

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 6-70

WHEREAS; The development of the mineral resources of the Papago Reservation is of vital importance to the economic growth and betterment of The Papago Tribe and its people; and

WHEREAS; Geologic indications, recent finds such as the discovery of the copper deposits at the Lakeshore area in the Sif Oidak District, and interest in prospecting on the Papago Reservation by a number of major mining companies evidence that there may be mineral reserves of vast magnitude on the Papago Reservation; and

WHEREAS; The Papago Tribe is lacking in the financial resources, organization, equipment and technological knowledge to prospect for, develop and mine the mineral wealth that may be found on the Reservation; and

WHEREAS; Bear Creek Mining Company, the exploration subsidiary of Kennecott Copper Company; Newmont Exploration Ltd.; Inspiration Consolidated Copper Company and Occidental Petroleum Company are presently ready to enter into negotiations for exclusive prospecting permits with options to lease with The Papago Tribe; and Humble Oil Company and other companies in the extractive industries have indicated an interest in prospecting on the Papago Reservation; and interest in the past has been evidenced by such companies as Phelps Dodge Copper Company and Duval Corporation and many other major mining companies; and

WHEREAS; The mining industry is reluctant to expend its efforts, time and money in making general reconnaissances of the Papago Reservation, only to have the area discovered then opened to competitive bidding by all companies; and

WHEREAS; It is in the best interests of The Papago Tribe that mining companies of demonstrated competence and integrity be encouraged to prospect for, develop and mine the mineral resources of the Papago Reservation; and

WHEREAS; The Papago Tribe has employed for several years a Director of Mines who is a qualified and competent mining engineer experienced in mining negotiations; and

WHEREAS; The General Counsel for The Papago Tribe is experienced and knowledgeable in mining law and matters, particularly insofar as they relate to Indian-owned minerals, and experienced in mining negotiations; and

WHEREAS; The Papago Tribe now has the money to employ qualified mining engineers and other experts in the mining field to advise its Executive Mining Committee; and

WHEREAS; The Papago Tribal Council and its Executive Mining Committee, comprised of said Director of Mines, General Counsel, and five members of The Papago Tribe, are competent, experienced and knowledgeable in mining matters and can be relied upon to protect the best interests of The Papago Tribe; and

WHEREAS; The Papago Tribe and its Executive Mining Committee understand full well that in some situations it will be in the best interests of The Tribe to advertise for competitive bids; and

WHEREAS; The Tribe desires the right to decide when it will negotiate and when it will seek competitive bids; and

WHEREAS; Section 171.2 of the Code of Federal Regulations contains authorization for the Commissioner of Indian Affairs to grant to Indian owners written permission to negotiate for leases,

THEREFORE, BE IT RESOLVED BY THE PAPAGO COUNCIL, That the declared policy and aim of The Papago Tribe be that The Papago Council have the authority and discretion to negotiate and consummate general non-exclusive prospecting permits, exclusive prospecting permits, options to lease, mineral leases, business leases in connection with mineral leases, easements and rights-of-way, and in general to do all things necessary and advisable in effecting the location, development and extraction of the mineral resources of the Papago Reservation; such permits, options, leases and grants of easements and rights-of-way and other actions being subject, however, to the approval of the Secretary of the Interior or his duly authorized representatives; and

BE IT FURTHER RESOLVED, That The Papago Council hereby requests written permission of the Commissioner of Indian Affairs to negotiate and consummate, in its discretion, such general non-exclusive prospecting permits, exclusive prospecting permits, options to lease, mineral leases, business leases in connection with mineral leases, easements and rights-of-way, and in general, to do all things necessary and advisable in effecting the location, development and extraction of the mineral resources of the Papago Reservation; such permits, options, leases, easements and rights-of-way and other actions being subject, however, to the approval of the Secretary of the Interior or his duly authorized representatives.

The foregoing Resolution was duly enacted by The Papago Council on the 13th day of March, 1970, at a meeting at which a quorum was present with a vote of 20 for, 0 against and 2 absent, pursuant to authority vested in The Papago Council by Section 2(a) and Section 3(h) and, as amended April 9, 1960, by addition of (1) of Article V of the Constitution and By-Laws of The Papago Tribe of Arizona ratified by The Papago Tribe on December 12, 1936, and approved by the Secretary of the Interior on January

6, 1937 (48 Stat. 984) pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of its approval by the Superintendent of The Papago Agency and is subject to review by the Secretary of the Interior.

THE PAPAGO COUNCIL

ATTEST:

Beatrice George
PHILLIPA A. JOSE, Secretary

By Thomas A Segundo
THOMAS A SEGUNDO, Chairman

Joseph M. Lucero
JOSEPH M. LUCERO, Superintendent
The Papago Agency

APPROVED: March 17, 1970

RECEIVED MAR 17 1970
BUREAU OF INDIAN AFFAIRS
PAPAGO INDIAN AGENCY
SELLS, ARIZONA 85634

