

6219

D. C. Form No. 108 A

DOCKET

TITLE OF CASE

THE CHEROKEE NATION or TRIBE OF INDIANS IN OKLAHOMA and

-vs-

STATE OF OKLAHOMA; COMMISSIONERS OF THE LAND OFFICE OF THE STATE OF OKLAHOMA; CITIES SERVICE OIL CO.; CONTINENTAL OIL CO.; EASON OIL CO.; STEVE GOSE; JAKE L. HAMON; HUMBLE OIL AND REFINING CO.; JEFFREY SAND AND GRAVEL CO.; LONE STAR PRODUCTION CO.; MARATHON OIL CO.; MOBIL OIL CORPORATION; PAN AMERICAN PETROLEUM CORPORATION; SKELLY OIL CO.; SOUTHLAND ROYALTY CO.; STEPHENS PRODUCTION CO.; SUN OIL CO.; TENNECO OIL CO.; UNION OIL CO. of CALIFORNIA; and YAHOLA SAND AND GRAVEL CO., A Corporation.

Muskogee, etc.

Basis of action: Action for accounting and to establish title to bed of Arkansas River.

Joe Muskrat  
712 LaCharles-N.E.  
Albuquerque, N. Mex.

For Pla 87123

Earl Boyd Pierce  
P.O. Box 498  
Ft. Gibson, Okla. 74434

Andrew Wilcoxon  
P. O. Box 357  
Muskogee, Oklahoma

For Defendant:

~~Robert L. Trimble and~~  
~~Dale B. Wason~~ Luther Hudson  
Hudson, Keltner, Smith & Cunningham -  
1905 Continental Life Bldg.  
Fort Worth, Texas 76102

Julian B. Fite  
Fite, Robinson and Summers  
Equity Building 213 N. 3rd  
Muskogee, Oklahoma 74401

Jury trial claimed by

19

DATE	PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE	DEFENDANT'S ACCOUNT	RECEIVED	DISBURSED
12/9/66	Earl Boyd Pierce	15 00			H. B. Watson Jr. Walker & Watson	Mr. Roy Johnson Legal Department	
12/16/66	C.D. No. 21		15 00		First National Center	Cities Service Oil Company	
	Taylor LaGrone				Bartlesville, Okla. 74003		
	P. O. Box 663				Oklahoma City, Okla. 73102	Glenn R. Davis	300 Natl Bank Bldg
	Dallas, Texas 75221				Alpheus Varner	Draw Building	Tulsa Bldg. 74103
	Harvey H. Cody	P. O. Box 227 705			Poteau, Oklahoma		
	N.A. Gibson & R. R. Williamson Jr.	W. W. Wells			Tulsa, Okla. 74101		
	State Capitol Oklahoma City, 73105	P. O. 1850			Tulsa, Okla.		
	Riley H. Fell, Eugene A. Hoetting, David G. Lassell, & O. L. Hastey (Marathon Oil Co.)				Dane H. Oliver		
	P. O. Box 246 2150				918 Lamar		
	Tulsa, Oklahoma 74102				Wichita Falls, Tex.		
	Robert J. Emery	J. R. Kennedy					
	Commerce Exchange Bldg. Oklahoma City, Oklahoma	P. O. Box 18755			Oklahoma City, Okla.		
ABSTRACT OF COSTS							
TO WHOM DUE		AMOUNT		RECEIPTS, REMARKS, ETC.			
M. D. ...		J. S.		Jay R. Bond			
Rucker & Faber		J. S.		First Natl. Bldg. Okla. City, 73102			
P. O. Box 1439		J. S.		O. L. Lupardus			
Tulsa, Okla. 74101		J. S.		510 Okl. Natur. Bldg. Tulsa, Okla. 74119			
L. D. ...				Varley H. Taylor			
G. T. Blankenship				Humble Oil Corp.			
Attorney Gen. State Cap. Oklahoma City, Okla.				2000 Classen Cen.-North Okla. City, Okla. 73106			
Mr. Bruce Green, U.S. Atty. Fed. Bldg., Muskogee, Oklahoma				Dist. Atty. Security Co. Sallisaw, Oklahoma			
				Dyer & Dyer			
				Fred Daugherty			
				Box 568 - Ardmore, Oklahoma			
				Wm. C. Phelps			
				P. O. Box 1908 2039			
				Tulsa, Okla. 74102			
				Gerald R. Jenkins			
				301 S. Harwood			
				Dallas, Texas			
				Mr. Lon Kile			
				114 No. 2nd Hugo, Okla.			

6219

DATE	FILINGS—PROCEEDINGS	AMOUNT REPORTED IN EMOLUMENT RETURNS
12/9/66	Filing Complaint.	
"	Issuing Summons.	
12/14/66	Issuing Alias Summons to Union Oil Co. of California and Steve Gose.	
12/22/66	Entering order granting Tenneco Oil Co. until Jan. 12, 1967 to file Answer.	
12/23/66	Filing Answer of defendant Southland Royalty Company and Cross-Complaint.	
12/27/66	Filing and entering Order Extending Time to Plead granting all defendants to February 1, 1967, in which to answer or otherwise plead to the complaint. (EL) (copies mailed to defendants and counsel)	
12/30/66	Filing Answer of Defendant, Yahola Sand and Gravel Company, a Corporation.	
1/3/67	Filing and entering Marshal's Returns: On Dec. 21, 1966, served Jeff F. Kendall and Assoc. Inc. Jeffrey Sand and Gravel Co. by serving Mr. Larry Robinson, President of Jeff F. Kendall and Assc. Inc. at Oklahoma City; served Humblé Oil & Refining Co. by serving Corp. Co., Serv. Agent, Oklahoma City, Oklahoma on Dec. 13, 1966; On Dec. 16, 1966, served Steve Gose by serving John C. Naemeyer, Atty. and service agent at Oklahoma City; Steve Gose, c/o Texas Corp. Corp. Co. NOT SERVED returned at the request of Attorney; On Dec. 15, 1966, served Eason Oil Co. by serving T. Winston Eason at Oklahoma City; On Dec. 15, 1966, served Continental Oil Co. by serving Richard R. Linn at Oklahoma City; On Dec. 15, 1966, served Cities & Service Oil Co. by serving U. S. Corp. Co. at Oklahoma City; On Dec. 14, 1966, served Stephens Production Co. by serving Spence Leamons, landman for said company at N. 12th and B st., Ft. Smith, Ark.; Served Sun Oil Co. by serving James Hardwick at Tulsa, Oklahoma on Dec. 15, 1966; On December 12, 1966, served Yahola Sand and Gravel by serving William W. Dills at Muskogee, Oklahoma; On December 16, 1966, served State of Oklahoma Commissioners of the land Office of the State of Oklahoma by leaving copies with Mr. Jake L. Hamon, agent, 3900 Republic Natl. Bank Bldg. Dallas, Texas; On Dec. 15, 1966, served Commissioners of the Land Office of the State of Oklahoma by serving Governor of Oklahoma, Secretary of State, State Auditor, Supt. of Public Instruction and President of Board of Agriculture at Oklahoma City; On Dec. 13, 1966, served Tenneco Oil Co. by serving Corp. Co. at Oklahoma City; On Dec. 13, 1966, served Southland Royalty Co. by serving Corp. Co. at Oklahoma City; On Dec. 13, 1966, served Skelly Oil Co. by serving Corp. Co. at Oklahoma City; On Dec. 13, 1966, served Pan American Petroleum Corp. by serving Corp. Co. at Oklahoma City; On Dec. 13, 1966, served Mobil Oil Corp. by serving Corp. Co. at Oklahoma City; On Dec. 13, 1966, served Marathon Oil Co. by serving Corp. Co. at Oklahoma City; On Dec. 16, 1966 served Union Oil Co. of California by serving Corp. Co. at Okla. City; On Dec. 14, 1966, NOT SERVED on Union Oil Co. returned at request of Attorney; On Dec. 12, 1966, Lone Star Production Co. NOT FOUND in this district;	
1/19/67	Filing Memorandum of Decision. The attorneys for the Cherokee Nation have been allowed 15 days in which to decide whether the interest of the tribe in the property involved in the suit (5649-Civ.) is such that they are warranted, in acting in the best interest of the Nation, to petition the court for leave to intervene. Counsel for other interested parties are given 15 days in which to move the court to make the Cherokee Nation a party to the suit pursuant to the provision of R. 19 of FRCP. Also, any interested parties, particularly the State of Okla. are requested to submit a brief to the Court directed to the authority of the Court to require the Cherokee Nation to participate in the litigation. The Court has concluded that an additional period of 60 days, until March 15, 1967, should be allowed for any attorneys for the parties in these actions to submit briefs, additional briefs, or supplemental briefs directed to the legal issues, as distinguished from factual disputes, involved. These issues are as follows: 1. The navigability of the Arkansas River. 2. Ownership of the river bed. 3. The effect of the	

(continued)

Date	Pltf. Account	Recd.	Disbursed
1/25/68	A. Wilcoxon	5.00	
1/31/68	CD No. 30		5.00

(continued)

Date	Defc. Account	Recd.	Disbursed
1/24/68	Lon Kile	\$5.00	
1/31/68	CD No. 30		5.00
2/3/71	Lon Kile	5.00	
2/5/71	C.D. No. 30		5.00
2/11/71	Sid Groom	5.00	
2/12/71	C.D. No. 31		5.00
4/23/71	Lon Kile	5.00	
4/30/71	C.D. No. 42		5.00
5/5/71	Nate Gibson	5.00	
5/7/71	C.D. No. 43		5.00
2/16/73	Lon Kile	5.00	
2/23/73	C.D. No. 33		5.00

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1/19/67	movement of the river. 4. Dates. (EL) (copies mailed to counsel listed on sheet attached to Memorandum.)			
1/27/67	Filing Answer and Cross Petition of defendant, Jake L. Ramon.			
1/30/67	Filing Answer of Tenneco Oil Co. and Counter Claim.			
1/30/67	Filing Answer of Defendant, Cities Service Oil Co. a corp.			
1/31/67	Filing Separate Answer of the defendant J. T. Stephens d/b/a Stephens Production Company			
"	Filing Answer of Mobil Oil Corporation and Skelly Oil Company.			
"	Filing Answer of defendant Continental Oil Company.			
2/1/67	Filing Answer of Defendant Sun Oil Company. (copies mailed to attorneys)			
2/1/67	Filing Answer, Counterclaim and Cross-Claim of Defendant, Steve Gdse.			
2/1/67	Filing Answer, Counterclaim and Cross-Claim of Defendant, Union Oil Co. of California.			
2/1/67	Filing Answer of Defendant Pan American Petroleum Corporation.			
2/1/67	Filing Answer of Defendant, Jeffrey Sand Co.			
2/1/67	Filing Answer of Defendant, Eason Oil Co.			
2/1/67	Filing Answer of Lone Star Producing Company.			
2/1/67	Filing Answer of The State of Oklahoma etc.			
2/1/67	Filing Answer of Humble Oil and Refining Co.			
2/1/67	Filing Answer of Marathon Oil Co.			
2/2/67	Filing Answer of The Commissioners of the Land Office of the State of Oklahoma.			
2/3/67	Filing Motion of plaintiff for leave to amend Complaint.			
"	Filing and entering Order allowing plaintiff leave to amend the complaint by interlineation by changing the name of one of the defendants from Lone Star Production Co. to Lone Star Producing Co. (EL) (Copies mailed)			
2/28/67	Application for Extension of Time of Mobil Oil Corp. on behalf of all xxx parties.			
2/28/67	Order that all parties are granted an extension of time until April 15, 1967, to submit briefs, additional briefs, or supplemental briefs directed to the legal issues. (EL)(copies mailed to all parties and counsel)			
4/3/67	Application for Extension of Time of plaintiff.			
4/3/67	Order that on application of plaintiff and for good cause time for filing briefs as heretofore requested by the Court is extended to May 1, 1967. (EL) (copies mailed to counsel listed on sheet attached to Memorandum)			
4/27/67	Brief submitted by following defendants: State of Oklahoma; Commissioners of Land Office; Eason Oil Co.; Humble Oil & Refining Co.; Lone Star Producing Co.; Marathon Oil Co.; Mobil Oil Corp.; Skelly Oil Co.; Southland Royalty Co.; Tenneco Oil Co. and Union Oil Co. of Calif.			
4/28/67	Motion of State of Okla. to substitute Party defendant.			
"	Order that State of Okla. on the relation of Dewey F. Bartlett, Gov., be Substituted as a party deft. (EL) (Counsel notified by postal card.)			
5/1/67	Memorandum Brief of Plaintiff.			
5/1/67	Brief of Sun Oil Company			
6/5/67	Answer Brief. (See in file 5649-C)			
6/30/67	Reply Brief of the Riparian Landowners.			
9/5/67	Motion to Consolidate Cases and Motion for Joint Trial of Common Question of Law and Fact			
9/8/67	Motion of Choctaw Nation and Chickasaw Nation to intervene.			
9/8/67	Pretrial conference held. Entering order consolidating cases 5649, 6143, 6166 & 6219 Civil for the purpose of pretrial conference and pretrial order only. (EL) Court holds that treaties, surveyors' field notes, books of maps, etc. may not be admitted. Entering order granting permission for Choctaw Nation and Chickasaw Nation to intervene as plaintiffs. Entering order that navigability is a federal question and the Court has jurisdiction of these cases. Pretrial closed. (EL)			
9/8/67	Order allowing Choctaw Nation and Chickasaw Nation to intervene.			

