

**Pensacola Hydroelectric Project  
FERC Project No. 1494**

**Exhibit A  
Description of Project**

**Final License Application**

**Prepared for**



**Prepared by**



**May 2023**

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## LIST OF ABBREVIATIONS

cfs	cubic feet per second
FERC	Federal Energy Regulatory Commission
FPA	Federal Power Act
Grand Lake	Grand Lake O' the Cherokees
GRDA	Grand River Dam Authority
hp	horsepower
kW	Kilowatts
kV	Kilovolts
kVA	Kilovolt Amperes
Licensee	Grand River Dam Authority
MOD	Motor-Operated Disconnect
MVA	Megavolt Amperes
MW	Megawatts
NAVD	North American Vertical Datum 1988
NGVD	National Geodetic Vertical Datum 1929
PD	Pensacola datum
Pensacola Project	Pensacola Hydroelectric Project
Project	Pensacola Hydroelectric Project
rpm	revolutions per minute
USACE	United States Army Corps of Engineers

## 1. Description of Facilities

The Pensacola Hydroelectric Project (Pensacola Project or Project) is located on the Grand (Neosho) River in Craig, Delaware, Mayes, and Ottawa Counties, Oklahoma. **Appendix A-1** of this application includes a map showing the general location of the Pensacola Project. **Appendix A-2** presents an aerial photograph showing the Pensacola Project facilities, which include the dam with a gated main spillway, middle gated spillway, east gated spillway, powerhouse, tailrace, electrical switching station, transmission, Grand Lake O' the Cherokees (Grand Lake), arch toe pump station, and surrounding land extending landward to an approximate elevation of 750 feet Pensacola Datum (PD).<sup>1</sup> From right to left looking downstream, the principal Project works consist of the intake structure for the powerhouse, main gated spillway adjoining to the dam, middle gated spillway, and east gated spillway.<sup>2</sup> The Project has an authorized capacity of 105.176 megawatts (MW).

### 1.1 Dam

The Pensacola Project's dam is a multi-section structure. The different sections, from right to left looking downstream, consist of: West Non-Overflow Section, Multiple Arch Section, Main Spillway Section, East Non-Overflow Section, Middle Spillway Section, and East Spillway Section. A non-Project highway bridge comprised of two lanes and a pedestrian sidewalk, State Highway 28, runs along the top of the dam. The grade elevation of the lanes is approximately 763.5 feet PD at the multiple arch section and 768.5 feet PD at the east and middle spillway segments.

#### 1.1.1 West Non-Overflow Section

The west abutment is connected to the west end of the west non-overflow section of the dam which is a concrete gravity section approximately 28 feet long. The east side of the west non-overflow section is connected to the multiple arch section. The cross-sectional width is approximately 43 feet and the height from the base of the section to the top of the roadbed is approximately 75 feet. The width and height measurements are scaled from the Exhibit F drawings.

#### 1.1.2 Multiple Arch Section

The main portion of the dam is a reinforced concrete multiple-arch structure consisting of 52 buttresses spaced 84 feet apart. The buttresses are hollow except for the first and last. There are 51 free span concrete arches resulting in an approximate length of 4,284 feet. A typical buttress has a length of 84 feet. The dam has a crest elevation of 757 feet PD. An arch section has a cross sectional width varying from approximately 185 to 130 feet. The height from the base of the section to the top of the roadbed varies from approximately 100 to 155 feet. The width and height measurements are scaled from the Exhibit F drawings.

Seepage through the Pensacola Dam and runoff from the surrounding area result in standing water in the ditch at the toe of the dam. The pump station is located outside of Arch 6, which consists of two 6-inch submersible pumps and a single 12-inch vertical turbine pump. The pumps are connected to a 20-inch diameter pipe that discharges into the tailrace below the powerhouse.

<sup>1</sup> Unless otherwise noted on the Project Boundary Map contained in Exhibit G of this application.

<sup>2</sup> Unless otherwise cited, all facility description attributes are from the Supporting Technical Information Document filed with the FERC January 2021 (GRDA, 2021).

### **1.1.3 Main Spillway Section**

The main spillway section is described in Section 1.2.

### **1.1.4 East Non-Overflow Section**

The east end of the main spillway is connected to the east non-overflow section of the dam which is a concrete gravity section approximately 451 feet long. The east side of the non-overflow is connected to the east abutment. The section has a cross sectional width varying from approximately 70 feet to 40 feet. The height from the base of the section to the top of the roadbed varies from approximately 85 feet to 55 feet. The width and height measurements are scaled from the Exhibit F drawings.

### **1.1.5 Middle Spillway Section**

The middle spillway section is described in Section 1.2.

### **1.1.6 East Spillway Section**

The east spillway section is described in Section 1.2.

## **1.2 Spillway Sections**

The Pensacola Project is comprised of three spillways: Main spillway, Middle spillway, and East spillway.

### **1.2.1 Main Spillway Section**

The main spillway section is integral to the dam on its west end and connected to the east non-overflow section at the other end. The structure is mass concrete with an ogee-shaped spillway with a crest elevation of 730 feet PD. The spillway is comprised of 21 radial gates that are 36 feet wide by 25 feet tall resulting in a structure length of approximately 860 feet. The top of the gate elevation is 755 feet PD. The approximate cross-sectional width is 90 feet and height from the base of the section to the top of the roadbed of a typical section of the spillway is 100 feet. The width and height measurements are scaled from the Exhibit F drawings. The gates are operated by two traveling gate hoists located above the main spillway. Water flows into the main spillway channel below the spillway. The spillway channel merges with the east spillway channel and flows into the tailrace further downstream.

### **1.2.2 Middle Spillway Section**

The middle spillway section is situated about 0.9 mile east of the dam's east abutment. The structure is mass concrete with an ogee-shaped spillway, which has a crest elevation of 740 feet PD. The spillway is comprised of 11 radial gates that are 37 feet wide and 15 feet tall resulting in a structure length of approximately 450 feet. The typical cross-sectional width and height of the middle spillway from the base of the section to the top of the roadbed is approximately 45 feet and 40 feet, respectively. The width and height measurements are scaled from the Exhibit F drawings. Gates are operated by a traveling hoist located at the middle spillway section. Water flows for approximately 0.5 miles within the middle spillway channel until it joins with the east spillway channel.

### **1.2.3 East Spillway Section**

The East spillway section is located approximately 700 feet east of the middle spillway section. The structure is mass concrete with an ogee-shaped spillway, which has a crest elevation of 740 feet PD.

The east spillway is comprised of 10 radial gates that are 37 feet wide and 15 feet tall resulting in a structure length of approximately 410 feet. The typical cross-sectional width and height of the east spillway from the base of the section to the top of the roadbed is approximately 45 feet and 40 feet respectively. The width and height measurements are scaled from the Exhibit F drawings. Gates are operated by a traveling hoist located at the east spillway section. Water flows into the east spillway channel below the spillway. The east spillway channel is approximately 1.5 miles long and 850 feet wide. The east spillway channel merges with the tailrace further downstream.

### 1.3 Powerhouse and Intake Structure

The powerhouse is located below Arches 2 through 4 of the Pensacola Dam (Arch 1 is the western-most arch). The powerhouse is a multi-story, reinforced concrete building and is 87.75 feet wide in the upstream to downstream direction, 279 feet long in the west to east direction, and approximately 45 feet tall. The elevation of the generator floor is 652.0 feet PD.

The intake structure supplies water to the penstocks that supply flow to the powerhouse's six hydropower units and the house unit. The reinforced concrete structure is located on top of Arches 2 through 4. The intake structure has a length of 246 feet, a cross-sectional width of 23 feet, and a height of 75 feet. The minimum intake elevation is 682 feet PD and the top deck elevation is 757 feet PD. The intake includes vertical trash racks that are 73 feet high with 3.75-inch spacing to catch debris and bulkhead gates that are used to isolate and dewater individual penstocks (Grand River Dam Authority, 2017) (Grand River Dam Authority, 2021). The gates are operated by a traveling gantry crane mounted on the top deck on the intake structure.

Six separate steel penstocks transfer flow from the intake structure to the powerhouse hydroelectric units. The length of the penstocks is approximately 195 feet long. The six main penstocks have a 15-foot diameter and flow is controlled by wicket gates at the entrance of each turbine. Two (2) draft tubes per hydroelectric unit located below the powerhouse discharge the flow in the tailrace. The draft tubes are 12 feet tall by 14 feet wide with an invert elevation of 602.5 feet PD. Slots in the draft tube opening can be utilized to install stoplogs to dewater a unit using a traveling hoist. A separate 3-foot diameter penstock transfers flow to the house unit.<sup>3</sup>

The draft tubes of the powerhouse discharge in the tailrace located below the powerhouse. The tailrace is approximately 1.5 miles long and 300 feet wide. The tailwater elevations for the Pensacola Project typically range between 620 and 625 feet PD at normal reservoir elevations depending on the conditions at the downstream Lake Hudson Project.

A bypass system, on the west end of the powerhouse, consists of a 30-inch diameter pipe. The system has not been operated in years. It is unknown if any flow could pass through the system due to sedimentation at the intake.

A 30-inch diameter bypass flow pipe was included in the Project's design to provide a means of releasing water from the Project at all times, even when none of the hydropower units are operating or none of the spillway gates are open. It is not needed for the operation of the Project (Grand River Dam Authority,

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<sup>3</sup> The house unit is currently inoperable and is scheduled to be returned to service in 2025.

2021).

## 2. Description of Reservoir

Grand Lake O' the Cherokees (Grand Lake) is impounded by the Pensacola Dam and was created in 1940 with the completion of the Pensacola Project. During GRDA's normal Project operations, GRDA anticipates operating the reservoir for power generation purposes between 742 and 745 feet PD during the new license term. Pursuant to section 7 of the Flood Control Act of 1944 and section 7612 of the National Defense Authorization Act for Fiscal Year 2020, GRDA controls the operation of the Project until the reservoir elevation is expected to exceed 745 feet PD, at which time the United States Army Corps of Engineers (USACE) has exclusive jurisdiction over Project operations, for purposes of flood control. The reservoir contains approximately 1.44 million acre-feet in water storage and has a surface area of approximately 45,056 acres at an elevation of 745 feet PD. The reservoir contains approximately 1.31 million acre-feet in water storage and has a surface area of approximately 41,581 acres at an elevation of 742 feet PD (Hunter, S.L., et. al., 2020). The usable water storage between 742 and 745 feet PD is 130,000 acre-feet.

## 3. Description of Generating Units

The powerhouse has six main hydroelectric units with Francis-style hydraulic turbines and associated generators. The six main hydroelectric units have an as-built turbine head of 117.5 feet. One additional hydroelectric unit, the house unit, has an as-built turbine head of 115 feet.

Each of the 6 main turbines has a nameplate capacity of 17,446 kilowatts (kW) or 23,395 horsepower (hp) at a nameplate flow of 1,950 cubic feet per second (cfs). Each turbine operates at 150 rpm and the normal maximum flow for each turbine is 2,317 cfs (Grand River Dam Authority, 2004). The house turbine has a nameplate capacity of 563 kW or 750 hp.<sup>4</sup> It has a maximum hydraulic capacity of 60 cfs (Grand River Dam Authority, 2017), and operates at 720 rpm.

Each of the 6 generating units has a generator nameplate rating of 21.640 MW and 24 megavolt Amperes (MVA) at 90% nameplate power factor. The generators are Westinghouse A/C, 60 cycle models generating at 13.8 Kilovolts (kV) (Grand River Dam Authority, 2004).

The 500-kW house unit generator has a nameplate rating of 500 kW and 625 kilovolt amperes (kVA) at 80% nameplate power factor. The generator is a Westinghouse A/C, 60-cycle model which operates at 480 volts. The house unit is generator capacity limited to 500 kW.

The combined generation capacity for the Project is 105.176 MW.<sup>5</sup>

Pictures of the nameplates for the six main hydroelectric units were filed with the Commission on May 19, 2010. For reference purposes, the May 2010 filing, and pictures of the nameplates of the house unit have been incorporated into this exhibit as **Appendix A-3**.

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<sup>4</sup> Watts are calculated from horsepower: 750 watts equals 1 hp.

<sup>5</sup> Output is turbine-limited for the six main units.

## 4. Tailrace

The Project tailrace is approximately 270 feet wide and under normal water elevations approximately 18 feet deep at the downstream end of the powerhouse. The portion of the tailrace immediately downstream of the powerhouse was originally excavated from the chert bedrock during the construction of the project. The entire tailrace extends approximately 7,500 feet downstream of the powerhouse until it merges with the spillway channel.

## 5. Switching Station and Transmission Equipment

The Pensacola Project's switching station is located on the bluff west of the powerhouse downstream of the arch dam. The primary transmission lines terminate at 15 kV breakers at the non-Project switching station. There are 6 generator leads made of parallel 500k circular mils copper, medium voltage cable operating at 13.8 kV that vary in length from 450 to 650 feet (Grand River Dam Authority, 2017). The 13.8 kV disconnects are the point of interconnect for the Project. A diagram of principal electrical circuits associated with the Pensacola Project is included in **Appendix A-4**.

## 6. Appurtenant Equipment

Accessory electrical equipment, such as relay devices and sensors, switchgear, switchboards, panels, control equipment, and associated wiring required for the safe, self-protected, operation of the turbine-generator units is included as a part of the Project. Additional equipment includes, but is not limited to, bearing lubrication systems, gate hoist equipment, hoisting equipment for maintenance and repair of the turbine generators, protective devices, and metering devices.

## 7. United States Land within the Pensacola Project Boundary

Historically, the Project has never occupied any lands of the United States. In the last relicensing, for example, no federal lands were identified at the Project, and the Commission imposed no federal land use annual charges requirement in the license (Federal Energy Regulatory Commission, 1992). As recently as 2017, the Commission concluded that the Project "does not occupy federal lands" (Grand River Dam Authority, 2017).

At the outset of the relicensing effort, however, the U.S. Department of the Interior, Bureau of Indian Affairs (BIA) on March 6, 2018 filed with the Commission Trust Maps based on land inventory data contained in the BIA's Trust Asset and Accounting Management System (TAAMS), which contains trust and restricted fee lands of federally-recognized Native American Nations and Native American individuals (Bureau of Indian Affairs, 2018). In response, the Commission cited GRDA's responsibility under federal regulations to identify all lands of the United States as part of its Application for New License:

As the Commission's regulations require, in its final license application, GRDA must provide exhibit G maps that show a project boundary enclosing all project works and lands necessary for operation and maintenance of the project and other project purposes including recreation, shoreline control, and protection of environmental resources (see 18 C.F.R section 4.41(h)(2)). Further, the Commission's regulations require that GRDA



provide an exhibit A that describes all lands of the United States that are enclosed within the project boundary, identified and tabulated by legal subdivisions of a public land survey of the affected area or, in the absence of a public land survey, by the best available legal description (see 18 C.F.R. section 4.51(b)(6)) (Federal Energy Regulatory Commission, 2018).

Accordingly, GRDA over the past several years has completed a comprehensive review and legal analysis of all lands identified by BIA from its TAAMS report and map provided to the Commission in 2018. **Appendix A-5** contains GRDA's report of this effort, together with title work conducted on all parcels that BIA identified as occurring within or immediately adjacent to the current Project boundary.

As a result of this effort GRDA has concluded that 65.812 acres of United States lands , including 57.69 acres of wetland easements, are included within the Project boundary.<sup>6</sup>

## 8. Works Cited

Bureau of Indian Affairs. (2018). *Submittal of Tribal Lands Maps for the Pensacola Project, FERC Accession Nos. 20180306-5100, 20180306-5111, 20180306-5112*. March 6, 2018.

Federal Energy Regulatory Commission. (1992). *Grand River Dam Authority, Project No. 1494-002-Oklahoma, Order Issuing New License. 59 FERC ¶62,073*. April 24, 1992.

Federal Energy Regulatory Commission. (2018). *Study Plan Determination of the Pensacola Project Under P-1494, FERC Accession No. 20181108-3052*. November 8, 2018.

Grand River Dam Authority. (2004). *As Built Exhibit A Under P-1494, FERC Accession No. 20040624-0097*. June 24, 2004.

Grand River Dam Authority. (2017). *Pensacola Project (FERC No. 1494) Notice of Intent to File License Application and Pre-Application Document, Grand River Dam Auth., 159 FERC ¶ 62,341* . February 1, 2021.

Grand River Dam Authority. (2021). *Supporting Technical Information Document - Revision 3, FERC Accession No. 20210205-5148*. February 5, 2021.

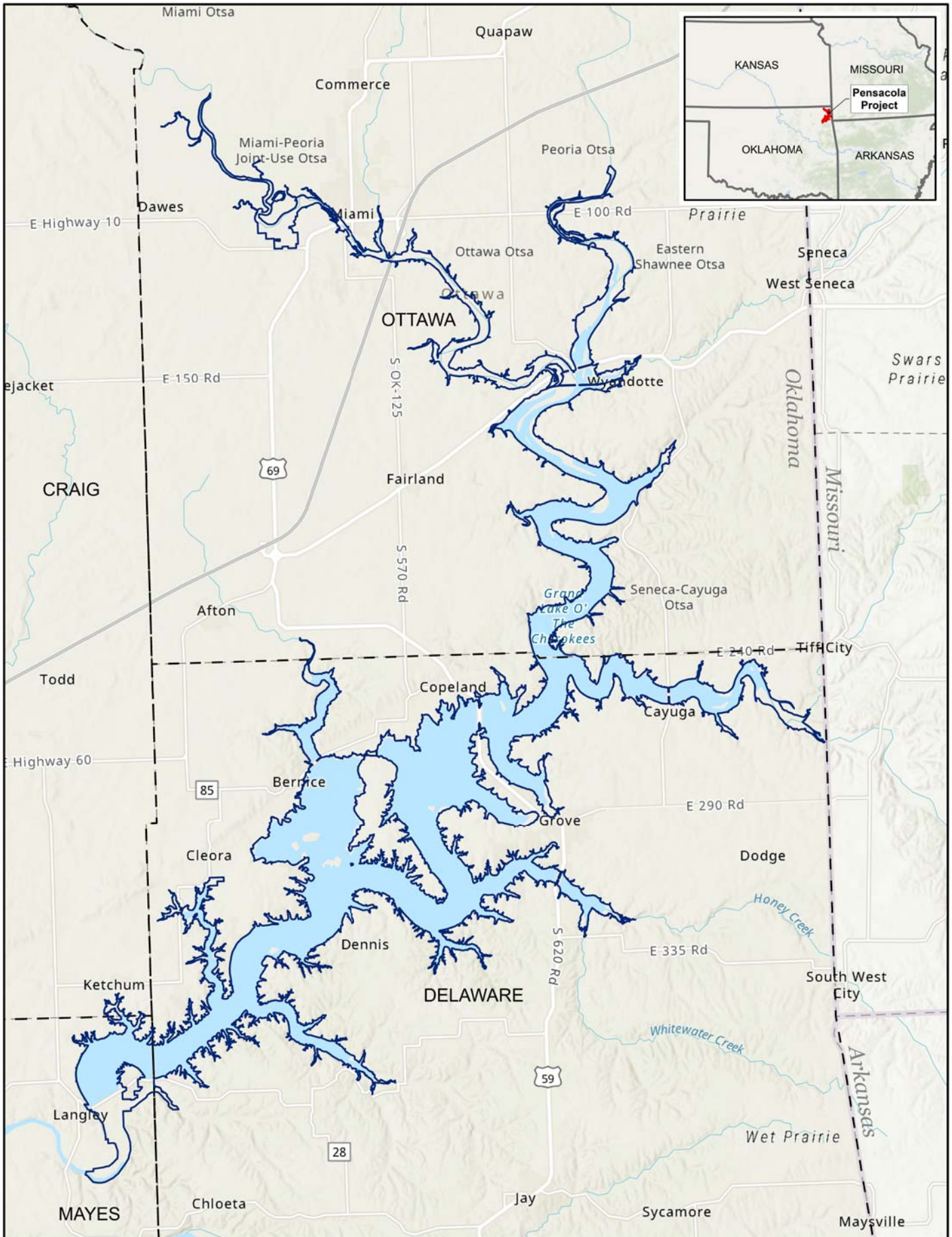
Hunter, S.L., et. al. (2020). *Bathymetric Map, Surface Area and Capacity of Grand Lake O' the Cherokees, Northeastern Oklahoma, 2019*. Denver, USGS.

