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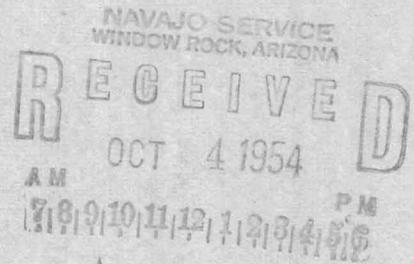
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**PIMA MINING COMPANY**

3407 SOUTH PARK AVENUE  
P. O. BOX 7187  
TUCSON 3, ARIZONA

OCTOBER 1, 1954



NAVAJO INDIAN AGENCY  
WINDOW ROCK, ARIZONA

GENTLEMEN:

WE WOULD HEREBY LIKE TO APPLY FOR PERMISSION TO PROSPECT  
ON THE NAVAJO INDIAN RESERVATION FOR URANIUM AND OTHER ASSOC-  
IATED METALLIC METALS.

IN REGARD TO THIS APPLICATION WE NATURALLY WOULD LIKE TO  
OBTAIN ALL INFORMATION AND DIRECTIVES OBTAINABLE FROM YOUR OFFICE  
AS TO WHAT WE CAN AND CAN NOT DO IN REGARD TO GENERAL EXPLORATION.

VERY TRULY YOURS,

PIMA MINING COMPANY

WALTER E. HEINRICHS, JR.  
EXPLORATION MANAGER

WEHJR:JJ

10-4-54

Dear Sir:

Enclosed herewith please find copy of Navajo Tribal Regulations for your information and an application form to be filled out for prospecting permit. Please note on application form that financial statement and written reference are attached. Your application and attachments should then be sent to this office for further action.

G. Mansfield, Clerk  
Branch of Realty  
Navajo Agency, Window Rock, Ariz.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
Window Rock Area Office  
Window Rock, Ariz.

March 11, 1951

N O T I C E

TO: ALL NAVAJO INDIANS AND OTHER PERSONS INTERESTED IN PROSPECTING FOR  
& MINING OF URANIUM BEARING ORES ON THE NAVAJO INDIAN RESERVATION.

Attached hereto is a copy of approved Advisory Committee resolutions to govern the mining of uranium bearing ores on the Navajo Indian Reservation.

By resolution No. CM-3-51 dated March 22, 1951, the Navajo Tribal Council authorized its subordinate body, the Advisory Committee, to draft and promulgate new regulations to govern the mining of uranium bearing ores on the Navajo Reservation, and to have continuing authority to change or abolish such regulations in the future as the Committee might deem proper.

Pursuant to this delegation, the Advisory Committee approved a new regulation on September 19, 1951 (See Advisory Committee Resolution No. ACS-80-51, attached) which was approved by the Commissioner of Indian Affairs on November 6, 1951, under certain conditions. The regulation, thus adopted and approved, was then given further study by the Advisory Committee, resulting in the approval of Resolution No. ACF-4-52 on February 12, 1952, which amended Sections 1 & 2 of the original regulation. The Commissioner of Indian Affairs approved the amendments on February 15, 1952. An additional amendment to provide for royalties on ores other than uranium bearing was requested by the Commissioner of Indian Affairs on March 3, 1952 and said amendment was approved by the Advisory Committee by Resolution No. ACM-5-52 dated March 11, 1952 (Copy attached). The three resolutions attached hereto (ACS-80-51, ACF-4-52, ACM-5-52), represent the finalized regulations of the Advisory Committee up to the present time, acting under authority of the Navajo Tribal Council.

In order that the processing of applications for prospecting permits, mining permits, operating agreements, and mining leases now on hand and those to be submitted in the future may be handled in an orderly manner, the following procedures are hereby established:

1. Preliminary Preparation of Applications:  
Time will not permit the working out of details of various agreements directly with the Advisory Committee. It is essential that, in all cases, agreements be worked out and executed in advance of consideration by the Advisory Committee.
2. Rights of Navajos and Non-Navajos under New Regulations:  
The new regulation is designed to give certain preferences to members of the Navajo Tribe, but at the same time Non-Navajos are granted a distinct advantage over previous practice in securing mining leases.

