.


UNITED STATES DISTRICT JUDGE

APPROVED:


ROBERT P. SANTEE
Assistant U. S. Attorney

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

ROGER DALE BOGGS, a minor,)
by his mother and natural guardian,)
EDITH BOGGS,)
Plaintiff,)
vs.)
HAZEL RUTH HOHL,)
Defendant.)

No. 5919

FILED

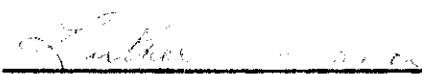
1964

NOBLE C. HOOD
Clerk, U. S. District Court

ORDER

It appearing to the Court that prior to the removal of this cause to this Court that this action had been dismissed without prejudice by the plaintiff, in the Superior Court in and for Creek County, State of Oklahoma, Drumright Division, Case No. 3991, and that said dismissal was unknown to the removing defendant at the time of removal and that, therefore, the action was improvidently removed.

IT IS ORDERED that this removal proceeding has become moot and void and should be and is hereby dismissed.



JUDGE OF THE UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

Civil No. 5952

One Five-gallon can, more or less, and
16 one-half pint cans, 32 one-gallon
cans, and 9 five-gallon cans, more or
less, Article labeled in part "X-33
Water Repellent Clear Formulated from
Dupont Tynor Organic Titanate ***
Wilmington Chemical Corporation,
Chicago 30, Illinois ***.

Claimant.

FILED

JUL - 3 1964

NOBLE C. HOOD
Clerk, U. S. District Court

DECREE

This matter coming on before me this 28th day of May, 1964, and the plaintiff, United States of America, appearing by and through Lawrence A. McSoud, Assistant United States Attorney for the Northern District of Oklahoma, and the claimants herein, T. H. Holland Service Station and Big Cabin Lumber Company, appearing neither in person nor by counsel, and

It appearing to the court, after having examined the libel of information and the motion heretofore filed in this case, that the various articles of hazardous substance made the subject matter of the libel of information are misbranded as set forth in the libel of information and are therefore subject to destruction pursuant to the provisions of Title 21, U.S.C., Section 301, et seq., and

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that all of the various articles of hazardous substance seized and held by the United States Marshal for the Northern District of Oklahoma be and they are hereby ordered condemned and destroyed by the United States Marshal.

Allen L. ...
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

Civil No. 5953

Articles of Hazardous Substance, consisting of 17 one-gallon cans and 3 five-gallon cans, more or less, and 32 one-half pint cans and 36 one-gallon cans, more or less, "X-33 Water Repellent Clear Formulated From Dupont Tyzor Organic Titanate *** Wilmington Chemical Corporation, Chicago 10, Illinois ***,"

Claimant.

FILED

JUL 3 1964

NOBLE C. HOOD
Clerk, U. S. District Court

DECREE

This matter coming on before me this 28th day of May, 1964, and the plaintiff, United States of America, appearing by and through Lawrence A. McSoud, Assistant United States Attorney for the Northern District of Oklahoma, and the claimants herein, Ralston Farmers Cooperative, Ralston, Oklahoma, and Moss Chevrolet Company, Pawnee, Oklahoma, appearing neither in person nor by counsel, and

It appearing to the court, after having examined the libel of information and the motion heretofore filed in this case, that the various articles of hazardous substance made the subject matter of the libel of information are misbranded as set forth in the libel of information and are therefore subject to destruction pursuant to the provisions of Title 21, U.S.C., Section 301, et seq., and

It further appearing to the court that the claimants herein, Ralston Farmers Cooperative, Ralston, Oklahoma, and Moss Chevrolet Company, Pawnee, Oklahoma, who are the persons from whom the captioned articles were seized, have by letters dated May 20, 1964, and May 12, 1964, respectively, addressed to Mr. Larry McSoud, Assistant United States Attorney, relinquished any interest which they may have had in such articles and have consented to the disposition or destruction of the articles of hazardous substance as this court might direct.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that all of the various articles of hazardous substance seized and held by the United States Marshal for the Northern District of Oklahoma be and they are hereby ordered

condemned and destroyed by the United States Marshal.

UNITED STATES DISTRICT JUDGE

United States of America,

Libelant,

vs.

Civil No. 5954

Articles of hazardous substance, consisting of 42 one-half pint cans, 41 one-gallon cans, and 7 five-gallon cans, more or less, and 9 one-gallon cans, more or less, "K-33 Water Repellent Floor Formulated From Dupont Tylor Organic Esters *** Wilmington Chemical Company, Chicago 20, Illinois."

Claimant.

FILED

JUL 13 1964

NOBLE E. HOOD
Clerk, U. S. District Court

DECREE

This matter coming on before me this 28th day of May, 1964, and the plaintiff, United States of America, appearing by and through Lawrence A. McSoud, Assistant United States Attorney for the Northern District of Oklahoma, and the claimants herein, Kilpatrick Implement Company and D. G. Machine and Welding Company, appearing neither in person nor by counsel, and

It appearing to the court, after having examined the libel of information and the motion heretofore filed in this case, that the various articles of hazardous substance made the subject matter of the libel of information are misbranded as set forth in the libel of information and are therefore subject to destruction pursuant to the provisions of Title 21, U.S.C., Section 301, et seq., and

It further appearing to the court that the claimant herein, Kilpatrick Implement Company, one of the persons from whom the captioned articles were seized, has by letter dated May 7, 1964, addressed to Larry McSoud, Assistant United States District Attorney, relinquished any interest which he may have had in such articles and has consented to the disposition or destruction of the articles of hazardous substance as this court might direct.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that all of the various articles of hazardous substance seized and held by the United States Marshal for the Northern District of Oklahoma be and they are hereby ordered condemned and destroyed by the United States Marshal.

Allen E. Lawrence
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

Civil No. 5955

Articles of Hazardous Substance, consisting of 44 one-half pint cans, 55 one-gallon cans, and 6 five-gallon cans, more or less, and 37 one-half pint cans, 69 one-gallon cans, and 24 five-gallon cans, more or less, "K-33 Water Repellent Clear Formulated From Dupont Tyzor Organic Titanate *** Wilmington Chemical Corporation, Chicago 19, Illinois ***,"

Claimant.

FILED

JUL 3 1964

NOBLE C. HOOD
Clerk, U. S. District Court

DECREE

This matter coming on before me this 28th day of May, 1964, and the plaintiff, United States of America, appearing by and through Lawrence A. McSoud, Assistant United States Attorney for the Northern District of Oklahoma, and the claimants herein, DiVall Oil Company and Ray Reed Oil Company, appearing neither in person nor by counsel, and

It appearing to the court, after having examined the libel of information and the motion heretofore filed in this case, that the various articles of hazardous substance made the subject matter of the libel of information are misbranded as set forth in the libel of information and are therefore subject to destruction pursuant to the provisions of Title 21, U.S.C., Section 301, et seq., and

It further appearing to the court that the claimant herein, Ray Reed Oil Company, one of the persons from whom the captioned articles were seized, has by letter dated May 22, 1964, addressed to Mr. Larry McSoud, Assistant United States Attorney, relinquished any interest which it may have had in such articles and has consented to the disposition or destruction of the articles of hazardous substance as this court might effect.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that all of the various articles of hazardous substance seized and held by the United States Marshal for the Northern District of Oklahoma be and they are hereby ordered condemned and destroyed by the United States Marshal.

United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Libelant,

vs.

Civil No. 5956

Articles of Hazardous Substance, consisting of 1 one-half pint can, 36 one-gallon cans, and 6 five-gallon cans, more or less, and 22 one-half pint cans, 53 one-gallon cans, and 3 five-gallon cans, more or less, "X-33 Water Repellent Clear Formulated From Du-pont Tyzor Organic Titanate *** Wilmington Chemical Corporation, Chicago 10, Illinois ***,"

Claimant.

FILED

JUN 3 1964

NOBLE C. HOOD
Clerk, U. S. District Court

DECREE

This matter coming on before me this 28th day of May, 1964, and the plaintiff, United States of America, appearing by and through Lawrence A. McSoud, Assistant United States Attorney for the Northern District of Oklahoma, and the claimants, Broyles Ford Center, Collinsville, Oklahoma, and Dahl Feed Company, Barnsdall, Oklahoma, appearing neither in person nor by counsel, and

It appearing to the court, after having examined the libel of information and the motion heretofore filed in this case, that the various articles of hazardous substance made the subject matter of the libel of information are misbranded as set forth in the libel of information and are therefore subject to destruction pursuant to the provisions of Title 21, U.S.C., Section 301, et seq., and

It further appearing to the court that the claimant herein, Broyles Ford Center, one of the persons from whom the captioned articles were seized, has by letter dated May 8, 1964, addressed to Larry McSoud, Assistant United States Attorney, relinquished any interest which he may have had in such articles and has consented to the disposition or destruction of the articles of hazardous substance as this court might direct.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that all of the various articles of hazardous substance seized and held by the United States Marshal for the Northern District of Oklahoma be and they are hereby ordered condemned and destroyed by the United States Marshal.

[Signature]
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

243.21 Acres of Land, More or Less,
Situate in Rogers County, Oklahoma,
and LaSalle Petroleum Corporation,
et al, and Unknown Owners,

Defendants.

CIVIL ACTION No. 4877

Lessor Interest in Tracts
Nos.: 4614-4

J-1009-2M-4 thru -7

Entire Mineral Interest in
Part of Tract No. J-1009E-6

1/8 Royalty Interest in
Tract No. 4614-7S

Lessor Interest in Tract
No. 4623-4

FILED

J U D G M E N T N O. 3

JUN 4 1964

1.

NOBLE C. COOPER
Clerk, U. S. District Court

On May 18, 1964, this cause, as to the captioned tracts, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma. Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. H. S. Milam appeared for himself and as agent for the estate of W. G. Phillips, deceased, Mildred M. Viles, Mary M. Stevenson and P. I. C. Management Co., Inc. After hearing the evidence and being fully advised in the premises, the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estates condemned herein in certain interests in the captioned tracts which interests are particularly described as follows:

A. As to Tracts Nos. 4614-4, J-1009-2M-4, J-1009-2M-5, J-1009-2M-6, and J-1009-2M-7 the full mineral interest as to all of the oil, gas and other minerals in and under these tracts, but subject to an oil and gas lease thereon.

B. As to that part of Tract No. J-1009E-6 which is situated in the NE $\frac{1}{4}$ of Section 14, T. 24 N., R. 16 E., the full mineral interest as to all of the oil, gas and other minerals in and under such tract.

C. As to Tract No. 4614-7S, a royalty interest of 1/8 of all oil, produced from said tract.

D. As to Tract No. 4623-4 the full mineral interest as to all of the oil, gas and other minerals in and under this tract, but subject to an oil and gas lease thereon.

3.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject property.

4.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on March 4, 1960, the United States of America filed its Declaration of Taking of certain estates in such described land and title to such property should be vested in the United States of America as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of subject property, certain sums of money, part of which has been disbursed as shown in paragraph 10.

6.

The decrease in market value of each of the units of ownership which are the subject matter of this Judgment, caused by this action, is in the amount shown following the designation "award of just compensation" in paragraph 10 herein, and such sums should be adopted by the Court as the awards of just compensation for the estates taken in the respective properties.

7.

The awards fixed by this Judgment will create deficiencies in the deposits for the subject tracts as set forth in paragraph 10, and the plaintiff should deposit sums of money sufficient to cover such deficiencies.

8.

The persons named as owners in paragraph 10 are the only persons asserting any interest in the property interests which are the subject matter of this Judgment, all other persons having either disclaimed or defaulted; the persons so named in paragraph 10, as of the date of taking, were the owners of the property interests as designated in such paragraph, and as owners are entitled to receive the awards of just compensation for the estates condemned therein by this action.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and the various interests in such tracts, as defined in paragraph 2 herein, to the extent only of the estates indicated and for the uses and purposes described in such Declaration of Taking, are condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estates condemned herein in the various interests in the subject tracts, as defined in paragraph 2 herein, were the persons whose names appear in the schedule which follows below; the right to receive the just compensation for the estates taken in such described property interests in these tracts is vested in the parties so named, and the sums hereby adopted as the awards of just compensation for the respective interests are the sums shown following the designation "award of just compensation" as shown in the schedule which follows, to-wit:

A and B - - - - ESTATE TAKEN IN CERTAIN INTERESTS IN TRACTS NOS.
 4614-4, J-1009-2M-4, J-1009-2M-5, J-1009-2M-6,
 J-1009-2M-7 AND PART OF J-1009E-6 COMBINED, AS
SUCH INTERESTS ARE DEFINED IN PARAGRAPH 2-A & B

Owners:

Estate of W. G. Phillips, deceased - - - - -	2/5	
(Maude H. Phillips, Executrix)		
Mildred H. Viles - - - - -	2/15	
H. S. Milam - - - - -	2/15	
Mary M. Stevenson - - - - -	2/15	
Jennie C. Mooney - - - - -	1/5	
Award of Just Compensation - - - - -	\$2,100.00	\$2,100.00
Deposited As Estimated Compensation - - - -	\$1,212.00	
Disbursed to owners - - - - -		<u>\$1,150.00</u>
Balance Due To Owners - - - - -		\$950.00
Deposit Deficiency - - - - -	\$888.00	

C - - - - - ESTATE TAKEN IN THE INTEREST IN TRACT
NO. 4614-7S DESCRIBED IN PARAGRAPH 2-C

Owners:

Harry E. Bagby - - - - -	1/2	
Jeanetta K. Thomason - - - - -	1/2	
Award of Just Compensation - - - - -	\$100.00	\$100.00
Deposited as Estimated Compensation - - - - -	\$75.00	
Disbursed to Owners - - - - -		<u>None</u>
Balance Due to Owners - - - - -		\$100.00
Deposit Deficiency - - - - -	\$25.00	

D - - - - - ESTATE TAKEN IN THE INTEREST IN TRACT
NO. 4623-4 DESCRIBED IN PARAGRAPH 2-D

Owner: P.I.C. Management Co., Inc.

Award of Just Compensation - - - - -	\$970.00	\$970.00
Deposited As Estimated Compensation - - - - -	\$50.00	
Disbursed To Owner - - - - -		<u>\$50.00</u>
Balance Due to Owner - - - - -		\$920.00
Deposit Deficiency - - - - -	\$920.00	

11.

It Is Further ORDERED that the plaintiff shall deposit in the Registry of this Court a sum sufficient to cover the deposit deficiencies created by this Judgment, in the total amount of \$1,833.00 (by agreement of parties this sum shall not draw interest), and such sum shall be credited to the deposit for Civil Action No. 4877.

Upon receipt of such payment, the Clerk of this Court shall disburse from the said deposit for Civil Action No. 4877, certain sums as follows:

To Maude H. Phillips, Executrix of the Estate of W. G. Phillips, Deceased - - - - -	\$380.00
To Mildred M. Viles - - - - -	\$126.67
To H. S. Milam - - - - -	\$126.67
To Mary M. Stevenson - - - - -	\$126.66
To Jennie C. Mooney - - - - -	\$190.00
To Harry E. Bagby - - - - -	\$50.00
To Jeanetta K. Thomason - - - - -	\$50.00
To P.I.C. Management Co., Inc. - - - - -	\$920.00

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/s/ Hubert A. Marlow

HUBERT A. MARLOW
 Assistant United States Attorney

United States District Court

FOR THE
NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE No. 5895

William R. Dunagan

vs.

O.R. DeFratus and Blossom Carmac

JUDGMENT

This action came on for trial before the Court and a jury, Honorable Allen E. Barrow

, United States District Judge, presiding, and the issues having been duly tried and

the jury having duly rendered its verdict, for the plaintiff to recover of the defendant damages in the amount of Fifteen Hundred (\$1500.00) Dollars.

It is Ordered and Adjudged that the plaintiff, William R. Dunagan, recover of the defendant, O.R. DeFratus, the sum of Fifteen Hundred (\$1,500.00) Dollars, with interest thereon at the rate of 6% per annum from the date hereof until paid, and his cost of action.

FILED

MAY 29 1964

NOBLE C. HOOD
Clerk, U. S. District Court

Dated at Tulsa, Oklahoma, this 28th day
of May, 1964.

NOBLE C. HOOD

.....
Clerk of Court

By _____
Deputy

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

243.21 Acres of Land, More or Less,
Situat in Rogers County, Oklahoma,
and LaSalle Petroleum Corp., et al,
and Unknown Owners,

Defendants.)

CIVIL ACTION NO. 4877

(Sinclair Oil & Gas Company
Interest Only)

FILED

JUN 4 1964

J U D G M E N T N O. 2

ROBERT C. HOOD
Clerk, U. S. District Court

1.

On May 18, 1964, this cause, as to the captioned tracts, came on for trial, and the parties having waived a jury, the case was tried to the Court, before the Honorable Allen E. Barrow, Judge of the United States District Court for the Northern District of Oklahoma. Plaintiff, United States of America, appeared by Hubert A. Marlow, Assistant United States Attorney for the Northern District of Oklahoma. William M. Taylor, attorney, appeared for the defendant Sinclair Oil & Gas Company. After hearing the evidence and being fully advised in the premises, the Court finds:

2.

The Court has jurisdiction of the parties and the subject matter of this action. This Judgment applies only to the estates condemned herein in the interest of Sinclair Oil & Gas Company in any of the property involved in this action. Sinclair Oil & Gas Company's interest in the respective tracts included in this action, as such tracts are described in the Complaint and the Declaration of Taking filed herein, is as follows:

- A. As to Tracts Nos. 4614-4, J-1009-2M-4, J-1009-2M-5, J-1009-2M-6, J-1009-2M-7, and 4623-4, Sinclair Oil & Gas Company is the owner and holder of a valid and existing producing oil and gas lease and has assigned said lease to LaSalle Petroleum Corporation insofar only as it covers oil sands from the surface to the base of the Bartlesville Sand, and reserved unto itself an overriding royalty of 1/8 of 8/8. Sinclair Oil & Gas Company yet owns said oil and gas lease as to all minerals and sands below the base of the Bartlesville Sand.
- B. As to Tracts Nos. 4615-C, G-717M-1, G-717M-2, G-717M-3, 4623-3, 4614-C, J-1008M-1, J-1008M-2, J-1008M-3, J-1008M-4, J-1008M-5, 4623-E, J-1009E-2, J-1009E-3, J-1009E-4, J-1009-2M-1, J-1009-2M-2, J-1009-2M-3, J-1009E-5, and

that part of J-1009E-6 which is situated in the SE $\frac{1}{4}$ of Section 14, T. 24 N., R. 16 E., Sinclair Oil & Gas Company owns the full mineral interest as to all of the oil, gas and other minerals in and under these tracts, and same is subject to an oil and gas lease executed by it to LaSalle Petroleum Corporation limited to the base of the Bartlesville Sand and, in said lease Sinclair Oil & Gas Company reserved and retained a royalty of $\frac{1}{4}$ of $\frac{8}{8}$ of all of the oil, gas and other minerals produced and marketed under said lease. All producing sand and mineral rights below the Bartlesville Sand are unleased and are owned by Sinclair Oil & Gas Company.