D. C. 110A. Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
	<u>COUNSEL OF RECORD</u>	
Mr. Joe Muskrat Attorney at Law 36 East Road Dune Acres Chesterton, Indiana 46304	Mr. Fred Dorwart Holliman, Langholz & Runnels 2700 Fourth Nat'l. Bank Bldg. Tulsa, Oklahoma 74119	<del>Mr. Robert W. Richards Attorney at Law P. O. Box 1934 Oklahoma City, Okla. 73100</del>
Mr. Earl Boyd Pierce Attorney at Law <del>Barnes Building</del> <i>By 498</i> <del>Muskogee, Oklahoma 74401</del> <i>F. L. Linn 74434</i>	Mr. Millard F. Carr Tenneco Oil Company Legal Division P. O. Box 2410 Denver, Colorado 80201	<del>Mr. S. M. Groom, Jr. Attorney at Law P. O. Box 1828 Oklahoma City, Okla. 73101</del>
Mr. Andrew Wilcoxon Attorney at Law 515 West Okmulgee Muskogee, Oklahoma 74401	Mr. James Hamilton Attorney at Law 159 Black Angus Motel Poteau, Oklahoma 74953	Messrs. Robert E. Gill, Jr. and Richard Linn Continental Oil Co. Legal Division P. O. Box 795 3535 N.W. 58th Oklahoma City, Okla. 73101
Hudson, Keltner, Smith and Cunningham 1905 Continental Life Building Fort Worth, Texas 76102	Mr. W. Douglas Weisbruch Lone Star 301 S. Howard Dallas, Texas 75201	Messrs. Robert E. Gill, Jr. and Richard Linn Attorneys - Legal Division Continental Oil Company Ponca, City, Okla. 74601
Mr. Julian B. Fite Fite, Robinson and Summers 213 North 3rd Muskogee, Oklahoma 74401	Mr. Odie A. Nance Assistant Attorney General State Capitol Oklahoma City, Oklahoma 73105	Dyer & Dyer Attorneys at Law P. O. Box 568 Ardmore, Oklahoma 73401
Mr. Richard B. McDermott Attorney at Law 300 Drew Building Tulsa, Oklahoma 74100	Mr. Robert L. Cox and Mrs. Helen Adair Department of Interior P. O. Box 1508 Muskogee, Oklahoma 74401	Mr. William C. Phelps Attorney at Law P. O. Box 2039 Tulsa, Oklahoma 74102
Mr. James E. West Daily, West, Core & Coffman 512 Merchants Bank Building Ft. Smith, Arkansas 72901	Mr. Roy Johnson Legal Department Cities Service Oil Company Bartlesville, Oklahoma 74003	Mr. Gerald R. Jenkins Attorney at Law 301 S. Harwood Dallas, Texas 75200
Governor David Hall State Capitol Oklahoma City, Oklahoma 73105	Mr. Glenn R. Davis Attorney at Law 1300 Nat'l. Bank of Tulsa Bldg. Tulsa, Oklahoma 74103	Mr. Lon Kile Attorney at Law 114 North 2nd Hugo, Oklahoma 74743
State Auditor State of Oklahoma State Capitol Oklahoma City, Oklahoma 73105	Mr. Spence A. Leamons Attorney at Law 115 North 12th Street Fort Smith, Arkansas 72901	Mr. H. B. Watson, Jr. Walker and Watson <i>2600 5th, Nat'l. Founders</i> <i>3535 NW 58th St.</i> Oklahoma City, Okla. 73102
Secretary of State State of Oklahoma State Capitol Oklahoma City, Oklahoma 73105	Mr. Judson S. Woodruff McAfee, Dudley, Taft, Cates & Mark Attorneys at Law 2020 First National Building Oklahoma City, Oklahoma 73100	<del>Mr. Norton Standeven Pan-American Petroleum Co. P. O. Box 1410 Ft. Worth, Texas 75102</del>
District Attorney LeFlore County County Courthouse Poteau, Oklahoma 74953		

DATE	PROCEEDINGS	Date Order or Judgment Noted
	<del>Messrs. J. K. Smith and Harry O. Lambert Attorneys at Law P. O. Box 1410 Ft. Worth, Texas 76101</del>	
	Mr. Gerald DeLung Attorney at Law 214 North 6th Ft. Smith, Arkansas 72901	(Mobil Oil)
	Mr. P. H. Hardin Attorney at Law Superior Federal Building Ft. Smith, Arkansas 72901	
	Mr. Jay R. Bond Attorney at Law First National Building Oklahoma City, Oklahoma 73102	
	Mr. Varley H. Taylor Humble Oil Corporation Legal Division 2000 Classen Central North Oklahoma City, Oklahoma 73105	
	District Attorney Sequoyah County County Courthouse Sallisaw, Oklahoma 74955	
	Mr. Alpheus Varner Attorney at Law P. O. Box 229 Poteau, Oklahoma 74953	
	Mr. Sam C. Oliver Skelly Oil Company Legal Division P. O. Box 1650 Tulsa, Oklahoma 74101	
	Mr. Dane H. Oliver Attorney at Law 918 Lamar Wichita Falls, Texas 76301	
	Mr. J. R. Kennedy Attorney at Law P. O. Box 18755 Oklahoma City, Oklahoma 73118	
	Mr. Taylor LaGrone Attorney at Law P. O. Box 663 Dallas, Texas 75221	David O. Cordell Marathon Oil Company So. Natl. Bank Building P. O. Box 3128 Houston, Texas 77001
	Messrs. N. A. Gibson R. R. Williamson, Jr. and James Slater State Capitol Oklahoma City, Oklahoma 73105	Mr. S. M. Groom, Jr. P. O. Box 1130 301 South Blvd. Edmond, Oklahoma 73034
	<del>Messrs. David O. Cordell,</del> Riley B. Fell & O. L. Hasty Marathon Oil Company Legal Division P. O. Box 2750 Tulsa, Oklahoma 74101	Donald Nevard & Kevin Murphy Legal Division Okla. Tax Commission 2501 Lincoln Blvd. Okla. City, Ok. 73194
	Mr. Robert J. Emery Attorney at Law 2210 First National Building Oklahoma City, Oklahoma 73102	
	Mr. Larry Derryberry + <i>Odile A. Yance</i> Attorney General State of Oklahoma State Capitol Oklahoma City, Oklahoma 73105	
	Mr. Richard A. Pyle United States Attorney Room 323 - Federal Building Muskogee, Oklahoma 74401	
	H. O. Hickman Amoco Production Co. Security Life Bldg. Denver, Colorado 80202	
	Messrs. J. K. Smith & Harry O. Lambert Attorneys at Law Amoco Production Co. Security Life Bldg. Denver, Colorado 80202	
	Linda McQuillen Cities Service P.O. Box 300 Tulsa, Okla. 74102	
	Paul D. Fielding, Jr., Atty. Sun Oil Co. - DX Division P.O. Box 2039 Tulsa, Okla. 74102	

DATE

PROCEEDINGS

Date Order or Judgment Noted

NEW COUNSEL ON AMENDED CROSS COMPLAINT of CHOCTAW-CHICKASAW NATIONS

Charles C. Guidry, Atty., 500 Carson Plaza Dr., Carson, Calif. 90746. (Beulah B. Hutchinson)  
 Roy Frye, Jr., P.O. Box 248, Sallisaw, Okla. 74955 (J. T. Stephens & J.T. Stephens, d/b/a Stephens Production)  
 Spence A. Leamons, P.O. Box 248, Ft. Smith, Ark. 72901 ( " " " "  
 S. M. Groom, Jr., P.O. Box 1130, Edmond, Okla. 73034 (Jake L. Hamon)  
 Ezra Dyer, Ardmore, Oklahoma (Jake L. Hamon) Little Bldg.  
 Roy Frye, Jr., P.O. Box 248, Sallisaw, Okla. 74955 (McCloud Sicard, Carmelita Sicard Echols, Catherine Boozman, Ralph B. Boozman & Bert Wayde Boozman)  
 Roy Frye, Jr, P.O. Box 248, Sallisaw, Okla. 74955 (John Jordan)  
 Jay R. Bond, Eason Oil Co., 1619 First National Center, Okla. City, Okla. 73102 (Eason Oil)  
 H. B. Watson Jr., 760 First Natl. Center, Okla. City, Okla. 73102 (Union Oil Co. of Calif.)  
 Alpheus Varner, PO Box 705, Poteau, Okla. 74953 (Douglas-Guardian Warehouse, Charlye V. Davidson, Woodrow Turman, Varner & Ruth S. Neugass)

DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
9/8/67	Answer and Reply of the Choctaw Nation and the Chickasaw Nation.			
"	Memorandum brief of the Choctaw Nation and the Chickasaw Nation in opposition to the claims of the Cherokee Nation.			
9/25/67	Pretrial Order: judgment in favor of the defendants and against the plaintiff should be entered upon the pleadings. (EL) (copies mailed to all counsel)			
10/4/67	Motion of Choctaw Nation and Chickasaw Nation to Correct Pre-Trial Order.			
10/6/67	Notice by Mobil Oil Corp. to Take Oral Deposition of Leo W. Blakely at 10:00 am October 12, 1967 at Fort Smith, Arkansas. (Pleading in File No. 5649 Civ.)			
10/10/67	Amendment to Pre-Trial Order: that claim of Choctaw and Chickasaw Nations to portion of Arkansas River bed is without merit and that judgment in favor of the defendants and against the intervenors should be entered upon the pleadings. (EL) (copies mailed to counsel)			
10/26/67	Deposition (copy) of Leo W. Blakely taken 10/12/67 at Ft. Smith, Ark. (Pleading in Civil File No. 5649)			
10/30/67	Order of U. S. Court of Appeals denying leave to appeal from an interlocutory order.			
11/15/67	Order finding against the plaintiff, The Cherokee Nation or Tribe of Indians in Oklahoma; that the State of Oklahoma is the owner of said lands subject to the right of the United States to maintain or restore the navigability of the river and to control its use as a highway of commerce between states that against the Cherokee Nation and the Choctaw and Chickasaw Nations, now claiming ownership, the title of the State of Oklahoma, and all defendants herein claiming an interest through the State, is quieted and said tribes are barred and enjoined from asserting ownership or other claims adverse to said defendants; and that said Indian tribes have no right or interest in any money or other proceeds realized or which may be realized by the State of Oklahoma or the other defendants from the lease or rental or other use of said lands; and that each of the parties shall bear its own costs. (EL) (Copies mailed)			
11/24/67	Motion of plaintiff for New Trial and in the Alternative Motion to Open the Judgment to take additional evidence.			
11/27/67	Motion of Choctaw Nation and Chickasaw Nation for New Trial and in the Alternative Motion to Open the Judgment to Take Additional Evidence.			
12/4/67	Response to motion for new trial and motion to open judgment of Cherokee Nation by defendants, Eason Oil Co., Steve Gose, Humble Oil & Refining Co., Lone Star Producing Co., Marathon Oil Co., Mobil Oil Corp., Skelly Oil Co., Southland Royalty Co., Tenneco Oil Co., Union Oil Co. of Calif., Commissioners of Land Office of the State of Okla., and State of Okla., ex rel Dewey F. Bartlett, Governor.			
12/12/67	Response to motion for new trial and motion to open judgment of Choctaw and Chickasaw Nations by defendants, Eason Oil Co., Steve Gose, Humble Oil & Refining Co., Lone Star Producing Co., Marathon Oil Co., Mobil Oil Corp., Skelly Oil Co., Southland Royalty Co., Tenneco Oil Co., Union Oil Co. of Calif., Commissioners of the Land Office of the State of Okla., and State of Okla., ex rel Dewey F. Bartlett, Governor.			
12/29/67	Order that Motions of plaintiff and Choctaw Nation and Chickasaw Nation for new trial or in the alternative to open the judgment to take additional evidence be overruled and denied. (EL) (copies mailed to all counsel)			
1/24/68	Designation of Contents of Record by Choctaw Nation and Chickasaw Nation, Intervenor.			
"	Statement of Points Relied/Choctaw Nation and Chickasaw Nation, Intervenor.			
"	Notice of Appeal by intervenors, Choctaw Nation and Chickasaw Nation. (Copies mailed to counsel listed on 2nd page of Notice of Appeal).			
1/25/68	Notice of Appeal by The Cherokee Nation or Tribe of Indians. (Copies mailed)			
1/29/68	Bond for Costs on Appeal - The Choctaw Nation, and Chickasaw Nation.			



DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1/30/68	Bond for Costs in the sum of \$250.00 posted by plaintiff, Cherokee Nation			
7/24/70	MANDATE (Choctaw Nation and Chickasaw Nation) remanding to U. S. District Court for the determination of unresolved issues etc.			
7/24/70	MANDATE (Cherokee Nation) remanding to U. S. District Court for determination of the unresolved issues and etc.			
7/28/70	ORDER FOR PRETRIAL CONFERENCE: that Robert G. Carter, B. E. Cobb and Katherine Cobb Baker and the U.S.A. having appeared as amicus curiae in the appellate review should be authorized to participate in same capacity etc.; that no pretrial statement is required; case set for pretrial August 14, 1970, at 9:30 A.M. at Muskogee, Oklahoma. (EL)(copies to all counsel)			
8/14/70	PRETRIAL: Pltf. Cherokee Nation appearing by counsel, Messrs. Andrew Wilcoxon, Earl Boyd Pierce and Peyton Ford; The Chickasaw Nation appears by Mr. Lon Kile; State of Okla., ex rel. Commissioners of the Land Office appearing by counsel, Messrs. N. A. Gibson and James E. Slater; Sun Oil Company, by Mr. William C. Phelps; Eason Oil Company by Mr. Jay R. Bond; Steve Gose and Union Oil Co. of Calif. by Mr. H. B. Watson, Jr.; Jeffrey Sand and Gravel Co. by Messrs. Gerald DeLung and Patrick Moore; Marathon Oil Co. by Mr. Delvin C. Menge; Mobil Oil Corp. by Mr. S. M. Groom, Jr.; Yahola Sand & Gravel Co. by Julian B. Fite; Robert G. Carter, et al. by Mr. Alpheus Varner; Dept. of Interior by Mrs. Helen Adair; U.S.A. by Messrs. Richard A. Pyle and Jim Payne. Pretrial Order to be prepared by the Court. (EL)			
8/19/70	PRETRIAL ORDER: Issues remaining for decision set out in Pretrial Order. Defendants granted until Sept. 14, 1970 to submit briefs directed to their alternate claims to the river bed of the navigable portion of the Arkansas River in Oklahoma and the plaintiff and the intervenor shall have until Oct. 1, 1970 to file responses thereto; it is further order, at the request of the plaintiff and intervenor, that they shall have until Oct. 16, 1970 to submit simultaneous briefs addressed to their respective claims to the river bed against each other and until Oct. 26 to file reply briefs; Further that amicus Carter shall have a like time in which to file briefs in support of his contentions. (EL)(Copies to all counsel)			
9/14/70	Brief of the Defendants State of Oklahoma, et al.			
9/24/70	Motion by the Choctaw Nation & Chickasaw Nation for enlargement of time to file an answer brief, to the 31st day of October, 1970, WITH ORDER OF THE COURT THEREON granting same. (EL)(Copies to counsel)			
9/30/70	Memorandum of Points and Authorities of The Cherokee Nation.			
10/28/70	Trial Brief of the Choctaw Nation and the Chickasaw Nation.			
11/12/70	Motion for Extension of Time within which to file briefs of Cherokee Nation.			
11/13/70	ORDER that time for submission of briefs by plaintiff and intervenors relative to the tribal dispute over Ark. river bed is extended to 12/1/70. (EL)(copy to counsel for pltf. and interv.)			
12/1/70	Memorandum Brief of the Choctaw and Chickasaw Nations in Support of Their Ownership of the Bed of the Arkansas River Below its confluence with the Canadian River.			
12/1/70	Memorandum of Points and Authorities of the Cherokee Nation Re Ownership of the Arkansas River Below Mouth of the Canadian.			
12/15/70	Reply Brief of the Cherokee Nation in Response to the Memorandum Brief of the Choctaw and Chickasaw Nations.			
12/17/70	Motion of Choctaw Nation and Chickasaw Nation for time to file a reply brief.			
"	Order granting " " " " " until 1/1/71 to file reply brief. (EL)			
1/5/71	Choctaw and Chickasaw Nations Answer to the Reply Brief of the Cherokee Nation.			

(continued)

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DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
	Page #5			
1/12/71	PRETRIAL ORDER: Order that from the confluence of the Canadian River with the Arkansas River to the eastern Oklahoma line, that part of the bed of the Arkansas River between its high water banks which lies north of the main channel belongs to the Cherokee Nation and that part which lies south of the main channel belongs to the Choctaw and Chickasaw Nations, subject, however, to the rights thereto which may have accrued to others by avulsive changes in the river, if any, since the distribution of the tribal lands to individuals. Further order, consistent with the decision of the Supreme Court, that the entire bed of the Arkansas River between its high water banks from its confluence with the Grand River to its confluence with the Canadian River belongs to the Cherokee Nation, subject to any rights that may now exist in others as the result of avulsive changes in this portion of the river since distribution of the Cherokee Lands to individuals. There remains for pretrial disposition in this case the issues set out in paragraphs 2, 3, and 7 of the pretrial order entered Aug. 19, 1970. This case set for further pretrial conference at 9:30 A.M., Feb. 5, 1971, at which time the parties will be prepared to present their respective positions as to these remaining issues on oral argument. Briefs will not be required prior to the conference. (EL) (Copies to counsel.)			
2/3/71	NOTICE OF APPEAL of Choctaw and Chickasaw Nations, interveners. (copy to counsel and U. S. Court of Appeals)			
2/3/71	Bond for Costs on Appeal.			
2/5/71	Motion to Amend Answer and Reply of The Choctaw and Chickasaw Nations and Their Brief in Support Thereof.			
2/5/71	Cross Complaint by defendants Eason Oil Company, Union Oil Company of California, Tenneco Oil Company, Humble Oil & Refining Company, Cities Service Oil Company, Mobil Oil Corporation, Marathon Oil Company, and Skelly Oil Company.			
2/5/71	PRETRIAL: Plaintiff, Cherokee Nation appearing by counsel, Messrs. Earl Boyd Pierce and Andrew Wilcoxon; The Chickasaw Nation appears by Mr. Lon Kile; State of Okla., ex rel. Commissioners of the Land Office appearing by Messrs. N. A. Gibson and James E. Slater; Attorney General appearing by Mr. Odie Allen Nance; Mobil Oil Co. by Mr. S. M. Groom, Jr.; Eason Oil Company by Mr. Jay R. Bond; Sun Oil Company by Mr. William C. Phelps; Steve Gose and Union Oil Co. of Calif. by Mr. H. B. Watson, Jr.; Jeffrey Sand & Gravel Co. by Messrs. Gerald DeLung and Patrick Moore Robert G. Carter, et al. by Mr. Alpheus Varner; Dept. of Interior by Mrs. Helen Adair; Humble Oil & Refining Co. by Mr. Varley Taylor; Skelly Oil Company by Messrs. Sam Oliver and Charles Chastain; Cities Service Oil Company by Mr. Roy Johnson; Marathon Oil Corporation by Mr. David O. Cordell; B. C. Cobb, et al. by Mr. James E. West; and U. S. Attorney by Mr. James Payne. Oral argument was heard on the issues remaining for decision under the pretrial order entered January 12, 1971. The oil companies given until 2/16/71 to submit briefs and the tribes until 2/23/71. (EL)			
2/8/71	ORDER granting permission to file cross-complaint and orders the State of Oklahoma and Comm. of Land Office to retain such funds in their possession and that such funds not be disposed of and same be held pending further disposition thereof by this court. (EL)(copies to counsel)			
2/11/71	NOTICE OF APPEAL of Mobil Oil Corp. (copies to counsel and U. S. Court of Appeals)			
2/16/71	Memorandum of Points and Authorities relied on by Jeffrey Sand & Gravel Company.			
2/16/71	Brief of defendants State of Okla.; Comm. of Land Office; Eason Oil Co.; Tenneco Oil Co.; Marathon Oil Co.; Southland Royalty Co.; Lone Star Producing Co.; Skelly Oil Co.; Mobil Oil Corp.; Humble Oil & Refining Co.; Union Oil Co. of Calif. and Whittington Oil Co.			

