

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL

(Judgement Payment - 1964)

RES. NO. 681-85

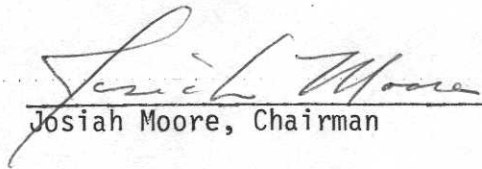
1 WHEREAS, on November 10, 1967, the United States District Court (CIV-3504 Phx)
2 entered and filed final judgment as to Tracts Nos. C-312-E and C-312-
3 E-2, that the Papago Indian Tribe shall receive from the United States
4 of America the sum of \$130,000.00 as full satisfaction for the taking
5 in this condemnation case, and ordered that the Clerk of Court issue
6 a check in the sum of \$130,000.00 payable to Homer Jenkins, Superinten-
7 dent, Papago Agency, Sells, Arizona; and
8 WHEREAS, on November 13, 1964, the Clerk of Court disbursed \$130,000.00 to
9 Homer Jenkins, Superintendent, Papago Agency, Sells, Arizona, as pay-
10 ment of final judgment, for the beneficial use of the Papago Indian
11 Tribe (Order of 11-10-64, Check #1,698); and
12 WHEREAS, the Chairman of the San Lucy District Council, Mr. Max Jose, has
13 attempted, without success to acquire an accounting of these funds
14 plus accumulated interest thereon from the Bureau of Indian Affairs;
15 and
16 WHEREAS, the San Lucy District Council has passed a resolution requesting the
17 Tribal Council to pass a resolution demanding from the B.I.A. a complete
18 accounting of the \$130,000.00 disbursed to Homer Jenkins, Superintendent
19 of the Papago Agency, on November 13, 1964, by the United States order
20 of check #1,698; and
21 WHEREAS, the Papago Tribal Council believes it to be in the best interest of
22 the Papago Tribe if the Papago Tribal Council demands a complete
23 accounting of these funds, plus interest.
24 NOW, THEREFORE, BE IT RESOLVED that the Papago Tribal Council does hereby
25 demand from the B.I.A. a complete accounting of the \$130,000.00
26 disbursed to Homer Jenkins, Superintendent of the Papago Agency
27 on November 13, 1964, by the United States District Court Order of
28 Check #1,698, and that no reimbursement to the United States be made
29 by the Papago Tribe, as provided in Section 308 (e) of the Southern
30 Arizona Water Rights Settlement Act of 1982, unless the B.I.A. clearly
31 establishes from such accounting that the funds were actually expended
32 for the acquisition of flood easements of land, rather than for costs

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of relocation. (See Conference Report No. 97-568, dates September 22, 1982, to S.1409).

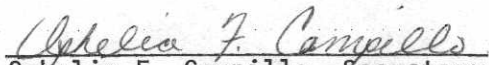
The foregoing Resolution was duly enacted by the Papago Council on the 13th day of September, 1985, at a meeting at which a quorum was present with a vote of 1,640.0 for; -0- against; -0- not voting; and 01 absent, pursuant to the authority vested in the Council by Section 2 (a), (h) and (m) of Article V of the Constitution and By-laws of the Papago Tribe as amended, ratified by the Papago Tribe on December 12, 1936, and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984). Said Resolution is not subject to review by the Secretary of the Interior and is effective as of the date of its enactment by the Papago Council.

THE PAPAGO COUNCIL



Josiah Moore, Chairman

ATTEST:



Ophelia F. Campillo, Secretary

MOVED: John Narcho
 SECOND: Harriet Toro
 DATE: 09/13/85

SUBJECT: Requesting from B.I.A. the accountability of U.S. Order of Check #1,698
 RESOLUTION OR ORDINANCE # 681-85

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 138	1. Elliott Lewis (Eugene F. Jose)	69.0	X			
	2. Nicklos Jose (Letitia Garcia)	69.0	X			
SELLS 257	1. Andrew M. Patricio (Nora Alvarez)	128.5	X			
	2. Fred Stevens (Dennis E. Jose)	128.5	X			
SCHUK TOAK 105	1. Joseph Juan ()	52.5	X			
	2. Julie Carrillo (Jo Ann Francisco)	52.5	X			
SAN XAVIER 126	1. John B. Narcho (Austin Nunez)	63.0	X			
	2. Tony Felix (Carmelita Mattias)	63.0	X			
BABOQUIVARI 241	1. Joann Garcia (Edward N. Kisto)	120.5	X			
	2. Kenneth Chico, Sr. (Frances Miguel)	120.5	X			
GU ACHI 158	1. Angelo J. Joaquin, Sr. (Jonas R. Robles)	79.0	X			X
	2. Fernando Joaquin (Fred Adams, Jr.)	79.0	X			
PISINEMO 116	1. Chester Antone (Sylvester Manuel)	58.0	X			
	2. Johnson Jose (Edward D. Manuel)	58.0	X			
SAN LUCY 85	1. John Reno ()	42.5	X			
	2. Max P. Jose (Dewey I. Ortega)	42.5	X			
GU VO 117	1. Cross Antone (Fern E. Salcido)	58.5	X			
	2. Virgil Lewis (Roy Montana)	58.5	X			
HICKIWAN 128	1. Henry A. Ramon (Pablo Baptisto)	64.0	X			
	2. Lloyd Francisco (Eleanor Santos)	64.0	X			
CHUKUT KUK 169	1. Rosemary Lopez (Anita C. Clark)	84.5	X			
	2. Harriet Toro (Marvin J. Thomas)	84.5	X			
TOTALS		1640.0	1,640.0	-0-	-0-	01