C. As to Tract No. 4614-7S, Sinclair Oil & Gas Company owns the full mineral interest as to all of the oil, gas and other minerals in and under this tract of land, subject to an outstanding royalty of $\frac{1}{8}$ of all oil produced owned by Harry E. Bagby and Jeanetta K. Thomason and further subject to an oil and gas lease executed by it to LaSalle Petroleum Corporation limited to the base of the Bartlesville Sand and, in said lease Sinclair Oil & Gas Company reserved and retained a royalty of $\frac{1}{8}$ of $\frac{8}{8}$ of all of the oil, gas and other minerals produced and marketed under said lease. All producing sand and mineral rights below the Bartlesville Sand are unleased and are owned by Sinclair Oil & Gas Company, subject only to the aforesaid royalty of $\frac{1}{8}$ of all oil produced owned by the said Bagby and Thomason.

3.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject property.

4.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power, and authority to condemn for public use the subject tracts, as such tracts are particularly described in such Complaint. Pursuant thereto, on March 4, 1960, the United States of America filed its Declaration of Taking of certain estates in such described land and title to such property should be vested in the United States of America as of the date of filing such instrument.

5.

Simultaneously with filing herein the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of subject property, certain sums of money, none of which has been

disbursed as shown in paragraph 10.

6.

The decrease in market value of Sinclair Oil & Gas Company's interest in the property involved in this case, caused by this action, is in the amount of \$8,530.00, and such sum should be adopted as the award of just compensation for such company's interest.

7.

The award fixed by this Judgment will create a deficiency in the deposit for the subject interest as set forth in paragraph 10, and the plaintiff should deposit a sum of money sufficient to cover such deficiency.

8.

Sinclair Oil & Gas Company is the only defendant asserting any claim to the interests described in paragraph 2 herein, all other defendants having either disclaimed or defaulted; the named defendant is the owner of such interest, as of the date of taking, and as such, is entitled to receive the award of just compensation for the estates condemned therein.

9.

It Is, Therefore, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and Sinclair Oil & Gas Company's interest in such tracts, as defined in paragraph 2 herein, to the extent only of the estates indicated and for the uses and purposes described in such Declaration of Taking, is condemned, and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owner of the estates condemned herein in the subject interest in the captioned property, as defined in paragraph 2 herein, was the defendant Sinclair Oil & Gas Company; the right to just compensation for the estates taken therein is vested in such company, and the sum of \$8,530.00 hereby is adopted as the award of just compensation, all as follows, to-wit:

ESTATES TAKEN IN CERTAIN INTERESTS IN ALL
TRACTS AS DESCRIBED IN PARAGRAPH 2

Owner: Sinclair Oil & Gas Company		
Award of just compensation for Sinclair Oil & Gas Company's interest - - -	\$8,530.00	\$8,530.00
Deposited as estimated compensation for subject interest - - - - -	\$4,235.00	
Disbursed to owner - - - - -		<u>None</u>
Balance due to owner - - - - -		\$8,530.00
Deposit deficiency - - - - -	\$4,295.00	

11.

It Is Further ORDERED that the plaintiff shall deposit in the Registry of this Court the deposit deficiency in the total sum of \$4,295.00 (by agreement of parties this sum shall not draw interest), and such sum shall be credited to the deposit for Civil Action No. 4877.

Upon receipt of such payment, the Clerk of this Court shall disburse from the deposit for Civil Action No. 4877 the sum of \$8,530.00 to Sinclair Oil & Gas Company.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

/s/ William M. Taylor

WILLIAM M. TAYLOR, Attorney for
Sinclair Oil & Gas Company

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

Union Petroleum Corporation,)
Plaintiff,)
va.)
Pullman Incorporated and)
Trailmobile, Inc.,)
Defendants.)

No. 5670 - Civil

FILED

JUN 14 1964

ORDER REMANDING CASE

NOBLE C. HOOD
Clerk, U. S. District Court

This matter is before the Court on its own motion questioning whether or not the amount in dispute between the parties herein is sufficient to satisfy the jurisdictional amount. Pursuant to an order of the Court both sides have filed briefs on this point.

A bailment is involved in this litigation with the bailed property damaged while in the possession of the defendant, the bailee. The property, a large truck and trailer unit, was repairable and was repaired.

When suit was brought by the plaintiff, damages were sought in three categories, as follows:

- (1) Cost of repairs - \$7700.09
- (2) Loss of use - \$5966.62
- (3) Loss of time by plaintiff's employees in investigating and mitigating damages, determining and causing necessary repairs to be made and in finding substitute transportation, \$7500.00.

Through the process herein of causing the claim for repairs to be brought by the real party in interest, it has been determined without dispute that an insurance company paid plaintiff the sum of \$6357.14 for such repairs and that plaintiff's claim herein for damages for cost of repairs only involved the difference, or \$1342.95, and that such is the amount in controversy between the parties hereto as to the cost of repairs and such was the case and the amount involved at the time plaintiff brought suit herein.

Plaintiff's next claim for "loss of use" in the amount of \$5966.62 appears to be properly brought and such amount is in contro-

versy between the parties hereto.

Plaintiff's other claim for "loss of time" in the amount of \$7500.00 presents the problem as to whether or not such an item is recoverable as damages in a case of the nature involved herein.

The Oklahoma Supreme Court in Parkade Corp. vs. Locke, 260 P.2 1064, which involved a bailment of a motor vehicle which was damaged while in the possession of the bailee, states that in such a situation " * * * the bailor may bring an action based upon breach of contract or upon negligence * * *", and then announces the measure of damages to be "the cost of repair and the value of its use necessarily lost pending repair." The syllabus by the court said:

"When an automobile has been damaged by the negligence of another and can be repaired, the proper measure of damages is the cost of the repairs and the value of the loss of the use of it while it is being repaired."

Thus, the Oklahoma Supreme Court has recognized that suit may be brought here upon negligence or breach of contract and has fixed the measure of damages recoverable in each instance to be the same as above set out.

Finding no authority for the "loss of time" recovery sought by the plaintiff, the court concludes that the amount in controversy herein between the parties hereto is \$1342.95 (repairs) and \$5966.62 (loss of use) for a total amount in controversy of \$7309.57. This does not satisfy the \$10,000.00 jurisdictional requirement before this court may proceed to adjudicate the motion.

It is therefore ordered that this case on the Court's own motion is remanded to the district court within and for Tulsa County, Oklahoma, from which it was removed by the defendant. The clerk is directed to take the necessary action to effect the return of this case from this court to the state court above mentioned.

Dated this 4 day of June, 1964.

⑤ *Fred Daugherty*
Fred Daugherty
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,)
)
vs.)
)
171.63 Acres of Land, More or Less,)
Situatate in Creek & Pawnee Counties,)
Oklahoma, and William S. Bailey, et al.,)
and Unknown Owners,)
)
Defendants.)

Civil No. 5721
Tract No. I-917E-4

FILED

APR 4 1964

J U D G M E N T

NOBLE C. HOOD
Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$470.40, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$425.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and F. J. McNulty and Ida Lambert, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$175.00, inclusive of interest, for their interests.

The Court finds that defendants James T. and Sammie L. Carothers, William S. Bailey, Jr., Lyda Beatrice Grimes, L. Futterman, Elfam Corp., S. H. Davis Company, W. N. Smith Company, R. A. MacDonell Company, and St. Germain Company have failed to appear or answer, nor have their attorneys appeared or answered in their behalf, and that said parties defendant are in default at this time.

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tract is described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$470.40, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$45.40, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw checks on the funds in the Registry of this Court in the amounts hereinafter set forth, payable to the order of the following-named payees:

F. J. McNulty	\$125.00
William S. Bailey, Jr.	21.60
Lyda Beatrice Grimes	21.60
Elfam Corp.	86.40
S. H. Davis Company	9.05
W. N. Smith Company	9.05
R. A. MacDonell Company	9.05
St. Germain Company	9.05
Ida Lambert	<u>50.00</u>

\$340.80

(d) The Clerk of the Court is hereby authorized and directed to retain the amounts set out below for this tract for a period of five years from the date of this Judgment, unless said deposit is properly claimed by the defendant owners set forth below, and in event said deposit is not claimed, the Court Clerk is directed, without further order of this Court, to return said deposit, five years from this date, into the United States Treasury:

James T. and Sammie L. Carothers	\$86.40
L. Futterman	<u>43.20</u>
	\$ 129.60

Entered this 25th day of February 1964.

/s/ Allen E. Barrow

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney
ajs

UNITED STATES DISTRICT JUDGE

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

FILED

JUN 4 1964

NOBLE C. HOOD
Clerk, U. S. District Court

James T. Cole,

Plaintiff,

vs

Civil Action No. 5815

Virginia Lee Beasley,

Defendant

ORDER OF DISMISSAL

Settlement of this action having been announced to
the Court,

It Is Ordered that this action be dismissed without
prejudice to the right, upon good cause shown within thirty
(30) days, to reopen the action if the settlement is not
consummated.

Dated at Tulsa, Oklahoma, this 26 day of May,
1964.

United States District Judge

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

Virginia Clingman,)
)
 Plaintiff,)
)
 vs.) No. 5823
)
 Safeway Stores, Inc., a)
 corporation, and)
 Jack Gresham,)
)
 Defendants.)

FILED

1964

DISMISSAL WITH PREJUDICE

NOBLE C. HOOD
Clerk, U.S. District Court

Comes now the plaintiff, Virginia Clingman, and dismisses the above styled and numbered cause of action with prejudice to the bringing of a future action.

Dated this 3rd day of June, 1964.

Virginia Clingman
Plaintiff
James R. Brett
Attorney for Plaintiff

Come now the defendants, by and through their counsel of record, and consent to the dismissal of the above styled and numbered cause of action with prejudice to the bringing of any future action.

HUDSON, HUDSON, WHEATON, KYLE & BRETT
By: James R. Brett
Attorneys for Defendants

Pursuant to Rule 28, USDC, IT IS HEREBY ORDERED that the above styled and numbered cause be dismissed with prejudice.

NOBLE C. HOOD, Clerk
By: W. M. [Signature]
Deputy

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

JUN 1 1964

Lois E. Rolland,
Plaintiff,

NOBLE C. HOOD
Clerk, U. S. District Court

vs

Civil Action No. 5854

Jubilee City, Inc.

ORDER OF DISMISSAL

Settlement of this action having been announced to
the Court,

It Is Ordered that this action be dismissed without
prejudice to the right, upon good cause shown within thirty
(30) days, to reopen the action if the settlement is not
consummated.

Dated at Tulsa, Oklahoma, this 4th day of June,
1964.

United States District Judge

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

FILED

JUL 1 1964

David Norvell,

Plaintiff,

NOBLE C. HOOD
Clerk, U. S. District Court

vs

Civil Action No. 5898

William Beaty,

Defendant,

ORDER OF DISMISSAL

Settlement of this action having been announced to
the Court,

It Is Ordered that this action be dismissed without
prejudice to the right, upon good cause shown within thirty
(30) days, to reopen the action if the settlement is not
consummated.

Dated at Tulsa, Oklahoma, this 4th day of June,
1964.

William C. Hood
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Bobby Dean Hildebrand and
Lucille Hildebrand,

Defendants.

Civil No. 5303

FILED

JUL - 5 1964

NOBLE C. HOOD
Clerk, U. S. District Court

ORDER AMENDING JOURNAL ENTRY OF JUDGMENT

The above styled matter comes on for hearing on motion of the plaintiff to amend and correct Journal Entry of Judgment heretofore entered herein by the Clerk of this Court pursuant to the provisions of Rule 60, Federal Rules of Civil Procedure.

The Court being fully advised herein finds that the Journal Entry of Judgment entered herein by the Clerk of this Court incorrectly states the amount due plaintiff from the defendant and that such error was caused by mathematical error in computing said judgment.

That the plaintiff should have judgment against the defendants for the sum of \$300.59 as interest upon the unpaid principal balance of \$5,106.49 as the outstanding principal balance due on July 13, 1961, with interest thereon at the rate of 4 1/2% until paid, together with the costs of this action.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Journal Entry of Judgment heretofore entered by the Clerk of this Court be amended and corrected to read as follows:

The default of the defendants, Bobby Dean Hildebrand and Lucille Hildebrand, having heretofore been entered for failure to plead or otherwise defend in accordance with the Federal Rules of Civil Procedure; and it appearing that the defendants are indebted to the plaintiff for the sum of \$300.59 as interest at the rate of 4 1/2% per annum from April 1, 1960, to July 13, 1961, on the principal sum of \$5,198.49, together with the sum of \$5,106.49 as the outstanding principal balance due and owing on July 13, 1961,

with interest thereon at the rate of $4\frac{1}{2}\%$ per annum from July 14, 1961,
until paid, together with the costs of this action.

UNITED STATES DISTRICT JUDGE

APPROVED:

Sam E. Taylor
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

576.95 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Clyde Foster, et al.,
and Unknown Owners,

Defendants.

Civil No. 4585

Tracts Nos. D-436 & E-1 & E-2

FILED

JUN - 8 1964

NOBLE C. HOOD
Clerk, U. S. District Court

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the above-captioned tracts on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$46,035.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$38,050.00 was deposited into the Registry of this Court as estimated just compensation for said tracts upon the filing of the Declaration of Taking and the Amended Declaration of Taking.

5. The Court finds that plaintiff and Luke Scott, Raymond Oil Company, Genavieve J. Hupp, Aberdeen Oil Company, Joseph P. Kennedy and Raymond F. Kravits, defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tracts is the sum of \$3297.37, inclusive of interest.

6. The Court finds that prior to the institution of the above proceeding the United States of America and S. H. Reno, E. A. Orr, R. R. Stoker, Estate of James Robnett, deceased, Robert M. Shannon, E. M. Thompson, Irene Emerson, Ray Husted, J. Bart Underwood, M. E. Singleton, R. H. Curry, C. B. Stoffregen, Bill Ganaway, John Ackley, Billy Phill Ganaway, Joe H. McQuatters, John Herndon, Lynn B. Griffith, Jack Eastham, Charles G. Davis, L. H. Barron, Robert Davis, Estate of Bruce S. Barnes, deceased, Robert A. Jones, The Citizens National Bank, Waxahachie, Texas, as Trustee for John Shine, entered into a contract, as evidenced by an option for the purchase of land granted by said defendants and accepted on behalf of the plaintiff by the Corps of Engineers, Department of the Army, wherein it was agreed that the amount of \$7475.00, inclusive of interest, would be awarded as just compensation for the taking of the estates to be condemned in the above tracts; that the contract and agreement is a valid one.

7. The Court finds that defendants S. H. Reno (as to the ORRI only), William M. Datney, Alice S. Root, deceased, May Smith, Robert Root Smith, Melvin Smith, Diana Hirsch, Tom B. Slick, Jr., Earl Slick, Bernice Slick Urschel, C. F. Urschel & Tom Slick as Trustees for Tom Slick, Berry Slick and Earl Slick have failed to appear or answer, nor have their attorneys appeared or answered in their behalf, and that said parties defendant are in default at this time.

8. The Court finds:

(a) That the defendants herein consent to the acquisition by the United States of the estates in the land as set forth in the Declaration of Taking;

(b) That said defendants consent to the withdrawal of any answer, interrogatories and/or objections or other pleadings heretofore filed in this proceeding contesting the Government's right to acquire the land;

(c) That there shall be substituted for the legal description of the tracts and the estates acquired therein, as set forth in the complaint in condemnation and the Declaration of Taking and the Amendment heretofore filed in the proceeding the description and estates set forth below:

The fee simple title, subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines, reserving

to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators, executors, successors and assigns, all oil, gas and other minerals in and under said land, with full rights of ingress and egress for the purposes of exploration, development, production and removal of oil, gas and other minerals which may be produced from said land, provided, however, that the oil, gas and other minerals, or interests therein, so reserved are subordinated to the prior rights of the United States to flood and submerge the land as may be necessary in the construction, operation and maintenance of said project, and provided further that the type and location of any structures and/or appurtenances thereto now existing or to be erected or constructed in connection with the exercise of said mineral rights shall be subject to the prior written approval of the representative of the United States in charge of the project.

TRACT NO. D-436

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 15: $N\frac{1}{2}N\frac{1}{2}$, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, Northwest diagonal half of the $E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, Northwest diagonal half of the $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, a tract of land in the $SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, more particularly described as: Beginning at the Southwest corner of said $SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$; thence North 165.00 feet to the Northwest corner thereof; thence East 330.00 feet to the Northeast corner of said $SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$; thence Southwesterly on a straight line to the Point of Beginning; $E\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$; $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, Southeast diagonal half of the $S\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, Southeast diagonal half of the $NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, Southeast diagonal half of the $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}SD\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, a tract of land in the $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$, more particularly described as: Beginning at the Northeast corner of said $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$; thence South 660.00 feet to the Southeast corner thereof; thence West 495.00 feet to the Southwest corner of said $E\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}$; thence northeasterly on a straight line to the Point of Beginning, a tract of land in the $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$, More particularly described as: Beginning at the Northwest corner of said $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$; thence South parallel with the West line of said Section 15, 430.00 feet to a point; thence N 84° 12' 31" E, 412.00 feet to a point; thence S. 5° 47' 26" E, 115.00 feet to a point; thence N 84° 12' 34" E, 2111.00 feet, more or less, to a point on the East line of said $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$; thence North along said East Line, 243.00 feet, more or less, to the Northeast corner thereof; thence West 2475.00 feet, more or less, to the Point of Beginning.

The area described aggregates 395.61 acres, more or less, situate in Creek County, Oklahoma.

The perpetual right, power, privilege and easement occasionally to overflow, flood and submerge the land in connection with the operation and maintenance of the Keystone Dam and Reservoir Project as authorized

by the Act of Congress approved May 17, 1950 (Public Law 516, 81st Congress, 2d Session) together with all right, title and interest in and to the structures and improvements now situate on said land; provided that no structures for human habitation shall be constructed or maintained on said land, and provided further that no structures of other type shall be constructed or maintained on said land except as may be approved in writing by the representative of the United States in charge of the project, reserving to the owner or owners of the sub-surface estate, or any interest therein, his or their heirs, administrators, executors, successors and assigns, all oil, gas and other minerals in and under said land, with full rights of ingress and egress for the purpose of exploration, development, production and removal of oil, gas and other minerals which may be produced from said land, provided, however, that the oil, gas and other minerals, or interests therein, so reserved are subordinated to the prior rights of the United States to flood and submerge the land as may be necessary in the construction, operation and maintenance of said project, provided further the type and location of any structures and/or appurtenances thereto now existing or to be erected or constructed in connection with the exercise of said mineral rights shall be subject to the prior written approval of the representative of the United States in charge of the project; reserving, however, to the owner or owners of said land, their heirs, executors, administrators, successors, and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easement hereby acquired by the Government; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines.