D. C. 110A Rev. Civl' Docket Continuation

DATE	PROCEEDINGS	Date Or Judgment
2/18/71	Supplemental brief of defendant, Cities Service Oil Company.	
2/24/71	MOTION FOR ADDITIONAL TIME TO BRIEF of Indian Tribes.	
2/24/71	ORDER that Indian Tribes are given to 3/2/71 to file briefs. (EL)(copies to counsel)	
3/2/71	Brief of The Cherokee Nation or Tribe of Indians in Oklahoma.	
3/3/71	Answer brief of the Choctaw and Chickasaw Nations in support of their prayer for an accounting.	
3/15/71	Reply Brief of the defendants, State of Oklahoma, et al., to the Briefs of the Cherokee Nation and The Choctaw and Chickasaw Nations.	
3/15/71	ORDER extending time to lodge record on appeal to and including March 30, 1971. (Copies to counsel and certified copy to Clerk, U.S. Ct. of Appeals.)	(EL)
3/22/71	Transcript of Record on Appeal forwarded to U. S. Court of Appeals.	
4/14/71	PRETRIAL ORDER. (EL)(Copies to counsel)	
4/14/71	JUDGMENT: Plaintiff is owner of the entire bed of the Arkansas River between its high water banks from its confluence with the Grand River to its confluence with the Canadian River, subject to certain rights; from confluence of the Canadian River with the Arkansas River to the Eastern Oklahoma line, the north side of the main channel is owned by the Cherokee Nation and the southern part is owned by the Choctaw and Chickasaw Nations, subject to certain rights; the State of Oklahoma has no right, title or interest to this part of the river; the remaining defendants have no right, title, or interest to any such portion of the river; neither Indian nations are entitled to an accounting for any oil, gas, minerals, including sand and gravel, or any interest therein, except lease rentals, bonus, and royalty payments, etc.; the State of Oklahoma is required to account to the court for all money received pursuant to or under leases or agreements, and to deposit such sums in the registry of the court within 90 days, etc; All leases and agreements between the State of Oklahoma and the other defts. herein on said property are cancelled; when said accounting has been made and approved and the money deposited, the Clerk is directed to issue checks distributing $\frac{1}{2}$ to the plaintiff and $\frac{1}{2}$ to the intervenors; further, no costs be awarded the plaintiff or intervenors; further in the event of appeal proceedings in the case be stayed in this court pending disposition on appeal. (EL)(Copies to counsel)	
4/23/71	NOTICE OF APPEAL of Choctaw and Chickasaw Nations, Intervenors. (copy to counsel and U. S. Court of Appeals)	
5/5/71	NOTICE OF APPEAL by defendants, The State of Oklahoma, The Commissioners of the Land Office of the State of Oklahoma, Mobil Oil Corporation, Humble Oil and Refining Company, Marathon Oil Company, Eason Oil Company, One Star Producing Co., Skelly Oil Co., Southland Royalty Co., Tenneco Oil Co., Union Oil Co. of Calif. and Cities Service Oil Co. (copy to counsel and U.S. Court of Appeals.)	
5/5/71	Cash deposit of \$250.00 posted by above defendants for cost bond.	
5/17/71	Designation of Record.	
5/20/71	Order of U. S. Court of Appeals dismissing appeal for lack of appealable order. (former	
5/27/71	Record on Appeal forwarded.	
12/13/72	MANDATE - of U.S. Court of Appeals, ordering that the judgment of said court is affirmed so far as it (1) denies the claims of Oklahoma and its lessees and (2) requires an accounting and payment by Oklahoma and its lessees into the registry of the court. The judgment is REVERSED in so far as it (1) determines the conflicting rights of the Cherokees and Choctaws and (2) requires an equal division of the accounting proceeds between them. The case is remanded for further proceedings consistent with the opinion of this court. The attention of the parties is directed to the way in which a somewhat similar controversy involving a boundary dispute between the Navajos and members of the Ute Mountain Tribe and their respective rights to bonuses, rentals, and (cont'd.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12/13/72	royalties was handled in the Act of February 14, 1968, 82 Stat. 15. In No. 71-1295 (US Ct. Appeals No.) the costs are assessed against Oklahoma and its lessees. In No. 71-1210 (Appeals No.) the costs are assessed against the	
12/13/72	Choctaw Nation.	
12/13/72	OPINION of U.S. Court of Appeals.	
12/20/72	ORDER - in accordance with mandate of U.S. Ct. of Appeals, Tenth Circuit, it is ORDERED that Paragraphs 2 and 8 of the judgment of this court entered on April 14, 1971, determining the respective interest of the Cherokee Nation and the Choctaw and Chickasaw Nations in the bed of the Arkansas River from the confluence of the Canadian River to the East boundary line of the St. of Okla., and authorizing and directing the distribution to the Tribes of moneys to be deposited in the registry of the court in accordance with the judgment, be set aside. FURTHER ORDER that case be set for hearing at Muskogee, Okla. on January 11, 1973 at 1:30 P.M., to determine further proceedings required by mandate, including the accounting to be made by the St. of Okla. and its lessees and the selection of an appropriate depository. (EL) (Copies to all counsel, see mailing list on docket sheets.)	
1/9/73	Motion of Choctaw Nation and the Chickasaw Nation for Summary Judgment and Brief in Support thereof.	
1/11/73	HEARING PURSUANT TO MANDATE: Appearances - Linda McQuillen appears for Cities Service Oil Co.; S. M. Groom Jr. appears for Mobil Oil Corp.; Gerald DeLung appears for Jeffery Sand and Gravel Co.; Jay R. Bond appears for Eason Oil Co.; Alpheus Varner appears for Earl Cobb and Kathryn Cobb Baker; David O. Cordell appears for Marathon Oil Co.; and Odie A. Nance appears for Attorney General's office.	
	Entering order denying motion of Choctaw-Chickasaw for Summary Judgment. (EL) Court directed the State of Oklahoma to submit its accounting of funds received and the same will be set for hearing on February 2, 1973. The State of Oklahoma is to be prepared to pay into the Registry of the court at that time the amount of the funds found to be due. (EL)	
2/2/73	APPLICATION FOR ORDER APPROVING ACCOUNTING AND AUTHORIZING CONTINUED SAND AND GRAVEL REMOVAL OPERATIONS BY JEFFREY SAND COMPANY.	
2/2/73	HEARING ON ACCOUNTING OF FUNDS: Appearances - Messrs. Earl Boyd Pierce and Andrew Wilcoxon appearing for the plaintiff. State of Oklahoma appears by Odie Nance; Choctaw-Chickasaw Nations appear by Lon Kile; Solicitors Office appears by Mrs. Helen Adair; Cities Service appears by Linda McQuillen; Sid Groom appears for Mobil Oil; Gerald DeLung appears for Jeffery Sand; R. R. Williamson appears for Commissioners of the Land Office; and James Payne, Assistant U. S. Attorney, appears for U.S.A. Witnesses sworn and testified. The Commissioners of the Land Office, Jeffery Sand, and Mobil Oil Company made their accounting of funds. The plaintiff and intervenor were granted 30 days to file objections to the accounting. Failure to file such objections will be considered as acquiescing in the accounting. Mobil Oil Company paid into the registry \$9833.26. Commissioners of the Land Office paid into the registry \$786,541.67. Plaintiff and intervenor granted leave to apply within 30 days for an accounting by any other parties. Any of the parties interested in reviving the leases which were cancelled by the court are authorized to make application therefor to the court. (EL)	
2/2/73	ORDER that defendant, Jeffrey Sand Company, may continue certain Sand and/or Gravel Lease Contract and Borrow Easement between the Commissioners of the Land Office of the State of Oklahoma and Jeffrey Sand Co. dated 10/21/68 and numbered Easement No. 5333, will serve as an appropriate vehicle under which said operations may be resumed and continued, except that all royalties provided for therein shall be	

