

If the lessee makes reasonable and bona fide effort to find and produce oil in paying quantity as is herein required of him and such effort is unsuccessful, he may at any time thereafter, with the approval of the Secretary of the Interior, surrender and wholly terminate this lease upon the full payment and performance of all then existing obligations hereunder: Provided, however, That approval of such surrender by the Secretary will be required only during the time his approval of the alienation of the land is required by law.

It is further agreed and understood that this lease shall be of no force or effect unless the part of the second part shall, within sixty days from the date of approval of the application filed in connection herewith, furnish a satisfactory bond in accordance with the regulations of March 20, 1905, prescribed by the Secretary of the Interior, which shall be deposited and remain on file in the Indian Office during the life of this lease.

IN WITNESS WHEREOF, The said parties have hereunto subscribed their names and affixed their seals on the day and year first above mentioned.

Ella S. Butts (Seal)
Marcus L. Lockwood (Seal)
 (Seal)

Two witnesses to execution by lessor:

Joe M. LaHay
David Etchen

P. O. *Claremore, I. T.*

P. O. *Claremore, I. T.*

Two witnesses to execution by lessee:

P. B. Macaughy
W. Ray Allen

P. O. *Muskogee, I. T.*

P. O. *Muskogee, I. T.*

P. O.

P. O.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern Judicial District, ss.

ACKNOWLEDGMENT.

On this *6th* day of *January*, A. D. 190*6*, before me, a Notary Public within and for the *Northern* Judicial District of the Indian Territory, appeared in person *Ella S. Butts*, to me personally well known as the person whose name appears upon the within and foregoing Oil and Gas Mining Lease, as the party lessor, and stated that she had executed the same for the consideration and purposes therein mentioned and set forth, and I hereby so certify.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal as such Notary Public, in the *Northern* Judicial district of the Indian Territory on this *6th* day of *January*, A. D. 190*6*.
Walter W. Shaw Notary Public.
 My commission expires *3/28/1909*.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern Judicial District

AFFIDAVIT OF WITNESSES.

Joe M. LaHay of *Claremore, I. T.* and *David Etchen* of *Claremore, I. T.* witnesses to the attached mining lease executed by *Ella S. Butts* being by me first duly sworn, upon their oath state, each for himself: That said lease was in their presence read and fully explained to the lessor, and that they understood the nature, contents and effect thereof and approved the same, and that they signed the said lease as witnesses to the execution of said lease.

Subscribed in my presence and sworn to before me this *6th* day of *January*, A. D. 190*6*.
Walter W. Shaw Notary Public.
 My commission expires *3/28/1909*.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern Judicial District.

Certificate of Officer Taking Acknowledgment

I, *Walter W. Shaw*, a Notary Public within and for the *Northern* Judicial District of the Indian Territory, do hereby certify that *Ella S. Butts* personally well acquainted with *Joe M. LaHay* and *David Etchen* witnesses to the attached lease, executed by said *Ella S. Butts*, and that said witnesses are signed the same in my presence at the request of lessor, that they are personally well known to me, that I know of my own knowledge that they are reputable persons and entitled to full faith and credit.

Witness my hand and seal as such Notary Public this *6th* day of *January*, 190*6*.
Walter W. Shaw Notary Public.
 My commission expires *3/28/1909*.

DEPARTMENT OF THE INTERIOR, U. S. Indian Service, Union Agency.

Muskogee, I. T. *Feb. 28 1907*, 190*7*. The within lease is forwarded to the Commissioner of Indian Affairs with recommendation that it be *approved*. See my report of even date.
Danias H. Kelley U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, Office of Indian Affairs.

Washington, D. C., *Mar. 11, 1907*, 190*7*. Respectfully submitted to the Secretary of the Interior with recommendation that it be *approved*.
C. F. Paraher, acting Commissioner.

DEPARTMENT OF THE INTERIOR.

Washington, D. C., *April 11, 1907*, 190*7*.
Jesse E. Wilson Assistant Secretary of the Interior.

Filed for record at Tulsa *May 20* 190*7* at *8* o'clock *a*. M. *Olin Santon* Deputy Clerk and Ex-Officio Recorder.