TRACT NO. I-436E-1

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 15, all that part of the $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, southeast diagonal half of the $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, southeast diagonal half of the $S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, southeast diagonal half of the $E\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$ lying below elevation 759.0' M.S.L.

The area described aggregates 0.67 acre, more or less, situate in Creek County, Oklahoma.

TRACT NO. D-436E-2

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 15, all that part of the southeast diagonal half of the $E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$ lying below elevation 759.0' M.S.L.

The area described aggregates 0.15 acre, more or less, situate in Creek County, Oklahoma.

(d) That the plan of the tracts attached hereto and made a part hereof shall be substituted for the plan of Tracts Nos. D-436, D-436E-1 and E-2 as shown on Schedule "B" attached to the Declaration of Taking.

(e) That all right, title, and interest of the stipulating defendants in and to any and all portions of the tract as set forth in the complaint in condemnation and the declaration of taking heretofore filed in the proceeding which are not included in paragraph (c) above shall be excluded from the proceeding and title thereto shall be revested in said defendants to the extent held by them immediately prior to the taking;

(f) That the fair market value and the full just compensation to be paid for the taking of all the interests acquired in the proceeding, and for the Government's use of that portion and/or interest in the land title to which is revested by stipulation, including all damages arising therefrom, is the sum of \$34,690.00 inclusive of interest.

(g) That said sum shall be subject to all liens, encumbrances and charges existing against said lands at the time of the taking, and that any and all compensation ascertained and awarded in this proceeding in favor of any parties now or subsequently named as defendants shall be payable and deductible from said sum, and the parties consent to the entry of all orders, judgments and decrees appropriate to effectuate this judgment.

9. The Court finds that Clyde W. Foster, Arthur M. Foster and Lewis E. Foster have stipulated and agreed that the final Judgment is to be reduced by \$75.00, which is the agreed salvage value of a certain improvement (hay barn) reserved by these defendants.

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking and the Amended Declaration of taking in and to the lands hereinabove referred to, as altered by the revestment set out in the above paragraphs, as said tracts are described, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tracts is the sum of \$46,035.00, less \$75.00 as set out above, inclusive of interest; of which amount the following sums have previously been disbursed:

Clyde W. Foster, Arthur M. Foster and Lewis E. Foster	\$ 31,140.00
William M. Dabney, Alice S. Root, May Smith, Robert Root Smith, Melvin Smith, Diana Hirsch, Tom B. Slick, Jr., Earl Slick, Bernice Slick Urschel, C. F. Urschel & Tom Slick as Trustees for Tom Slick, Berry Slick & Earl Slick . .	<u>7,475.00</u>
	\$38,615.00

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$7910.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw checks on the funds in the Registry of this Court in the amounts hereinafter set forth, payable to the order of the following-named payees:

Clyde W. Foster, Arthur M. Foster and Lewis E. Foster	\$3,475.00
Luke Scott	600.00
Raymond Oil Company.	1,870.00
S. H. Reno	50.00
William M. Dabney	337.50
Alice S. Root Estate.	21.09
May Smith	21.09
Robert Root Smith	21.09
Melvin Smith	21.10
Genavieve J. Hupp.	253.13
Aberdeen Oil Co., Inc.	201.53
Joseph P. Kennedy	286.31
Diana Hirsch	0.76
Raymond F. Kravis	86.40
Tom B. Slick, Jr.	7.41
Earl Slick	7.41
Bernice Slick Urschel.	33.33
C. F. Urschel & Tom Slick as Trustees for Tom Slick.	14.82
Berry Slick.	22.22
Earl Slick	<u>14.81</u>
	\$7,345.00

Entered this 30th day of December 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney
ajs

United States District Court
UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

191.39 Acres of Land, More or Less,
Situate in Creek and Pawnee Counties,
Oklahoma, and Leslie M. Yarbrough, et al.,
and Unknown Owners,

Defendants.

Civil No. 4720

Tracts Nos. D-433 & E-1
thru E-7, as revised to
D-433, D-433-2 & E-1
thru E-7

FILED

JUL - 8 1964

J U D G M E N T

NOBLE C. HOOD
Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the above-captioned tracts on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that the plaintiff United States of America commenced the above entitled action for the purpose of acquiring by eminent domain an estate in certain lands described as follows, to-wit:

The fee simple title, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines, reserving to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators, executors, successors and assigns, all oil, gas and other minerals in and under said land, with full rights of ingress and egress for the purpose of exploration, development,

production and removal of oil, gas and other minerals which may be produced from said land.

TRACT NO. D-433

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, the North 16.59 acres of Lot 1; the southeast 10.00 acres of Lot 1; the east 5.00 acres of the southwest 10.00 acres of Lot 1; the northwest diagonal half of the northwest 0.62 acre of the northwest 2.50 acres of the southwest 10.00 acres of Lot 1. A tract of land in Lot 2, containing 14.26 acres, more or less, said tract being more particularly described as: Beginning at the northeast corner of said Lot 2; thence south along the east line of said Lot 2, 718.25 feet, more or less, to a point, said point being 495.00 feet north of the southeast corner of said Lot 2; thence southwesterly on a straight line to a point 330.00 feet west and 165.00 feet north of the southeast corner of Lot 2; thence west 165.00 feet on a line parallel to the south line of Lot 2, to a point 495.00 feet west and 165.00 feet north of the southeast corner of Lot 2; thence north 660.00 feet on a line parallel to the east line of said Lot 2, to a point 495.00 feet west and 825.00 feet north of the southeast corner of said Lot 2; thence northwesterly on a straight line to a point 990.00 feet west and 990.00 feet north of the southeast corner of said Lot 2; thence North 231.78 feet, more or less, on a line parallel to the east line, to a point on the north line of said Lot 2; thence east along the north line of Lot 2, to the point of beginning. $E\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, southeast diagonal half of the $N\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 108.66 acres, more or less, in Creek County, Oklahoma; and

The perpetual right, power, privilege and easement occasionally to overflow, flood and submerge the land in connection with the operation and maintenance of the Keystone Dam and Reservoir Project on the Arkansas River, as authorized by the Act of Congress approved May 17, 1950 (Public Law 516, 81st Congress, 2d Session), together with all right, title and interest in and to the structures and improvements now situate on said land; provided that no structures for human habitation shall be constructed or maintained on said land, and provided further that no structures of other type shall be constructed or maintained on said land except as may be approved in writing by the representative of the United States in charge of the project; reserving to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators, executors, successors and assigns, all oil,

gas and other minerals in and under said land, with full rights of ingress and egress for the purpose of exploration, development, production and removal of oil, gas and other minerals which may be produced from said land, further reserving to the owner or owners of said land, their heirs, executors, administrators, successors, and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easement hereby acquired; the below estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines, over the following described land, to-wit:

TRACT NO. D-433E-1

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, all that part of the following described tract lying below elevation 759.0 feet M.S.L.
A tract of land of about 1.74 acres, more or less, in the northwest corner of Lot 2, more particularly described as: Beginning at a point 990.00 feet west and 990.00 feet north of the southeast corner of said Lot 2; thence north 231.78 feet, more or less, on a line parallel to the east line of said Lot 2, to the north line of Lot 2; thence west to the northwest corner of said Lot 2; thence south 234.63 feet, more or less, along the west line of said Lot 2; thence east on a straight line to the point of beginning.

The area described aggregates 0.28 acre, more or less, in Creek County, Oklahoma.

TRACT NO. I-433E-2

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, all that part of the following described tracts lying below elevation 759.0 feet M.S.L.
A tract of land in the southeast 10.00 acres of Lot 2; more particularly described as: Beginning at a point on the east line of said Lot 2, 495.00 feet north of the southeast corner of Lot 2; thence southwesterly on a straight line to a point 330.00 feet west and 165.00 feet north of the southeast corner of Lot 2; thence west 330.00 feet on a line parallel to the south line of said Lot 2 to a point 660.00 feet west and 165.00 feet north of the southeast corner of Lot 2; thence south 165.00 feet to a point on the south line of said Lot 2; thence east 660.00 feet to the southeast corner of Lot 2; thence north along the east line of Lot 2 to the point of beginning.

The area described aggregates 0.25 acres, more or less, in Creek County, Oklahoma.

TRACT NO. D-433E-3

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, all that part of the following described tracts lying below elevation 759.0 feet M.S.L. The northwest diagonal half of the $N\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ SE $\frac{1}{4}NE\frac{1}{4}$, the southwest 2.50 acres of the southwest 10.00 acres of Lot 1, the south 1.25 acres of the northwest 2.50 acres of the southwest 10.00 acres of Lot 1.

The area described aggregates 2.13 acres, more or less, in Creek County, Oklahoma.

TRACTS NOS. D-433E-4, E-5, E-6, and E-7

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, all that part of the following described tracts lying below elevation 759.0 feet M.S.L. $N\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, SE $\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, SW $\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, W $\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 5.03 acres, more or less, in Creek County, Oklahoma.

D-433E-4 - 1.70 acres
D-433E-5 - 1.25 acres
D-433E-6 - 1.78 acres
D-433E-7 - 0.30 acre

5. The Court finds that by reason of the filing of a declaration of taking and the depositing of \$10,455.00 as estimated just compensation for the taking thereof, title to such land was vested in the United States of America on the 21st day of June, 1959, to the extent of the estates condemned; and

6. The Court finds that it has been determined to be necessary to reduce the total acreage acquired in fee in the proceeding; and

7. The Court finds that it has been determined to be necessary to revise the estate acquired in a portion of said land in order to provide for a perpetual flowage easement therein; and

8. The Court finds that the undersigned defendants have agreed to accept the sum of \$11,000.00, inclusive of interest, as just compensation for the interests acquired in the proceeding.

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) That the defendants herein consent to the acquisition by the United States of the estates in the land as set forth in the declaration of taking;

(b) That said defendants consent to the withdrawal of any answer, interrogatories and/or objections or other pleadings heretofore filed in this proceeding contesting the Government's right to acquire the land;

(c) That there shall be substituted for the legal description of the tracts and the estates acquired therein, as set forth in the complaint in condemnation and the declaration of taking heretofore filed in the proceeding the descriptions and estates set forth below:

The fee simple title, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines, reserving to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators, executors, successors and assigns, all oil, gas and other minerals in and under said land, with full rights of ingress and egress for the purpose of exploration, development, production and removal of oil, gas and other minerals which may be produced from said land.

TRACT NO. D-433

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: The North 16.59 acres of Lot 1, the North 5.00 acres of the Southeast 10.00 acres of Lot 1, the East 1.25 acres of the Northeast 2.50 acres of the Southwest 10.00 acres of Lot 1, the Northwest diagonal half of the Northwest 0.625 acre of the Northwest 2.50 acres of the Southwest 10.00 acres of Lot 1, a tract of land in Lot 2 containing 14.26 acres, more or less, said tract being more particularly described as: Beginning at the Northeast corner of said Lot 2; thence South along the East line thereof, 718.25 feet, more or less, to a point, said point being 495.00 feet North of the Southeast corner of said Lot 2; thence Southwesterly on a straight line to a point 330.00 feet West and 165 feet North of said Southeast corner; thence West parallel to the South line of said Lot 2, 165.00 feet to a point 495.00 feet West and 165.00 feet North of the Southeast corner thereof; thence North parallel to the East line of said Lot 2, 660.00 feet to a point 495.00 feet West and 825.00 feet North of the Southeast corner thereof; thence Northwesterly on a straight line to a point 990.00 feet West and 990.00 feet North of the Southeast corner of said Lot 2; thence North parallel to the East line thereof 231.78 feet, more or less, to a point on the North line of said Lot 2; thence East along said North line 990.00 feet, more or less, to the Point of Beginning.

The area described aggregates 37.41 acres, more or less, in Creek County, Oklahoma.

TRACT NO. D-433-2

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 53.13 acres, more or less, in Creek County, Oklahoma; and

The perpetual right, power, privilege and easement occasionally to overflow, flood and submerge the land in connection with the operation and maintenance of the Keystone Dam and Reservoir Project on the Arkansas River, as authorized by the Act of Congress approved May 17, 1950 (Public Law 516, 81st Congress, 2d Session), together with all right, title and interest in and to the structures and improvements now situate on said lands; provided that no structures for human habitation shall be constructed or maintained on said land, and provided further that no structures of other type shall be constructed or maintained on said land except as may be approved in writing by the representative of the United States in charge of the project; reserving to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators, executors, successors and assigns, all oil, gas and other minerals in and under said land, with full rights of ingress and egress for the purpose of exploration, development, production and removal of oil, gas and other minerals which may be produced from said land, further reserving to the owner or owners of said land, their heirs, executors, administrators, successors, and assigns, all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easement hereby acquired; the below estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines, over the following described land, to-wit:

TRACT NO. D-433E-1

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: All that part of the following described tract lying below elevation 759.0 feet M.S.L.: A tract of land of about 1.74 acres, more or less, in the Northwest corner of Lot 2, more particularly described as: Beginning at a point 990.00 feet West and 990.00 North of the Southeast corner of said Lot 2; thence North 231.78 feet, more or less, on a line parallel to the East line of said Lot 2, to the North line of Lot 2; thence West to the Northwest corner of said Lot 2; thence South 234.63 feet, more or less, along the West line of said Lot 2; thence East on a straight line to the Point of Beginning.

The area described aggregates 0.28 acre, more or less, in Creek County, Oklahoma.

TRACT NO. D-433E-2

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: All that part of the following described tracts lying below elevation 759.0 feet M.S.L.: A tract of land in the Southeast 10.00 acres of Lot 2, more particularly described as beginning at a point on the East line of said Lot 2, 495.00 feet North of the Southeast corner of Lot 2; thence Southwesterly on a straight line to a point 330.00 feet West and 165.00 feet North of the Southeast corner of Lot 2; thence West 330.00 feet on a line parallel to the South line of said Lot 2 to a point 660.00 feet West and 165.00 feet North of the Southeast corner of Lot 2; thence South 165.00 feet to a point on the South line of said Lot 2; thence East 660.00 feet to the Southeast corner of Lot 2; thence North along the East line of Lot 2 to the Point of Beginning.

The area described aggregates 0.25 acre, more or less, in Creek County, Oklahoma.

TRACT NO. D-433E-3

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: All that part of the following described tracts of land lying below elevation 759.0 feet M.S.L.: The East 1.25 acres of the Northwest 2.50 acres of the Southwest 10.00 acres of Lot 1, the West 1.25 acres of the Northeast 2.50 acres of the Southwest 10.00 acres of Lot 1, the South 10.00 acres of Lot 1, $N\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 20.19 acres, more or less, in Creek County, Oklahoma.

TRACTS NOS. D-433E-4, E-5, E-6, and E-7

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: All that part of the following described tracts lying below elevation 759.0 feet M.S.L.: $N\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 5.03 acres, more or less, in Creek County, Oklahoma.

D-433E-4 - 1.70 acres
D-433E-5 - 1.25 acres
D-433E-6 - 1.78 acres
D-433E-7 - 0.30 acres

(d) That the plan of the tracts attached hereto and made a part hereof shall be substituted for the plan of Tracts Nos. D-433 and D-433E-1 through E-7, as shown on Schedule "B" attached to the Declaration of Taking.

(e) That with respect to the aforementioned lands as to which a perpetual flowage easement is to be acquired, the defendants herein expressly waive for themselves, their heirs, successors, and assigns any and all claims against the United States or the State, County or political subdivision in which the land is located, for loss of access thereto and waive

further any claims against the United States for damage thereto arising from soil erosion, slides and wave wash;

(f) That all right, title, and interest of the stipulating defendants in and to any and all portions of the tract as set forth in the complaint in condemnation and the declaration of taking heretofore filed in the proceeding which are not included in paragraph (c) above shall be excluded from the proceeding and title thereto shall be revested in said defendants to the extent held by them immediately prior to the taking;

(g) That the fair market value and the full just compensation to be paid for the taking of all the interests acquired in the proceeding, and for the Government's use of that portion and/or interest in the land title to which is revested by stipulation, including all damages arising therefrom, is the sum of \$11,000.00, inclusive of interest.

(h) The sum of \$10,455.00 has previously been disbursed to Arthur M. Foster, Clyde W. Foster and Lewis E. Foster.

(i) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$545.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Arthur M. Foster, Clyde W.
Foster and Lewis E. Foster \$545.00

Entered JUN 8 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

796.08 Acres of Land, More or
Less, Situate in Creek and Pawnee
Counties, Oklahoma, and
Forrest Adsit, et al., and
Unknown Owners,

Defendants.

Civil No. 4806

Tracts Nos. D-433 & E-1
thru E-7, as revised to
D-433, D-433-2 & E-1 thru E-7

FILED

JUN 8 1964

J U D G M E N T

NOBLE C. HOOD
Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tracts.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tracts; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the above-captioned tracts on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that the United States of America commenced the above entitled action for the purpose of acquiring by eminent domain an estate in certain lands described as follows, to-wit:

The subordination of the oil, gas, and other minerals to the right of the United States to flood and submerge the land as may be necessary in connection with the operation and maintenance of the Keystone Dam and Reservoir Project as authorized by the Act of Congress approved May 17, 1950 (Public Law 516, 81st Congress, 2d Session), reserving to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators,

executors, successors or assigns, all mineral rights and privileges which may be used and enjoyed without interfering with the aforesaid right of the United States, provided, however, that the type and location of any structures and/or appurtenances thereto now existing or to be erected or constructed in connection with the exercise of said mineral rights shall be subject to the prior written approval of the representative of the United States in charge of the project.

TRACT NO. D-433

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, the north 16.59 acres of Lot 1; the southeast 10.00 acres of Lot 1; the east 5.00 acres of the southwest 10.00 acres of Lot 1; the northwest diagonal half of the northwest 0.62 acre of the northwest 2.50 acres of the southwest 10.00 acres of Lot 1. A tract of land in Lot 2, containing 14.26 acres, more or less, said tract being more particularly described as: Beginning at the northeast corner of said Lot 2; thence south along the east line of said Lot 2, 718.25 feet, more or less, to a point, said point being 495.00 feet north of the southeast corner of said Lot 2; thence southwesterly on a straight line to a point 330.00 feet west and 165.00 feet north of the southeast corner of Lot 2; thence west 165.00 feet on a line parallel to the south line of Lot 2, to a point 495.00 feet west and 165.00 feet north of the southeast corner of Lot 2; thence north 660.00 feet on a line parallel to the east line of said Lot 2, to a point 495.00 feet west and 825.00 feet north of the southeast corner of said Lot 2; thence northwesterly on a straight line to a point 990.00 feet west and 990.00 feet north of the southeast corner of said Lot 2; thence North 231.78 feet, more or less, on a line parallel to the east line, to a point on the north line of said Lot 2; thence east along the north line of Lot 2, to the point of beginning. $E\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, southeast diagonal half of the $N\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 108.66 acres, more or less, in Creek County, Oklahoma; and

The subordination of the oil, gas, and other minerals to the right of the United States to occasionally overflow, flood and submerge the land as may be necessary in connection with the operation and maintenance of the Keystone Dam and Reservoir Project as authorized by the Act of Congress approved May 17, 1950 (Public Law 516, 81st Congress, 2d Session), reserving to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators, executors, successors or assigns, all mineral rights and privileges which may be used and

enjoyed without interfering with the aforesaid right of the United States, provided, however, that the type and location of any structures and/or appurtenances thereto now existing or to be erected or constructed in connection with the exercise of said mineral rights shall be subject to the prior written approval of the representative of the United States in charge of the project.

