

Supporting Statement A

Leasing of Osage Reservation lands for Oil and Gas Mining, 25 CFR 226

OMB Control Number 1076-0180

This is a new information collection.

Terms of Clearance: None.

General Instructions

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question “Does this ICR contain surveys, censuses, or employ statistical methods?” is checked "Yes," then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

In 1906, Congress passed legislation allotting the Osage Reservation lands and reserving the subsurface mineral estate to the Osage Nation. See 34 Stat. 539, 544-45, § 3, as amended (1906 Act). Accordingly, the United States holds the subsurface mineral estate in Osage County, Oklahoma (Osage Mineral Estate) in trust for the benefit of the Osage Nation. The 1906 Act authorizes the Osage Nation to lease the subsurface mineral estate for oil and gas mining, subject to the approval of the Secretary of the Interior and under such rules and regulations as he/she may provide. . The regulations set forth in 25 CFR 226, implement that statute by specifying what information a lessee must provide related to drilling, development, and production of oil and gas on Osage reservation land. The information collections in 25 CFR 226 are necessary in order for the Bureau of Indian Affairs (BIA) to administer the leasing and development of the Osage Mineral Estate as well as to ensure that all royalties and revenues derived from the Osage Mineral Estate are collected and accounted for and that the oil and gas trust assets, surface estate, natural resources, and human environment are adequately protected.

On May 11, 2015, the BIA published a final rule to amend the regulations at 25 CFR 226 (80 FR 26994). As part of this final rule, new information collections were approved for use by OMB. Due to litigation, the 2015 final rule never took effect. Accordingly, the information collections that OMB approved for the final rule were never implemented. On June 17, 2016 (81 FR 39572), the BIA issued a direct final rule amending the CFR to reinstate the version of the rule that was in effect prior to publication of the 2015 final rule.

BIA is now seeking OMB approval for information collections that are part of the current regulations at 25 CFR 226. Seventeen of these information collections were not previously approved by OMB and have been in use without OMB approval. Seven of the information collections were approved by OMB under the 2015 regulations, but subsequently have been collected on instruments that were not previously approved for use. These seven instruments have been in use without OMB approval.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

BIA uses the information it collects to determine whether or not a lease may be approved or has terminated; whether or not a drilling, workover, or plugging permit may be approved; how much oil or gas is being produced and sold under a lease; the amount of royalties owed; and whether wells have been drilled and completed, are in production, or have been plugged and abandoned.

The ten information collections that were previously approved by OMB, but have new CFR citations are as follows:

Section(s)	Information Collected	Reason for Collection	Form(s)
226.2(b) and 226.2(f) [formerly approved as 226.5]	Bidder or Osage Tribal Council submits completed lease form	To identify lessee and obtain commitments to lease.	Form A – Mining Lease Form B – Oil Lease Form C – Oil & Gas Lease
226.6(a)-(c) [formerly approved as 226.9]	Lessee must submit bonds.	To ensure resources to address contingencies and well shut down in protection of trust resource.	Form D – Mining Lease Bond Form G – Collective Bond Form H – Assignment Bond Form
226.14(b) [formerly approved as 226.27(b)]	Purchaser submits monthly statement	To determine the amount of royalty payments.	--

226.15(a) [formerly approved as 226.28]	Lessee submits unit or cooperative agreement and termination of any such agreement	To identify and monitor lease operations.	--
226.16(b) and 226.29(c) [formerly approved as 226.34(b) and 226.52]	Lessee must submit applications on BIA forms for well drilling, treating, or workover operations, removing casing from well.	To identify and monitor lease operations.	Form 139 – Permit to Drill or Reenter;
226.20(d) [formerly approved as 226.40 and 226.41]	Person claiming interest in surface damages submits statement of interest	To determine who is entitled to payment or damages.	--
226.23 [Easement Form formerly approved as 226.47]	Lessee submits commercial or non-commercial easement	To identify and monitor lease operations.	Easement Form
226.30 [formerly approved as 226.54]	Lessee maintains full and correct account of operations, receipts, and disbursements	To ensure appropriate royalties to owners are paid.	--
226.32(a) [formerly approved as 226.56]	Lessee keeps accurate and complete well records	To identify and monitor lease operations and protection of trust asset.	--
226.32(b) [formerly approved as 226.56]	Lessee submits reports of tests and surveys	To identify and monitor lease operations and protection of trust asset.	--

