

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Acceptance of Cyprus' proposed Basic Terms
and Conditions for Lakeshore)

RES. NO. 173-87

- 1 WHEREAS, the Papago Tribe did enter into a mining lease ("Lease") on April 1,
2 1979, with Noranda Exploration, Inc., Contract No. H50C14201257, sub-
3 sequently assigned to Noranda Lakeshore Mines, Inc. ("Noranda"), for
4 the exploration, developing, mining, producing and marketing of all
5 minerals (excluding oil, gas and other hydrocarbons) at the Lakeshore
6 Mine; and
7
- 8 WHEREAS, Noranda has been developing and operating the Lakeshore Mine since
9 April 1, 1979, and has paid the Tribe in excess of Eight Million
10 Dollars (\$8,000,000.00) in advance royalties, which are being
11 allocated pursuant to Ordinance No. 13-82 fifty-five percent (55%) to
12 the Papago Tribe, three percent (3%) to Sif Oidak District, and the
13 balance of forty-two percent (42%) to the various District; and
14
- 15 WHEREAS, prior to March 1, 1987, Noranda verbally notified the Nation that it
16 would send written notice, as required by the mining lease, that it
17 would terminate its mining lease as of March 1, 1987; and
- 18 WHEREAS, prior to sending this termination notice Noranda notified the Nation
19 that Cyprus Mining Company was interested in taking over the Lakeshore
20 operation if Cyprus, Noranda and the Nation can agree to the necessary
21 terms and conditions; and
22
- 23 WHEREAS, the Nation's Natural Resource Committee, its advisors, BIA personnel
24 and the Nation's attorney have been in negotiations with Cyprus and
25 Noranda for several weeks and have acquired Cyprus' final offer as to
26 the major terms and conditions of a mineral lease with the Nation, a
27 copy of which is attached hereto and made a part hereof; and
- 28 WHEREAS, Noranda has not, as of this date, agreed to pay the Nation the full
29 \$1,600,000.00 as required by the terms of its mining lease with the
30 Nation in the event Noranda terminated its lease prior to the primary
31 term; and
32

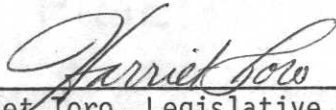
1 WHEREAS, the Nation will only accept Cyprus' offer if Noranda pays the Nation
2 the \$1,600,000.00.

3 NOW, THEREFORE, BE IT RESOLVED that the Nation hereby accepts Cyprus' offer as
4 to the major terms and conditions as set forth in the document
5 attached hereto and made a part hereof, provided that Noranda pays to
6 the Nation the \$1,600,000.00 as required by the lease in the event of
7 termination prior to the end of the primary term.

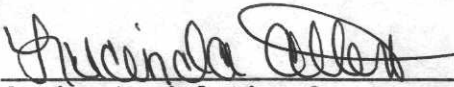
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9 BE IT FURTHER RESOLVED that in the event Noranda pays to the Nation the
10 \$1,600,000.00 the Council hereby authorizes the Chairman, or Vice-
11 Chairman and the Secretary to execute all necessary agreements to
12 carry out the intent of this resolution.

13
14 The foregoing resolution was passed by the Tohono O'odham Council on the 15th
15 day of May, 1987, at a meeting at which a quorum was present with a vote of
16 1239.5 for; 159.5 against; -0- not voting; and 241.0 absent, pursuant to the
17 powers vested in the Council by Section 1 (g) and (1) of Article VI of the Con-
18 stitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on
19 January 18, 1986, and approved by the Acting Deputy Assistant Secretary -
20 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act
21 of June 18, 1934 (48 Stat. 984).

22 TOHONO O'ODHAM LEGISLATIVE COUNCIL

23 
24 _____
25 Harriet Toro, Legislative Chairperson
26 15th day of May, 1987.

27 ATTEST:

28 
29 _____
30 Acting Legislative Secretary
31 15th day of May, 1987.

32 Said Resolution was submitted for approval to the office of the Chairman of the
Tohono O'odham Nation on the 15th day of May, 1987, at 4:51
o'clock, p.M., pursuant to the provisions of Section 5 of Article VII of the
Constitution and will become effective upon his approval or upon his failure to
either approve or disapprove it within 48 hours of submittal.

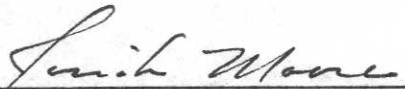
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



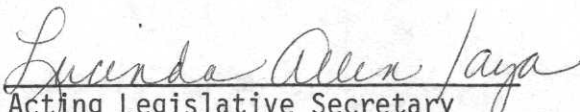
Harriet Toro, Legislative Chairperson

APPROVED) on the 19 day of May, 1987, at
 DISAPPROVED) 7:11 o'clock, A.M.



JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to Legislative Secretary on the 19th day of May, 1987,
at 8:57 o'clock, a.M.



Acting Legislative Secretary

MOVED: HENRY RAMON

SUBJECT: ACCEPTANCE OF CYPRUS' PROPOSED BASIC
TERMS AND CONDITIONS FOR
LAKESHORE

SECOND: TONY FELIX

DATE: MAY 15, 1987

RESOLUTION OR ~~ORDINANCE~~ # 173-87

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 138	1. Elliott Lewis () 2. Nicholas Jose (Letitia Garcia)	69.0 69.0	X X			X
SELLS 257	1. Andrew M. Patricio (Nora Alveraz) 2. Fred Stevens, Sr. ()	128.5 128.5	X X			
SCHUK TOAK 105	1. Joseph Juan () 2. Julia Carrillo (JoAnn Francisco)	52.5 52.5	X X			X
SAN XAVIER 126	1. Yvonne Corella (Austin Nunez) 2. Tony Felix (Carmelita Mattias)	63.0 63.0	X X			
BABOQUIVARI 241	1. Edward N. Kisto () 2. Kenneth Chico, Sr. (Frances Miguel)	120.5 120.5				X X
GU ACHI 158	1. Angelo Joaquin, Sr. () 2. Fernando Joaquin ()	79.0 79.0	X X			
PISINEMO 116	1. Yvonne Antone (Consuela Mendoza) 2. Johnson Jose (Edward Manuel)	58.0 58.0	X X			
SAN LUCY 85	1. John Reno () 2. Max P. Jose (Dewey Ortega)	42.5 42.5		X		
GU VO 117	1. Cross Antone (Fern Salcido) 2. Virgil Lewis (Roy Montana)	58.5 58.5		X X		
HICKIWAN 128	1. Henry A. Ramon (Pablo Baptisto) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0	X X			
CHUKUT KUK 169	1. Rosemary Lopez (Anita C. Clark) 2. Harriet Toro (Marvin J. Thomas)	84.5 84.5	X X			
TOTALS		1640.0	1239.5	159.5	-0-	241.0