TRACT NO. D-433E-1

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, all that part of the following described tract lying below elevation 759.0 feet M.S.L.
A tract of land of about 1.74 acres, more or less, in the northwest corner of Lot 2, more particularly described as: Beginning at a point 990.00 feet west and 990.00 feet north of the southeast corner of said Lot 2; thence north 231.78 feet, more or less, on a line parallel to the east line of said Lot 2, to the north line of Lot 2; thence west to the northwest corner of said Lot 2; thence south 234.63 feet, more or less, along the west line of said Lot 2; thence east on a straight line to the point of beginning.

The area described aggregates 0.28 acre, more or less, in Creek County, Oklahoma

TRACT NO. E-433E-2

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, all that part of the following described tracts lying below elevation 759.0 feet M.S.L.
A tract of land in the southeast 10.00 acres of Lot 2; more particularly described as: Beginning at a point on the east line of said Lot 2, 495.00 feet north of the southeast corner of Lot 2; thence southwesterly on a straight line to a point 330.00 feet west and 165.00 feet north of the southeast corner of Lot 2; thence west 330.00 feet on a line parallel to the south line of said Lot 2 to a point 660.00 feet west and 165.00 feet north of the southeast corner of Lot 2; thence south 165.00 feet to a point on the south line of said Lot 2; thence east 660.00 feet to the southeast corner of Lot 2; thence north along the east line of Lot 2 to the point of beginning.

The area described aggregates 0.25 acre, more or less, in Creek County, Oklahoma.

TRACT NO. D-433E-3

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, all that part of the following described tracts lying below elevation 759.0 feet M.S.L.
The northwest diagonal half of the $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, the southwest 2.50 acres of the southwest 10.00 acres of Lot 1, the south 1.25 acres of the northwest 2.50 acres of the southwest 10.00 acres of Lot 1.

The area described aggregates 2.13 acres, more or less, in Creek County, Oklahoma.

TRACTS NOS. D-433E-4, E-5, E-6, and E-7

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3, all that part of the following described tracts lying below elevation 759.0 feet M.S.L.
 $N\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$,
 $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 5.03 acres, more or less, in Creek County, Oklahoma.

D-433E-4 - 1.70 acres
D-433E-5 - 1.25 acres
D-433E-6 - 1.78 acres
D-433E-7 - 0.30 acres

5. The Court finds that by reason of the filing of a declaration of taking and the depositing of \$2,125.00 as estimated just compensation for the taking thereof, title to such land was vested in the United States of America on the 19th day of November, 1959, to the extent of the estates condemned; and,

6. The Court finds that it has been determined to be necessary to reduce the total acreage acquired in fee in the proceeding; and

7. The Court finds that it has been determined to be necessary to revise the estate acquired in a portion of said land in order to provide for a perpetual flowage easement therein; and

8. The Court finds that the undersigned defendants have agreed to accept the sum of \$2,300.00, inclusive of interest, as just compensation for the interests acquired in the proceeding.

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) That the defendants herein consent to the acquisition by the United States of the estates in the land as set forth in the declaration of taking;

(b) That said defendants consent to the withdrawal of any answer, interrogatories and/or objections or other pleadings heretofore filed in this proceeding contesting the Government's right to acquire the land;

(c) That there shall be substituted for the legal description of the tracts and the estates acquired therein, as set forth in the complaint in condemnation and the declaration of taking heretofore filed in the proceeding the descriptions and estates set forth below.

The subordination of the oil, gas, and other minerals to the right of the United States to flood and submerge the land as may

be necessary in connection with the operation and maintenance of the Keystone Dam and Reservoir Project as authorized by the Act of Congress approved May 17, 1950 (Public Law 516, 81st Congress, 2d Session), reserving to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators, executors, successors or assigns, all mineral rights and privileges which may be used and enjoyed without interfering with the aforesaid right of the United States, provided, however, that the type and location of any structures and/or appurtenances thereto now existing or to be erected or constructed in connection with the exercise of said mineral rights shall be subject to the prior written approval of the representative of the United States in charge of the project.

TRACT NO. D-433

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: The North 16.59 acres of Lot 1, the North 5.00 acres of the Southeast 10.00 acres of Lot 1, the East 1.25 acres of the Northeast 2.50 acres of the Southwest 10.00 acres of Lot 1, the Northwest diagonal half of the Northwest 0.625 acre of the Northwest 2.50 acres of the Southwest 10.00 acres of Lot 1, a tract of land in Lot 2 containing 14.26 acres, more or less, said tract being more particularly described as: Beginning at the Northeast corner of said Lot 2; thence South along the East line thereof, 718.25 feet, more or less, to a point, said point being 495.00 feet North of the Southeast corner of said Lot 2; thence Southwesterly on a straight line to a point 330.00 feet West and 165.00 feet North of said Southeast corner; thence West parallel to the South line of said Lot 2, 165.00 feet to a point 495.00 feet West and 165.00 feet North of the Southeast corner thereof; thence North parallel to the East line of said Lot 2, 660.00 feet to a point 495.00 feet West and 825.00 feet North of the Southeast corner thereof; thence Northwesterly on a straight line to a point 990.00 feet West and 990.00 feet North of the Southeast corner of said Lot 2; thence North parallel to the East line thereof 231.78 feet, more or less, to a point on the North line of said Lot 2; thence East along said North line 990.00 feet, more or less, to the Point of Beginning.

The area described aggregates 37.41 acres, more or less, in Creek County, Oklahoma.

TRACT NO. D-433-2

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 53.13 acres, more or less, in Creek County, Oklahoma; and

The subordination of the oil, gas, and other minerals to the right of the United States to occasionally overflow, flood, and submerge the land as may be necessary in connection with the operation and maintenance of the Keystone Dam and Reservoir Project as authorized by the Act of Congress approved May 17, 1950, (Public Law 516, 81st Congress, 2d Session), reserving to the owner or owners of the subsurface estate, or any interest therein, his or their heirs, administrators, executors, successors or assigns, all mineral rights and privileges which may be used and enjoyed without interfering with the aforesaid right of the United States, provided, however, that the type and location of any structures and/or appurtenances thereto now existing or to be erected or constructed in connection with the exercise of said mineral rights shall be subject to the prior written approval of the representative of the United States in charge of the project.

TRACT NO. D-433E -1

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: All that part of the following described tract lying below elevation 759.00 feet M.S.L.: A tract of land of about 1.74 acres, more or less, in the Northwest corner of Lot 2, more particularly described as: Beginning at a point 990.00 feet West and 990.00 North of the Southeast corner of said Lot 2; thence North 231.78 feet, more or less, on a line parallel to the East line of said Lot 2, to the North line of Lot 2; thence West to the Northwest corner of said Lot 2; thence South 234.63 feet, more or less, along the West line of said Lot 2; thence East on a straight line to the Point of Beginning.

The area described aggregates 0.23 acre, more or less, in Creek County, Oklahoma.

INDIAN MERIDIAN
TRACT NO. D-433E-2
T 19 N, R 9 E

SECTION 3: All that part of the following described tracts lying below elevation 759.0 feet M.S.L.: A tract of land in the Southeast 10.00 acres of Lot 2, more particularly described as beginning at a point on the East line of said Lot 2, 495.00 feet North of the Southeast corner of Lot 2; thence Southwesterly on a straight line to a point 330.00 feet West and 165.00 feet North of the Southeast corner of Lot 2; thence West 330.00 feet on a line parallel to the South line of said Lot 2 to a point 660.00 feet West and 165.00 feet North of the Southeast corner of Lot 2; thence South 165.00 feet to a point on the South line of said Lot 2; thence East 660.00 feet to the Southeast corner of Lot 2; thence North along the East line of Lot 2 to the Point of Beginning.

The area described aggregates 0.25 acre, more or less, in Creek County, Oklahoma.

TRACT NO. D-433E-3

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: All that part of the following described tracts of land lying below elevation 759.0 feet M.S.L.: The East 1.25 acres of the Northwest 2.50 acres of the Southwest 10.00 acres of Lot 1, the West 1.25 acres of the Northeast 2.50 acres of the Southwest 10.00 acres of Lot 1, the South 1.00 acres of Lot 1, $N\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 20.19 acres, more or less, in Creek County, Oklahoma.

TRACTS NOS. D-433E-4, E-5, E-6, and E-7

INDIAN MERIDIAN
T 19 N, R 9 E

SECTION 3: All that part of the following described tracts lying below elevation 759.0 feet M.S.L.: $N\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$.

The area described aggregates 5.03 acres, more or less, in Creek County, Oklahoma.

D-433E-4 - 1.70 acres

D-433E-5 - 1.25 acres

D-433E-6 - 1.78 acres

D-433E-7 - 0.30 acre

(d) That the plan of the tracts attached hereto and made a part hereof shall be substituted for the plan of Tracts Nos. D-433 and D-433E-1 through E-7 as shown on Schedule "B" attached to the Declaration of Taking.

(e) That all right, title, and interest of the stipulating defendants in and to any and all portions of the tract as set forth in the complaint in condemnation and the declaration of taking heretofore filed in the proceeding which are not included in paragraph (c) above shall be excluded from the proceeding and title thereto shall be revested in said defendants to the extent held by them immediately prior to the taking;

(f) That the fair market value and the full just compensation to be paid for the taking of all the interests acquired in the proceeding, and for the Government's use of that portion and/or interest in the land title to which is revested by stipulation, including all damages arising therefrom, is the sum of \$2,800.00, inclusive of interest.

(g) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$675.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the

Registry of this Court in the amount hereinafter set forth, payable to
the order of the following-named payees:

Arthur M. Foster, Clyde W.
Foster and Lewis E. Foster \$2,800.00

Entered JUN 8 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

234.10 Acres of Land, More or Less,
Situate in Tulsa and Pawnee Counties,
Oklahoma, and Joe Wilson, et al., and
Unknown Owners,

Defendant.

Civil No. 4897

Tract No. A-168E

FILED

JUN - 8 1964

NOBLE C. HOOD
Clerk, U. S. District Court

J U D G M E N T

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded to the former owners of the above tract.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the above-captioned tract on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the amount of \$3500.00, inclusive of interest, is just compensation for the taking of the estates by the plaintiff in the above tract, as such estates and said tract are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$1525.00 was deposited into the Registry of this Court as estimated just compensation for said tract upon the filing of the Declaration of Taking herein.

5. The Court finds that plaintiff and Glen Ward, defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$3,500.00, inclusive of interest.

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tract is described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$3,500.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,975.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

Glen Ward \$3,500.00

Entered JUN 8 1964 .

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

5. The Court finds that plaintiff and W. H. Noel, Guardian of the Estate of Effie Freeman Rogers, an incompetent, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the estate taken in the above tract is the sum of \$3,000.00, inclusive of interest.

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the estates set forth in the Complaint and Declaration of Taking in and to the lands hereinabove referred to, as said tract is described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the above tract is the sum of \$3,000.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$990.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following named payee:

W. H. Noel, Guardian of the
Estate of Effie Freeman Rogers, an Incompetent - - - \$990.00.

Entered this 8th day of June, 1964.

/s/ Allen E. Barrow

UNITED STATES JUDGE

APPROVED:

/s/ Max E. Findley

MAX E. FINDLEY
Special Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

989.66 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and H. T. Stanart, et al, and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 4857

Tract No. 5635-A
(2/3 of the Lessor Interest
Only)

FILED

JUN - 9 1964

J U D G M E N T

1.

Now, on this 8 day of June, 1964, this matter comes on for trial

NOBLE C. HOOD

Clerk of the District Court

position on application of the plaintiff, United States of America, for entry of judgment on the Report of Commissioners filed herein on December 23, 1963, and the Court after having examined the files in this action and being advised by counsel for the plaintiff, finds that:

2.

The Court has jurisdiction of the parties and the subject matter of this action.

3.

This judgment applies only to 2/3 of the lessor interest in the estate taken in Tract No. 5635-A, as such tract and estate are described in the Complaint and the Declaration of Taking, filed herein.

4.

Service of Process has been perfected either personally or by publication notice as provided by Rule 71A of the Federal Rules of Civil Procedure on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tract of land. Pursuant thereto, on February 19, 1960, the United States of America filed its Declaration of Taking of a certain estate in such tract of land, and title to such property should be vested in the United States of America, as of the date of filing such instrument.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the subject tract a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 11, below.

7.

The Report of Commissioners filed herein on December 23, 1963, is hereby accepted and adopted as a finding of fact as to 2/3 of the lessor interest in the estate taken in subject tract. The amount of just compensation as to the subject interest, as fixed by the Commission, is set out in paragraph 11, below.

8.

The judgment entered on February 18, 1963, as amended, as to the lessee interest in this tract created a surplus in the deposit for the subject tract and payment of the subject judgment for the lessor interest will not use all of such surplus. The sum remaining as surplus after payment of this judgment should be refunded to the Government.

9.

The defendants named in paragraph 11 as owners of 2/3 of the lessor interest in the estate taken in subject tract are the only defendants asserting any claim to such interest, all other defendants having either disclaimed or defaulted; the named defendants as of the date of taking were the owners of such 2/3 interest, and as such, are entitled to receive the award of just compensation for the estate taken therein.

10.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the tract described in paragraph 3 herein, and such property, to the extent only of 2/3 of the lessor interest in the estate described and for the uses and purposes described in the Declaration of Taking filed herein, is condemned, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, title to the estate taken herein in the subject interest was vested in

the defendants named as owners in the schedule below in this paragraph; the right to receive the just compensation for the estate taken herein in subject interest is vested in the parties so named as their respective interests appear in such schedule; the Report of Commissioners of December 23, 1963, hereby is confirmed and the sum therein fixed is adopted as just compensation for the subject interest in the estate taken in the subject tract, as shown by the following schedule:

TRACT NO. 5635-A
2/3 of Lessor Interest Only

Owners:

H. T. Stanart - - - - -	1/3 of full lessor interest
Estate of L. C. Colter, Dec'd -	1/12 of the full lessor interest (Carol Morgan, Executrix)
G. A. Sams - - - - -	1/12 of the full lessor interest
L. G. Galamba, Jr. - - - - -	1/12 of the full lessor interest
J. S. Todd - - - - -	1/12 of the full lessor interest
Award of Just Compensation - - - - -	\$ 2,000.00
Disbursed to Owners - - - - -	<u>None</u>
Balance Due to Owners - - - - -	\$ 2,000.00
Deposited as Estimated Compensation for All Interests in Tract No. 5635-A - - - - -	\$ 14,777.00
Disbursed for 1/3 Lessor and All Lessee Interests in Tract No. 5635-A, Pursuant to Judgment of February 18, 1963, and Amendment thereto dated June 9, 1964 - - - - -	\$ <u>9,048.34</u>
Balance on Hand in Deposit for this Tract - - - - -	\$ 5,728.66
Award for Subject Interest - - - - -	\$ <u>2,000.00</u>
Deposit Surplus - - - - -	\$ 3,728.66

12.

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse from the deposit for Tract 5635-A in this civil action certain sums as follows:

TO H. T. Stanart - - - - -	\$ 1,000.00
TO Carol Morgan, Executrix of the Estate of L. C. Colter, Deceased - -	250.00
TO G. A. Sams - - - - -	250.00
TO L. G. Galamba, Jr. - - - - -	250.00
TO J. S. Todd - - - - -	250.00
TO Treasurer of the United States - - -	3,728.66

/s/ Allen E. Barrow

APPROVED:

UNITED STATES DISTRICT JUDGE

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

989.66 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and H. T. Stanart, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4857

Tract No. 5635-A
(Partial Interest)

FILED

AMENDMENT TO JUDGMENT

JUN - 9 1964

Now on this 8 day of June 1964, this matter comes on for hearing
before the Honorable Allen E. Barrow, Judge of the United States District
Court for the Northern District of Oklahoma, on application of the plaintiff
for an amendment to the judgment entered herein on February 18, 1963. The
Court, after examining the files in this action and being advised by counsel
for plaintiff, finds:

NOBLE C. HOOD
Clerk, U. S. District Court

1.

The judgment entered herein on February 18, 1963, was based on certain stipulations as to just compensation referred to in paragraph 8 of such judgment. The said stipulations were in error in regard to the extent of the interest of N.Y.K. Oil Company in Tract No. 5635-A. The error in the stipulation caused certain errors to be made in the subject judgment as follows:

1. At the bottom of page 1 of the judgment, the Court found that N.Y.K. Oil Company owned 2/3 of the lessor interest in the estate taken in Tract No. 5635-A, when in fact such company owned only 1/3 of such lessor interest.

2. On the last page of such judgment, in paragraph 11, the amount of the award shown opposite Tract No. 5635-A included the sum of \$133.33 for a 1/3 lessor interest in such tract which N.Y.K. Oil Company did not own. The award is shown as \$9,181.67, when in fact it should have been \$9,048.34. The sums shown deposited and disbursed for the N.Y.K. interest are too large by the amount of \$133.33.

3. The N.Y.K. Oil Company has returned to the Registry of this Court the sum of \$133.33, representing the amount paid to it for the 1/3 lessor interest it did not own.

The Court, therefore, concludes that the subject judgment should be amended to conform to the facts as set out above.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the judgment entered in this case on February 18, 1963, be and hereby is amended as follows:

1. In the next to last line on page 1, the fraction "2/3" is changed to "1/3".

2. On the last page thereof, in paragraph 11, the figures in the various columns following Tract No. 5635-A are changed to read as follows:

"5635-A 9,048.34 14,510.34 9,048.34 5,462.00",
and the figures in the various columns following the word "Total" are changed to read as follows:

"Total -- \$163,693.01 \$170,555.01 \$163,693.01 \$6,862.00".

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

99.21 Acres of Land, More or Less,
Situat in Nowata and Rogers Counties,
Oklahoma, and Edith Rose, et al, and
Unknown Owners,

Defendants.

CIVIL ACTION NO. 4895

Tracts Nos. E-531E-3
and E-531E-4

FILED

JUN 9 1964

NOBLE C. HOOD
Clerk, U. S. District Court

J U D G M E N T

1.

NOW, on this 8 day of June, 1964, this matter comes on for dis-
position on application of the plaintiff, United States of America, for entry
of Judgment on the Report of Commissioners filed herein on May 14, 1964, and
the Court after having examined the files in this action and being advised by
counsel for the plaintiff, finds that:

2.

The Court has jurisdiction of the parties and the subject matter of
this action.