The seven information collections that were previously approved by OMB, but have new CFR citations and new collection instruments are as follows:

Section(s)	Information Collected	Reason for Collection	Form(s)
226.7 [formerly approved as 226.5]	Lessee submits request for lease modification	To identify and monitor lease operations.	NEW FORM Modification of Oil/Gas Mining Lease
226.8(a) and 226.8(b) [formerly approved as 226.13]	Corporate lessee submits corporate information	To ensure authority to enter into lease on behalf of the corporate entity and ensure existence of corporate entity.	Form E – Officer to Execute Papers NEW FORM List of Corporate Officers Form

226.13(b) [formerly approved as 226.26 and 226.27(a)]	Lessee submits monthly royalty report	To ensure appropriate royalties to owners are paid.	Form 101; Form 101-A; Form 133; Form 157; Form 300, NEW FORM Tank Bottom Oil Report Form
226.15(b) and 226.7 [formerly approved as 226.29]	Lessee submits assignment or transfer of lease	To identify assignee who will be responsible for complying with lease.	Form F – Assignment of Lease NEW FORM Assignment of Liability Form
226.29(d) and 226.32(c) [formerly approved as 226.34(b), 226.52, and 226.56]	Lessee submits well completion report, well logs, reports on the completion of workover and plugging operations; and any other reports or records of operations	To identify and monitor lease operations.	Form 208 Form 139 NEW FORM Waterflood Operating Report Form 229
226.32(e) [formerly approved as 226.56]	Lessee submits plat showing well location, status, and designation	To identify and monitor lease operations and protection of trust asset.	NEW FORM Lease Status Report Form
226.41 [formerly approved as 226.66]	Lessee submits reports of all accidents, fires, or acts of theft and vandalism	To identify and monitor lease operations and protection of trust asset.	NEW FORM Spill Reporting and Remediation Form

The 17 information collections were not previously approved by OMB, and are now being submitted for OMB approval:

Section(s)	Information Collected	Reason for Collection	Form(s)
226.2(a)	Individual submits application to nominate tract(s) to be offered for lease	To identify tracks of land available to offer for lease at a scheduled lease sale.	--
226.2(c)	Lessee submits information needed for environmental assessment	To comply with the requirements of the National Environmental Policy Act of 1969 (NEPA) by evaluating the potential impacts resulting from the proposed action.	Environmental Assessment Questionnaire
226.3	Lessee submits application to surrender or cancel all or any portion of lease	To identify and monitor lease operations.	--
226.14(a)	Lessee submits division order or contract	To identify and monitor lease operations.	--

226.15(c) and 226.15(d)	Lessee submits agreement creating overriding royalties or drilling contract	To identify and monitor lease operations.	--
226.21(g)	Lessee submits report on settlement agreement for surface damages	To document the damages incurred by the surface owner, identify the location and nature of the damages, and record the amount of the settlement.	--
226.22(b) and 226.22(d)	Lessee submits request for variance from pit construction requirements	To identify and monitor lease operations.	--
226.24	Lessee submits request to use water from streams and natural water courses	To identify and monitor lease operations.	--
226.27(a)	Oil lessee submits report of connections to gas lessee's well	To identify and monitor lease operations.	--
226.27(b) (3)	Lessee submits application for termination of agreement to furnish gas to Osage Tribe or Osage Tribe Member	To identify and monitor lease operations and protect the Osage Nation and Osage Tribal Members.	--
226.28	Lessee submits application for approval to shut down, abandon, or otherwise discontinue the operation of a well	To identify and monitor lease operations.	--
226.29(a)	Lessee submits agreement with surface owner for disposition of permanent improvements	To ensure that rights of surface owners are protected. To identify and monitor lease operations.	--
226.33	Lessee submits request for variance from line drilling limitations	To identify and monitor lease operations.	--
226.38	Lessee submits tank table and meter tests; lessee requests variance from oil storage requirements	To identify and monitor lease operations and ensure the proper storage and measurement of oil and gas.	--
226.39	Lessee submits request for variance from gas measurement requirements	To identify and monitor lease operations and ensure the proper measurement of gas..	--
226.40	Lessee requests approval to use gas for lifting oil	To identify and monitor lease operations.	--
226.45	Lessee or operator must submit application for trucking permit	To document the trucking companies operating in Osage County and ensure safe operations.	Osage Mineral Reserve Trucking Permit

