

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Delivery System Indemnity and Use Agreement for WPO-75-99)**

RESOLUTION NO. 2000-067

1 **WHEREAS, the delivery system located in Block 2 of the Schuk Toak New Farm Development is**
2 **completed and ready for use by the Tohono O'odham Nation for delivery of Central**
3 **Arizona Project Water; and**

4 **WHEREAS, ongoing construction activities will require water for earthwork and structures, as**
5 **well as dust control under the Nation's Environmental Commitments; and**

6 **WHEREAS, the contractor intends to purchase water for construction directly from the Central**
7 **Arizona Water Conservation District and has requested use of the Nation's delivery**
8 **system for transport of that water to the project site; and**

9 **WHEREAS, the Water Projects Office has reviewed the request and determined it would be**
10 **beneficial to the Tohono O'odham Nation to accommodate the contractor, and has**
11 **developed a use agreement which incorporates the appropriate legal requirements.**

12 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that use of the**
13 **Nation's water delivery system for transmission of construction water is an**
14 **acceptable use, provided that all liabilities, risks and repair costs are assumed by the**
15 **contractor, as stipulated in the attached Delivery System Indemnity and Use**
16 **Agreement.**

17 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council hereby approves the**
18 **attached Delivery System Indemnity and Use Agreement and authorizes the**
19 **Chairman of the Nation to execute the agreement on behalf of the Tohono O'odham**
20 **Nation.**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH, day**
22 **of FEBRUARY, 2000 at a meeting at which a quorum was present with a vote of 1,744.0 FOR; 357.45**
23 **AGAINST; 64.05 NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
24 **Section 1 (h) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
25 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
26 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
27 **18, 1934 (48 Stat. 984).**

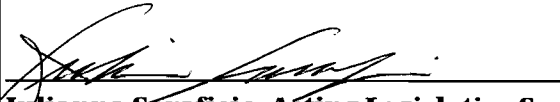
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29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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33 **Dennis Ramon, Legislative Chairman**

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35 15 day of February, 20 00

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ATTEST:


Julianna Saraficio, Acting Legislative Secretary

11 day of February, 20 00.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 15 day of February, 20 00 at 4:47 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.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Bennis Ramon, Legislative Chairman

APPROVED

on the 17th day of February, 20 00

DISAPPROVED

at 10:25 o'clock, A.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 17 day of

February, 20 00, at 1:44 o'clock, P.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: DELIVERY SYSTEM INDEMNITY AND USE AGREEMENT FOR WPO-75-99

MOVED: COUNCILWOMAN MARYANN ANTONE

SECOND: COUNCILMAN KENNETH WILLIAMS

DATE: FEBRUARY 11, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN ()	186.35	X			
SCHUK TOAK 133.4	1. MARY FLORES** ()	66.7		X		
	2. AMBROSE ENCINAS ()	66.7		X		
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			X
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			X
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			X
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05			X	
	2. GLORIA RAMIREZ ()	64.05		X		
GU VO 160.0	1. FERN SALCIDO ()	80.0		X		
	2. GLORIA MONTANA (Phillip Antone)	80.0		X		
HICKIWAN 158.1	1. ALEX JOSE (Shirley Santos)	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	1,744.0	357.45	64.05	[03]

**PASSED VOTES