Anyone, either Navajo or Non-Navajo, may secure a permit to prospect for minerals on Navajo tribal lands by making written request therefor to the Window Rock Area Office. Prospecting permits are issued on a District basis (one or more districts of the reservation may be designated in the request). The prospecting for minerals on the Navajo Reservation without first obtaining a properly executed prospecting permit will be dealt with severely.

Any Navajo, having a prospecting permit, who makes a discovery, is entitled to proceed in one of two ways: He may apply to the Advisory Committee for a Tribal Mining Permit or a Tribal Mining Lease. The essential difference between these two forms of procedure is that the Mining Permit requires development of \$5.00 per acre per year and the Navajo is not required to put up a bond to insure performance. The term of the Mining Permit is for 2 years subject to renewal of 2 years. The Tribal Mining Lease requires \$10.00 per acre per year development: the lessee must furnish bond to insure performance; a \$1.00 per acre per year rental is required; and the term of the lease is for 10 years.

Any non-Navajo, having a prospecting permit, who makes a discovery may negotiate with the Advisory Committee for a Tribal Mining Lease. He may not apply for a Tribal Mining Permit, which privilege is reserved to Navajos exclusively.

### 3. Navajo Mining Permits:

(a) In cases where operations are to be conducted exclusively by Navajos, the applications now on hand and those received in the future will be considered by the Advisory Committee and the Area Director. Applicants will be expected to appear before the Committee at a time designated by notice in writing.

(b) In cases where Navajos intend to enter into operating agreements with Non-Navajos, the application for a mining permit and the details of operating agreements shall be worked out and executed by the parties concerned before presentation to the Advisory Committee and the Area Director for approval consideration.

Assistance will be given in the final drafting of necessary documents by a Committee consisting of the Area Attorney and Tribal Attorney if available, the Chief of the Branch of Land, the Tribal Mining Engineer, and the Chairman of the Tribal Resources Committee. This assistance will be rendered by designated appointments. Tentative drafts of proposed operating agreements will be prepared by applicants and presented at the time of such designated appointments. The original and four executed copies of proposed operating agreements are required. Mr. M. D. Long, Chief of the Branch of Land, will arrange for all appointments. Applicants may arrange for appointments by telephone or by correspondence.

### 4. Mining Leases:

(a) In cases where parties concerned wish to make application to convert approved mining permits to 10-year mining leases (which may or may not be coupled with existing operating agreements), the applications shall

include the written agreement of the parties concerned as to division of interests, over-riding royalties, etc. These applications and supporting agreements shall be available at time of appointment for preparation of the final papers.

(b) In the case of applications for 10-year mining leases on tracts not covered by approved Navajo claims, mining permits and other operating agreements, the applications shall be handled in the same manner as provided in subsection (a) of this section.

5. Financial Responsibility:

The financial ability of Navajo Indians to undertake individual operations will be taken into consideration in all instances. When assignments, subcontracts, or operating agreements are to be entered into with non-Navajos, a financial statement and proof of ability to undertake the proposed operations is required.

6. Conflicting Claims or Other Disputes:

Priority of discovery and the filing of written claims to support such discovery by Navajos having prospecting permits will be recognized. Survey and posting of the ground should be accomplished as soon as possible after discovery and written description with date of discovery, name of discoverer, etc., should immediately be filed with the Land Office at Window Rock. In cases of conflict, the parties involved should make every effort to settle their differences amicably and equitably before requesting a hearing with the Advisory Committee. Persons found to be guilty of claim jumping or other fraudulent activity may be barred by the Advisory Committee or the Area Director from holding any claims, permits, or leases, or obtaining any benefits therefrom.

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Area Director

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Chairman, Navajo Tribal Council

Attachments

RESOLUTION OF THE  
ADVISORY COMMITTEE OF THE  
NAVAJO TRIBAL COUNCIL

WHEREAS:

1. General Tribal Council Resolution No. CM-3-51, adopted on March 22, 1951, authorized the Advisory Committee of the Navajo Tribal Council to adopt new regulations governing all mining operations on Navajo Tribal lands, as in its discretion would be in the best interests of the Navajo Tribe and the individual members thereof.

THEREFORE BE IT RESOLVED:

That the following procedures and regulations governing Tribal land mining permits and leases are hereby adopted:

1. Prospecting Permits: Mineral prospecting permits are to be issued to applicants by the Chairman of the Tribal Council and the Area Director upon written request therefor. Applicants must specify the District or Districts of the Reservation in which prospecting permit is desired. Preference rights to Navajo Indians for original discoveries will continue to be granted. Any discoverers having a prospecting permit may negotiate leases with the Advisory Committee.
2. Navajo Mining Permits: Assignments, operating agreements, and sub-contracts, are hereby authorized, subject to the approval of the Advisory Committee and the Secretary of the Interior of his authorized representative. All such arrangements to be reduced to writing and will not be effective until approved as above indicated.

Development: On Mining permits operated exclusively by Navajos there shall be expended by the permittee the equivalent of \$5.00 per acre per year in actual mining development. Such development shall consist of road building, prospecting or drilling and mining operations. Where assignments or other agreements are made to non-Indians the development requirement shall be \$10.00 per acre per year. Certified reports shall be submitted to the Advisory Committee regarding development expenditures within ten days after the yearly anniversary date of the contract. Where permits or leases are assigned or interests are otherwise acquired by non-Indians an advance annual rental of \$1.00 per acre is required and no credit shall be allowed therefor on any future production royalties.

Mining Tributary to Navajo Uranium Company Mill: Pursuant to conditions of the lease made between the Navajo Tribe and the Navajo Uranium Company for the construction of an ore mill near Shiprock, New Mexico, each permit or lease issued pursuant here- to shall contain a provision to the following effect:

"Permittee or Lessee and any assignee of the Permittee or Lessee shall tender all uranium ores produced by them from mines tributary to the mill of the Navajo Uranium Company at Shiprock, New Mexico, to the Navajo Uranium Company for purchase at such price or prices as may be established or approved by the U. S. Atomic Energy Commission, including allowances for transportation and development work, provided that when there has been purchased for the use of said mill or stockpile according to the provisions of said lease, a quantity of ore sufficient to supply said mill with its normal ore requirements, the Navajo Uranium Company shall notify each permittee or lessee that the provisions of this paragraph are waived until further notice. The provisions of this paragraph shall not remain in force and effect for a period of more than five (5) years from the date of the approval by the Secretary of the Interior of the lease to the Navajo Uranium Company for the millsite at Shiprock, New Mexico."

Over-riding Royalties: Subject to the approval provided for in Section 2 of this Resolution, assignments, operating agreements, and sub-contracts may, in addition to other considerations, provide for the retention by and payment to the assignor in an assignment, or the grantor in a sub-contract or operating agreement, or a royalty on all ore produced and sold from the premises (commonly known as an over-riding royalty) of not to exceed the following percentages based on the mine value per dry ton of ore as defined and determined by Section 4 of this Resolution, to wit:

1. On ore having a mine value per dry ton of \$30.00 or less, 2% of the mine value per dry ton.
2. On ore having a mine value per dry ton of more than \$30.00 and not more than \$60.00, 3% of the mine value per dry ton.
3. On ore having a mine value per dry ton of more than \$60.00 and not more than \$80.00, 4% of the mine value per dry ton.
4. On ore having a mine value per dry ton of more than \$80.00, 5% of the mine value per dry ton.

If two or more parties are the assignors or grantors, the royalty may be divided on such basis as said assignors or grantors may agree upon; provided, however, that the Advisory Committee of the Navajo Tribal Council may at any time after five (5) years from the date of the first sale of uranium ore produced from said property (as evidenced by records of the processing mill or other buyer) reduce the percentage

of royalty retained by the assignor or grantor or entirely eliminate the same if the Advisory Committee shall determine that such royalty payments so retained are so burdensome as to make the further operation of the mines on said lease impracticable or unprofitable, it being the intent hereof that the Advisory Committee shall at such time take such action as will serve the best interest of the Navajo Tribe in assuring the continuous operation of the uranium mining Industry on the Navajo Reservation.

BOND: All non-Indian contracts shall require a surety bond to insure performance of the terms of the contract. The amount of bond to conform to Departmental Mining Regulations.

3. Acreage Limitation: The acreage limitation for mining permits and leases for any one person, firm, or corporation, shall be limited to 960 acres, except that consideration may be given by the Advisory Committee to granting additional acreages to ore processors, but in no event to exceed 2,500 acres, subject to the approval of the Secretary of the Interior.
4. Royalties: The royalties payable to the Navajo Tribe on all permits and leases issued subsequent to final approval hereof shall be as follows:

Percentage Royalty Schedule

<u>Mine Value Per Dry Ton</u>	<u>Royalty Percentage of Mine Value Per Dry Ton</u>
\$ 0.01 to \$ 10.01	10%
\$10.01 to \$ 20.01	11%
\$20.01 to \$ 30.01	12%
\$30.01 to \$ 40.01	13%
\$40.01 to \$ 50.01	14%
\$50.01 to \$ 60.01	15%
\$60.01 to \$ 70.01	16%
\$70.01 to \$ 80.01	17%
\$80.01 to \$ 90.01	18%
\$90.01 to \$100.01	19%
\$100.00 or more	20%

"MINE VALUE PER DRY TON", wherever used herein is hereby defined as the dollar value per dry ton of crude ores at the mine as paid for by the Atomic Energy Commission or other government agency before allowance for transportation and development; however, if the government at any time hereafter does not establish and pay for said ores on a fixed or scheduled dollar value per dry ton of crude ores at the mine, or said ores contain saleable minerals, some, or all, of which are disposed of to a custom treatment plant or smelter for treatment and sale, then mine value per dry ton shall be the gross value per dry ton of said crude ore as paid for by the Atomic Energy Commission or other Government authorized agency mill or other buyer, less any allowances or reimbursements for the following specific items: (1) transportation of ores; (2) allowances for exploration for, or development of ores; and (3) treatment or beneficiation of ores;

which specific items shall in such event be deducted from the gross sales price received from the metal content of said ores by the seller before said percentage royalty is calculated and paid. Such payments shall be made on or before the fifteenth (15th) day of the month next following receipt by Lessee of payment for said ores together with a statement of the mine value of said ores and the amount of royalty due on each lot shipped and sold.

Bonuses: There shall be paid, as additional royalty, 10% of any bonus paid by the United States Atomic Energy Commission for the production of ore and particularly, bonuses for the initial production of uranium ore from said lease. This provision shall not be limited to bonuses for initial production but shall apply to any and all bonuses paid for the production of ore.

5. Mining Leases: Mining leases, other than oil and gas, shall be negotiated through the Advisory Committee of the Navajo Tribal Council and the Area Director, subject to approval of the Secretary of the Interior. The Committee recommends that authority be delegated to the Area Director to finally approve mining leases.

The procedures and regulations outlined herein are not retroactive but will be effective on all contracts issued subsequent to final approval hereof.

#### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Advisory Committee at a duly called meeting held at Window Rock, Arizona, at which a quorum was present and was approved by a vote of 7 in favor and 0 opposed on the 19th day of September, 1951.

/s/ Sam Ahkeah  
Sam Ahkeah, Chairman  
Advisory Committee  
Navajo Tribal Council

APPROVED:

Approval recommended:

/s/ Walter O. Olson  
for Allan G. Harper  
Area Director

APPROVED: 11-6-51

/s/ D. S. Myer  
Commissioner, Bureau of Indian Affairs

RESOLUTION OF THE ADVISORY COMMITTEE  
OF THE NAVAJO TRIBAL COUNCIL

AMENDMENT TO NAVAJO MINING REGULATIONS

BE IT RESOLVED THAT:

1. Paragraphs 1 and 2 of the Navajo Mining Regulations, adopted on September 19, 1951, by the Advisory Committee of the Navajo Tribal Council, Resolution No. ACS-80-51, be and they hereby are amended to provide as follows:

1. Prospecting Permits: Mineral prospecting permits are to be issued to applicants, Navajo and non-Navajo, by the Chairman of the Tribal Council and the Area Director upon written request therefor. Applicants must specify the District or Districts of the Reservation in which prospecting permit is issued. Any Navajo discoverer having a prospecting permit may apply to the Advisory Committee for a mining permit or mining lease. Any non-Navajo discoverer having a prospecting permit may negotiate for a mining lease with the Advisory Committee.
2. Navajo Mining Permits: Permits, assignments, operating agreements, and sub-contracts are hereby authorized, subject to the approval of the Advisory Committee and the Secretary of the Interior or his authorized representative. All such arrangements to be reduced to writing and will not be effective until approved as above indicated. Tribal Mining Permits shall be issued only to Navajo Indians.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Advisory Committee at a duly called meeting held at Washington, D. C. at which a quorum was present, and was approved by a vote of 9 in favor and 0 opposed on the 12th day of February, 1952.

/s/ SAM ANKEAH  
Sam Ankeah, Chairman  
Navajo Tribal Council

/s/ Allan G. Harner  
Allan G. Harner, Area Director

APPROVED: February 15, 1952  
/s/ E. J. Utz

Actg. Commissioner of Indian Affairs

RESOLUTION OF THE  
ADVISORY COMMITTEE OF THE  
NAVAJO TRIBAL COUNCIL

AMENDMENT TO NAVAJO MINING REGULATIONS

BE IT RESOLVED THAT:

Advisory Committee Resolution No. ACS-80-51, adopted on September 19, 1951, dealing with Navajo Mining Regulations, is hereby amended to provide that there shall be inserted in each mining permit or lease on tribal lands, the following provision:

"Whenever minerals or other products are recovered which are not included in determining mine value per dry ton as defined herein, there shall be paid to the tribe for such minerals or other products, a royalty of 10 per cent of the gross value of such products."

C E R T I F I C A T I O N

We hereby certify that the foregoing resolution was duly considered by the Advisory Committee at a duly called meeting at Window Rock, Arizona, at which a quorum was present, and was approved by a vote of 8 in favor and 0 opposed, on the 11th day of March, 1952.

/s/ Sam Ahkeah  
Sam Ahkeah, Chairman  
Navajo Tribal Council

Attest:

/s/ Allan G. Harper  
Area Director

RESOLUTION OF THE  
ADVISORY COMMITTEE OF THE  
NAVAJO TRIBAL COUNCIL

WHEREAS:

It is the policy of the Advisory Committee that assignments of tribal mining permits and leases shall not be sublet, re-assigned or transferred in any manner, including working agreements.

NOW THEREFORE BE IT RESOLVED THAT:

Assignments of tribal mining permits or leases shall not be transferable either by subleasing, re-assignment or the entering into of working agreements, and that all assignments hereafter submitted for approval to the Advisory Committee shall contain a clause making said assignments void and terminated if said assignments are subleased, re-assigned or any working agreement is entered into covering said assignment.

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Navajo Tribal Advisory Committee at a duly called meeting at Window Rock, Arizona, at which a quorum was present, and that the same was approved by a vote of 8 in favor and 0 opposed, this 16th day of September, 1952.

