

July 7, 1959

Mrs. Clamy Holden Brown  
Milburn, Oklahoma

Dear Mrs. Brown:

I now have a full report from the Bureau of Indian Affairs about the matter of oil drilling activities on your land. A copy of it is enclosed for your full information.

It seems that it has been determined that since there has been no oil development on adjoining lands a request for drilling on your land was not warranted.

The report explains in quite detail the reasons for reaching this conclusion, and I trust it is satisfactory.

I have been pleased to check into the matter for you, and when I may help you in any way, please let me know.

Sincerely yours,

CARL ALBERT, M. C.  
Third District, Oklahoma

CA:mj

Realty-Minerals  
6982-59

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
WASHINGTON 25, D. C.

JUL -6 1959

Hon. Carl Albert  
House of Representatives  
Washington 25, D. C.

Dear Mr. Albert:

In our letter of June 8 in reply to your letter of June 2, you were advised that a report would be obtained concerning compliance with the drilling requirements contained in an oil and gas lease in which Mrs. Clamy Holden Brown, a Chickasaw Indian, is the lessor. The report has been received.

In a letter dated March 26, 1957, the Area Director advised Mrs. Brown that the drainage situation had been investigated by the United States Geological Survey, Oklahoma City, Oklahoma, and that the conclusion was reached that demand for drilling was not warranted. At that time, the wells offsetting Mrs. Brown's lease were producing 1/2 barrel to 2 barrels of oil daily. The drainage, if any, was not substantial enough to warrant the drilling of an offset well or require payment of compensatory royalty. Mrs. Brown was also advised that wells had been drilled on her property and abandoned due to failure to produce oil in paying quantities. Since the date of the letter to Mrs. Brown, there has been no development on adjoining lands that would change the conditions.

The general rule is that where a paying well is drilled on adjoining land of sufficient capacity to indicate that an offset well will return a profit to the lessee, there is an implied obligation on the part of the lessee to offset such well. In this case, the information furnished would not warrant a demand for the drilling of an offset well or the payment of compensatory royalty.

It is understood that the lease was obtained not for the value of what might be developed in presently known zones but for the possibility of obtaining oil in deeper zones which at present are unknown and undeveloped. It has been explained to Mrs. Brown that until deeper productive wells are discovered in the area and in the vicinity of the 10 acres owned by her, further development could not be required. The tract is described as the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  of sec. 23, T. 4S, R. 3W, Carter County, Oklahoma.

We hope that the foregoing will be of assistance to you in explaining the situation to Mrs. Brown. If additional information is needed, please let us know or you may write direct to Mr. Paul L. Fickinger, Area Director, Bureau of Indian Affairs, Federal Building, Muskogee, Oklahoma.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "J. B. Lee". The signature is fluid and cursive, with a long horizontal stroke at the end.

ACTING

Commissioner

June 9, 1959

Mrs. Clamy Holden Brown  
Milburn, Oklahoma

Dear Mrs. Brown:

Your recent inquiry regarding oil and gas leases on your land in Carter County has been referred to the Muskogee Office of Indian Affairs for a full report. I enclose a copy of a letter received today from the Department of Interior on the matter. When I have further information I will let you know.

Sincerely yours,

CARL ALBERT, M. C.  
Third District, Oklahoma

CA:mj



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
WASHINGTON 25, D. C.

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JUN 8 1959

Hon. Carl Albert  
House of Representatives  
Washington 25, D. C.

Dear Mr. Albert:

We have your letter of June 2 enclosing a copy of a letter from Mrs. Clamy Holden Brown, a Chickasaw Indian of Milburn, Oklahoma, explaining that she is the owner of a 10-acre tract in Carter County, Oklahoma, held under an oil and gas lease and that because of lack of compliance with the drilling requirements the land is being drained.

Oil and gas leases in Carter County under our jurisdiction are administered locally by Mr. Paul L. Fickinger, Area Director, Muskogee, Oklahoma, with the assistance of the Geological Survey. We will be glad to furnish you with a full report as soon as information is obtained from the Area Director.

Sincerely yours,

  
Assistant Commissioner

June 2, 1959

Mrs. Clamy Holden Brown  
Milburn, Oklahoma

Dear Mrs. Brown:

I have your letter of recent date concerning your tract of land in Carter County and of your desire to have this land explored for oil. It is noted there is a producing well near your property and you feel you should be entitled to "drainage pay" or that your own land be drilled on.

It is noted also that you have asked the field agent to help you with this problem but that he says he does not have sufficient time to look into the matter for you.

In my desire to be helpful to you I am taking the liberty of forwarding a copy of your letter to the Bureau of Indian Affairs here with the request that the matter be gone into thoroughly to see what can be done about oil prospects on your land. When I get a report I will let you know.

Sincerely yours,

CARL ALBERT, M. C.  
Third District, Oklahoma

CA:mj

Mill Branch, Oklahoma.

5-26-59-

Carl Albert.

House of Representatives.

Washington 25, D.C.

Dear Sir -

I have wrote you Before in order to get you to help me get my money out of mustagee Oklahoma, and you traid your part on it and I appreciate it very much. now I have another problem. I Dont know if anything Can Be Done on this Case or not. But I would like to know if something Could Be Done about the field Representatives we now have. our field Representative Mr Dan McDale of Ardmore Oklahoma Claims he has too much work on hand and that he Does not have time to look into the matters I would like for him to look into, for instance. I have a 10 acre tract in Carter County. and that I know there is a budding well no more then 3 1/2 Staps away from my 100 acre Land and it seems to me like since its so close to my place I should Be intitile to Same Dranage Pay. or the oil Company that Holds a lease on my Land should Be forced to Drill on my place the Same Depth as the adjoining land that is producing oil.

"That Place was Drilled for oil and found Pay at 170  
Barrel of oil per day. and it was closed off and  
never produced. I thought that would be the field  
Representative job to look into it. But he says  
he Don't know any thing about it and Tries to Talk  
about some thing all to avoid. That Part - "That is  
only one of the Things he has Done. and I  
know every one of the Indians that go's Before  
him will say the same thing of him. that he  
is incorperative with us Indians." here is  
what i thought. Since he Does not want to  
take the time out to work for the Indians  
Behalf, I should think he should be Replaced.  
I want to know what Can be Done about that  
Case." I am a full Blood Chickasaw Indian and  
I think all the Indians would be well off to  
get a new field Representative, instead of the  
Present one Mr McDale.

Let me know if some thing Can be Done  
about it.

Yours Very Truly  
Mrs. Clancy Hadden ~~now Brown~~  
Roll. m. 72.

and Taylor Brown. he is  
my husband.

AFTER 5 DAYS RETURN TO

Clara Haden Brown -  
Millburn, Oklahoma.



Carl Albert.  
House of Representatives  
Washington 25, D.C.

June 2, 1959

Mr. H. Rex Lee  
Legislative Associate Commissioner  
Bureau of Indian Affairs  
Department of the Interior  
Washington 25, D. C.

Dear Mr. Lee:

I enclose a copy of a letter from Mrs. Clamy Holden Brown of Milburn, Oklahoma, who owns a small tract of land in Carter County, Oklahoma.

You will note Mrs. Brown's interest in oil activities near her property and that since there is a producing well so very near her land she feels she is entitled to "drainage pay". She would like to have a well drilled on her 10-acre tract. She has called this to the attention of the field agent but so far as she knows nothing further has been done.

I would appreciate your having this matter checked into with the view of helping Mrs. Brown and giving me a report at your early convenience.

Sincerely yours,

CARL ALBERT, M.C.  
Third District, Oklahoma

CA:mj