

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

RESOLUTION NO. 05-160

- 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 Water Line & Well Site Right-of-Way and related**
10 **facilities for the community of Kohatk, Sif Oidak District, Tohono O'odham Nation;**
11 **and**
- 12 **WHEREAS, the requested Well Site Parcel measures 30 x 30 Meters (98.43' x 98.43') which**
13 **encompasses 0.90 Hectares (0.22 acres) more or less; and**
- 14 **WHEREAS, the proposed Water Line Parcel will be 53.317 Meters (174.93') x 15 Meters (49.22')**
15 **which encompasses 0.080 Hectares (.197 acres) more or less; and**
- 16 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached**
17 **hereto and incorporated herein by reference) for uses consistent with the authorized**
18 **purposes of TOUA; and**
- 19 **WHEREAS, the TOUA Kohatk Water Line & Well Site Right-of-Way and related facilities will be of**
20 **substantial benefit to the Kohatk Community, Sif Oidak District, Tohono O'odham**
21 **Nation and their respective members; and**
- 22 **WHEREAS, the Kohatk Community approved the requested Right-of-Way at a meeting on**
23 **February 13, 2005; and**
- 24 **WHEREAS, the Sif Oidak District Council approved the Right-of-Way with its Resolution No. 03-**
25 **05-01 enacted on March 18, 2005; and**

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1 **WHEREAS, the Natural Resources Committee reviewed the Right-of-Way on March 21, 2005 and**
2 **by consensus recommends approval thereof by the Tohono O'odham Legislative**
3 **Council.**

4 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
5 **approve the Right-of-Way as requested by TOUA for the Water Line & Well Site and**
6 **related facilities in the location (as more fully described in the attached Right-of-Way**
7 **Plan and Legal Description) and construction by TOUA or its designated subsidiaries**
8 **for uses consistent with the authorized purposes of TOUA.**

9 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH. Day**
10 **of APRIL, 2005 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0- AGAINST;**
11 **-0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by Section 1 (i) of**
12 **Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham**
13 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
14 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

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16
17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

18
19 *for* *Isidro Lopez*
20 **Isidro Lopez, Legislative Chairman**

21
22 *08th* day of *April*, 2005

23
24 **ATTEST:**

25 *Lucille Lopez*
26
27 **Lucille Lopez, Acting Legislative Secretary**

28
29 *08th* day of *April*, 2005.

30
31 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**
32 **O'Odham Nation on the *08th* day of *April*, 2005 at *5:03* o'clock,**
33 ***P*.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
34 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**
35 **of submittal.**

36
37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

38
39 *for* *Isidro Lopez*
40 **Isidro Lopez, Legislative Chairman**

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APPROVED

on the 11th day of April, 2005

DISAPPROVED

at 9:18 o'clock, A.M.



VIVIAN JUAN SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 11th day of

April, 2005, at 11:20 o'clock, A.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY KOHATK WATER LINE & WELL SITE RIGHT-OF-WAY, SIF Oidak DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN DARLENE ANDREW

SECOND: COUNCILWOMAN FRANCES CONDE

DATE: APRIL 05, 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			
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			X
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			X
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			X
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			X
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			X
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Absent) (Juanita Homer) (Present)	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-	[06]

**PASSED VOTES