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<sup>6</sup> This acreage figure is based upon the shape files provided to the BIA and DOI on March 15, 2023. See also Appendix A-5.

**APPENDIX A-1**

**Project Location**



Service Layer: Missouri Dept. of Conservation, Missouri DNR, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA, Esri, NASA, NGA, USGS, Esri, GEBCO, Delorme

X:\432600\191284.01\TECH\GIS\ArcGISPro\GRDA\_DLA\GRDA\_DLA\_Maps\GRDA\_DLA\_Maps2.aprx

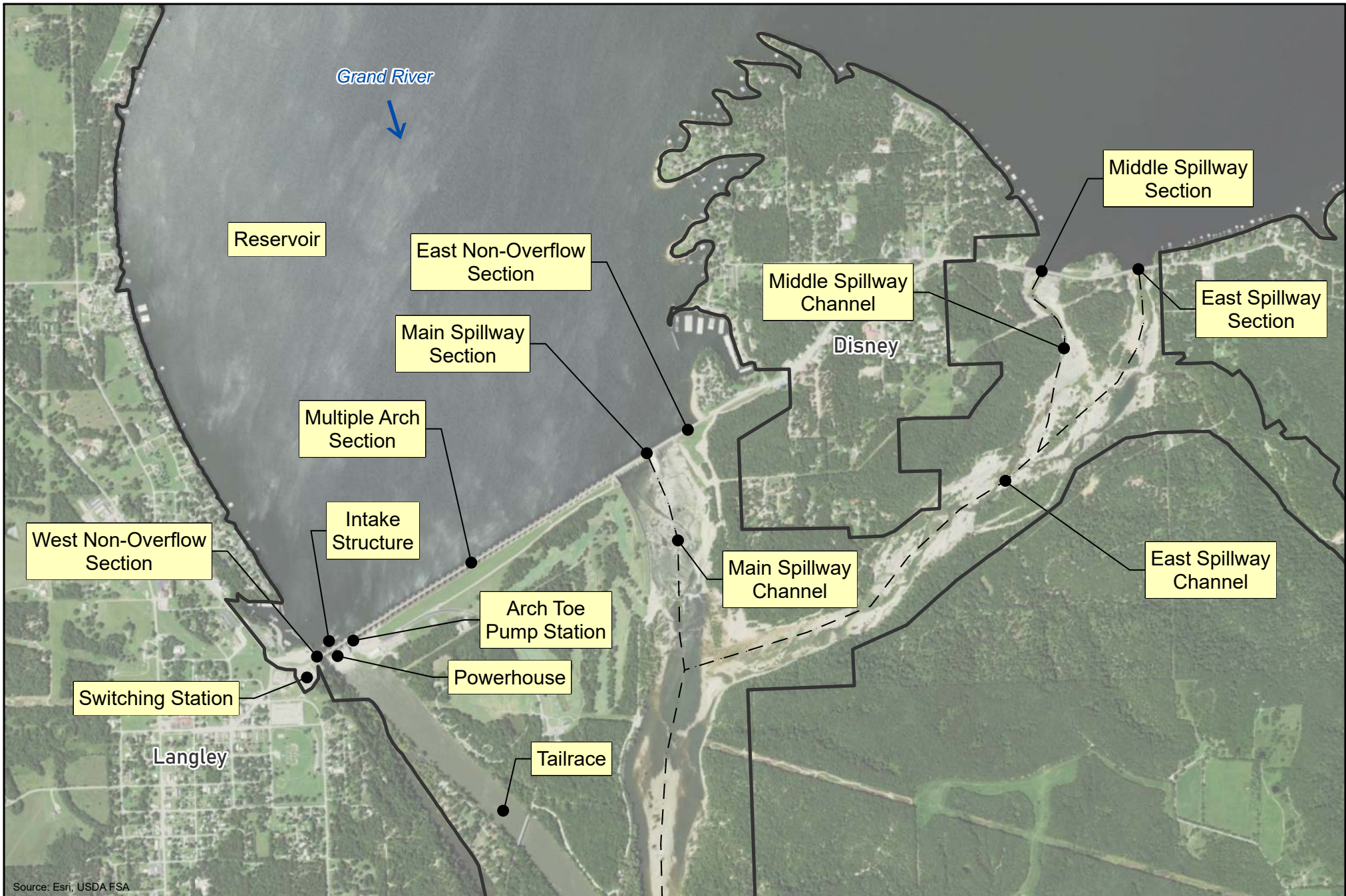
- Anticipated Project Boundary
- Oklahoma County Boundary



**Pensacola Hydroelectric Project  
General Location Map**

FERC No. 1494

**APPENDIX A-2      Project Facilities**



Source: Esri, USDA FSA

- Project Facility Location
- - - Project Spillway Channel
- ▭ Anticipated Project Boundary



**Pensacola Hydroelectric Project**  
**Project Facilities**  
 FERC No. 1494

X:\4422001\1284.01\TTC\GIS\AccGIS\Pro\GROA\_DLA\GROA\_DLA\_Map8

**APPENDIX A-3**

**Nameplate Pictures**

ORIGINAL

SECRETARY OF THE  
COMMISSION

May 12th, 2010

2010 MAY 19 P 1:55

FEDERAL ENERGY  
REGULATORY COMMISSION

Secretary's Office  
Federal Energy Regulatory Commission  
888 First Street Northeast  
Washington D.C. 20426

Subject: **Project No. 1494-274**

Dear Sir,

Earlier on 4/16/2010 the following were submitted to Mr. Joseph Fayyad. Upon receipt and evaluation he requested that I send three copies for your review. Enclosed are the installed turbine and generator nameplates on Pensacola's six units.

These reflect the revised installed capacities authorized in the FERC order.

An additional three copies of this letter and photographs were sent to:

Mr. Charles Wagner, Regional Engineer  
FERC  
Division Of Dam Safety  
Atlanta Regional Office  
3700 Crestwood Parkway, Suite 950  
Duluth, GA 30096

Sincerely,

Charles D. Atkins  
Superintendent-Hydro Operations  
Grand River Dam Authority

cc: Kevin Easley-Chief Executive Officer  
Mike Kiefner-Chief Operating Officer  
Gretchen Zumwalt-Smith General Counsel  
Mr. Joseph Fayyad Engineering Team lead

ADMINISTRATION • PO Box 409 • Vinita OK 74301-0409 • 918-256-5545 • Fax 918-256-5289  
 COAL-FIRED COMPLEX • PO Box 609 • Chouteau OK 74337 • 918-824-1074 • Fax 918-825-7791  
 CUSHING FIELD OFFICE • PO Box 329 • Cushing OK 74023 • 918-225-1507  
 ENERGY CONTROL CENTER • PO Box 772 • Locust Grove OK 74352 • 918-479-5249 • Fax 918-825-1935  
 ENVIRONMENTAL • PO Box 220 • Chouteau OK 74337 • 918-824-1034 • Fax 918-824-2049  
 LAKE PATROL • PO Box 70 • Langley OK 74350 • 918-782-9594 • 918-782-4723 Fax



OFFICE OF ECOSYSTEMS MANAGEMENT • PO Box 409 • Vinita OK 74301-0409 • 918-256-5545  
 OKLAHOMA CITY • PO Box 2605 • Oklahoma City OK 73104-2605 • 405-297-9963 • Fax 405-290-7631  
 PENSACOLA DAM • PO Box 70 • Langley OK 74350 • 918-782-3382 also Fax  
 SAFETY • PO Box 10 • Chouteau OK 74337 • 918-824-1034 • Fax 918-824-2049  
 SALINA PUMPED STORAGE PROJECT • PO Box 609 • Salina OK 74365 • 918-434-5920 also Fax  
 TRANSMISSION/ENGINEERING • PO Box 1128 • Pryor OK 74362 • 918-825-0280 • Fax 918-825-9416

# VOITH SIEMENS

## HYDRO POWER GENERATION

### GRAND RIVER DAM AUTHORITY

PROJECT: PENSACOLA DAM  
 TYPE OF TURBINE: FRANCIS

MACHINE NO: 18622      YEAR BUILT: 1999

TURBINE RATING		GENERATOR RATING	
NET HEAD = 117.5 FT	KVA = 24,000	RISE = 60° C	
SPEED = 150 RPM	VOLTS = 13,800	FIELD VOLTS = 230	
OUTPUT = 23,395 HP (17,446 KW)	AMPS = 1006	FIELD AMPS = 540	
MAX. FLOW = 2317 CFS	POWER FACTOR = 0.9	FREQUENCY = 60 HZ	

YORK, PENNSYLVANIA, USA

# Westinghouse

A.C.  
 GENERATOR



KVA 24000

VOLTS 13800

AMPERES 1006

% P.F. 90

PHASE 3

CYCLES 60

R.P.M. 150

EXC. AMPS 230

EXC. VOLTS 250

S.O. 18622

SERIAL 18622

REFER TO INSTRUCTION BOOK 5432

WESTINGHOUSE ELECTRIC & MANUFACTURING COMPANY

MADE IN U.S.A.



# VOITH SIEMENS

## HYDRO POWER GENERATION

### GRAND RIVER DAM AUTHORITY

PROJECT: PENSACOLA DAM  
 TYPE OF TURBINE: FRANCIS

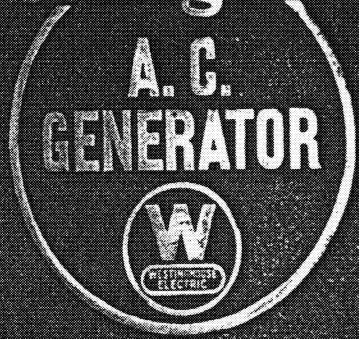
MACHINE NO: 18928      YEAR BUILT: 2000

TURBINE RATING	GENERATOR RATING	
NET HEAD = 117.5 FT	KVA = 24,000	RISE = 60° C
SPEED = 150 RPM	VOLTS = 13,800	FIELD VOLTS = 230
OUTPUT = 23,395 HP (17,446 KW)	AMPS = 1006	FIELD AMPS = 540
MAX. FLOW = 2317 CFS	POWER FACTOR = 0.9	FREQUENCY = 60 HZ

YORK, PENNSYLVANIA, USA

# Westinghouse

16000 KV-A.  
 13800 VOLTS  
 1006 AMPERES  
 95% P.F.  
 3 PHASE  
 60 CYCLES



R.P.M. 150  
 EXC. AMPS. 1006  
 EXC. VOLTS 230  
 S.O. BP40  
 SERIAL 388P40

REFER TO INSTRUCTION BOOK 5442

WESTINGHOUSE ELECTRIC & MANUFACTURING COMPANY  
 MADE IN U. S. A.

22802  
 (2.4.11)

# VOITH SIEMENS

## HYDRO POWER GENERATION

### GRAND RIVER DAM AUTHORITY

PROJECT: PENSACOLA DAM  
 TYPE OF TURBINE: FRANCIS

MACHINE NO: 18621      YEAR BUILT: 1998

TURBINE RATING		GENERATOR RATING	
NET HEAD = 117.5 FT	KVA = 24,000	RISE = 60° C	
SPEED = 150 RPM	VOLTS = 13,800	FIELD VOLTS = 230	
OUTPUT = 23,395 HP (17,446 KW)	AMPS = 1006	FIELD AMPS = 540	
MAX. FLOW = 2317 CFS	POWER FACTOR = 0.9	FREQUENCY = 60 HZ	

YORK, PENNSYLVANIA, USA

# Westinghouse

A. C.  
 GENERATOR



3000 KVA.	R.P.M. 150
3800 VOLTS	EXC. AMPS.
668 AMPERES	EXC. VOLTS 250
90 % P.F.	S.O. 8P40
3 PHASE	SERIAL 288P40
60 CYCLES	

REFER TO INSTRUCTION BOOK 5442

WESTINGHOUSE ELECTRIC & MANUFACTURING COMPANY  
 MADE IN U. S. A.

22862  
 (2-4-35)

# VOITH SIEMENS

## HYDRO POWER GENERATION

### GRAND RIVER DAM AUTHORITY

PROJECT: PENSACOLA DAM

TYPE OF TURBINE: FRANCIS

MACHINE NO: 18929

YEAR BUILT: 2001

#### TURBINE RATING

NET HEAD = 117.5 FT

SPEED = 150 RPM

OUTPUT = 23,395 HP (17,446 KW)

MAX. FLOW = 2317 CFS

#### GENERATOR RATING

KVA = 24,000

VOLTS = 13,800

AMPS = 1006

POWER FACTOR = 0.9

RISE = 60° C

FIELD VOLTS = 230

FIELD AMPS = 540

FREQUENCY = 60 HZ

YORK, PENNSYLVANIA, USA

# Westinghouse

## A. C. GENERATOR



15000 KVA.

13800 VOLTS

3500 AMPERES

90% P.F.

3 PHASE

60 CYCLES

R.P.M. 1500

EXC. AMPS 1000

EXC. VOLTS 230

S.O. 3240

SERIAL 4513940

REFER TO INSTRUCTION BOOK 5442

22862  
(2435)

WESTINGHOUSE ELECTRIC & MANUFACTURING COMPANY

MADE IN U.S.A.

# VOITH SIEMENS

## HYDRO POWER GENERATION

### GRAND RIVER DAM AUTHORITY

PROJECT: PENSACOLA DAM

TYPE OF TURBINE: FRANCIS

MACHINE NO: 18930

YEAR BUILT: 2002

#### TURBINE RATING

NET HEAD = 117.5 FT

SPEED = 150 RPM

OUTPUT = 23,395 HP (17,446 KW)

MAX. FLOW = 2317 CFS

#### GENERATOR RATING

KVA = 24,000

VOLTS = 13,800

AMPS = 1006

POWER FACTOR = 0.9

RISE = 60° C

FIELD VOLTS = 230

FIELD AMPS = 540

FREQUENCY = 60 HZ

YORK, PENNSYLVANIA, USA

# WESTINGHOUSE

16000 KVA.

13800 VOLTS

668 AMPERES

90 % P.F.

3 PHASE

60 CYCLES

## A.C. GENERATOR

WESTINGHOUSE  
ELECTRIC CORPORATION

MADE IN U.S.A.

220621

R.P.M. 150

EXC. AMPS 423

EXC. VOLTS 250

°C. TEMP. RISE 60

INSTR. BOOK 7240

SERIAL S24P825

ALLIS CHALMERS

# VOITH SIEMENS

## HYDRO POWER GENERATION

### GRAND RIVER DAM AUTHORITY

PROJECT: PENSACOLA DAM

TYPE OF TURBINE: FRANCIS

MACHINE NO: 18931

YEAR BUILT: 2003

#### TURBINE RATING

NET HEAD = 117.5 FT

SPEED = 150 RPM

OUTPUT = 23,395 HP (17,446 KW)

MAX. FLOW = 2317 CFS

#### GENERATOR RATING

KVA = 24,000

VOLTS = 13,800

AMPS = 1006

POWER FACTOR = 0.9

RISE = 60° C

FIELD VOLTS = 230

FIELD AMPS = 540

FREQUENCY = 60 HZ

YORK, PENNSYLVANIA, USA

# WESTINGHOUSE

15000 KVA.

13800 VOLTS

666 AMPERES

90 % P.F.

3 PHASE

60 CYCLES

## A. C.

## GENERATOR

WESTINGHOUSE ELECTRIC  
CORPORATION

MADE IN U.S.A.

