RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL

(Approving Installation of Three Additional Monitor Wells by Cyprus Tohono Corporation Near the Community of North Komelik)

RESOLUTION NO. 05-740

1	WHEREAS,	Cyprus Tohono Corporation ("Cyprus Tohono") continues to work with the Tohono
2		O'odhamNation ("Nation")andSifOidakDistrict ("District")inprovidinginformation
3		about the quality of the groundwater aquifer in the vicinity of the Cyprus Tohono
4		mine and the community of North Komelik; and
5	WHEREAS,	the Nation's Natural Resources Department, the Bureau of Land Management, and
6		Cyprus Tohono have reviewed the existing groundwater quality data and have agreed
7		on the location of an additional seven monitor wells which will help provide
8	7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.	additional information pertaining to the groundwater aquifer; and
9	WHEREAS,	three of the seven proposed monitor well locations are on the Nation's land outside
10		of the Cyprus Tohono Mining Lease and Business Lease and are identified as locations
11		A, B, and C on the attached map, and the remaining four monitor well locations are
12		within the Cyprus Tohono leases; and
13	WHEREAS,	the three monitor wells on the Nation's land outside of the Cyprus Tohono leases will
14		be drilled and constructed by a contractor of Cyprus Tohono according to
15		specifications of Cyprus Tohono which have been reviewed and approved by the
16		Nation's Water Resources Study Program, and the three wells will be owned by the
17		Nation; and
18	WHEREAS,	Cyprus Tohono has a well drilling crew on site during November 2005 drilling the four
19		wells on the Cyprus Tohono leased land, and has requested permission to drill the
20		remaining three wells on lands outside the leases as soon as possible so that the well
21		drilling crew does not have to re-mobilize its equipment to the well sites at a later
22		date; and
23	WHEREAS,	the authority to grant access to the Nation's groundwater aquifers lies with the
24		Tohono O'odham Legislative Council; and
25	WHEREAS,	at a meeting on November 19, 2005, the Sif Oidak District Council discussed the
26		$monitor well \ drilling \ program \ and \ agreed \ to \ the \ locations \ for \ the \ three \ monitor \ wells$
27		outside the Cyprus Tohono leases as proposed by Cyprus Tohono and the Nation's
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	RESOLUTION NO. <u>05-740</u> (Approving Installation of Three Additional Monitor Wells by Cyprus Tohono Corporation Near the Community of North Komelik) Page 2 of 3
1	Natural Resources Department, and approved the location of the three wells in Si
2	Oidak District Council Resolution No. 11-05-06; and
3	WHEREAS, the Water Resources and the Natural Resources Committees have reviewed this
4	proposal and recommend approval by the Tohono O'odham Legislative Council.
5	NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:
6	(1) approves the drilling and construction of three monitor wells near Nortl
7	Komelik at the locations shown on the attached map, which wells will be owned
8	by the Nation upon completion of construction; and
9	(2) authorizes Cyprus Tohono personnel and their consultants to access the wel
10	sites and the wells after completion of construction for the purposes of the
11	groundwater monitoring program related to the Cyprus Tohono mine, and to
12	pump water from the monitor wells in amounts sufficient to obtain water
13	samples, on the condition that Cyprus Tohono provide to the Nation's Water
14	Resources Study Program copies of any data obtained from these wells.
15 16	The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the <u>09TH.</u> Day of <u>DECEMBER, 2005</u> at a meeting at which a quorum was present with a vote of <u>2,440.80</u> FOR; <u>-0</u>
17	AGAINST; <u>-0-</u> NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by
18	Section <u>2(a)</u> , <u>2(b)</u> and <u>2(c)</u> of Article XVII of the Constitution of the Tohono O'Odham Nation
19	adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deput
20 21	Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Ac of June 18, 1934 (48 Stat. 984).
22	or june 10, 1334 (10 out. 301).
23	TOHONO O'ODHAM LEGISLATIVE COUNCIL
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26	Green 1) Luce
27	Evelyn B. Juan Manuel, Legislative Chairwoman
28	ian no.
29	12mday of Delember, 2005
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32 33	ATTEST:
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35	Jum John
36	Lucille Lopez, Acting Legislative Secretary
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38	<u>9</u> day of <u>Jumbr</u> , 2005.

	RESOLUTION NO. <u>05-740</u> (Approving Installation of Three Additional Monitor Wells by Cyprus Tohono Corporation Near the Community of North Komelik) Page 3 of 3
1	Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
2	O'Odham Nation on the 12th day of December, 2005 at 4:25 o'clock,
3	\underline{f} .M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
4 5	effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.
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7	TOHONO O'ODHAM LEGISLATIVE COUNCIL
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10	Evelyn B. Juan Manuel, Legislative Chairwoman
11	Evelyn B. Juan Maňuel, Legislative Chairwoman
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15	[APPROVED on the 12 day of 18 day o
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17	[] DISAPPROVED at <u>5′.20</u> o'clock, <u>f</u> .m.
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19	//Murati Mari Aranda
20 21	VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
22	TOHONO O'ODHAM NATION
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26	Returned to the Legislative Secretary on the $\frac{1}{3}$ day of
27	<u>Dunner</u> , 2005, at <u>847</u> o'clock, <u>A</u> .M.
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31	Jum Juky
32	Lucille Lopez, Acting Legislative Secretary
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 ACTION: APPROVING INSTALLATION OF THREE ADDITIONAL MONITOR WELLS BY CYPRUS TOHONO CORPORATION NEAR THE COMMUNITY OF NORTH KOMELIK

MOVED: COUNCILWOMAN DARLENE ANDREW

SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

DATE: DECEMBER 09, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI	1. FRANCES MIGUEL	155.40	X			
310.8	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK	1. ETHEL GARCIA	129.35	x			
258.7	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI	1. TIMOTHY L. JOAQUIN	110.80	X			
221.6	(Jonas Robles) 2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO	1. RAYMOND VICTOR	96.55	X			
193.1	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN	1. DELMA GARCIA	83.70	X			
167.4	(Mary E. Sam) 2. SANDRA ORTEGA ()	83.70	X			
PISINEMO	1. BARBARA SALVICIO	85.90	X			
171.8	2. GERALD FAYUANT	85.90	X			
SAN LUCY	1. JOHN W. LAWSON, SR.	84.50	X			
169.0	2. GLORIA RAMIREZ	84.50	X			x
SAN XAVIER	1. FELICIA NUÑEZ	96.90	X			x
193.8	2. OLIVIA VILLEGAS-LISTON	96.90	X			
SCHUK TOAK	1. FRANCES B. CONDE	73.45	X			
146.9	2. PHYLLIS JUAN	73.45	X			
SELLS	1. MARLENE SARAFICIO-JUAN	210.50	X			
421.0	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			
SIF OIDAK	1. WAVALENE SAUNDERS	93.35	X			х
186.7	(Isidro Lopez) 2. DARLENE ANDREW (Rita Martinez)	93.35	X			
	TOTAL	2,440.80	2,440.80	-0-	-0-	[03]