



Orion has recently received a concession. This means that new oil exploration is about to begin in that location, according to Minerals Councilman Melvin Core.

This creates a real problem because the area where the wind farm is planned has the potential to be one of the most active areas of oil exploration in Osage County.

Councilman Core's main concern is that the wind farm's presence will interfere with the oil companies' lines, especially underground.

Each wind turbine will have to be on a foundation called "spread footing" and will be about ten feet deep and 30 feet in diameter. Senior Manager of the Wind Capital Group, Thomas Green, has said publicly that the turbines will be connected underground by electrical cables to capture the energy produced. These underground cables will then be connected to existing, above-ground transmission lines.

Wind Capital Group has a duty to research and discover what oil lines and wells are already in the area where they plan to establish the wind farm.

We have asked Mr. Green if he has researched the area to determine where the existing oil infrastructure is located. He says that he has, but whether or not the company has conducted an adequate search is unclear.

The Bureau of Indian Affairs (BIA) does not have a record of Wind Capital Group representatives visiting its offices to look at the relevant maps during 2011.

The Wind Capital Group met with the Minerals Council during the summer of 2011, but did not make any inquiries about the location of existing oil infrastructure at that time.

Things work differently in Osage County than they do in the rest of the state.

If Wind Capital Group were looking to build wind farms outside Osage County, they could probably obtain the mapping information they needed from the Oklahoma Corporation Commission. However, accurate mapping which describes the oil wells and lines for Osage County can only be found in one place – the offices of the BIA.

Without this essential information, the Wind Capital Group does not know where the existing capped wells and lines are located. They could accidentally encounter or break a capped well or line and create an oil spill.

One problem is Wind Capital Group's causing an oil spill during its construction. In that case, the company responsible for that oil lease could rightfully sue Wind Capital Group to recoup the cost of the oil spill cleanup.

In addition, oil entering the ground water from a Wind Capital Group oil spill would cause the Environmental Protection Agency and Oklahoma Department of Water Quality to have recourse.

Lastly, the upcoming new oil exploration and production by Orion will result in new lines being laid underground in this area. If Wind Capital Group does not develop a plan to work with the oil companies, Wind Capital Group will damage these new lines and incur liability.

It is unfortunate that the Wind Capital Group is planning to build in an area that is historically one of the most productive oil fields, and which soon may be again.

This negatively impacts the mineral estate interests.

The area also contains part of the north, south and west Burbank oil leases and all of the mid-Burbank lease where water flood units are located.

As a result, Chaparral Energy, LLC, and Linn Energy Holdings, LLC will be affected by the presence of the wind farm.

The bottom line is this: As the shareholders in the collective minerals estate interest, we have a right to explore for and extract minerals on the surface of the land and below. Wind Capital Group's presence in an active oil production area infringes upon those rights.

Well-established Federal and state case law hold that the rights of the mineral estate are dominant over the rights of the surface owner.

When the Wind Energy Group interferes with the mineral estate, they violate our rights and there will be consequences.

I look forward to bringing you more information about other aspects of this matter including: 1) the economic impact on Osage County residents, 2) the tax impact on Osage County school districts, 3) the ability of the wind turbines to withstand tornadoes, and 4) the effect of the wind farm on Osage County tourism.