22862-0

R.P.M. 150

EXC. AMPS. 423

EXC. VOLTS 250

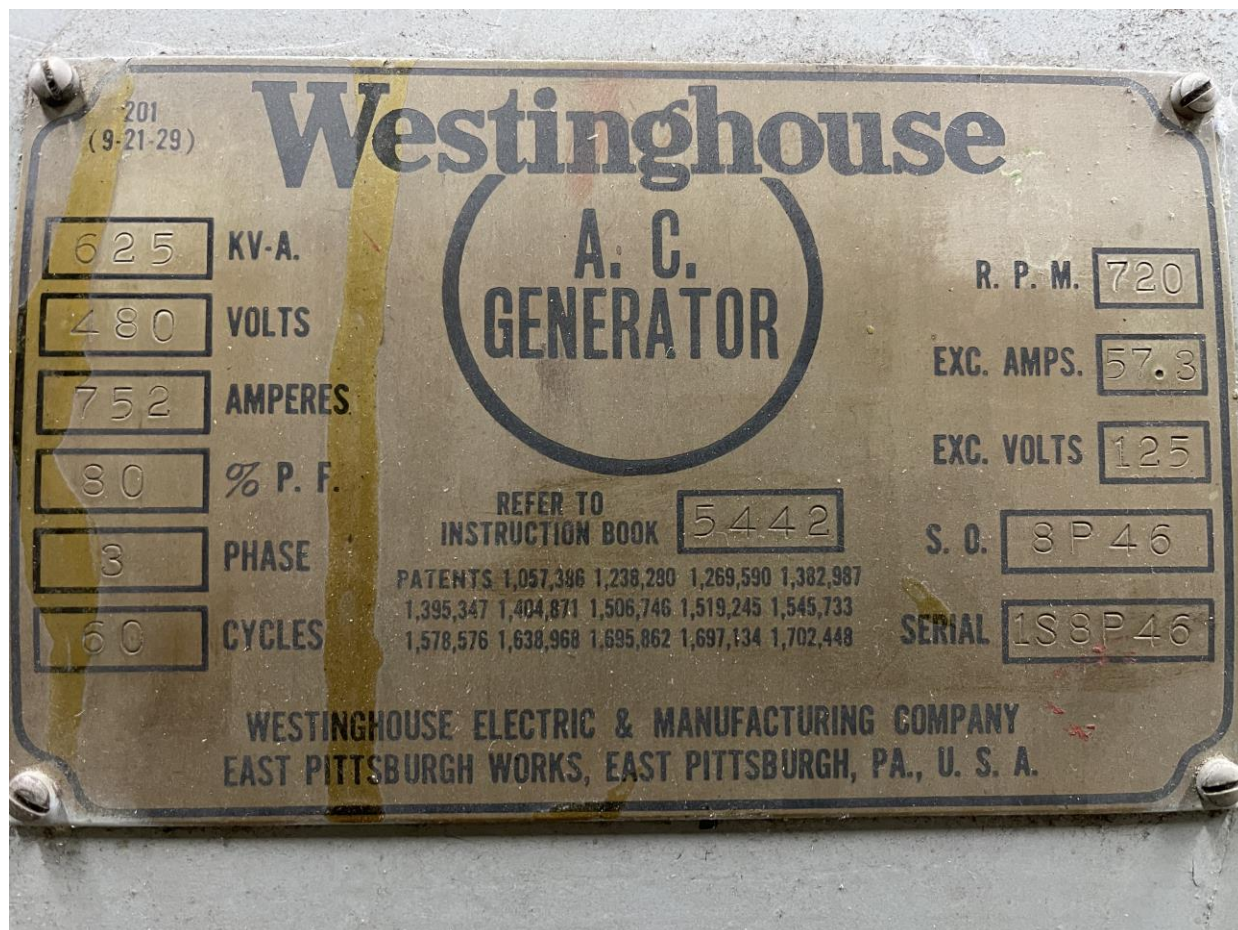
°C. TEMP. RISE 60

INSTR. BOOK 7240

SERIAL IS-392459

Document Content(s)

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**Pensacola Hydroelectric Project  
FERC Project No. 1494**

**Appendix A-5  
Grand River Dam Authority  
Land Analysis**



**May 2023**



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## EXHIBITS

Exhibit 1: Detailed Parcel Maps and Corresponding Title Opinions

## LIST OF ABBREVIATIONS

BIA	Bureau of Indian Affairs
DLA	Draft License Application
DOI	Department of Interior
FLA	Final License Application
GRDA	Grand River Dam Authority
Project	Pensacola Hydroelectric Project
TAAMS	BIA's Trust Asset and Accounting Management System

## 1. Introduction

At the outset of the relicensing effort for the Pensacola Hydroelectric Project (Project), the U.S. Department of the Interior, Bureau of Indian Affairs (BIA) on March 6, 2018 filed with the Commission Trust Maps based on land inventory data contained in the BIA's Trust Asset and Accounting Management System (TAAMS), which contains trust and restricted fee lands of federally-recognized Indian tribes and individual Indians (Bureau of Indian Affairs, 2018). In response, the Commission cited Grand River Dam Authority's (GRDA's) responsibility under federal regulations to identify all lands of the United States as part of its Application for New License:

As the Commission's regulations require, in its final license application, GRDA must provide Exhibit G maps that show a project boundary enclosing all project works and lands necessary for operation and maintenance of the project and other project purposes including recreation, shoreline control, and protection of environmental resources (see 18 C.F.R section 4.41(h)(2)).

Further, the Commission's regulations require that GRDA provide an Exhibit A that describes all lands of the United States that are enclosed within the Project boundary, identified and tabulated by legal subdivisions of a public land survey of the affected area or, in the absence of a public land survey, by the best available legal description (see 18 C.F.R. section 4.51(b)(6)).

Accordingly, GRDA over the past several years has completed a comprehensive review and legal analysis of all lands identified by BIA from its TAAMS report and map provided to the Commission in 2018.

The following is GRDA's report of this effort, together with title work conducted on all parcels identified by BIA occurring within or immediately adjacent to the current Project boundary.

## 2. Methods

As part of the relicensing process, GRDA has reviewed the Project boundary in an effort to identify lands or interests in land under federal ownership, including "trust or restricted lands" and "trust or restricted interest in land" (collectively, "Trust Land"), which federal law defines as follows:<sup>1</sup>

- (i) "trust or restricted lands" means lands, title to which is held by the United States in trust for an Indian tribe or individual, or which is held by an Indian tribe or individual subject to a restriction by the United States against alienation; and
- (ii) "trust or restricted interest in land" or "trust or restricted interest in a parcel of land" means an interest in land, the title to which is held by an Indian tribe or individual subject to a restriction by the United States against alienation."

In October 2016, as a starting point, GRDA independently reviewed online land records in the county clerk's office and parcel data from the county assessor's office for Delaware, Ottawa, Craig, and Mayes counties for all parcels with a tribal affiliation near the Project boundary.

---

<sup>1</sup> 25 U.S.C. § 2201(4)

Based upon GRDA's research, a map was developed to show potential parcels of Trust Land located within the Project boundary.

On February 17, 2017, GRDA sent a letter to BIA requesting information about Trust Land in the above counties near the reservoir and its tributaries. Upon request by the BIA, GRDA narrowed the area of the request to eliminate portions of land based on distance from the Project boundary (e.g., the south half of Section 6, rather than all of Section 6).

Thereafter on June 20, 2017, the BIA e-mailed excel files with legal descriptions of Trust Lands potentially within the Project boundary and GRDA hired a surveyor to create GIS shapefiles for tracts that had been identified as Trust Land. These tracts were then mapped to see what land may lie within the Project boundary. Tracts appearing to lie in the Project boundary were then abstracted and examined by a real estate title attorney.

On August 16, 2018, GRDA met with the BIA to discuss information contained in BIA maps filed with FERC on March 6, 2018. The BIA explained they were still working on the CNM (Could Not Map) tracts requiring further manual research. The BIA stated they would provide updated maps to GRDA within the next month. At that meeting GRDA was advised to contact Cherokee Nation as it maintains its own records. Letters were sent August 21, 2017, and October 24, 2018, to Cherokee Nation requesting information on identifying Tribal Lands for all four counties. On October 30, 2018, Cherokee Nation responded it had sent all its Tribal Land information on April 30, 2018 to the BIA.

On September 18, 2018, the BIA filed supplemental information regarding Trust Land Maps of previous CNM tracts that were now mapped per the BIA. The information filed with FERC by the BIA was compared and combined with GRDA's previous maps to determine any additional areas where it appeared Trust Lands intersected with the Project boundary. Additional abstracts and real estate title examinations were conducted for tracts not already examined.

As part of the development of the Exhibit G maps, GRDA made minor adjustments to the proposed Project boundary, in areas where such adjustments would still maintain within the proposed boundary all lands necessary for Project purposes. In addition, when developing the Exhibit G maps, GRDA identified additional federal lands (federal wetland easements) contained within the proposed Project boundary.

In the Draft License Application (DLA), as a result of the methods described above, GRDA enclosed individual maps for each parcel identified by the BIA that it found either intersecting with, immediately adjacent to, or in close proximity of the anticipated Project boundary. In most cases, GRDA's abstract and title work found the land ownership information provided by BIA did not account for GRDA's acquisitions of Project lands contemporaneous with the original development of the Project. Thus, in most instances, BIA's records indicating federal trust land within the Project were inaccurate, as GRDA had acquired fee title to properties that BIA's system had misidentified as federal trust lands.

Also in the DLA, GRDA indicated the assessment of 8.06 acres of federal trust lands within the anticipated Project boundary was based upon land ownership files provided by BIA. GRDA used the BIA data as it was provided without adjustment for difference in coordinate system, projection, or digitizing accuracies. Maps displaying the acreage were included in Exhibit 1 of Appendix A-5 of the DLA. In the DLA, GRDA indicated that the location of the parcels may be shifted and were not mapped as precisely

as the background data indicating such mapping practices could lead to inaccurate acreage calculations. GRDA also indicated it would discuss this situation with the BIA and agree upon a solution to be displayed in the Final License Application (FLA).

Following the filing of the DLA, GRDA contacted the BIA by letter on March 9, 2023 to provide five maps that GRDA believed more accurately portrayed the federal land parcels and requested BIA concurrence. BIA responded to GRDA via email on March 10, 2023, requesting the shape files for the five maps. On March 15, 2023, via email, GRDA provided the shape files to the BIA, and the Solicitor's Office of the U.S. Department of the Interior (DOI) per BIA's request. In this submittal, GRDA included an explanation regarding the need for further revision of parcel V for consistency with the Exhibit G maps filed with the DLA. Additionally, GRDA informed the BIA that the abstracts used as a basis for the ownership information were available for their review.

On March 30, 2023, via email, DOI asked whether the abstracts were digitized and if not, could they arrange a date and time to see them. GRDA responded via email on March 30, 2023, indicating the abstracts are located at the GRDA Ecosystems & Education Center in Langley and are available for viewing from 8:30 a.m. to 4:30 p.m. GRDA also requested some dates and times for GRDA to arrange for a conference room for viewing.

On May 4, 2023, via email, DOI requested GRDA if the abstracts were available for viewing on either May 15 or 17, 2023. GRDA responded on May 4, 2023, indicating they could accommodate either date for viewing. Viewing of the abstracts took place on May 15, 2023. Documentation of Consultation is included in Appendix X-3 of this FLA.

### **3. Results**

As of the date of this FLA, GRDA has not received any additional comments on the 5 maps provided to the BIA and DOI on March 15, 2023. As a result, GRDA has enclosed the individual maps for each parcel identified by the BIA that it has found either intersecting with, immediately adjacent to, or in proximity of the anticipated Project boundary as was submitted to the BIA and DOI on March 15, 2023. In most cases, GRDA's abstract and title work has found the BIA information provided does not provide detailed enough information to properly map the federal trust land because GRDA's ownership on the parcels identified by the BIA is not accurate.

The maps provided to the BIA and DOI on March 15, 2023 and enclosed in Exhibit 1 are an attempt by GRDA to adjust the TAAMS report information to correspond with the geo-referenced and accurate background information such as the public land survey system information displayed on each map.

For purposes of calculating acres of federal land within the Project boundary in this FLA, as stated above GRDA attempted to rectify the precision of the BIA parcel information and the calculated acreage within the Project boundary according to the shape file information provided to the BIA and DOI on March 15, 2023. GRDA intends to consult with BIA to make further refinements, as appropriate and will submit the final results of the consultation with the Commission.

The title and abstract work completed by GRDA results in a total of 8.122 acres<sup>2</sup> of Trust Land held in

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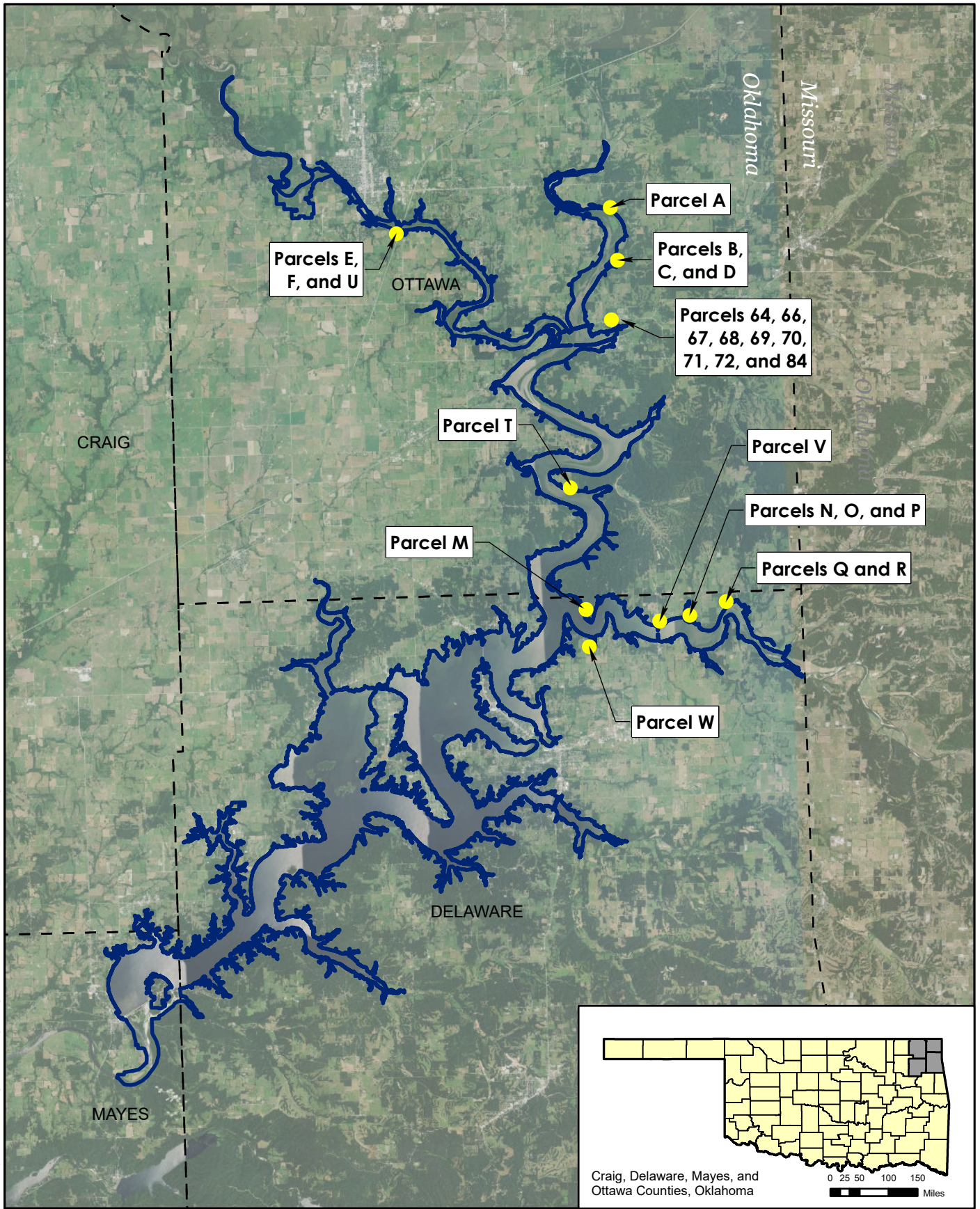
<sup>2</sup> This acreage figure is based upon the shape files provided to the BIA and DOI on March 15, 2023.




trust by the BIA within the proposed Project boundary. GRDA holds a flowage easement for all 8.122 acres of Trust Land within the proposed Project boundary.

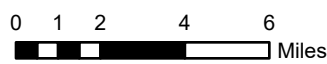
The individual detailed maps and title opinions are enclosed in Exhibit 1.

**Exhibit 1 - Detailed Parcel Maps and Corresponding Title Opinions**

Service Layer Credit: [https://gis.apfo.usda.gov/arcgis/rest/services/NAIP/USDA\\_CONUS\\_PRIME/ImageServer](https://gis.apfo.usda.gov/arcgis/rest/services/NAIP/USDA_CONUS_PRIME/ImageServer)



-  BIA Parcels
-  Anticipated Project Boundary
-  Oklahoma County Boundary



### Pensacola Hydroelectric Project




General locations where GRDA examined BIA provided information

FERC No. 1494





**Parcel 64 - Federal Lands (BIA)**

-  Anticipated Project Boundary (750FT NGVD29)
-  Parcel 64
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

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DENNIS J. WATSON  
\*RICHARD D. JAMES  
JOHN M. WEEDN

\* Admitted to practice in  
Oklahoma & Missouri

March 23, 2018

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12056  
Covering: E ½ SE ¼ SE ¼ in Section 20, Township 27 North, Range 24 East  
of the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

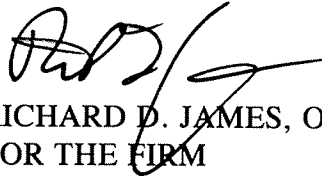
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title. This parcel was conveyed by Trust Patent and subsequently by full patent without restrictions in 1917 to Catherine Crotzer by instruments shown at page 4 and 6 of the abstract and recorded in Book 12 at Page 127 and Book 163 at Page 787, respectively. The property was then acquired by John Crotzer from the heirs of Catherine Crotzer through a partition action which resulted in the Sheriff's Deed shown at page 47 of the abstract and recorded June 4, 1945 in Book 187 at Page 745. The property was acquired by J. Howard Meadows and Alta Louise Meadows in 1960 by the Administrator's Deed shown at page 58 of the abstract shown at page 36 of the abstract, and recorded in Book 276 at Page 941. In 2014, The Wyandotte Tribe acquired the property by means of the Warranty Deed shown at page 137 of the abstract and recorded in Book 998 at Page 599. In 2015, the Tribe conveyed the property to the USA, in Trust for the benefit of the Tribe by means of the Warranty Deed shown at page 138 of the abstract, recorded in Book 1021 at Page 571.

A flowage Easement over the subject premises appears at page 16 of the abstract and is recorded in Book 180 at Page 521. This easement was acquired by condemnation by the United States of America, and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises lying below elev. 760 sea level datum.

The creation of the flowage easement predated by some seventy years the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe, and the property had been free from any restrictions on transfer for almost one hundred years at the time. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 760 sea level datum, by virtue of the easement acquired by condemnation.

Very truly yours,






A handwritten signature in black ink, appearing to read 'RDJ', with a long horizontal flourish extending to the right.

RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/le  
Enc.



### Parcel 66 - Accuracy Adjustment

-  Proposed Project Boundary
-  Federal Lands in Proposed Project Boundary
-  Flowage Easement on Federal Lands
-  Parcel 66
-  Section Line

*Federal Lands within the Project Boundary: ≈ .002 Acres*

*GRDA holds a flowage easement for all federal lands within the Anticipated Project Boundary for Parcel 66.*

*The federal acreage is derived from Bureau of Indian Affairs GIS data that has been digitized, adjusted, and recalculated by GRDA in an effort to increase accuracy.*

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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES  
JOHN M. WEEDN

\* Admitted to practice in  
Oklahoma & Missouri

March 22, 2018

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12057  
Covering: E ½ SW ¼ SW ¼ in Section 21, Township 27 North, Range 24 East of  
the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

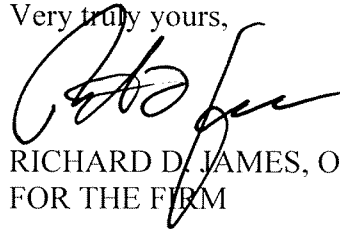
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title. This parcel, along with the other four parcels which we have examined to date, were part of the property formerly owned by the United States of America and utilized in the operation of the now defunct Seneca Indian Boarding School. An illuminative description of the background and history of the acquisition of these lands by the Federal Government is contained in the decision of Administrative Law Judge Franklin E. Arness which appears at pages 41-53 of the abstract. As set forth therein, a portion of these properties were withheld for school purposes from allotment during the 1890's by the Wyandotte Tribe and purchased by the government from the Tribe in 1934 for purposes of operation of the boarding school. The remaining properties were purchased from various private land owners by the government during the 1940's and also utilized by the boarding school. Upon the closing of the Seneca Indian Boarding School in 1981, all of these properties were transferred to the Secretary of the Interior to be held in trust for the benefit and use of the Wyandotte Tribe of Oklahoma. This transfer is shown at page 32 of the abstract, recorded in Book 977 at Page 275.

