

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Selection of lands to be serviced by P.L. 97-293
imported water)

RES. NO. 372-86

1 WHEREAS, under the provision of P.L. 97-293, 96 Stat. 1274, the San Xavier
2 District will receive, as soon as possible, but not later than October
3 12, 1992, fifty thousand (50,000) acre feet of imported agriculture
4 water delivered through the Central Arizona Project aqueduct; and

5
6 WHEREAS, to utilize this fifty thousand acre feet of imported water it is
7 necessary that the District and Tohono O'Odham Legislative Council
8 select approximately 12,000 acres of land for an irrigation project;
9 and

10 WHEREAS, based upon a San Xavier District Resolution, the Tohono O'Odham
11 Legislature did, on August 8, 1985, pass Resolution No. 621-85 wherein
12 it authorized the use of the Tribal lands located in the northwest
13 portion of the San Xavier Reservation as set forth on the map attached
14 to said resolution; and

15
16 WHEREAS, it has become apparent that there is not sufficient arable Tribal
17 lands to utilize the total fifty thousand (50,000) acre feet of
18 imported agricultural water to be delivered to the San Xavier Reser-
19 vation; and

20 WHEREAS, if the District Council and the Tohono O'Odham Legislature decide that
21 it is in the best interest of the District and the Nation to utilize
22 the total fifty thousand (50,000) acre feet of imported agricultural
23 water, it will be necessary to include in the agricultural develop-
24 ment plan the use of additional tribal lands and allottees lands or
25 additional allottee lands; and

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27 WHEREAS, it is also imperative that the San Xavier District Council and the
28 Tohono O'Odham Legislature decide which of the lands selected for
29 development be irrigated by the use of the twenty seven thousand
30 (27,000) acre feet of Central Arizona Project water allocated to the
31 Nation under the provision of the December 12, 1980 C.A.P. Indian Sec-
32 retarial Allocation Contract and P.L. 97-293 and which of the lands

1 selected for development be irrigated by use of the twenty three
2 thousand 23,000 acre feet of exchange water as provided for in P.L.
3 97-293; and

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5 WHEREAS, the engineering and architectural firm of Franzoy and Corey has
6 presented to the San Xavier Council and the Tohono O'Odham Legislature
7 four alternative development plans entitled 4A, 6, 7, and 8 and have
8 explained each plan and a comparative analysis of the advantages and
9 disadvantages of each plan; and

10 WHEREAS, the San Xavier District Council has passed a resolution, a copy of
11 which is attached hereto, wherein it approved Plan No. 6 as the San
12 Xavier Development Plan for the utilization of the twenty seven
13 thousand (27,000) acre feet of Central Arizona Project water allocated
14 to the Tohono O'Odham Nation under the provisions of the December 12,
15 1980 C.A.P. Indian Secretarial Allocation contract and P.L. 97-293
16 provided that prior to the use of any allotted lands set forth in Plan
17 NO. 6, the San Xavier District Council and the Tohono O'Odham Nation
18 must negotiate an agreement with the allottees who own this land and
19 and if any of the allottees do not agree to the use of their land,
20 that land shall be excluded from the San Xavier Development Plan; and

21
22 WHEREAS, the Tohono O'Odham Legislature agrees with the San Xavier Council that
23 it would be in the best interest of the District and the Nation if
24 Plan No. 6 is selected as the San Xavier Development Plan for the
25 utilization of the twenty seven thousand (27,000) acre feet of Central
26 Arizona Project water allocated to the Nation under the provisions of
27 the December 12, 1980 C.A.P. Indian Secretarial Allocation contract and
28 P.L. 97-293 and the utilization of the twenty three thousand (23,000)
29 acre feet of exchange water as provided in P.L. 97-293.
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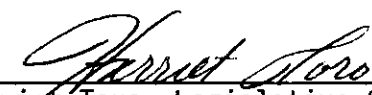
1 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham Legislature does hereby
2 approve Plan No. 6 attached hereto and made a part hereof, as the San
3 Xavier Development Plan for the utilization of the twenty seven
4 thousand (27,000) acre feet of Central Arizona Project water allocated
5 to the Tohono O'Odham Nation under the provision of the December 12,
6 1980 C.A.P. Indian Secretarial Allocation contract and the utilization
7 of the twenty three thousand (23,000) acre feet of exchange water as
8 provided in P.L. 97-293.
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10 BE IT FURTHER RESOLVED that prior to the use of any of the allotted lands set
11 forth in Plan No. 6 the San Xavier District Council and Tohono O'Odham
12 Nation will negotiate an agreement with the allottees who own this
13 land and if any of the allottees do not agree to the use of their
14 land, that land shall be excluded from the San Xavier Development Plan
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16 BE IT FURTHER RESOLVED that the Tohono O'Odham C.A.P. Water Project Coordinator
17 in consultation with the Tohono O'Odham Water Commission is hereby
18 authorized to negotiate, prepare and secure the necessary signature
19 to effectuate an agreement for the use of the allottee's lands set
20 forth in Plan No. 6 and to do all other things necessary to carry out
21 the intent of this resolution.
22

