

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 33-77

1 WHEREAS, ASARCO, Inc., formerly American Smelting and Refining Company, has made
2 application for water and gas pipe line and power line rights-of-way
3 over Tribal land within the San Xavier District of the Papago Reservation
4 described as follows:

5 (1) The East 50 feet of the East Half of the Northeast
6 Quarter of Section 26, Township 16 South, Range 13 East,
7 and (2) the East 50 feet of the Southwest Quarter of
8 Section 26, Township 16 South, Range 13 East, G. & S.R.B. & M.,
9 Pima County, Arizona; and

10 WHEREAS, the San Xavier District Council has consented to the grant of such
11 rights-of-way; and

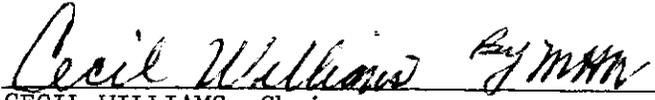
12 WHEREAS, in the Settlement Agreement (Papago Tribe, et al., v. American Smelting
13 and Refining Company) entitled as "Cause No. CIV. 7-83 TUC", approved
14 November 9, 1971, under Section VI. B., it states: "The Papago Tribe,
15 and, as necessary, the other plaintiffs, shall, without further consid-
16 eration, furnish to ASARCO all necessary water pipeline, powerline, and
17 roadway rights-of-way over lands owned by any of them across the Reserva-
18 tion for operation of wells and the transportation of the water from the
19 well sites to the place of ASARCO's beneficial use, and shall assist
20 ASARCO in obtaining other rights-of-way as required from other indivi-
21 dual allottees".

22 NOW, THEREFORE, BE IT RESOLVED by the Papago Council that pursuant to Part 161
23 of Title 25 of the Code of Federal Regulations, it does hereby consent
24 to the grant of rights-of-way to ASARCO, Inc., across the above described
25 lands of the San Xavier Reservation for the construction, maintenance
26 and use of water and gas pipe lines and a power line without further
27 consideration for the grant of such rights-of-way.

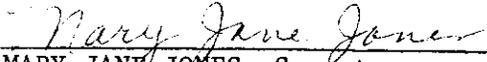
28 The foregoing Resolution was duly enacted by the Papago Council on the 26th day
29 of May, 1977, at a meeting at which a quorum was present with a vote of 585.0 for;
30 168.0 against; 81.0 not voting; and 4 absent, pursuant to the authority
31 vested in the Council by Section 2 (a) (c) and 3 (h) of Article V of the Consti-
32 tution and By-laws of the Papago Tribe as amended, ratified by the Papago Tribe

1 on December 12, 1936, and approved by the Secretary of the Interior on January 6,
2 1937, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984). Said
3 Resolution is not subject to review by the Secretary of the Interior and is
4 effective as of the date of its enactment by the Papago Council.

5 THE PAPAGO COUNCIL

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7 
8 CECIL WILLIAMS, Chairman

9 ATTEST:

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12 MARY JANE JONES, Secretary

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VOTE OF THE PAPAGO COUNCIL

DATE OF MEETING May 26, 1977

RESOLUTION OR ORDINANCE NO. 33-77

DISTRICTS	REPRESENTATIVES	NO. OF VOTES		FOR	AGAINST	NOT VOTING	ABSEN
BABOQUIVARI 127	1. Edward Kisto (Joann Garcia) 2. Louis Harvey (Marvin Garcia)	63.5 63.5		63.5			
CHUKUT KUK 64	1. Rosemary Lopez (Nellie Martin) 2. Harriet Toro (Archie Hendricks)	32.0 32.0			64.0		
GU ACHI 81	1. Joseph P. Ramon (Stephen Listo) 2. Juan P. Lopez (Noleo J. Ramon)	40.5 40.5		81.0			1
GU VO 49	1. Cross Antone (Edward J. Lopez) 2. William Lewis Sr. (Frances Cachora)	24.5 24.5				49.0	
HICKIWAN 81	1. Henry A. Ramon (James Angea) 2. Archie Pilone (Emillio Francisco)	40.5 40.5		40.5	40.5		
PISINIMO 52	1. Lamando Francisco (Andrew Lorentine) 2. Alice Juan (Herman Lopez)	26.0 26.0		52.0			1
SAN LUCY 32	1. XXXXXXXXXX (Jeannie Morris) 2. XXXXXXXXXX (Ricardo M. Baptisto)	16.0 16.0				32.0	
SAN XAVIER 66	1. Tony Felix (Rosemary D. Secundino) 2. Carmelita Mattias (Laura J. Smith)	33.0 33.0		66.0			
SCHUK TOAK 46	1. Joseph Enriquez (Joann Francisco) 2. Ramon Campillo Jr. (Felix Juan)	23.0 23.0		46.0			1
SELLS 147	1. Mollie Garcia (Jacob Lewis) 2. Larry Garcia (Tony Lopez)	73.5 73.5		147.0			1
SIF Oidak 89	1. Vincent Manuel 2. Melissa Norris (Fernando Jose)	44.5 44.5		89.0			
TOTALS		834.0		834.0	168.0	81.0	4