/s/ Sam Ahkeah  
Sam Ahkeah, Chairman  
Navajo Tribal Council

APPROVED:

/s/ R. C. Fister  
Acting Area Director

(See letter of approval dated Sept. 22, 1952)

Resources

Window Rock Area Office  
Window Rock, Arizona  
September 22, 1952

Mr. Sam Ahkeah, Chairman  
Navajo Tribal Council  
Window Rock, Arizona.

Dear Mr. Ahkeah:

Transmitted herewith is an approved copy of Resolution No. ACS-47-52, adopted by the Advisory Committee of the Navajo Tribal Council on September 16, 1952, concerning the transfer of assignments or sub-leasing of mining permits or leases.

It is believed that if the requirements of this resolution are continued in force indefinitely, that it will result in the "freezing" of certain procedures some of which may be found desirable and advantageous to the Tribe. We have been informed, however, by Mr. Tansley, your Assistant General Counsel, that the current tribal mining regulations are now under study and consideration for certain proposed revisions, and it is understood that the Matter of assignments, sub-leasing, or re-assignments of mining permits or leases will be given special consideration in the proposed revision of the tribal mining regulations. For this reason and since it would appear desirable to withhold action on future proposed assignments or subleasing agreements until the matter has been fully considered, the resolution has been approved to accomplish this purpose.

Sincerely yours,

/s/ R. G. Bister

R. G. Bister  
Acting Area Director

Encls.

Resolution of the Advisory Committee  
of the Navajo Tribal Council

Amendment to Tribal Mining Regulations Providing  
for Drilling and Exploration Permits

WHEREAS:

The existing mining regulations do not provide for the issuance of permits for drilling and exploration of Navajo Tribal lands and it appears to be in the best interests of the Navajo Tribe to make such provision in conjunction with prospecting permits:

NOW THEREFORE BE IT RESOLVED:

That Paragraph 1 of Advisory Committee Resolution No. ACS-80-51 as amended by Resolution No. ACF-4-52 be, and it is hereby amended to provide for permits for drilling and exploration on Navajo Tribal lands as follows:

- "1. (a) Prospecting Permits: Mineral prospecting permits are to be issued to applicants, Navajo and non-Navajo, by the Chairman of the Tribal Council and the Area Director upon written request therefor. Applicants must specify the District or Districts of the Reservation in which prospecting permit is issued. Any Navajo discoverer having a prospecting permit may apply to the Advisory Committee for a mining permit or mining lease. Any non-Navajo discoverer having a prospecting permit may negotiate for a mining lease with the Advisory Committee.
  
- (b) Exploration and Drilling Permits: Any person, firm or corporation holding a valid prospecting permit may apply to the Advisory Committee through the Tribal Mining Engineer for a Drilling and Exploration Permit upon any lands for which they hold a prospecting permit. The application for a drilling and exploration permit shall describe the land which it is to cover in a manner satisfactory to the Tribal Mining Engineer and the Advisory Committee. Such Drilling and Exploration Permit shall be issued for a period of not to exceed one hundred twenty (120) days, and shall provide that the permittee may apply during such period for a mining permit or lease as provided in these regulations for any portions of the lands covered subject to the acreage limitations as provided in the mining regulations. During the period of the Drilling and Exploration Permit no other person, firm or corporation may prospect or explore in the area covered by the permit, or obtain any rights in said area, or apply for and receive any mining permit or lease on any land in the area. The permittee under this provision shall furnish to the Navajo Tribe complete drill records and all information obtained from exploration upon expiration of the Drilling and Exploration Permit."

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee at a duly called meeting held at Window Rock, Arizona, at which a quorum was present, and was approved by a vote of 7 in favor, and 0 opposed on the 18th day of December, 1953, and 2 abstaining from voting.

s/ Adolph Maloney  
For: Sam Ahkeah, Chairman  
Navajo Tribal Council

APPROVED:

s/ Allan G. Harper  
Allan G. Harper  
Area Director

RESOLUTION OF THE  
ADVISORY COMMITTEE OF THE  
NAVAJO TRIBAL COUNCIL

Amending Tribal Mining Regulations

WHEREAS:

1. The Advisory Committee under authority of Tribal Council Resolution No. CM-3-51 adopted March 22, 1951 has adopted general mining regulations, and

2. The existing regulations were designed mostly to cover uranium mining, and in certain respects do not have adequate provisions to cover other types of minerals, and leases for the mining of such minerals.