DATE	PROCEEDINGS	Date Order or Judgment Noted
	paid into the registry of this Court, as leased materials are produced and except further that the performance bond required to be posted with the Commissioners of Land Office of the St. of Okla. therey shall be posted with the Clerk of this Court prior to resumption of operations upon said portion of the bed of the Ark. River, and except further that the term of said lease or easement as stated herein shall be stricken and that the duration of the rights created hereby shall continue during the pendency of this litigation as to the ownership of said portion of the bed of the Ark. River. (EL) (Copies to counsel.) (see mailing list attached to order)	
2/2/73	APPLICATION of the defendant, State of Oklahoma, for an order enjoining the State's lessees and their assignors, who have obtained oil and gas leases or sand and gravel leases on lands within the riverbed of the Ark. River, from instituting actions against the State of Okla. for the return of any lease bonuses, royalties and delay rentals paid of the State of Oklahoma by said lessees or their assignors.	
2/2/73	ORDER that oil and gas lessees, the sand and gravel lessees, and their assignors, of the State of Okla., who obtained oil and gas leases and sand and gravel leases on the lands lying within the riverbed of the Ark. River be and the same are hereby enjoined from instituting further actions against the State of Okla. for the purpose of determining whether they are entitled to the return of any lease bonuses, etc. (EL) (Copies to counsel.) (see mailing list attached to order.)	
2/5/73	MOTION FOR DISCHARGE of Cities Service Oil Company, with prejudice and without costs.	
2/5/73	Application by defendant, Mobil Oil Corporation for order approving oil and gas leases and authorizing continued oil and gas operations by Mobil Oil Corporation.	
2/5/73	ORDER that oil and gas leases as described in the application of the deft. Mobil Oil Corp. be validated, approved and cont. from Apr. 14, 1971 for a term ending Apr. 14, 1973, and, as to each lease, as long thereafter as oil or gas or either of them is produced in paying quantities, susstituting as lessors the Cherokee Nation or Tribe of Indians in Okla. and the Choctaw Nation and the Chickasaw Nation, and subject to proper accounting for all royalties in accordance with the terms of the oil and gas leases and subject to further orders of this Court as may be required. (EL)(Copies to counsel)	
2/6/73	ORDER finding as follows: The State of Oklahoma has accounted for receipts derived from land constituting the bed of the Arkansas River-Sand and Gravel Leases, \$99,191.60; Oil and Gas leases \$687,350.07 - Totaling \$786,541.67; the State has introduced expenditures totaling \$59,125.05 which the Court finds should not be allowed as a deduction and that the entire amt. of the receipts of \$786,541.67 should be deposited in the registry of the court, etc. (see pleading) (EL)(Copies to counsel)	
2/16/73	NOTICE OF APPEAL of Choctaw Nation and Chickasaw Nation. (copies to counsel and Court of Appeals)	
2/16/73	Bonds for Costs on Appeal.	
2/16/73	Order for Transcript. (copy to court reporter)	
2/26/73	MOTION FOR DISCHARGE of Tenneco Oil Co.	
2/28/73	Entering order directing the Clerk to write check to the Utica National Bank and Trust Company, Tulsa, Oklahoma, in the amount of \$735,398.88. (EL)	
2/28/73	Report of Clerk re bids of banks: Utica National Bank and Trust Co., Tulsa, Okla., bid is lowest; with bids attached. (Clerk)	
2/28/73	ORDER accepting the bid for deposit of funds by Utica National Bank and Trust Company, Tulsa, Oklahoma, being a bid of 7 1/16 % int. per annum for a term of one year; and directing the clerk to place with said bank the sum of \$735,398.88 in a certificate of deposit for a term of one year, to draw interest at the rate of 7 1/16 per cent per annum. (EL)(Copies to certain counsel) (& bank)	
3/5/73	Motion by Southland Royalty Co. for discharge, with prejudice.	
3/5/73	Order granting Lon Kile 1 day extension to file objections. (EL)	
3/6/73	OBJECTIONS of the CHOCTAW NATION and THE CHICKASAW NATION to accounting by the defendants, State of Okla., Jeffrey Sand and Gravel Co., Mobil Oil Co., Sun Oil Co., Steve Gose & successors in interest; motion to make Whittington Oil Co.; Hanover Management, Arkla Gas Co., King Resources, & Imperial American Resources Funds, Inc., parties defendant.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
3/23/73	APPLICATION for order approving oil and gas leases and authorizing continued oil and gas operations by defendant, J. T. Stephens, d/b/a Stephens Production Co.	
3/27/73	Order Extending Time to Lodge Record on Appeal to May 7, 1973. (EL) (copies to counsel and Court of Appeals)	
4/3/73	APPLICATION of the defendant, the State of Oklahoma, ex rel The Commissioners of the Land Office, requesting the Court issue cash appeal bond in the amount of \$250.00.	
"	ORDER directing Clerk issue a check in the amount of \$250.00 made payable to the Commissioners of the Land Office representing the refund of the cash appeal bond. (EL) (Copy to R.R. Williamson, Jr., atty. for Commissioners of Land Office, St. of Okla.)	
4/16/73	APPLICATION for Order Approving Oil and Gas Lease and Authorizing Continued Oil and Gas Operations by Cities Service Oil Co.	
4/19/73	ORDER that oil and gas leases as to defendant, J. T. Stephens, d/b/a Stephens Production Co. are hereby validated and approved and confirmed according to terms; further order that lessors in said leases be hereby changed and substituted to the Cherokee Nation or Tribe of Indians in Okla. and the Choctaw Nation and the Cherokee Nation, and that this deft., Stephens Production Co. be directed to continue oil and gas operations under the leases and to deposit into registry of this Court all royalties and other sums due under said oil and gas leases as same becomes due and payable. (EL) (Copies to counsel.)	
4/26/73	Transcript of Proceedings February 2, 1973.	
4/26/73	Record on appeal forwarded.	
5/7/73	MOTION OF MARATHON OIL CO. FOR DISCHARGE. <i>(withdrawing)</i>	
5/8/73	Application of defendant, J. T. Stephens for correction of order filed on 4/19/73.	
"	ORDER CORRECTING ORDER OF 4/19/73. (EL)	
5/15/73	APPLICATION FOR ORDER APPROVING OIL AND GAS LEASE AND AUTHORIZING CONTINUED OPERATION BY CONTINENTAL ENERGY CORPORATION.	
5/25/73	Application by Exxon Company, Hanover Management Co. & Petro-Search Exploration Co. for Order Approving Oil & Gas Lease and authorizing continued Oil & Gas Operations.	
6/4/73	ORDER that oil and gas lease of Exxon Corporation and Continental Energy Corp. be validated and approved and continued from 4/14/71 for a term ending 4/14/75 etc. (EL) (copies to counsel)	
6/4/73	ORDER that oil and gas lease of Exxon Corp. and Continental Energy Corp. be validated, approved and continued from 4/14/71 to 4/14/75 etc. (EL) (copies to counsel)	
6/4/73	Monthly Report of Production and Sales etc. of Stephens Production Co. Lease #4828. March, 1973.	
6/4/73	Monthly Report of Production and Sales etc. of Stephens Production Co. Lease #4828. April, 1973.	
6/4/73	Monthly Report of Production and Sales etc. of Stephens Production Co. Lease #5277, March 1973.	
6/4/73	Monthly Report of Production and Sales etc. of Stephens Production Co. Lease #5277, April, 1973.	
6/4/73	Monthly Report of Production and Sales etc. of Stephens Production Co. Lease #6188, March, 1973.	
6/4/73	Monthly Report of Production and Sales etc. of Stephens Production Co. Lease #6188, April, 1973.	
9/4/73	Application of Andrew Wilcoxon for distribution to attorneys for Cherokee Nation.	
9/5/73	Letter, W. W. Keeler to Judge Langley, approving application of Andrew Wilcoxon.	
9/10/73	Letter, Roscoe Winburn to Judge Langley, concerning distribution of funds.	
9/20/73	Entering order transferring case to the Honorable Fred Daugherty. (FD) (counsel notified)	
10/1/73	Withdrawal of Motion for Discharge of Marathon Oil Company ✓	
"	Application of Marathon Oil for order approving oil and gas lease and authorizing oil and gas operations.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10/15/73	Application of Jake L. Hamon for order approving oil and gas leases and authorizing continued oil and gas operations.	
10/15/73	HEARING ON MOTIONS of Cities Service for discharge with prejudice; Tenneco Oil Co. for discharge; Southland Royalty Co. for discharge with prejudice; APPLICATIONS of Cities Service Oil Co. for order approving oil and gas lease, etc.; Marathon Oil for order approving oil and gas lease, etc.; Jake L. Hamon for order approving oil and gas lease, etc. and APPLICATION of Andy Wilcoxon, et al. for distribution of attorneys fee.	
11/6/73	Cherokee Nation present by counsel, Mr. Andrew Wilcoxon; State of Okla. present by counsel, Mr. Odie Nance; Commissioners of Land Office present by counsel, Mr. R. R. Williamson; Choctaw-Chickasaw Nations present by counsel, Mr. Lon Kile; Cities Service present by counsel, Miss Linda McQuillen; Sun Oil Co. present by counsel, Mr. Paul Fielden, Jr.; U.S.A. present by counsel, Miss Betty Outhier; Southland Royalty Co., Jake Hamon and Marathon Oil Co. present by counsel, Mr. Sid Groom; Dept. of Interior present by counsel, Mrs. Helen Adair (as observer) and Mr. Bill West appears as Executive Director for Arkansas River Bed from Bureau of Indian Affairs.	
	Choctaw-Chickasaw Nations objects to the discharge of Southland Royalty Co., Tenneco Oil Co. and Cities Service. Argument made by counsel, Mr. Sid Groom, for Southland, Tenneco and Marathon; counsel, Miss Linda McQuillen, for Cities Service takes same position. Mr. Andrew Wilcoxon states to court that Bureau of Indian Affairs is desiring audit of State of Oklahoma which audit is being made and not completed and states at this time it is too early to know if Bureau of Indian Affairs objects to above discharges.	
	Order overruling all motions for discharge without prejudice with the right of being reasserted. After audit accepted, parties may file motions for discharge, will call for responses, so set, and motions will be granted at that time. (FD)	
	Court hears no objections to the Applications for order approving oil and gas leases.	
"	FILING ORDER approving and continuing certain oil and gas leases by Cities Service Oil Co. (FD)	
"	FILING ORDER approving certain oil and gas Lease and Authorizing Oil and Gas Operations by Marathon Oil Co. (FD) (Copies to all parties.)	
"	FILING ORDER approving and continuing certain oil and gas leases by Jake L. Hamon. (FD) (Copies to parties.)	
	Court hears no objections to the application of Earl Boyd Pierce and Andrew Wilcoxon, attorneys for plaintiff for payment of attorneys' fees.	
"	FILING ORDER that Clerk of this Court shall forthwith disburse the sum of \$30,000 to Earl Boyd Pierce and \$30,000 to Andrew Wilcoxon from funds in the registry of this Court to the credit of the Cherokee Nation. (FD) (Copies to all parties.)	
11/19/73	Application by the Cherokee Nation and Jeffrey Sand Co. for Order approving sand and gravel lease.	
11/26/73	ORDER that sand and gravel lease be validated and approved with accounting for all monies to be provided for in said lease. (FD) (Copies to all counsel)	
12/6/73	ORDER that Choctaw and Chickasaw Nations file briefs in support of their Objections in 15 days and defendants State of Oklahoma, Jeffrey Sand and Gravel Co., Mobil Oil Company, Sun Oil Co. and Steve Goss are order to respond to Objections with supporting brief within 15 days thereafter. (FD) (copies to counsel)	
12/14/73	Brief of the Choctaw and Chickasaw Nations In Support of Their Objections to the Accounting by the Defendants.	
12/26/73	Brief of Sun Oil Company in Response to Objections and Brief of the Choctaw and Chickasaw Nations to Accounting by Defendants.	
1/2/74	Brief of State of Oklahoma in Response to Objections and Brief of the Choctaw Nation and Chickasaw Nation to Accounting for Defendants.	
1/16/74	Entering order directing Mobil Oil, Jeffrey Sand & Gravel and Steve Goss to file response in ten days. (FD)	
1/21/74	Brief of Jeffrey Sand Co. in response to objections and Brief of Choctaw National, etc.	
1/16/74	ORDER authorizing Choctaw Nation & Chickasaw Nation to add as additional parties, Whittington	

16/73 contd: Oil Co., a corp., Hanover Management, a corp. Arkla Gas Co., a corp., King Resources, a corp., & Imperial American Resources, Inc. herein, by filing appropriate pleading against them, further authorized to cause process to issue against said corps. in usual manner. (FD) (Copies to ~~00000000~~)

DATE 1974		Date Order or Judgment Noted
Jan 28	Brief of Mobil Oil Corp in response to objections and brief of Choctaw Nation and Chickasaw Nation to accounting for defendants.	
"	Letter, 1/24/74, H.B. Watson Jr. (for Steve Gose) to Charles N. Haskell, in reply to Judge Daugherty's order of December 6, 1973.	
2/4/74	OPINION of U. S. Court of Appeals.	
2/4/74	MANDATE affirming judgment.	
2/20/74	ORDER to invest money in registry of the Court etc. (FD)(copies to counsel)	
2/20/74	Letter, 2/13/74, Lon Kile to Charles N. Haskell, re: accounting.	
2/21/74	APPLICATION for Order approving Oil and Gas Leases, by the Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Okla. and Potts-Stephenson Exploration Co..	
2/21/74	APPLICATION for ORDER approving Oil and Gas Lease of the Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Okla. and Stephens Production Co.	
2/22/74	ORDER that application of Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Okla. and Potts-Stephenson Exploration Co. as to oil and gas leases be validated and approved with all monies received by the Bureau of Indian Affairs from said leases to be paid over to the Clerk of U.S. Dist. Ct. for the East. District of Okla. (FD) (Copies to counsel.)	
2/22/74	ORDER that application of Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Okla. and Stephens Production Co. as to oil and gas leases be validated and approved with all monies received by the Bureau of Indian Affairs from said lease to be paid over to the Clerk of the U.S. Dist. Ct. for the East. Dist. of Okla. (FD) (Copies to counsel.)	
4/74	REPORT of Clerk.	
3/18/74	ORDER (letter-copy) March 18, 1974 from Hon. Fred Daugherty to Ms. Helen A. Adair, directing that Applications be filed requesting Court approval of each of the desired modifications to existing sand and gravel leases and a form of desired order on each application; further, either the application or order in each instance should be approved by counsel for the tribe or tribes involved. (FD)	
4/2/74	Application by the Cherokee Nation and Jeffrey Sand Co. for Order approving modification of Sand and Gravel Lease - Lease No. 68854.	
4/2/74	Application by the Cherokee Nation and Jeffrey Sand Co. for Order approving modification of Sand and Gravel Lease - Lease No. 68869.	
4/8/74	Objection of Choctaw Nation and the Chickasaw Nation to Accounting by the defendants.	
4/10/74	Withdrawal by Choctaw Nation and Chickasaw Nation of Objections.	
4/15/74	ORDER approving and validating a Modification to Lease No. 68869 with accounting for all monies to be as provided for in said Modification. (FD) (Copy to U.S. Solicitor & Wilcoxon)	
4/15/74	ORDER approving and validating a Modification to Lease No. 68854 with accounting for all monies to be as provided for in said Modification - Cherokee Nation Choctaw Nation and the Chickasaw Nation of Indians of Oklahoma and Arkhola Sand and Gravel Company. (FD) (Copy to U.S. Solicitor, Wilcoxon & Kile)	
4/18/74	Letter, 4/9/74, to Judge Fred Daugherty from Lon Kile re: royalties, rentals etc.	
4/18/74	Letter, 4/8/74, to Theodore H. Frison, Trustee from Lon Kile.	
4/22/74	ORDER (letter 4/22/74 from Hon. Fred Daugherty to Sid M. Groom, Jr.) re Objections to the accounting made as to Jake L. Hammon and Eason Oil Co. with reference to Herbert Sharp Unit No. 1: It is ordered that said parties make the desired accounting with 30 days from the date hereof or within 10 days show cause in writing why they should not make the desired accounting. (FD)	
4/22/74	ORDER (Letter 4/22/74 from Hon. Fred Daugherty to Spence A. Leemons) re Objections to the accounting made by J. T. Stephens d/b/a Stephens Production Co. as to the Hutchinson Redland Ranch Unit # 6 and as to Stephens Prod. Co. re Redland	



