

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Kukatch Waterline Right-of-Way,
Gu-Vo District, Tohono O'odham Nation)**

RESOLUTION NO. 08-721

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 Waterline and**
12 **related facilities and utilities for the community of Kukatch, Gu-Vo District, Tohono**
13 **O'odham Nation; and**

14 **WHEREAS, the requested combined right-of-way for the New Waterline which measures**
15 **29,009.57 FT in length x 50 FT in width which encompasses 27.56 acres more or less;**
16 **and**

17 **WHEREAS, TOUA has respectfully submitted all documents and pertinent information**
18 **(incorporated herein by reference) for uses consistent with the authorized purposes**
19 **of TOUA; and**

20 **WHEREAS, the TOUA Kukatch Waterline Right-of-Way and related facilities and utilities will be**
21 **of substantial benefit to the Kukatch community, Gu-Vo District, Tohono O'odham**
22 **Nation and their respective members; and**

23 **WHEREAS, the Gu- Vo District Council did approve the Right-of-Way request by enactment of**
24 **Resolution No. GV08-068; and**

25 **WHEREAS, the Natural Resources Committee reviewed the requested Right-of-Way on**
26 **12/11/2008 and by consensus does recommend further approval thereof by the**
27 **Tohono O'odham Legislative Council.**

28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
29 **approve the Right-of-Way as requested by TOUA for the Kukatch Waterline and**
30 **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 16TH. 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

14 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

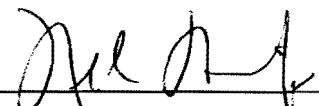

Verlon M. Jose, Legislative Chairman

APPROVED

on the 19 day of December, 2008

DISAPPROVED

at 10:14 o'clock, A.M.


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

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Returned to the Legislative Secretary on the 5th 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 KUKATCH WATERLINE RIGHT-OF-WAY, GU-VO DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILWOMAN PHYLLIS CACHORA

DATE: DECEMBER 16, 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			X
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. RAYMOND VICTOR ()	99.60	X			X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	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			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			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			
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-	[04]

****PASSED VOTES**