

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Tohono O'odham Utility Authority Pan Tak Well #2 Right-of-Way,**  
**Schuk Toak District, Tohono O'odham Nation)**

**RESOLUTION NO. 08-720**

- 1 **WHEREAS, the Tohono O'odham Legislative Council convened at a scheduled meeting on**  
2 **12/16/2008; and**
- 3 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority,**  
4 **now known as Tohono O'odham Utility Authority (TOUA) for purposes of constructing,**  
5 **maintaining and operating various utility systems within the Nation to be owned**  
6 **wholly by the Nation; and**
- 7 **WHEREAS, the Tohono O'odham Legislative Council did pass Resolution No. 91-175 (Adopting**  
8 **Second Restated Plan of Operation for the Tohono O'odham Utility Authority) which**  
9 **requires the Authority to submit for prior review and approval of the Legislative**  
10 **Council and each affected District any proposed utility easement; and**
- 11 **WHEREAS, TOUA requests permission for combined Right-of-Way to add a New Well (Well#2) and**  
12 **related facilities and utilities for the community of Pan Tak, Schuk Toak District,**  
13 **Tohono O'odham Nation; and**
- 14 **WHEREAS, the requested combined right-of-way for the New Well (Well#2) which measures 300**  
15 **FT in length x 100 FT in width which encompasses .689 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 Well (Well#2) Right-of-Way and related facilities and utilities will**  
20 **be of substantial benefit to the Pan Tak community, Schuk Toak District, Tohono**  
21 **O'odham Nation and their respective members; and**
- 22 **WHEREAS, the Schuk Toak District Council did approve the Right-of-Way request by enactment**  
23 **of Resolution No. ST-11-08-08-104; and**
- 24 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on 12/11/08**  
25 **and by consensus does recommend further approval thereof by the Tohono O'odham**  
26 **Legislative 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 Well (Well#2) and**  
29 **related utilities and facilities in the location (as more fully described in the**

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referenced map 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 16<sup>TH</sup> Day of DECEMBER, 2008 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 (i) 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

  
Verlon M. Jose, Legislative Chairman

16 day of December, 2008

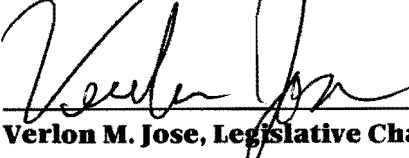
ATTEST:

  
Lucille Lopez, Acting Legislative Secretary

16 day of December, 2008.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 16 day of December, 2008 at 12:01 o'clock, p.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

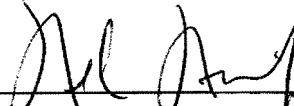
  
Verlon M. Jose, Legislative Chairman

on the 19<sup>th</sup> day of December, 2008

APPROVED

at 10:10 a o'clock, a.M.

DISAPPROVED

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

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Returned to the Legislative Secretary on the 22 day of

December, 2008, at 8:33 o'clock, A.M.

*Lucille Lopez*  
Lucille Lopez, Acting Legislative Secretary

**ACTION:** APPROVING TOHONO O'ODHAM UTILITY AUTHORITY PAN TAK WELL #2 RIGHT-OF-WAY, SCHUK TOAK DISTRICT, TOHONO O'ODHAM NATION

**MOVED:** COUNCILWOMAN FRANCES CONDE

**SECOND:** COUNCILWOMAN PHYLLIS CACHORA

**DATE:** DECEMBER 16, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
<b>CHUKUT KUK</b> 264.8	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			
<b>GU ACHI</b> 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			X
<b>GU VO</b> 199.2	1. GRACE MANUEL ( )	99.60	X			
	2. RAYMOND VICTOR ( )	99.60	X			X
<b>HICKIWAN</b> 172.0	1. MICHELLE ORTEGA ( )	86.00	X			
	2. SANDRA ORTEGA ( )	86.00	X			
<b>PISINEMO</b> 182.4	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	91.20	X			
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> 181.1	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ( )	90.55	X			
<b>SAN XAVIER</b> 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
<b>SCHUK TOAK</b> 154.6	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> 444.7	1. KIMBERLY LISTO ( )	222.35	X			
	2. EVELYN B. JUAN MANUEL ( )	222.35	X			
<b>SIF OIDAK</b> 194.4	1. WAVALENE ROMERO ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,534.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>

\*\*PASSED VOTES