D. C. 110A Rev. Civil Docket Continuation

## PROCEEDINGS

Date Order or  
Judgment Noted

- | DATE    | PROCEEDINGS   | Date Order or Judgment Noted |
|---------|---|------------------------------|
|         | Ranch # 5, Turmon Unit # 1 and Turmon Unit No. 2: It is ordered that J. T. Stephens d/b/a Stephens Production Co. & Stephens Production Co. each make the desired accountings and do so within 30 days from this date or show cause in writing within 10 days why they should not make the requested accountings. (FD)  |                              |
| 4/23/74 | Response of Eason Oil Co. to objections to accounting.  |                              |
| 4/25/74 | ACCOUNTING. (Copy to FD) (Accounting of Hanover Management Co.)   |                              |
| 4/25/74 | Response of J. T. Stephens, d/b/a Stephens Production Co. to the Objections of the Choctaw and Chickasaw Nations. (copy to FD)  |                              |
| 5/10/74 | LETTER dated May 7, 1974 to Clerk of Court from Imperial-American Resources Fund, Inc. Debtor, disclosing information as to the Former State of Oklahoma Lease C.S. -10418, T10N-R25E, Sec. 26 - Portion of Ark. Riverbed lying within said Section 36 Lon Star Producing Co., Lessee, LeFlore and Sequoyah Counties, Okla.   |                              |
| 5/22/74 | RESPONSE AND ACCOUNTING OF J. T. STEPHENS, d/b/a STEPHENS PRODUCTION COMPANY to the Objection of the Choctaw and Chickasaw Nations.   |                              |
| 5/28/74 | RESPONSE and ACCOUNTING of Jake L. Hamon to the OBJECTIONS of the Choctaw and Chickasaw Nations.  |                              |
| 5/28/74 | ORDER that Clerk of this Court, on May 30, 1974, invest all sums in registry in a Certificate of Deposit, which in the judgment of the Clerk will bear the most satisfactory rate of interest. (FD) (Copies to Lon Kile & Andrew Wilcoxon)  | 90 day                       |
| 5/31/74 | REPORT - Proceeds deposited on a 90 Day Certificate of Deposit in the total sum of \$856,839.43 by Clerk, U.S. District Court.  |                              |
| 6/5/74  | ORDER that the Choctaw and Chickasaw Nations are granted 20 days from the date hereof within which to inform the Court that the accountings rendered are satisfactory to them or to file Objections setting out in detail any objections to the accountings filed herein by any of the above-named companies or individuals. (FD) (Copies to counsel and copy of FD) (Mailing list attached to order) |                              |
| 6/24/74 | LETTER from Lon Kile to Fred Daugherty, dated 6/13/74, requesting an extension of time to file formal response to the accountings of the diverse defendants, to June 24, 1974.  |                              |
| 6/24/74 | Order granting Lon Kile, attorney for Chickasaw and Choctaws to file formal response to the accountings of diverse defendants, to June 24, 1974. (FD)   |                              |
| 7/2/74  | Entering order granting Lon Kile to file response out of time. (FD)   |                              |
| 7/2/74  | RESPONSE of Choctaw & Chickasaw Nations stating position as to accountings.   |                              |
| "       | ORDER DIRECTING JAKE L. HAMONS AND J. T. STEPHENS to make further accountings, etc. within thirty days. (FD)  |                              |
| 7/9/74  | APPLICATION of the Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Okla. and Roy W. Reed, for Order approving Agricultural Lease.  |                              |
| 7/16/74 | ORDER that Agricultural Lease No. C09-165 be validated and approved and that all monies received by the Bureau of Indian Affairs as proceeds of said lease be paid to the Clerk of the U.S. District Court, East. Dist. of Okla. (FD) (Copies to counsel, Earl Boyd Pierce, Andrew Wilcoxon & Lon Kile.)  |                              |
| 7/25/74 | ORDER approving accounting of Hanover Mgm. Co. and Hanover to pay to the Clerk of this court all further royalties received etc. (FD) (copies to counsel)   |                              |
| 8/1/74  | RESPONSE AND ACCOUNTING of J. T. Stephens d/b/a Stephens Production Co. in Compliance with the Order of July 2, 1974. (mailed to FD 8-8-74) (in separate Stephens letter)   |                              |

DATE	PROCEEDINGS	Date Order or Judgment Noted
8/8/74	Entering order granting Jake L. Hamon an extension of time of 10 days to make further accounting, etc. (FD)	
8/12/74	RESPONSE OF JAKE L. HAMON TO OBJECTIONS OF CHOCTAW & CHICKASAW NATIONS.	
8/13/74	Entering order setting case for hearing on Accountings of J. T. Stephens d/b/a Stephens Production Co. and Jake L. Hamon; and Objections thereto of Choctaw Nation and Chickasaw Nation, at McAlester, Oklahoma, on August 29, 1974 at 10:30 A.M. (FD)	
8/20/74	ORDER directing the Clerk to invest all sums in the registry in this case in a ninety day Certificate of Deposit. (FD) (No copies made)	
8/29/74	<p>PRETRIAL: (McAlester) Pretrial conference was conducted as to Jake Hamon and Stephens Production Co. Plaintiff appearing by counsel, Mr. Andrew Wilcoxon. Stephens Production appearing by counsel, Messrs. Roy Frye Jr. and Spence A. Leamons; Jack Hamon appearing by counsel, Mr. Sid Groom; Choctaw-Chickasaw Nations appearing by counsel, Mr. Lon Kile; Sun Oil appearing by counsel, Mr. Paul D. Fielding; U.S.A. appearing by counsel, Mr. Robert McDonald; and, Commissioners of the Land Office appearing by counsel, Messrs. R. R. Williamson Jr. and Paul DeGraffenreid.</p> <p>Choctaw-Chickasaw Nations granted 45 days to file supplemental complaints with reference to One Unit of Hamon and Four Units of Stephens Production Co.</p> <p>Lon Kile requests permission to amend by interlienation his response to accounting filed on July 2, 1974, at page 2 in the last paragraph to read (Township 10 North) "302.10 Acres of Riverbed", which is granted by the Court. (FD)</p> <p>Pretrial closed. (FD)</p>	
9/3/74	REPORT OF CLERK of proceeds on Certificate of Deposit No. 08643.	
10/7/74	APPLICATION FOR ORDER APPROVING ASSIGNMENT OF OIL AND GAS LEASES, No. 68898, 68899, 68900.	
10/9/74	ORDER that the assignments of oil and gas leases, No. 68898, 68899, and 68900, be validated and approved by and between the Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Okla., Potts-Stephenson Exploration Co. and Coquina Oil Corp. (FD) (Copies to Lon Kile, Andrew Wilcoxon, Potts-Stephenson Exploration Co. and Coquina Oil Corp.)	
10/16/74	APPLICATION FOR ORDER APPROVING OIL & GAS LEASE NO. 68979.	
"	ORDER APPROVING AND VALIDATING OIL & GAS LEASE 68979 with all monies received by the Bureau of Indian Affairs to be paid to the Clerk, Eastern District of Okla. (FD) (Copy to Kile, Wilcoxon)	
11/4/74	Entering order granting Lon Kile to November 8, 1974, in which to file amendment to complaint. (FD) (counsel notified)	
11/20/74	ORDER that Clerk invest all sums in the registry of the court etc. (FD) (copies to Kile, Wilcoxon)	
12/2/74	REPORT of Clerk. (copies to Kile and Wilcoxon)	
12/31/74	Entering Order granting further extension to Choctaw-Chickasaw Nations to January 15, 1975, in which to file supplemental complaints with reference to 1 Unit of Hamon and 4 Units of Stephens Production Co. (FD) (copies to counsel)	

