

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 43-69

WHEREAS; Newmont Exploration Limited has submitted a proposal for an Exclusive Prospecting Permit with Option to Lease approximately 10,975 acres for a period of two (2) years on the Papago Reservation; and

WHEREAS; Vernon B. Smith, Director of Mines for The Papago Tribe, has reviewed the Exclusive Prospecting Permit with Option to Lease with the Executive Mining Committee of The Papago Council and with General Counsel, Edward B. Berger; and

WHEREAS; Newmont Exploration Limited has agreed to pay the Tribe a bonus for the Exclusive Prospecting Permit in the sum of TEN THOUSAND (\$10,000) DOLLARS; and

WHEREAS; Newmont Exploration Limited has agreed to pay the Tribe the additional sum of TWENTY-FIVE THOUSAND (\$25,000) DOLLARS at the time the Option to Lease is exercised and the Mining Lease executed; and

WHEREAS; The Papago Council is interested in having Newmont Exploration Limited do some exploratory discovery work and drilling on the aforementioned acreage; and

WHEREAS; The Exclusive Prospecting Permit and Option to Lease contain the standard provisions of the Bureau of Indian Affairs' form of mineral lease; and

WHEREAS; it will be necessary for the Tribal Chairman, Vernon B. Smith and Edward B. Berger to negotiate the final terms of the Exclusive Prospecting Permit and Option to Lease;

THEREFORE, BE IT RESOLVED BY THE PAPAGO COUNCIL; That the Tribal

Chairman, Vernon B. Smith and Edward B. Berger are hereby authorized to negotiate the final terms of the Exclusive Prospecting Permit and Option to Lease with Newmont Exploration Limited, and

BE IT FURTHER RESOLVED; That the Tribal Chairman is hereby authorized to execute the Exclusive Prospecting Permit and forward same to the Superintendent of The Papago Agency for his approval.

The foregoing Resolution was duly enacted by The Papago Council on September 26, 1969, at a meeting at which a quorum was present, with a vote of 19 for, 0 against, and 3 absent, pursuant to authority vested in The Papago Council by Section 3 (h) and (l) of Article V of the Constitution and By-Laws of The Papago Tribe, as amended April 9, 1960, 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 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 pursuant to Section 6 of Article V of the Constitution and By-Laws of The Papago Tribe.

THE PAPAGO COUNCIL

ATTEST:

By Thomas A. Segundo
Thomas A. Segundo, Chairman

Phillip A. Jose
for Phillip A. Jose, Secretary

Joseph M. Lucero, Superintendent
The Papago Agency

APPROVED: _____

APPROVED AS TO FORM: _____

Edward B. Berger
Edward B. Berger, General Counsel