

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL

RES. NO. 67-77

1 WHEREAS, the United States, in its own right and as Trustee for the Papago Tribe
2 and for individual allottees of the San Xavier Reservation, brought suit
3 in the United States District Court for the District of Arizona (CIV.
4 75-39 TUC.), seeking (1) a declaration of rights in and to the use of
5 surface and ground waters of the Upper Santa Cruz Basin; (2) damages
6 resulting from the use of such waters in derogation of and to the detriment
7 of the Tribe and such allottees; and (3) injunctive relief to prohibit the
8 withdrawal of such waters; and

9 WHEREAS, the Papago Tribe by its attorneys, WILLIAM E. STRICKLAND and the NATIVE
10 AMERICAN RIGHTS FUND, in its own right and on behalf of the individual
11 allottees of the San Xavier Reservation, brought a companion suit for the
12 adjudication of such rights, damages and injunctive relief in the U. S.
13 District Court for the District of Arizona (CIV. 75-51 TUC.); and

14 WHEREAS, both of these suits were consolidated into a single action (CIV. 75-39
15 TUC. CONSOLIDATED CASES); and

16 WHEREAS, it appears that once the claimed damages and the water rights of the
17 United States, the Papago Tribe and the individual allottees have been
18 adjudicated, the United States and the Papago Tribe may have claims which
19 are independent of those of the individual allottees of the San Xavier
20 Reservation which would made it advisable and necessary that the allottees
21 be represented by independent counsel of their own; and

22 WHEREAS, Papago Legal Services has indicated its willingness to act as counsel for
23 the allottees; and

24 WHEREAS, neither Papago Legal Services, nor the individual allottees have funds
25 with which to pay for such services.

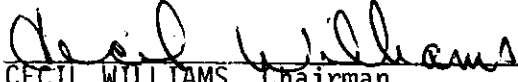
26 NOW, THEREFORE, BE IT RESOLVED by the Papago Council that it finds that it would
27 be in the best interest of the United States, of the Papago Tribe and of
28 the individual allottees of the San Xavier Reservation that the Papago
29 Legal Services be associated with Native American Rights Fund and William
30 E. Strickland to represent the individual allottees as independent counsel
31 in civil action 75-51 TUC., of the United States District Court for the
32 District of Arizona.

1 BE IT FURTHER RESOLVED that the Papago Council hereby requests the Secretary of
2 Interior for funds to pay the attorneys' fees and costs necessary or
3 incidental to the prosecution of such action on behalf of the individual
4 allottees of the San Xavier Reservation.


5 BE IT FURTHER RESOLVED that this Resolution shall supersede and replace Resolution
6 No. 64-76.

7 The foregoing Resolution was duly enacted by the Papago Council on the 11th day of
8 August, 1977, at a meeting at which a quorum was present with a vote of 1065.0
9 for; 0 against; 0 not voting; and 1 absent, pursuant to
10 authority vested in the Papago Council by Section 2 (a) and (d) of Article V of
11 the Constitution and By-laws of the Papago Tribe of Arizona, ratified by the Tribe
12 on December 12, 1936, and approved by the Secretary of the Interior on January 6,
13 1937, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984). Said
14 Resolution is effective as of the date of its approval by the Superintendent of the
15 Papago Agency and is not subject to review by the Secretary of the Interior.

16 THE PAPAGO COUNCIL

17
18 
19 CECIL WILLIAMS, Chairman

20 ATTEST;

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22 
23 MARY JANE JONES, Secretary

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26 RESOLUTION APPROVED this 20th day of August, 1977.

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30 RICHARD T. CHRISTMAN,
31 Superintendent, Papago Agency
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VOTE OF THE PAPAGO COUNCIL

DATE OF MEETING: AUGUST 11, 1977

RESOLUTION ~~OR ORDINANCE~~ NO.: 67-77

STRICTS	REPRESENTATIVES	NO. OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<u>SOQUIVARI</u> 143	1. Edward N. Kisto (Joann Garcia) 2. Louis Harvey, Sr. (Enos Francisco, Jr.)	71.5 71.5	143.0			
<u>IKUT KUK</u> 161	1. Rosemary Lopez (Nellie Martin) 2. Harriet Toro (Henry Jose)	80.5 80.5	161.0			
<u>ACHI</u> 108	1. Joseph P. Ramon (Stephen Listo) 2. XXXXXXXXXX (Cipriano Manuel)	54.0 54.0	108.0			
<u>VO</u> 47	1. Cross Antone (Edward J. Lopez) 2. Williams Lewis, Sr. (Juan Joe Cipriano)	23.5 23.5	47.0			1
<u>SKIWAN</u> 86	1. Henry A. Ramon (James Angea) 2. Edward Manuel (Archie Pilone)	43.0 43.0	86.0			
<u>SINEMO</u> 68	1. Lamando Francisco () 2. Jose Manuel, Jr. ()	34.0 34.0	68.0			
<u>V LUCY</u> 35	1. Jeannie Morris () 2. Ricardo M. Baptisto (Albert Gomez)	17.5 17.5	35.0			
<u>V XAVIER</u> 99	1. Tony Felix (Rosemary D. Secundino) 2. Arnold Smith (Carmen Mattias)	49.5 49.5	99.0			
<u>LUK TOAK</u> 76	1. Joseph Enriquez () 2. Ramon Campillo, Jr. (Joann Francisco)	38.0 38.0	76.0			
<u>ILLS</u> 139	1. Mollie Garcia (Jacob Lewis) 2. Fred Stevens (Jacob Escalante)	69.5 69.5	139.0			
<u>F OIDAK</u> 103	1. Vincent Manuel () 2. Nicholas Jose (Melissa Norris)	51.5 51.5	103.0			
<u>FALS</u>		1065.0	1065.0	0	0	1