

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Extending the Water Recharge Study authorized under
Res. No. 35-90)

RES. NO. 197-90

1 WHEREAS, Res. No. 35-90, "Authorization of a Water Recharge
2 Investigation on the San Xavier District Utilizing CAP
3 Waters," requested the Water Resources Committee to
4 perform the following four tasks:

- 5 (1) Explore the technical feasibility of a recharge
6 program, either alone or in concert with the City of
7 Tucson, in lieu of allocating those waters for
8 delivery to the 9B new farm.
- 9 (2) Identify new provisions of law needed in Congress,
10 in the Legislative Council, and in the Arizona
11 Legislature to implement a water recharge program,
12 consistent with principles, benefits, and obligations
13 of the 1982 Settlement Act.
- 14 (3) Request the assistance of the Bureau of Reclamation
15 and other interested parties to undertake a thorough
16 assessment of a recharge program, while insuring that
17 the federal obligation to construct a new water
18 project at the San Xavier District is not waived.
- 19 (4) Recommend actions to the Legislative Council needed
20 to implement a recharge program for the San Xavier
21 District using 9B water, if such a program proves
22 desirable; and

23 WHEREAS, technical and legal studies completed by the consultants
24 to date indicate that a physical recharge of water teamed
25 with supplemental congressional legislation and a water
26 planning effort could achieve the goals of the Nation,
27 District, and allottees; and

28 WHEREAS, additional time is needed to refine the various components
29 and to develop final recommendations pursuant to a water
30 recharge study, and

31 WHEREAS, timely action is needed because of the following:

- 32 (1) Any Supplemental legislation needed to implement a
recharge program will need to be introduced to
Congress by early July.
- (2) A congressional proposal by the Bureau of Reclamation
is already pending to delay its SAWRSA obligation
relative to new water development at San Xavier with
no benefits to the Nation in exchange for the delay.

WHEREAS, to make an informed and effective decision, the
Legislative Council needs to receive final recommendations
by the end of June, 1990.

1 NOW, THEREFORE, BE IT RESOLVED that the water recharge
2 investigation, authorized by the Tohono O'odham
3 Legislative Council under Res. No. 35-90, shall be
4 extended until June 30, 1990 to pursue the following
5 tasks:

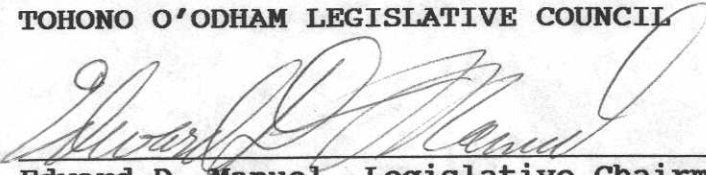
- 6 (1) Refine the technical component of the recharge study
7 to identify the most feasible recharge options and
8 their associated costs.
9 (2) Continue discussions with off-reservation parties to
10 refine provisions of a proposed congressional
11 supplement to SAWRSA needed to pursue a recharge
12 program.
13 (3) Initiate discussions with allottee representatives
14 to explore ways to accommodate the needs of allottees
15 under a recharge program.

16 BE IT FURTHER RESOLVED that interest from the Trust Fund
17 established pursuant to the 1982 Settlement Act to be used
18 to pursue this analysis, pursuant to an approved budget
19 by the Budget and Finance Committee, and the Tohono
20 O'odham Legislative Council.

21 BE IT FINALLY RESOLVED that the Water Resources Committee shall
22 present final recommendations pursuant to a water recharge
23 program at a special Legislative Council session on July
24 5, 1990.

25 The foregoing Resolution was passed by the Tohono O'odham Council
26 on the 7th day of June, 1990 at a meeting at which a quorum was
27 present with a vote of 1,029.5 for; 493.5 against; 201 not
28 voting; 0 absent, pursuant to the powers vested in the Council by
29 Section 1 (a), (c), & (i)(2) of Article VI of the Constitution of
30 the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on
31 January 18, 1986, and approved by the Acting Deputy Assistant
32 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


Edward D. Manuel, Legislative Chairman

11th day of June, 1990.

1 ATTEST:

2 Teresa M. Choyguha
3 Teresa M. Choyguha, Legislative Secretary

4 11th day of June, 1990.

5 Said Resolution was submitted for approval to the office of the
6 Chairman of the Tohono O'odham Nation on the 11th day of
7 June, 1990, at 4:49 o'clock, P.M.,
8 pursuant to the provisions of Section 5 of Article VII of the
9 Constitution and will become effective upon his approval or upon
10 his failure to either approve or disapprove it within 48 hours of
11 submittal.

12 TOHONO O'ODHAM LEGISLATIVE COUNCIL

13 Edward D. Manuel
14 Edward D. Manuel, Legislative Chairman

15 [] APPROVED) on the 13th day of June, 1990,
16 [] DISAPPROVED) at 3:21 o'clock, P.M.

17 Angelo Joaquin Sr.
18 ANGELO J. JOAQUIN, SR., Chairman
19 TOHONO O'ODHAM NATION

20 Returned to the Legislative Secretary on the 13th day of
21 June, 1990, at 3:48 o'clock, P.M.

22 Marcinda Abbey for
23 Teresa M. Choyguha
24 Legislative Secretary

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MOVED: Joanne Preston

SUBJECT: Extending the Water Recharge

SECOND: Virgil Lewis

Study authorized under Res. No. 35-90

DATE: June 7, 1990

RESOLUTION NO. 197-90

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Joann Garcia** (Frances Miguel)	114.5	X			
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5			X	
	2. Kenneth G. Williams (Harriet Toro)	81.5	X			
GU ACHI 166.0	1. Percy Lopez ()	83.0		X		
	2. Alex J. Ramon** (Fernando Joaquin)	83.0		X		
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0			X	
	2. Virgil Lewis (Michael Flores)	57.0		X		
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5			X	
	2. Lenora Montana ()	62.5	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Edward Manuel (Alex Antone)	59.5		X		
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ()	53.0		X		
SAN XAVIER 127.0	1. Eugene Enis. Sr. (Michael Rios)	63.5	X			
	2. Joanne C. Preston (Carmelita Mattias)	63.5	X			
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
	2. Joseph Juan (Frances Francisco)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Daniel Lopez)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone** (Nina Jose)	79.0		X		
	2. Willard Juan, Sr. (Melissa Gregorio)	79.0		X		
TOTAL		1,724.0	1,029.5	493.5	201.0	-0-

**PASSED VOTES