

ORDINANCE NO. 4-58  
HUALAPAI TRIBAL COUNCIL

WHEREAS, THE TRIBAL MEMBERS OF THE HUALAPAI RESERVATION DESIRE TO MAKE BETTER USE OF THEIR RANGE RESOURCES THROUGH PROPER LIVESTOCK MANAGEMENT; AND

WHEREAS, IT IS THE DESIRE OF THE HUALAPAI COUNCIL TO MANAGE THE TRIBAL RESOURCES IN COOPERATION WITH THE DEPARTMENT OF THE INTERIOR AS PROVIDED IN 25 CFR 71.3 AND MADE A PART OF THIS ORDINANCE:

71.3 OBJECTIVES. IT IS THE PURPOSE OF THE REGULATIONS IN THIS PART TO AID THE INDIANS IN THE ACHIEVEMENT OF THE FOLLOWING OBJECTIVES:

- (A) THE PRESERVATION THROUGH PROPER GRAZING PRACTICES OF THE FOREST, THE FORAGE, THE LAND AND THE WATER RESOURCES OF THE INDIAN RESERVATIONS, AND BUILDING UP OF THESE RESOURCES WHERE THEY HAVE DETERIORATED.
- (B) THE UTILIZATION OF THESE RESOURCES FOR THE PURPOSE OF GIVING THE INDIANS AN OPPORTUNITY TO EARN A LIVING THROUGH THE GRAZING OF THEIR LIVESTOCK.
- (C) THE GRANTING OF GRAZING PRIVILEGES IN A MANNER WHICH WILL YIELD THE HIGHEST RETURN CONSISTENT WITH UNDIMINISHED FUTURE USE; AND

WHEREAS, THE COUNCIL, AWARE OF THE RESPONSIBILITIES PLACED UPON IT BY THE PEOPLE OF THE RESERVATION, DOES HEREBY DECLARE ITS POSITION TO BE THAT THE RANGE LANDS OF THE RESERVATION BELONG TO THE TRIBE AS A WHOLE AND ARE NOT SUBJECT TO APPROPRIATION OR USE BY ANY INDIVIDUAL OR INDIVIDUALS WITHOUT THE FORMAL CONSENT AND APPROVAL OF THE TRIBAL COUNCIL.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE HUALAPAI TRIBE THAT THE ARTICLES OF ASSOCIATION, AND BYLAWS AS FOLLOWS WILL GOVERN THE ACTIVITIES OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION.

ARTICLES OF ASSOCIATION

PEACH SPRINGS LIVESTOCK ASSOCIATION

WE, THE UNDERSIGNED HUALAPAI INDIANS, ALL OF WHOM OWN CATTLE, DO HEREBY VOLUNTARILY ASSOCIATE TOGETHER WITH \$ \_\_\_\_\_ CASH AS CAPITAL STOCK FOR THE PURPOSE OF FORMING A COOPERATIVE LIVESTOCK ASSOCIATION. THE ASSOCIATION IS FORMED TO OPERATE ON A COOPERATIVE BASIS FOR THE MUTUAL BENEFIT OF ITS MEMBERS.

ARTICLE I

THE NAME OF THE ASSOCIATION SHALL BE PEACH SPRINGS.

ARTICLE II

THE NATURE OF THE BUSINESS OF THE ASSOCIATION AND THE OBJECTIVES AND PURPOSES FOR WHICH THIS ASSOCIATION IS FORMED ARE:

