

**TO APPROVE A PIPELINE EASEMENT IN FAVOR OF EXPLORER PIPELINE COMPANY ON LAND HELD BY THE USA IN TRUST FOR THE CHOCTAW AND CHICKASAW NATIONS IN LOVE COUNTY, OKLAHOMA**

**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

**A COUNCIL BILL**

**TO APPROVE** a pipeline easement in favor of Explorer Pipeline Company on land held by the USA in trust for the Choctaw and Chickasaw Nations in Love County, Oklahoma.

**WHEREAS**, in accordance with Article VII, Section 1 of the Constitution of the Choctaw Nation of Oklahoma, the Chief shall perform all duties pertaining to the Office of the Chief Executive. He shall sign official papers on behalf of the Nation;

**WHEREAS**, in accordance with Article IX, Section 6 of the Constitution of the Choctaw Nation of Oklahoma, the Tribal Council (the "Council") shall make decisions pertaining to the acquisition, leasing, disposition, and management of tribal property;

**WHEREAS**, Explorer Pipeline Company is proposing a renewal of an existing eight-inch pipeline on a property held by the USA in Trust for the Choctaw and Chickasaw Nations, located in the W $\frac{1}{2}$  of Lot 1 and all of Lot 2 in Section 36, Township 9 South, Range 1 East, Indian Meridian, Love County, Oklahoma, containing 59.32 rods or 1.12 acres. See Exhibit A for Survey Plat and legal description;

**WHEREAS**, the payment will be \$14,830.00, which is \$250/rod. The Choctaw Nation's portion will be \$11,122.50 for their undivided  $\frac{3}{4}$  interest in this tract;

**WHEREAS**, the easement shall be for a 20-year term and is for the purpose of continuing to operate and maintain the existing pipeline; and

**WHEREAS**, the Tribal Council has determined it is in the best interest of the Choctaw Nation of Oklahoma to approve and grant the pipeline easement in favor of Explorer Pipeline Company.

**THEREFORE BE IT ENACTED** by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval of the proposed pipeline easement located in Section 36, Township 9 South, Range 1 East, Indian Meridian, Love County, OK, in favor of Explorer Pipeline Company, on land held by the USA in Trust for the Choctaw and Chickasaw Nations. See Exhibit B.

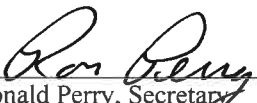
**BE IT FURTHER ENACTED** by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited for approval of the payment of \$14,830.00 for a 20-year term, with the Choctaw Nation's portion being \$11,122.50 for its undivided  $\frac{3}{4}$  interest in the tract.


**BE IT FURTHER ENACTED** by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as an acknowledgement that the Chief of the Nation, or his designee, is authorized to prepare, execute, deliver and file any and all agreements, certificates, instruments and documents, in such form and with such terms and provisions as the Chief of the Nation, or his designee, may approve, and to take such other action as he, she or they may deem proper or appropriate, to carry out the intent and purposes of the foregoing enactments.


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**CERTIFICATION**

*I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on July 8, 2023. I further certify that the foregoing Council Bill CB-91-23 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.*

  
\_\_\_\_\_  
Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
\_\_\_\_\_  
Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
\_\_\_\_\_  
Gary Batten, Chief  
Choctaw Nation of Oklahoma

Date 7-12-2023

**TO APPROVE A PIPELINE EASEMENT IN FAVOR OF EXPLORER PIPELINE COMPANY ON LAND HELD BY THE USA IN TRUST FOR THE CHOCTAW AND CHICKASAW NATIONS IN LOVE COUNTY, OKLAHOMA**

**Purpose of Council Bill:** To approve a pipeline easement in favor of Explorer Pipeline Company on land held by the USA in Trust for the Choctaw and Chickasaw Nations in Love County, Oklahoma. It is located in the W½ of Lot 1 and all of Lot 2 in Section 36, Township 9 South, Range 1 East, Indian Meridian, Love County, Oklahoma, and contains 59.32 rods or 1.12 acres. Please see attached Exhibit A Survey Plat and Legal Description, Exhibit B Right-of-Way application, and Exhibit C location map. The appraised value was \$150/rod, which equaled \$8,900.00. This legislation will allow the Nation to meet its strategic goals of strengthening financial growth and economic stability and strengthening local economies.