Items that were determined not to be information collections requiring approval are:

226.16(c) Lessee notifies Superintendent of intent to drill, redrill, deepen, plug, or abandon a well: The lessee is only required to call, e-mail, or otherwise notify BIA 24 hours before he/she begins any of the listed operations. The reason this notification is required is so that BIA Field Technicians know when operations are going to happen and can observe/inspect/monitor operations for compliance and enforcement purposes. This would therefore be a simple acknowledgement of

intent.

226.18(d) Lessee notifies Superintendent of intent to commence drilling operations on restricted land: The lessee is only required to call, e-mail, or otherwise notify BIA 24 hours before he/she begins any of the listed operations. The reason this notification is required is so that BIA Field Technicians know when operations are going to happen and can observe/inspect/monitor operations for compliance and enforcement purposes. This would therefore be a simple acknowledgement of intent.

226.25 Lessees notify Superintendent if they encounter oil or gas and do not have lease for that resource: If a lessee has a lease that is for oil only and he/she encounters gas while he/she is drilling for oil, he/she is required to notify the Superintendent of such discovery. This would therefore be a simple acknowledgement of encounter.

226.31 Lessee notifies Superintendent of designated process agent: This provision applies only to lessees who do not reside in Oklahoma. This is a very old provision that was implemented when mailing notice to out-of-state lessees was much more costly, timely, and complicated. The Agency does not enforce this provision. Were the Agency to enforce the provision, the lessee would only be required to provide the names and contact information for an agent of the lessee who is physically located in Oklahoma. This would therefore be a simple acknowledgement of the agent.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.**

Respondents may submit other information electronically, but in many instances, respondents submit in hard copy because, in practice, the transactions occur in person at the Osage agency.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

There is no duplication of effort regarding collection of this information because only the Bureau of Indian Affairs has the statutory responsibility for approving and administering oil and gas leases of the Osage Mineral Estate. Further, most of the information will be developed and maintained in the normal course of business even in the absence of the regulatory requirements.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

Osage Agency employees minimize the burden of the collection by assisting lessees with the forms and requirements. BIA has also lessened the burden on small entities by requiring information that a business would have because it would be collected by State, local, or tribal governments in the absence of the Federal requirement. Additionally, some of the information the BIA requires would be kept by a business in the normal course of their business activities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If this information is not collected, oil and gas leasing of the Osage Mineral Estate will be unregulated and BIA will be unable to properly carry out its trust responsibility to the Osage Nation. The information collection requirement involves minimum information necessary to protect trust assets and ensure that trust beneficiaries receive royalties due them.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There is a special circumstance that would cause an information collection to be conducted in any manner listed above. Lessees are required to provide certified royalty/production reports on a monthly basis to ensure that the correct royalties are collected and that the Osage Nation receives all royalties due and owing.;

8. If applicable, provide a copy and identify the date and page number of publication in the

Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A 60-day notice for public comments was published in the Federal Register on April 9, 2018 (83 FR 15173). No comments were received.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The Agency reached out to several entities familiar with the information required under the regulations. They received the following feedback from two sources:

I have worked in the Branch of Field Operations as a gauger, a field inspector, an assistant supervisor and a supervisor for more than 25 years and deal with minerals lessees, landowners, contractors, purchasers, and minerals staff on a daily basis.

