

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Kupk & Dirtburn Community Tank Site, Well Site & Waterline Right-of-Way, Pisinemo District, Tohono O'odham Nation)

RESOLUTION NO. 05-012

1 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority,**
2 **now 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 Tohono O'odham Legislative Council did pass Resolution No 447-90 (Amending**
6 **the Restated Plan of Operation of the Tohono O'odham Utility Authority) and**
7 **Resolution No. 91-175 (Adopting Second Restated Plan of Operation for the Tohono**
8 **O'odham Utility Authority) which requires the Authority to submit for prior review**
9 **and approval of the Legislative Council and each affected District any proposed utility**
10 **easement; and**

11 **WHEREAS, TOUA requests permission for a Right-of-Way to include a Tank Site, Well Site &**
12 **Waterline utilities and related facilities within the communities of Kupk & Dirtburn,**
13 **Pisinemo District, Tohono O'odham Nation; and**

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

17 **WHEREAS, the TOUA Kupk & Dirtburn Community Tank Site, Well Site & Waterline Right-of-Way**
18 **and related facilities will be of substantial benefit to the Pisinemo District, Tohono**
19 **O'odham Nation and their respective members; and**

20 **WHEREAS, the Kupk & Dirtburn Communities by consensus approved the requested Right-of-**
21 **Way at a meeting on November 18, 2004; and**

22 **WHEREAS, the Pisinemo District Council approved the requested Right-of-Way by enacting**
23 **Resolution No. 2004-25; and**

24 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on December**
25 **27, 2004 and by consensus recommends approval thereof by the Tohono O'odham**
26 **Legislative Council.**

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1 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
2 **approve the Right-of-Way as requested by TOUA for the Kupk & Dirtburn Community**
3 **Tank Site, Well Site & Waterline and related facilities in the location (as more fully**
4 **described in the attached map and supporting documents) and construction by TOUA**
5 **or its designated subsidiaries for uses consistent with the authorized purposes of**
6 **TOUA.**

7 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 03rd Day**
8 **of JANUARY, 2005 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-**
9 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
10 **Section 1 (i) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
11 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
12 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
13 **Stat. 984).**
14

15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Isidro Lopez, Legislative Chairman**

19
20 06th day of January, 2005
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23 **ATTEST:**

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26 **Lucille Lopez, Acting Legislative Secretary**

27
28 15th day of January, 2005.
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30 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
31 **O'Odham Nation on the 06th day of January, 2005 at 8:54 o'clock,**
32 **A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
33 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**
34 **of submittal.**

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36 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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39 **Isidro Lopez, Legislative Chairman**
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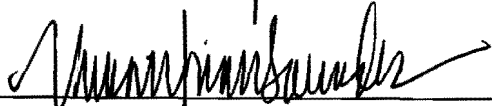
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APPROVED

on the 7th day of December, 2005

DISAPPROVED

at 5:46 o'clock, P.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10th day of

January, 2005, at 8:41 o'clock, A.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY KUPK & DIRTBURN COMMUNITY TANK SITE, WELL SITE & WATERLINE RIGHT-OF-WAY, PISINEMO DISTRICT, TOHONO O'ODHAM NATION

Moved: COUNCILWOMAN PATRICIA CRUZ

SECOND: COUNCILWOMAN BARBARA SALVICIO

DATE: JANUARY 03, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW(Absent) (Rita Martinez)(Present)	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			X
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	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			
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	2,629.7	-0-	-0-	[01]

**PASSED VOTES