

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL

(Tat Momolik Dam Settlement)

RES. NO. 662-85

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3 WHEREAS, Tat Momolik Dam was constructed in 1974 by the Corps of  
4 Engineers, Department of the Army, on lands belonging to  
5 the Papago Tribe to provide off-reservation flood protec-  
6 tion to Pinal County, Arizona, and water conservation for  
7 the Tribe; and

8 WHEREAS, the Papago Tribe agreed to donate appropriate rights to  
9 approximately five thousand three hundred twenty-four  
10 acres of land for the Tat Momolik project on condition  
11 that the United States provide certain water conservation  
12 irrigation, fish and wildlife and other benefits to the  
13 Tribe; and

14 WHEREAS, the United States has failed to provide those benefits  
15 and as a result, the United States has failed to acquire  
16 appropriate rights to the land required for the construc-  
17 tion of the dam and its reservoir; and

18 WHEREAS, the claims of the Papago Tribe for damages for use of  
19 tribal land by the United States without authorization by  
20 the Tribe or compensation to it are the subject of pros-  
21 pective lawsuits against the United States; and

22 WHEREAS, a draft of a proposed Congressional bill to settle the  
23 claims of the Papago Tribe for damages for the use of  
24 tribal lands by the United States, without authorization  
25 by the Tribe, has been developed and studied by the Water  
26 Commissioners and public hearings were held on the set-  
27 tlement bill in Sif Oidak on August 20, 1985; and

28 WHEREAS, on the 27th day of August, 1985, the Sif Oidak Dis-  
29 trict Council did enact a resolution approving settlement  
30 of the claims of the Papago Tribe for damages for the  
31 use of tribal lands by the United States without author-  
32 ization by the Tribe substantially in conformity with the

1 terms and conditions of the proposed Congressional bill.  
2 NOW, THEREFORE, BE IT RESOLVED by the Papago Tribal Council that  
3 it does hereby approve settlement of the claims of the  
4 Papago Tribe for damages for the use of tribal land by  
5 the United States without authorization by the Tribe sub-  
6 stantially in conformity with the terms and conditions of  
7 the proposed Congressional bill attached hereto and made  
8 a part hereof.

9 BE IT FURTHER RESOLVED that the Chairman of the Papago Tribe, the  
10 members of the Water Commission, the attorneys, lobbyist  
11 and advisors do all things necessary to have this bill  
12 introduced and processed through the U. S. House and  
13 Senate and enacted into law.

14 The foregoing Resolution was duly enacted by the Papago Council on  
15 the 10th day of September, 1985, at a meeting at which a  
16 quorum was present with a vote of 1,581.5 for; -0- a-  
17 gainst; 58.5 not voting; and 01 absent, pursuant to  
18 the authority vested in the Council by Sections 2(a), (d), (e) and  
19 (f) and Section 3(h) of Article V of the Constitution and By-  
20 Laws of the Papago Tribe as amended, ratified by the Papago Tribe  
21 on December 12, 1936, and approved by the Secretary of the In-  
22 terior on January 6, 1937, pursuant to section 16 of the Act of  
23 June 18, 1934 (48 Stat. 984). Said Resolution is not subject to  
24 review by the Secretary of Interior and is effective as of the  
25 date of its enactment by the Papago Council.

THE PAPAGO COUNCIL

  
JOSIAH MOORE, Chairman

ATTEST:

  
OPHELIA F. CAMPILLO, Secretary

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MOVED: JOHN RENO  
 SECOND: ANGELO JOAQUIN  
 DATE: 09/10/85

SUBJECT: Approving Tat Momolik Dam  
Settlement

RESOLUTION OR ORDINANCE # 662-85

| DISTRICTS          | REPRESENTATIVES   | # OF VOTES     | FOR    | AGAINST | NOT VOTING | ABSENT |
|--------------------|---|----------------|--------|---------|------------|--------|
| SIF OIDAK<br>138   | 1. Elliott Lewis<br>(Eugene F. Jose)<br>2. Nicklos Jose<br>(Letitia Garcia)                 | 69.0<br>69.0   | X<br>X |         |            |        |
| SELLS<br>257       | 1. Andrew M. Patricio<br>(Nora Alvarez)<br>2. Fred Stevens<br>(Dennis E. Jose)              | 128.5<br>128.5 | X<br>X |         |            |        |
| SCHUK TOAK<br>105  | 1. Joseph Juan<br>( )<br>2. Julie Carrillo<br>(Jo Ann Francisco)                            | 52.5<br>52.5   | X<br>X |         |            |        |
| SAN XAVIER<br>126  | 1. John B. Narcho<br>(Austin Nunez)<br>2. Tony Felix<br>(Carmelita Mattias)                 | 63.0<br>63.0   | X<br>X |         |            |        |
| BABOQUIVARI<br>241 | 1. Joann Garcia<br>(Edward N.Kisto)<br>2. Kenneth Chico, Sr.<br>(Frances Miguel)            | 120.5<br>120.5 | X<br>X |         |            |        |
| GU ACHI<br>158     | 1. Angelo J. Joaquin, Sr.<br>(Jonas R. Robles)<br>2. Fernando Joaquin<br>(Fred Adams, Jr. ) | 79.0<br>79.0   | X<br>X |         |            |        |
| PISINEMO<br>116    | 1. Chester Antone<br>(Sylvester Manuel)<br>2. Johnson Jose<br>(Edward D. Manuel)            | 58.0<br>58.0   | X<br>X |         |            |        |
| SAN LUCY<br>85     | 1. John Reno<br>( )<br>2. Max P. Jose<br>(Dewey I. Ortega )                                 | 42.5<br>42.5   | X<br>X |         |            |        |
| GU VO<br>117       | 1. Cross Antone<br>(Fern E. Salcido)<br>2. Virgil Lewis<br>(Roy Montana )                   | 58.5<br>58.5   | X      |         | X          |        |
| HICKIWAN<br>128    | 1. Henry A. Ramon<br>(Pablo Baptisto)<br>2. Lloyd Francisco<br>(Eleanor Santos)             | 64.0<br>64.0   | X<br>X |         |            |        |
| CHUKUT KUK<br>169  | 1. Rosemary Lopez<br>(Anita C. Clark)<br>2. Harriet Toro<br>(Marvin J.Thomas)               | 84.5<br>84.5   | X<br>X |         |            | X      |
| TOTALS             |   | 1640.0         | 1581.5 | -0-     | 58.5       | 01     |