

March 10, 2013

Mr. Eddie Streater
Designated Federal Officer
Bureau of Indian Affairs

RE: Abbreviated Timetable and the Osage Negotiated Rulemaking Committee

Mr Streater, DFO & Osage Negotiated Rulemaking Committee

As a restricted Osage headright holder, I am writing you to express my grave concern over the make-up and haste with which the Osage Negotiated Rulemaking Committee is proceeding. It is my request that my comments be placed in the public record pertaining to the Osage Negotiated Rulemaking Committee (ONRC).

The first point I wish to correspond about is the speed with which the proceedings are moving. I have attended *all* of the ONRC meetings and it has been my observation that some on the committee wish to move this process forward irrespective of consequences of the abbreviated examination, input or discussion of the proposed change or continuance of any given rule. Again, it is my observation that a quick "cut and paste" mentality has taken control of part of this committee without discussion about how it applies to the Osage Mineral Estate. For instance, it has been suggested that we move management of our minerals to the "HONORS System" and pricing by "NYMEX" whether or not this was accepted or rejected I cannot with any assurance say. There is no questioning or discussion by the few members of the Minerals Council allowed on the committee or those representing the BIA. Ideas, thoughts and questions seem to be left mute by all parties involved for the sake of moving on to the next point. The driving motivation of these meetings seems to be to get them over with so everyone may return home. The court has given time to study, examine and think through the results of changes to the CFRs. Specifically, the court has given until September 2014. I can not imagine it was the intention of the settlement agreement or of the court that changes made to the CFRs been done in a flippant "copy and paste" method or a simpletons nod of the head. Common sense and reasoning tell us that the intention of the court was examination and thoughtful redress. The entire point of this review is to make sure the issues that brought us here today are addressed and corrected, precisely so we do not end up going through this again. It is in no ones interest, not the headright holder, not the BIA, not the courts, that these issues are left unfixed for the short sighted sake of expedience. Failure to address the shortcomings of the enforcement of the CFRs will only result in another expensive lawsuit and payout. The court has given us this chance to correct and better our systems, lets not let it pass us by.

The second point I wish to raise is the exclusion of several member of the Minerals Council from the Rulemaking Committee. The members excluded are those with the most experience, longest serving and those who received the highest numbers of votes during the last election. This makes no sense. Every member of the Minerals Council should be on the Rulemaking Committee and most certainly those I just described should not be forced aside. Put simply, this is asinine. Nothing is served by excluding three members of the Minerals Council. While a couple of the excluded members may be deemed "alternates" the fact they may not offer their input or engage the BIA experts renders their presents near pointless. By what logic or

justice can any reasonable minded person think it would be prudent to exclude three of eight individuals.

Making the matter of excluding some on the Minerals Council worse is the absolute lack of engagement by those from the Minerals Council on the Rulemaking Committee. There is no exchange of ideas and no questions, rather only deferment of decision to Mr. Merrill Godfrey, an unelected attorney who has no long term interest in the protection of the Mineral Estate or in seeing the problems that brought us here rectified. Worse yet is Mr. Godfrey, the man who seems to be making the vast majority of the decisions, on behalf of the Mineral Estate, is not engaging the BIA experts either.

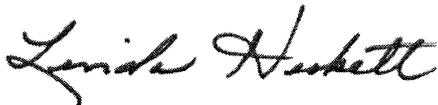
The point for bringing these minds together is being squandered by some uninterested, incompetent and inexperienced self appointed members of the Minerals Council on this Rulemaking Committee. It is my contention that this atmosphere is being exploited by some from the BIA who, simply put, are tired of coming down here and want to hurry this along. Is the point of this proceeding to put on show for publicity or to achieve some mutually beneficial change.

When you have members of this Rulemaking Committee spouting of such things as "Well, it's always worked for us before," or when asked by a producer if anything was going to affect him [the producer] being told "No! And you can take that to the bank." Such statements are ridiculous on their face and idiotic considering the known shortcomings of the system that brought about the lawsuit and the \$300,000,000.00 settlement. Beyond the simpleton statements I have related here, it should be noted that Mr. Galen Crumb of the Minerals Council is telling people "you [*the headright holders*] will receive \$3,000,000.00 in your quarterly payment when this is wrapped up." To my knowledge there is no truth to this and regardless it should not be being used as an incentive to short cut this extremely important process.

Some of the items left on the table that need addressing are gas metering, gaging of helium and other non-energy minerals, lose due to overflow of tanks into ancillary lines or standardization to manage production and accounting. These are but a few of the list of items rushed past or only tersely examined for the sake of haste.

In closing, I want to reiterate my request that this process be allowed to take its time, that people such as Joseph Abbott of the Minerals Council or Vanessa Ray-Hodges of the DOI not be allowed to run roughshod over the schedule and short cut the contemplative process. Nothing is served by running away from a distasteful job. The work needs to be done. Administrators, the likes of Ms. Ray-Hodges, who would sacrifice thorough inquiry for an efficient agenda will not serve the future of the Mineral Estate, the BIA or the tax payers who are footing the bill for her subservience to a abbreviated timetable. We have been given until September 2014 for completing this task. Let us use it to address the problems that brought us here.

Respectively Submitted,



Linda Heskett, Osage Annuitant