

RESOLUTION OF THE PAPAGO COUNCIL
(Approving proposed Papago Water)
(Rights Settlement Act of 1980)

RES. NO. 38-80

- WHEREAS, the Papago Council did on February 15, 1980, by Resolution No. 10-80 authorize the negotiation of a proposed settlement, either in whole or in part, of the water rights claims of the Papago Tribe and its constituents in the San Xavier District Basin, the Schuk Toak District Basin, the Sif Oidak District Basin and the San Lucy District Basin by means of legislation to be enacted into Public Law of the United States together with such other settlement measures, if any, as may appropriately relate thereto, all of which shall state the terms and conditions of settlement and shall establish the methods and means of implementing settlement; provided, however, that before any required legislation is introduced into the United States Congress, and before any related settlement measures are finalized, the Papago Water Commission and the Chairman of the Papago Council are required to submit them for the review and approval, or disapproval, of the Papago Council; and
- WHEREAS, the attorneys for the Papago Tribe have prepared a draft of a proposed Congressional bill ("Bill") to settle tribal and individual water rights claims in the San Xavier, Schuk Toak, Sif Oidak and San Lucy Districts of the Papago Reservation, designated as the "Papago Water Rights Settlement Act of 1980"; and
- WHEREAS, the Papago Water Commission and the Chairman of the Papago Council did review and study the Bill and all available supporting materials and data, and did conduct public hearings in the San Xavier, Schuk Toak, Sif Oidak and San Lucy Districts concerning the Bill and supporting materials and data; and
- WHEREAS, the San Xavier District Council, all San Xavier District allottees who are named parties in the aforementioned lawsuit representing the class of San Xavier District allottees, individual San Xavier District allottees attending the public hearings of the San Xavier District, the Schuk Toak District Council and the Sif Oidak District Council did, after public hearings in their respective Districts, approve settlement of their respective water rights claims substantially in conformity with the terms and conditions of the Bill; and
- WHEREAS, the San Lucy District has not yet had an opportunity to meet to make a final decision on the Bill; and
- WHEREAS, the Papago Council has reviewed the recommendations of the Water Commission, the San Xavier District allottees, and the affected District Councils, as well as the recommendations of its and outside consultants and attorneys, and has concluded that it is in the best interest of the Papago Tribe and its constituents that a legislative settlement of the aforementioned water rights claims be attempted substantially in conformity with the terms and conditions of the Bill.

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NOW, THEREFORE, BE IT RESOLVED by the Papago Council that it does hereby approve settlement of tribal and individual water rights claims substantially in conformity with the terms and conditions of the proposed Bill designated as the "Papago Water Rights Settlement Act of 1980" with respect to the therein described waters in the San Xavier, Schuk Toak, Sif Oidak and San Lucy Districts; provided, however, that final approval of the Bill shall first be obtained from the San Lucy District Council before settlement of the Gila Bend Reservation's water rights claims is formally effected.

BE IT FURTHER RESOLVED that the Chairman of the Papago Council, the members of the Water Commission, and the attorneys or other agents of the Papago Tribe, are hereby authorized and directed to do all things necessary to accomplish the purposes of this Resolution.

The foregoing Resolution was duly enacted by the Papago Council on the 19th day of May, 1980, at a meeting at which a quorum was present with a vote of 766 for; 0 against; 170 not voting; and 6 absent, pursuant to the authority vested in the Council by Section 2 (a), (d), (e) and (f) and Section 3 (h) of Article V of the Constitution and By-laws of the Papago Tribe as amended, ratified by the Papago Tribe on December 12, 1936, and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984). Said Resolution is not subject to review by the Secretary of Interior and is effective as of the date of its enactment by the Papago Council.

THE PAPAGO COUNCIL

Max H. Norris
MAX H. NORRIS, Chairman

ATTEST:

Mary Jane Narcho
MARY JANE NARCHO, Secretary

COPY RECEIVED this 29 day of May, 1980.

Edward C. Stange
SUPERINTENDENT PAPAGO AGENCY

1st. Move - *John Narcho*
 2nd. Move - *Rosemary Lopez*

DATE: May 19, 1980

RESOLUTION *Accept Water Bill - except*
Bill Board Section - until they have met,
 RESOLUTION or ORDINANCE NO. 38-80
but will be added if

Districts	Representatives	No. of Votes	For	Against	Not Voting	Absent
BABOQUIVARI 142	1. Edward N. Kisto (Joann Garcia) 2. Kenneth Chico (Franklin Antone)	71.0 71.0	+			+
CHUKUT KUK 111	1. Rosemary Lopez (Laurence Jose) 2. Harriet Toro (Henry Jose)	55.5 55.5	+			
GU ACHI 101	1. Angele Joaquin (Joseph Pete Ramon) 2. Cipriano Manuel (Jonas Robles)	50.5 50.5			+	+
GU VO 51	1. Cross Antone (Juan Joe Cipriano) 2. William Lewis, Sr. (Pauline J, Lewis)	25.5 25.5	+			+
HICKIWAN 78	1. Henry A. Ramon (James Angea) 2. Edward Manuel (Archie Pilone)	39.0 39.0	+			
PISINEMO 60	1. Lamando Francisco (Herman Lopez) 2. Jose Manuel Jr. ()	30.0 30.0	+			+
SAN LUCY 29	1. Max Jose (Garfield Lenzo) 2. Ricardo M. Baptisto (Albert Gomez)	14.5 14.5				+
SAN XAVIER 83	1. John Narcho (Simon Mamake) 2. Arnold Smith (Carmen Mattias)	41.5 41.5	+			
SCHUK TOAK 76	1. Alex Juan (Francisco Jose Jr.) 2. Ramon Campillo, Jr. (Joann Francisco)	38.0 38.0	+			
SELLS 138	1. Andrew M. Patricio (Larry Garcia) 2. Fred Stevens (Jacob Escalante)	69.0 69.0	+		+	
SIF OIDAK 96	1. Elliot Lewis (Eugene Jose) 2. Melissa Norris (John N. Jose)	48.0 48.0	+			+
TOTALS		965.0	200	0	170	6 (29)

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766