

RESOLUTION NO. 28-76 OF THE GOVERNING BODY
OF THE PAPAGO TRIBE OF THE PAPAGO RESERVATION, ARIZONA

WHEREAS, the Papago Tribe of the Papago Reservation, Arizona, has been prosecuting a case before the Indian Claims Commission to obtain compensation for land in the present State of Arizona, originally owned and occupied in Indian fashion by the Papago Tribe and taken by the United States on January 14, 1916, without payment therefor, which case is identified as Docket No. 345; and

WHEREAS, the Commission, on September 10, 1968, entered an interlocutory order in Docket 345 declaring that the Papago Tribe exclusively occupied in Indian fashion a tract of land described as:

Commencing at a point on the International Boundary in the Tinajas Altas Mountains which divides the eastern and western drainage of those mountains (T13S, R17W, Gila and Salt River Meridian); thence northwest on a line down the crest of the Tinajas and Gila Mountains to the 3141 foot peak on the border of the Yuma land as found in Docket No. 319; thence east to the Mohawk Mountains peak of 2900 feet in T10S, R13, Gila and Salt River Meridian; thence northwest along the crest of the Mohawk Mountains to Mohawk Pass; thence east to the present town of Gila Bend; thence east southeast on a line through Lost Horse Tank to the peak of Table Top Mountains in T8S, R2E; thence east to the northwest corner of the Papago Indian Reservation in R3E; thence east along the northern border of that reservation to its northeast corner in T7S; thence on a line east southeasterly to Picacho Peak and to Red Rock, Arizona; thence east to the peak of Oracle; thence in a southerly direction on a line following the ridge dividing the waters which flow into the San Pedro River from the waters which flow into the Santa Cruz River to the International Boundary Line; thence west and northwest along the International Boundary Line to the point of beginning,

from which were excluded:

- a. The San Xavier del Bac Reservation.
- b. The Papago Indian Reservation as enlarged by the post-1917 additions enumerated in Finding No. 24.
- c. Confirmed Spanish and Mexican land grants; and

WHEREAS, the Papago Tribe has been prosecuting a case before the Commission seeking an accounting of funds wrongfully used by the United States, which case is identified as Docket No. 102, in

which case considerable briefing has been done by both sides but no trial has been held; and

WHEREAS, in order to expedite settlement the attorneys for the tribe felt it for the best interests of the tribe to begin negotiations toward a possible settlement of the claims filed and did obtain from the Attorney General of the United States approval of a settlement of \$26,000,000.00 which settlement is conditioned upon formal approval of the Papago Council and vote of the members of the Papago Tribe; and

WHEREAS, ROYAL D. MARKS, one of the attorneys representing the Papago Tribe, requested the authority of the Papago Council to proceed with the proposed settlement by having it submitted to members of the Papago Tribe, and the Papago Council, by Resolution No. 10-76, authorized the submission of the proposed \$26,000,000.00 settlement of the Papagos' claims pending before the Indian Claims Commission to the members of the tribe; and

WHEREAS, the proposed final settlement has been fully discussed with the Papago Council by the attorneys for the Papago Tribe, and members of the Papago Council have been given full opportunity to enter into discussions and ask questions concerning the matter for the past two (2) months; and

WHEREAS, the members of the Papago Council are fully informed regarding the property settlement,

NOW, THEREFORE, BE IT RESOLVED by the Papago Council in meeting assembled this 4th day of June, 1976, that it approves the proposed final settlement of all claims and offsets in Dockets Nos. 345 and 102 in the amount of \$26,000,000.00, it being understood by this approval the attorneys for the Papago Tribe are authorized to execute the proposed Stipulation For Entry of Final Judgment; and

BE IT FURTHER RESOLVED that the Chairman of the Papago Tribe is authorized

to execute the proposed Stipulation For Entry of Final Judgment since the same has been approved by vote of the majority of the adult members of the Papago Tribe who have attended the general tribal meetings as hereinabove set forth called for the purpose of voting on the proposed settlement, and the Chairman is further authorized to appear and testify at a hearing before the Indian Claims Commission with respect to the proposed settlement and the action taken by the Papago Tribe with respect thereto; and

BE IT FURTHER RESOLVED that the Secretary of the Interior or his duly authorized representative and the Indian Claims Commission are hereby requested to approve the proposed settlement and Stipulation For Entry of Judgment as the same has been approved by the Papago Tribe.

The foregoing Resolution was duly enacted by the Papago Council on the 4th day of June, 1976, at a meeting at which a quorum was present with a vote of 770.5 for; 63.5 against; 0 not voting; and 1 absent; pursuant to authority vested in the Papago Council by Section 2 (a), (b), (c), and (d) of Article V of the Constitution and Bylaws of the Papago Tribe of Arizona ratified by the 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 not subject to review by the Secretary of the Interior.

THE PAPAGO COUNCIL

By Cecil Williams
Cecil Williams, Chairman

ATTEST:

Mary James James
Secretary

[Signature]
Superintendent, Papago Agency

DATE OF MEETING: June 9, 1976

RESOLUTION OR ORDINANCE NO. 26-76

	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
LABOQUIVARI 127	1. Edward Kisto (Joann Garcia) 2. Louis Harvey (Marvin Garcia)	63.5 63.5	63.5	63.5		
CHUKUT KUK 64	1. Rosemary Lopez (Hellie Martin) 2. Harriet Toro (Archie Hendricks)	32.0 32.0	64			
GU ACHI 81	1. Joseph Ramon (Stephen Listo) 2. Juan P. Lopez (Nolea J. Ramon)	40.5 40.5	81			
GU VO 49	1. Cross Antone (Edward J. Lopez) 2. William Lewis, Sr. (Frances Cachora)	24.5 24.5	49			
HICKIWAN 81	1. Henry A. Ramon (James Angea) 2. Archie Pilone (Emillio Francisco)	40.5 40.5	81			
PISINIHO 52	1. Lamando Francisco (Andrew Lorentine) 2. Alice Juan (Herman Lopez)	26.0 26.0	52			1
SAN LUCY 32	1. Max Jose (Jeannie Morris) 2. Elee Sam (Ricardo M. Baptisto) ALT.	16.0 16.0	32			
SAN XAVIER 66	1. Tony Felix (Rosemary D. Secundino) 2. Carmelita Mattias (Laura J. Smith)	33.0 33.0	66			
SCHUK TOAK 46	1. Joe Enriquez (Joann Francisco) 2. Ramon Campillo, Jr. (Felix Juan)	23.0 23.0	46			
SELLS 147	1. Mollie Garcia (Jacob Lewis) 2. Larry Garcia (Tony Lopez)	73.5 73.5	147			
SIF OIAK 80	1. Edward Juan (Vincent Manuel) 2. Melissa Morris (Fernando Jose)	44.5 44.5	80			
		634.0	773.5	63.5	0	1