

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Delaying Chuichu Water Settlement Legislation)

RES. NO. 187-88

1 WHEREAS, after District Public hearing, the Sif Oidak District  
2 Council passed Resolution No. 06-88 wherein it approved  
3 one of the three proposed options presented to the  
4 District (Option B) which would modify its Water  
5 Settlement legislation pending before Congress by  
6 Congress approving and authorizing the leasing of the  
7 District's C.A.P. water allocation (8000 acre feet) to  
8 the City of Tucson, provided certain terms and  
9 conditions of the water lease can be successfully  
10 negotiated; and

11 WHEREAS, after consideration of the three proposed options and  
12 the District's Resolution No. 06-88, the Tohono O'Odham  
13 Legislative Council passed its Resolution No. 62-88,  
14 wherein it authorized the Water Resources Committee, Sif  
15 Oidak District Council, and the Nation's Attorney to  
16 meet with the City of Tucson to begin discussion on  
17 Option B as supported by the Sif Oidak District Council  
18 per its Resolution No. 06-88; and

19 WHEREAS, on April the 27th, 1988 the Legislative Council did  
20 accept a written offer from the City of Tucson to lease  
21 8000 acre feet of C.A.P. water allocated to the Chuichu  
22 area of the Sif Oidak District, provided that the City  
23 of Tucson agrees to eliminate the right to assign its  
24 rights and obligations under the agreement to any  
25 C.A.P. subcontractor as contained in paragraph 6 of the  
26 City of Tucson's offer; and

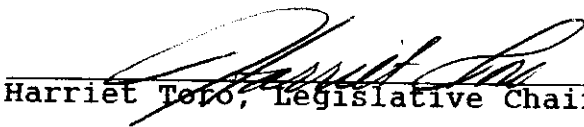
27 WHEREAS, during the following negotiations with the City of  
28 Tucson and the drafting of the necessary agreements, the  
29 City of Tucson insisted on a provision that would  
30 restrict the Nation from taxing the water leased to the  
31 City, which provision is not acceptable to the Nation;  
32 and

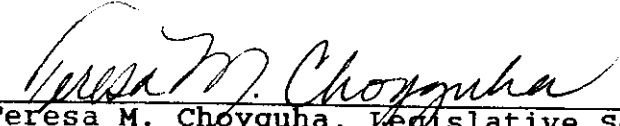
1 WHEREAS, due to the short period of time remaining in this  
2 session of Congress which limits the time necessary to  
3 continue negotiating with the City of Tucson on this  
4 issue, this Legislature believes it to be in the best  
5 interest of the Nation and the Sif Oidak District that  
6 the water settlement legislation for the Chuichu area of  
7 the Sif Oidak District now pending before Congress  
8 (subject to making the necessary amendments to authorize  
9 the leasing of water to the City of Tucson) be delayed  
10 to the next session of Congress in 1989.

11 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham  
12 Legislative Council does hereby request Congress to  
13 delay any further action on the Chuichu Water Settlement  
14 Bill for this session of Congress so as to provide the  
15 Nation with the necessary time to continue its  
16 negotiations with the City of Tucson or if said  
17 negotiations are unsuccessful, to decide on other  
18 options that might be acceptable to Congress.

19 The foregoing resolution was passed by the Tohono O'odham Council  
20 on the 8th. day of July, 1988 at a meeting at which a quorum was  
21 present with a vote of 1,519.0 for; -0- against; 121.0 not  
22 voting; and 03 absent, pursuant to the powers vested in the  
23 Council by Section 1 (a) of Article VI of the Constitution of  
24 the Tohono O'odham Nation, adopted by the Tohono O'odham Nation  
25 on January 18, 1986, and approved by the Acting Deputy Assistant  
26 Secretary - Indian Affairs (Operations) on March 6, 1986,  
27 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.  
28 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

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Harriet Toro, Legislative Chairperson  
18<sup>th</sup> day of July, 1988.

ATTEST:  
  
Teresa M. Choyguha, Legislative Secretary  
18<sup>th</sup> day of July, 1988.

1 Said Resolution was submitted for approval to the office of the  
Chairman of the Tohono O'odham Nation on the 19<sup>th</sup> day of  
2 July, 19 88, at 3:57 o'clock, P.M.,  
3 pursuant to the provisions of Section 5 of Article VII of the  
Constitution and will become effective upon his approval or upon  
4 his failure to either approve or disapprove it within 48 hours of  
submittal.

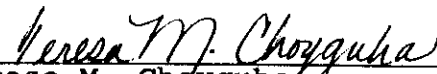
5  
6 TOHONO O'ODHAM LEGISLATIVE COUNCIL

7  
8   
9 Harriet Toro, Legislative Chairperson

10 [  ] APPROVED ) on the 19<sup>th</sup> day of July, 1988,  
11 [  ] DISAPPROVED ) at 4:50 o'clock, P.M.

12   
13 ENOS J. FRANCISCO, JR., Chairman  
14 TOHONO O'ODHAM NATION

15 Returned to the Legislative Secretary on the 20<sup>th</sup> day of  
16 July, 19 88, at 8:54 o'clock, A.M.

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18   
19 Teresa M. Choyguha  
Legislative Secretary

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MOVED: Willard Juan, Sr.

SUBJECT: Delaying Chuichu

SECOND: Virgil Lewis

Water Settlement Legislation

DATE: July 08, 1988

RESOLUTION #187-88

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 138.0	1. Nicholas Jose (Letitia Garcia) 2. Willard Juan, Sr. (Melissa Gregorio)	69.0 69.0	X X			
SELLS 257.0	1. Andrew Patricio (Daniel Lopez) 2. Fred Stevens ( )	128.5 128.5	X X			
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco) 2. Joseph Juan (Frances Francisco)	52.5 52.5	X X			X
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios) 2. Tony Felix (Carmelita Mattias)	63.0 63.0	X		X	
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. ( ) 2. Joann Garcia (Frances Miguel)	120.5 120.5	X X			X
GU ACHI 158.0	1. Percy Lopez ( ) 2. Fernando Joaquin ( )	79.0 79.0	X X			
PISINEMO 116.0	1. Johnson Jose ( ) 2. Edward Manuel ( )	58.0 58.0	X		X	
SAN LUCY 85.0	1. Max Jose (Dewey Ortega) 2. John Reno ( )	42.5 42.5	X X			X
GU VO 117.0	1. Virgil Lewis (Roy Montana) 2. Cross Antone (Juan Joe Cipriano)	58.5 58.5	X X			
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0	X X			
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro ( )	84.5 84.5	X X			
TOTAL		1,640.0	1519.0	-0-	121.0	03