1. Agency forms are easy to follow, self-explanatory and can be submitted several ways, email, regular mail or in person at BIA office
2. Forms can be mailed, picked up at BIA office or found on BIA website
3. Most of the forms can be completed in less than an hour but some may take up to a week depending on the information requested
4. The information requested is mostly standard information and is not overly burdensome.

I have worked the Oil and Gas industry for over 40 years. Over the last 20 years, I have assisted many lessees with forms the Osage Agency utilizes for the Osage Minerals Estate and find that:

1. Forms are easy to follow, fill out, and provide to the Osage Agency. The Agency provides hands on guidance in filling out all forms if needed.

2. All forms are readily available at Agency, and upon request Agency will send forms by mail or email.

3. All information can be provided to the Osage Agency within one day except for leasing forms and assignments forms where bonds would have to be obtained prior to submitting.

4. I do not find it overly burdensome to provide form information as requested to the Osage Agency.

5. I also find that the Osage Agency web site is very helpful with providing information regarding the Osage Agency, the Osage Minerals Estate, leasing, accounting, and regulations.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

This is not applicable.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature included in the information collected.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden**

hours for customary and usual business practices.

- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

The total burden hours for the collection are 22,731 hours with \$825,593 in burden hour cost per year. These annual burden hours are broken down as follows:

Section(s))	Information Collected	Respondents	Annual Responses	Hourly burden per response	Total Annual Hourly Burden	Salary Burden *
226.2(a)	Individual submits application to nominate tract(s) to be offered for lease	5	38	1	38	\$1,380
226.2(b) and 226.2(f)	Bidder or Osage Tribal Council submits completed lease form	13	69	3	207	\$7,518
226.2(c)	Lessee submits information needed for environmental assessment	5	9	24	216	\$7,845
226.3	Lessee submits application to surrender or cancel all or any portion of lease	1	43	3	129	\$4,685
226.6(a)-(c)	Lessee must submit bonds.	77	279	1	279	\$10,133
226.7	Lessee submits request for lease modification	1	1	1	1	\$36
226.8(a) and 226.8(b)	Corporate lessee submits corporate information	77	279	1	279	\$10,133
226.13(b)	Lessee submits monthly royalty report	314	24,660	5 Min	2,055	74,638
226.14(a)	Lessee submits division order or contract	71	270	1	270	9,806

226.14(b)	Purchaser submits monthly statement	16	20,172	15 Min	5,043	183,162
226.15(a)	Lessee submits unit or cooperative agreement and termination of any such agreement	1	1	1	1	\$36
226.15(b) and 226.7	Lessee submits assignment or transfer of lease	64	210	5	1,050	\$38,136
226.15(c) and 226.15(d)	Lessee submits agreement creating overriding royalties or drilling contract	1	1	1	1	\$36
226.16(b) and 226.29(c)	Lessee must submit applications on BIA forms for well drilling, treating, or workover operations, removing casing from well.	58	253	9	2,277	\$82,701
226.20(d)	Person claiming interest in surface damages submits statement of interest. Agency reviews and files.	12	12	30 Min	6	\$218
226.21(g)	Lessee submits report on settlement agreement for surface damages	20	20	5	100	\$3,632
226.22(b) and 226.22(d)	Lessee submits request for variance from pit construction requirements	2	2	1	2	\$73
226.23	Lessee submits commercial or non-commercial easement	4	4	3	12	\$436
226.24	Lessee submits request to use water from streams and natural water courses	4	4	2	8	\$291
226.27(a)	Oil lessee submits report of connections to gas lessee's well	36	36	1	36	\$1,308
226.27(b) (3)	Lessee submits application for termination of agreement to furnish gas to Osage Tribe or Osage Tribe Member	4	4	2	8	\$291