3.

This Judgment applies only to the estates taken in Tracts Nos.
E-531E-3 and E-531E-4, as such tracts and estates are described in the Com-
plaint and the Declaration of Taking filed herein.

4.

Service of Process has been perfected either personally or by publi-
cation notice as provided by Rule 71A of the Federal Rules of Civil Procedure
on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed
herein give the United States of America the right, power and authority to
condemn for public use the subject tracts of land. Pursuant thereto, on
March 24, 1960, the United States of America filed its Declaration of Taking
of certain estates in such tracts of land, and title to such property should
be vested in the United States of America, as of the date of filing such
instrument.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the subject property, a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 12, below.

7.

The Report of Commissioners filed herein on May 14, 1964, is hereby accepted and adopted as a finding of fact as to the lessor interest in the estates taken in subject tracts. The amount of just compensation as to such lessor interest in the estates taken in the subject tracts, as fixed by the Commission, is set out in paragraph 12, below.

8.

The owner of the lessee interest in the estates taken in the subject tracts and the plaintiff have executed and filed herein a stipulation as to just compensation wherein they have agreed that the sum of \$565.00 is just compensation for such lessee interest, and such stipulation should be approved.

9.

A certain deficiency exists between the amount deposited as estimated just compensation for subject tracts and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in paragraph 12, below.

10.

The defendants named in paragraph 12 as owners of the estates taken in subject tracts are the only defendants asserting any interest in the estates condemned herein, all other defendants having either disclaimed or defaulted; the named defendants as of the date of taking were the owners of the estates condemned herein, and as such, are entitled to receive the award of just compensation for the estates taken.

11.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the tracts described in paragraph 3 herein, and such property, to the extent of the estates described, and for the uses and purposes described in the Declaration of Taking filed herein, is condemned, and title thereto is vested

in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

12.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, title to the estates taken herein in the subject tracts was vested in the defendants named as owners in the schedule below in this paragraph; the right to receive the just compensation for the estates taken herein in subject tracts is vested in the parties so named as their respective interests appear in such schedule; the stipulation as to just compensation mentioned in paragraph 8, above, and the Report of Commissioners of May 14, 1964, hereby are confirmed and the sums therein fixed are adopted as just compensation for the estates taken in the subject tracts, as shown by the following schedule:

TRACTS NOS. E-531E-3 and E-531E-4

Owners:

Lessor Interest in Estate Taken:

Alta McSpadden and Maurice R. McSpadden

Lessee Interest in Estate Taken:

Blackwell Zinc Co., Inc.
(Now Amax Petroleum Corp.)

Award of Just Compensation:

For Lessor Interest, Pursuant to
Commissioners' Report - - - - - \$ 250.00

For Lessee Interest, Pursuant to
Stipulation - - - - - \$ 565.00

Total Award For All Interests - - - - - \$ 815.00

Deposited as Estimated Compensation

For All Interests - - - - - \$ 668.00

Disbursed:

To Lessor Interest - - - - - \$ None

To Lessee Interest - - - - - \$ 565.00

Balance Due:

To Lessor Interest - - - - - \$ 250.00

To Lessee Interest - - - - - \$ None

Deposit Deficiency - - - - - \$ 147.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiency for the lessor interest in the estates taken in the subject property in the amount of \$147.00, together with interest on such deficiency at the rate of 6% per annum from March 24, 1960, until the date of deposit of such deficiency sum; and such sum shall be placed in the deposit for subject tracts in this civil action. Upon receipt of such sum, the Clerk of this Court shall disburse from the deposit for the subject tracts the sum of \$250.00, plus all accrued interest on the deposit deficiency, jointly to Alta McSpadden and Maurice R. McSpadden.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,	)	CIVIL ACTION NO. 4900
)	
Plaintiff,	)	Tracts Nos. J-1011E-2
	)	J-1011E-3
vs.	)	J-1011E-4
	)	J-1011E-5
432.94 Acres of Land, More or Less,	)	J-1012E-3
Situate in Nowata and Rogers Counties,	)	J-1012E-4
Oklahoma, and P. L. Hayes, et al, and	)	J-1012E-5
Unknown Owners,	)	J-1012E-6
)	
Defendants.	)	(subsurface interest only)

J U D G M E N T

FILED

1.

JUN 9 1964

Now, on this 8 day of June 1964, this matter comes on for dis-
position on application of the plaintiff, United States of America, ~~of America, Defendant~~
of Judgment on stipulations agreeing upon just compensation, and the Court,
after having examined the files in this action and being advised by counsel
for plaintiff, finds:

2.

This Judgment applies only to the subsurface interest in the estates
condemned in the tracts enumerated in the caption above, as such estates and
tracts are described in the Complaint and Declaration of Taking filed in this
civil action.

3.

The Court has jurisdiction of the parties and the subject matter of
this action.

4.

Service of Process has been perfected either personally or by publi-
cation notice as provided by Rule 71A of the Federal Rules of Civil Procedure
on all parties defendant in this cause who are interested in the subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein
give the United States of America the right, power and authority to condemn
for public use the estates described in paragraph 2 herein. Pursuant thereto
on March 20, 1960, the United States of America has filed its Declaration of
Taking of such described property, and title to the described estates in such
property should be vested in the United States of America as of the date of
filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there were deposited in the Registry of this Court as estimated compensation for the taking of certain estates in the subject tracts, certain sums of money, and part of these deposits has been disbursed, as set out in paragraph 11, below.

7.

On the date of taking in this action, the owners of the subsurface interest in the estates taken in the subject tracts were the defendants whose names are shown in paragraph 12, below.

8.

The owners of the subsurface interest in the estates taken in the subject tracts and the United States of America have executed and filed herein Stipulations as to Just Compensation, wherein they have agreed that just compensation for such subsurface interest in the estates condemned in subject tracts is in the amounts shown as compensation in paragraph 11, and such stipulations should be approved.

9.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power and authority to condemn for public use the tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint and Declaration of Taking filed herein; and such tracts, to the extent of the subsurface interest in the estates described and for the uses and purposes described in such Declaration of Taking, are condemned and title thereto is vested in the United States of America as of the date of filing the Declaration of Taking, and all other defendants herein and all other persons interested in such estates are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the subsurface interest in the estates condemned herein in the subject tracts were the persons whose names appear below in paragraph 11, and the right to just compensation is vested in the parties so named.

11.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Stipulations as to Just Compensation, mentioned in paragraph 8, above, hereby are confirmed;

and the sums therein fixed are adopted as the awards of just compensation for the subsurface interest in the estates condemned in subject tracts as follows:

SUBSURFACE INTEREST IN TRACTS J-1011E-2 THRU E-5
AND J-1012E-3 THRU E-6, COMBINED

Owners:

- A. Sinclair Oil and Gas Company owns the entire subsurface estate, subject to an oil and gas lease limited to the base of the Bartlesville Sand, which lease reserved to Sinclair a royalty of 1/4 of 8/8 of all oil and gas and other minerals produced therefrom.
- B. LaSalle Petroleum Corporation owns the oil and gas lease given by Sinclair, described in A. above.

Award of Just Compensation:

For Sinclair interest pursuant to Stipulation - - - - -	\$ 430.00
For LaSalle interest pursuant to Stipulation - - - - -	\$ 1,258.00
Total Award - - - - -	<u>\$ 1,688.00</u>
Deposited as Estimated Compensation - - - - -	\$ 1,688.00

Disbursed:

To Sinclair - - - - -	\$ 430.00
To LaSalle - - - - -	\$ None

Balance Due to Owners:

Due to Sinclair - - - - -	<u>\$ None</u>
Due to LaSalle - - - - -	\$ 1,258.00

Deposit Deficiency - - - - -	<u>\$ None</u>
------------------------------	----------------

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse from the deposits for the respective tracts certain sums as follow:

J-1011E-2 - - - - -	\$ 25.00
J-1011E-3 - - - - -	25.00
J-1011E-4 - - - - -	25.00
J-1011E-5 - - - - -	25.00
J-1012E-3 - - - - -	25.00
J-1012E-4 - - - - -	897.00
J-1012E-5 - - - - -	111.00
J-1012E-6 - - - - -	<u>125.00</u>

Total - - - - - \$ 1,258.00, To LaSalle Petroleum Corporation

APPROVED:

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

55.32 Acres of Land, More or Less,
Situat in Nowata and Rogers Counties,
Oklahoma, and Rachel Kell Swimmer,
et al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4939

Tract No. J-1012E-7

(subsurface interest only)

J U D G M E N T

1.

Now, on this 8 day of June, 1964, this matter comes on for dis-
position on application of plaintiff, United States of America, for entry of
Judgment on stipulations agreeing upon just compensation, and the Court, after
having examined the files in this action and being advised by counsel for
plaintiff, finds:

2.

This Judgment applies only to the subsurface interest in the estate
condemned in Tract No. J-1012E-7, as such estate and tract are described in the
Complaint and the Declaration of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this
action.

4.

Service of Process has been perfected either personally, or by publi-
cation notice, as provided by Rule 71A of Federal Rules of Civil Procedure on
all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein
give the United States of America the right, power, and authority to condemn
for public use the estate described in paragraph 2 herein. Pursuant thereto,
on June 3, 1960, the United States of America filed its Declaration of Taking
of such described property, and title to the subsurface interest in the des-
cribed estate in such property should be vested in the United States of America
as of the date of filing the Declaration of Taking.

NOBLE C. HARRIS
Clerk, U. S. District Court

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of the subsurface interest in the estate taken in subject tract a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 11, below.

7.

On the date of taking in this action, the owners of the subsurface interest in the estate taken in subject tract were the defendants whose names are shown in paragraph 11, below. Such named defendants are the only persons asserting any interest in the subsurface interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for such taking.

8.

The owners of the subsurface interest in the estate taken in subject tract and the United States of America have executed and filed herein Stipulations as to Just Compensation wherein they have agreed that just compensation for such subsurface interest in the estate condemned in subject tract is in the amount shown as compensation in paragraph 11, below, and such stipulations should be approved.

9.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and the subsurface interest in such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such subsurface interest are forever barred from asserting any claim thereto.

10.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the subsurface interest in the estate condemned herein in subject tract were the defendants whose names appear below in paragraph 11, and the right to just compensation for such subsurface interest in the estate taken herein in this tract is vested in the parties so named.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Stipulations as to Just Compensation, mentioned in paragraph 8, above, hereby are confirmed; and the sum therein fixed is adopted as the award of just compensation for the subsurface interest in the estate condemned in subject tract as follows:

TRACT NO. J-1012E-7
(Subsurface Interest Only)

Owners:

- A. Sinclair Oil and Gas Company was the owner of the subsurface estate under this tract, subject only to an oil and gas lease, limited to the base of the Bartlesville Sand, and reserving to Sinclair a royalty of 1/4 of all production.
- B. LaSalle Petroleum Corporation was the owner of the oil and gas lease described under A. above.

Award of Just Compensation:

For Sinclair Interest Pursuant to Stipulation - - - - -	\$ 25.00	
For LaSalle Interest Pursuant to Stipulation - - - - -	\$ 25.00	_____
Total Award - - - - -	\$ 50.00	_____

Deposited as Estimated Compensation for Subsurface Interest - - - - -	\$ 50.00	_____
---	----------	-------

Disbursed to Owners:

To Sinclair - - - - -	\$ 25.00	
To LaSalle - - - - -	\$ None	

Balance Due to Owners:

To Sinclair - - - - -	\$ None	
To LaSalle - - - - -	\$ 25.00	_____

Deposit Deficiency - - - - -	\$ None	_____
------------------------------	---------	-------

IT IS FURTHER ORDERED that the Clerk of this Court shall disburse from the funds on deposit for Tract No. J-1012E-7 the sum of \$25.00 to LaSalle Petroleum Corporation.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

503.74 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and Himan Stuart Milam, et al, and
Unknown Owners,

Defendants.)

CIVIL ACTION NO. 4973

Tract No. R-1885

FILED

JUN - 9 1964

J U D G M E N T

NOBLE C. HOOD
Clerk, U. S. District Court

1.

NOW, on this 8 day of June, 1964, this matter comes on for disposition on application of plaintiff, United States of America, for entry of judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. R-1885, as such estate and tract are described in the Complaint and the Declaration of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of Process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on July 28, 1960, the United States of America filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract, a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of the subject tract and the United States of America have executed and filed herein a Stipulation As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the Stipulation As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owners. Such deficiency is set out in paragraph 12 below.

10.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned, and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the

defendants whose names appear below in paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the Stipulation As to Just Compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract, as follows:

TRACT NO. R-1885

Owners:

P.I.C. Management Co., Inc.

Hinman Stuart Milam and
Katherine I. Milam, his wife

Mildred M. Viles and
Philip H. Viles, her husband

Mary M. Stevenson

Award of just compensation, pursuant to Stipulation - - - - -	\$3,700.00	\$3,700.00
Deposit of estimated compensation - - - -	\$2,925.00	
Disbursed to owners - - - - -		<u>\$2,925.00</u>
Balance due to owners - - - - -		\$775.00
Deposit deficiency - - - - -	\$775.00	

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the Registry of this Court, in this civil action, to the credit of the subject tract, the deficiency sum of \$775.00. The Clerk of this Court then shall disburse the following sums:

P.I.C. Management Co., Inc. - - - - -	\$387.50
Hinman Stuart Milam and Katherine I. Milam - - - - -	\$129.17
Mildred M. Viles and Philip H. Viles - - - - -	\$129.17
Mary M. Stevenson - - - - -	<u>\$129.16</u>
Total - - - - -	\$775.00

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hugh V. Schaefer

HUGH V. SCHAEFER
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

164.01 Acres of Land, More or Less,
Situate in Rogers and Nowata Counties,
Oklahoma, and A. L. Bradshaw, et al,
and Unknown Owners,

Defendants.)

CIVIL ACTION NO. 4987

Tract No. V-2236E

FILED

JUN - 9 1964

NOBLE C. HOOD
Clerk, U. S. District Court

J U D G M E N T

1.

Now, on this 8 day of June, 1964, this matter comes on for disposition on application of plaintiff, United States of America, for entry of Judgment on a stipulation agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff, finds:

2.

This Judgment applies only to the estate condemned in Tract No. V-2236E, as such estate and tract are described in the Complaint and the Declaration of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of this action.

4.

Service of Process has been perfected either personally, or by publication notice, as provided by Rule 71A of Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power, and authority to condemn for public use the estate described in paragraph 2 herein. Pursuant thereto, on August 9, 1960, the United States of America has filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract, a certain sum of money, and none of this deposit has been disbursed, as set out in paragraph 11 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of the subject tract and the United States of America have executed and filed herein a Stipulation As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11 below, and such Stipulation should be approved.

9.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the defendants whose names appear below in paragraph 11, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

It Is Further ORDERED, ADJUDGED, AND DECREED that the Stipulation As To Just Compensation, mentioned in paragraph 8, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows, to-wit:

TRACT NO. V-2236E

Owners:

Karna M. Hineman
Lawrence C. Stratton
Mrs. A. D. Crisp

Award of just compensation pursuant to Stipulation - - - - -	\$700.00	\$700.00
Deposited as estimated compensation - -	<u>\$700.00</u>	
Disbursed to owners - - - - -		<u>None</u>
Balance due to owners - - - - -		\$700.00

The Clerk of this Court shall disburse from the deposit for this tract certain sums as follows:

To Karna M. Hineman - - - - -	\$233.00
To Lawrence C. Stratton - - - - -	\$234.00
To Mrs. A. D. Crisp - - - - -	\$233.00

ALLEN E. BARROW

UNITED STATES DISTRICT JUDGE

APPROVED:

HUGH V. SCHAEFER

HUGH V. SCHAEFER
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

JUN 19 1964

United States of America,

Plaintiff,

vs.

989.66 Acres of Land, More or Less,
Situate in Nowata County, Oklahoma,
and H. T. Stanart, et al, and Unknown
Owners,

Defendants.

NOTICE TO THE COURT
Clerk, U. S. District Court

CIVIL ACTION NO. 4857 ✓

Tracts Nos. 5718-7A and
5718-7 Combined

SUPPLEMENTAL JUDGMENT
(As to Judgment Entered February 18, 1963)

Now on this 19th day of June, 1964, this matter comes on for disposition on motion of the plaintiff, United States of America for a judgment supplementing the judgment entered herein on February 18, 1963, and ordering distribution of certain funds on deposit for the captioned tracts. The Court, having examined the files and being advised by counsel for the plaintiff, finds:

The judgment entered in this action on February 18, 1963 created a surplus in the deposit for the two subject tracts in the amount of \$1,400.00. The awards for all interests condemned in this civil action now have been paid and the funds remaining on deposit for the two subject tracts will not be needed to satisfy any deficiencies in this action. Therefore, such surplus should be refunded to the Government.

IT IS, THEREFORE, ADJUDGED that the funds remaining on deposit for Tracts Nos. 5718-7A and 5718-7 are surplus and it is ordered that the Clerk of this Court shall disburse from such deposit the sum of \$1,400.00 to the Treasurer of the United States.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

653.25 Acres of Land More or Less,
Situat in Nowata County, Oklahoma,
and Charles Edward Bratcher, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4975

Tract No. M-1309

FILED

JUN 10 1964

NOBLE C. WOOD
Clerk, U. S. District Court

J U D G M E N T

1.

NOW, on this 9th day of June, 1964, this matter comes on for dis-
position on application of plaintiff, United States of America, for entry of
judgment on stipulations agreeing upon just compensation, and the Court, after
having examined the files in this action and being advised by counsel for
plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No. M-1309
as such estate and tract are described in the Declaration of Taking filed in
this action.

3.

The Court has jurisdiction of the parties and subject matter of
this action.

4.

Service of Process has been perfected either personally or by publi-
cation notice, as provided by Rule 71A of Federal Rules of Civil Procedure, on
all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein
give the United States of America the right, power, and authority to condemn
for public use the estate described in paragraph 2 herein. Pursuant thereto,
on July 29, 1960, the United States of America filed its Declaration of Taking
of such described property, and title to the described estate in such property
should be vested in the United States of America as of the date of filing the
Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 11 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in paragraph 11 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of the subject tract and the United States of America have executed and filed herein Stipulations As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 11 below, and such stipulations should be approved.

9.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, as of July 29, 1960, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

10.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the defendants whose names appear below in paragraph 11, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that the Stipulations As To Just Compensation, mentioned in paragraph 8 above, hereby are confirmed; and the sums therein fixed are adopted as the award of just compensation for the estate condemned in subject tract, as follows:

TRACT NO. M-1309

Owners:

Jess Harmon - - - - - 1/2

W. H. Ware - - - - - 1/2

Award of just compensation, pursuant to stipulations - - - - -	\$450.00	\$450.00
Deposit of estimated compensation - - - - -	<u>\$450.00</u>	
Disbursed to W. H. Ware - - - - -		<u>\$225.00</u>
Balance due to Jess Harmon - - - - -		<u>\$225.00</u>

12.

