



RESOLUTION OF THE PAPAGO TRIBAL COUNCIL

RES. NO. 1510

Article V of the Constitution and By-Laws of the Papago Tribe ratified by the Tribe on December 12, 1936 and approved by the Secretary of the Interior on January 6, 1937 (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.

ATTEST:

H. Malinda Miguel
H. Malinda Miguel, Secretary

John Artichoker, Jr., Superintendent

APPROVED AS TO FORM:

Edward B. Berger
Edward B. Berger, Tribal Attorney

THE PAPAGO TRIBAL COUNCIL

ROBERT C. MACKETT

By: TRIBAL CHAIRMAN
Robert C. Mackett, Chairman

APPROVED: _____

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WHEREAS, the Papago Tribal Council is interested in the protection and preservation of its water and water rights on all portions of the Papago Indian Reservation, and

WHEREAS, the City of Tucson presently is pumping water from wells located along the Easterly boundary of the San Xavier Reservation adjoining the Nogales Highway, and

WHEREAS, the City has located wells in the Avra Valley and Altar Valley and is presently pumping water from same, and

WHEREAS, the City of Tucson is illegally using said water for purposes other than the development of the land on which the wells are located, and

WHEREAS, the water that is being removed is all to the detriment of the Papago Tribe in that the water table is being lowered on the Indian Reservation, and

WHEREAS, the Papago Tribal Council is vitally concerned about the loss of this water, and

WHEREAS, it would be in the best interests of the Tribe to have the Tribal Attorney, Edward B. Berger, take whatever legal action is necessary to prevent the City of Tucson from encroaching upon the rights of the Papago Tribe.

NOW, THEREFORE, LET IT BE RESOLVED that the Papago Tribal Council does hereby authorize the Papago Tribal Attorney, Edward B. Berger, to take whatever legal action is necessary to:

1. Prevent the City of Tucson from pumping water from the San Xavier, Avra and Altar Valleys.
2. Protect the property rights the Tribe has in the water that is now being removed and which may be removed in the future.

The foregoing resolution was duly enacted by the Papago Tribal Council on April 17, 1967, with a vote of 15 for, 0 against and 0 not voting, at a meeting at which a quorum was present, pursuant to authority vested in the Council by Section 2 (c) of