

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Pipeline Indemnity and Use Agreement for WPO-97-00)

RESOLUTION NO. 2000-432

1 **WHEREAS, the delivery pipeline for the Schuk Toak New Farm Development is completed and**
2 **ready for use by the Tohono O'odham Nation for delivery of Central Arizona Project**
3 **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 **pipeline 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 pipeline 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 Pipeline Indemnity and Use Agreement.**

16 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby approves the**
17 **attached Pipeline Indemnity and Use Agreement and authorizes the Chairman of the**
18 **Nation to execute the agreement on behalf of the Tohono O'odham Nation.**

19
20 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15TH Day**
21 **of SEPTEMBER, 2000 at a meeting at which a quorum was present with a vote of 1,148.85 FOR; -0-**
22 **AGAINST; 436.75 NOT VOTING; and 579.9 [11] ABSENT, pursuant to the powers vested in the**
23 **Council by Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**
24 **by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
25 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
26 **18, 1934 (48 Stat. 984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

19th day of September, 2000

RESOLUTION NO. 2000-432

(Pipeline Indemnity and Use Agreement for WPO-97-00)

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ATTEST:

Denise M. Saraficio

Julianna Saraficio, Acting Legislative Secretary

15 day of September, 2000.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 19th day of September, 2000 at 10:53 o'clock, A.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

Dennis Ramon

Dennis Ramon, Legislative Chairman

APPROVED

on the 20th day of September, 2000

DISAPPROVED

at 5:50 o'clock, P.M.

Edward D. Manuel

EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 21st day of

September, 2000, at 10:16 o'clock, A.M.

Julianna Saraficio

Julianna Saraficio, Acting Legislative Secretary

ACTION: PIPELINE INDEMNITY AND USE AGREEMENT FOR WPO-97-00

MOVED: COUNCILWOMAN RITA MARTINEZ

SECOND: COUNCILMAN ALEX RAMON

DATE: SEPTEMBER 15, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			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	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
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			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. SHIRLEY MOLINA ()	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	1,148.85	-0-	436.75	579.9 [11]

**PASSED VOTES