

If the lessee makes reasonable and bona fide effort to find and produce oil in paying quantity as is herein required of it and such effort is unsuccessful, it 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 its 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 party 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.

(Corporate Seal)
Attest: Arthur D. Raythead,
Secretary.

Smith & Long
The Henry Oil Company
By Robert G. Henry, Its President

Two witnesses to execution by lessor:

Mitchell Ellis
George McLenora

P. O. Sallisaw, Ind. Terr.
P. O. Bunch, Ind. Terr.

Two witnesses to execution by lessee:

M. G. Herrmeyer
J. J. Bourke

P. O. Chicago, Ill.
P. O. Chicago, Ill.
P. O.
P. O.

* Acknowledgment appears
below in instrument.

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

ACKNOWLEDGMENT.

On this 22 day of July, A. D. 1905,
before me, a Notary Public within and for the Northern Judicial District of the Indian Territory, appeared in person
Smith & Long, of Bunch, Ind. Terr.,
known as the person whose name appears upon the within and foregoing Oil and Gas Mining Lease, as the party lessor and stated that he
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 the 22nd day of July, A. D. 1905.
(Seal) My commission expires Dec. 14, 1908. Joseph Willoughby Notary Public.

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

AFFIDAVIT OF WITNESSES.

Mitchell Ellis of Sallisaw, Ind. Terr.
and George McLenora of Bunch, Ind. Terr., witnesses to the attached mining lease
executed by Smith & Long, to the Henry Oil Company a corporation, being by me
first duly sworn upon their oaths state, each for himself: That said lease was in their presence read and fully explained to the lessor, and that
he understood the nature, contents and effect thereof and approved the same.

(Seal)

Subscribed in my presence and sworn to before me this 22 day of July, 1905.
My commission expires Dec. 14, 1908. Joseph Willoughby Notary Public.

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

Certificate of Officer Taking Acknowledgment

I, Joseph Willoughby, of Sallisaw, Ind. Terr., a Notary Public within and for
the Northern District of the Indian Territory, do hereby certify that Mitchell Ellis
Sallisaw, Ind. Terr., and George McLenora of Bunch, Ind. Terr.,
witnesses to the attached lease, executed by Smith & Long to the Henry Oil Company a corporation,
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 22 day of July, 1905.
(Seal) My commission expires Dec. 14, 1908. Joseph Willoughby Notary Public.

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

Muskogee, I. T. Oct. 19, 1906. The within lease is forwarded to the Commissioner of Indian Affairs with
recommendation that it be approved. See my report of even date.
G. W. Dana H. Kelsey U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR, Office of Indian Affairs.

Washington, D. C. Mar. 7, 1906. Respectfully submitted to the Secretary of the Interior with recommendation that it
be approved. C. J. Zarabee, Acting Commissioner.

DEPARTMENT OF THE INTERIOR.

Washington, D. C. Mar. 16, 1906. approved.
R. G. Ryan, Assistant Secretary of the Interior.

Filed for record at Tulsa Apr. 6, 1906 at 8 o'clock A. M.

Indian Office.
849 of Ind. No. 115, 1906.

(Seal) H. C. Walkley
Deputy Clerk and Ex-Officio Recorder.