23 The foregoing Resolution was passed by the Tohono O'Odham Council on the 29th
24 day of July, 1986 at a meeting at which a quorum was present with a vote of
25 1640.0 for; -0- against; -0- not voting; and 02 absent, pursuant to the powers
26 vested in the Council by Section 1 (b) and (i) of Article VI of the Constitu-
27 tion 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).

28 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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30 
31 Harriet Toro, Legislative Chairperson
32 22nd day of August, 1986.

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ATTEST:

Ophelia F. Campillo
Ophelia F. Campillo, Legislative Secretary
22nd day of August, 1986.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 25 day of Aug., 1986, at 4:49 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution. It 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

Andrew M. Patricia
For Harriet Toro, Legislative Chairperson

[] APPROVED) on the 26 day of August, 1986
[] DISAPPROVED) at 4:50 o'clock, P.M.

Josiah Moore
JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to Legislative Secretary on the 28th day of August, 1986, at 8:18 o'clock, A.M.

Ophelia F. Campillo
Ophelia F. Campillo, Legislative Secretary

MOVED: TONY FELIX

SUBJECT: Selection of lands to be serviced by P.L. 97-293 imported water

SECOND: VIRGIL LEWIS

DATE: JULY 29, 1986

RESOLUTION OR ORDINANCE #372-8

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSEN
SIF OIDAK 138	1. Elliott Lewis (Eugene F. Jose)	69.0	X			X
	2. Nicklos Jose (Letitia Garcia)	69.0	X			
SELLS 257	1. Andrew M. Patricio (Nora Alvarez)	128.5	X			
	2. Fred Stevens (Dennis E. Jose)	128.5	X			
SCHUK TOAK 105	1. Joseph Juan ()	52.5	X			
	2. Julie Carrillo (Jo Ann Francisco)	52.5	X			
SAN XAVIER 126	1. Yvonne Corella (Yvonne Corella)	63.0	X			
	2. Tony Felix (Carmelita Mattias)	63.0	X			
BABOQUIVARI 241	1. Edward N. Kisto (Edward N. Kisto)	120.5	X			
	2. Kenneth Chico, Sr. (Frances Miguel)	120.5	X			
GU ACHI 158	1. Angelo J. Joaquin, Sr. (Jonas R. Robles)	79.0	X			
	2. Fernando Joaquin (Fred Adams, Jr.)	79.0	X			
PISINEMO 116	1. Jerome Antone (Gonnie Mendoza)	58.0	X			
	2. Johnson Jose (Edward D. Manuel)	58.0	X			
SAN LUCY 85	1. John Reno ()	42.5	X			
	2. Max P. Jose (Dewey I. Ortega)	42.5	X			
GU VO 117	1. Cross Antone (Fern E. Salcido)	58.5	X			
	2. Virgil Lewis (Roy Montana)	58.5	X			
HICKIWAN 128	1. Henry A. Ramon (Pablo Baptisto)	64.0	X			X
	2. Lloyd Francisco (Eleanor Santos)	64.0	X			
CHUKUT KUK 169	1. Rosemary Lopez (Anita C. Clark)	84.5	X			
	2. Harriet Toro (Marvin J. Thomas)	84.5	X			
TOTALS		1640.0	1640.0	-0-	-0-	02