

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Submittal of Letter Regarding ASARCO Land Exchange Study Under
Arizona Water Settlements Act of 2004)

RESOLUTION NO. 10-265

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "administer land**
2 **and other public property." (Constitution of the Tohono O'odham Nation, Article VI,**
3 **Section 1(i)); and**

4 **WHEREAS, under the Arizona Water Settlements Act of 2004 ("AWSA"), the Secretary of the**
5 **Department of Interior was directed to conduct and submit to Congress a study on the**
6 **feasibility of a land exchange with ASARCO for the Mission Complex Mining and**
7 **Business Leases; and**

8 **WHEREAS, since the passage of AWSA, ASARCO and the Nation have entered into a settlement**
9 **agreement that covers reclamation of the Mission Complex Mining and Business**
10 **Leases; and**

11 **WHEREAS, significant progress has been made on the reclamation of the Mission Complex Mining**
12 **and Business Leases; and**

13 **WHEREAS, the San Xavier District and the allottees of the Mission Complex Mining and Business**
14 **Leases have taken the position that the ASARCO land exchange study required under**
15 **AWSA is no longer needed or wanted.**

16 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council finds that a**
17 **feasibility study for a potential land exchange at the ASARCO mine site is no longer**
18 **needed and authorizes and directs the Chairman of the Nation to sign a letter, so long**
19 **as it is substantially in the form attached hereto, and indicates to the United States**
20 **Department of the Interior that the Nation does not wish to pursue the ASARCO land**
21 **exchange study required under AWSA.**

22 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14TH Day**
23 **of JULY, 2010 at a meeting at which a quorum was present with a vote of 2,595.50 FOR; -0- AGAINST;**
24 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI,**
25 **Section 1 (i) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham**
26 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
27 **(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

22 day of July, 2010

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RESOLUTION NO. 10-265

(Authorizing the Submittal of Letter Regarding ASARCO Land Exchange Study Under Arizona Water Settlements Act of 2004)

Page 2 of 2

1 **ATTEST:**

2 *Evonne Wilson*
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4 **Evonne Wilson, Legislative Secretary**

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6 14 day of July, 2010.

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8 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
9 **Nation on the 22 day of July, 2010 at 5:15 o'clock, P. .M.,**
10 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
11 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
12 **submittal.**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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16 *Verlon Jose*
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18 **Verlon M. Jose, Legislative Chairman**

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23 **APPROVED**

on the 23 day of July, 2010

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25 **DISAPPROVED**

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

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27 *Ned Norris, Jr.*
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29 **NED NORRIS, JR., CHAIRMAN**
30 **TOHONO O'ODHAM NATION**

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35 **Returned to the Legislative Secretary on the 23 day of**

36 July, 2010, at 4:24 o'clock, P. .M.

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38 *Evonne Wilson*
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41 **Evonne Wilson, Legislative Secretary**

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ACTION: AUTHORIZING THE SUBMITTAL OF LETTER REGARDING ASARCO LAND EXCHANGE STUDY UNDER ARIZONA WATER SETTLEMENTS ACT OF 2004

Moved: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN MARY LOPEZ

DATE: JULY 14, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55	X			
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			X
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL ()	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	162.0	X			
TOTAL		2,595.50	2,595.50	-0-	-0-	[03]