

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Tohono O'odham Utility Authority Baboquivari Valley Inter-tie Water System**  
**& Storage Tank Site Right-of-Way, Baboquivari District, Tohono O'odham Nation)**

**RESOLUTION NO. 05-142**

- 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 Right-of-Way to include an Inter-tie Water System and**  
10 **Water Storage Tank Site and related facilities within Baboquivari District, Tohono**  
11 **O'odham Nation; and**
- 12 **WHEREAS, the proposed Water Distribution System is 49,051.21 feet in length, 50 feet in width**  
13 **which encompasses 56.302 acres more or less; and**
- 14 **WHEREAS, the proposed Water Storage Tank Site will be a 250 foot square parcel totaling 1.435**  
15 **acres more or less; and**
- 16 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information**  
17 **(incorporated herein by reference) for uses consistent with the authorized purposes**  
18 **of TOUA; and**
- 19 **WHEREAS, the Baboquivari Valley Inter-tie Water System and Water Storage Tank Site Right-of-**  
20 **way and related facilities will be of substantial benefit to the Baboquivari District,**  
21 **Tohono O'odham Nation and their respective members; and**
- 22 **WHEREAS, the Baboquivari District Council approved the requested Right-of-Way by enacting**  
23 **Resolution No. 05-B-07 on February 19, 2005; and**
- 24 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way and by**  
25 **consensus recommends approval thereof by the Tohono O'odham Legislative Council.**
- 26 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**  
27 **approve the Right-of-Way as requested by TOUA for the Baboquivari Valley Inter-tie**  
28 **Water System and Water Storage Tank Site and related facilities in the location (as**  
29 **more fully described in the referenced map and supporting documents) and**

**RESOLUTION NO. 05-142**

**(Approving Tohono O'odham Utility Authority Baboquivari Valley Inter-tie Water System & Storage Tank Site Right-of-Way, Baboquivari District, Tohono O'odham Nation)**

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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 11<sup>TH</sup> Day of MARCH, 2005 at a meeting at which a quorum was present with a vote of 2,357.3 FOR; -0- AGAINST; 272.4 NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 (i) 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 Isidro Lopez, Legislative Chairman  
15<sup>th</sup> day of March, 2005

**ATTEST:**

Lucille Lopez  
Lucille Lopez, Acting Legislative Secretary  
15<sup>th</sup> day of March, 2005.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 15<sup>th</sup> day of March, 2005 at 4:04 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, Legislative Chairman

APPROVED

on the 17 day of March, 2005

DISAPPROVED

at 12:22 o'clock, P..M.

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

**RESOLUTION NO. 05-142**

**(Approving Tohono O'odham Utility Authority Baboquivari Valley Inter-tie Water System & Storage Tank Site Right-of-Way, Baboquivari District, Tohono O'odham Nation)**

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Returned to the Legislative Secretary on the 17<sup>th</sup> 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 BABOQUIVARI VALLEY INTER-TIE WATER SYSTEM & STORAGE TANK SITE RIGHT-OF-WAY, BABOQUIVARI DISTRICT, TOHONO O'ODHAM NATION

**Moved:** COUNCILMAN VERLON JOSE

**Second:** COUNCILWOMAN LUCILDA NORRIS-VALENZUELA

**DATE:** MARCH 11, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> <b>192.6</b>	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30			X	
<b>SELLS</b> <b>465.6</b>	1. DENNIS E. JOSE ( )	232.80	X			
	2. EVELYN JUAN ( )	232.80	X			X
<b>SCHUK TOAK</b> <b>176.1</b>	1. FRANCES B. CONDE ( )	88.05			X	X
	2. PHYLLIS JUAN ( )	88.05			X	
<b>SAN XAVIER</b> <b>215.4</b>	1. FELICIA NUÑEZ ( <i>Absent</i> ) (Olivia Liston-Villegas) ( <i>Present</i> )	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
<b>SAN LUCY</b> <b>166.3</b>	1. JOHN W. LAWSON, SR. ( )	83.15	X			
	2. GLORIA RAMIREZ ( )	83.15	X			
<b>PISINEMO</b> <b>175.4</b>	1. BARBARA SALVICIO ( )	87.70	X			
	2. PATRICIA CRUZ ( )	87.70	X			
<b>HICKIWAN</b> <b>170.3</b>	1. DELMA GARCIA** (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ( )	85.15	X			
<b>GU VO</b> <b>191.4</b>	1. RAYMOND VICTOR ( )	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
<b>GU ACHI</b> <b>253.6</b>	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			X
<b>CHUKUT KUK</b> <b>258.9</b>	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
<b>BABOQUIVARI</b> <b>364.1</b>	1. FRANCES MIGUEL ( <i>Absent</i> ) (Lucilda Norris-Valenzuela) ( <i>Present</i> )	182.05	X			
	2. FRANCES G. ANTONE ( )	182.05	X			
<b>TOTAL</b>		<b>2,629.7</b>	<b>2,357.3</b>	<b>-0-</b>	<b>272.4</b>	<b>[03]</b>

\*\*PASSED VOTES