A Flowage Easement over the subject premises appears at page 22 of the abstract, and is recorded in Book 180 at Page 521. This easement was acquired by condemnation by the United States of America, and provides for a perpetual right to "inundate, submerge, and flow" over all of the subject premises lying below elevation 760 sea level datum.

The creation of the flowage easement predated the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe, and the transfer was specifically made subject to the Flowage Easement of the Southwestern Power Administration. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 760 sea level datum, by virtue of the easement acquired by condemnation.

Very truly yours,




A handwritten signature in black ink, appearing to read "Richard D. James", written over the typed name below.

RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/kc  
Enc.



**Parcel 67 - Federal Lands (BIA)**

-  Anticipated Project Boundary (745FT PD)
-  Parcel 67
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

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DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\*HON. ROBERT E. REAVIS II  
Admitted to practice in  
\*Oklahoma & Missouri  
\*\*Oklahoma & Kansas

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August 31, 2022

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 70  
Langley, OK 74350

Re: Photo Abstract Company Abstract No. 18833  
Covering: SE¼ NE¼ SE¼ in Section 21, Township 27 North, Range 24 East  
of the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title. All of the property was transferred by the original Wyandotte allottee free of restrictions by means of the BIA approved Warranty Deed shown at page 7 of the abstract and recorded in Book R at Page 273, a copy of which is attached as Ex. No. 1. That portion of this parcel lying South of Lost Creek was part of the property formerly owned by the United States of America and utilized in the operation of the now defunct Seneca Indian Boarding School. An illuminative description of the background and history of the acquisition of these lands by the Federal Government is contained in the decision of Administrative Law Judge Franklin E. Arness which appears at pages 37-49 of the abstract. As set forth therein, a portion of the lands within the former Wyandotte Reservation were withheld for school purposes from allotment during the 1890's by the Wyandotte Tribe and purchased by the government from the Tribe in 1934 for purposes of operation of the boarding school. Other properties, including that portion of the subject premises lying South of Lost Creek, were purchased from various private land owners by the government during the 1940's and also utilized by the boarding school, by means of the Warranty Deed shown at page 34 of the abstract, recorded in Book 194 at Page 597, a copy of which is attached hereto as Exhibit No. 2. Upon the closing of the Seneca Indian Boarding School in 1981, all of these properties were transferred to the Secretary of the Interior to be held in trust for the benefit and use of the Wyandotte Tribe of Oklahoma. This transfer is shown at page 35 of the abstract, recorded in Book 977 at Page 275, a copy of which is attached hereto as Exhibit No. 3. That portion of the property lying North of Lost

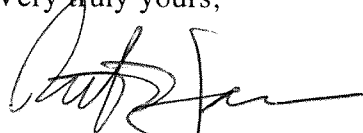


Creek is in unrestricted private ownership, by virtues of the Deeds shown at pages 149 and 204 of the abstract, copies attached as Exhibits 7 and 8.

A flowage Easement over the subject premises appears at page 16 of the abstract and is recorded in Book 169 at Page 507, a copy of which is attached as Exhibit No. 4., a second easement was acquired by condemnation by the United States of America, and grants a perpetual easement to “inundate, submerge, and flow” over all of the subject premises lying below elev. 760 sea level datum, as per the terms of the Journal Entry of Judgment shown at page 20 of the abstract, recorded in Book 180 at Page 521, a copy of which is attached hereto as Exhibit No. 5.

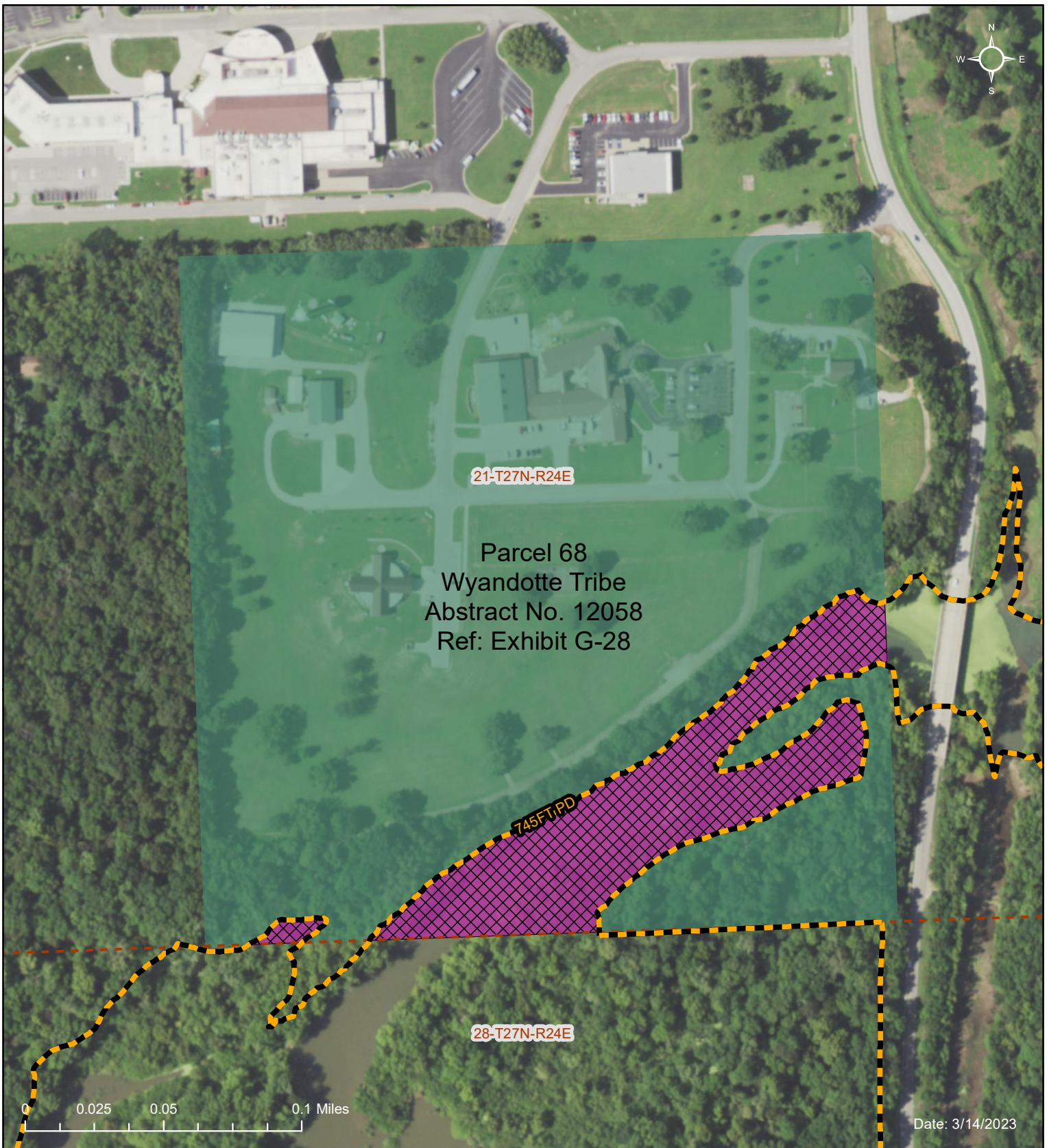
The creation of the flowage easement predated the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe, and the transfer was specifically made subject to the latter. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 760 sea level datum, by virtue of the easement acquired by condemnation. It should also be noted that GRDA owns in fee simple that portion of the property described in the Judgment appearing at page 11 of the abstract and recorded in Book 166 at Page 910, a copy of which is attached hereto as Exhibit No. 6.

Very truly yours,








RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/kf  
Enc.



### Parcel 68 - Accuracy Adjustment

-  Proposed Project Boundary
-  Federal Lands in Proposed Project Boundary
-  Flowage Easement on Federal Lands
-  Parcel 68
-  Section Line

*Federal Lands within the Project Boundary: ≈ 4.57 Acres*

*GRDA holds a flowage easement for all federal lands within the Anticipated Project Boundary for Parcel 68.*

*The federal acreage is derived from Bureau of Indian Affairs GIS data that has been digitized, adjusted, and recalculated by GRDA in an effort to increase accuracy.*

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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES  
JOHN M. WEEDN

\* Admitted to practice in  
Oklahoma & Missouri

March 22, 2018

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12058  
Covering: SE ¼ SW ¼ and NE ¼ SW ¼ all in Section 21, Township 27 North,  
Range 24 East of the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

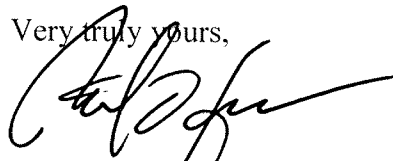
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title. This parcel, along with the other four parcels which we have examined to date, were part of the property formerly owned by the United States of America and utilized in the operation of the now defunct Seneca Indian Boarding School. An illuminative description of the background and history of the acquisition of these lands by the Federal Government is contained in the decision of Administrative Law Judge Franklin E. Arness which appears at pages 23-35 of the abstract. As set forth therein, a portion of these properties were withheld for school purposes from allotment during the 1890's by the Wyandotte Tribe and purchased by the government from the Tribe in 1934 for purposes of operation of the boarding school. The remaining properties were purchased from various private land owners by the government during the 1940's and also utilized by the boarding school. Upon the closing of the Seneca Indian Boarding School in 1981, all of these properties were transferred to the Secretary of the Interior to be held in trust for the benefit and use of the Wyandotte Tribe of Oklahoma. This transfer is shown at page 20 of the abstract, recorded in Book 977 at Page 275.

A Flowage Easement over the subject premises appears at page 5 of the abstract, and is recorded in Book 171 at Page 304. This easement was created by act of congress of June 11, 1940 in favor of the Grand River Dam Authority.

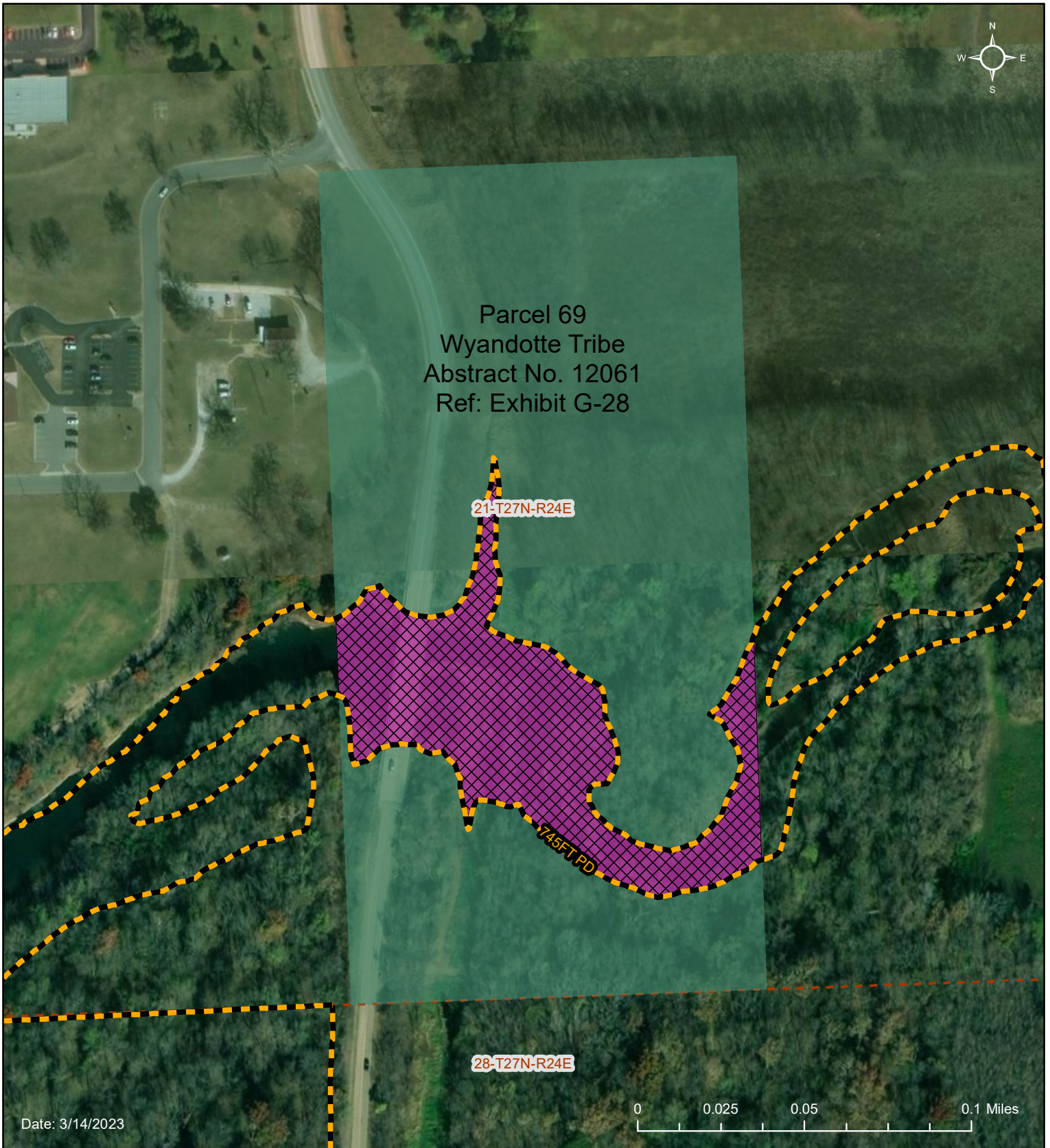
The creation of the flowage easement predated the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe, and the transfer was specifically made subject to the same. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over that portion of the subject premises described by metes and bounds in the easement shown at page 5 of the abstract, consisting of approximately 26.7 acres.

Very truly yours,






A handwritten signature in black ink, appearing to read "Richard D. James", written over the typed name below.

RICHARD D. JAMES, OBA No. 4617  
FOR THE IIRM

RDJ/kc  
Enc.



## Parcel 69 - Accuracy Adjustment

-  Proposed Project Boundary
-  Flowage Easement on Federal Lands
-  Federal Lands in Proposed Project Boundary
-  Parcel 69
-  Section Line

*Federal Lands within the Project Boundary: ≈ 3.39 Acres*

*GRDA holds a flowage easement for all federal lands within the Anticipated Project Boundary for Parcel 69.*

*The federal acreage is derived from Bureau of Indian Affairs GIS data that has been digitized, adjusted, and recalculated by GRDA in an effort to increase accuracy.*

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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES  
JOHN M. WEEDN

\* Admitted to practice in  
Oklahoma & Missouri

March 22, 2018

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12061  
Covering: W ½ SW ¼ SE ¼ in Section 21, Township 27 North, Range 24 East of  
the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

Dear Ms. Jahnke:

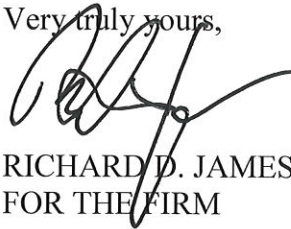
We have completed examination of the above referenced abstract of title. This parcel, along with the other four parcels which we have examined to date, were part of the property formerly owned by the United States of America and utilized in the operation of the now defunct Seneca Indian Boarding School. An illuminative description of the background and history of the acquisition of these lands by the Federal Government is contained in the decision of Administrative Law Judge Franklin E. Arness which appears at pages 43-55 of the abstract. As set forth therein, a portion of these properties were withheld for school purposes from allotment during the 1890's by the Wyandotte Tribe and purchased by the government from the Tribe in 1934 for purposes of operation of the boarding school. The remaining properties were purchased from various private land owners by the government during the 1940's and also utilized by the boarding school. Upon the closing of the Seneca Indian Boarding School in 1981, all of these properties were transferred to the Secretary of the Interior to be held in trust for the benefit and use of the Wyandotte Tribe of Oklahoma. This transfer is shown at page 40 of the abstract, recorded in Book 977 at Page 275.

Flowage Easements over the subject premises appear at pages 5 and 6 of the abstract, and are recorded in Book 171 at Page 304 and Book 180 at Page 521. The first of these easements was created by act of congress of June 11, 1940 in favor of the Grand River Dam Authority. The second easement was acquired by condemnation by the United States of America, shown at page 6 of the abstract and recorded in Book 180 at Page 521,

and subsequently assigned to the Grand River Dam Authority by assignment appearing at Page 20 of the abstract and recorded in Book 201 at Page 127.

The creation of both flowage easements predated the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe, and the transfer was specifically made subject to the latter. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has valid and subsisting flowage easements over that portion of the subject premises described by metes and bounds in the easement shown at page 5 of the abstract and over all of the remainder of the property lying below elevation 760 sea level datum, by virtue of the easement acquired by condemnation.

Very truly yours,

A handwritten signature in black ink, appearing to be 'RDJ', written over the typed name below.

RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/kc  
Enc.



Parcel 70  
Wyandotte Tribe  
Abstract No. 12062  
Ref: Exhibit G-28





21-T27N-R24E

28-T27N-R24E

0 0.025 0.05 0.1 Miles

Date: 12/16/2022

### Parcel 70 - Federal Lands (BIA)

-  Anticipated Project Boundary (745FT PD)
-  GRDA Owned Land
-  Parcel 70
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel 70.*



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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES  
JOHN M. WEEDN

\* Admitted to practice in  
Oklahoma & Missouri

March 22, 2018

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12062  
Covering: E ½ SW ¼ SE ¼ in Section 21, Township 27 North, Range 24 East of  
the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title. This parcel, along with the other four parcels which we have examined to date, were part of the property formerly owned by the United States of America and utilized in the operation of the now defunct Seneca Indian Boarding School. An illuminative description of the background and history of the acquisition of these lands by the Federal Government is contained in the decision of Administrative Law Judge Franklin E. Arness which appears at pages 130-142 of the abstract. As set forth therein, a portion of these properties were withheld for school purposes from allotment during the 1890's by the Wyandotte Tribe and purchased by the government from the Tribe in 1934 for purposes of operation of the boarding school. The remaining properties were purchased from various private land owners by the government during the 1940's and also utilized by the boarding school. Upon the closing of the Seneca Indian Boarding School in 1981, all of these properties were transferred to the Secretary of the Interior to be held in trust for the benefit and use of the Wyandotte Tribe of Oklahoma. This transfer is shown at page 127 of the abstract, recorded in Book 977 at Page 275.

A Flowage Easement over the subject premises appears at page 39 of the abstract, and is recorded in Book 180 at Page 521. This easement was acquired by condemnation by the United States of America, and provides for a perpetual right to "inundate, submerge, and flow" over all of the subject premises lying below elevation 760 sea level datum and subsequently assigned to the Grand River Dam Authority by assignment appearing at Page 53 of the abstract and recorded in Book 201 at Page 127.

The creation of both the flowage easement and the assignment to GRDA predated the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the remainder of the property lying below elevation 760 sea level datum, by virtue of the easement acquired by condemnation. Also, it should be noted that the GRDA owns in fee simple that portion of the premises described in the Warranty Deed shown at page 13 of the abstract and recorded in Book 163 at Page 332.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard D. James", written over the typed name below.

RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/kc  
Enc.



21-T27N-R24E

22-T27N-R24E

Parcel 71  
Wyandotte Tribe  
Abstract No. 12063  
Ref: Exhibit G-28





28-T27N-R24E

27-T27N-R24E

0 0.025 0.05 0.1 Miles

Date: 12/19/2022

### Parcel 71 - Federal Lands (BIA)

-  Anticipated Project Boundary (745FT PD)
-  GRDA Owned Land
-  Parcel 71
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel 71.*

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\*RICHARD D. JAMES  
JOHN M. WEEDN

\* Admitted to practice in  
Oklahoma & Missouri

March 23, 2018

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12063  
Covering: SE ¼ SE ¼ in Section 21, Township 27 North, Range 24 East  
of the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title. This parcel, along with the other four parcels which we have examined to date, were part of the property formerly owned by the United States of America and utilized in the operation of the now defunct Seneca Indian Boarding School. An illuminative description of the background and history of the acquisition of these lands by the Federal Government is contained in the decision of Administrative Law Judge Franklin E. Arness which appears at pages 43-55 of the abstract. As set forth therein, a portion of these properties were withheld for school purposes from allotment during the 1890's by the Wyandotte Tribe and purchased by the government from the Tribe in 1934 for purposes of operation of the boarding school. The remaining properties were purchased from various private land owners by the government during the 1940's and also utilized by the boarding school. Upon the closing of the Seneca Indian Boarding School in 1981, all of these properties were transferred to the Secretary of the Interior to be held in trust for the benefit and use of the Wyandotte Tribe of Oklahoma. This transfer is shown at page 36 of the abstract, recorded in Book 977 at Page 275.

A flowage Easement over the subject premises appears at page 18 of the abstract and is recorded in Book 180 at Page 521. This easement was acquired by condemnation

by the United States of America, and grants a perpetual easement to “inundate, submerge, and flow” over all of the subject premises lying below elev. 760 sea level datum.

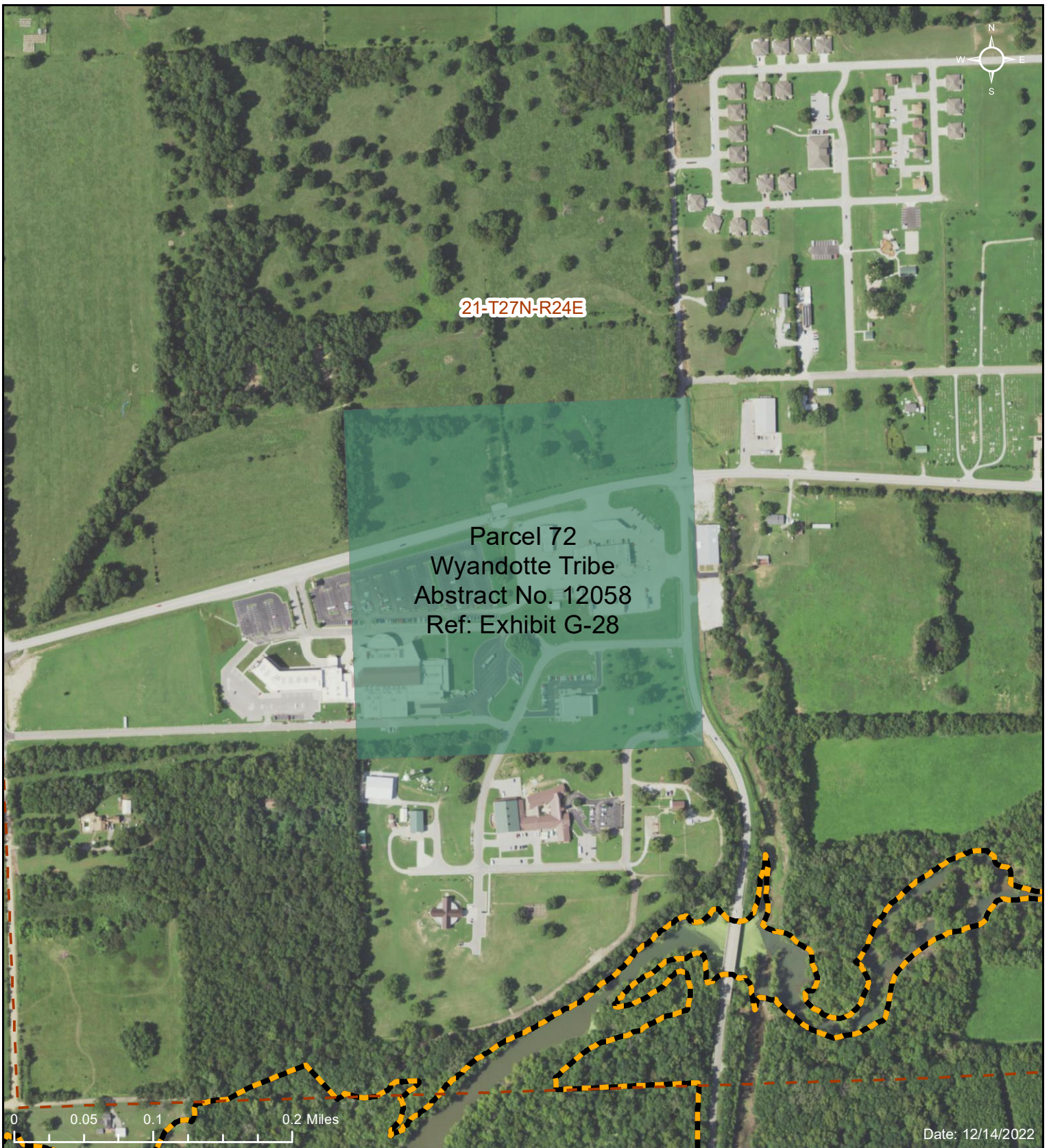
The creation of the flowage easement predated the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe, and the transfer was specifically made subject to the latter. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 760 sea level datum, by virtue of the easement acquired by condemnation. It should also be noted that GRDA owns in fee simple that portion of the property described in the Warranty Deed appearing at page 14 of the abstract and recorded in Book 163 at Page 332.

Very truly yours,



RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/le  
Enc.






21-T27N-R24E

Parcel 72  
 Wyandotte Tribe  
 Abstract No. 12058  
 Ref: Exhibit G-28

0 0.05 0.1 0.2 Miles

Date: 12/14/2022

**Parcel 72 - Federal Lands (BIA)**

-  Anticipated Project Boundary
-  Parcel 72
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES  
JOHN M. WEEDN

\* Admitted to practice in  
Oklahoma & Missouri

March 22, 2018

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12058  
Covering: SE ¼ SW ¼ and NE ¼ SW ¼ all in Section 21, Township 27 North,  
Range 24 East of the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

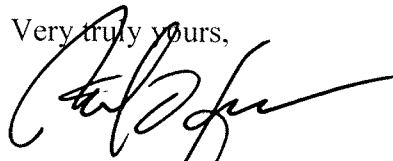
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title. This parcel, along with the other four parcels which we have examined to date, were part of the property formerly owned by the United States of America and utilized in the operation of the now defunct Seneca Indian Boarding School. An illuminative description of the background and history of the acquisition of these lands by the Federal Government is contained in the decision of Administrative Law Judge Franklin E. Arness which appears at pages 23-35 of the abstract. As set forth therein, a portion of these properties were withheld for school purposes from allotment during the 1890's by the Wyandotte Tribe and purchased by the government from the Tribe in 1934 for purposes of operation of the boarding school. The remaining properties were purchased from various private land owners by the government during the 1940's and also utilized by the boarding school. Upon the closing of the Seneca Indian Boarding School in 1981, all of these properties were transferred to the Secretary of the Interior to be held in trust for the benefit and use of the Wyandotte Tribe of Oklahoma. This transfer is shown at page 20 of the abstract, recorded in Book 977 at Page 275.

A Flowage Easement over the subject premises appears at page 5 of the abstract, and is recorded in Book 171 at Page 304. This easement was created by act of congress of June 11, 1940 in favor of the Grand River Dam Authority.

The creation of the flowage easement predated the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe, and the transfer was specifically made subject to the same. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over that portion of the subject premises described by metes and bounds in the easement shown at page 5 of the abstract, consisting of approximately 26.7 acres.

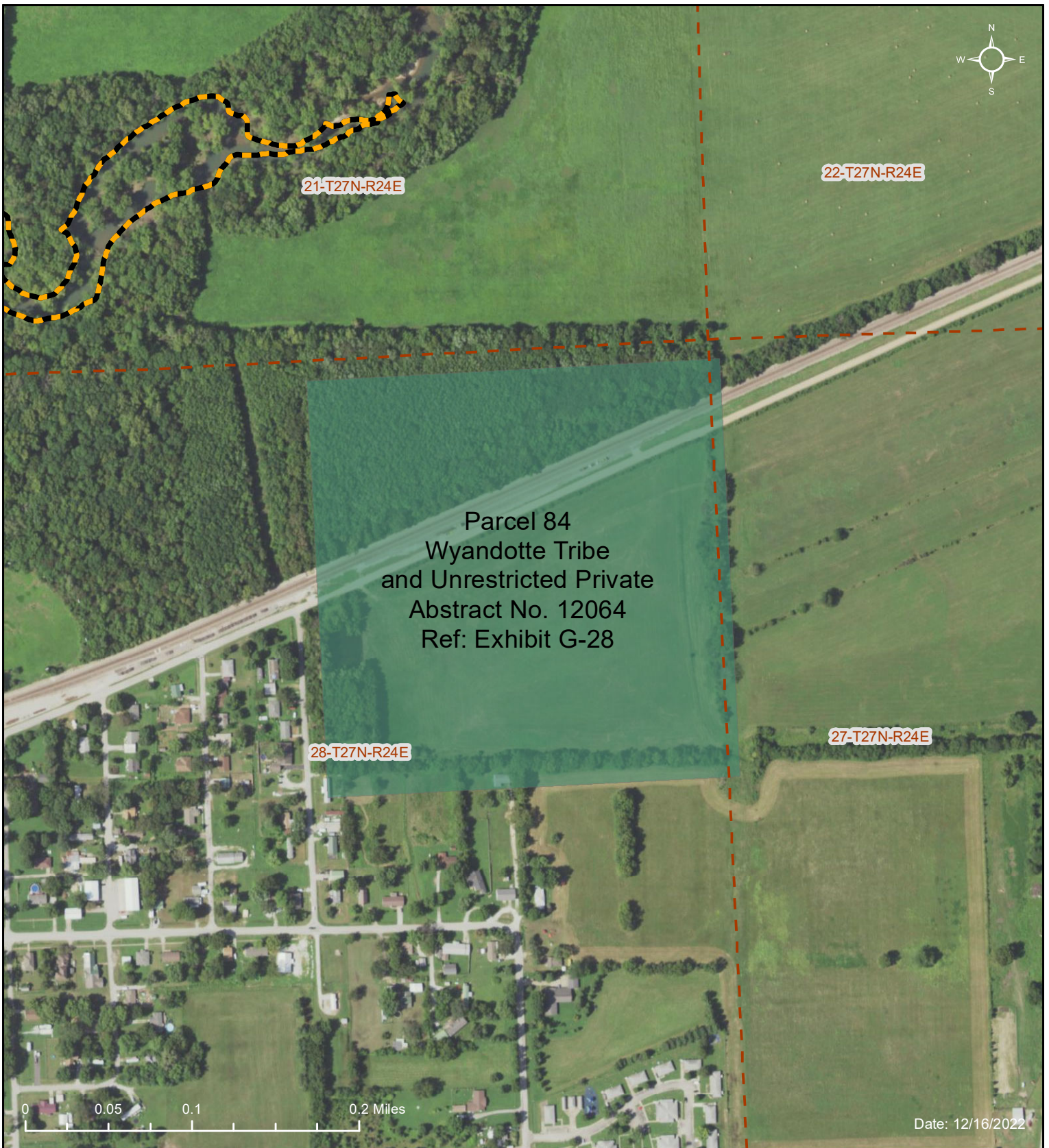
Very truly yours,

A handwritten signature in black ink, appearing to read "Richard D. James", written in a cursive style.




RICHARD D. JAMES, OBA No. 4617  
FOR THE IIRM

RDJ/kc  
Enc.





**Parcel 84 - Federal Lands (BIA)**

-  Anticipated Project Boundary
-  Parcel 84
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

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\*RICHARD D. JAMES  
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April 3, 2018

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12064  
Covering: NE ¼ NE ¼ in Section 28, Township 27 North, Range 24 East  
of the Indian Base and Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

Dear Ms. Jahnke:

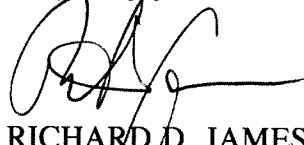
We have completed examination of the above referenced abstract of title. This parcel was conveyed by Trust Patent with restrictions subsequently removed in 1892 to Mary E. Brown and James A. Brown by instruments shown at page 4 and 6 of the abstract and recorded in Book 12 at Page 117 and Book 8 at Page 559, respectively. The portion of the property North of the Railroad Right of Way has remained in private ownership and is now owned by Susan Victor by virtue of a Probate Decree shown at page 326 of the abstract and a Warranty Deed shown at page 347, which are recorded in Book 863 at Page 724 and 740. The property south of the Railroad Right of Way remained in private ownership until 2005, when the Wyandotte Tribe acquired the property by means of the Warranty Deed shown at page 233 of the abstract and recorded in Book 796 at Page 485. In 2014, the Tribe conveyed the property to the USA, in Trust for the benefit of the Tribe by means of the Warranty Deed shown at page 260 of the abstract, recorded in Book 994 at Page 422.

A flowage Easement over the subject premises south of the Railroad Right of Way appears at page 43 of the abstract and is recorded in Book 181 at Page 179. This easement was acquired by condemnation by the United States of America, and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises lying below

elev. 760 sea level datum. At page 49 of the abstract appears a Flowage Easement granted to GRDA by the St. Louis-San Francisco Railway Co., covering all railroad right of way and other property lying below elev. 755 sea level datum recorded in Book 214 at Page 147. No Flowage Easement appears of record covering the property north of the Railroad Right of Way.

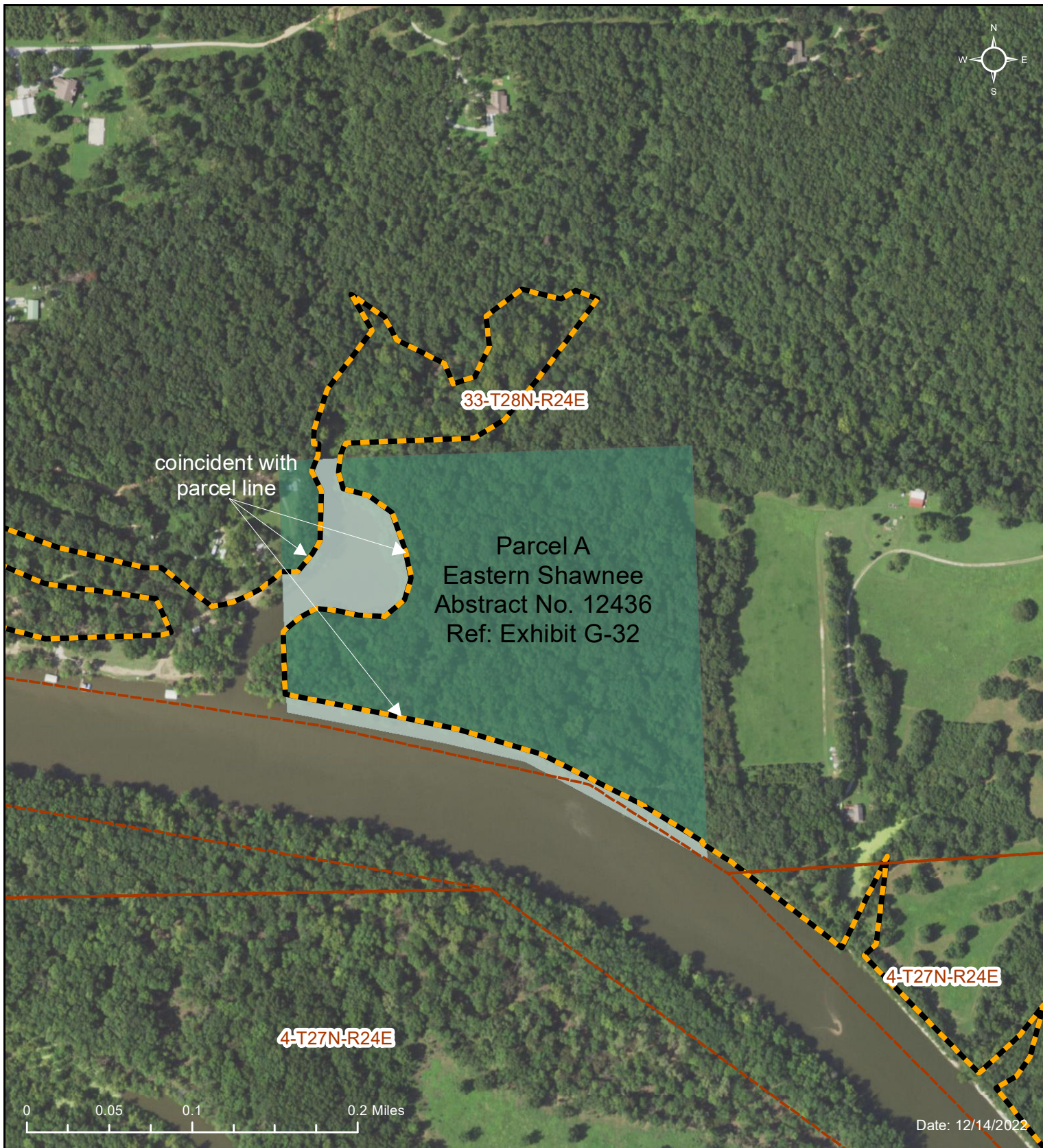
The creation of the flowage easement predated by some seventy years the transfer of the subject premises to the Secretary of the Interior for the benefit of the Wyandotte Tribe, and the property had been free from any restrictions on transfer for almost one hundred years at the time. Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property south of the Railroad Right of Way, lying below elevation 760 sea level datum, by virtue of the easement acquired by condemnation, and below elevation 755 sea level datum on the Railroad Right of Way portion of the premises by virtue of the easement granted by the St. Louis-San Francisco Railway Co. We find no flowage easement north of the Railroad Right of Way.

Very truly yours,





A handwritten signature in black ink, appearing to read 'RDJ', with a long horizontal flourish extending to the right.

RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/le  
Enc.