1. TO PROMOTE AND PROTECT THE INTERESTS OF THE INDIAN LIVESTOCK INDUSTRY AMONG THE MEMBERS OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION.
2. TO PROMOTE SOUND LIVESTOCK MANAGEMENT AND RANGE MANAGEMENT UPON THE LANDS USED BY THE PEACH SPRINGS LIVESTOCK ASSOCIATION MEMBERS.
3. TO OBTAIN GRAZING RIGHTS OR GRAZING PRIVILEGES FOR THE MEMBERS OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION.
4. TO COOPERATE AND ENTER INTO AGREEMENTS UPON APPROVAL OF TRIBAL COUNCIL WITH FEDERAL, STATE, COUNTY, LOCAL AGENCIES, AND OTHER LIVESTOCK ASSOCIATIONS ON THE HUALAPAI RESERVATION IN PROMOTING INTERESTS OF THE LIVESTOCK INDUSTRY, ESTABLISHING PROPER USE AND INCREASED PRODUCTION OF RANGE LANDS, AND TO FURTHER THE WELFARE OF THE MEMBERS OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION.
5. TO COOPERATE WITH OTHER LIVESTOCK ASSOCIATIONS ON THE HUALAPAI RESERVATION IN THE BUYING AND SELLING OF MATERIALS, EQUIPMENT, SUPPLIES AND LIVESTOCK AS MAY BE TO THE BEST INTEREST OF THE MEMBERS OF THE ASSOCIATION.
6. TO HIRE AND CONTRACT LABOR AS MAY BE REQUIRED IN CARRYING OUT THE OBJECTIVES OF THE ASSOCIATION.
7. TO HAVE AND EXERCISE ALL POWERS, PRIVILEGES AND RIGHTS INCIDENTAL TO CARRYING OUT THE PURPOSES FOR WHICH THIS ASSOCIATION IS FORMED AND AS THE BYLAWS MAY PRESCRIBE.
8. TO OBTAIN THE HIGHEST POSSIBLE PRICES FOR ALL LIVESTOCK PRODUCTS SOLD BY HAVING DEFINITE SALES DATES AND SELLING ALL LIVESTOCK AND LIVESTOCK PRODUCTS IN COOPERATION WITH OTHER HUALAPAI LIVESTOCK ASSOCIATIONS.
9. TO PERFORM ANY OTHER FUNCTION NOT SPECIFICALLY ENUMERATED WHICH WOULD PROMOTE BENEFIT TO THE LIVESTOCK OWNERS IN THIS ASSOCIATION.

### ARTICLE III

THE ACCOUNTS AND RECORDS FOR THIS ASSOCIATION WILL BE HELD AT THE TRUXTON CANON SUBAGENCY AND REMAIN UNTIL SUCH TIME AS THE MEMBERS AND OFFICERS OF THE ASSOCIATION DETERMINE THEY CAN MAKE ARRANGEMENTS FOR A COMMERCIAL DEPOSITORY.

### ARTICLE IV

THE BUSINESS ACTIVITIES OF THE ASSOCIATION SHALL BE CONDUCTED BY A THREE-MEMBER BOARD OF DIRECTORS IN ACCORDANCE WITH THE ARTICLES OF ASSOCIATION AND BYLAWS. THE BOARD OF DIRECTORS SHALL CONSIST OF A PRESIDENT, VICE-PRESIDENT AND SECRETARY.

### ARTICLE V

A NOMINATING COMMITTEE SHALL BE ESTABLISHED TO SELECT CANDIDATES FOR THE DIRECTORSHIP. CANDIDATES MAY BE SELECTED FROM THE FLOOR AT THE REGULAR ANNUAL MEETING FOR THE ELECTION OF DIRECTORS.

### ARTICLE VI

THE BOARD OF DIRECTORS SHALL BE ELECTED BY MEMBERS OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION.

### ARTICLE VII

SECTION 1: AMENDMENT OF THE ARTICLES OF ASSOCIATION AND/OR BYLAWS SHALL BE MADE BY REFERENDUM AND SHALL BE SUBJECT TO THE APPROVAL OF THE HUALAPAI COUNCIL.

SECTION 2: A MAJORITY VOTE OF THE MEMBERS PRESENT AT ANY DULY AUTHORIZED MEMBERSHIP MEETING OF THE ASSOCIATION MAY AMEND THE ARTICLES OF ASSOCIATION AND/OR BYLAWS BY WRITTEN BALLOT.

SECTION 3: EACH MEMBER 18 YEARS OF AGE AND OLDER OF THE DISTRICT ASSOCIATIONS SHALL BE ENTITLED TO ONE VOTE IN VOTING TO AMEND THE ARTICLES OF ASSOCIATION AND/OR BYLAWS OR IN ANY DULY AUTHORIZED MEETING.

SECTION 4: THESE ARTICLES OF ASSOCIATION AND BYLAWS SHALL BE EFFECTIVE UPON THE DATE THAT THEY ARE APPROVED BY THE HUALAPAI TRIBAL COUNCIL.

SECTION 5: THE ACTIVITIES OF THIS ASSOCIATION SHALL BE SUBJECT TO ORDINANCES OF THE HUALAPAI COUNCIL PURSUANT TO ITS CONSTITUTION AND BYLAWS WHICH HAVE BEEN RATIFIED UNDER THE INDIAN REORGANIZATION ACT OF JUNE 18, 1934.

### ARTICLE VIII

THE MEMBERS OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION SHALL ADOPT SUCH BYLAWS AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THE ARTICLES OF ASSOCIATION.

BYLAWS

ARTICLE I

THE PURPOSE FOR WHICH THIS ASSOCIATION IS FORMED ARE THOSE SET FORTH IN THE ARTICLES OF ASSOCIATION.

