

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Kukatch Well Site & Water Line
Right-of-Way, Gu-Vo District, Tohono O'odham Nation)

RESOLUTION NO. 05-141

- 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 & Water Line Right-of-Way and related**
10 **facilities for the community of Kukatch, Gu-Vo District, Tohono O'odham Nation; and**
- 11 **WHEREAS, the proposed Water Line Parcel is 410.00' x 50.00' which encompasses 0.471 acres**
12 **more or less; and**
- 13 **WHEREAS, the proposed Well Site Parcel measures 100' x 100' square which encompasses 0.23**
14 **acres more or less; and**
- 15 **WHEREAS, the designated Well Site Parcel will also accommodate a water storage tank for the**
16 **community of Kukatch; and**
- 17 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
18 **hereto and incorporated herein by reference) for uses consistent with the authorized**
19 **purposes of TOUA; and**
- 20 **WHEREAS, the TOUA Kukatch Well Site & Water Line Right-of-Way and related facilities will be**
21 **of substantial benefit to the Tohono O'odham Nation and their respective members;**
22 **and**
- 23 **WHEREAS, the Gu-Vo District Governing Council approved the requested Right-of-Way with its**
24 **Resolution No. GV05-012 enacted on February 26, 2005; and**
- 25 **WHEREAS, the Natural Resources Committee reviewed the Right-of-Way on February 29, 2005 and**
26 **by consensus recommends approval thereof by the Tohono O'odham Legislative**
27 **Council.**
- 28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
29 **approve the Right-of-Way as requested by TOUA for the Kukatch Well Site & Water**

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Line and related facilities in the location (as more fully described in the attached Right-of-Way Plan and Legal Description) and construction by TOUA or its designated subsidiaries for uses consistent with the authorized purposes of TOUA.

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

TOHONO O'ODHAM LEGISLATIVE COUNCIL

for [Signature]
Isidro Lopez, Legislative Chairman
15th day of March, 2005

ATTEST:

[Signature]
Lucille Lopez, Acting Legislative Secretary

15th day of March, 2005.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 15th day of March, 2005 at 4:00 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 [Signature]
Isidro Lopez, Legislative Chairman

APPROVED

on the 17 day of March, 2005

DISAPPROVED

at 12:20 o'clock, P.M.

[Signature]
VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 17th day of

March, 2005, at 1:07 o'clock, P.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY KUKATCH WELL SITE & WATER LINE RIGHT-OF-WAY, GU-VO DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILMAN VERLON JOSE

SECOND: COUNCILMAN TIMOTHY JOAQUIN

DATE: MARCH 11, 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 (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80	X			
	2. EVELYN JUAN ()	232.80	X			X
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			X
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (<i>Absent</i>) (Olivia Liston-Villegas) (<i>Present</i>)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	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			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 (<i>Absent</i>) (Lucilda Norris-Valenzuela) (<i>Present</i>)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	2,629.7	-0-	-0-	[03]

****PASSED VOTES**