### Parcel A - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel A
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel A.*

COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\*HON. ROBERT E. REAVIS II  
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\*\*Oklahoma & Kansas

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December 26, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12436,  
Volumes I and II,  
Covering: Lots 1, 2 and 3 (S $\frac{1}{2}$  SW $\frac{1}{4}$ ) of Section 33, Township 28 North,  
Range 24 East of the Indian Meridian, Ottawa County Oklahoma.  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 424 pages, and last certified as of 12/20/19 at 7:55 A.M. Lot 1 was conveyed by Trust Patent to Eastern Shawnee allottee, Milton Turkeyfoot, by an instrument shown at page 4 of the abstract. GRDA acquired fee simple title to all of Lot 1 lying below elev. 750, consisting of 9.3 acres, by a BIA approved Warranty Deed shown at page 5 of the abstract. The remainder of Lot 1 was conveyed by Fee Simple Patent shown at page 22 of the abstract to Matilda Stand Beaver. This instrument is recorded in Book 274 at Page 454. Title appears now to be vested in Jan Colbort Killough and Bobbie Rae Killough pursuant to the probate Order shown at page 29 of the abstract and recorded in Book 294 at Page 224, and is unrestricted as per the terms of the BIA Certification shown at page 190 of the abstract and recorded in Book 893 at Page 288.

Lot 2 was conveyed by Trust Patent to Eastern Shawnee allottee, Minnie Turkeyfoot by an instrument shown at page 367 of the abstract. GRDA acquired fee simple title to all of Lot 2 lying below elev. 750, consisting of 9.0 acres by a BIA approved Indian Deed shown at page 374 of the abstract. Title to the remainder of Lot 2 is unclear, but appears to remain restricted and vested in highly

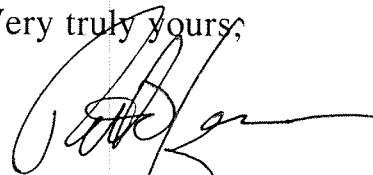
fractionalized interests in the heirs of Minnie Turkeyfoot Robbins, and their descendants.

Lot 3 was conveyed by Trust Patent to Ottawa allottee Matilda Wind, by an instrument shown at page 398 of the abstract, and subsequently conveyed free of all restrictions by a BIA approved Warranty Deed shown at page 399 of the abstract. GRDA thereafter acquired fee simple title to all of Lot 3 in 1940 by means of a Warranty Deed shown at page 422 of the abstract, and recorded in Book 163 at Page 846.

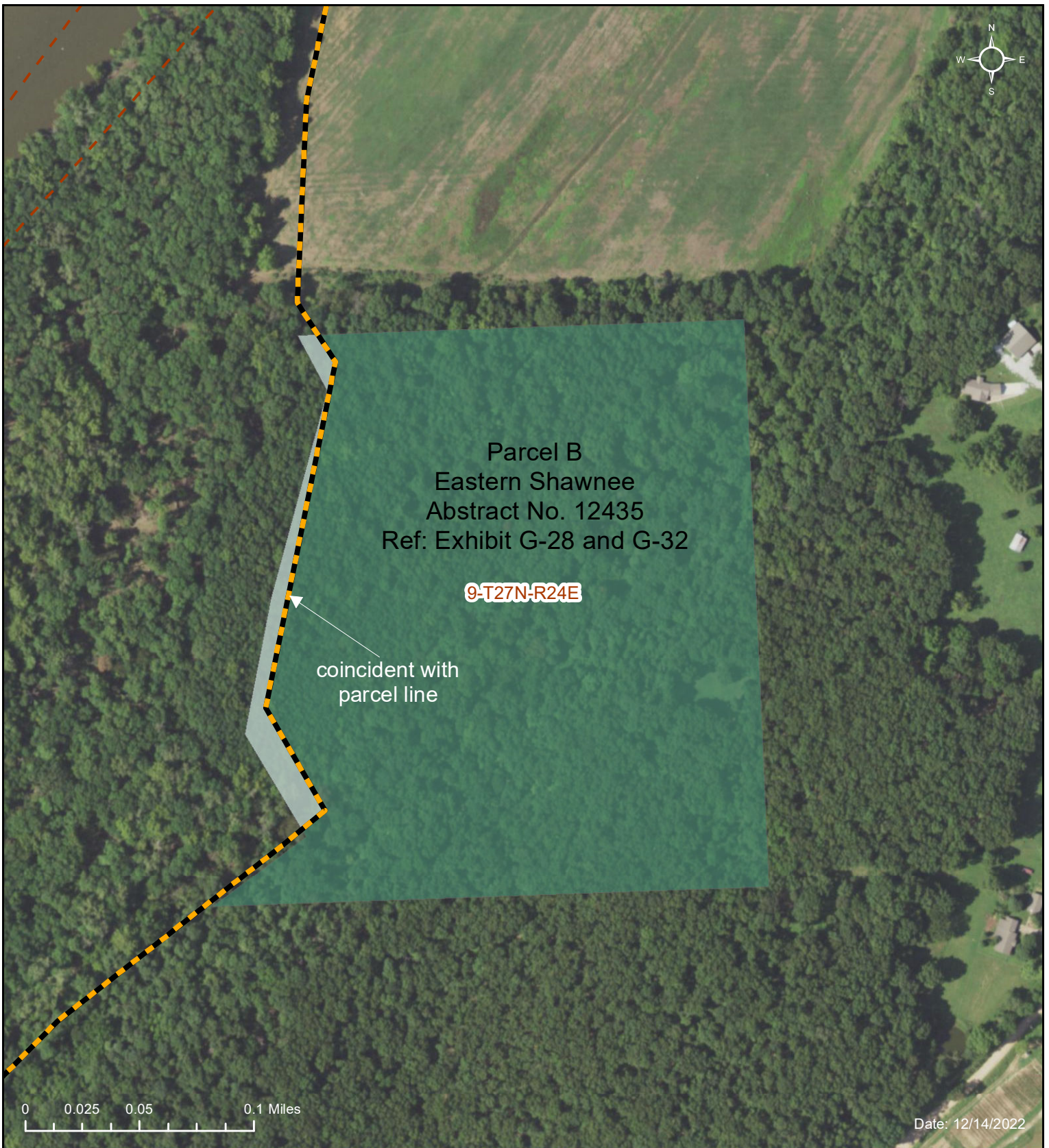
A flowage easement over Lots 1 and 2 of the subject premises appears at page 7 of the abstract and is recorded in Book 180 at Page 744. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to “inundate, submerge, and flow” over all of the subject premises, lying below elevation 760 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of Lots 1 and 2 of the property lying below elevation 760 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum. Grand River Dam Authority owns all of Lot 3 in fee simple.





Very truly yours,



RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



**Parcel B - Federal Lands (BIA)**

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel B
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all property within the Anticipated Boundary for Parcel B.*

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DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\* HON. ROBERT E. REAVIS II  
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March 11, 2020

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
9933 East 16<sup>th</sup> Street  
Tulsa, OK 74128

Re: Ottawa County Abstract and Title Company Abstract No. 12435,  
Volumes I and II,  
Covering: S1/2; and Sw1/4 NE1/4 of Section 9, Township 27 North,  
Range 24 East of the Indian Meridian, Ottawa County Oklahoma.  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 572 pages, and last certified as of 03/04/20 at 7:55 A.M. Lot 7, or that part of the NW1/4 SW1/4 lying West of Spring River, was conveyed by unrestricted Patent, by an instrument shown at page 515 of the abstract, and recorded in Book 99 at Page 852. GRDA acquired fee simple title to all of Lot 7, by a BIA approved Warranty Deed shown at page 542 of the abstract, and recorded in Book 163 at Page 10. The remainder of the NW1/4 SW1/4, or Lot 3, along with the SW1/4 NE1/4 and NE1/4 SW1/4, was conveyed by Allotment Deed shown at page 474 of the abstract to Eastern Shawnee allottee, Carrie Bluejacket. This instrument is recorded in Book 164 at Page 99. Title continues to be restricted and vested in the remote descendants of the allottee. At page 475 appears a BIA approved Warranty Deed to GRDA conveying Fee Simple Title to all of the NW1/4 SW1/4 (Lot 3), NE1/ SW1/4, and SW1/4 NE1/4 lying below elev. 750.



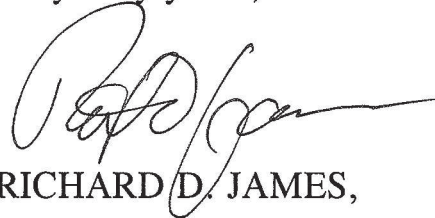
The NE1/4 SE1/4 was conveyed by Trust Patent to Eastern Shawnee allottee, Amy Bluejacket by an instrument shown at page 4 of the abstract, and recorded in Book 118 at Page 769. Restrictions were removed by an instrument shown at page 5 of the abstract and recorded in Book 115 at Page 219. A Flowage Easement to the USA covering all of the NE1/4 SE1/4 lying below elev 760 appears at page 27 of the abstract and is recorded in Book 181 at Page 179. The S1/2 SW1/4 was conveyed to Blanche Bluejacket by Trust Patent shown at page 202 of the abstract, and recorded in Book 128 at Page 846. Restrictions were subsequently removed by instruments shown at pages 205, 365 and 378 of the abstract. GRDA acquired fee simple title to all of the S1/2 SW1/4 lying below elev 750 by instruments shown at pages 209 and 360 of the abstract, which are recorded in Book 162 at Page 949 and Book 163 at Page 596.

Title to the remainder of the SE1/4 was conveyed by Trust Patent to Eastern Shawnee allottees, Rose and Anna Skakah by instruments shown at pages 488 and 495 of the abstract, and subsequently conveyed with all restrictions by a BIA approved Warranty Deed shown at page 510 of the abstract, to Willie Blakeburn, restricted Indian, and current record owner, which is recorded in Book 326 at Page 923. GRDA thereafter acquired fee simple title to all of the W1/2 SW1/4 SE1/4 lying below elev 750 by means of a BIA approved Warranty Deed shown at page 497 of the abstract, and recorded in Book 166 at Page 34, and a Flowage Easement on all of the E1/2 SW1/4 SE1/4 lying below elev 750 by means of a BIA approved instrument shown at page 491 of the abstract and recorded in Book 173 at Page 406. This grant of Easement is problematic in that it only covers property below elev. 750, title to which is held by GRDA in fee simple. This is probably the result of a typographical error showing 750 instead of the intended 760.

A flowage easement over the remainder of the subject premises appears at page 499 of the abstract and is recorded in Book 180 at Page 521. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 760 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 760 sea level datum, with the exception of the E1/2 SW1/4 SE1/4 as set forth above, by virtue of the easement acquired by grant and condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum. The USA holds title to the NW/14 SE1/4, SW1/4 SE1/4, SE1/4 SE1/4, SW1/4 NE1/4, NE1/4 SW1/4, and NW1/4 SW1/4 lying East of Spring River in Trust for the benefit of restricted Indians as above set forth.

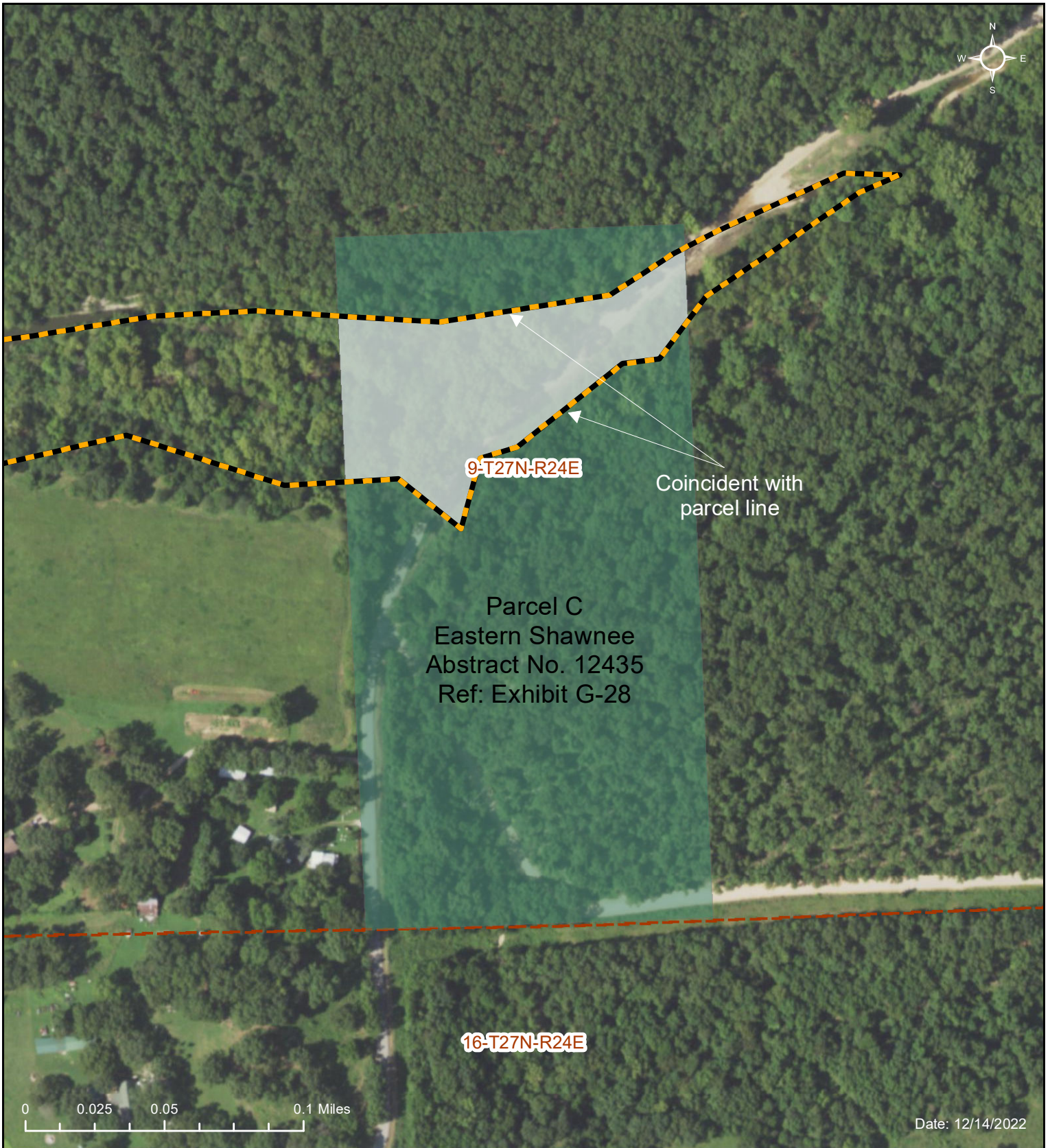
Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', with a long horizontal flourish extending to the right.





RICHARD D. JAMES,

OBA No. 4617

FOR THE FIRM



**Parcel C - Federal Lands (BIA)**

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel C
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel C.*

LAW OFFICE OF  
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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\* HON. ROBERT E. REAVIS II  
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\*Oklahoma & Missouri  
\*\*Oklahoma & Kansas

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March 11, 2020

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
9933 East 16<sup>th</sup> Street  
Tulsa, OK 74128

Re: Ottawa County Abstract and Title Company Abstract No. 12435,  
Volumes I and II,  
Covering: S1/2; and Sw1/4 NE1/4 of Section 9, Township 27 North,  
Range 24 East of the Indian Meridian, Ottawa County Oklahoma.  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 572 pages, and last certified as of 03/04/20 at 7:55 A.M. Lot 7, or that part of the NW1/4 SW1/4 lying West of Spring River, was conveyed by unrestricted Patent, by an instrument shown at page 515 of the abstract, and recorded in Book 99 at Page 852. GRDA acquired fee simple title to all of Lot 7, by a BIA approved Warranty Deed shown at page 542 of the abstract, and recorded in Book 163 at Page 10. The remainder of the NW1/4 SW1/4, or Lot 3, along with the SW1/4 NE1/4 and NE1/4 SW1/4, was conveyed by Allotment Deed shown at page 474 of the abstract to Eastern Shawnee allottee, Carrie Bluejacket. This instrument is recorded in Book 164 at Page 99. Title continues to be restricted and vested in the remote descendants of the allottee. At page 475 appears a BIA approved Warranty Deed to GRDA conveying Fee Simple Title to all of the NW1/4 SW1/4 (Lot 3), NE1/ SW1/4, and SW1/4 NE1/4 lying below elev. 750.

The NE1/4 SE1/4 was conveyed by Trust Patent to Eastern Shawnee allottee, Amy Bluejacket by an instrument shown at page 4 of the abstract, and recorded in Book 118 at Page 769. Restrictions were removed by an instrument shown at page 5 of the abstract and recorded in Book 115 at Page 219. A Flowage Easement to the USA covering all of the NE1/4 SE1/4 lying below elev 760 appears at page 27 of the abstract and is recorded in Book 181 at Page 179. The S1/2 SW1/4 was conveyed to Blanche Bluejacket by Trust Patent shown at page 202 of the abstract, and recorded in Book 128 at Page 846. Restrictions were subsequently removed by instruments shown at pages 205, 365 and 378 of the abstract. GRDA acquired fee simple title to all of the S1/2 SW1/4 lying below elev 750 by instruments shown at pages 209 and 360 of the abstract, which are recorded in Book 162 at Page 949 and Book 163 at Page 596.

Title to the remainder of the SE1/4 was conveyed by Trust Patent to Eastern Shawnee allottees, Rose and Anna Skakah by instruments shown at pages 488 and 495 of the abstract, and subsequently conveyed with all restrictions by a BIA approved Warranty Deed shown at page 510 of the abstract, to Willie Blakeburn, restricted Indian, and current record owner, which is recorded in Book 326 at Page 923. GRDA thereafter acquired fee simple title to all of the W1/2 SW1/4 SE1/4 lying below elev 750 by means of a BIA approved Warranty Deed shown at page 497 of the abstract, and recorded in Book 166 at Page 34, and a Flowage Easement on all of the E1/2 SW1/4 SE1/4 lying below elev 750 by means of a BIA approved instrument shown at page 491 of the abstract and recorded in Book 173 at Page 406. This grant of Easement is problematic in that it only covers property below elev. 750, title to which is held by GRDA in fee simple. This is probably the result of a typographical error showing 750 instead of the intended 760.

A flowage easement over the remainder of the subject premises appears at page 499 of the abstract and is recorded in Book 180 at Page 521. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 760 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 760 sea level datum, with the exception of the E1/2 SW1/4 SE1/4 as set forth above, by virtue of the easement acquired by grant and condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum. The USA holds title to the NW/14 SE1/4, SW1/4 SE1/4, SE1/4 SE1/4, SW1/4 NE1/4, NE1/4 SW1/4, and NW1/4 SW1/4 lying East of Spring River in Trust for the benefit of restricted Indians as above set forth.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard D. James", with a long horizontal flourish extending to the right.