226.28	Lessee submits application for approval to shut down, abandon, or otherwise discontinue the operation of a well	4	4	2	8	\$291
226.29(a)	Lessee submits agreement with surface owner for disposition of permanent improvements	2	2	1	2	\$73
226.29(d) and 226.32(c)	Lessee submits well completion report, well logs, reports on the completion of workover and plugging operations; and any other reports or records of operations	58	205	1.5	308	\$11,187
226.30	Lessee maintains full and correct account of operations, receipts, and disbursements	--	--	--	--	--
226.32(a)	Lessee keeps accurate and complete well records	--	--	--	--	--
226.32(b)	Lessee submits reports of tests and surveys	5	5	1	5	\$182
226.32(e)	Lessee submits plat showing well location, status, and designation	72	1,346	3	4,038	\$146,660
226.33	Lessee submits request for variance from line drilling limitations	3	12	1.5	18	\$654
226.38	Lessee submits tank table and meter tests; lessee requests variance from oil storage requirements	12	210	3	630	\$22,882
226.39	Lessee submits request for variance from gas measurement requirements	4	4	1	4	\$145
226.40	Lessee requests approval to use gas for lifting oil	2	2	2	4	\$145
226.41	Lessee submits reports of all accidents, fires, or acts of theft and vandalism	51	182	28	5,096	\$185,087

226.45	Lessee or operator must submit application for trucking permit	2	200	3	600	\$21,792
TOTAL S	--	1,001	48,539	--	22,731	\$825,593

* To obtain the hourly rate, the BIA used \$36.32, the wages and salaries figure for civilian workers from BLS Release USDL-18-0944, Employer Costs for Employee Compensation—March 2018, Table 1, Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilian workers, by major occupational and industry group, at <https://www.bls.gov/news.release/pdf/ecec.pdf>. This wage includes a multiplier for benefits.

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- * **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- * **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

The recordkeeping requirements in 226.30 and 226.32(a) are similar to State mandated recordkeeping requirements and include information that a business would keep in their regular course of business activities. There are filing fees associated with new leases, assignments, saltwater easements and when a lease is surrendered. There are also processing fee for plugging permits. The total estimated filing fees the BIA collects per year is \$4,535.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

BIA Osage Agency currently has staff, at GS levels 4, 9, and 13 devoted to processing the information collections and administering the oil and gas program, in general. These three levels of staff split their time roughly equally among them. BIA averaged the employee salaries out to a GS-10/Step 1 (\$34.71), with a total cost of \$601,663 to the federal government. The federal government employee salary information was obtained from https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/html/GS_h.aspx with a 1.6 benefits multiplier.

The estimated total annual number of responses reviewed by the federal government, the estimated total annual hour burden, and total salary cost to the federal government are shown in the table below.

Section(s))	Federal Government Task	Annual Number of Responses	Federal burden per response	Total Federal burden hours	Salary Burden
226.2(a)	Review letter for nomination specifics, check tract availability, process nomination fee	38	1	38	\$1,319
226.2(b) and 226.2(f)	See attached checklist	69	3	207	\$7,185
226.2(c)	Verify lease, review and verify Application along with fees are filed with Superintendent and process and approve new lease	9	3	27	\$937

226.3	Verify lease belongs to requestor, request lease inspection from field operations, terminate upon receipt of lease inspection	43	3	129	\$4,478
226.6(a)-(c)	Verify that bond reflects correct leasing information, approve with new lease or assignment packet	279	1	279	\$9,684
226.8(a) and 226.8(b)	See attached list	279	1	279	\$9,684
226.13(b)	Production Data Encoding	24,660	5 Min	2,055	\$71,329
226.14(a)	Verify division order has correct lease information (legal, owner, ownership percentage, effective date)	270	1	270	\$9,371
226.14(b)	Reconciliation	20,172	15 Min	5,043	\$175,043
226.15(a)	Review unit or cooperative agreement and termination of any such agreement.	1	1	1	\$35
226.15(b) and 226.7	See attached checklist	210	5	1,050	\$36,446

