

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Eastern Schuk Toak District Water Management Plan Pursuant to the
Provisions of the SAWRSA Amendments and the Nation's Water Code)**

RESOLUTION NO. 21-348

1 **WHEREAS,** the Nation's Constitution provides that the Tohono O'odham Legislative Council
2 "shall have, consistent with federal law, the control and management of these
3 waters and shall have the power to: (a) determine how these waters shall be
4 developed, used, and conserved for the greatest public benefit..." and "(t)o
5 administer land and other public property, and by law, ordinance or resolution .
6 . .to manage, protect, preserve, and regulate the use of the property, wildlife,
7 land, air, and natural resources (including surface and ground waters) of the
8 Tohono O'odham Nation." (Constitution of the Tohono O'odham Nation, Article
9 XVII, Section 2(a) and Article VI, Section 1(i)(2)); and
10 **WHEREAS,** on December 10, 2004, the U.S. Congress enacted the Southern Arizona Water
11 Rights Settlement Amendments Act of 2004 ("SAWRSA Amendments") as Title III of
12 the Arizona Water Settlements Act ("AWSA"), Public Law 108-451; and
13 **WHEREAS,** under the SAWRSA Amendments, the Nation adopted a comprehensive water code
14 ("Water Code") that retained certain provisions concerning water management
15 plans, including the development of a water management plan for the eastern
16 Schuk Toak District pursuant to Section 308(d) of the SAWRSA Amendments (25
17 T.O.C. Chapter 3 - Tohono O'odham Water Code, Article 7, Sections 3701 and 3702);
18 and
19 **WHEREAS,** pursuant to Article 7, Section 3702 of the Nation's Water Code, the Director of the
20 Water Resources Department shall prepare, in consultation with each affected
21 District, a proposed Water Management Plan for each Water Management Area
22 established pursuant to the Nation's Water Code; and
23 **WHEREAS,** by Resolution No. 19-439, the Legislative Council approved the Tohono O'odham
24 Nation Water Management Plans, which included ten districts, but not eastern
25 Schuk Toak District; and
26 **WHEREAS,** the Water Resources Department, in consultation with the Schuk Toak District,
27 has prepared a Water Management Plan for the eastern portion of the Schuk Toak
28 District ("Eastern Schuk Toak District Water Management Plan"), which is
29 incorporated by this reference, pursuant to the provisions of the SAWRSA
30 Amendments and the Nation's Water Code; and

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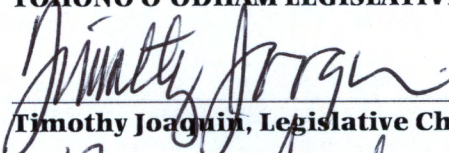
1 **WHEREAS, on July 10, 2021, the Schuk Toak District Council approved and endorsed the**
2 **Eastern Schuk Toak District Water Management Plan by Resolution No. ST-07-10-**
3 **21-085; and**

4 **WHEREAS, the Water Resources Committee has reviewed the Eastern Schuk Toak District**
5 **Water Management Plan and recommends its approval.**


6 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
7 **Eastern Schuk Toak District Water Management Plan pursuant to the provisions**
8 **of the SAWRSA Amendments and the Nation's Water Code.**

9 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14TH**
10 **day of SEPTEMBER, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**
11 **-0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by,**
12 **Article XVII, Section 2(a) and Article VI, Section 1(i)(2) of the Constitution of the Tohono O'odham**
13 **Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**
14 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**
15 **16 of the Act of June 18, 1934 (48 Stat.984).**

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17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

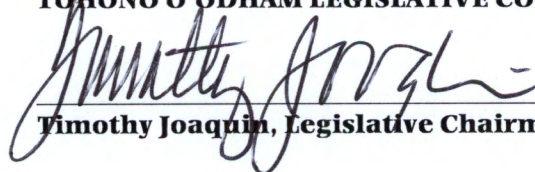
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21 **Timothy Joaquin, Legislative Chairman**
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23 17 day of Sept, 2021

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26 **ATTEST:**

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29 **Evonne Wilson, Legislative Secretary**
30
31 15 day of September, 2021

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33 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
34 **O'odham Nation on the 17 day of Sept, 2021 at 4:32 o'clock, p.m.,**
35 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
36 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
37 **hours of submittal.**

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39 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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43 **Timothy Joaquin, Legislative Chairman**
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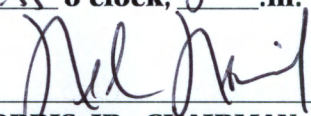
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APPROVED

on the 20 day of September, 2021

DISAPPROVED

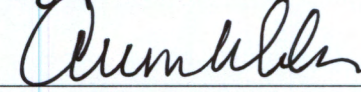
at 12:55 o'clock, P.m.



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

Returned to the Legislative Secretary on the 20 day of

September, 2021, at 4:24 o'clock, P.m.



Evonne Wilson, Legislative Secretary

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ACTION: APPROVING THE EASTERN SCHUK TOAK DISTRICT WATER MANAGEMENT PLAN PURSUANT TO THE PROVISIONS OF THE SAWRSA AMENDMENTS AND THE NATION'S WATER CODE**MOVED: COUNCILMAN DANIEL L.A. PRESTON III****SECOND: COUNCILWOMAN DELISA RAMON****DATE: SEPTEMBER 14, 2021**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON ()	278.25	X			
	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUAL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. SANDRA D. ORTEGA (<i>Absent</i>) (Delma M. Garcia) (<i>Present</i>)	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			X
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	[01]