RICHARD D. JAMES,

OBA No. 4617

FOR THE FIRM



Coincident with parcel line

9-T27N-R24E





Parcel D  
Eastern Shawnee  
Abstract No. 12435  
Ref: Exhibit G-28

16-T27N-R24E



Date: 12/14/2022

### Parcel D - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel D
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel D.*

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\*\* HON. ROBERT E. REAVIS II  
Admitted to practice in  
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\*\*Oklahoma & Kansas

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March 11, 2020

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
9933 East 16<sup>th</sup> Street  
Tulsa, OK 74128

Re: Ottawa County Abstract and Title Company Abstract No. 12435,  
Volumes I and II,  
Covering: S1/2; and Sw1/4 NE1/4 of Section 9, Township 27 North,  
Range 24 East of the Indian Meridian, Ottawa County Oklahoma.  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 572 pages, and last certified as of 03/04/20 at 7:55 A.M. Lot 7, or that part of the NW1/4 SW1/4 lying West of Spring River, was conveyed by unrestricted Patent, by an instrument shown at page 515 of the abstract, and recorded in Book 99 at Page 852. GRDA acquired fee simple title to all of Lot 7, by a BIA approved Warranty Deed shown at page 542 of the abstract, and recorded in Book 163 at Page 10. The remainder of the NW1/4 SW1/4, or Lot 3, along with the SW1/4 NE1/4 and NE1/4 SW1/4, was conveyed by Allotment Deed shown at page 474 of the abstract to Eastern Shawnee allottee, Carrie Bluejacket. This instrument is recorded in Book 164 at Page 99. Title continues to be restricted and vested in the remote descendants of the allottee. At page 475 appears a BIA approved Warranty Deed to GRDA conveying Fee Simple Title to all of the NW1/4 SW1/4 (Lot 3), NE1/ SW1/4, and SW1/4 NE1/4 lying below elev. 750.



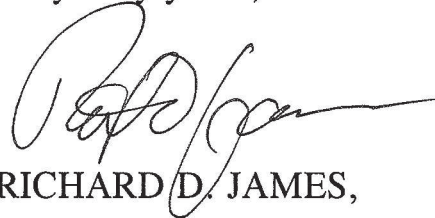
The NE1/4 SE1/4 was conveyed by Trust Patent to Eastern Shawnee allottee, Amy Bluejacket by an instrument shown at page 4 of the abstract, and recorded in Book 118 at Page 769. Restrictions were removed by an instrument shown at page 5 of the abstract and recorded in Book 115 at Page 219. A Flowage Easement to the USA covering all of the NE1/4 SE1/4 lying below elev 760 appears at page 27 of the abstract and is recorded in Book 181 at Page 179. The S1/2 SW1/4 was conveyed to Blanche Bluejacket by Trust Patent shown at page 202 of the abstract, and recorded in Book 128 at Page 846. Restrictions were subsequently removed by instruments shown at pages 205, 365 and 378 of the abstract. GRDA acquired fee simple title to all of the S1/2 SW1/4 lying below elev 750 by instruments shown at pages 209 and 360 of the abstract, which are recorded in Book 162 at Page 949 and Book 163 at Page 596.

Title to the remainder of the SE1/4 was conveyed by Trust Patent to Eastern Shawnee allottees, Rose and Anna Skakah by instruments shown at pages 488 and 495 of the abstract, and subsequently conveyed with all restrictions by a BIA approved Warranty Deed shown at page 510 of the abstract, to Willie Blakeburn, restricted Indian, and current record owner, which is recorded in Book 326 at Page 923. GRDA thereafter acquired fee simple title to all of the W1/2 SW1/4 SE1/4 lying below elev 750 by means of a BIA approved Warranty Deed shown at page 497 of the abstract, and recorded in Book 166 at Page 34, and a Flowage Easement on all of the E1/2 SW1/4 SE1/4 lying below elev 750 by means of a BIA approved instrument shown at page 491 of the abstract and recorded in Book 173 at Page 406. This grant of Easement is problematic in that it only covers property below elev. 750, title to which is held by GRDA in fee simple. This is probably the result of a typographical error showing 750 instead of the intended 760.

A flowage easement over the remainder of the subject premises appears at page 499 of the abstract and is recorded in Book 180 at Page 521. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 760 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 760 sea level datum, with the exception of the E1/2 SW1/4 SE1/4 as set forth above, by virtue of the easement acquired by grant and condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum. The USA holds title to the NW/14 SE1/4, SW1/4 SE1/4, SE1/4 SE1/4, SW1/4 NE1/4, NE1/4 SW1/4, and NW1/4 SW1/4 lying East of Spring River in Trust for the benefit of restricted Indians as above set forth.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', with a long horizontal flourish extending to the right.

RICHARD D. JAMES,

OBA No. 4617

FOR THE FIRM



Parcel E  
Unrestricted Private  
Abstract No. 12423  
Ref: Exhibit G-30

coincident with  
parcel line





5-T27N-R23E

4-T27N-R23E

0 0.005 0.01 0.02 Miles

Date: 12/16/2022

### Parcel E - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel E
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel E.*

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September 4, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12423  
Covering: Lot 10 in the SW  $\frac{1}{4}$  of Section 4, Township 27 North,  
Range 23 East of the Indian Meridian, Ottawa County, Oklahoma;  
Our File No. 21463

Dear Ms. Jahnke:

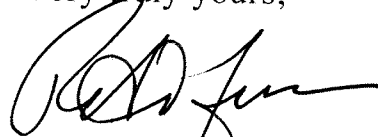
We have completed examination of the above referenced abstract of title, consisting of 212 pages. This parcel was conveyed by Allotment Deed to multiple Cherokee Freedmen, and was originally unrestricted. Subsequently, title was held in trust by the USA for the benefit of a restricted Quapaw grantee, but was thereafter conveyed free from restrictions by a Deed approved by the BIA, and shown at page 100 of the abstract, and recorded in Book 612 at Page 595. Title is presently held by Jacqueline Dawn Lipps and Jeromy John Lipps, by virtue of a Warranty Deed shown at page 176 of the abstract and recorded in Book 1007 at Page 449, less that portion to which the Grand River Dam Authority acquired fee simple title by condemnation. This is the portion of the property lying below the approximate 750 foot meander line which is described by metes and bounds in the Journal Entry shown at page 74 of the abstract and recorded in Book 169 at Page 331. Outstanding Mortgages covering the portion of the property owned by Mr. and Mrs. Lipps are shown at pages 186, 198, 205 and 207 of the abstract.

Flowage easements over the subject premises appear at pages 81 and 82 of the abstract and are recorded in Book 189 at Page 554, and Book 206 at Page 243. These easements were acquired by condemnation by the United States of America in 1945 and 1947 and grant a perpetual easement to “inundate, submerge, and flow” over all of the subject premises, lying below elevation 756.1 sea level datum, and to “inundate, submerge and flow intermittently, during Flood Periods,” that portion of the premises lying between 756.1 and 760 sea level datum.

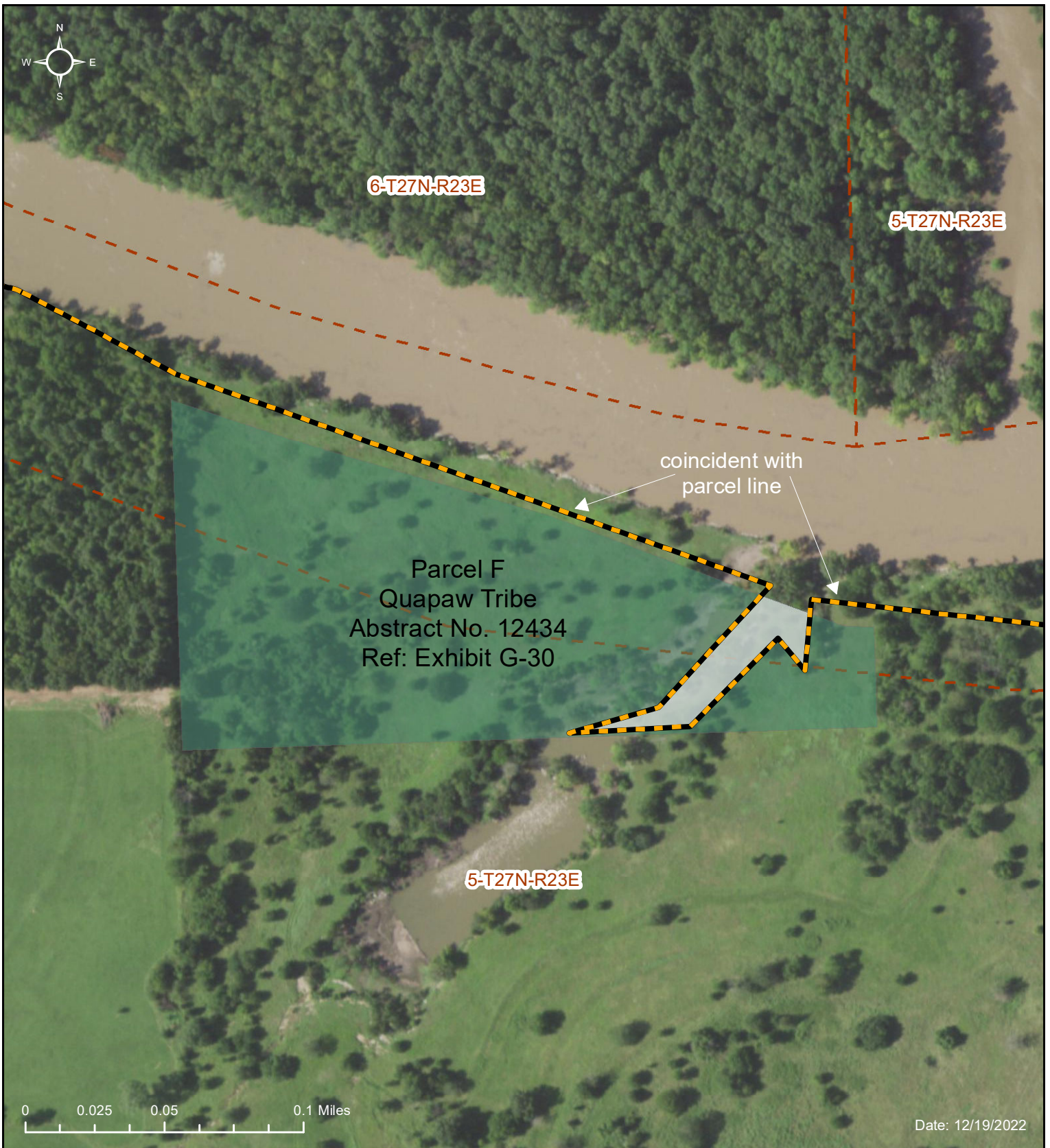
The property is subject to the provisions of the Ottawa County Floodplain Regulation of 2006 shown at page 150 of the abstract and recorded in Book 819 at Page 160, and the Amendment thereto shown at page 155 of the abstract and recorded in Book 839 at Page 1.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has valid and subsisting flowage easements over all of the property lying below elevation 760 sea level datum, by virtue of the easements acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.





Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', written over a circular stamp.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



### Parcel F - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel F
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel F.*

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DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\*HON. ROBERT E. REAVIS II  
Admitted to practice in  
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\*\*Oklahoma & Kansas

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February 3, 2020

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12434  
Covering: Lots 7 and 8; and NW1/4 SE1/4; and E1/2 SE1/4 in Section 5,  
Township 27 North, Range 23 East of the Indian Meridian, Ottawa County,  
Oklahoma.  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 384 pages, and last certified as of January 29, 2020 at 7:55 a.m. All of the property was originally conveyed by allotment and homestead deeds to Amanda Drew, Mont Smith, Melinda Smith and Issac Drew, Cherokee allottees, none of whom were of sufficient quantity of Indian blood so as to make the allotments restricted against alienation. Title to that portion of the property lying below elev 750 sea level datum was acquired in fee simple by condemnation by GRDA in 1941 by Judgment shown at page 91 of the abstract and recorded in Book 169 at Page 331. The Judgment shown at page 98 of the abstract and recorded in Book 181 at Page 206 grants the USA a flowage easement on all of the property lying below 756.1 sea level datum and an Intermittent Flowage Easement during flood conditions over all of the property lying between elev 756.1 and 760, sea level datum.

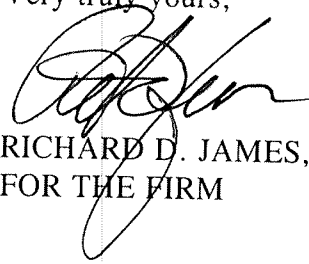
Title to all of the property lying East of the Will Rogers Turnpike remains unrestricted and vested in Jacqueline Dawn Lipps and Jeromy John Lipps pursuant to a Warranty Deed shown at page 336 of the abstract and recorded in Book 1007 at Page 449. A small tract on the South boundary bordering State Highway 125 was conveyed to

Lance Mauer by Warranty Deed shown at page 215 of the abstract and recorded in Book 745 at Page 97.

That portion of the property lying West of the Will Rogers Turnpike is held in Trust by the United States of America pursuant to a Deed to Restricted Indian Land shown at page 126 of the abstract and recorded in Book 302 at Page 765, for the benefit of Jean Ann Quapaw, now Blue, now deceased.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elev 756.1 sea level datum, and an Intermittent Flowage Easement during flood conditions over that portion of the property lying between elev 756.1 and 760 sea level datum, by virtue of the easements acquired by condemnation, and owns in fee simple that portion which lies below elev 750 sea level datum.

Very truly yours,








RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/cb  
Enc.





### Parcel M - Accuracy Adjustment

-  Proposed Project Boundary
-  Federal Lands in Proposed Project Boundary
-  Flowage Easement on Federal Lands
-  Parcel M
-  Section Line

*Federal Lands within the Project Boundary: ≈ 0.07 Acres*

*GRDA holds a flowage easement for all federal lands within the Anticipated Project Boundary for Parcel M.*

*The federal acreage is derived from Bureau of Indian Affairs GIS data that has been digitized, adjusted, and recalculated by GRDA in an effort to increase accuracy.*

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DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\*HON. ROBERT E. REAVIS II  
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\*\*Oklahoma & Kansas

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September 17, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44580  
Covering: The W $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 8, Township 25 North, Range  
24 East of the Indian Meridian, Delaware County, Oklahoma, LESS  
GRDA and subject to any and all easements.  
Our File No. 21463

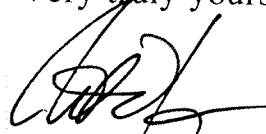
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 129 pages, and last certified as of 9/13/19 at 7:55 A.M. This parcel was conveyed by Trust Patent to Alexander Nichols Junior, Seneca Cayuga allottee. Pursuant to Probate Order shown at page 113 of the abstract and recorded in Book 254 at Page 596, title remains vested in the United States of America, in Trust for the benefit of James Franklin Higbee ( $\frac{1}{4}$ ), Dixie Whitetree ( $\frac{1}{4}$ ) and Nettie Nichols Rackleff ( $\frac{1}{2}$ ).

A flowage easement over the subject premises appears at page 21 of the abstract and is recorded in Book 157 at Page 102. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum, and subsequently assigned to the GRDA by an Assignment shown at page 74 of the abstract and recorded in Book 170 at Page 194.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation.





Very truly yours,

A handwritten signature in black ink, appearing to read 'R. D. James', written over the typed name.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



### Parcel N - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel N
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel N.*

COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\*HON. ROBERT E. REAVIS II  
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October 11, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44611  
Covering: The W $\frac{1}{2}$  E $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, Township 25  
North, Range 24 East of the Indian Meridian, Delaware County,  
Oklahoma, subject to any and all easements.  
Our File No. 21463

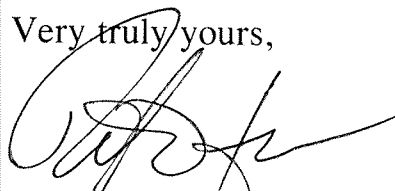
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 372 pages, and last certified as of 9/25/19 at 7:55 A.M. This parcel was conveyed by Trust Patent to Seneca Cayuga allottee, John Sandstone, by an instrument shown at page 4 of the abstract. Title remained restricted and in Trust for the benefit of multiple generations of the descendants of the allottee until conveyed by BIA approved Warranty Deeds shown at pages 95, 97 and 89 of the abstract to Todd William England and Pamela Sue England, the current record owner. These instruments are recorded in Book 1382 at Pages 23 and 25, and Book 237 at Page 169 cover the subject premises less the portion to which the Grand River Dam Authority acquired fee simple title by BIA approved Deed to the Inherited Lands. This is the portion of the property lying below the 750 foot meander line, described by metes and bounds in the Indian Deed to Inherited Lands shown at page 14 of the abstract and recorded in Book 14 at Page 32.

A flowage easement over the subject premises appears at page 16 of the abstract and is recorded in Book 157 at Page 149. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', written in a cursive style.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



Parcel O  
Seneca-Cayuga Nation  
Abstract No. 44613  
and 44616  
Ref: Exhibit G-19

10-T25N-R24E





11-T25N-R24E

coincident with  
parcel line

0 0.025 0.05 0.1 Miles

Date: 12/16/2022

### Parcel O - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel O
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel O.*

LAW OFFICE OF  
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COY DEAN MORROW  
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October 10, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44613  
Covering: The E $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, Township 25  
North, Range 24 East of the Indian Meridian, Delaware County,  
Oklahoma, subject to any and all easements.  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 94 pages, and last certified as of 9/27/19 at 7:55 A.M. This parcel was conveyed by Trust Patent to Seneca Cayuga allottee, Malinda Dick, by an instrument shown at page 4 of the abstract. Title remained restricted and in Trust for the benefit of multiple generations of the descendants of the allottee until conveyed by BIA approved Warranty Deeds shown at pages 80, 83, 86 and 89 of the abstract to the Seneca Cayuga Tribe of Oklahoma, the current record owner. These instruments are recorded in Book 1930 at Pages 126, 129, 132 and 135, and cover the subject premises less the portion to which the Grand River Dam Authority acquired fee simple title by condemnation. This is the portion of the property lying below the 750 foot meander line, described by metes and bounds in the Journal Entry of Judgment shown at page 14 of the abstract and recorded in Book 143 at Page 541.



A flowage easement over the subject premises appears at page 19 of the abstract and is recorded in Book 157 at Page 149. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard D. James", written over the typed name.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM

LAW OFFICE OF  
MORROW, WATSON, & JAMES  
A PROFESSIONAL CORPORATION  
21 SOUTH MAIN P.O. BOX 1168  
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TEL. 918-542-5501 FAX. 918-542-5400

COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\*HON. ROBERT E. REAVIS II  
Admitted to practice in  
\*Oklahoma & Missouri  
\*\*Oklahoma & Kansas

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510 KRAUSE STREET P.O. BOX 1018  
JAY, OK 74346  
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October 10, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44616  
Covering: The E $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, Township 25  
North, Range 24 East of the Indian Meridian, Delaware County,  
Oklahoma, subject to any and all easements.  
Our File No. 21463

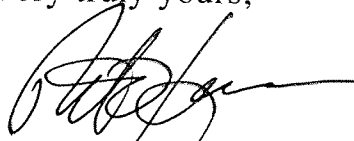
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 96 pages, and last certified as of 10/1/19 at 7:55 A.M. This parcel was conveyed by Trust Patent to Seneca Cayuga allottee, Malinda Dick, by an instrument shown at page 4 of the abstract. Title remained restricted and in Trust for the benefit of multiple generations of the descendants of the allottee until conveyed by BIA approved Warranty Deeds shown at pages 82, 85, 88 and 91 of the abstract to the Seneca Cayuga Tribe of Oklahoma, the current record owner. These instruments are recorded in Book 1930 at Pages 126, 129, 132 and 135, and cover the subject premises less the portion to which the Grand River Dam Authority acquired fee simple title by condemnation. This is the portion of the property lying below the 750 foot meander line, described by metes and bounds in the Journal Entry of Judgment shown at page 14 of the abstract and recorded in Book 143 at Page 541. It is also described in the above referenced deeds to the current record owner as being the South 112.2 feet of the property.

