

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Budget Amendment No. 3 for Office of Attorney General SAWRSA Trust
Fund Budget No. 21-2010)**

RESOLUTION NO. 08-197

- 1 **WHEREAS, the Tohono O'odham Nation ("Nation") has contracted with Natural Resources**
2 **Consulting Engineers, Inc., since 1991, under the supervision of the Water Resources**
3 **Committee and the Office of Attorney General, to perform technical studies to quantify**
4 **and evaluate damages to the Nation's Sif Oidak water claims, which contract was**
5 **funded by the Bureau of Indian Affairs ("BIA") P.L. 93-638 Self-Determination Act**
6 **contract under a program called the Gila River Adjudication Program; and**
- 7 **WHEREAS, for the past four years the Nation has received no additional funds from the BIA under**
8 **the Gila River Adjudication Program due to general cut backs in BIA funding and due**
9 **to the higher priority which the BIA places on water settlements with other tribes; and**
- 10 **WHEREAS, due to the completion of the Arizona Water Settlements Act in December 2007, the BIA**
11 **is now in the process of utilizing the last 67,000 acre feet of Central Arizona Project**
12 **water to negotiate settlements of the remaining Indian water claims in Arizona; and**
- 13 **WHEREAS, it is in the Nation's interest to move forward now to negotiate with the United States**
14 **regarding the Sif Oidak water claims, and to fund additional consultant studies and**
15 **professional support in support of these negotiations; and**
- 16 **WHEREAS, in the absence of continued federal funding, the SAWRSA Trust Fund is available to**
17 **fund professional services required to negotiate the Sif Oidak water claims; and**
- 18 **WHEREAS, by Resolution No. 92-156, entitled "Adoption of Interim Priorities for Use of SAWRSA**
19 **Trust Fund Income," the Nation authorized use of the SAWRSA Trust Fund income to**
20 **fund several kinds of activity, including "to pay technical consultants for the**
21 **preparation of supporting data and assisting in the (i) development of settlement**
22 **legislation for the Sif Oidak water claims, (ii) development of a Tribal Water Code and**
23 **(iii) implementation of the San Lucy Settlement Act in terms of securing federal**
24 **acknowledgment of both the trust status of the San Lucy Farm and liability for**
25 **payment of the Irrigation District in lieu taxes"; and**
- 26 **WHEREAS, the Office of Attorney General and the Water Resources Committee have**
27 **recommended appropriating \$100,000 from the SAWRSA Trust Fund to fund a**
28 **professional services contract with Natural Resources Consulting Engineers, Inc. in**

RESOLUTION NO. 08-197

(Approving Budget Amendment No. 3 for Office of Attorney General SAWRSA Trust Fund Budget No. 21-2010)

Page 2 of 3

1 **order to conduct further studies and provide professional services in the Nation's**
2 **effort to negotiate the Sif Oidak water claims with the United States; and**

3 **WHEREAS, budget account number 21-2010 was created to fund attorney contracts and other**
4 **professional service contracts from the SAWRSA Trust Fund for the purposes**
5 **previously established by the Nation for the SAWRSA Trust Fund, under the**
6 **supervision of the Office of Attorney General.**

7 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 8 **1. Approves Budget Amendment No. 3 for the Office of Attorney General SAWRSA Trust**
9 **Fund Budget No. 21-2010; and**
10 **2. Appropriates \$100,000 from the SAWRSA Trust Fund to fund the budget**
11 **amendment; and**
12 **3. Authorizes the program to expend the funds for the purposes provided by the**
13 **budget.**

14 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH Day**
15 **of APRIL, 2008 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST;**
16 **-0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2)**
17 **of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham**
18 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
19 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

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21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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24 _____
25 **Verlon M. Jose, Legislative Chairman**

26
27 25 day of April, 2008

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29 **ATTEST:**

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32 _____
33 **Lucille Lopez, Acting Legislative Secretary**

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35 11 day of April, 2008.

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37 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
38 **Nation on the 25 day of April, 2008 at 9:36 o'clock, a.m.,**
39 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
40 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
41 **submittal.**


RESOLUTION NO. 08-197

(Approving Budget Amendment No. 3 for Office of Attorney General SAWRSA Trust Fund Budget No. 21-2010)

Page 3 of 3

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TOHONO O'ODHAM LEGISLATIVE COUNCIL




Verlon M. Jose, Legislative Chairman

APPROVED

on the 28 day of APRIL, 2008

DISAPPROVED

at 1:27 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION
VICE CHAIRMAN

Returned to the Legislative Secretary on the 28th day of

April, 2008, at 3:35 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING BUDGET AMENDMENT NO. 3 FOR OFFICE OF ATTORNEY GENERAL SAWRSA TRUST FUND
BUDGET NO. 21-2010

MOVED: COUNCILWOMAN WAVALENE ROMERO

SECOND: COUNCILWOMAN PHYLLIS CACHORA

DATE: APRIL 11, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. MICHAEL FLORES ()	99.60	X			X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			X
	2. SANDRA ORTEGA ()	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE ()	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			X
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			
	2. EVELYN B. JUAN MANUEL ()	222.35	X			X
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,534.5	-0-	-0-	[05]

**PASSED VOTES