

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Extension of Interim Agreement and a Temporary Disposition
Agreement for Short-term Water Lease with City of Tucson)**

RESOLUTION NO. 93-326

WHEREAS, by Resolution 92-437 the Legislative Council approved an Interim Agreement and Temporary Disposition Agreement for the short-term lease to Tucson of the Tohono O'odham Nation's supply of water from the Central Arizona Project ("CAP"); and

WHEREAS, pursuant to Resolution 92-437, the Interim Agreement was fully-executed by the Nation, Tucson and the federal parties, and approved by the Secretary of Interior for a term from October 24, 1992 through June 30, 1993; and

WHEREAS, the Temporary Disposition Agreement did not take effect due to the absence of issuance by the Secretary of Interior of a notice of substantial completion for the CAP during the term of the Interim Agreement; and

WHEREAS, Tucson has reported to the Assistant Secretary for Indian Affairs that 32,366 acre-feet of the Nation's CAP water were delivered to Tucson under the Interim Agreement; and

WHEREAS, based on Tucson's report and the lease price of \$36 per acre-foot under the Interim Agreement, lease proceeds in the amount of \$1,165,176 were realized under such Agreement; and

WHEREAS, the Secretary of the Interior has directed the Assistant Secretary for Indian Affairs to establish an interest-bearing trust account for such lease proceeds; and

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3 **WHEREAS, representatives of the City of Tucson have expressed an interest**
4 **in extending the Interim Agreement from July 1, 1993 through**
5 **September 30, 1993, and in entering into a Temporary**
6 **Disposition Agreement for the period from October 1, 1993 (the**
7 **date on which the Secretary's notice of substantial completion**
8 **will be issued) until June 30, 1994; and**

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10 **WHEREAS, the Water Resources Committee recommends that the Legislative**
11 **Council approve the extension of the Interim Agreement and the**
12 **Temporary Disposition Agreement.**

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14 **NOW, THEREFORE, BE IT RESOLVED THAT:**

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1. **The Tohono O'odham Legislative Council hereby approves**
(a) Amendment No. 1 to the Interim Agreement extending
its term from July 1, 1993 to September 30, 1993, and (b)
the Temporary Disposition Agreement for a term from
October 1, 1993 to June 30, 1994, each in the form attached
hereto.
 2. **The Legislative Council authorizes and directs the Chairman**
of the Nation (a) to execute the foregoing Amendment No.
1 and the Temporary Disposition Agreement and (b) upon
execution of such Amendment and Agreement by the City of
Tucson, to transmit each document to the Secretary of the
Interior for approval.

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ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary

21st day of September, 1993.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 21st day of September, 1993 at 7:17 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and 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

Alex J. Ramon
Alex J. Ramon, Legislative Chairman

APPROVED on the 21 day of September, 1993

DISAPPROVED) at 7:20 o'clock, P.M.

Sylvester Listo
SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 23rd day of September,
1993, at 9:01 o'clock, A.M.

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary

ACTION: APPROVING EXTENSION OF INTERIM AGREEMENT AND A TEMPORARY DISPOSITION AGREEMENT FOR SHORT-TERM WATER LEASE WITH CITY OF TUCSON

MOVED: COUNCILWOMAN ALBERTA LOPEZ

SECOND: COUNCILMAN JOHN RENO

DATE: SEPTEMBER 16, 1993

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			X
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garica, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ()	56.5	X			
	2. KENNETH J. ANTONE ()	56.5	X			
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ()	67.5	X			
	2. DENNIS RAMON ()	67.5		X		
BABOQUIVARI 230.0	1. FRANCES MIGUEL ()	115.0	X			
	2. EARL A. FRANCISCO (Lucilda Norris)	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ()	90.0	X			
	2. ALEX J. RAMON** (Marian Johnson)	90.0	X			
PISINEMO 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ()	49.0	X			
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			
GU VO 124.0	1. EMILIO LEWIS ()	62.0			X	
	2. MICHAEL FLORES (Fern Salcido)	62.0			X	
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ()	68.0	X			
	2. LLOYD FRANCISCO (Henry A. Ramon)	68.0	X			
CHUKUT KUK 178.0	1. ALBERTA M. LOPEZ (Berdella Jose)	89.0	X			
	2. KENNETH WILLIAMS ()	89.0	X			
TOTAL		1,763.0	1,571.5	67.5	124.0	01

****PASSED VOTES**