

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Pan Tak Water Main & Tank Site
Right-of-Way, Schuk Toak District, Tohono O'odham Nation)

RESOLUTION NO. 06-487

1 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority, now**
2 **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 Main & Tank Site Right-of-Way and related**
10 **facilities for the community of Pan Tak, Schuk Toak District, Tohono O'odham Nation;**
11 **and**

12 **WHEREAS, the requested Water Main Right-of-Way consists of a parcel of land 16,594.87 feet in**
13 **length x 50 feet in width which encompasses 19.04 acres more or less; and**

14 **WHEREAS, the requested Tank Site Right-of-Way consists of a 100' x 100' square parcel**
15 **encompassing 0.23 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 TOUA Pan Tak Water Main & Tank Site Right-of-Way and related facilities will be**
20 **of substantial benefit to the Tohono O'odham Nation and their respective members;**
21 **and**

22 **WHEREAS, the Schuk Toak District Council did support the Right-of-Way request by enactment**
23 **of Resolution No. ST-05-27-06-15; and**

24 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on June 12,**
25 **2006 and by consensus does recommend further approval thereof by the Legislative**
26 **Council.**

27 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
28 **approve the Right-of-Way as requested by TOUA for the Pan Tak Water Main & Tank**
29 **Site and related facilities in the location (as more fully described in the referenced**

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Page 2 of 3

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Right-of-Way Plan and supporting documents) 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 14TH Day of JULY, 2006 at a meeting at which a quorum was present with a vote of 2,247.0 FOR; -0- AGAINST; -0- NOT VOTING; and 193.8[08] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (i) 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


Evelyn B. Juan Manuel, Legislative Chairwoman

25th day of July, 2006

ATTEST:


Lucille Lopez, Acting Legislative Secretary

14 day of July, 2006.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 25th day of July, 2006 at 1:59 o'clock, 1 .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

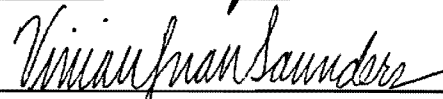

Evelyn B. Juan Manuel, Legislative Chairwoman

APPROVED

on the 25th day of July, 2006

DISAPPROVED

at 3:15 o'clock, PM .M.


VIVIAN JUAN SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

RESOLUTION NO. 06-487

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Page 3 of 3

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Returned to the Legislative Secretary on the 25th day of

July, 2006, at 3:25 o'clock, P.M.

Julianne Sarpi

Lucille Lopez, Acting Legislative Secretary *for:*

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY PAN TAK WATER MAIN & TANK SITE RIGHT-OF-WAY, SCHUK TOAK DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN FRANCES CONDE

SECOND: VICE CHAIRMAN VERLON JOSE

DATE: JULY 14, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (<i>Absent</i>) (Vernon J. Smith) (<i>Present</i>)	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			X
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			X
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			X
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			X
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			
	2. GLORIA RAMIREZ** ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90				X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90				X
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			X
SELLS 421.0	1. MARLENE SARAFICIO-JUAN** ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (<i>Absent</i>) (Rita Martinez) (<i>Present</i>)	93.35	X			
TOTAL		2,440.80	2,247.0	-0-	-0-	193.8 [08]

**PASSED VOTES