

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Transferring Control of a Water Well (B4) from the Water Resources Study Program**  
**to Tohono O'odham Utility Authority for Kukatch Community)**

**RESOLUTION NO. 05-174**

1 **WHEREAS, in July 2002, the Water Resources Study Program for the purposes of conducting its**  
2 **water resource study, caused to be drilled a borehole that was completed as a**  
3 **production well designated B4; and**

4 **WHEREAS, the well is presently owned by the Tohono O'odham Nation and the Water Resources**  
5 **Study Program has successfully concluded its testing of this well; and**

6 **WHEREAS, this production water well is located approximately 4.5 miles south of the Community**  
7 **of Kukatch at 3552146.3 meters north and 347438.4 meters east in the Universal**  
8 **Transverse Mercator Zone 12; and**

9 **WHEREAS, the construction of the well is to Arizona State public water system standards, and the**  
10 **quality of water available from this well is suitable for domestic water supply well use;**  
11 **and**

12 **WHEREAS, the Tohono O'odham Utility Authority Water Department wishes to incorporate the**  
13 **well known as B4 into its community water supply system for the Community of**  
14 **Kukatch; and**

15 **WHEREAS, the Tohono O'odham Utility Authority will equip, maintain and operate the well**  
16 **according to public drinking water system best accepted practices; and**

17 **WHEREAS, the Tohono O'odham Utility Authority, if it determines in the future that the well can**  
18 **no longer be used as a water supply well, will cause it to be remediated, or if that is**  
19 **economically unfeasible, will cause it to be plugged and abandoned according to the**  
20 **Tohono O'odham Nation's accepted standards; and**

21 **WHEREAS, the Water Resources Committee of the Tohono O'odham Legislative Council**  
22 **recommends approval of transferring the exclusive right to control, maintain and**  
23 **operate the well known as B4 to the Tohono O'odham Utility Authority.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby grants**  
25 **exclusive rights to control, maintain and operate the well known as B4 to the Tohono**  
26 **O'odham Utility Authority for so long as the well shall provide water sufficient in**  
27 **quality and quantity for use as a domestic supply well for Kukatch Community.**

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**The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06<sup>TH</sup> Day of APRIL, 2005 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0- AGAINST; -0- NOT VOTING; and [04] 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**

  
\_\_\_\_\_  
**Isidro Lopez, Legislative Chairman**

14<sup>th</sup> day of April, 2005

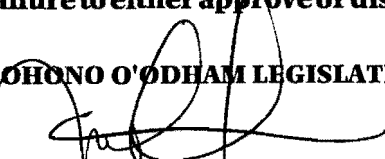
**ATTEST:**

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

13<sup>th</sup> day of April, 2005.

**Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 14<sup>th</sup> day of April, 2005 at 8:40 o'clock, A.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**

  
\_\_\_\_\_  
**Isidro Lopez, Legislative Chairman**

**APPROVED**

on the 15<sup>th</sup> day of April, 2005

**DISAPPROVED**

at 1:24 o'clock, P.M.

  
\_\_\_\_\_  
**VIVIAN JUAN SAUNDERS, CHAIRWOMAN**  
**TOHONO O'ODHAM NATION**

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

April, 2005, at 1:30 o'clock, P.M.

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

**ACTION: TRANSFERRING CONTROL OF A WATER WELL (B4) FROM THE WATER RESOURCES STUDY PROGRAM TO TOHONO O'ODHAM UTILITY AUTHORITY FOR KUKATCH COMMUNITY**

**Moved: COUNCILWOMAN FELICIA NUNEZ**

**SECOND: COUNCILMAN TIMOTHY JOAQUIN**

**DATE: APRIL 06, 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			X
	2. EVELYN JUAN ( )	232.80	X			
<b>SCHUK TOAK</b> <b>176.1</b>	1. FRANCES B. CONDE ( )	88.05	X			
	2. PHYLLIS JUAN ( )	88.05	X			
<b>SAN XAVIER</b> <b>215.4</b>	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			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			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			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			
<b>CHUKUT KUK</b> <b>258.9</b>	1. KENNETH WILLIAMS <i>(Absent)</i> (Juanita Homer) <i>(Present)</i>	129.45	X			
	2. VERLON M. JOSE** (David Garcia)	129.45	X			
<b>BABOQUIVARI</b> <b>364.1</b>	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>[04]</b>

\*\*PASSED VOTES