

Mr. Thomas J. Ellison, Area Director
Bureau of Indian Affairs
Muskogee Area Office
Muskogee, Oklahoma 74401

April 29, 1976

Dear Mr. Ellison:

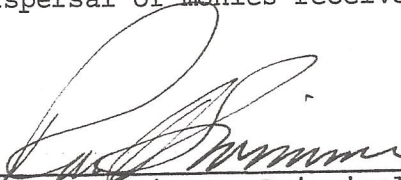
We previously agreed upon the following distribution of the funds being paid into the Bureau of Indian Affairs by various Lessees of Tribal owned Arkansas Riverbed land. Any revenue received from any source pertaining to that portion of the Arkansas Riverbed from the Three Forks area north of Muskogee to the confluence of the Canadian River will be disbursed to the Cherokee Nation exclusively. In that portion of the Arkansas River from the mouth of the Canadian River to the Oklahoma-Arkansas State line will be distributed as indicated below;

1. Land - Any monies received from leases and etc., will be divided according to ownership, thus; revenue from lands north of the centerline will be disbursed to the Cherokee Nation. Revenue from lands south of the centerline will be disbursed, 3/4 Choctaw, and 1/4 Chickasaw.
2. Sand and Gravel - Any monies from leasing, bonuses, royalties or in any other manner shall be divided 4/8 Cherokee, 3/8 Choctaw, and 1/8 Chickasaw.
3. Coal - Any monies received from leasing, bonuses, royalties and etc., shall be divided 4/8 Cherokee, 3/8 Choctaw, and 1/8 Chickasaw.
4. Oil and Gas - Any monies received from leases, bonuses, royalties or in any other manner shall be distributed according to a division order based upon the number of acres owned within an applicable spacing order.

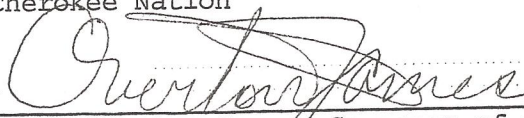
5. Dam Sites, Fish & Wildlife, Recreation & Power-head - Any future monies received in any form of payment concerning these items will be distributed; 4/8 Cherokee, 3/8 Choctaw, and 1/8 Chickasaw.

It is our understanding that the administration and management of this property, and the collection of all further revenues therefrom, be placed in the hands of the Muskogee Area Office of the Bureau of Indian Affairs, Department of the Interior; and said property and funds to be administered for the use and benefit of the Indian Nations involved.

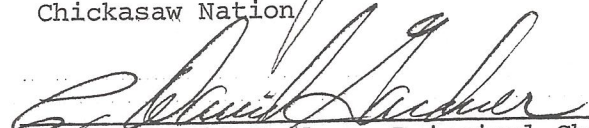
We mutually agree to the above dispersal of monies received from the Arkansas Riverbed lands.



Hon. Ross Swimmer, Principal Chief of the Cherokee Nation



Hon. Overton James, Governor of the Chickasaw Nation



Hon. C. David Gardner, Principal Chief of the Choctaw Nation

April 30, 1992

Mr. Merritt Youngdeer, Area Director
United States Department of the Interior
Bureau of Indian Affairs
Muskogee Area Office
Muskogee, OK 74401

Dear Mr. Youngdeer:

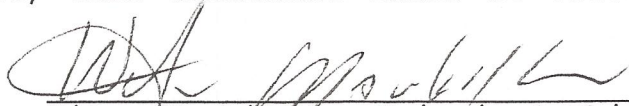
By this letter of agreement, we hereby amend the three Tribes Arkansas Riverbed revenue distribution agreement, which was memorialized in a letter of April 29, 1976, to Mr. Thomas Ellison, former Area Director (copy attached hereto and incorporated by reference). That agreement shall continue in full force except Item No. 4 shall be replaced with the following:

Oil and Gas - Any monies received from leases, bonuses, royalties or in any other manner shall be divided 1/2 Cherokee, 3/8 Choctaw, and 1/8 Chickasaw.


It is understood that this agreement is entered into for the purpose of facilitating the payment of funds derived from tribal lands encompassed within both the 1974 Benham/Holway Riverbed Movement Study and those reports prepared by the Bureau of Land Management on behalf of the United States Department of the Interior. The said amounts so released pursuant to this amendment are subject to subsequent monetary reconciliation by and among the three (3) tribes should further court proceedings ultimately determine a different division of interest between the tribes. The Tribes agree not to hold the BIA liable should it ultimately be determined that a different division of this income was proper.

This agreement shall remain in force until superseded by subsequent agreement or until modified with judicial approval pursuant to the Act of December 20, 1973, Pub. L. No. 93-195, 87 Stat. 769 (1973).

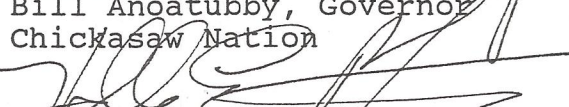
By our mutual agreement, this amendment shall be effective immediately.



Wilma Mankiller, Principal Chief
Cherokee Nation of Oklahoma



Bill Anoatubby, Governor
Chickasaw Nation



Hollis Roberts, Principal Chief
Choctaw Nation of Oklahoma