**Title of Council Bill:** TO APPROVE A PIPELINE EASEMENT IN FAVOR OF EXPLORER PIPELINE COMPANY ON LAND HELD BY THE USA IN TRUST FOR THE CHOCTAW AND CHICKASAW NATIONS IN LOVE COUNTY, OKLAHOMA

**Grantee:** Explorer Pipeline Company

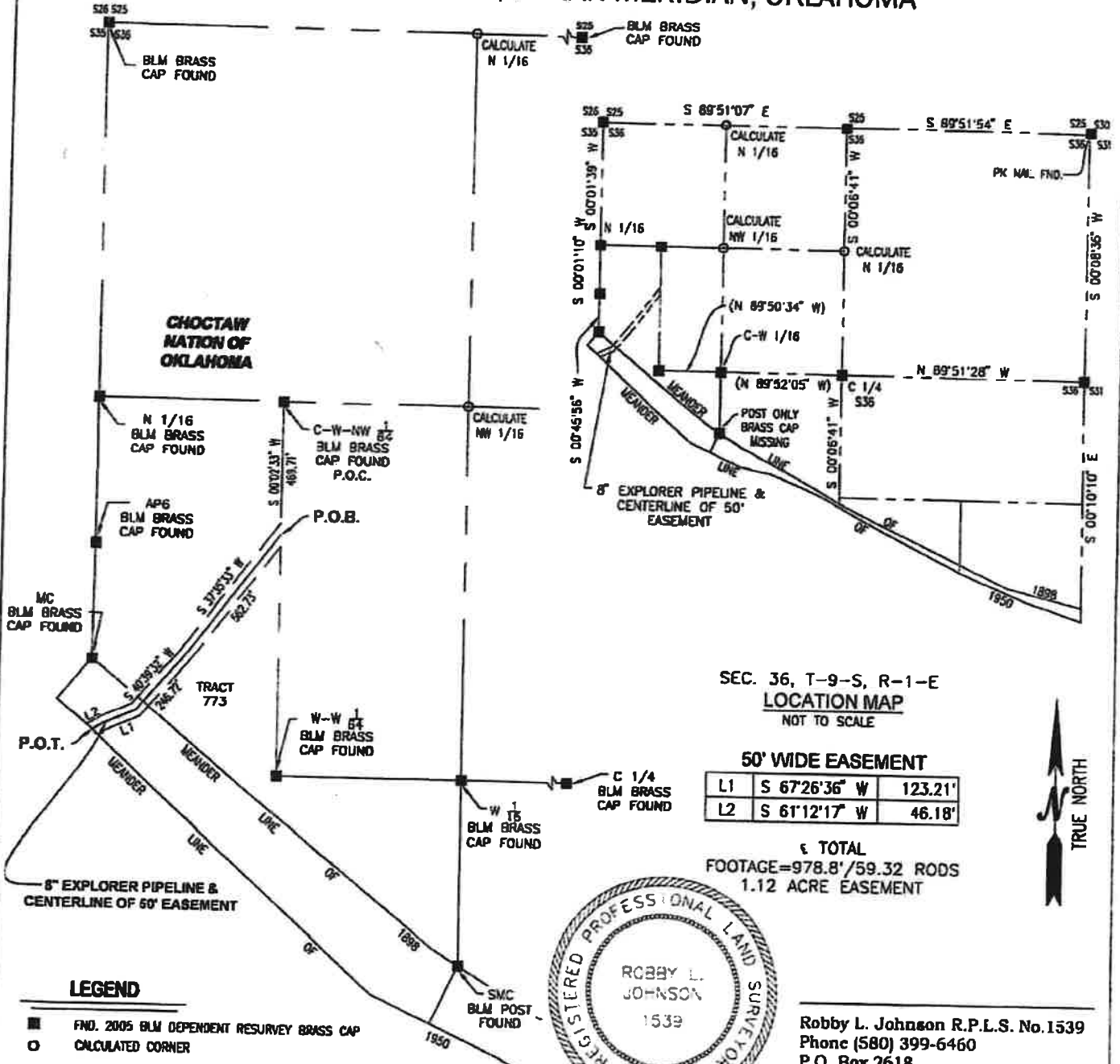
**Duration:** 20 years

**Payment:** \$14,830.00 (\$250/rod), the Choctaw Nation's portion will be \$11,122.50.

**Request by Project Director:** Traci Umsted, Senior Director of Land & Title, Kelly McKaughan, Senior Executive Officer

**EXHIBIT A**

**USA IN TRUST FOR CHOCTAW NATION - OKLA.  
W/2 LOT 1 AND ALL OF LOT 2  
SEC 36, T-9-S, R-1-E, INDIAN MERIDIAN, OKLAHOMA**



SEC. 36, T-9-S, R-1-E  
**LOCATION MAP**  
NOT TO SCALE

**50' WIDE EASEMENT**

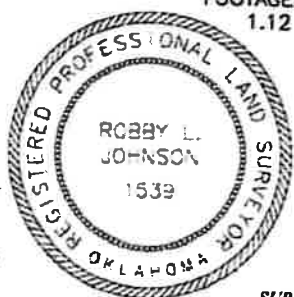
L1	S 67°26'36" W	123.21'
L2	S 61°12'17" W	46.18'

ε TOTAL  
FOOTAGE=978.8'/59.32 RODS  
1.12 ACRE EASEMENT



**LEGEND**

- FND. 2005 BLM DEPENDENT RESURVEY BRASS CAP
- CALCULATED CORNER



**Robby L. Johnson R.P.L.S. No. 1539**  
Phone (580) 399-6460  
P.O. Box 2618  
Ada, OK 74821

SURVEYING AND MAPPING BY  
BENNETT-MORRIS AND ASSOCIATES LAND SURVEYING, P.C. CA #5975  