It Is Further ORDERED that the Clerk of this Court shall disburse from the deposit for the captioned tract the sum of \$225.00 to Jess Harmon.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hugh V. Schaefer

HUGH V. SCHAEFER
Assistant United States Attorney

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

JAMES T. COOK,)
)
 Plaintiff)
)
 -vs-)
)
 VIRGINIA FINE BEVERAGE,)
)
 Defendant)

No. 6815- CIVIL

FILED

MAY 10 1964

MOTION FOR DISMISSAL
WITH PREJUDICE

NOBLE C. HOOD
Clerk U. S. District Court

Comes now the plaintiff and moves the court to dismiss the above styled cause with prejudice on the grounds and for the reason that the cause and all issues herein have been fully settled and compromised as between the parties.

WHEREFORE, Plaintiff moves the court to enter its Order dismissing this cause with prejudice.

James T. Cook
Plaintiff
David Cook
Attorney for Plaintiff

ORDER OF DISMISSAL
WITH PREJUDICE

Now on this 10th day of May, 1964, this cause comes on for hearing on plaintiff's motion to dismiss the cause with prejudice. The court, being fully advised in the premises, finds that the cause and all issues herein have been fully settled and compromised as between the parties and the court further finds that the cause should be and is hereby dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this cause is dismissed with prejudice.

Allen E. Barrow
Judge

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

W. WILLARD WIEBE, SECRETARY OF)
LABOR, UNITED STATES DEPARTMENT)
OF LABOR)

Plaintiff)

v.)

PEPSI-COLA BOTTLING COMPANY OF TULSA,)
a corporation, and JIM HAMPTON,)
GEORGE PRIVETT, BURL McCOMBS, DALLAS)
MOONEY, TOMMY SIEMINSKIE, HERBERT)
CARTER, and JIM MOONEY, Individually)

Defendants)

CIVIL ACTION

FILE NO. 5912

FILED

JUN 10 1964

J U D G M E N T

NOBLE C. HOOD
Clerk, U. S. District Court

Plaintiff having filed his complaint, and defendant, Pepsi-Cola Bottling Company of Tulsa, a corporation, having appeared by counsel and waived all defenses and its answer and agreed to the entry of this judgment without contest; it is, therefore, upon motion of attorneys for plaintiff and for cause shown:

ORDERED, ADJUDGED, and DECREED that defendant, its agents, servants, employees, and all persons acting or claiming to act in its behalf and interest be, and they here by are, permanently enjoined and restrained from violating the provisions of Sections 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U.S.C. 201 et seq.), hereinafter referred to as the Act, in any of the following manners:

1. The defendant shall not, contrary to Sections 6 and 15(a)(2) of the Act, pay to any of its employees engaged in commerce or in the production of goods for commerce or employed by an enterprise engaged in commerce or in the production of goods for commerce, as those terms are defined by the Act, wages

at rates less than those provided by the Act or such other minimum hourly rates as may hereafter be provided for by the Act.

2. The defendant shall not, contrary to Sections 7 and 15(a)(2) of the Act, employ any of its employees engaged in commerce or in the production of goods for commerce, as those terms are defined by the Act, for workweeks longer than forty hours without compensating such employees for such employment at rates not less than one and one half times their regular rates of pay for all hours worked in excess of forty in the workweek; or

Employ any of its employees employed by an enterprise engaged in commerce or in the production of goods for commerce, as that term is defined by the Act, for workweeks longer than forty-four hours beginning September 3, 1963, or for workweeks longer than forty-two hours beginning September 3, 1964; or for workweeks longer than forty hours beginning September 3, 1965, without compensating such employees for such employment at rates not less than one and one half times their regular rates of pay for all hours worked in excess of the foregoing maximums in the workweek.

3. Defendant shall not fail to make, keep, and preserve accurate and adequate records of its employees, and of the wages, hours, and other conditions and practices of employment maintained by it as prescribed by the Regulations of the Administrator issued, and from time to time amended, pursuant to Sections 11(c) and 15(a)(5) of the Act, and found in Title 29, Chapter V, Code of Federal Regulations, Part 516.

4. Injunctive relief otherwise sought by plaintiff in his complaint is denied insofar as same relates to alleged violations of Section 15(a)(4) of the Act.

5. This action is dismissed as to the individuals named Defendants herein.

Dated this 10th day of June, 1964.

(3) Luther Robinson
UNITED STATES DISTRICT JUDGE

Entry of this Judgment
is hereby agreed to:

Pepsi-Cola Bottling Company of
Tulsa, a corporation

By Sam P. Daniel, Jr.
Secy - President

Sam P. Daniel, Jr.
Sam P. Daniel, Jr., Attorney
for Defendants

T. Hagan Allin
T. Hagan Allin, Attorney
for Plaintiff

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

LEE ROSS,)
Plaintiff,)
vs.)
BENJAMIN ADAMS,)
Defendant.)

FILED

JUN 11 1964

NOBLE C. HOOD
Clerk, U. S. District Court

DISMISSAL WITH PREJUDICE

Comes now the plaintiff, Lee Ross, and disposes the above styled and
numbered action with prejudice to the bringing of a future action.

Dated this 5th day of June, 1964.

Lee Ross
Plaintiff

GOLDINGER & HARRIS
By John D. Harris
Attorney for Plaintiff

Comes now the defendant, by and through his counsel of record, and
consents to the dismissal of the above styled and numbered cause of action with
prejudice to the right to bring a future action.

[Signature]
Attorney for Defendant

Pursuant to Rule 26 USDC, it is hereby ordered that the above styled
and numbered cause be dismissed with prejudice.

NOBLE C. HOOD, U. S. DISTRICT
COURT CLERK

By [Signature] Deputy

mlh/vjh
6-5-64

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

301.00 Acres of Land, More or Less,
Situat in Nowata and Rogers
Counties, Oklahoma, and Delbert L.
Boatman, et al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4980

Tract No. 5708-I

FILED

JUN 12 1964

J U D G M E N T

NOBLE C. HOOD
Clerk, U. S. District Court

1.

NOW, on this 12 day of June, 1964, this matter comes on for dis-
position on application of plaintiff, United States of America, for entry of
judgment on Stipulations agreeing upon just compensation, and the Court, after
having examined the files in this action and being advised by counsel for
plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No.
5708-I, as such estate and tract are described in the Complaint and the
Declaration of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of
this action.

4.

Service of Process has been perfected either personally, or by publi-
cation notice, as provided by Rule 71A of Federal Rules of Civil Procedure, on
all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein
give the United States of America the right, power, and authority to condemn
for public use the estate described in paragraph 2 herein. Pursuant thereto,
on August 3, 1960, the United States of America filed its Declaration of Taking
of such described property, and title to the described estate in such property
should be vested in the United States of America as of the date of filing
the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in subject tract a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of subject tract and the United States of America have executed and filed herein Stipulations As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such Stipulations should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the Stipulations As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owners. Such deficiency is set out in paragraph 12 below.

10.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the

defendants whose names appear below in paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the Stipulations As To Just Compensation, mentioned in paragraph 8 above, hereby are confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 5708-I

Owners:

Lessor Interest Only:

H. M. McMillan - - - - - 1/4
 June H. Collins - - - - - 1/2
 Georgie S. Fell - - - - - 28% of 1/4
 H. B. Fell - - - - - 35% of 1/4
 John W. Nichols - - - - - 37% of 1/4

Leasehold Interest Only:

Everett Lewis - - - - - All

Award of just compensation,
 pursuant to stipulations:

Lessor Interest - - - - -	\$500.00	
Lessee Interest - - - - -		\$5,899.00
Total Award - - - - -		\$6,399.00
Deposit of estimated compensation - - - - -		\$6,225.00

Disbursed to owners:

Lessor Interest - - - - -	None	
Lessee Interest - - - - -		<u>\$5,899.00</u>

Balance due to

Lessor Interest - - - - -	\$500.00	
---------------------------	----------	--

Deposit deficiency - - - - -		\$174.00
------------------------------	--	----------

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the Registry of this Court, in this civil action, to the credit of Tract No. 5708-I, the deficiency sum of \$174.00, and the Clerk of this Court then shall disburse the sum of \$500.00 to the owners of the lessor interest as follows:

To H. M. McMillan - - - - -	\$125.00
To June Collins - - - - -	\$250.00
To Georgie S. Fell - - - - -	\$ 35.00
To H. B. Fell - - - - -	\$ 43.75
To John W. Nichols, Trustee - - - - -	\$ 46.25

ALLEN E. BARROW

APPROVED:

HUGH V. SCHAEFFER

HUGH V. SCHAEFFER
 Assistant United States Attorney

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

164.01 Acres of Land, More or Less,
Situat e in Rogers and Nowata Counties,
Oklahoma, and A. L. Bradshaw, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 4987

Tract No. K-1132E

FILED

JUN 12 1964

J U D G M E N T

NOBLE C. HOOD
Clerk, U. S. District Court

1.

NOW, on this 12 day of June, 1964, this matter comes on for dis-
position on application of plaintiff, United States of America, for entry of
judgment on a stipulation agreeing upon just compensation, and the Court,
after having examined the files in this action and being advised by counsel
for plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract K-1132E,
as such estate and tract are described in the Complaint and the Declaration of
Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of
this action.

4.

Service of Process has been perfected either personally, or by publi-
cation notice, as provided by Rule 71A of Federal Rules of Civil Procedure, on
all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein
give the United States of America the right, power, and authority to condemn
for public use the estate described in paragraph 2 herein. Pursuant thereto,
on August 9, 1960, the United States of America filed its Declaration of Taking
of such described property, and title to the described estate in such property
should be vested in the United States of America as of the date of filing the
Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in the subject tract a certain sum of money, and none of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of the subject tract and the United States of America have executed and filed herein a Stipulation As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such Stipulation should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the Stipulation As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owners. Such deficiency is set out in paragraph 12 below.

10.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned, and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED, AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the

defendants whose names appear below in paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED, AND DECREED that the Stipulation As To Just Compensation, mentioned in paragraph 8 above, hereby is confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract, as follows:

TRACT NO. K-1132E

Owners:

P.I.C. Management Co., Inc. - - - - 1/2
Hinman Stuart Milam - - - - - 1/6
Mildred M. Viles - - - - - 1/6
Mary M. Stevenson - - - - - 1/6

Award of just compensation, pursuant to stipulation - - - - -	\$500.00	\$500.00
Deposit of estimated compensation - - - - -	\$265.00	
Disbursed to owners - - - - -		<u>None</u>
Balance due to owners - - - - -		\$500.00
Deposit deficiency - - - - -	\$235.00	

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the Registry of this Court, in this civil action, to the credit of the subject tract, the deficiency sum of \$235.00. The Clerk of this Court then shall disburse from the deposit for Tract No. K-1132E the sum of \$500.00 as follows:

To P.I.C. Management Co., Inc. - - - - \$250.00
To Hinman Stuart Milam - - - - - \$ 84.00
To Mildred M. Viles - - - - - \$ 83.00
To Mary M. Stevenson - - - - - \$ 83.00

UNITED STATES DISTRICT JUDGE

APPROVED:

HUGH V. SCHAEFER
HUGH V. SCHAEFER
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

279.50 Acres of Land, More or Less,
Situate in Nowata and Rogers Counties,
Oklahoma, and Charles F. Dominy, et al,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5113

Tract No. 4625-6S

FILED

JUN 12 1964

J U D G M E N T

1.

NOBLE C. HOOD
Clerk, U. S. District Court

NOW, on this 12 day of June, 1964, this matter comes on for dis-
position on application of plaintiff, United States of America, for entry of
judgment on stipulations agreeing upon just compensation, and the Court, after
having examined the files in this action and being advised by counsel for
plaintiff, finds:

2.

This judgment applies only to the estate condemned in Tract No.
4625-6S, as such estate and tract are described in the Complaint and Declara-
tion of Taking filed in this action.

3.

The Court has jurisdiction of the parties and subject matter of
this action.

4.

Service of Process has been perfected either personally or by publi-
cation notice, as provided by Rule 71A of Federal Rules of Civil Procedure, on
all parties defendant in this cause who are interested in subject tract.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein
give the United States of America the right, power, and authority to condemn
for public use the estate described in paragraph 2 herein. Pursuant thereto,
on January 31, 1961, the United States of America filed its Declaration of
Taking of such described property, and title to the described estate in such
property should be vested in the United States of America as of the date of
filing the Declaration of Taking.

6.

On filing of the Declaration of Taking, there was deposited in the Registry of this Court, as estimated compensation for the taking of a certain estate in subject tract a certain sum of money, and part of this deposit has been disbursed, as set out in paragraph 12 below.

7.

On the date of taking in this action, the owners of the estate taken in subject tract were the defendants whose names are shown in paragraph 12 below. Such named defendants are the only persons asserting any interest in the estate taken in such tract, all other persons having either disclaimed or defaulted, and such named defendants are entitled to receive the just compensation for the estate taken in this tract.

8.

The owners of subject tract and the United States of America have executed and filed herein Stipulations As To Just Compensation wherein they have agreed that just compensation for the estate condemned in subject tract is in the amount shown as compensation in paragraph 12 below, and such Stipulations should be approved.

9.

A deficiency exists between the amount deposited as estimated compensation for subject tract and the amount fixed by the Stipulations As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owners. Such deficiency is set out in paragraph 12 below.

10.

It Is, Therefore, ORDERED, ADJUDGED, AND DECREED that the United States of America has the right, power, and authority to condemn for public use the tract named in paragraph 2 herein, as such tract is particularly described in the Complaint and Declaration of Taking filed herein; and such tract, to the extent of the estate described and for the uses and purposes described in such Declaration of Taking, is condemned and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons interested in such estate are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in subject tract were the

defendants whose names appear below in paragraph 12, and the right to just compensation for the estate taken herein in this tract is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulations As To Just Compensation, mentioned in paragraph 8 above, hereby are confirmed; and the sum therein fixed is adopted as the award of just compensation for the estate condemned in subject tract as follows:

TRACT NO. 4625-6S

Owners:

Lessor Interest: M. D. Payne - - - - 1/2
 Andy Payne - - - - 1/2

Lessee Interest: J. C. Fairbank - - - 1/4
 Witt-Bar Oil
 Corporation - - - - 3/4

	<u>Lessor Interest</u>	:	<u>Lessee Interest</u>
Award of just compensation pursuant to stipulations	-- \$600.00 \$600.00	:	\$150.00 \$150.00
Deposited as estimated compensation	-- \$150.00	:	<u>\$150.00</u>
Disbursed to owners	-- <u>None</u>	:	<u>\$150.00</u>
Balance due to owners	-- \$600.00 _____	:	
Deposit deficiency	-- \$150.00	:	

13.

It Is Further ORDERED, ADJUDGED, AND DECREED that the United States of America shall deposit in the Registry of this Court, in this Civil Action, to the credit of Tract No. 4625-6S, the deficiency sum of \$150.00. The Clerk of this Court then shall disburse \$300.00 to Andy Payne and the sum of \$300.00 to M. D. Payne.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hugh V. Schaefer

HUGH V. SCHAEFER
 Assistant United States Attorney

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

DOUGLAS G. HUDSON, Guardian, etc.,)

Plaintiff,)

-vs-)

GULF, COLORADO & SANTA FE RAIL-)
WAY COMPANY, a corporation, and)
ATCHISON, TOPEKA & SANTA FE)
RAILWAY COMPANY, a corporation,)

Defendants.)

FILED

JUN 12 1964

NOBLE C. HOOD
Clerk, U. S. District Court

No. 5917
Civil

ORDER

NOW on this 22nd day of May, 1964, the above matter comes on for hearing and decision upon plaintiff's Motion to Remand this case to State Court; the plaintiff being represented by his attorney, Robert W. Blackstock, and the defendant being represented by its attorney, Donald Cooper. The Court thereupon proceeded to hear argument of counsel and upon consideration thereof and the Briefs submitted herein, the Court finds that the Motion of the plaintiff to correct the name of a defendant herein by striking the words "Santa Fe Railway Company" wherever the same appears in these pleadings and insert in lieu thereof the words "Atchison, Topeka & Santa Fe Railway Company" should be sustained. The Court further finds that plaintiff's Motion to Remand should be sustained.

It is, therefore, ORDERED, ADJUDGED and DECREED that plaintiff's Motion to Amend all the pleadings herein by striking the name "Santa Fe Railway Company" and inserting in lieu thereof the name "Atchison, Topeka & Santa Fe Railway Company" is sustained and all pleadings herein are amended accordingly and that such amendment relates back to the original filing of this action in State Court.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
) Plaintiff,)

vs.)

2,533.72 Acres of Land, More or Less,)
Situat in Osage County, Oklahoma,)
and Osage Tribe of Indians, et al.,)
and Unknown Owners,)

) Defendants.)

Civil No. 5762

FILED

JUN 15 1963

NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the former owner of the gas lessee interest.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the gas lessee interest; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendant was the sole owner of the gas lessee interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the plaintiff and Kerr-McGee Oil Industries, Inc., defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the gas lessee estate taken in the five cases set out below is the sum of \$13,917.83, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762	-	\$3530.00
CA 5763	-	3465.00
CA 5764		2950.00
CA 5826		2430.00
CA 5825		<u>1542.83</u>

\$13,917.83

5. The Court finds the amount of \$3,530.00, inclusive of interest, is just compensation for the taking of the gas lessee estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$2,502.00 was deposited into the Registry of this Court as estimated just compensation for said gas lessee interest upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these gas lessee estates taken, to wit, \$3,530.00 is allocable to each tract as shown below:

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
005-2M	\$50.00	\$90.00
005-1M	100.00	140.00
004-2M	25.00	35.00
004-3M	50.00	70.00
004-4M	50.00	70.00
004-1M	100.00	140.00
003-1M	50.00	70.00
003-2M	25.00	35.00
003-1M	175.00	245.00
003-3M	125.00	175.00
003-4M	100.00	140.00
003-1M	50.00	70.00
003-2M	35.00	50.00
0010-2M	50.00	70.00
0010-1M	25.00	35.00
0010-3M	25.00	35.00
0015-4M	25.00	35.00
0021-2M	100.00	140.00
0015-1M	15.00	25.00
0016-2M	25.00	35.00
0016-1M	100.00	140.00
0016-3M	125.00	175.00
0015-2M	75.00	105.00
0015-3M	25.00	35.00
0021-1M	50.00	70.00
0021-4M	100.00	140.00
0021-3M	75.00	105.00
0020-1M	25.00	35.00
0020-2M	25.00	35.00
0029-4MA & 4MB	125.00	175.00
0029-6M	25.00	35.00
0029-3MA & 3MB	75.00	105.00
0029-5M	50.00	70.00
0028-1M	50.00	70.00
0028-3M	25.00	35.00
0028-2M	25.00	35.00
0027-1M	25.00	35.00
0033-1M	10.00	15.00
0032-1MA & 1MB	100.00	140.00
0032-4M	42.00	60.00
0032-2MA & 2MB	100.00	140.00
0032-3MA & 3MB	50.00	70.00
	<u>\$2,502.00</u>	<u>\$3,530.00</u>

IT IS, THEREFORE BY THE COURT ORDERED AND ADJUDGED:

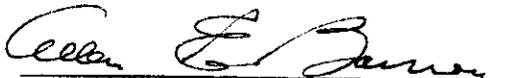
(a) The vesting in plaintiff of title to the gas lessee estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the gas lessee estates is the sum of \$3,530.00, inclusive of interest;

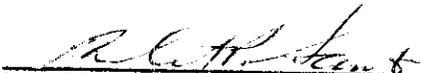
(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,028.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

Kerr-McGee Oil Industries, Inc. \$3,530.00

Entered this 15 day of June, 1964.