D. C. 110A, Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
1/13/75	MINUTE ORDER that Plaintiff is granted an extension from January 15, 1975 until January 27, 1975 in which to file a Supplemental Complaint or Complaints in the above case. (FD)(copies to counsel)	
2/3/75	MINUTE ORDER allowing Amended Cross Complaint of the Choctaw Nation and the Chickasaw Nation to be filed out of time. (FD)(copies to counsel)	
2/3/75	AMENDED CROSS COMPLAINT OF THE CHOCTAW NATION AND THE CHICKASAW NATION.	
2/3/75	Issuing Summons.	
2/5/75	Marshal's return on summons: UNEXECUTED on 2/4/75 as to: John Charles Forrester, H. S. Swift, H. F. Swift, B. C. McKnabb, R. Jordan, H. R. Williams, William Hughes Forrester, Richard Shumuck, Richard D. Schmuck, Edith Griffin, Edith Griffith, Bernice Tapia, W. M. Cloud, Charles Cozart, and Westland Oil Development Co, a corp.	
2/13/75	Marshal's returns: Served Eason Oil Co. a corp. by serving Bob Collins, Oklahoma City, Okla on 2/5/75; Served Norvel A. Rose, Served Rose Real Estate a corp. by serving Norvel Rose, Served Rose Real Estate an unincorporated association by serving Norvel Rose, Served John Doe, a member of Rose Real Estate an unincorp. asso. by serving Norvel Rose, Served John Doe, indiv. d/b/a Rose Real Estate by serving Norvel Rose, all at Oklahoma City, Oklahoma and all on 2/5/75; Served John Reints by serving Mrs. John Reints, wife; Served First National Bank of Fort Smith, Ark., a corp, by serving Gene Graun; Served J. T. Stephens Production Co. by serving Spence A. Leamons; Served J. T. Stephens by serving Spence A. Leamons; Served Stephens Production Co. a corp. by serving Spence A. Leamons all at Fort Smith, Ark. and all on 2/6/75; Served Jake Hamon at Dallas, Texas on 2/6/75; Served Erie Johnston at Tulsa, Ok. on 2/7/75; Served Erie Lee Merryman at Tulsa, Okla. on 2/7/75; Served Catherine Boozman by serving Bert W. Boozman (Com.Sec.) on 2/7/75 at Ft. Smith, Ark.; Served Bert W. Boozman at Ft. Smith, Ark. on 2/7/75. Served J. E. Anthis by serving J. H. Anthis, G-Son, at Muskogee, Okla. on 2/11/75.	
2/18/75	Marshal's returns: Served Pure Oil Company, A Corporation by serving Dee Richardson, service agent (attorney); served Union Oil Co. of California, a crp. by serving Dee Richardson, service agent, (attorney) 2/10/75, Midland, Texas; served Mrs. William H. Bright, 2/11/75, Phoenix, Arizona; served Beulah B. Hutchinson, 2/10/75, Los Angeles, Calif.; served John Jordan, 2/14/75, Muldrow, Okla.; served Ralph B. Boozman by serving Mrs. Ralph B. Boozman, wife, 2/11/75, Jackson, Mississippi; served Ora F. Campbell, 2/14/75, Redlands, Okla.; served Johnny Francis Merryman, 2/11/75, San Bernadino, California; served James Henry Merryman, 2/11/75, San Bernadino, Calif.; served Ollie Merryman by serving Ollie Swafford once named Merryman, 2/11/75, Long Beach, Calif.; served Lessie M. Merryman 2/11/75, San Bernadino, Calif.; served J. H. Merryman, 2/11/75, San Bernadion, Calif.; served Ollie Swofford, 2/11/75, Long Beach, Calif.; served Douglas-Guardian Warehouse Corp. by serving Neil Bryning, #1 Canal St, New Orleans, La., 2/12/75.; Pauline Gentry, returned un-executed "not found", 2/14/75; Ethel J. Bourdon, returned un-executed, deceased 3 yrs. ago.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
3/3/75	ANSWER and CROSS-COMPLAINT of defendant, John Jordan.	
3/3/75	APPLICATION OF THE CHEROKEE NATION. that a determination of ownership of certain lands be held in abeyance until a decision made in 73-332; etc.	
3/4/75	ANSWER TO AMENDED CROSS COMPLAINT of Beulah B. Hutchinson.	
3/5/75	Entering order allowing Answer of Union Oil Co. of California to Amended Cross Complaint to be filed out of time. (Clerk)	
3/5/75	ANSWER OF DEFENDANT, UNION OIL COMPANY OF CALIFORNIA, To Amended Cross Complaint of the Choctaw Nation and the Chickasaw Nation.	
3/5/75	Marshal's return on summons: Unable to locate J.S. Merryman, Fountain Valley, Calif., 2/12/75.	
3/6/75	ORDER allowing additional time to and including April 4, 1975 for the defendants Douglas-Guardian Warehouse Corp., Charlye V. Davidson, Woodrow Turman, SIpheus Varner, and Ruth S. Neugass to plead or answer. (FD)(Copies to Kile, Pierce, & Wilcoxon and Varner)	
3/12/75	RESPONSE of Choctaw and Chickasaw Nations to Defendant Eason Oil Company's Motion to Dismiss.	
3/13/75	Marshal's Return: Ruth S. Neugass served 3/11/75, Los Angeles, Calif; Ruth S. Novgass, not found, attempts made 2/12/75, 2/13/75, 2/26/75, 3/11/75.	
3/17/75	ANSWER of defendant, Douglas-Guardian Warehouse Corp. to the Amended Cross-Complaint of Choctaw Nations and Chickasaw Nation.	
3/18/75	ORDER dismissing as to Eason Oil Company, defendant. (FD)(copies to Lon Kile and Jay R. Bond & Andrew Wilcoxon)	
3/20/75	ANSWER of Alpheus Varner, Ruth S. Neugass and Woodrow Turman, as to Amended-Cross Complaint of Choctaw & Chickasaw Nations.	
"	ANSWER to Amended Cross-Complaint of Choctaw & Chickasaw Nations of Woodrow Turman, James Henry Merryman and J. S. Merryman.	
"	ANSWER to Amended Cross Complaint of Choctaw & Chickasaw Nations of Alpheus Varner, Ruth S. Neugass, Charlye V. Davidson, John Charles Forrester and William Hughes Forrester.	
3/25/75	APPLICATION of Mobile Oil Corp. FOR MODIFICATION and/or INTERPRETATION OF OIL AND GAS LEASE.	
3/26/75	ORDER that lease between Mobil Oil Corp. and Choctaw, Chickasaw and Cherokee Nations be modified and/or interpreted in accordance with the petition of Mobil Oil Corp. (FD)(copies to counsel for Choc. Chick, Cherokee and Mobil)	
3/27/75	ANSWER and CROSS-COMPLAINT of J. T. STEPHENS d/b/a STEPHENS PRODUCTION COMPANY to Amended Cross-Complaint of The Choctaw and The Chickasaw Nation.	
4/2/75	Response of the Choctaw and Chickasaw Nations to the Cherokee's Application of March 3, 1975.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2/18/75	Marshal's return: Elizabeth Dunstan, endeavors made on 2/10/75, 2/11/75, and 2/12/75, defendant moved to unknown address.	
2/19/75	Marshal's return: Served E. R. Campbell by serving "served O. C. Campbell by serving Ora Campbell, sister", 2/14/75, Redlands, Okla.	
2/20/75	ORDER directing the Clerk of this Court, on February 24, 1975, invest all sums in the registry of the court in this case in a ninety (90) day Certificate of Deposit which in the judgment of the Clerk will bear the most satisfactory rate of interest and under the same conditions of safeguard heretofore ordered. (FD)	
2/21/75	Motion by defendant Eason Oil Company to Dismiss the Amended Cross-Complaint filed by the Chickasaw and Choctaw Nations.	
2/21/75	Disclaimer of Eason Oil Company.	
2/21/75	Brief in support of Motion to Dismiss of Eason Oil Company, a corporation. on amended Cross Complaint.	
2/24/75	Marshal's return on SUMMONS: Served CHARLYE V. DAVIDSON, Waldron, Arkansas on 2/12/75.	
2/24/75	Motion by J. T. Stephens, J. T. Stephens d/b/a Stephens Production Co. & Stephens Production Co. for an extension of 30 days to plead to the Amended Cross Complaint of the Choctaw Nation and Chickasaw Nation. 2-24-75 FD	
2/25/75	Certificate of Service on Motion to Dismiss, Disclaimer and Brief in Support of Motion to Dismiss all of Eason Oil Company.	
2/25/75	MOTION (Mailgram) for extension of time to answer of Buelah B. Hutchinson. (mailed to FD)	
2/25/75	REPORT of clerk. (copies to Kile and Wilcoxon)	
2/26/75	Marshal's return on SUMMONS: Served W. A. WILLIAMS, 2/19/75, Crystal Springs Arkansas; served ALPHEUS VARNER by serving secretary Nelma Brown, 2/21/75, Poteau, Oklahoma; served WOODROW TURMAN, 2/21/75, Poteau, Oklahoma.	
2/26/75	ANSWER OF DEFENDANT JAKE L. HAMON to Amended Cross Complaint of the Choctaw Nation and the Chickasaw Nation.	
2/27/75	ANSWER and CROSS-PETITION of McCloud Sicard, Carmelita Sicard Echols, Catherine Boozman, Ralph B. Boozman, and Bert Wayne Boozman.	
2/26/75	Entering order granting Buelah B. Hutchinson an extension of 10 days within which to answer. (FD) (counsel notified)	
2/27/75	Entering order upon consideration of the Motion for Extension of Time to Plead filed herein by J. T. Stephens, J. T. Stephens d/b/a Stephens Production Company and Stephens Production Company, said requested extension of thirty (30) days or until March 28, 1975, is granted. (FD) (copies to counsel)	
3/3/75	ORDER that Choctaw and Chickasaw Nations respond to Motion of Eason Oil Co. to dismiss within 15 days from date of 2/28/75. (FD) (counsel notified by letter by FD)	
1/3/75	MOTION FOR ADDITIONAL TIME TO PLEAD OR ANSWER by defts., Douglas-Guardian Warehouse Corp., Woodrow Turman, Charlye V. Davidson, Alpheus Varner, and Ruth S. Neugass, to April 4, 1975.	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
4/3/75	ORDER granting application of the Cherokee Nation filed on 3/3/75 on the basis of the response of the Choctaw and Chickasaw Nations filed 4/2/75. (FD)(Copies to counsel)	
4/9/75	APPLICATION FOR ORDER APPROVING CORRECTION OF DESCRIPTION IN OIL & GAS LEASE.	
4/16/75	APPLICATION of Stephens Production Co. for Order designating proper depository for payments made under oil and gas lease.	
4/15/75	ORDER directing that the depository for rentals, royalties or any other payment be made etc. to the registry of this Court; that Oklahoma Corp. Commission Order #44717, be communitized and each royalty owner shall participate in royalty obtained from the unit well thereon in proportion that the acreage owned by him bears to the acreage within such unit, IS HEREBY APPROVED insofar as said Order No. 44717 affects the restricted Indian Tribal interests within Section 35, Township 10 North, Range 25 East; and That the oil & gas lease is a good and valid and subsisting lease etc. (FD)	
4/15/75	ORDER correcting description of oil and gas lease etc. (FD)(copies to counsel)	
4/28/75	Amendment to Answer and Cross Complaint of J. T. Stephens d/b/a Stephens Production Co. to Amended Cross Complaint of the Choctaw & Chickasaw N	
5/13/75	Entering order that the Objections of Choctaw & Chickasaw Nations to the accounting be considered superseaded by their Amended Complaint filed on February 3, 1975. (FD)(counsel notified)	
5/22/75	ORDER directing the Clerk of This Court, on May 27, 1975, invest all sums in the registry of the court in this case in a ninety (90) day certificate of deposit which in the judgment of the Clerk will bear the most satisfactory rate of interest and under the same conditions of safeguard heretofore ordered. (FD) (copy Wilcoxon & Kile)	
5/30/75	REPORT OF CLERK (copies to Wilcoxon and Kile)	
6/25/75	DISMISSAL WITHOUT PREJUDICE by the Choctaw Nation and the Chickasaw Nation as to the 1st, 2nd, 3rd, 4th, 5th, 6th, & 7th causes of action as set forth in their Amended Cross-Complaint.	
6/25/75	DISMISSAL WITHOUT PREJUDICE by the Cherokee National as to the 1st, and, 3rd, 4th, 5th, 6th, & 7th causes of action as set forth in the amended cross complaint of the Choctaw Nation and Chickasaw Nation, etc. without prejudice to the right of a future action.	
6/26/75	DISMISSAL WITHOUT PREJUDICE Amended Cross-Complaint of Douglas-Guardian Warehouse Corp.	
6/26/75	DISMISSAL WITHOUT PREJUDICE Cross-Complaints of Woodrow Turman, Alpheus Varner, Charlye Davidson, John Charles Forrester, William Hughes Forrester, Ruth S. Neugass Novgass and Newgass, James and J. S. Merryman	

