

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Submittal of a Proposal for a Public Law 93-638 Self-Determination Act Contract
with the Bureau of Reclamation for Irrigation Development Studies in Sif Oidak District)

RESOLUTION NO. 04-357

1 **WHEREAS, the Tohono O'odham Nation ("Nation") is involved in an ongoing water rights**
2 **assessment with the United States involving the Nation's water rights claims in the**
3 **Gila River general stream adjudication; and**

4 **WHEREAS, in support of this assessment the Nation is developing plans for use of an 8,000 acre-**
5 **foot allocation of water from the Central Arizona Project for use by the Nation in Sif**
6 **Oidak District; and**

7 **WHEREAS, the Secretary of the Interior has a federal responsibility to assist Indian tribes in**
8 **utilizing their Central Arizona Project water allocation and in asserting their water**
9 **right claims; and**

10 **WHEREAS, the Bureau of Reclamation in the Department of the Interior has funds available in**
11 **fiscal year 2004 to assist the Nation in performing irrigation development studies and**
12 **is willing to provide such funds to the Nation under a Public Law 93-638 contract or**
13 **agreement; and**

14 **WHEREAS, an irrigation feasibility study was previously conducted under Cooperative**
15 **Agreement No. 00-NA-32-0040 with the Bureau of Reclamation in fiscal years 2000,**
16 **2001 and 2002, resulting in identification of 7,500 acres in Sif Oidak District for**
17 **possible irrigation development as discussed in a report entitled "Water Needs**
18 **Assessment for the Sif Oidak District of the Tohono O'odham Nation, Arizona" dated**
19 **September 2002; and**

20 **WHEREAS, the Office of Attorney General, in consultation with Sif Oidak District and the Natural**
21 **Resources Consulting Engineers, Inc., has developed the attached contract proposal**
22 **for a Phase I study entitled "Alternative Analysis and Preferred Alternative Selection"**
23 **involving soil classification, environmental assessment and archaeological**
24 **assessment studies on the 7,500 acres previously identified at an estimated cost of**
25 **\$203,698, followed by a Phase II study called "Design Data Collection and Preliminary**
26 **Design" at an estimated cost of \$159,740, for a total cost of \$363,438; and**

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1 **WHEREAS, the Nation intends to subcontract the irrigation development study to the Natural**
2 **Resources Consulting Engineers, Inc., which is the consultant used by the Nation for**
3 **expert studies under the Gila River Adjudication Program; and**

4 **WHEREAS, as indicated by the attached letter from Sif Oidak District dated July 30, 2004, Sif**
5 **Oidak District Council approved the land classification study at a District Council**
6 **meeting on November 13, 2003; and**

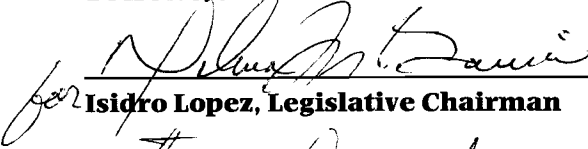
7 **WHEREAS, the Water Resources Committee, the Agriculture Committee and the Budget and**
8 **Finance Committee have reviewed this proposal and recommend approval by the**
9 **Legislative Council.**

10 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
11 **submittal of the attached contract proposal for irrigation development studies in Sif**
12 **Oidak District to the Bureau of Reclamation, and authorizes the Chairwoman of the**
13 **Nation to negotiate a P.L. 93-638 contract or agreement in a form agreeable to both**
14 **parties, with any revisions to the scope of work and budget required by the Bureau**
15 **of Reclamation, and to execute such a contract and any related documents,**
16 **amendments, and subcontracts.**

17 **BE IT FURTHER RESOLVED that the Executive Branch of the Nation is authorized to expend the**
18 **funds provided by the Bureau of Reclamation to implement the purpose of the**
19 **contract.**

20 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 03rd. Day**
21 **of AUGUST, 2004 at a meeting at which a quorum was present with a vote of 2,164.1 FOR; -0-**
22 **AGAINST; 465.6 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
23 **Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
24 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
25 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
26 **Stat. 984).**

27 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

28
29 *for* 
30 **Isidro Lopez, Legislative Chairman**
31
32 *19th* day of *August*, 2004
33
34

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ATTEST:

Rosita N. Ruiz
Rosita N. Ruiz, Legislative Secretary

04 day of August, 2004.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 04th day of August, 2004 at 5:27 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

for Isidro Lopez
Isidro Lopez, Legislative Chairman

APPROVED

on the 06th day of August, 2004

DISAPPROVED

at 4:35 o'clock, P.M.

Vivian Juan Saunders
**VIVIAN JUAN SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 07th day of

August, 2004, at 8:19 o'clock, A.M.

Rosita N. Ruiz
Rosita N. Ruiz, Legislative Secretary

ACTION: APPROVING SUBMITTAL OF A PROPOSAL FOR A PUBLIC LAW 93-638 SELF-DETERMINATION ACT CONTRACT WITH THE BUREAU OF RECLAMATION FOR IRRIGATION DEVELOPMENT STUDIES IN SIF OIDAD DISTRICT

MOVED: COUNCILMAN VERLON JOSE

SECOND: COUNCILWOMAN FELICIA NUNEZ

DATE: AUGUST 03, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAD 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80			X	
	2. EVELYN JUAN ()	232.80			X	
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			X
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ()	85.15	X			X
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	2,164.1	-0-	465.6	[02]

****PASSED VOTES**