ADA, OKLAHOMA

Ground distances and bearings are referenced to the true meridian. This plat is based on surface coordinates in Oklahoma South Zone 3502 NAD 83 with a combined scale factor of 1.00006213386 and a convergence angle of 00°29'28".

FILE LOCATION:		DATE: 07/14/22		CHK'D: RLJ		APPR.:		DATE: 07/14/22		SCALE: 1"=500'		CHK'D: RLJ		APPRVD:		REVISION:		SHEET: 1 OF 3	
1	ISSUE FOR REVIEW	RLJ	07/14/22	RLJ	RLJ														
0	ISSUE FOR REVIEW	RLJ	06/03/22	RLJ	RLJ														
REV	DESCRIPTION	BY	DATE	CHK'D	APPR.														

LOVE COUNTY, OKLAHOMA  
**USA IN TRUST FOR CHOCTAW NATION**  
LAND AREA 906 TRACT # T 51155  
LOVE COUNTY, OKLAHOMA  
SEC. 36 T-9-S R-1-E I.M.  
**301-LP-1001**

**EXHIBIT A**

**USA IN TRUST FOR CHOCTAW NATION - OKLA.  
W/2 LOT 1 AND ALL OF LOT 2  
SEC 36, T-9-S, R-1-E, INDIAN MERIDIAN, OKLAHOMA**

**50' WIDE EASEMENT**

A portion of Tract 773 (also known as the W1/2 of lot 1 and all of lot 2) in section 36, township 9 south, range 1 east, Indian Meridian, County of Love, State of Oklahoma, Exhibit "A" being a 50 foot wide strip of land, the center line of which is more particularly described as follows:

**BEGINNING AT A POINT** on the east line of said W1/2 of Lot 1, South 00° 02' 33" West, a distance of 469.71 feet along said east line from the northeast corner of said W1/2 of Lot 1 (C-W-NW 1/64). Thence from the **POINT OF BEGINNING**, the following four courses:

- 1) South 37° 35' 33" West, 562.73 feet;
- 2) South 40° 39' 32" West, 246.72 feet;
- 3) South 67° 26' 36" West, 123.21 feet;
- 4) South 61° 12' 17" West, 46.18 feet, to a point on the south line of Tract 773, and the **POINT OF TERMINATION**, being South 00° 05' 15" East a distance of 1174.14 feet, from the north 1/16 corner of Sections 35 and 36.

The sidelines of said strip shall be lengthened or shortened, as necessary, so as to intersect with the east line of said W1/2-Lot 1 and the south line of Tract 773.

Containing 1.12 acres of land.

The bearings herein are as shown on the plat of survey dated June 3, 2022. All distances stated are in U.S. Survey Foot and all bearings are referenced to the true meridian.

The interest to be conveyed is an easement for the purposes of an existing pipeline.

Exhibit "A": Attached hereto and made a part of.



**Robby L. Johnson R.P.L.S. No. 1539**  
Phone (580) 399-6460  
P.O. Box 2618  
Ada, OK 74821

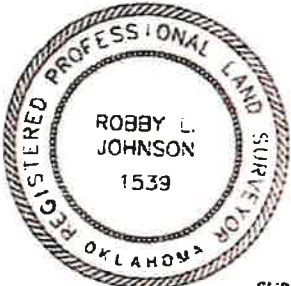
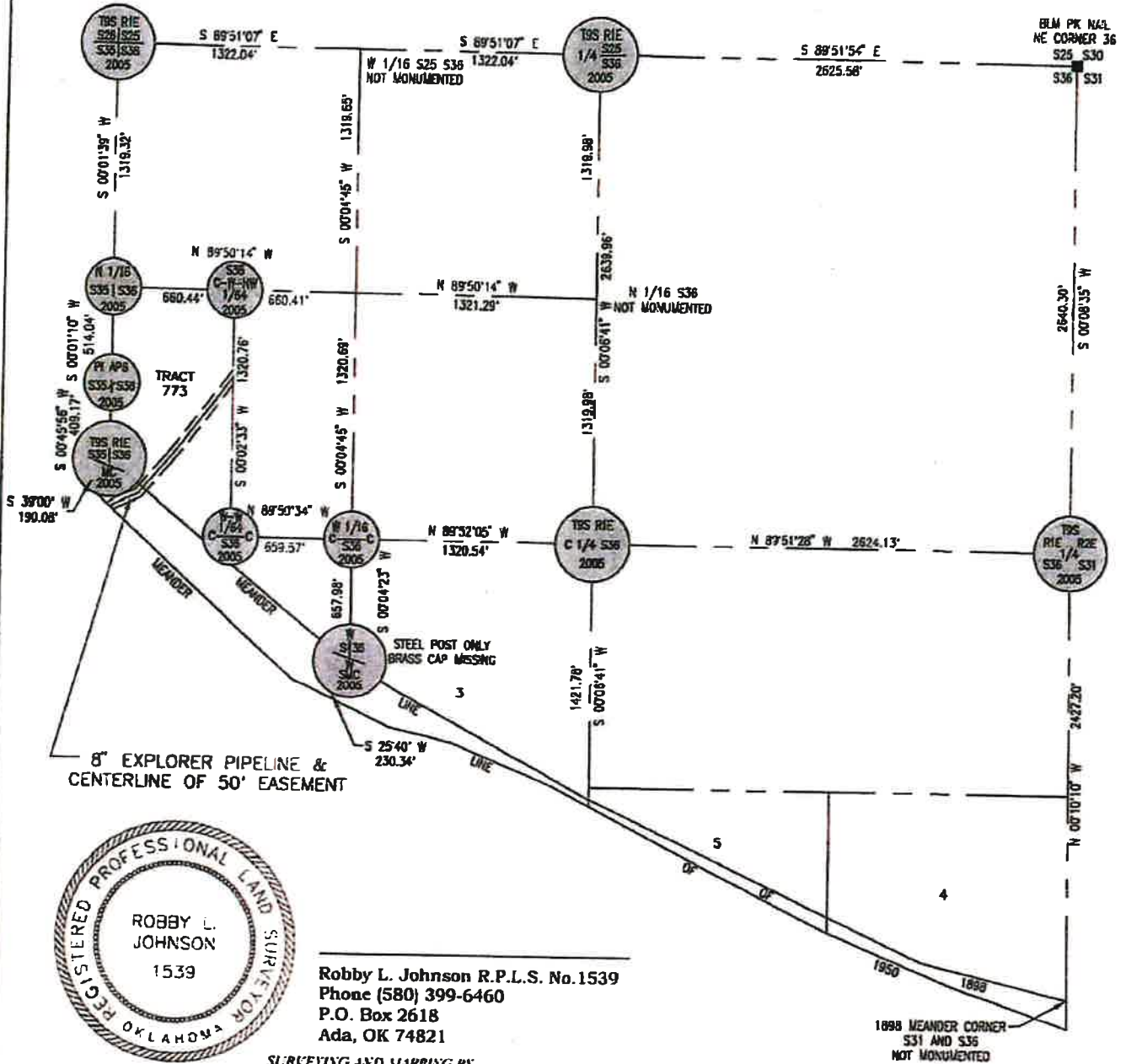
**SURVEYING AND MAPPING BY**  
BENNETT-MORRIS AND ASSOCIATES LAND SURVEYING, P.C. CA #5975  
ADA, OKLAHOMA

