

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving the Final Draft of an Agreement with the Bureau of Reclamation and San Xavier District Regarding a Recharge Feasibility Investigation in San Xavier District)**

RESOLUTION NO. 02-109

1 WHEREAS, in Resolution No. 02-064 in February 2002 the Tohono O'Odham Legislative Council  
2 approved an Agreement Between the Tohono O'Odham Nation, San Xavier District,  
3 and the Bureau of Reclamation of the United States Department of the Interior  
4 ("Agreement") and a Temporary Use Permit for Tribal Trust Lands for a project on the  
5 San Xavier Reservation to investigate the feasibility of recharge of the groundwater  
6 aquifer at the San Xavier Reservation; and

7 WHEREAS, after passage of Resolution No. 02-064 representatives of the Bureau of Reclamation  
8 ("Reclamation") sought to make changes to the Agreement to remove Reclamation's  
9 obligation to indemnify the Tohono O'Odham Nation ("Nation") and San Xavier  
10 District ("District"), to clarify Reclamation's obligation to maintain the  
11 confidentiality of data in light of the U.S. Supreme Court decision in the case entitled  
12 Department of the Interior et al. v. Klamath Water Users Protective Association, to  
13 provide a dispute resolution section, and to provide minor editing of other sections;  
14 and

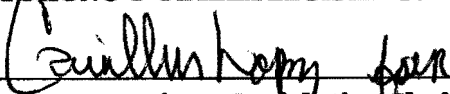
15 WHEREAS, representatives of the Nation and the District have agreed to these changes.

16 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham Legislative Council approves the  
17 final draft of the Agreement as revised by the Bureau of Reclamation substantially in  
18 the form attached hereto and authorizes the Chairman of the Nation to sign it.

19 BE IT FURTHER RESOLVED that the Legislative Council rescinds its approval of the prior form of  
20 the Agreement which was attached to Resolution No. 02-064.

21 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup>. Day  
22 of MARCH, 2002 at a meeting at which a quorum was present with a vote of 1,813.1 FOR; -0-  
23 AGAINST; 416.1 NOT VOTING; and 188.3 [05] ABSENT, pursuant to the powers vested in the Council  
24 by Section 1 (f) and (i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by  
25 the 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Rita A. Martinez, Legislative Chairwoman

13<sup>th</sup> day of March, 2002

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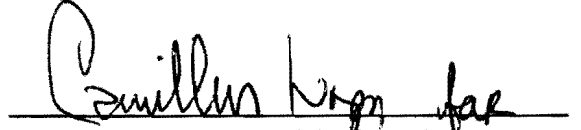
ATTEST:

  
Julianna Sarafficio, Acting Legislative Secretary

08 day of March, 20 02.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 13<sup>th</sup> day of March, 20 02 at 9:50 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


  
Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 13 day of March, 20 02

DISAPPROVED

at 1:45 o'clock, P.M.

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13<sup>th</sup> day of

March, 20 02, at 2:12 o'clock, P.M.

  
Julianna Sarafficio, Acting Legislative Secretary

**ACTION: APPROVING THE FINAL DRAFT OF AN AGREEMENT WITH THE BUREAU OF RECLAMATION AND SAN XAVIER DISTRICT REGARDING A RECHARGE FEASIBILITY INVESTIGATION IN SAN XAVIER DISTRICT**

**MOVED: COUNCILMAN DAVID GARCIA**

**SECOND: COUNCILMAN ISIDRO LOPEZ**

**DATE: MARCH 08, 2002**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 317.7	1. FRANCES MIGUEL ( )	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
<b>CHUKUT KUK</b> 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
<b>GU ACHI</b> 230.7	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
<b>GU VO</b> 188.3	1. FERN SALCIDO ( )	94.15				X
	2. EMILIO LEWIS (Michael Flores)	94.15				X
<b>HICKIWAN</b> 167.3	1. SHIRLEY MOLINA ( )	83.65	X			
	2. SANDRA ORTEGA ** ( )	83.65	X			
<b>PISINEMO</b> 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			X
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ** ( )	80.35	X			
<b>SAN XAVIER</b> 184.7	1. TONY BURRELL ( )	92.35	X			X
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
<b>SELLS</b> 416.1	1. DENNIS E. JOSE ** ( )	208.05			X	
	2. EVELYN JUAN ( )	208.05			X	
<b>SIF ODAK</b> 184.7	1. ISIDRO LOPEZ ( )	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			X
<b>TOTAL</b>		<b>2,417.5</b>	<b>1,813.1</b>	<b>-0-</b>	<b>416.1</b>	<b>188.3 [05]</b>

**\*\*PASSED VOTES**