UNITED STATES DISTRICT JUDGE

APPROVED:


ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,) CIVIL NO. 5762
vs.)
2,533.72 Acres of Land, More or Less,)
Situate in Osage County, Oklahoma,)
and Osage Tribe of Indians, et al,)
and Unknown Owners,)
Defendants.)

FILED

JUN 15 1964

PARTIAL JUDGMENT

NOBLE C. HOOD
Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interests in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented, that the below-listed defendants were the sole owners of the lessor or mineral interests on the date of taking and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estates taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5826 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total - \$537,950.00

5. The Court finds the amount of \$50,750.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the following tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$33,525.50 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$50,750.00, is allocable to each tract as follows:

CIVIL NO. 5762

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
005-2M	\$ 1,000.00	\$ 1,514.00
005-1M	1,600.00	2,423.00
004-2M	50.00	75.00
004-3M	900.00	1,363.00
004-4M	550.00	832.00
004-1M	1,800.00	2,726.00
003-1M	1,000.00	1,514.00
003-2M	450.00	681.00
008-1M	2,000.00	3,024.00
009-3M	1,700.00	2,574.00
009-4M	1,500.00	2,271.00
009-1M	675.00	1,022.00
009-2M	1,030.00	1,559.00
0010-2M	675.00	1,022.00
0010-1M	150.00	227.00
0010-3M	325.00	492.00
0015-4M	25.00	37.00
0021-2M	1,200.00	1,817.00
0015-1M	150.00	227.00
0016-2M	125.00	189.00
0016-1M	1,558.00	2,359.00
0016-3M	1,800.00	2,726.00
0015-2M	1,025.00	1,552.00
0015-3M	375.00	567.00
0021-1M	550.00	832.00
0021-4M	1,225.00	1,855.00
0021-3M	1,075.00	1,628.00
0022-1M	350.00	530.00
0022-2M	175.00	265.00
0029-4MA & 4MB	1,400.00	2,120.00
0029-6M	50.00	75.00
0029-3MA & 3MB	1,000.00	1,514.00
0029-5M	800.00	1,211.00
0028-1M	450.00	681.00
0028-3M	25.00	37.00
0028-2M	125.00	189.00
0027-1M	25.00	37.00
0033-1M	200.00	302.00
0032-1MA & 1MB	1,200.00	1,817.00
0032-4M	637.50	965.00
0032-2MA & 2MB	1,875.00	2,839.00
0032-3MA & 3MB	700.00	1,060.00
	<hr/>	<hr/>
	\$ 33,525.50	\$ 50,750.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estates is the sum of \$50,750.00, inclusive of interest, of which amount the following sum has previously been disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council - \$33,525.50;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$17,224.50, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Osage Tribe of Indians of Oklahoma
and the Osage Tribal Council - - - - - \$17,224.50

Entered JUN 15 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert F. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
2,851.79 Acres of Land, More or Less,)
Situate in Osage County, Oklahoma, and)
Osage Tribe of Indians, et al, and)
Unknown Owners,)
Defendants.)

CIVIL NO. 5763

FILED

JUN 15 1964

NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the gas lessee interest in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the gas lessee interest; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented, that the below-listed defendant was the sole owner of the gas lessee interest on the date of taking, and is entitled to receive the award therefor.

4. The Court finds the plaintiff and Kerr-McGee Oil Industries, Inc., defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the gas lessee estates taken in the five cases set out below is the sum of \$13,917.83, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$	3,530.00
CA 5763 -	3,465.00
CA 5764 -	2,950.00
CA 5826 -	2,430.00
CA 5825 -	1,542.83

Total \$ 13,917.83

5. The Court finds the amount of \$3,465.00, inclusive of interest, is just compensation for the taking of the gas lessee estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$2,456.00 was deposited into the Registry of this Court as estimated just compensation for said gas lessee interest upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these gas lessee estates taken, to wit, \$3,465.00, is allocable to each tract as shown below:

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
006-1M	\$ 75.00	\$ 130.00
006-2M	150.00	240.00
006-3M	175.00	245.00
006-4M	100.00	140.00
005-3M	50.00	80.00
005-4M	150.00	180.00
007-1M	50.00	60.00
007-2M	50.00	70.00
008-2M	56.00	80.00
003-3M	25.00	35.00
003-4M	25.00	35.00
002-1M	25.00	35.00
1031-1M	75.00	105.00
1031-2M	25.00	35.00
1031-3M	25.00	35.00
1031-4M	100.00	140.00
1032-1M	25.00	35.00
1032-2M	50.00	70.00
1033-1M	50.00	70.00
1032-3M	25.00	35.00
1033-2M	75.00	105.00
1033-3M	100.00	140.00
1033-4M	100.00	140.00
1030-1M	50.00	70.00
1030-2M	25.00	35.00
1028-1M	25.00	35.00
1028-2M	75.00	105.00
1028-3M	100.00	140.00
1028-4M	25.00	35.00
1021-1M	25.00	35.00
1021-2M	25.00	35.00
0912-2M	50.00	70.00
0912-1M	50.00	70.00
092-2M	175.00	245.00
092-1M	150.00	210.00
0911-2M	50.00	70.00
0911-1M	50.00	70.00
	<hr/>	<hr/>
	\$ 2,456.00	\$ 3,465.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the gas lessee estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the gas lessee estates is the sum of \$3,465.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,009.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

Kerr-McGee Oil Industries, Inc. - - - - - \$3,465.00

Entered

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

2,851.79 Acres of Land, More or Less,
Situate in Osage County, Oklahoma, and
Osage Tribe of Indians, et al., and
Unknown Owners,

Defendants.

Civil No. 5763

FILED

JUN 15 1964

NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interests in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the lessor or mineral interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma by the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5826 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total \$537,950.00

5. The Court finds the amount of \$44,950.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the following-listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$29,687.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$44,950.00, is allocable to each tract as follows:

CIVIL NO. 5763

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
006-1M	\$990.00	\$1,500.00
006-2M	1,602.00	2,400.00
006-3M	2,880.00	4,330.00
006-4M	1,719.00	2,580.00
005-3M	747.00	1,130.00
005-4M	1,998.00	3,000.00
007-1M	708.00	1,080.00
007-2M	762.00	1,150.00
008-2M	672.00	1,010.00
003-3M	30.00	50.00
003-4M	72.00	110.00
002-1M	30.00	50.00
1036-1M	30.00	50.00
1036-2M	1,122.00	1,700.00
1031-1M	576.00	900.00
1031-2M	264.00	400.00
1031-3M	36.00	50.00
1031-4M	966.00	1,500.00
1032-1M	54.00	80.00
1032-2M	360.00	550.00
1033-1M	192.00	300.00
1032-3M	30.00	50.00
1033-2M	936.00	1,400.00
1033-3M	978.00	1,500.00
1033-4M	1,194.00	1,800.00
1034-1M	42.00	80.00
1034-2M	204.00	300.00
1034-3M	844.00	1,300.00
1034-4M	1,135.00	1,700.00
1035-1M	48.00	80.00
1035-4M	244.00	380.00
1035-2M	30.00	50.00
1035-3M	5.00	10.00
1030-1M	300.00	450.00
1030-2M	60.00	100.00
1028-1M	145.00	220.00
1028-2M	564.00	850.00
1028-3M	1,080.00	1,650.00
1028-4M	30.00	50.00
1027-1M	132.00	200.00
1027-2M	30.00	50.00
1021-1M	36.00	50.00
1021-2M	30.00	50.00
1022-1M	90.00	150.00
0912-2M	648.00	1,000.00
0912-1M	468.00	700.00
092-2M	1,920.00	2,900.00
092-1M	1,554.00	2,300.00
0911-2M	446.00	660.00
0911-1M	654.00	1,000.00
	<u>\$29,687.00</u>	<u>\$44,950.00</u>

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate is the sum of \$44,950.00, inclusive of interest, of which sum the following amount has been previously disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council: \$29,687.00;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$15,263.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Osage Tribe of Indians of Oklahoma
and Osage Tribal Council \$15,263.00

Entered JUN 15 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,) CIVIL NO. 5764
vs.)
)
2,363.19 Acres of Land, More or Less,)
Situate in Osage County, Oklahoma, and)
Osage Tribe of Indians, et al, and)
Unknown Owners,)
Defendants.)

FILED
JUN 15 1964

NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owner of the gas lessee interest in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the gas lessee interest; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented, that the below-listed defendant was the sole owner of the gas lessee interest on the date of taking and is entitled to receive the award therefor.

4. The Court finds the plaintiff and Kerr-McGee Oil Industries, Inc., defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the gas lessee estates taken in the five cases set out below is the sum of \$13,917.83, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$	3,530.00
CA 5763 -	3,465.00
CA 5764 -	2,950.00
CA 5826 -	2,430.00
CA 5825 -	1,542.83

Total - \$ 13,917.83

5. The Court finds the amount of \$2,950.00, inclusive of interest, is just compensation for the taking of the gas lessee estates by the plaintiff in the following listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$2,091.00 was deposited into the Registry of this Court as estimated just compensation for said gas lessee interest upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these gas lessee estates taken, to wit, \$2,950.00, is allocable to each tract as shown below:

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
0910-1M	\$ 25.00	\$ 35.00
0910-2M	55.00	75.00
094-1M	30.00	45.00
094-2M	75.00	105.00
094-3M	62.00	85.00
094-4M	4.00	10.00
093-1M	50.00	70.00
093-2M	25.00	35.00
093-3M	150.00	205.00
093-4M	125.00	175.00
092-4M	25.00	35.00
092-3M	50.00	70.00
091-1M	75.00	105.00
091-2M	125.00	175.00
1932-1M	50.00	70.00
1932-2M	50.00	70.00
1932-3M	100.00	140.00
1932-4M	15.00	25.00
1933-1M	25.00	35.00
1933-2M	100.00	140.00
1933-3M	75.00	105.00
1933-4M	25.00	35.00
1935-1M	25.00	35.00
1935-2M	25.00	35.00
1929-2M	35.00	45.00
1928-1M	25.00	35.00
1928-2M	25.00	35.00
1928-3M	50.00	70.00
1928-4M	25.00	35.00
1927-3M	25.00	35.00
1927-2M	25.00	35.00
1927-1M	25.00	35.00
1926-1M	25.00	35.00
1920-2M	5.00	30.00
1920-1M	125.00	175.00
091-3M	160.00	225.00
091-4M	175.00	245.00
	<hr/>	<hr/>
	\$ 2,091.00	\$ 2,950.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the gas lessee estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid the plaintiff for the taking of the gas lessee estates is the sum of \$2,950.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$859.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

Kerr-McGee Oil Industries, Inc. - - - - - \$2,950.00.

Entered

/s/ Allen E. Barrow

UNITED STATES DISTRICT COURT

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,)
vs.)
)
2,363.19 Acres of Land, More or Less,)
Situat in Osage County, Oklahoma, and)
Osage Tribe of Indians, et al, and)
Unknown Owners,)
)
Defendants.)

CIVIL NO. 5764

FILED

JUN 15 1964

NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interests in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented, that the below-listed defendants were the sole owners of the lessor or mineral interests on the date of taking and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma by the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5825 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total - \$537,950.00

5. The Court finds the amount of \$60,350.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the following listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$39,857.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$60,350.00, is allocable to each tract as follows:

CIVIL NO. 5764

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
0910-1M	\$ 50.00	\$ 100.00
0910-2M	550.00	900.00
094-1M	970.00	1,400.00
094-2M	600.00	900.00
094-3M	620.00	1,000.00
094-4M	30.00	100.00
093-1M	525.00	800.00
093-2M	25.00	50.00
093-3M	1,950.00	3,000.00
093-4M	1,850.00	2,600.00
092-4M	75.00	100.00
092-3M	900.00	1,400.00
091-1M	1,150.00	1,600.00
091-2M	2,000.00	3,000.00
1932-1M	900.00	1,400.00
1932-2M	750.00	1,200.00
1932-3M	1,000.00	1,500.00
1932-4M	150.00	200.00
1933-1M	225.00	400.00
1933-2M	1,875.00	2,600.00
1933-3M	1,525.00	2,300.00
1933-4M	100.00	200.00
1934-1M	275.00	500.00
1934-2M	850.00	1,300.00
1934-3M	75.00	200.00
1934-4M	1,700.00	2,600.00
1935-1M	75.00	150.00
1935-2M	100.00	200.00
1936-4M	1,200.00	1,800.00
1936-3M	1,025.00	1,600.00
1929-2M	6,897.00	9,500.00
1928-1M	25.00	100.00
1928-2M	600.00	1,000.00
1928-3M	1,100.00	1,700.00
1928-4M	75.00	200.00
1927-3M	50.00	100.00
1927-2M	300.00	500.00
1927-1M	600.00	1,000.00
1926-1M	50.00	100.00
1925-1M	400.00	700.00
1920-2M	50.00	100.00
1920-3M	10.00	100.00
1920-4M	5.00	50.00
1922-1M	25.00	100.00
1920-1M	2,650.00	4,000.00
091-3M	1,600.00	2,500.00
091-4M	2,300.00	3,500.00
	<hr/>	<hr/>
	\$ 39,857.00	\$ 60,350.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estates is the sum of \$60,350.00, inclusive of interest, of which sum the following amount was previously disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council - \$39,857.00;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$20,493.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

OSAGE TRIBE OF INDIANS OF OKLAHOMA
AND THE OSAGE TRIBAL COUNCIL - - - - - \$20,493.00

Ent e red

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

2,218.84 Acres of Land, More or Less,
Situating in Osage County, Oklahoma,
and Erle Ottman, et al., and
Unknown Owners,

Defendant.

Civil No. 5771

FILED

JUN 15 1964

NOBLE C. HOOD
Clk. U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interest in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the lessor or mineral interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma by the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5826 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total - \$537,950.00

5. The Court finds the amount of \$155,190.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$102,469.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$155,190.00, is allocable to each tract as follows:

CIVIL NO. 5771

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
2830-1M	\$ 40.00	\$ 100.00
2830-2M	75.00	200.00
2831-1M	502.00	800.00
2831-2M	2,566.00	3,800.00
2831-3M	2,285.00	3,500.00
2831-4M	475.00	800.00
186-1M	2,607.00	4,000.00
186-2M	428.00	600.00
186-3M	728.00	1,100.00
2725-1M	20.00	100.00
2736-1M	644.00	1,000.00
2736-2M	25.00	100.00
2736-3M	290.00	500.00
2735-1M	149.00	300.00
171-1M	50.00	100.00
171-2M	15,969.00	24,000.00
171-3M	59,377.00	89,290.00
172-1M	25.00	100.00
179-1M	1,694.00	2,500.00
1710-1M	842.00	1,300.00
1710-2M	670.00	1,000.00
1711-1M	1,056.00	1,600.00
1711-2M	1,222.00	1,900.00
1712-1M	1,113.00	1,700.00
1712-2M	2,090.00	3,200.00
1712-3M	114.00	200.00
1712-4M	207.00	300.00
1713-1M	479.00	800.00
1714-1M	1,492.00	2,300.00
1714-2M	1,873.00	2,800.00
1715-1M	1,960.00	3,000.00
1715-2M	1,397.00	2,100.00
1710-3M	5.00	100.00
	<hr/>	<hr/>
	\$ 102,469.00	\$ 155,190.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate is the sum of \$155,190.00, inclusive of interest, of which amount the following sum has been previously disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council: \$102,469.00.

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$52,721.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Osage Tribe of Indians of Oklahoma and
the Osage Tribal Council \$52,721.00

Entered .

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

LEU:lg
6/9/64

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

O AND N MANUFACTURING COMPANY,
a corporation,

Plaintiff

vs.

MIDWEST ENGINEERING & CONSTRUCTION
COMPANY, INC., a corporation,

Defendant

No. 5785 - Civil

FILED

JUN 15 1964

ORDER DISMISSING ACTION
WITHOUT PREJUDICE

NOBLE C. HOOD
Clerk, U. S. District Court

Now on this 15 day of June, 1964, there having been presented to the undersigned United States District Judge for the Northern District of Oklahoma the motion filed herein by the plaintiff for leave to dismiss its action herein without prejudice and there being no objection on the part of the defendant for the entering of said order:

IT IS THEREFORE ORDERED BY THIS COURT that the above styled and numbered action be and the same is hereby dismissed without prejudice.

Allen S. Cannon
United States District Judge

APPROVED:

UNGERMAN, GRABEL, UNGERMAN & LEITER

By *Thomas L. Unger*
Attorneys for plaintiff

STEELE & DOWNEY

By *John D. Downey*
Attorneys for defendant

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN
& LEITER

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,) CIVIL NO. 5825
vs.)
2,102.11 Acres of Land, More or Less,)
Situate in Osage County, Oklahoma, and)
D. P. Weems, et al, and Unknown)
Owners,)
Defendants.)

