

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 57-71

WHEREAS, The Papago Council on June 11, 1971, adopted Resolution No. 18-71, approving the Wholesale Power Supply Agreement entered into on the 28th day of May, 1971, by and between Arizona Public Service Company, an Arizona corporation, and the Papago Tribal Utility Authority; and

WHEREAS, the Agreement was subsequently modified on page 20, Section No. 10, so as not to require the Secretary of the Interior to approve same but to have the Superintendent of the Papago Agency approve the Agreement by approval of the Resolution No. 18-71 to which Agreement is attached; and

WHEREAS, the Resolution No. 18-71 to which was attached the Agreement was approved by the Superintendent of the Papago Agency; and by letter of July 16, 1971, the Acting Assistant Area Director, Charles Worthman, acting pursuant to delegated authority from the Secretary of the Interior, reviewed the Resolution and Agreement attached thereto and "saw (see) no reason to recommend rescission . . ."; and

WHEREAS, it is now necessary to modify Resolution No. 18-71 to conform to the Agreement as amended;

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

1. That Resolution No. 18-71 of The Papago Council, dated June 11, 1971, is modified in that Section 3 (page 2) of the Resolution shall read as follows:

"3. The Papago Chairman is hereby instructed to attach a copy of the Wholesale Power Supply Agreement to this Resolution and then to proceed to obtain approval of the Resolution by the Superintendent of the Papago Agency and review by the delegated representative of the Secretary of the Interior -- namely, the Area Director or his assistant."

2. That Resolution No. 18-71 is also amended to delete any reference therein to "approval of the Resolution and Agreement by the Secretary of the Interior".

3. That the Wholesale Power Supply Agreement as changed pursuant to letter of July 16, 1971, is hereby ratified and approved.

4. That Resolution No. 18-71, except as changed herein, shall remain unaltered and shall be in full force and effect.

The foregoing Resolution was duly enacted by The Papago Council on the 3rd day of September, 1971, at a meeting at which a quorum was present with a vote of 20 for, -0- against, -0- not voting, and 2 absent, prusuant to authority vested in The Papago Council by Sections 2(e) and (h) and 3(g) and (h) of Article V of the Consti- tution and By-Laws of The Papago Tribe of Arizona, 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.

ATTEST:

Betsy J. Morris
Secretary

THE PAPAGO COUNCIL

By: Augustine B. Lopez
Augustine B. Lopez, Chairman

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

Approved
SEP 27 1971

