

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL

RES. NO. 64-76

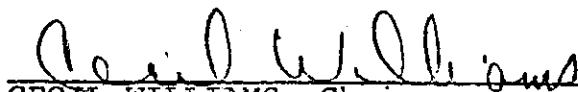
1 WHEREAS, the United States, in its own right and as Trustee for the
2 Papago Tribe and for individual allottees of the San Xavier
3 Reservation, brought suit in the U. S. District Court for
4 the District of Arizona (CIV. 75-39 TUC.), seeking (1) a
5 declaration of rights in and to the use of surface and ground
6 waters of the Upper Santa Cruz Basin; (2) damages resulting
7 from the use of such waters in derogation of and to the
8 detriment of the Tribe and such allottees; and (3) injunc-
9 tive relief to prohibit the withdrawal of such waters; and
10 WHEREAS, the Papago Tribe by its attorneys, WILLIAM E. STRICKLAND
11 and the NATIVE AMERICAN RIGHTS FUND, in its own right and
12 on behalf of the individual allottees of the San Xavier
13 Reservation, brought a companion suit for the adjudication
14 of such rights, damages and injunctive relief in the U. S.
15 District Court for the District of Arizona (CIV. 75-51
16 TUC.); and
17 WHEREAS, both of these suits were consolidated into a single action
18 (CIV. 75-39 TUC. CONSOLIDATED CASES); and
19 WHEREAS, it appears that the United States and the Papago Tribe may
20 have claims to the surface and ground waters of the Upper
21 Santa Cruz Basin which are independent of those of the indi-
22 vidual allottees of the San Xavier Reservation and which
23 make it advisable and necessary that the allottees be repre-
24 sented in such action by independent counsel of their own;
25 and
26 WHEREAS, Papago Legal Services has indicated its willingness to act
27 as counsel for the allottees in such action; and
28 WHEREAS, neither Papago Legal Services, nor the individual allottees
29 have funds with which to prosecute such action,
30 NOW, THEREFORE, BE IT RESOLVED by the Papago Council that it finds
31 that it would be in the best interest of the United States,
32 of the Papago Tribe and of the individual allottees of the

1 San Xavier Reservation that the individual allottees be
2 represented by independent counsel in civil action 75-51
3 TUC., of the United States District Court for the District
4 of Arizona.

5 BE IT FURTHER RESOLVED that the Papago Council hereby requests the
6 Secretary of Interior for funds to pay the attorneys' fees
7 and costs necessary or incidental to the prosecution of such
8 action on behalf of the individual allottees of the San
9 Xavier Reservation.

10 The foregoing Resolution was duly enacted by the Papago Council on
11 the 8th day of October, 1976, at a meeting at which a quorum was
12 present with a vote of 834.0 for; 0 against; 0 not
13 voting; and 2 absent; pursuant to authority vested in the Papago
14 Council by Section 2 (a) and (d) of Article V of the Constitution and
15 By-laws of the Papago Tribe of Arizona, ratified by the Tribe on
16 December 12, 1936, and approved by the Secretary of Interior on Janu-
17 ary 6, 1937, (48 Stat. 984) pursuant to Section 16 of the Act of June
18 18, 1934. Said Resolution is effective as of the date of its appro-
19 val by the Superintendent of the Papago Agency and is not subject to
20 review by the Secretary of Interior.

21 THE PAPAGO COUNCIL

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24 
CECIL WILLIAMS, Chairman

25 ATTEST:

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27
28 
29 MARY JANE JONES, Secretary



30 APPROVED: _____

31
32
OCT 13 1976

VOTE OF THE PAGO COUNCIL

DATE OF MEETING OCTOBER 8, 1976

RESOLUTION ~~OR ORDINANCE~~ NO. 64-76

DISTRICTS	REPRESENTATIVES	NO. OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 127	1. Edward Kisto (Joann Garcia) 2. Louis Harvey (Marvin Garcia)	63.5 63.5	127.0			
CHUKUT KUK 64	1. Rosemary Lopez (Nellie Martin) 2. Harriet Toro (Archie Hendricks)	32.0 32.0	64.0			
GU ACHI 81	1. Joseph P. Ramon (Stephen Listo) 2. Juan P. Lopez (Noleo J. Ramon)	40.5 40.5	81.0			
GU VO 49	1. Cross Antone (Edward J. Lopez) 2. William Lewis Sr. (Frances Cachora)	24.5 24.5	49.0			
HICKIWAN 81	1. Henry A. Ramon (James Angea) 2. Archie Pilone (Emillio Francisco)	40.5 40.5	81.0			
PISINIMO 52	1. Lorenzo Francisco (Andrew Lorentine) ALT. 2. Alice Juan (Herman Lopez)	26.0 26.0	52.0			1
SAN LUCY 32	1. Max Jose (Jeannie Morris) 2. Elee/Samy (Ricardo M. Baptisto) ALT.	16.0 16.0	32.0			
SAN XAVIER 66	1. Tony Felix (Rosemary D. Secundino) 2. Carmelita Mattias (Laura J. Smith)	33.0 33.0	66.0			
SCHUK TOAK 46	1. Joseph Enriquez (Joann Francisco) 2. Ramon Campillo Jr. (Felix Juan)	23.0 23.0	46.0			
SELLS 147	1. Mollie Garcia (Jacob Lewis) 2. Larry Garcia (Tony Lopez)	73.5 73.5	147.0			1
SIF OIDAK 89	1. Edward Juan (Vincent Manuel) 2. Melissa Norris (Fernando Jose)	44.5 44.5	89.0			
TOTALS		834.0	834.0	0	0	2