Ground distances and bearings are referenced to the true meridian. This plat is based on surface coordinates in Oklahoma South Zone 3502 NAD 83 with a combined scale factor of 1.00006213386 and a convergence angle of 00°29'28".

						LOVE COUNTY, OKLAHOMA USA IN TRUST FOR CHOCTAW NATION LAND AREA 906 TRACT # T 51155 LOVE COUNTY, OKLAHOMA SEC. 36 T-9-S R-1-E I.M.	
1	ISSUE FOR REVIEW	RLJ	07/14/22	RLJ	RLJ	DATE	07/14/22
0	ISSUE FOR REVIEW	RLJ	06/03/22	RLJ	RLJ	SCALE	
REV	DESCRIPTION	BY	DATE	CHK'D	APPR.	APPROVED	301-LP-1001
FILE LOCATION:						DATE	07/14/22
						REVISION	
						SHEET	2 OF 3

**EXHIBIT A**

**USA IN TRUST FOR CHOCTAW NATION - OKLA.  
W/2 LOT 1 AND ALL OF LOT 2  
SEC 36, T-9-S, R-1-E, INDIAN MERIDIAN, OKLAHOMA**



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Ground distances and bearings are referenced to the true meridian. This plat is based on surface coordinates in Oklahoma South Zone 3502 NAD 83 with a combined scale factor of 1.00006213386 and a convergence angle of 00°29'28".

**LEGEND**

- MONUMENT, AS NOTED
- ⊙ FND. 2005 BLM DEPENDENT RESURVEY BRASS CAP



						<b>explorer</b>	
						LOVE COUNTY, OKLAHOMA	
						USA IN TRUST FOR CHOCTAW NATION	
						LAND AREA 906 TRACT # T 51155	
						LOVE COUNTY, OKLAHOMA	
						SEC. 36 T-9-S R-1-E I.M.	
REV	DESCRIPTION	BY	DATE	CHK'D	APPR.	SCALE	APPROVD
1	ISSUE FOR REVIEW	RLJ	07/14/22	RLJ	RLJ	1"=800'	RLJ
0	ISSUE FOR REVIEW	RLJ	06/03/22	RLJ	RLJ		RLJ
FILE LOCATION:						DATE	REVISION
						07/14/22	301-LP-1001
							SHEET 3 OF 3

**UNITED STATES DEPARTMENT OF THE INTERIOR**

**BUREAU OF INDIAN AFFAIRS**

**Chickasaw Agency**

**P.O. Box 2240**

**Ada, Oklahoma 74821**

**580-436-0784**

**RIGHT-OF-WAY APPLICATION MUST IDENTIFY [§169.102(a)]:**

1. Applicant Name and Address: Explorer Pipeline Company
2. Tract(s) or parcel(s) affected by the right-of-way: Choctaw-Chickasaw Tribal Land - T 51155
3. General location (easement description): See attached survey
4. Purpose: Renewal of existing pipeline easement
5. Term (Renewal, if applicable): 20 years
6. Identify ownership of permanent improvements associated with the right-of-way and the responsibility for constructing, operating, maintaining, and managing; or removal of permanent improvements under §169.105.

**REQUIRED SUPPORTING DOCUMENTS [§169.102(b)]:**

1. Accurate legal description of the right-of-way, its boundaries, and parcels associated with the right-of way
2. A map of definite location of the right-of-way; (25 CFR 169.102((b)(2); survey plat signed by professional surveyor or engineer showing the location, size, and extent of the ROW and other related parcels, with respect to each affected parcel of individually owned land, tribal land, or BIA land and with reference to the public surveys under 25 U.S.C.§ 176, 43 U.S.C. § 2 AND § 1764, and showing existing facilities adjacent to the proposed project.)
3. Bond(s), insurance, and/or other security meeting the requirements of §169.103
4. Record of notice that the right-of-way was provided to all Indian landowners
5. Record of consent that the right-of-way meets the requirements of §169.107, or a statement documenting a request for a right-of-way without consent under §169.107(b)
6. If applicable, a valuation meeting the requirements of §§ 169.110, 112, 114
7. With each application, if the applicant is a corporation, limited liability company, partnership, joint venture, or other legal entity, except a tribal entity, information such as organizational documents, certificates, filing records, and resolutions, demonstrating that:

- a. The representative has authority to execute the application;
  - b. The right-of-way will be enforceable against the applicant; and
  - c. The legal entity is in good standing and authorized to conduct business in the jurisdiction where the land is located.
8. Current environmental and archaeological reports, surveys, and site assessments, as needed to facilitate compliance with applicable Federal and tribal environmental and land use requirements
9. If required, a statement from the appropriate tribal authority that the proposed right-of-way is in conformance with applicable tribal law

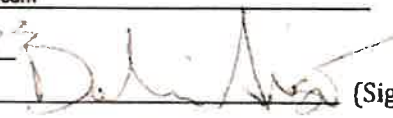
**THE APPLICANT FURTHER STIPULATES AND EXPRESSLY AGREES AS FOLLOWS:**

To conform and to abide by all applicable requirements with respect to the right-of-way herein applied for. The applicant agrees to conform to and abide by the rules, regulations, and requirements contained in the *Code of Federal Regulations*, Title 25 Indians, Part 169, as amended, and by reference includes such rules, regulations and requirements as a part of this application to the same effect as if the same were herein set out in full.

**APPLICANT POINT OF CONTACT INFORMATION:**

Name: Dolin Argo  
Address: P.O. Box 2650  
State: Tulsa, OK Zip: 74101  
Phone: 918-359-5106 Fax: 866-780-3598  
Email: dargo@expl.com

DATE: 6/14/2022

APPLICANT:  (Signature)  
Dolin Argo, Senior Vice President & COO (Print Name)

