

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority North Komelik Inter-tie Water
System Right-of-Way, Sif Oidak District, Tohono O'odham Nation)

RESOLUTION NO. 01-619

1 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority, now**
2 **known as Tohono O'odham Utility Authority (TOUA) for purposes of constructing,**
3 **maintaining and operating various utility systems within the Nation to be owned**
4 **wholly by the Nation; and**

5 **WHEREAS, the communities served by the Greater Santa Rosa Regional Water System will receive**
6 **the benefits of a reliable water source, greater water storage, increased and stabilized**
7 **water pressure, and better water quality; and**

8 **WHEREAS, the feasibility of incorporating the community of North Komelik within the Greater**
9 **Santa Rosa Regional Water System outweighs other options available to TOUA to**
10 **supply safe quality domestic waste; and**

11 **WHEREAS, the Tohono O'odham Legislative Council on 10 December 1990 did pass Resolution No.**
12 **447-90 (Amending the Restated Plan of Operation of the Tohono O'odham Utility**
13 **Authority) and Resolution No. 91-175 (Adopting Second Restated Plan of Operation for**
14 **the Tohono O'odham Utility Authority) which requires the Authority to submit for**
15 **prior review and approval of the Legislative Council and each affected District any**
16 **proposed utility easement; and**

17 **WHEREAS, TOUA requests permission for a Right-of-Way to construct the North Komelik Inter-tie**
18 **Water System and related facilities to serve the community of North Komelik, Sif Oidak**
19 **District, Tohono O'odham Nation; and**

20 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
21 **hereto and incorporated herein by references) for uses consistent with the authorized**
22 **purposes of TOUA; and**

23 **WHEREAS, the community of North Komelik approved the proposed water delivery system in**
24 **resolution form on 21 June 2001; and**

25 **WHEREAS, the Gu Achi District Council approved to amend Resolution No. 0900-250 to**
26 **incorporate the North Komelik community within the Greater Santa Rosa Regional**

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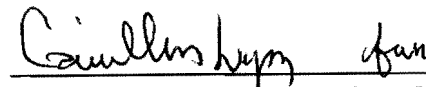
(Approving Tohono O'odham Utility Authority North Komelik Inter-tie Water System Right-of-Way, Sif Oidak District, Tohono O'odham Nation)

Page 2 of 3

1 **Water System with Resolution No. 1101-293; and**
2 **WHEREAS, the Sif Oidak District Council approved the requested Right-of-Way on 05 December**
3 **2001 by its Resolution No. 12-01-01; and**
4 **WHEREAS, the Natural Resources Committee has reviewed the request and by consensus does**
5 **recommend approval thereof by the Tohono O'odham Legislative Council; and**
6 **WHEREAS, the Tohono O'odham Legislative Council has further determined that th North**
7 **Komelik Inter-tie Water System and related facilities will be of substantial benefit to**
8 **the community of North Komelik, Sif Oidak District, the Tohono O'odham Nation and**
9 **their respective members.**
10 **NOW, THEREFORE, BE IT RESOLVED, that the Tohono O'odham Legislative Council does**
11 **hereby approve the Right-of-Way as requested by TOUA for the North Komeik Inter-tie**
12 **Water System and related facilities in the location (as more fully described in the**
13 **attached map and legal description) and construction by TOUA or its designated**
14 **subsidiaries for uses consistent with the authorized purposes of TOUA.**
15 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council acknowledges that the**
16 **Tohono Cyprus Mine shall cover the additional costs incurred for construction and**
17 **materials to include North Komeik with the Greater Santa Rosa Regional Water**
18 **System.**

19 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07th Day**
20 **of DECEMBER, 2001 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0-**
21 **AGAINST; -0-NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section**
22 **1 (c)(2) & (i)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
23 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
24 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
25 **18, 1934 (48 Stat. 984).**
26
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28 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

29 
30 _____
31 **Rita A. Martinez, Legislative Chairwoman**

32
33 11th day of December, 2001
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Page 3 of 3

1 ATTEST:

2 Julianna Saraficio for
3
4 **Julianna Saraficio, Acting Legislative Secretary**

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6 07 day of December, 20 01.

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9 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
10 Nation on the 11th day of December, 20 01 at 5:08 o'clock, P..M.,
11 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
12 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
13 submittal.

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15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

16 Rita A. Martinez for
17
18 **Rita A. Martinez, Legislative Chairwoman**

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23 APPROVED

on the 12 day of December, 20 01

24
25 DISAPPROVED

at 9:50 o'clock, A..M.

26
27 Edward D. Manuel
28 **EDWARD D. MANUEL, Chairman**
29 **TOHONO O'ODHAM NATION**

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34 Returned to the Legislative Secretary on the 12 day of

35
36 December, 20 01, at 11:35 o'clock, A..M.

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39 Julianna D. Saraficio for
40 **Julianna Saraficio, Acting Legislative Secretary**

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ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY NORTH KOMELIK INTER-TIE WATER SYSTEM RIGHT-OF-WAY, SIF OIDAK DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILMAN ISIDRO LOPEZ

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: DECEMBER 07, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			X
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			X
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. TONY BURRELL ()	92.35	X			X
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			X
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	2,417.5	-0-	-0-	[04]

****PASSED VOTES**