

Tribe

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL

RES. NO. 1453

WHEREAS, The Papago Tribal Council by Resolution No. 1008, approved on August 8, 1958, authorized and encouraged the development of the mineral resources of the Reservation, and

WHEREAS, the Papago Tribal Council by Resolution No. _____, approved on December 3, 1965, authorized the issuance of non-exclusive prospecting permits for a period of four months to encourage mining companies and/or individuals to explore the Reservation with the ultimate purpose of entering into mining leases for specified areas, and,

WHEREAS, the Papago Tribal Council by Resolution No. 1411, approved on July 9, 1965, engaged the services of Vernon Smith as a Mining Consultant to with with the Tribal Attorney, Edward B. Berger, to establish a program for the over-all mineral development of the Papago Reservation in cooperation with the Bureau of Indian Affairs, and

WHEREAS, there are now approximately eight major mining companies now conducting geological, geochemical, geophysical and other types of prospecting on the Reservation, and

WHEREAS, the Tribal Attorney and Mining Consultant have been negotiating with Newmont Mining Company and Transarizona Resources, Inc. to secure mining leases with the ultimate goal that each of the companies will establish a productive mine or mines on the Reservation, and

WHEREAS, there is a good probability that the Tribe will receive between \$100,000-\$150,000 as bonuses when the lease contracts are executed, and

WHEREAS, certain other defined areas of the Reservation will ultimately be submitted to mining companies, and

WHEREAS, the task of continuing negotiations, geological examinations, and field work evaluation must be done on behalf of the Papago Tribe, and

WHEREAS, it is necessary for the Tribe to employ and obtain competent technical assistance for the purposes set forth above, and

WHEREAS, it is necessary to carry out all of the foregoing in an orderly and businesslike manner,

NOW, THEREFORE, LET IT BE RESOLVED by the Papago Tribal Council that there is hereby created a "MINING, OIL, GAS, AND WATER DEVELOPMENT DEPARTMENT."

BE IT FURTHER RESOLVED THAT the organization and functions of the Mining, Oil, Gas and Water Development Department shall be as follows:

I. BOARD: THE MINING, OIL, GAS AND WATER DEVELOPMENT DEPARTMENT BOARD shall consist of 11 members. The Board members shall be selected by the Tribal Council - one from each District - who may or may not be members of the Tribal Council. The Tribal Mining Consultant shall be the Director of the Department and the Tribal Attorney shall also serve on the Board. The Tribal Chairman and Vice-Chairman shall be ex-officio members.

The Board shall have the power to adopt, amend and rescind By-Laws for the Department and to appoint an Executive Committee with such powers as the Board shall choose to delegate to the Committee.

The Board shall determine at what times and where it shall meet.

The Executive Committee of the Board shall have the authority to employ necessary technical help such as geologists, surveyors, engineers, etc.

The compensation to be paid the Director-Mining Consultant shall be fixed by the Tribal Council. Members of the Board may be compensated for the time spent and expenses, incurred in connection with the business of the Board, as shall be fixed by the Tribal Council.

II. FUNCTIONS: The Department shall be responsible for the initiating of prospecting permits, drilling and exploration permits, mining permits, mining leases; assignment of mining permits and negotiating with mining companies and individuals for the benefit of the Tribe. The Department shall be responsible for the maintenance of base maps of all mining claims, leases, drilling and exploration permits, access roads, wells, lease maps, pipelines, power transmission lines, etc., and for the handling of mining and natural resources problems related to individual Papagos and mining companies as they may arise. The department shall be responsible for the encouragement of exploration and development of any and all minerals and other natural resources that might occur on the Reservation including, but not limited to, copper, titanium, bentonite, oil, gas, sand, gravel, quarries, etc. The Department shall be responsible for the economic protection of the Papago Tribe's interests against waste of natural resources, for the settlement of conflicts of interest, the inspection of mining properties to protect the health and safety of individual Papagos, the spot checking, examination and re-examination of mining properties to determine new potentials in order to secure the greatest possible revenue for the Tribe.