NOW THEREFORE BE IT RESOLVED THAT:

1. Paragraph No. 5 of page 4 of Advisory Committee Resolution No. ACS-80-51 as amended, be and it hereby is, amended to read as follows:

- (5) "Mining leases: Mining leases, other than oil and gas, for tracts of not less than 40 acres nor more than 160 acres, shall be negotiated through the Advisory Committee of the Navajo Tribal Council and the Area Director, subject to the approval of the Secretary of the Interior or his authorized representative; provided, however, that the Advisory Committee and Area Director may waive the foregoing acreage limitation for justifiable cause, and may also decide to put any mineral lands up for competitive bid with leases to be granted to the highest bidder. Such leases may be issued for a specified term not to exceed ten years from the date of approval by the Secretary of the Interior, or his authorized representative, and as much longer as the substances specified in the lease are produced in paying quantities; provided, however, that leases covering uranium and vanadium shall be for a specified term of two years and so long thereafter as such minerals shall be produced in paying quantities; and said leases shall also provide that exploration or development work shall commence and continue in good faith within six months from date of approval."

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present, and that same was approved by a vote of 9 in favor, 0 opposed, on the 8th day of October, 1953.

Approved:

s/ Allan G. Harper  
Allan G. Harper, Area Director

s/ Sam Ahkeah  
Sam Ahkeah, Chairman  
Navajo Tribal Council

DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
Window Rock Area Office  
Window Rock, Arizona

August 10, 1953

NOTICE TO ALL MINERAL PROSPECTORS AND APPLICANTS FOR MINING PERMITS AND/OR LEASES:

New Navajo Mining Regulations approved August 5, 1953, provide that all future mining leases shall be not less than 40 acres, nor more than 160 acres in size. Exceptions may be made to this rule in cases where necessary fraction claims are involved, and the required acreage is not available due to the existence of other claims in the area.

This means that all Indian claims on file which have not as yet been approved, and all pending lease applications, and applications that may be filed in the future, must conform to the new regulation as to size of claim or lease.

The 960-acre limitation for mining claims and leases remains in effect, except for a mill processor who has a mill in operation on the reservation or under construction on the reservation.

Accordingly, all pending lease applicants, and Indian claimants for mining purposes must revise their surveys where necessary to fall within the minimum size of 40 acres, and not to exceed 160 acres for each claim, or lease application.

It should be noted that the Atomic Energy Commission production bonuses are payable in full on tracts of not less than 40 acres, but such bonuses are reduced proportionately where the acreage is less than 40 acres.

Acting for

/s/ R. G. Fister  
Allan G. Harper,  
Area Director

WINDOW ROCK AREA  
WINDOW ROCK, ARIZONA  
August 1, 1953

AMENDMENT TO NAVAJO MINING REGULATIONS

WHEREAS:

1. Resolution No. ACM-35-53, adopted by the Advisory Committee of the Navajo Tribal Council May 12, 1953, amended the Navajo mining regulations in certain respects.
2. The amendment to paragraph No. 5 of page 4 of Advisory Committee resolution No. ACS-80-51 as contained in resolving paragraph No. 2 of said resolution No. ACM-35-53 has not been approved by the Secretary of the Interior or his authorized representative.
3. The Advisory Committee by resolution adopted July 31, 1953, authorized the Chairman to approve, with the advice of the Tribal Attorneys and the Tribal Mining Engineer, and the concurrence of the Area Director or his authorized representative, such changes or amendments to the Tribal Mining Regulations, paragraphs 3 and 5, as may be agreed upon at conferences to be held in Washington, D. C., or elsewhere.