Approved as to form  
Celeste Johnson 



# EXHIBIT C

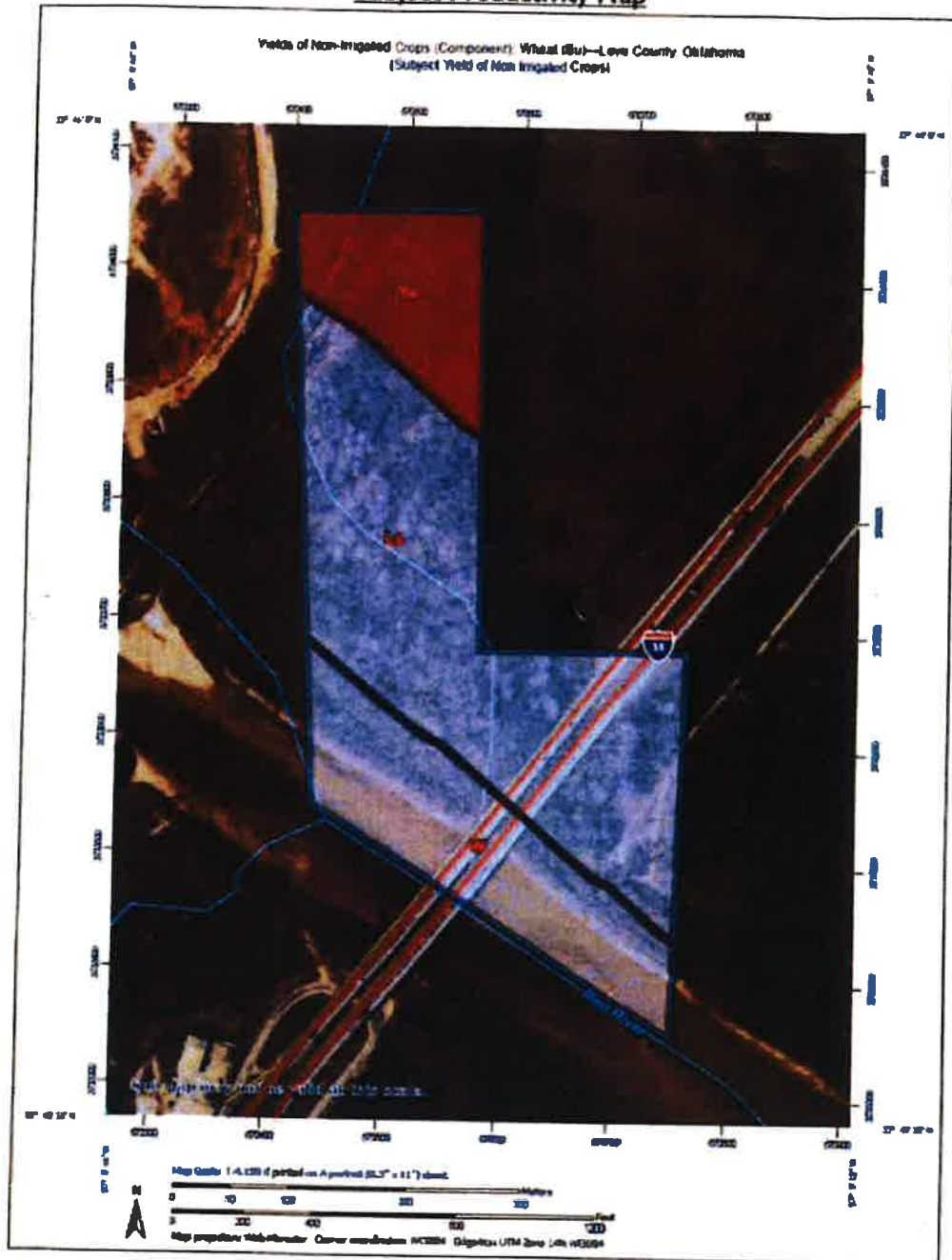
Regulatory Land Base

Boundary - Shaded - 10/20/2015 0:05



# EXHIBIT C

## Subject Productivity Map



Subject Property Aerial Photo

EXHIBIT C

