

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amendment to Resolution No. 01-567 (TOUA Covered Wells Regional Water System
Right-of-Way, Gu Achi District, Tohono O'odham Nation))**

RESOLUTION NO. 02-078

1 **WHEREAS, the Tohono O'odham Legislative Council did pass Resolution No. 01-567 entitled**
2 **Approving of Tohono O'odham Utility Authority Covered Wells Regional Water**
3 **System Rights-of-Way, Gu Achi District, Tohono O'odham Nation; and**

4 **WHEREAS, the Arizona Department of Transportation (ADOT) proposes to construct an all-**
5 **weather crossing over Quijotoa Wash in the community of Lower Covered Wells; and**

6 **WHEREAS, said proposed project encroaches on the TOUA Right-of-Way approved by the Gu Achi**
7 **District Council & Tohono O'odham Legislative Council; and**

8 **WHEREAS, in order for both projects to continue as scheduled ADOT has agreed to grant TOUA**
9 **the right to construct its water transmission line across the existing ADOT right-of-**
10 **way, subject to the approval of Gu Achi District and Tohono O'odham Nation as shown**
11 **on the attached detail map; and**

12 **WHEREAS, ADOT intends to seek an amendment of its right-of-way from the BIA to return a**
13 **portion of the right-of-way, South of Highway 86, to the Nation, which is the portion**
14 **through which the TOUA water transmission line will be constructed; and**

15 **WHEREAS, TOUA respectfully submitted all documents and pertinent information (attached**
16 **hereto and incorporated herein by reference) for uses consistent with the authorized**
17 **purposes of TOUA; and**

18 **WHEREAS, the Gu Achi District Council approved an amendment to Resolution No. 1101-292 on**
19 **23 February 2002 by its Resolution No. 0202-299; and**

20 **WHEREAS, the Natural Resources Committee has reviewed the request on 01 March 2002 and**
21 **recommends approval thereof by the Tohono O'odham Legislative Council; and**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council continues**
23 **to support the completion of the Covered Wells Regional Water System for the benefit**
24 **of the communities of Upper & Lower Covered Wells, Gu Achi District, the Tohono**
25 **O'odham Nation and their respective members.**

26 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council does hereby amend**
27 **Resolution No. 01-567 as requested by TOUA to grant to TOUA a 1,997' x 50' wide**
28 **easement for construction and completion of the Covered Wells Regional Water**
29 **System, Gu Achi District, Tohono O'odham Nation (as more fully described in the**

RESOLUTION NO. 02-078

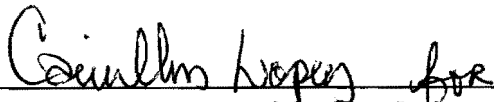
(Amendment to Resolution No. 01-567 (TOUA Covered Wells Regional Water System Right-of-Way, Gu Achi District, Tohono O'odham Nation))

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1 attached map), which is a portion of the ADOT Right-of-Way that will revert back to
2 the Nation upon completion of the Quijotoa Bridge Project, on the condition that
3 ADOT will amend its Right-of-Way with the BIA return that portion of its Right-of-Way
4 South of Highway 86 to the Nation.


5 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH. Day
6 of MARCH, 2002 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0-
7 AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by
8 Section 1 (i)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the
9 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
10 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
11 18, 1934 (48 Stat. 984).

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13 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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16 Rita A. Martinez, Legislative Chairwoman

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18 7th day of March, 2002

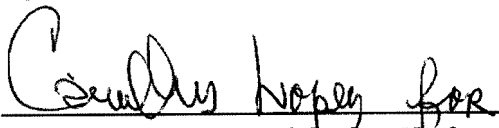
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22 **ATTEST:**

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25 Julianna Saraficio, Acting Legislative Secretary

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27 04 day of March, 2002.

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31 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
32 Nation on the 7th day of March, 20 02 at 8:52 o'clock, A.M.,
33 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
34 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
35 submittal.

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37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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39 
40 Rita A. Martinez, Legislative Chairwoman

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APPROVED on the 7 day of March, 2002

DISAPPROVED at 2:40 o'clock, P.M.

Henry G. Ramon
EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 7th day of
March, 2002, at 4:32 o'clock, P.M.

Machone L. Johnson for
Julianna Saraffio, Acting Legislative Secretary

ACTION: AMENDMENT TO RESOLUTION NO. 01-567 (TOUA COVERED WELLS REGIONAL WATER SYSTEM RIGHT-OF-WAY, GU ACHI DISTRICT, TOHONO O'ODHAM NATION)

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: VICE CHAIRMAN CAMILLUS LOPEZ

DATE: MARCH 04, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			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			X
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			X
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA ()	83.65	X			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			
	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-	[06]

**PASSED VOTES