NOW THEREFORE BE IT RESOLVED THAT:

1. Paragraph No. 5 of page 4 of Advisory Committee resolution No. ACS-80-51 be and it is hereby amended to read as follows:

"(5) Mining Leases: Mining leases, other than oil and gas, for tracts of not less than 40 acres nor more than 160 acres, shall be negotiated through the Advisory Committee of the Navajo Tribal Council and the Area Director, subject to approval of the Secretary of the Interior or his authorized representative; except that the Advisory Committee and Area Director may waive the foregoing acreage limitations for justifiable cause. Such leases shall be for a primary term of two (2) years and so long thereafter as minerals shall be produced in paying quantities, and said leases shall also contain a provision that exploration or development work shall commence and continue in good faith within six months from date of approval."

Concur:

/s/ Norman M. Littell,  
Norman M. Littell,  
General Counsel, Navajo Tribe

/s/ Charles M. Tansey, Jr.  
Charles M. Tansey, Jr.,  
Asso. Gen. Counsel, Navajo Tribe

/s/ K. N. Garard  
K. N. Garard,  
Tribal Mining Engineer

APPROVED: AUG 5, 1953

/s/ Sam Ahkeah  
Sam Ahkeah, Chairman  
Navajo Tribal Council

/s/ R. G. Fister, Acting for  
Allen G. Harper,  
Area Director

Per I. O. Teletype dated 8/4/53

RESOLUTION OF THE ADVISORY COMMITTEE  
OF THE NAVAJO TRIBAL COUNCIL

AUTHORITY OF CHAIRMAN TO APPROVE  
AMENDMENT TO NAVAJO MINING REGULATIONS

WHEREAS:

1. Certain problems have arisen in connection with the building of the Uranium Mill at Shiprock, New Mexico, by Kerr-McGee Oil Industries, Inc., which may require amendments to the Tribal Mining Regulations, and
2. Such problems and amendments are to be discussed at a conference to be held with all parties involved, and
3. It is necessary that final decisions be made at such conference.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Chairman of the Navajo Tribal Council be, and he hereby is, fully authorized to approve, with the advice of the Tribal Attorneys and the Tribal Mining Engineer, and the concurrence of the Area Director or his authorized representative, such changes or amendments to the Tribal Mining Regulations, paragraphs 3 and 5, as may be agreed upon at conferences to be held in Washington, D. C., or elsewhere.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Arizona, at which a quorum was present, and that the same was approved by a vote of 8 in favor and 0 opposed, this 31st day of July, 1953.

/s/ ADOLPH MALONEY  
For Sam Ankeah, Chairman  
Navajo Tribal Council

APPROVED:

/s/ ALLAN G. HARPER  
Allan G. Harper,  
Area Director

APPLICATION FOR MINERAL PROSPECTING  
PERMIT ON NAVAJO TRIBAL LANDS

NON-NAVAJO

Date: \_\_\_\_\_

Application is hereby made by the undersigned for a mineral prospecting permit on the Navajo Tribal lands in District No. \_\_\_\_\_ of the Navajo Indian Reservation and, in support of this, applicant herewith furnishes the following information:

1. Are you a citizen of the United States? ( ) ( )  
Yes No
2. Have you ever been convicted of a felony? ( ) ( )  
Yes No
3. Are you now, or have you ever been, a member of any organization that advocates the violent overthrow of the United States Government? ( ) ( )  
If answer is "Yes", state what organizations: Yes No

4. Are either you or your spouse employed by the United States Government?  
( ) ( )  
Yes No

5. I have had the following experience in mining operations:

6. Give three references as to character, financial standing and mining experience (Be sure and give the name and address of at least one person who can verify your mining experience.)

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

7. I understand and agree that before I may secure a mining lease or permit, or interest therein, on Navajo Tribal lands, it will be necessary to furnish proof of financial ability. My financial statement and written reference are attached hereto.

I hereby certify that the above information and statements made by me are true and correct.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City and State