DATE	PROCEEDINGS	Date Order or Judgment Noted
6/30/75	ORDER: Upon consideration of the Dismissals Without Prejudice filed by Choctaw Nation, the Chickasaw Nation & Cherokee Nation as to the Amended Cross-Complaint of Choctaw Nation & Chickasaw Nation filed on 2/3/75 & the Dismissals Without Prejudice filed by defts., Woodrow Turman, Alpheus Varner, Charlye Davidson (also called Charlye V. Davidson), John Charles Forrester, William Hughes Forrester, Ruth S. Neugass (erroneously spelled in said Amended Cross-Complaint as Ruth S. Novgass and as Ruth S. Newgass), James Henry Merryman and J. S. Merryman, and Douglas-Guardian Warehouse Corp. (erroneously named as Douglas-Guardian Warehouse, a corp.) as to their respective Cross-Complaints filed herein, the Court finds that the Amended Cross-Complaint of the Choctaw Nation and the Chickasaw Nation filed by defendants and pending herein should be dismissed without prejudice. (Copies to counsel and all defts.)	
9/24/75	APPLICATION FOR MODIFICATION OF ORDER WITH AUTHORITIES on behalf of Mobile Oil Corp. and the State of Okla. ex rel Okla. Tax Comm.	
10/8/75	Letter, 10/7/75, directing plaintiff and intervenors to respond to motion of Mobil and State for modification of order etc. within 10 days with no brief required. (FD)	
10/9/75	Application by the Cherokee Nation, The Choctaw Nation and the Chickasaw Nation of Indians of Oklahoma and Stephens Production Company For an Order Approving Oil and Gas Lease.	
10/15/75	ORDER validating Oil and Gas Lease between Cherokee Nation, the Choctaw Nation and Chickasaw Nation of Indians of Okla. AND Stephen Production Co. as to Lease No. 69094. (FD) (Copies to Andrew Wilcoxon, Lon Kile, Spence A. Leamons.)	
10/16/75	RESPONSE OF CHEROKEE NATION TO APPLICATION OF MOBIL OIL CORP.	
10/21/75	LETTER to Judge Daugherty from LonKile, dated 10/17/75, citing authorities in response to the application of the Okla. Tax Commission and Mobil Oil Corp.	
10/21/75	RESPONSE of the Choctaw-Chickasaw Nation in response to the motion of the Okla. Tax Commission and Mobil Oil Corp. as to gross production taxes.	
10/22/75	ORDER (letter 10/22/75) re Application for Modification of Order filed 9/24 by Mobil Oil Corp. and the State of Oklahoma, ex rel Oila. Tax Commission; and letter of Mr. Kile in response to the application of Choctaw & Chickasaw Nations; and response of Cherokee Nation to said application: Order Directing the applicants brief their position in the matter within 15 days; then requested the Choctaw and Chickasaw Nations and the Cherokee Nation both respond 15 days thereafter. (FD)(Mailed by Court)	
10/31/75	Order that State of Okla., ex rel, Okla. Tax Commission and Mobil Oil Corp. are granted an extension to Nov. 17, 1975 to file supporting Brief on their pending Application. Cherokee, Choctaw & Chickasaw Nations granted 15 days thereafter to file Response Brief. (FD) (Copies to Nevard, Groom, Pierce, Wilcoxon and Kile.)	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
11/18/75	Okla. Tax Commission BRIEF OF DEFENDANT/IN SUPPORT OF APPLICATION FOR MODIFICATION OF ORDER.	
11/19/75	Mobile Oil Corporation's ADOPTION OF BRIEF of the State of Okla. ex rel Tax Com. In support of Application for Modification of Order.	
12/9/75	BRIEF OF THE CHEROKEE NATION.	
<del>12/30/75</del>	<del>BRIEF of Choctaw and Chickasaw Nations. (Response to Okla. Tax Comm. Motion to Modify)</del>	
12/22/75	* Entering order granting Choctaw Nation and Chickasaw Nation until January 1, 1976, to file brief in response to the motion of Okla. Tax Commission for an order directing the payment of gross production taxes on oil and gas produced from lands belonging to the Choctaw Nation and the Chickasaw Nation. (FD)	
12/30/75	BRIEF of Choctaw and Chickasaw Nations. (Response to Okla. Tax Comm. Motion to Modify)	
12/31/75	Application for Order approving Assignment of Oil and Gas Lease as to Bureau of Indian Affairs Oil and Gas Lease No. 68979.	
1/2/76	Order approving application filed by the Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Okla., Joe D. Davis and Daube Exploration Co. as to oil and gas lease #68979. (FD) (Copies to Lon Kile, Andrew Wilcoxon and Helen Adair)	
1/15/76	Application by the Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Oklahoma, Jake L. Hamon and Daube Exploration Company for an order approving assignment of oil and gas lease.	
1/19/76	ORDER approving application by the Cherokee Nation, the Choctaw Nation and the Chickasaw Nation of Indians of Oklahoma, Jake L. Hamon and Daube Exploration Company as to oil and gas lease, being Bureau of Indian Affairs Lease No. 69082. (FD) (Copies to Lon Kile, Andrew Wilcoxon and Helen Adair)	
2/20/76	Joint Application of Cherokee, Choctaw and Chickasaw Nations of Oklahoma for Judgment Ordering disbursement, fixing ownership boundaries and quieting title in accordance with Memorandum Opinion and Judgment of April 15, 1976.	
3/4/76	ORDER of distribution, that sum of \$1,015,777.46 (Prin. & int.) on deposit in Utica National Bank & Trust, Tulsa, Okla be distributed as follows: Cherokee Nation \$530,962.51; Choctaw Nation \$363,611.21; Chickasaw Nation \$121,203.74 by way of 3 separate checks to be delivered to Clerk's office for delivery to Indian Nations; that sum of \$28,412.74 on deposit with Court be disbursed as follows: Cherokee Nation \$14,709.09; Choctaw Nation \$5,777.74; Chickasaw Nation \$1,925.91; that \$6000.00 of	



PLAINTIFF	DEFENDANT	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
		(order of 3-8-76 continued) said \$28,412.74 be retained on deposit by Clerk of Court for possibility of a levy for gross production taxes by State of Okla.; that administration and management of this property and the collection of all further revenues therefrom, be placed in the hands of the Muskogee Area Office of BIA, said property and funds to be administered for use and benefit of the Indian Nations in accordance with their ownership. (FD) (copies to Lon Kile, Andrew Wilcoxon and Helen Adair)
3/31/76		Order setting case for oral arguments on Application for Modification of Order of Mobil Oil et al. at Muskogee, Oklahoma on April 23, 1976 at 11:00 A.M. (FD) (counsel notified)
4/23/76		HEARING on application of Mobil Oil Co. and The State of Oklahoma ex rel Oklahoma Tax Commission, to amend the order of Feb. 2, 1973 to authorize deduction for gross production tax and that such payments be retroactive to the date of first production. Plaintiff appearing by counsel, Mr. Andrew Wilcoxon; deft. State of Okla. appearing by counsel, Messrs. Don Nevard and Kevin J. Murphy; Mobil Oil Co. appearing by counsel, Mr. Sid Groom; Choctaw and Chickasaw Nations appearing by counsel, Mr. Lon Kile; Mr. Alpheus Varner appearing in an unofficial capacity. Statements by Messrs. Nevard, Wilcoxon, Kile and Groom. Entering order taking application under advisement. (FD)
5/3/76		MOTION of J. T. Stephens etc. TO RECALL ORDER AND TO ISSUE CORRECTIVE ORDER. (copy to FD)
5/4/76		ORDER Oklahoma may not impose its gross production tax against Royalty payments to the Tribes from the River bed and the pending motion for modification of the Court's order requiring Mobil and other lessees of the State to account for royalties due under its lease is overruled. (FD) (Copies to counsel) involve(s)
5/7/76		Entering ORDER that motion of J. T. Stephens d/b/a Stephens Production to recall Order and to issue corrective order is stricken for failure of movant to comply with local Rule 13. (FD) (copies to counsel)
5/25/76		MOTION TO RECALL ORDER AND TO ISSUE CORRECTIVE ORDER on behalf of Deft. J.T. Stephens d/b/a Stephens Prod. Co.
5/25/76		BRIEF OF DEFENDANT J. T. STEPHENS d/b/a STEPHENS PRODUCTION COMPANY IN SUPPORT OF MOTION TO RECALL ORDER AND TO ISSUE CORRECTIVE ORDER.
5/26/76		Letter, 5/26/76, from Fred Daugherty to counsel to respond to Motion with brief within 20 days. (copies to Kyle, Pierce, Wilcoxon, Frye and Leamon)

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIF		DEFENDANT	DOCKET NO. _____
6219			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
6/14/76		• RESPONSE of Cherokee, Choctaw and Chickasaw National to Motion of Stephens Production Co. with Reference to the Sum of \$9,249.20. (Copy to FD)	
6/14/76		• Brief in Support of Response etc. (copy to FD)	
7/8/76		• ORDER (letter) granting Stephens Production Company 30 days to reply with Brief to the contentions raised by the Indian Nations in opposition to its Motion to Recall Order and to Issue Corrective Order. (FD)	
7/30/76		• Order that Reply Brief of J. T. Stephens d/b/a Stephens Production Co. due 8/8/76, is extended to 10/1/76 by agreement as shown by attached letter. (FD) (Counsel mailed copy of FD's M.O. at his direction)	
11/8/76		• WITHDRAWAL OF ANSWER AND CROSS COMPLAINT on behalf of Defendant J.T. Stephens d/b/a Stephens Production Co.	
11/8/76		• WITHDRAWAL OF MOTION TO RECALL ORDER AND ISSUE CORRECTIVE ORDER, on behalf of deft. J.T. Stephens d/b/a Stephens Production co.	
1/17/77		• MOTION of Cherokee, Choctaw and Chickasaw Nations for Distribution of Remaining Funds and for Final Judgment. (copies to <u>all</u> counsel)	
1/21/77		• ORDER OF DISTRIBUTION AND FINAL JUDGMENT: (FD) (copies to <u>all</u> counsel)	

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Muskogee, Oklahoma 74401

ADDITIONAL DEFENDANTS ON AMENDED CROSS COMPLAINT:

J. T. STEPHENS, W. A. WILLIAMS, EDITH GRIFFIN, EDITH GRIFFITH, BERNICE TAPIA, MRS. WILLIAM H. BRIGHT, ETHEL J. BOURDON, CATHERINE BOOZMAN, W. M. CLOUD, NORVEL A. ROSE, JOHN DOE, individual doing business as ROSE REAL ESTATE, JOHN DOE, a member of Rose Real Estate, an incorporated association, BEULAH B. HUTCHINSON, CHARLES COZART, JOHN JORDAN, BERT W. BOOZMAN, RALPH B. BOOZMAN, H. S. SWIFT, H. F. SWIFT, B. C. McKNABB, R. JORDAN, H. R. WILLIAMS, WOODROW TURMAN, JACK HAMON, ALPHEUS VARNER, CHARLYE V. DAVIDSON, RICHARD D. SCMUCH, RICHARD SHUMUCK, RUTH S. NOVGASS, RUTH S. NEUGASS, JOHN REINTS, E. R. CAMPBELL, ORA CAMPBELL, J. E. ANTHIS, PAULINE GENTRY, JOHN CHARLES FORRESTER, WILLIAM HUGHES FORRESTER, JOHNNY FRANCIS MERRYMAN, ERIC LEE MERRYMAN, JAMES HENRY MERRYMAN, OLLIE MERRYMAN, J. S. MERRYMAN, LESSIE M. MERRYMAN, J. H. MERRYMAN, OLLIE SWOFFORD, ELIZABETH DUNSTAN, and ERIC JOHNSTON if living etc. Heirs etc. of C. E. FORRESTER, T. S. MERRYMAN, THEODORE SCOTT MERRYMAN, ELLEN MERRYMAN, JOHN S. MERRYMAN and OLIVER GENTRY, and the spouses of each etc. J. T. STEPHENS PRODUCTION COMPANY, ROSE REAL ESTATE, an unincorporated association, PURE OIL COMPANY a corp., UNION OIL COMPANY OF CALIFORNIA, a corp., ROSE REAL ESTATE a corp., DOUGLAS GUARDIAN WAREHOUSE, a corp., WESTLAND OIL DEVELOPMENT COMPANY, a corp., FIRST NATIONAL BANK OF FORT SMITH, ARK., a corporation, etc.

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123 E. Choctaw, Sallisaw, Okla. 74434 (Stephans)  
 Spence A. Leamons (J.I. Stephens), P.O. Box 248, Ft. Smith, Ark. 72901  
 Jay Bond (Eason Oil), 1619 First National Center, Okla. City 73102  
 Sid Groom (Jake L. Hamon), P.O. Box 1130, Edmond, Okla. 73034  
 Theodore H. Frison, Trustee (Imperial American Resources), 1202 United Bank Center  
 1700 Broadway, Denver, Colo 80202  
 Jary R. Bond (Hanover Management), 1619 First National Center, Okla. City, Okla. 73102  
 Sid Groom (Mobil Oil), P.O. Box 1130, Edmond, Okla. 73034  
 Earl Boyd Pierce (Cherokees), P.O. Box 498, Ft. Gibson, Okla. 74434  
 Andrew Wilcoxon, (Cherokees), P.O. Box 357, Muskogee, Okla. 74401  
 Lon Kila (Choctaw-Chickasaw), P.O. Box 726, Hugo, Okla. 74743  
 Linda McQuillen (Cities Service), P.O. Box 300, Tulsa, 74102  
 Larry Derryberry, Atty. Gen, State Capitol Bldg., Okla. City, 73105  
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 Mr. Richard Pyle, U.S. Atty., Muskogee  
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 David Cordell, (Marthon), South National Bank Bldg., P.O. Box 3128,  
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 Robert L. Norris (Humble Oil & Refining Co.), P.O. Box 2180, Houston, Tex. 77001  
 H. B. Watson (Union Oil Co.), ~~700 First National Center~~, O. C., Okla. 73102 -1226 *Handy Dave*  
 Sam Oliver (Skelly Oil), P.O. Box 1650, Tulsa, Okla. 74102  
 Commissioners of Land Office, State Capitol Bldg., O.C.  
 Mr. Bill West, Ark. River Project, BIA, U.S. Courthouse, Muskogee

Charles C. Guidry, Atty., 500 Carson Plaza Dr., Carson, Ca. 90746 (Buelsh Hutchinson)  
 Don Nevard, Legal Division, 2501 Lincoln Blvd., Okla City, Ok 73194 (Okla.  
 Kevin Murphy " " " " " " " " " " (Tax Comm