FILED
JUN 15 1964
NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interests in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented, that the below listed defendants were the sole owners of the lessor or mineral interests on the date of taking and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma by the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5826 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total - \$537,950.00

5. The Court finds the amount of \$65,760.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the following listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$43,423.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$65,760.00, is allocable to each tract as follows:

CIVIL NO. 5825

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
1815-4M	\$ 464.00	\$ 700.00
1815-3M	1,605.00	2,400.00
1815-1MA & 1MB	1,600.00	2,300.00
1815-2MA & 2MB	75.00	200.00
1814-3MA & 3MB	3,225.00	4,600.00
1814-4M	25.00	100.00
1814-1M	60.00	100.00
1814-2MA & 2MB	3,875.00	5,800.00
1810-3M	3,085.00	4,400.00
1810-2M	7,285.00	10,800.00
1810-1M	583.00	860.00
1811-2MA & 2MB	510.00	800.00
1811-3MA & 3MB	880.00	1,400.00
1811-1MA & 1MB	443.00	700.00
184-1MA & 1MB	1,165.00	1,800.00
184-2M	858.00	1,300.00
183-3M	1,188.00	1,800.00
183-4M	25.00	100.00
183-2M	25.00	100.00
183-1M	1,188.00	1,800.00
189-1M	35.00	100.00
2832-4M	1,431.00	2,200.00
2832-1M	1,119.00	1,700.00
2832-2M	2,210.00	3,400.00
2832-3M	1,730.00	2,600.00
2833-4M	153.00	300.00
2833-2M	175.00	300.00
2833-1MA & 1MB	500.00	800.00
2833-3M	1,009.00	1,600.00
2834-3MA & 3MB	1,060.00	1,600.00
2834-1MA & 1MB	325.00	500.00
2834-4M	45.00	100.00
2834-2MA & 2MB	2,520.00	3,800.00
2829-3M	571.00	900.00
2829-4M	330.00	500.00
2829-2M	25.00	100.00
2829-1M	1,533.00	2,300.00
2828-1M	348.00	600.00
2835-1M	60.00	100.00
2820-1M	40.00	100.00
2820-2M	40.00	100.00
	<hr/>	<hr/>
	\$ 43,423.00	\$ 65,760.00

CIVIL NO. 5825

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
1815-4M	\$ 464.00	\$ 700.00
1815-3M	1,605.00	2,400.00
1815-1MA & 1MB	1,600.00	2,300.00
1815-2MA & 2MB	75.00	200.00
1814-3MA & 3MB	3,225.00	4,600.00
1814-4M	25.00	100.00
1814-1M	60.00	100.00
1814-2MA & 2MB	3,875.00	5,800.00
1810-3M	3,085.00	4,400.00
1810-2M	7,285.00	10,800.00
1810-1M	583.00	860.00
1811-2MA & 2MB	510.00	800.00
1811-3MA & 3MB	880.00	1,400.00
1811-1MA & 1MB	443.00	700.00
184-1MA & 1MB	1,165.00	1,800.00
184-2M	858.00	1,300.00
183-3M	1,188.00	1,800.00
183-4M	25.00	100.00
183-2M	25.00	100.00
183-1M	1,188.00	1,800.00
189-1M	35.00	100.00
2832-4M	1,431.00	2,200.00
2832-1M	1,119.00	1,700.00
2832-2M	2,210.00	3,400.00
2832-3M	1,730.00	2,600.00
2833-4M	153.00	300.00
2833-2M	175.00	300.00
2833-1MA & 1MB	500.00	800.00
2833-3M	1,009.00	1,600.00
2834-3MA & 3MB	1,060.00	1,600.00
2834-1MA & 1MB	325.00	500.00
2834-4M	45.00	100.00
2834-2MA & 2MB	2,520.00	3,800.00
2829-3M	571.00	900.00
2829-4M	330.00	500.00
2829-2M	25.00	100.00
2829-1M	1,533.00	2,300.00
2828-1M	348.00	600.00
2835-1M	60.00	100.00
2820-1M	40.00	100.00
2820-2M	40.00	100.00
	<hr/>	<hr/>
	\$ 43,423.00	\$ 65,760.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estates is the sum of \$65,760.00, inclusive of interest, of which sum the following amount has previously been disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council: \$43,423.00;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$22,337.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Osage Tribe of Indians of Oklahoma
and the Osage Tribal Council - - - - - \$22,337.00

Entered JUN 15 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

ROBERT P. SANTEE

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

2102.11 Acres of Land, More or Less,
Situate in Osage County, Oklahoma,
and D. P. Weems, et al., and
Unknown Owners,

Defendants.

Civil No. 5825

FILED
JUN 15 1964
NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owner of the gas lessee interest in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the gas lessee interest; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the gas lessee interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the plaintiff and Kerr-McGee Oil Industries, Inc., defendants herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the gas lessee estate taken in the five cases set out below is the sum of \$13,917.83, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762	-	\$3530.00
CA 5763	-	3465.00
CA 5764	-	2950.00
CA 5826	-	2430.00
CA 5825	-	<u>1542.83</u>

\$13,917.83

5. The Court finds the amount of \$1,542.83, inclusive of interest, is just compensation for the taking of the gas lessee estates by the plaintiff in the following listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$1,092.00 was deposited into the Registry of this Court as estimated just compensation for said gas lessee interest upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these gas lessee estates taken, to wit, \$1,542.83 is allocable to each tract as shown below:

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
1815-4M	\$28.00	\$47.83
1815-3M	107.00	150.00
1815-1MA & 1MB	175.00	225.00
1815-2MA & 2MB	50.00	70.00
1814-1M	20.00	35.00
1814-2MA & 2MB	160.00	220.00
1810-3M	42.00	60.00
1810-2M	23.00	35.00
1810-1M	10.00	20.00
1811-2MA & 2MB	50.00	70.00
1811-3MA & 3MB	60.00	80.00
1811-1MA & 1MB	50.00	70.00
184-1MA & 1MB	60.00	80.00
184-2M	52.00	70.00
183-3M	72.00	100.00
183-4M	5.00	10.00
183-2M	5.00	10.00
183-1M	72.00	100.00
189-1M	6.00	15.00
2835-1M	25.00	35.00
2820-1M	10.00	20.00
2840-2M	10.00	20.00
	<u>\$1,092.00</u>	<u>\$1,542.83</u>

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the gas lessee estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed.

(b) The just compensation to be paid by the plaintiff for the taking of the gas lessee estates is the sum of \$1,542.83, inclusive of interest.

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$450.83, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court

in the amount hereinafter set forth, payable to the order of the following-
named payee:

Kerr-McGee Oil Industries, Inc. \$1,542.83

Entered .

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Civil No. 5826

1,929.31 Acres of Land, More or Less,
Situate in Osage County, Oklahoma,
and W. G. Rogers, et al., and
Unknown Owners,

Defendants.)

PARTIAL JUDGMENT

FILED
JUN 15 1964

NOBLE C. HADD
Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interests in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the lessor or mineral interests on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma by the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5826 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total \$537,950.00

5. The Court finds the amount of \$64,370.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interests estates by the plaintiff in the following listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$42,508.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$64,370.00 is allocable to each tract as follows:

CIVIL NO. 5826

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
1931-1M	\$225.00	\$400.00
1930-3M	6,035.00	9,000.00
1930-4M	3,815.00	5,700.00
1930-2M	350.00	500.00
1929-1M	200.00	300.00
1919-1M	70.00	100.00
1919-4M	20.00	50.00
1919-3M	25.00	50.00
1918-2M	35.00	100.00
1918-1M	65.00	100.00
197-1M	35.00	100.00
197-2M	240.00	400.00
1822-1M	1,500.00	2,300.00
1822-3M	93.00	170.00
1823-1M	2,050.00	3,000.00
1823-2M	1,560.00	2,400.00
1823-3M	4,690.00	7,000.00
1823-4M	5,170.00	8,000.00
1824-1M	1,970.00	3,000.00
1824-4M	650.00	1,000.00
1813-4M	215.00	300.00
1813-2M	2,200.00	3,300.00
1813-3M	625.00	1,000.00
1813-1M	1,100.00	1,600.00
1812-1M	575.00	800.00
1930-1M	1,250.00	1,900.00
1813-5M	405.00	600.00
1919-2M	1,000.00	1,500.00
1813-6M	560.00	800.00
1825-1M	1,400.00	2,100.00
1824-3M	1,850.00	2,800.00
1824-2M	<u>2,530.00</u>	<u>4,000.00</u>
	\$42,508.00	\$64,370.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estates is the sum of \$64,370.00, inclusive of interest, of which sum the following amount was previously disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council: \$42,508.00

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$21,862.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Osage Tribe of Indians of Oklahoma and
the Osage Tribal Council \$21,862.00

Entered JUN 15 1964 .

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
)
Plaintiff,)
)
vs.)
)
1,929.31 Acres of Land, More or Less,)
Situating in Osage County, Oklahoma,)
and W. G. Rogers, et al., and)
Unknown Owners,)
)
Defendants.)

Civil No. 5826

FILED
JUN 15 1964

NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owner of the gas lessee interest in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the gas lessee interest; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below listed defendants were the sole owners of the gas lease interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds the plaintiff and Kerr-McGee Oil Industries, Inc., defendant herein, have by the stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the gas lessee estate taken in the five cases set out below is the sum of \$13,917.83, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762	-	\$3530.00
CA 5763	-	3465.00
CA 5764	-	2950.00
CA 5826	-	2430.00
CA 5825	-	<u>1542.83</u>

\$13,917.83

5. The Court finds the amount of \$2,430.00, inclusive of interest, is just compensation for the taking of the gas lessee estates by the plaintiff in the below listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$1,720.00 was deposited into the Registry of this Court as estimated just compensation for said oil lessee interest upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these gas lessee estates taken, to wit, \$2,430.00 is allocable to each tract as shown below:

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
1931-1M	\$10.00	\$20.00
1930-3M	115.00	150.00
1930-4M	95.00	135.00
1930-2M	25.00	35.00
1929-1M	20.00	35.00
1918-2M	5.00	10.00
1918-1M	5.00	10.00
197-1M	5.00	10.00
197-2M	10.00	20.00
1822-1M	100.00	140.00
1822-3M	27.00	35.00
1823-1M	160.00	200.00
1823-2M	90.00	140.00
1823-3M	135.00	185.00
1823-4M	125.00	175.00
1824-1M	105.00	150.00
1824-4M	50.00	70.00
1813-4M	10.00	20.00
1813-2M	80.00	100.00
1813-3M	35.00	45.00
1813-1M	45.00	60.00
1812-1M	30.00	45.00
1930-1M	50.00	70.00
1813-5M	20.00	35.00
1919-2M	40.00	60.00
1813-6M	30.00	45.00
1825-1M	70.00	100.00
1824-3M	85.00	120.00
1824-2M	<u>143.00</u>	<u>210.00</u>
	\$ 1,720.00	\$2,430.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the gas lessee estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the gas lessee estates is the sum of \$2,430.00, inclusive of interest;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$710.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payee:

Kerr-McGee Oil Industries, Inc. \$2,430.00

Entered .

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ajs

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,)
Plaintiff,)
vs.)
603.25 Acres of Land, More or Less,)
Situating in Osage County, Oklahoma, and)
Osage Tribe of Indians, et al, and)
Unknown Owners,)
Defendants.)

CIVIL NO. 5862

FILED

JUN 15 1964

NOBLE C. MOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interests in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented, that the below-listed defendants were the sole owners of the lessor or mineral interests on the date of taking and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma by the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5826 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total - \$537,950.00

5. The Court finds the amount of \$5,670.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the following tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$3,748.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$5,670.00, is allocable to each tract as follows:

CIVIL NO. 5862

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
3633-3M	\$ 591.00	\$ 900.00
3632-1M	116.00	170.00
3632-2M	206.00	300.00
3532-3M	30.00	100.00
3631-1M	454.00	700.00
3630-1M	738.00	1,200.00
3630-2M	1,613.00	2,300.00
	<hr/>	<hr/>
	\$ 3,748.00	\$ 5,670.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estates is the sum of \$5,670.00, inclusive of interest, of which amount the following sum has previously been disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council - \$3,748.00;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$1,922.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Osage Tribe of Indians of Oklahoma
and the Osage Tribal Council - - - - - \$1,922.00

Entered JUN 15 1964

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

ksm

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

CIVIL NO. 5866

vs.

1,632.12 Acres of Land, More or Less,
Situate in Osage County, Oklahoma, and
Osage Tribe of Indians, et al, and
Unknown Owners,

Defendants.)

PARTIAL JUDGMENT

FILED

JUN 15 1964

NOBLE C. MOOD
Clerk, U. S. District Court

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interests in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented, that the below-listed defendants were the sole owners of the lessor or mineral interests on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma by the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estates taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5826 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total - \$537,950.00

5. The Court finds the amount of \$29,250.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the following listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$19,313.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$29,250.00, is allocable to each tract as follows:

CIVIL NO. 5866

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
2733-2M	\$ 116.00	\$ 200.00
2733-3M	403.00	600.00
2733-4M	1,575.00	2,200.00
2734-1M	25.00	100.00
2734-2M	409.00	700.00
2728-1M	60.00	100.00
2727-1M	254.00	400.00
2727-2M	864.00	1,100.00
2726-1M	105.00	200.00
2726-2M	907.00	1,300.00
2726-3M	20.00	100.00
2723-1M	1,181.00	1,600.00
2723-2M	1,020.00	1,500.00
2724-1M	428.00	700.00
2724-2M	15.00	100.00
2714-1M	1,060.00	1,600.00
2714-2M	684.00	1,000.00
2713-1M	235.00	400.00
2713-2M	81.00	200.00
2711-1M	18.00	100.00
2711-2M	39.00	100.00
2711-3M	693.00	1,000.00
2710-1M	1,038.00	1,500.00
2710-2M	1,352.00	2,000.00
2710-3M	77.00	200.00
2710-4M	56.00	100.00
279-1M	250.00	400.00
279-2M	1,308.00	1,800.00
279-3M	403.00	700.00
2716-1M	1,254.00	1,800.00
2716-2M	58.00	100.00
273-1M	750.00	1,250.00
273-2M	624.00	1,000.00
273-3M	826.00	1,200.00
273-4M	40.00	100.00
272-1M	100.00	200.00
3734-1M	81.00	200.00
3734-2M	81.00	200.00
3735-1M	56.00	100.00
3735-2M	767.00	1,100.00
	<hr/>	<hr/>
	\$ 19,313.00	\$ 29,250.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estates is the sum of \$29,250.00, inclusive of interest, of which amount the following sum has previously been disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council - \$19,313.00;

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$9,937.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

OSAGE TRIBE OF INDIANS OF OKLAHOMA
AND THE OSAGE TRIBAL COUNCIL - - - - - \$9,937.00

Entered this *15th* day of June, 1964.

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

983.79 Acres of Land, More or Less,
Situate in Osage County, Oklahoma,
and Osage Tribe of Indians, et al.,
and Unknown Owners,

Defendants.

Civil No. 5869

FILED
JUN 15 1964

NOBLE C. HOOD
Clerk, U. S. District Court

PARTIAL JUDGMENT

1. On this day this cause came on for hearing upon the application of the United States of America, by its attorney, for a Partial Judgment determining the ownership and the just compensation to be awarded the owners of the lessor or mineral interest in the above case.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the lessor or mineral interests; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon the evidence presented that the below-listed defendants were the sole owners of the lessor or mineral interest on the date of taking, and are entitled to receive the award therefor.

4. The Court finds that plaintiff and the Osage Tribe of Indians of Oklahoma by the Osage Tribal Council, defendants herein, have by stipulation agreed that the just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate taken in the ten cases set out below is the sum of \$537,950.00, inclusive of interest, and that the proportionate amount for each case is shown as follows:

CA 5762 - \$50,750.00	CA 5771 - \$155,190.00
CA 5763 - 44,950.00	CA 5869 - 22,760.00
CA 5764 - 60,350.00	CA 5866 - 29,250.00
CA 5826 - 64,370.00	CA 5876 - 38,900.00
CA 5825 - 65,760.00	CA 5862 - 5,670.00

Total - \$537,950.00

5. The Court finds the amount of \$22,760.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the following listed tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$15,030.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interests upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$22,760.00 is allocable to each tract as follows:

CIVIL NO. 5869

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
1716-1M	\$795.00	\$1,300.00
179-2M	49.00	100.00
179-3M	2,250.00	3,400.00
179-4M	1,444.00	2,160.00
178-5M	364.00	600.00
174-1M	1,867.00	2,800.00
174-2M	2,004.00	3,000.00
175-1M	1,109.00	1,700.00
175-2M	1,148.00	1,700.00
2733-1M	<u>4,000.00</u>	<u>6,000.00</u>
	\$15,030.00	\$22,760.00

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate is the sum of \$22,760.00, inclusive of interest, of which amount the following sum has previously been disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council: \$15,030.00

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$7,730.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Osage Tribe of Indians of Oklahoma and
the Osage Tribal Council \$7,730.00

Entered June 15, 1964.

/s/ Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee
ROBERT P. SANTEE
Assistant U. S. Attorney

5. The Court finds the amount of \$38,900.00, inclusive of interest, is just compensation for the taking of the lessor or mineral interest estates by the plaintiff in the above tracts, as such estates and said tracts are described and set forth in the Complaint and Declaration of Taking heretofore filed in this cause. The sum of \$25,687.00 was deposited into the Registry of this Court as estimated just compensation for said lessor or mineral interest upon the filing of the Declaration of Taking herein.

6. The Court finds that the award of just compensation for these lessor or mineral interest estates taken, to wit, \$38,900.00, is allocable to each tract as follows:

CIVIL NO. 5876

<u>Tract No.</u>	<u>Deposit</u>	<u>Award</u>
2719-1M	\$ 908.00	\$1,300.00
2717-1M	39.00	100.00
2717-2M	1,431.00	2,100.00
2717-3M	1,877.00	2,700.00
2718-1M	574.00	900.00
2718-2M	1,790.00	2,600.00
2718-3M	1,748.00	2,600.00
2718-4M	283.00	500.00
277-1M	18.00	100.00
277-2M	280.00	500.00
2613-3M	122.00	200.00
2612-4M	321.00	500.00
2612-5M	620.00	1,000.00
261-1M	543.00	900.00
261-2M	191.00	300.00
261-3M	329.00	500.00
262-1M	895.00	1,300.00
3730-1M	143.00	300.00
3730-2M	175.00	300.00
3625-1M	234.00	400.00
3625-2M	194.00	300.00
3625-3M	286.00	500.00
3625-4M	581.00	900.00
3636-1M	877.00	1,300.00
3636-2M	10.00	100.00
3635-1M	742.00	1,100.00
3635-2M	1,776.00	2,500.00
3635-3M	1,064.00	1,500.00
3635-4M	1,398.00	2,000.00
3627-1M	141.00	300.00
3627-2M	37.00	100.00
3634-2M	1,070.00	1,600.00
3634-3M	774.00	1,200.00
3634-4M	2,800.00	4,200.00
3633-1M	355.00	600.00
3633-2M	1,011.00	1,600.00
	<u>\$25,687.00</u>	<u>\$38,900.00</u>

IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in plaintiff of title to the lessor or mineral interest estates set forth in the Complaint and Declaration of Taking in and to the tracts hereinabove referred to, as said tracts are described therein, is hereby confirmed;

(b) The just compensation to be paid by the plaintiff for the taking of the lessor or mineral interest estate is the sum of \$38,900.00, inclusive of interest, of which amount the following sum has previously been disbursed to the Osage Tribe of Indians of Oklahoma and the Osage Tribal Council: \$25,687.00.

(c) The plaintiff shall forthwith deposit into the Registry of this Court the deficiency in the amount of \$13,213.00, without interest. Upon receipt of the last-mentioned deficiency, the Clerk of this Court is hereby authorized and directed to draw a check on the funds in the Registry of this Court in the amount hereinafter set forth, payable to the order of the following-named payees:

Osage Tribe of Indians of Oklahoma and
the Osage Tribal Council \$13,213.00

Entered JUN 15 1964 .

/s/ Allen E. Barrow
UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney