

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 10-71

WHEREAS; on December 5, 1964, The Papago Tribe of Arizona entered into a Mining Lease-Indian Lands, Contract No. 14-20-0450-5193, with Stebbins Mineral Surveys, Inc., which lease was on January 22, 1965, assigned by Stebbins Mineral Surveys, Inc., to Newmont Exploration Limited, and which lease was modified on April 6, 1967, under which lease as modified, Newmont Exploration Limited (hereinafter referred to as "Newmont") was granted the right to explore for, develop, mine produce, process and market certain minerals upon certain lands of The Papago Tribe, which lease, assignment and modification and the description of land therein contained are by this reference incorporated herein; and

WHEREAS; on April 6, 1967, The Papago Tribe entered into Mining Lease Indian Lands, Contract No. 14-20-0450-6112, with Newmont Exploration Limited, under which Newmont was granted the right to explore for, develop, mine, produce, process, and market certain minerals upon certain lands of The Papago Tribe, which lease and the description of lands therein contained are by this reference incorporated herein; and

WHEREAS; Newmont requires an adequate water supply for the exploratory development, mining, producing, processing and marketing of ores from the lands covered by said leases, and

WHEREAS; The Papago Council on September 11, 1970, by Resolution No. 70, after a previous meeting of the Sif Oidak District Council on September 1, 1970, having approved the wellsites in question, authorized the development of wellsites East of the Kohatk Village, and

WHEREAS; the terms and conditions for the wellsite agreement have been reviewed and approved by the Executive Mining Committee; the Director of Mines and Natural Resources, Addison F. Smith; and the General Counsel Edward B. Berger, and

WHEREAS; the Area Office of the Bureau of Indian Affairs has indicated it will approve said water wellsites agreement, and

WHEREAS; the terms and conditions of the water wellsites agreement have been fully discussed with The Papago Council, and

WHEREAS; Newmont Exploration Limited also has negotiated with the Executive Mining Committee; the Director of Mines and Natural Resources, Addison F. Smith; and the General Counsel, Edward B. Berger, the terms and conditions of a business lease containing approximately 2,320 acres in the Sif Oidak District, and

WHEREAS; the Area Office of the Bureau of Indian Affairs has also indicated its approval of the business lease, and

WHEREAS; the terms and conditions of the business lease have been fully discussed with The Papago Council,

NOW, THEREFORE, BE IT RESOLVED BY THE PAPAGO COUNCIL:

1. That the terms and conditions of the water wellsites agreement are hereby approved as more specifically set forth in the copy of agreement attached hereto and made a part hereof.
2. That the terms and conditions of the business lease containing approximately 2,320 acres in the Sif Oidak District are hereby approved as more specifically set forth in the copy of the Business Lease attached hereto and made a part hereof.
3. That the officers of the Papago Council are hereby authorized to execute the water wellsites agreement and the business lease and any other documents necessary to carry out the intent of these agreements.

The foregoing resolution was duly enacted by The Papago Council on the 23rd day of April, 1971, with a vote of 20 for, 0 against, 0 not voting, and 1 absent, during a meeting at which a quorum was present, pursuant to authority vested in The Council by Sections 2(c) and 3(h) of 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, (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 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:

Beatrice George
Secretary

Thomas D. Segund
Chairman

Joseph M. Lucero
Joseph M. Lucero, Superintendent
The Papago Agency

Recommended for Approval

APR 28 1971

