

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Tohono O'odham Utility Authority Pan Tak Well Site Right-of-Way, Schuk Toak District, Tohono O'odham Nation)**

**RESOLUTION NO. 05-071**

- 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. 91-175 (Adopting**  
6 **Second Restated Plan of Operation for the Tohono O'odham Utility Authority) which**  
7 **requires the Authority to submit for prior review and approval of the Legislative**  
8 **Council and each affected District any proposed utility easement; and**
- 9 **WHEREAS, TOUA requests permission for a Well Site Right-of-Way and related facilities for the**  
10 **community of Pan Tak, Schuk Toak District, Tohono O'odham Nation; and**
- 11 **WHEREAS, the requested Well Site parcel measures 100' x 100' which encompasses 0.23 acres**  
12 **more or less; and**
- 13 **WHEREAS, the Scope of Work for further Domestic Water Improvements includes a water storage**  
14 **tank, water main extension and water distribution system replacement; and**
- 15 **WHEREAS, TOUA will submit a Right-of-Way request for further improvements as the Scope of**  
16 **Work progresses; and**
- 17 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information**  
18 **(incorporated herein by reference) for uses consistent with the authorized purposes**  
19 **of TOUA; and**
- 20 **WHEREAS, the TOUA Pan Tak Well Site Right-of-Way and related facilities will be of substantial**  
21 **benefit to the Tohono O'odham Nation and their respective members.**
- 22 **WHEREAS, the Pan Tak Community and Schuk Toak District approved the requested Right-of-**  
23 **Way with the attached Community Resolution and ST-01-22-05-04 respectively; and**
- 24 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on January**  
25 **24, 2005 and by consensus does recommend approval thereof by the Tohono O'odham**  
26 **Legislative Council.**

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**Page 2 of 3**

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 Well Site and related facilities**  
3 **in the location (as more fully described in the referenced map and supporting**  
4 **documents) and construction by TOUA or its designated subsidiaries for uses**  
5 **consistent with the authorized purposes of TOUA.**

6 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup> Day**  
7 **of FEBRUARY, 2005 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-**  
8 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**  
9 **Section 1 (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**  
10 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
11 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
12 **Stat. 984).**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Isidro Lopez, Legislative Chairman**

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20 14<sup>th</sup> day of February, 2005

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23 **ATTEST:**

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26 **Lucille Lopez, Acting Legislative Secretary**

27 14<sup>th</sup> day of February, 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 14<sup>th</sup> day of February, 2005 at 2:21 o'clock,**  
32 **P.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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40 **Isidro Lopez, Legislative Chairman**

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Page 3 of 3

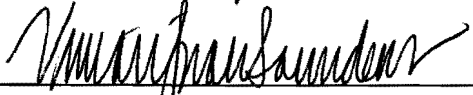
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APPROVED

on the 15 day of February, 2005

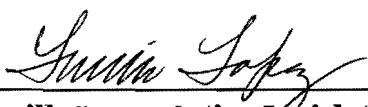
DISAPPROVED

at 1:25 o'clock, P.M.

  
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VIVIAN JUAN-SAUNDERS, CHAIRWOMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15<sup>th</sup> day of

February, 2005, at 2:42 o'clock, P.M.

  
\_\_\_\_\_  
Lucille Lopez, Acting Legislative Secretary

**ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY PAN TAK WELL SITE RIGHT-OF-WAY, SCHUK TOAK DISTRICT, TOHONO O'ODHAM NATION**

**Moved: COUNCILWOMAN FRANCES CONDE**

**SECOND: COUNCILWOMAN PHYLLIS JUAN**

**DATE: FEBRUARY 09, 2005**

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			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 (Absent) (Eleanor Hunter) (Present)	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			X
<b>GU VO</b> 191.4	1. RAYMOND VICTOR ( )	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			X
<b>GU ACHI</b> 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Absent) (Roberta Picard) (Present)	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>2,629.7</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>

**\*\*PASSED VOTES**