

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Introduction of 2004 SAWRSA Amendments)**

**RESOLUTION NO. 04-435**

1 **WHEREAS, pursuant to Resolution 2000-438, the Tohono O'odham Legislative Council approved**  
2 **the introduction of the Southern Arizona Water Rights Settlement Amendments Act**  
3 **of 2000 (the "2000 SAWRSA Amendments") as Title III of the Arizona Water Settlements**  
4 **Act of 2000 (the "2000 Act"); and**

5 **WHEREAS, the 2000 SAWRSA Amendments were introduced in Congress as Title III of the 2000**  
6 **Act; and**

7 **WHEREAS, no action was taken by Congress on the 2000 Act, and the Act was not reintroduced in**  
8 **2001; and**

9 **WHEREAS, pursuant to Resolution 02-160, the Legislative Council approved incorporation in the**  
10 **2002 SAWRSA Amendments of a provision related to acquisition of lands outside the**  
11 **exterior boundaries of the Tohono O'odham Nation (the "After Acquired Trust Lands**  
12 **Provision"); and**

13 **WHEREAS, the After Acquired Trust Lands Provision was incorporated in the 2002 SAWRSA**  
14 **Amendments which were approved for introduction in Congress as Title III of the**  
15 **2002 Act pursuant to Legislative Council Resolutions 02-232 and 02-366; and**

16 **WHEREAS, the 2002 SAWRSA Amendments were introduced in Congress as Title III of the 2002**  
17 **Act; and**

18 **WHEREAS, no action was taken by Congress on the 2002 Act; and**

19 **WHEREAS, pursuant to Resolution 03-094, the Legislative Council (1) approved a January 31,**  
20 **2003 marked draft of the Southern Arizona Water Rights Settlement Amendments Act**  
21 **of 2003 (the "2003 SAWRSA Amendments") as Title III of the Arizona Water Settlements**  
22 **Act of 2003, (2) approved a February 5, 2003 draft of the Tohono O'odham Settlement**  
23 **Agreement (the "2003 Settlement Agreement") and (3) authorized the Chairperson of**  
24 **the Nation to execute the 2003 Settlement Agreement, and exhibits thereto, in**  
25 **substantially the form attached to such Resolution; and**

26 **WHEREAS, as of April 30, 2003, the 2003 Settlement Agreement was executed by the Chairperson**  
27 **of the Nation and all other parties to such Agreement; and**

28 **WHEREAS, modifications to the 2003 SAWRSA Amendments have been recommended for**  
29 **approval by the members of the SAWRSA Drafting Committee, including members of**  
30 **the SAWRSA Task Force and the Water Resources Committee.**

1 WHEREAS, attached hereto is a marked copy of the 2003 SAWRSA Amendments which reflect the  
2 modifications made from February 1, 2003 through August 31, 2004 (the "2004  
3 SAWRSA Amendments").

4 NOW, THEREFORE, BE IT RESOLVED THAT:

5 The Tohono O'odham Legislative Council authorizes the introduction of the 2004  
6 SAWRSA Amendments during this session of Congress, in substantially the form  
7 attached hereto.

8 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10<sup>TH</sup> Day  
9 of SEPTEMBER, 2004 at a meeting at which a quorum was present with a vote of 1,233.55 FOR;  
10 842.85 AGAINST; 553.3 NOT VOTING; and [-0-] ABSENT, pursuant to the powers vested in the Council  
11 by Section 2 of Article XVII of the Constitution of the Tohono O'Odham Nation, adopted by the  
12 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
13 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
14 18, 1934 (48 Stat. 984).

15  
16 TOHONO O'ODHAM LEGISLATIVE COUNCIL

17  
18   
19 \_\_\_\_\_

20 Isidro Lopez, Legislative Chairman

21  
22 13 day of September, 2004  
23

24 ATTEST:

25  
26   
27 \_\_\_\_\_  
28 Rosita N. Ruiz, Legislative Secretary

29  
30 13 day of September, 2004.  
31

32 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono  
33 O'Odham Nation on the 13 day of September, 2004 at 3:29 o'clock,  
34 P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
35 effective upon her approval or upon her failure to either approve or disapprove it within 48 hours  
36 of submittal.

37  
38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

39  
40   
41 \_\_\_\_\_

42 Isidro Lopez, Legislative Chairman  
43  
44

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

APPROVED

on the 13<sup>th</sup> day of September, 2004

DISAPPROVED

at 3:33 o'clock, P.M.

Vivian Juan Saunders

VIVIAN JUAN SAUNDERS, CHAIRWOMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13 day of

September, 2004, at 3:41 o'clock, P.M.

Rosita N. Ruiz  
Rosita N. Ruiz, Legislative Secretary

ACTION: APPROVING INTRODUCTION OF 2004 SAWRSA AMENDMENTS

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILMAN VERLON JOSE

DATE: SEPTEMBER 09, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
<b>SELLS</b> 465.6	1. DENNIS E. JOSE ( )	232.80			X	
	2. EVELYN JUAN ( )	232.80			X	
<b>SCHUK TOAK</b> 176.1	1. FRANCES B. CONDE ( )	88.05	X			
	2. PHYLLIS JUAN ( )	88.05	X			
<b>SAN XAVIER</b> 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70		X		
	2. DENNIS RAMON (Eleanor Hunter)	107.70		X		
<b>SAN LUCY</b> 166.3	1. JOHN W. LAWSON, SR. ( )	83.15		X		
	2. GLORIA RAMIREZ ( )	83.15		X		
<b>PISINEMO</b> 175.4	1. BARBARA SALVICIO ( )	87.70		X		
	2. PATRICIA CRUZ ( )	87.70			X	
<b>HICKIWAN</b> 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ** ( )	85.15	X			
<b>GU VO</b> 191.4	1. RAYMOND VICTOR ( )	95.70		X		
	2. MICHAEL FLORES (Willard Manuel)	95.70		X		
<b>GU ACHI</b> 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
<b>CHUKUT KUK</b> 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
<b>BABOQUIVARI</b> 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ( )	182.05		X		
<b>TOTAL</b>		<b>2,629.7</b>	<b>1,233.55</b>	<b>842.85</b>	<b>553.3</b>	<b>[-0-]</b>

\*\*PASSED VOTES