226.16(b) and 226.29(c)	Review of incoming form 139s and 208s. Entry and maintenance of the permit into the tracking system. Preparation of all approval or denial paperwork. Filing as necessary. Site visit if needed.	253	4	1,012	\$35,127
226.21(g)	Perform onsite inspection of restricted and trust property for surface damages due to oil field operations. Document findings, measurements and take pictures submit to office. Office prepares damage notice letter, confirmation letters and collection letters.	20	5	100	\$3,471
226.22(b) and 226.22(d)	Request letter to build pits to be used for drilling, completion, recompletion or workover. Request review and approval or denial letter prepared	2	4	8	\$278
226.23	See attached checklist	4	3	12	\$417

226.24	Request letter to utilize water from streams and natural water courses. Inspect water source to determine if usage will diminish the supply and interfere with surface owner operations. Prepare approval or denial letter	4	3	12	\$417
226.27(a)	Request letter submitted to Superintendent to utilize gas for lease operating purposes. Prepare approval letter.	36	2	72	\$2,499
226.27(b) (3)	Request letter to Superintendent to utilize gas for the Osage Tribe. Review lease to determine if sufficient quantities of gas is available. Prepare approval or denial letter.	4	2	8	\$278
226.28	Request letter to abandon well due to non-productive. Review of well production history. Prepare approval or denial letter.	4	2	8	\$278
226.29(a)	Lessee submits agreement with surface owner for disposition of permanent improvements. Agency reviews and files.	2	30 Min	1	\$35

226.29(d) and 226.32(c)	Agency reviews well completion report, well logs, reports on the completion of workover and plugging operations; and any other reports or records of operations	58	1.5	87	\$3,020
226.32(b)	Agency request to Lessee to submit reports of tests and surveys	5	2	10	\$347
226.32(e)	Agency request Lessee submit plat showing well location, status, and designation	72	4	288	\$9,996
226.38	Witness tank strapping in field, verify tank volume, number tank, witness oil lact unit testing and gas meter testing and inspection, approval of variance from manual gauging to automation gauging due to H2S.	210	3	630	\$21,867
226.39	Lessee submits request for variance from gas measurement requirements	4	2	8	\$278
226.40	Lessee requests approval to use gas for lifting oil	2	2	4	\$139
226.41	Lessee submits reports of all accidents, fires, or acts of theft and vandalism	182	28	5,096	\$176,882

226.45	Verify Company and truck is operating Osage County, process request, prepare permit and mail permit and approval letter to Company	200	3	600	\$20,826
TOTAL	--	47,110	--	17,334	\$601,663

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

As stated above, on May 11, 2015, BIA published a final rule to amend the regulations at 25 CFR 226. As part of this final rule, new information collections were approved for use by OMB. Due to litigation, the 2015 final rule never went into effect. Accordingly, the information collections that were approved by OMB in the 2015 final rule were never implemented. However, on June 17, 2016, the BIA issued a direct final rule amending the CFR to reinstate the version of the rule that was in effect prior to the 2015 final rule.

BIA is now seeking OMB approval for information collections that are part of the current regulations at 25 CFR 226. Seventeen of these information collections were not previously approved by OMB and have been in use without OMB approval. Seven of the information collections were approved by OMB under the 2015 regulations, but subsequently have been collected on instruments that were not previously approved for use. These seven instruments have been in use without OMB approval.

Additionally, the non-hour cost burden has changed. The current regulations contain filing fees associated with new leases, assignments, saltwater easements and when a lease is surrendered. There are also processing fee for plugging permits. The total estimated filing fees the BIA collects per year is \$4,535. Under the previously approved ICR, based on the regulations that never went in to effect, lessees must request a meeting with surface landowners by certified mail at a cost of \$3.10 each. Because 160 lessees are estimated to have to fulfill this requirement each year, the total estimated non-hour annual cost is \$496. Therefore, there is a change in the non-hourly cost estimate of \$4,039.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

There are no plans to publish the results of this collection of information. However, a summary may be used for budget justification.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We intend to display the expiration date with the OMB Control Number.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions.