

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Regarding the Enforceability Conditions of the Arizona Water Settlements Act)**

RESOLUTION NO. 07-314

1 **WHEREAS, the parties to the settlements encompassed in the Arizona Water Settlements Act,**
2 **Public Law 108-451 (the "Settlements Act"), are concerned that Section 302(b)(5) of**
3 **Title III regarding enforceability of the Act might not be fulfilled in time to meet the**
4 **December 31, 2007 deadline; and**

5 **WHEREAS, Titles I, II and III of the Settlements Act are tied together through the Central Arizona**
6 **Project ("CAP") Repayment Stipulation referred to in Title I, and the failure of Title**
7 **III to become enforceable could result in the entire Settlements Act not becoming**
8 **enforceable; and**

9 **WHEREAS, the Tohono O'odham Nation ("Nation") has concerns about any revision to the CAP**
10 **Repayment Stipulation that would delink the enforceability conditions of Titles I and**
11 **II of the Settlements Act from those applicable to Title III; and**

12 **WHEREAS, at the same time, the Nation recognizes that the Settlements Act resolves**
13 **longstanding Indian water rights claims as well as difficult CAP repayment and water**
14 **reallocation issues and that these matters are of great significance in central and**
15 **southern Arizona; and**

16 **WHEREAS, pursuant to Resolution No. 07-231, the Nation has called upon the United States**
17 **Congress to approve technical amendments to the Settlements Act, and now calls**
18 **upon the other parties involved in passage of the Settlements Act to support and**
19 **assist the Nation in obtaining any necessary technical amendments to the**
20 **Settlements Act to permit the enforceability condition set forth in Section 302(b)(5)**
21 **to be met timely.**

22 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that the Nation**
23 **will not oppose the delinkage of the enforceability conditions in Titles I and II of the**
24 **Settlements Act from Title III, provided the primary parties involved in Titles I and**
25 **II, namely the State of Arizona, the Salt River Project, the Gila River Indian**
26 **Community, and the Central Arizona Water Conservation District, provide their**
27 **respective agreements, in writing, to support and assist the Nation in obtaining any**
28 **necessary technical amendments to the Settlements Act to permit the enforceability**
29 **condition set forth in Section 302(b)(5) to be met timely.**

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1 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST. Day
2 of MAY, 2007 at a meeting at which a quorum was present with a vote of 1,617.15 FOR; -0- AGAINST;
3 823.65 NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1
4 and Section 2 of Article XVII of the Constitution of the Tohono O'Odham Nation, adopted by the
5 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
6 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
7 18, 1934 (48 Stat. 984).
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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Verlon M. Jose, Legislative Chairman

28 day of May, 2007

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17 ATTEST:


Lucille Lopez, Acting Legislative Secretary

21 day of May, 2007.

25 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
26 O'Odham Nation on the 28 day of May, 2007 at 5:04 o'clock,
27 p.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
28 effective upon her approval or upon her failure to either approve or disapprove it within 48 hours
29 of submittal.

30 TOHONO O'ODHAM LEGISLATIVE COUNCIL



Verlon M. Jose, Legislative Chairman

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39 APPROVED

on the 28 day of May, 2007

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41 DISAPPROVED

at 3:32 o'clock, p.M.


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 29 day of

May, 2007, at 9.18 o'clock, A.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: REGARDING THE ENFORCEABILITY CONDITIONS OF THE ARIZONA WATER SETTLEMENTS ACT

MOVED: COUNCILWOMAN DARLENE ANDREW

SECOND: COUNCILWOMAN FELICIA NUNEZ

DATE: MAY 21, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			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	
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. SHIRLEY SANTOS-MOLINA ()	83.70	X			X
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			X
SAN LUCY 169.0	1. LORRAINE EILER ()	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			
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. WA VALENE ROMERO (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
TOTAL		2,440.80	1,617.15	-0-	823.65	[04]

**PASSED VOTES