A flowage easement over the subject premises appears at page 19 of the abstract and is recorded in Book 157 at Page 149. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard D. James", with a long horizontal flourish extending to the right.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



Parcel P  
Seneca-Cayuga Nation  
Abstract No. 44497  
Ref: Exhibit G-19





11-T25N-R24E

coincident with  
parcel line

0 0.0075 0.015 0.03 Miles

Date: 12/14/2022

### Parcel P - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel P
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel P.*

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COY DEAN MORROW  
DENNIS J. WATSON  
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September 17, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44497  
Covering: The W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 11, Township 25  
North, Range 24 East of the Indian Meridian, Delaware County,  
Oklahoma, subject to any and all easements.  
Our File No. 21463

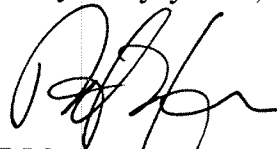
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 78 pages, and last certified as of 7/25/19 at 7:55 A.M. This parcel was conveyed by Trust Patent to Seneca Cayuga allottee, Malinda Dick, by an instrument shown at page 6 of the abstract. Title remained restricted and in Trust for the benefit of multiple generations of the descendants of the allottee until conveyed by BIA approved Warranty Deeds shown at pages 67, 70, and 73 of the abstract to the Seneca Cayuga Tribe of Oklahoma, the current record owner. These instruments are recorded in Book 193 at Pages 129, 132 and 135, and cover the subject premises less the portion to which the Grand River Dam Authority acquired fee simple title by condemnation. This is the portion of the property lying below the 750 foot meander line, described by metes and bounds in the Journal Entry of Judgement shown at page 14 of the abstract and recorded in Book 143 at Page 541. It is also described in the above referenced deeds to the current record owner as being the South 112.2 feet of the property.

A flowage easement over the subject premises appears at page 19 of the abstract and is recorded in Book 157 at Page 149. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.





Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', written over the typed name below.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



### Parcel Q - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel Q
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel Q.*

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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\*HON. ROBERT E. REAVIS II  
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\*Oklahoma & Missouri  
\*\*Oklahoma & Kansas

August 1, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44503  
Covering: The SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 12, Township 25 North,  
Range 24 East of the Indian Meridian, Delaware County, Oklahoma;  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 45 pages. This parcel was never conveyed by Allotment Deed, Patent or Trust Patent, and title thus remains held in Trust by the United States of America for the benefit of the Seneca Cayuga Tribe of Oklahoma, less that portion to which the Grand River Dam Authority acquired fee simple title by condemnation. This is the portion of the property lying below the 750 foot meander line which is described by metes and bounds in the Journal Entry shown at page 5 of the abstract and recorded in Book 144 at Page 245.

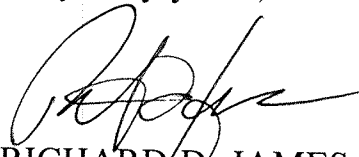
A flowage easement over the subject premises appears at page 9 of the abstract and is recorded in Book 157 at Page 149. This easement was acquired by condemnation by the United States of America in 1944 and



grants a perpetual easement to “inundate, submerge, and flow” over all of the subject premises, lying below elevation 758 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.





Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', written over the typed name below.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



### Parcel R - Federal Lands (BIA)

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel R
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel R.*

LAW OFFICE OF  
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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

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August 1, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44502  
Covering: The NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 12, Township 25 North,  
Range 24 East of the Indian Meridian, Delaware County, Oklahoma;  
Our File No. 21463

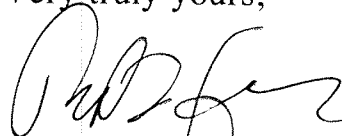
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 45 pages. This parcel was never conveyed by Allotment Deed, Patent or Trust Patent, and title thus remains held in Trust by the United States of America for the benefit of the Seneca Cayuga Tribe of Oklahoma, less that portion to which the Grand River Dam Authority acquired fee simple title by condemnation. This is the portion of the property lying below the 750 foot meander line which is described by metes and bounds in the Journal Entry shown at page 5 of the abstract and recorded in Book 144 at Page 245.

A flowage easement over the subject premises appears at page 9 of the abstract and is recorded in Book 157 at Page 149. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', written over the typed name below.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM






Parcel T  
Seneca-Cayuga Nation  
Abstract No. 12433  
Ref: Exhibit G-24

19-T26N-R24E

0 0.005 0.01 0.02 Miles

Date: 12/15/2022

**Parcel T - Federal Lands (BIA)**

-  Anticipated Project Boundary
-  Parcel T
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

LAW OFFICE OF  
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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\*HON. ROBERT E. REAVIS II  
Admitted to practice in  
\*Oklahoma & Missouri  
\*\*Oklahoma & Kansas

November 8, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12433  
Covering: The SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 19, Township 26 North,  
Range 24 East of the Indian Meridian, Ottawa County, Oklahoma.  
Our File No. 21463

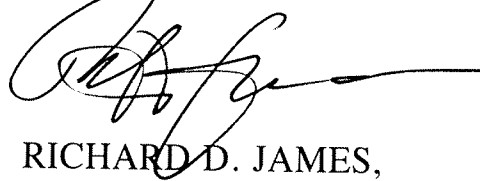
Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 87 pages, and last certified as of 11/6/19 at 7:55 A.M. This parcel was conveyed by Trust Patent to Seneca Cayuga allottee, Susannah Young, by an instrument shown at page 7 of the abstract. Title remains restricted and in Trust for the benefit of multiple generations of the descendants of the allottee, pursuant to the BIA Probate Order shown at page 40 of the abstract. This Order distributes the property to Phillip Steven Gourd, Mark Anthony Gourd, and John Louis Gourd, Seneca-Cherokee unallotees and the current record owners, subject to a life estate in favor of their non-Indian mother, Ellen Mae Hagan Gourd. This instrument is recorded in Book 347 at Page 477 and covers the subject premises less the portion to which the Grand River Dam Authority acquired fee simple title by BIA approved Warranty Deed shown at page 8 of the abstract and recorded in Book 163 at page 582. This is the portion of the property lying below the 750 foot meander line, described by metes and bounds in the said deed.

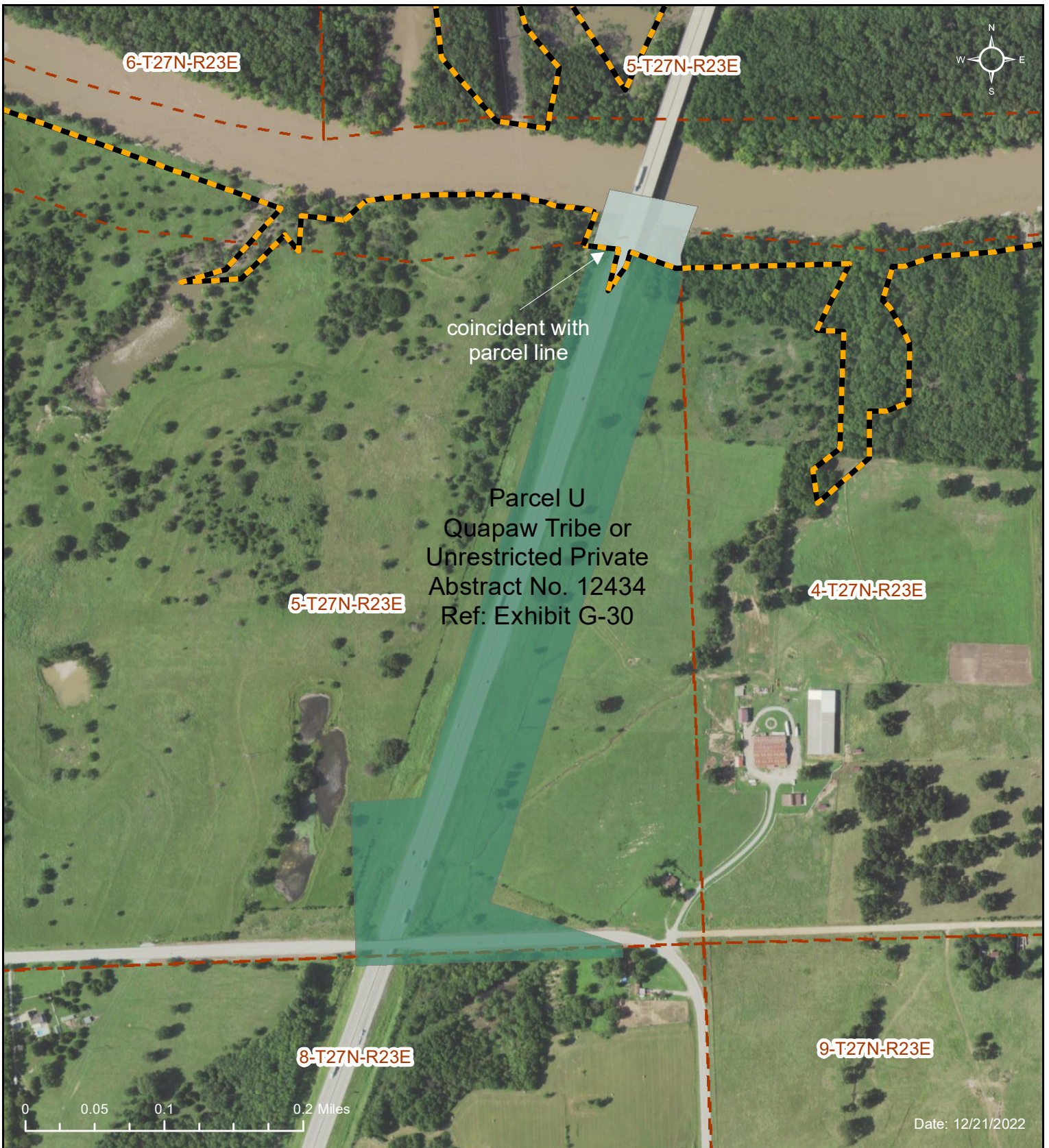
A flowage easement over the subject premises appears at page 10 of the abstract and is recorded in Book 179 at Page 981. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. D. James", with a long horizontal flourish extending to the right.





RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



coincident with parcel line

Parcel U  
 Quapaw Tribe or  
 Unrestricted Private  
 Abstract No. 12434  
 Ref: Exhibit G-30

**Parcel U - Federal Lands (BIA)**

-  Anticipated Project Boundary
-  GRDA Owned Land
-  Parcel U
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

*GRDA owns all the property within the Anticipated Project Boundary for Parcel U.*

Date: 12/21/2022



LAW OFFICE OF  
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\*Oklahoma & Missouri  
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510 KRAUSE STREET P.O. BOX 1018  
JAY, OK 74346  
TEL. 918-253-6208 FAX 918-253-6209

February 3, 2020

Ms. Tamara Jahnke, Esquire  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Ottawa County Abstract and Title Company Abstract No. 12434  
Covering: Lots 7 and 8; and NW1/4 SE1/4; and E1/2 SE1/4 in Section 5,  
Township 27 North, Range 23 East of the Indian Meridian, Ottawa County,  
Oklahoma.  
Our File No. 21463

Dear Ms. Jahnke:

We have completed examination of the above referenced abstract of title, consisting of 384 pages, and last certified as of January 29, 2020 at 7:55 a.m. All of the property was originally conveyed by allotment and homestead deeds to Amanda Drew, Mont Smith, Melinda Smith and Issac Drew, Cherokee allottees, none of whom were of sufficient quantity of Indian blood so as to make the allotments restricted against alienation. Title to that portion of the property lying below elev 750 sea level datum was acquired in fee simple by condemnation by GRDA in 1941 by Judgment shown at page 91 of the abstract and recorded in Book 169 at Page 331. The Judgment shown at page 98 of the abstract and recorded in Book 181 at Page 206 grants the USA a flowage easement on all of the property lying below 756.1 sea level datum and an Intermittent Flowage Easement during flood conditions over all of the property lying between elev 756.1 and 760, sea level datum.

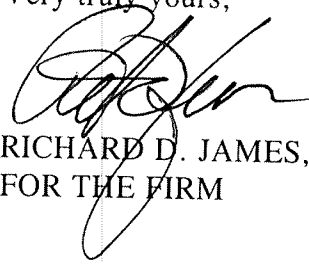
Title to all of the property lying East of the Will Rogers Turnpike remains unrestricted and vested in Jacqueline Dawn Lipps and Jeromy John Lipps pursuant to a Warranty Deed shown at page 336 of the abstract and recorded in Book 1007 at Page 449. A small tract on the South boundary bordering State Highway 125 was conveyed to

Lance Mauer by Warranty Deed shown at page 215 of the abstract and recorded in Book 745 at Page 97.

That portion of the property lying West of the Will Rogers Turnpike is held in Trust by the United States of America pursuant to a Deed to Restricted Indian Land shown at page 126 of the abstract and recorded in Book 302 at Page 765, for the benefit of Jean Ann Quapaw, now Blue, now deceased.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elev 756.1 sea level datum, and an Intermittent Flowage Easement during flood conditions over that portion of the property lying between elev 756.1 and 760 sea level datum, by virtue of the easements acquired by condemnation, and owns in fee simple that portion which lies below elev 750 sea level datum.

Very truly yours,








RICHARD D. JAMES, OBA No. 4617  
FOR THE FIRM

RDJ/cb  
Enc.



### Parcel V - Accuracy Adjustment

-  Proposed Project Boundary
-  Federal Lands in Proposed Project Boundary
-  Flowage Easement on Federal Lands
-  Parcel V
-  Section Line

*Federal Lands within the Project Boundary: ≈ 0.09 Acres*

*GRDA holds a flowage easement for all federal lands within the Anticipated Project Boundary for Parcel V.*

*The federal acreage is derived from Bureau of Indian Affairs GIS data that has been digitized, adjusted, and recalculated by GRDA in an effort to increase accuracy.*

COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
\*\* HON. ROBERT E. REAVIS II  
Admitted to practice in  
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October 11, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44601  
Covering: The W $\frac{1}{2}$  SE  $\frac{1}{4}$  of Section 10, Township 25 North, Range  
24 East of the Indian Meridian, Delaware County, Oklahoma,  
subject to any and all easements.  
Our File No. 21463

Dear Ms. Jahnke:

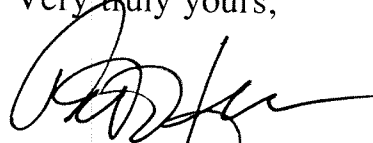
We have completed examination of the above referenced abstract of title, consisting of 208 pages, and last certified as of 9/20/19 at 7:55 A.M. This parcel was conveyed by Unrestricted Patent to Mitchell Spicer, purchaser of lands within the allotment of Seneca Cayuga allottee Kate Bee, by an instrument shown at page 4 of the abstract. Title remained unrestricted until the same was conveyed in 2011 in Trust to the United States of America, the current record owner, for the benefit of the Seneca Cayuga Tribe of Oklahoma BIA approved Warranty Deed shown at page 206, of the abstract and recorded in Book 1967 at Page 198.

A flowage easement over the subject premises appears at page 71 of the abstract and is recorded in Book 157 at Page 149. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum. An Assignment of the same from the United States of America to the Grand

River Dam Authority appears at page 96 of the abstract and is recorded in Book 170 at Page 194.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation.




Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', written over the typed name below.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM



**Parcel W - Federal Lands (BIA)**

-  Anticipated Project Boundary
-  Parcel W
-  Section Line

*Federal Lands within the Project Boundary: 0 Acres*

LAW OFFICE OF  
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COY DEAN MORROW  
DENNIS J. WATSON  
\*RICHARD D. JAMES

Of Counsel  
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October 11, 2019

Ms. Tamara Jahnke, Esq.  
Assistant General Counsel, Grand River Dam Authority  
P.O. Box 409  
Vinita, OK 74350

Re: Grand River Abstract and Title Company Abstract No. 44607  
Covering: The NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 17, Township 25 North,  
Range 24 East of the Indian Meridian, Delaware County, Oklahoma,  
subject to any and all easements.  
Our File No. 21463

Dear Ms. Jahnke:

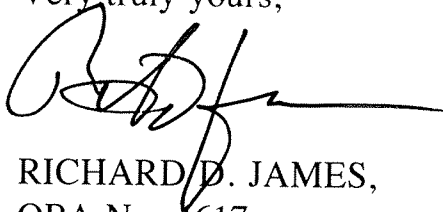
We have completed examination of the above referenced abstract of title, consisting of 219 pages, and last certified as of 9/23/19 at 7:55 A.M. This parcel was conveyed by Trust Patent to Seneca Cayuga allottee, Mary J. Kariho, by an instrument shown at page 4 of the abstract. Title remains restricted and in Trust for the benefit of the allottee and her immediate and remote grantees of the two separate one acre tracts conveyed by BIA approved Warranty Deeds shown at pages 204 and 208 of the abstract to James Logan and Raylene Faye Birkes Hackler, the current record owners. These instruments are recorded in Book 336 at Pages 213, and Book 1157 at Page 144, and cover the above referenced one acre tracts. An additional one acre tract was conveyed by the allottee, free of restrictions by BIA approved Warranty Deed shown at page 68 of the abstract and recorded in Book 306 at Page 239. Title to this tract is now vested in Sabrina A. Neal, free from restrictions by virtue of the Warranty Deed shown at page 169 of the abstract, and recorded in Book 1585 at Page 53. The portion of the

property lying below the 750 foot meander line, described by metes and bounds in the BIA approved Restricted Indian Deed shown at page 7 of the abstract and recorded in Book 131 at Page 540, was acquired in fee simple by the GRDA in 1939.

A flowage easement over the subject premises appears at page 9 of the abstract and is recorded in Book 157 at Page 102. This easement was acquired by condemnation by the United States of America in 1944 and grants a perpetual easement to "inundate, submerge, and flow" over all of the subject premises, lying below elevation 758 sea level datum.

Accordingly, it is the opinion of the undersigned that Grand River Dam Authority has a valid and subsisting flowage easement over all of the property lying below elevation 758 sea level datum, by virtue of the easement acquired by condemnation, and owns in fee simple that portion which lies below elevation 750 sea level datum.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard D. James', with a long horizontal flourish extending to the right.

RICHARD D. JAMES,  
OBA No. 4617  
FOR THE FIRM