ARTICLE II

MEMBERSHIP

- SECTION 1: ANY ENROLLED MEMBER OF THE HUALAPAI TRIBE SHALL BE ELIGIBLE TO BECOME A MEMBER OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION WITH THE APPROVAL OF THE BOARD OF DIRECTORS. ALSO THOSE MEMBERS WHO RECEIVED PERMITS APPROVED BY THE HUALAPAI TRIBAL COUNCIL UNDER RANGE ORDINANCE No. 2 AMENDED.
- SECTION 2: NEW MEMBERSHIP SHALL BE CONFINED TO ENROLLED HUALAPAI TRIBAL MEMBERS UPON REACHING THE AGE OF 18 WITH THE CONSENT OF THE BOARD OF DIRECTORS.
- SECTION 3: A MEMBER OF THIS LIVESTOCK ASSOCIATION WILL NOT BE ELIGIBLE FOR TRANSFER TO ANOTHER ASSOCIATION WITHOUT THE CONSENT OF THE BOARD OF DIRECTORS OF THE ASSOCIATIONS CONCERNED.
- SECTION 4: REMOVAL OF MEMBERS: INDIVIDUALS SHALL BE REMOVED FROM MEMBERSHIP IMMEDIATELY WHEN FOUND GUILTY IN THE HUALAPAI TRIBAL COURT OF INFRACTION OF THE ARTICLES OF ASSOCIATION OR BYLAWS OF THE ASSOCIATION, OR FOR NON-PAYMENT OF DUES OR ASSESSMENTS. THE INDIVIDUALS' CATTLE SHALL BE ROUNDED UP AT HIS EXPENSE AND CAUSED TO BE SOLD BY THE BOARD OF DIRECTORS IN THE SAME MANNER AS PROVIDED IN ARTICLE XIII.
- SECTION 5: QUORUM: THOSE PRESENT AT ANY DULY AUTHORIZED MEETING OF THE MEMBERS OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION SHALL CONSTITUTE A QUORUM FOR ALL PURPOSES.
- SECTION 6: MEETINGS: ANY DULY AUTHORIZED MEETING SHALL BE ANY MEETING WHERE A NOTICE OF MEETING HAS BEEN POSTED 5 DAYS IN ADVANCE BY ORDER OF THE BOARD OF DIRECTORS. THE SECRETARY OF THIS LIVESTOCK ASSOCIATION SHALL ACT AS SECRETARY AT ALL MEETINGS UNLESS OTHERWISE DIRECTED BY THE BOARD OF DIRECTORS.
- SECTION 7: VOTING: AT EACH MEETING OF THE MEMBERS EVERY MEMBER SHALL BE ENTITLED TO ONE VOTE. VOTING SHALL BE BY BALLOT.
- SECTION 8: AMENDMENTS: THESE BYLAWS MAY BE AMENDED BY RESOLUTION SUBJECT TO THE APPROVAL OF THE HUALAPAI TRIBAL COUNCIL.

ARTICLE III

BOARD OF DIRECTORS

- SECTION 1: NUMBER, POWERS, TERM OF OFFICE AND QUORUM
- A. THE BUSINESS AND PROPERTY OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION

SHALL BE MANAGED AND CONTROLLED BY A BOARD OF THREE DIRECTORS.

- B. THE DIRECTORS SHALL HAVE FULL AUTHORITY TO CONDUCT THE AFFAIRS OF THE ASSOCIATION AND TO EXPEND ASSOCIATION FUNDS IN THE TRANSACTION OF ASSOCIATION BUSINESS.
- C. A GENERAL MEETING AND ANNUAL ELECTION OF DIRECTORS SHALL BE HELD ON THE SECOND SATURDAY OF JANUARY OF EACH YEAR. AT SUCH MEETING A PRESIDENT, VICE-PRESIDENT, AND SECRETARY-TREASURER SHALL BE ELECTED FOR A ONE-YEAR TERM, AND SUCH OFFICERS WILL BE ELIGIBLE FOR RE-ELECTION.
- D. A MAJORITY OF THE BOARD OF DIRECTORS SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS, BUT IF AT ANY MEETING OF THE BOARD THERE BE LESS THAN A QUORUM PRESENT THOSE PRESENT MAY ADJOURN THE MEETING FROM TIME TO TIME.

SECTION 2: VACANCIES: WHEN A VACANCY EXISTS IN THE BOARD OF DIRECTORS, THE REMAINING MEMBERS OF THE BOARD SHALL APPOINT A REPLACEMENT TO SERVE UNTIL THE NEXT REGULARLY SCHEDULED ELECTION.

#### ARTICLE IV

SECTION 1: DUTIES OF THE BOARD OF DIRECTORS: THE BOARD OF DIRECTORS SHALL BE RESPONSIBLE FOR THE MANAGEMENT AND SUPERVISION OF THE ASSOCIATION AND PERFORM THE FOLLOWING:

- A. MEET UPON THE REQUEST OF THE PRESIDENT. ALL MEMBERS OF THE BOARD MUST BE NOTIFIED.
- B. CALL MEETINGS OF THE MEMBERS OF THE ASSOCIATION WHEN DEEMED ADVISABLE OR WHEN REQUESTED BY A PETITION OF 66-2/3 PERCENT OF THE LIVESTOCK ASSOCIATION MEMBERS.
- C. PREPARE AN ANNUAL BUDGET ON THE CALENDAR YEAR BASIS FOR THE OPERATION OF THE ASSOCIATION.
- D. CAUSE AN ANNUAL INVENTORY OF EACH MEMBER'S LIVESTOCK AS WELL AS ASSOCIATION-OWNED PROPERTY.
- E. CAUSE AN ANNUAL AUDIT TO BE MADE.
- F. CONDUCT SALES AS PRESCRIBED IN ARTICLE 11, SECTION 8 OF THE ARTICLES INCORPORATING THIS ASSOCIATION.
- G. CAUSE ALL LIVESTOCK TO BE BRANDED WITH THE BRAND OF ITS OWNER.
- H. CARRY INDUSTRIAL COMPENSATION IN ACCORDANCE WITH STATE LAWS.
- I. ASSIST APPROPRIATE GOVERNMENT AGENCIES IN THE PREPARATION AND EXECUTION OF THE RANGE AND LIVESTOCK MANAGEMENT PLAN.
- J. COOPERATE WITH THE TRIBAL COUNCIL AND GOVERNMENT AGENCIES IN THE CONSERVATION OF NATURAL RESOURCES.
- K. LEVY ASSESSMENTS SUFFICIENT TO CONDUCT THE AFFAIRS OF THE ASSOCIATION.

- L. OBTAIN INSURANCE ON SUCH EQUIPMENT AND PROPERTY AS IS DEEMED ADVISABLE.
- M. TAKE APPROPRIATE ACTION ON ANY MATTER WHICH IS IN THE INTEREST OF THE ASSOCIATION.
- N. SHALL OBTAIN A RECORDED BRAND WITH THE ARIZONA STATE LIVESTOCK COMMISSION IN THE NAME OF THE ASSOCIATION AND BRAND ALL MAVERICKS ACCORDINGLY. THESE CATTLE SHALL BE SOLD AT THE FIRST OPPORTUNITY AND THE MONEY DEPOSITED TO THE ASSOCIATION ACCOUNT.
- O. PROCURE ALL THE BULLS THAT ARE TO BE USED ON ASSOCIATION RANGE.
- P. CONDUCT THE BUSINESS OF THE ASSOCIATION IN ACCORDANCE WITH THE TRIBAL ORDINANCES.
- Q. ASSIST THEIR MEMBERS IN RECORDING THEIR BRANDS WITH THE ARIZONA LIVESTOCK COMMISSION.
- R. SHALL HIRE SUFFICIENT HELP WHEN NECESSARY TO CARRY OUT THE PROVISIONS OF THE RANGE AND LIVESTOCK MANAGEMENT PLANS. COMPENSATION FOR THIS HELP SHALL BE SET BY THE BOARD OF DIRECTORS.
- S. SHALL MAINTAIN A CURRENT LIST OF MEMBERSHIP.
- T. SHALL HOLD NOT LESS THAN ONE DIRECTORS' MEETING EVERY THREE MONTHS.
- U. THE BOARD OF DIRECTORS WILL SET DATES FOR ROUNDUPS. NO INDIVIDUAL MEMBER WILL BE ALLOWED TO WORK CATTLE AT ANY TIME OTHER THAN THE ORGANIZED DATE WITHOUT THE CONSENT OF THE BOARD OF DIRECTORS.
- V. ANY OTHER RELATED DUTIES NOT SPECIFICALLY ENUMERATED WHICH WOULD PROMOTE THE INTEREST OF THE LIVESTOCK INDUSTRY IN THIS ASSOCIATION.

#### ARTICLE V

##### DIRECTOR'S PAY:

SECTION 1: DIRECTORS MAY RECEIVE COMPENSATION FOR THEIR SERVICES OF \$10.00 PER MEETING AND NOT TO EXCEED A TOTAL OF \$60.00 IN ANY ONE YEAR.

SECTION 2: REGULAR MEETINGS: REGULAR MEETINGS OF THE BOARD OF DIRECTORS SHALL BE HELD QUARTERLY ON THE SECOND SATURDAY OF JANUARY, APRIL, JULY AND OCTOBER OF EACH YEAR.

SECTION 3: SPECIAL MEETINGS: SPECIAL MEETINGS OF THE BOARD OF DIRECTORS MAY BE CALLED BY THE PRESIDENT OR A MAJORITY OF THE BOARD OF DIRECTORS. ALL DIRECTORS MUST BE NOTIFIED AND UNLESS ALL AGREE A FIVE-DAY NOTICE MUST BE GIVEN.

SECTION 4: ORDER OF BUSINESS: AT ALL MEETINGS OF THE BOARD OF DIRECTORS THE PRESIDENT OF THE BOARD SHALL PRESIDE, OR IN HIS ABSENCE THE VICE-PRESIDENT SHALL PRESIDE.

## ARTICLE VI

- SECTION 1: QUALIFICATION OF DIRECTORS: THE CANDIDATES FOR BOARD OF DIRECTORS SHALL BE SELECTED ON THE BASIS OF ABILITY, MORALITY AND INDUSTRY AND MUST HAVE THE FOLLOWING QUALIFICATIONS:
- A. TWENTY-ONE YEARS OF AGE OR OVER.
  - B. EITHER OWN CATTLE OR THE SPOUSE MUST OWN CATTLE IN THE LIVESTOCK ASSOCIATION.
  - C. MUST BE IN GOOD STANDING AND FREE FROM ANY INDEBTEDNESS TO THE ASSOCIATION.

SECTION 2: RECALL: ANY MEMBER OF THE BOARD OF DIRECTORS MAY BE RECALLED UPON A PETITION SIGNED BY A MAJORITY OF THE MEMBERS OF THE ASSOCIATION.

SECTION 3: DISQUALIFICATION: ANY MEMBER OF THE BOARD OF DIRECTORS AUTOMATICALLY BECOMES DISQUALIFIED UPON RECEIVING A SENTENCE FROM ANY COURT.

## ARTICLE VII

### ASSESSMENTS

SECTION 1: AN ASSESSMENT FOR OPERATION EXPENSES SHALL BE MADE AGAINST EACH MEMBER IN ACCORDANCE WITH THE NUMBER OF HEAD OF LIVESTOCK OVER SIX (6) MONTHS OF AGE WHICH HE OWNS AS OF JANUARY 1 OF EACH YEAR.

SECTION 2: THE ANNUAL ASSESSMENT RATE WILL BE DETERMINED IN ADVANCE BY THE BOARD OF DIRECTORS.

SECTION 3: ALL ASSESSMENT FEES SHALL BE COLLECTED EACH YEAR IN ADVANCE AT THE FALL CATTLE SALE AND ARE DUE AND PAYABLE ON OR BEFORE DECEMBER 1 OF EACH YEAR.

## ARTICLE VIII

### RATE OF STOCKING

SECTION 1: THE BOARD OF DIRECTORS SHALL OBTAIN GRAZING RIGHTS OR PRIVILEGES FOR THE ASSOCIATION ON THE RESERVATION LANDS AND SHALL COMPLY WITH THE MAXIMUM CARRYING CAPACITY AS ESTABLISHED. ON NON-RESERVATION LANDS, THE MAXIMUM CARRYING CAPACITY WILL BE ESTABLISHED BY THE LAND OWNER(S) OR WHEN THE LAND OWNER(S) FAIL TO ESTABLISH A MAXIMUM CARRYING CAPACITY, THE BOARD OF DIRECTORS SHALL ESTABLISH A MAXIMUM CARRYING CAPACITY BASED UPON THE BEST AVAILABLE INFORMATION.

SECTION 2: WHEN A REDUCTION OF LIVESTOCK NUMBERS ARE NECESSARY TO CONFORM TO THE ESTABLISHED CARRYING CAPACITY OF THE RANGE, THE BOARD OF DIRECTORS SHALL:

- (1) TAKE CONSTRUCTIVE ACTION IN COOPERATION WITH FEDERAL AGENCIES TO INCREASE THE PRODUCTION OF FORAGE.
- (2) TRY TO OBTAIN ADDITIONAL RANGE.
- (3) CUT DEEPER INTO THE HERD BY HEAVIER CULLING.
- (4) INCREASE THE ASSESSMENT FEE UNTIL LIVESTOCK NUMBER ARE WITHIN THE LIMITS OF THE ESTABLISHED CARRYING CAPACITY.

## ARTICLE IX

### MANAGEMENT PLANS

THE BOARD OF DIRECTORS SHALL PREPARE OR ASSIST AND ENTER INTO AGREEMENT WITH AN APPROPRIATE GOVERNMENT AGENCY IN THE PREPARATION OF A LIVESTOCK AND RANGE MANAGEMENT PLAN OR PLANS AND SHALL BE RESPONSIBLE FOR THE EFFECTUATION OF SUCH AGREEMENT PLANS. LIVESTOCK MANAGEMENT PLANS SHALL INCLUDE:

- (1) MAXIMUM STOCKING RATE.
- (2) CULLING PROCEDURE.
- (3) ANNUAL INVENTORY.
- (4) BREEDING PROCEDURE.
- (5) WEANING PROCEDURE.
- (6) COW AND BULL RATIO.
- (7) BRANDING, CASTRATING AND DEHORNING PROCEDURES.
- (8) CONSTRUCTION OF CORRALS AND CHUTES.
- (9) ANY OTHER PHASE OF LIVESTOCK MANAGEMENT WHICH IS TO THE BEST INTEREST OF THE INDIANS.

RANGE MANAGEMENT PLANS MAY BE INCORPORATED WITH LIVESTOCK MANAGEMENT PLANS AND SHALL INCLUDE:

- (1) DEFERRED ROTATION GRAZING.
- (2) SALTING PROCEDURE.
- (3) RESEEDING DEPLETED RANGE.
- (4) STOCK WATER DEVELOPMENT.
- (5) EROSION CONTROL.
- (6) FENCING.
- (7) WATER SPREADING.
- (8) FLOOD CONTROL.
- (9) BRUSH AND UNDESIRABLE PLANT CONTROL.
- (10) ANY OTHER PHASE OF RANGE MANAGEMENT WHICH IS TO THE BEST INTEREST OF THE INDIANS.

## ARTICLE X

### LIMITATION OF POWER AND INDIVIDUAL RIGHTS

SECTION 1: THE BOARD OF DIRECTORS ARE AUTHORIZED TO TAKE ANY ACTION IN BEHALF OF THE MAJORITY OF ITS MEMBERS; HOWEVER, NO ACTION SHALL BE TAKEN WHICH IS TO THE BENEFIT OF AN INDIVIDUAL OR MINORITY GROUP UNLESS IT IS DETERMINED THAT SUCH ACTION WILL RESULT IN A BENEFIT TO A MAJORITY OF THE MEMBERS.

SECTION 2: THE BOARD OF DIRECTORS SHALL IN ALL INSTANCES ENCOURAGE THE INITIATIVE AND RESPONSIBILITY OF THE INDIVIDUAL IN THE CARE AND MANAGEMENT OF HIS LIVESTOCK AND SHALL ASSIST ITS MEMBERS IN OBTAINING SEPARATE RANGES WHEN THEIR OPERATIONS AND LIVESTOCK NUMBERS SO JUSTIFY.

## ARTICLE XI

### PENALTIES

ANY INDIVIDUAL WHO DOES NOT COMPLY WITH THE BYLAWS, REGULATIONS, AND RULES OF THE BOARD OF DIRECTORS SHALL BE DROPPED FROM MEMBERSHIP AND PROSECUTED IN ACCORDANCE



WITH ARTICLE V, SECTIONS 1, 2, 3 AND 4 OF THE TRIBAL RANGE ORDINANCE No. 2 AMENDED.

ARTICLE XII

DEATH OF MEMBERS

WHEN A MEMBER DIES, MEMBERSHIP SHALL BE TRANSFERRED TO THE SPOUSE. SHOULD THE SPOUSE BECOME DECEASED AND THE CATTLE IS HEIRED BY A MINOR, SUCH MEMBERSHIP MAY BE HELD FOR THE MINOR UNTIL HE REACHES THE AGE OF 18 IN THE NAME OF HIS GUARDIAN.

ARTICLE XIII

TRESPASS

ANY LIVESTOCK FOUND ON THE RANGE THAT ARE NOT OWNED BY A MEMBER OF THE ASSOCIATION SHALL BE ROUNDED UP AND THE OWNER NOTIFIED. IF THE OWNER OF THE LIVESTOCK DOES NOT REMOVE THEM WITHIN 5 DAYS FROM DATE OF NOTIFICATION, THE LIVESTOCK WILL BE DISPOSED OF IN ACCORDANCE WITH ARTICLE V, SECTIONS 2 AND 3 OF THE HUALAPAI RANGE ORDINANCE No. 2 AMENDED.

ARTICLE XIV

DISPOSITION OF ASSOCIATION ASSETS

WHEN A MEMBER IS DROPPED FROM ASSOCIATION MEMBERSHIP, HE SHALL RECEIVE NO SHARE OF THE ASSETS OR LIABILITIES OF THE ASSOCIATION. AT SUCH TIME AS THE ASSOCIATION IS DISSOLVED, ASSETS OR LIABILITIES SHALL BE DISTRIBUTED EQUALLY TO ITS CURRENT MEMBERS.

ARTICLE XV

THIS ASSOCIATION IS FORMED TO OPERATE FOR THE MUTUAL BENEFIT OF ITS MEMBERS. THE NAMES AND ADDRESSES OF THE MEMBERS OF THE PEACH SPRINGS LIVESTOCK ASSOCIATION ARE AS FOLLOWS:

<u>NAME</u>	<u>ADDRESS</u>
LENA BRAVO	PEACH SPRINGS, ARIZONA ✓
ARLYS CROZIER	PEACH SPRINGS, ARIZONA ✓
<del>KATE CROZIER</del> deceased	PEACH SPRINGS, ARIZONA ✓
<del>ROY CROZIER</del> "	PEACH SPRINGS, ARIZONA ✓
MAMIE ENGLE	VALENTINE, ARIZONA ✓
WILLIAM HONGA	PEACH SPRINGS, ARIZONA ✓
<del>ANTONIO MCGEE</del> deceased	PEACH SPRINGS, ARIZONA ✓
<del>CAP MCGEE</del> deceased	PEACH SPRINGS, ARIZONA ✓
CHARLES MCGEE	PEACH SPRINGS, ARIZONA ✓
ERNEST MCGEE	PEACH SPRINGS, ARIZONA ✓
<del>TIM MCGEE</del> deceased	PEACH SPRINGS, ARIZONA ✓
EUGENE HAVATONE	PEACH SPRINGS, ARIZONA ✓
FROSTRY QUERTA → <del>dist. 3</del>	PEACH SPRINGS, ARIZONA ✓
WALLACE QUERTA → <del>dist. 3</del>	PEACH SPRINGS, ARIZONA ✓
<del>HOWARD WHATONAME</del> deceased	KINGMAN, ARIZONA ✓
GERALDINE VAUGHN	PEACH SPRINGS, ARIZONA ✓
NELSON WILDER	PEACH SPRINGS, ARIZONA ✓

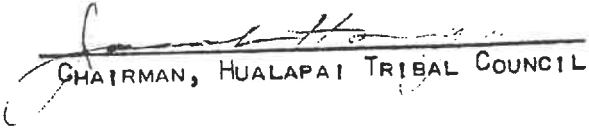
Margaret Holden  
Phil Bravo Sr  
Clay "  
Mario "  
Emilinda S.  
Monica  
Joel  
Sylvia  
Monroe

Gladys

*Gus Walena*  
*Frank Smith*  
*Jimmy Lee - Dist. 4 - 8 -*  
*Rupert Parker Dist. 6*

CERTIFICATION OF APPROVAL

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT THE HUALAPAI COUNCIL IS COMPOSED OF 9 MEMBERS, OF WHOM \_\_\_\_\_, CONSTITUTING A QUORUM, WERE PRESENT AT A REGULAR MEETING THEREOF HELD ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1958; AND THAT THE FOREGOING ORDINANCE No. \_\_\_\_\_ WAS DULY ADOPTED BY A VOTE OF \_\_\_\_\_ FOR TO \_\_\_\_\_ AGAINST PURSUANT TO THE PROVISIONS OF SECTION I (P) AND (Q), ARTICLE VI, AMENDED CONSTITUTION AND BYLAWS OF THE HUALAPAI TRIBE OF ARIZONA, APPROVED JANUARY 16, 1956.

  
\_\_\_\_\_  
CHAIRMAN, HUALAPAI TRIBAL COUNCIL

\_\_\_\_\_  
SECRETARY, HUALAPAI TRIBAL COUNCIL



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

PHOENIX AREA OFFICE

P. O. Box 7007

Phoenix, Arizona 85011

IN REPLY REFER TO:  
Land Operations  
241-2285 Commercial  
261-2285 FTS

July 24, 1981

THROUGH: Superintendent, Truxton Canon Agency

Mr. Delbert Havatone

Chairman, Hualapai Tribal Council

Dear Mr. Havatone:

This is to apprise the Council of a situation affecting tribal resources and to request your assistance in solving some of the associated problems. The enclosed trip report details the findings of Area Office and Agency staff personnel during an inspection of range conditions in District Three, especially in Limestone (Unit 13) and Babylon (Unit 14).

The cattle have completely utilized the forage in Unit 13. There is no new growth and the forage plants are stressed so that some death loss is expected. Livestock have used and are eating unpalatable and poisonous plants. If timely rainfall is not received or is seriously deficient this growing season, severe death losses are expected.

Continuous grazing will damage the range even further. There is some cured forage in Unit 14 and growth is starting. Even if summer rains are delayed, the livestock will have sufficient forage for several weeks without damaging the range. Of course, if the drought continues into fall, it would require emergency measures for the entire herd.

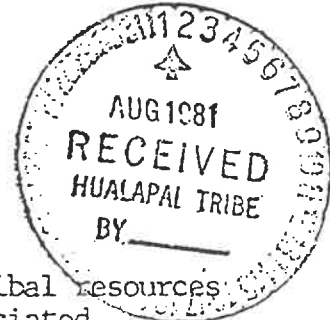
Due to these conditions, we are requesting your assistance in insuring all livestock are removed from Unit 13 and their return be delayed until after growing season. It would be beneficial to remove the cattle again prior to the start of new growth next spring, if possible.

Please contact the Acting Superintendent, if you need more information.

Thank you for your assistance.

Sincerely,

Area Director



Enclosure

## TRIP REPORT

Date: July 8 & 9, 1981.

Place Visited: Hualapai Indian Reservation

Persons Contacted: - BIA: Truxton Canon Agency

Bob Howard	Natural Resources Manager.
Junior Tapaja	Conservation Technician
Bob McNichols	Forester

Wynona Jackson	Land Operations Secretary
Donna Nightpipe	Realty Specialist

Results of Visit: From the Grand Canyon Caverns airstrip and accompanied by Bob Howard, I made an low-level aerial inspection of several range units along the eastern part of the Hualapai Reservation. This was followed by on-the-ground inspection of portions of Range Units 13, 14, and 15.

Unit 13 - Limestone. Approximately half of this unit, especially the SE : portion, was viewed in detail. A large area just north of U.S. 66 is dominated by broom snakeweed and provides very little forage. Range condition is poor, prairie dogs infest the area and utilization by livestock has been extremely heavy.

The remaining range area is dominated by grasses, even where a cover of juniper exists. This area has had extremely heavy utilization by livestock. All forage plants have been virtually completely consumed. Even unpalatable species such as red three awn, ring muhly, juniper, wolfberry and manzanita have been grazed (both grass species are heavily used). Numerous yucca plants have been completely severed and all green parts consumed. Several carcasses of dead cattle were noted and those cows with calves were mostly in poor condition.

We saw very few poisonous plants which we assume has helped keep animal death losses down. However, near watering structures, the grass cover has been so reduced and animal activity so great that soil surfaces are no longer protected and the wind erosion hazard is high.

The area immediately east of the reservation has had heavy past use, but is considerably better than the adjacent reservation. Production of warm season species was low and there were only occasional seed stalks which indicates poor growing conditions last summer. Cool season species, though only a small part of the total vegetation, were much more abundant than on the reservation, and had fair to good vigor. There were no remnants of cool season forage species found on the reservation except for a few plants of bottlebrush squirreltail. It is possible, however, that due to the extremely heavy utilization, some needlegrasses or Indian ricegrass remain in the area, but were not recognizable.

The conclusion reached from these observations was that all livestock should be immediately removed from this range unit. Removal benefits the range vegetation should growth start and since there is no forage left,

It will benefit the cattle, also. Continued grazing will result in poor livestock performance, at best, and very likely heavy death losses of both livestock and vegetation.

Unit 14 - Babylon: This unit was chosen for field inspection since it is adjacent to Unit 13 and is a part of District 3 and used by the same stock association. It was clear that last summer's growth conditions were poor in this unit also since the dominant forage plants (bluegrama) had grown little and produced very few seed stalks.

Cool season species had more growth available for forage and there was some new growth on both cool and warm season plants.

Past utilization was nowhere nearly as extreme as in Unit 13. Unpalatable grasses and most brush species were ungrazed.

Even near watering areas, grass cover is good and some forage exists. The cattle seen were in good condition, even those nursing calves while the cows with calves in Unit 13 were in poor to very poor condition.

This is a large unit (about twice the size of Unit 13) and includes considerable areas dominated by juniper and pine. It appears to receive more average precipitation than Unit 13.

Recommendations: Because of the adverse conditions discussed earlier, all livestock must be removed from Unit 13 to avert severe losses of both range vegetation and livestock products. I recommend this livestock be placed in Unit 14, unless the Tribe has other range areas with good forage available which is not being used.

Follow-up: Inform Tribal Council and determine action taken within 30 days.