

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the San Xavier District to contract with the Interior Department
to conduct a Water Resources Study and prepare a Water Management Plan
for the San Xavier Reservation)**

RESOLUTION NO. 96-126

WHEREAS, the San Xavier District Council (SXDC), the San Xavier Allottees Association (SXAA) and the San Xavier Cooperative Association (SXCA) are presently engaged in negotiations with the Tohono O'odham Nation and the City of Tucson with respect to amendments to the Southern Arizona Water Rights Settlement Act of 1982 (SAWRSA) that would allow the settlement and dismissal of U.S. v. Tucson, Alvarez v. Tucson, and Adams v. United States; and

WHEREAS, a water resources study of the San Xavier Reservation is necessary to facilitate and finalize litigation settlement negotiations and to implement proposed amendments to SAWRSA; and

WHEREAS, a water management plan for the San Xavier Reservation is required by 303(a)(3) of SAWRSA and is necessary to implement proposed amendments to SAWRSA; and

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WHEREAS, a Work Plan and Budget for a water resources study and water management plan for the San Xavier Reservation has been jointly prepared and approved by the SXDC, SXAA, SXCA and the Tohono O'odham Nation's Water Projects Office (copy hereattached); and

WHEREAS, the Tohono O'odham Legislative Council recognizes that it is appropriate for the SXDC to contract with the Interior Department for the water resources study and water management plan for the San Xavier Reservation; and

WHEREAS, funds for the water resources study and the water management plan are available from programmatic funds of the Bureau of Reclamation or from the proceeds of past leasing of water by the Nation to the City of Tucson, which funds are currently being held by the Secretary of the Interior.

NOW, THEREFORE, BE IT RESOLVED that the San Xavier District of the Tohono O'odham Nation is hereby authorized and directed by the

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Tohono O'odham Legislative Council to contract with the United States Interior Department pursuant to the Indian Self-Determination and Education Assistance Act of 1975, P.L. 93-638 and 303(a)(3) of SAWRSA, to conduct a water resources study of the San Xavier Reservation and prepare a water management plan for the San Xavier Reservation; and

NOW, THEREFORE, BE IT FINALLY RESOLVED that the San Xavier

Reservation water management plan shall be subject to review by the Tohono O'odham Water Resources Committee and the Tohono O'odham Legislative Council and shall not be effective and have the force of law until approved and enacted by the Tohono O'odham Legislative Council.

BE IT FINALLY RESOLVED that funding for the Water Resources Study and

Water Management Plan shall be preferentially sought from Bureau of Reclamation programmatic funds, or, secondarily, from

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past proceeds of leasing of water by the Tohono O'odham Nation to the City of Tucson.

The foregoing Resolution was passed by the Tohono O'Odham Council on the 28TH day of MARCH, 1996 at a meeting at which a quorum was present with a vote 1,254.0 FOR; -0- AGAINST; 517.0 NOT VOTING; and 105.0 (10) ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d)(f) of the Constitution 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Dennis Ramon

Dennis Ramon, Legislative Chairman

3rd day of April, 1996

ATTEST:

Frances Antone

Frances Antone, Legislative Secretary

1st day of April, 1996

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 3rd day of April, 1996 at 9:17 o'clock, A.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



Dennis Ramon, Legislative Chairman

APPROVED

on the 4th day of April, 1996

DISAPPROVED

at 4:54 o'clock, P.M.

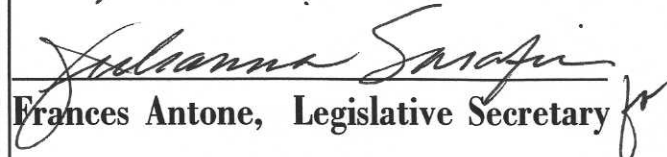


EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 4th day of

April, 1996, at 4:58 o'clock, P.M.


Frances Antone, Legislative Secretary

ACTION: AUTHORIZING THE SAN XAVIER DISTRICT TO CONTRACT WITH THE INTERIOR DEPARTMENT TO CONDUCT A WATER RESOURCES STUDY AND PREPARE A WATER MANAGEMENT PLAN FOR THE SAN XAVIER RESERVATION

MOVED: VICE CHAIRMAN ALEX J. RAMON

SECOND: COUNCILMAN DAVID GARCIA

DATE: MARCH 28, 1996

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOING	ABSENT
SIF OIDAK 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0			X	X
	2. RITA MARTINEZ (Maxine Norris)	80.0			X	
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			X
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			
SCHUK TOAK 117.0	1. KENNETH J. ANTONE** ()	58.5	X			X
	2. MARY JANE JUAN-MOORE ()	58.5	X			
SAN XAVIER 142.0	1. DENNIS RAMON ()	71.0	X			
	2. TONY BURRELL ()	71.0	X			X
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL (Kenneth Chico, Sr.)	128.5			X	
GU ACHI 187.0	1. WILLARD ANITA (Louis Johnson)	93.5			X	
	2. ALEX J. RAMON (Marian Johnson)	93.5	X			
PISINEMO 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5			X	
	2. BARBARA SALVICIO ()	67.5			X	X
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ()	52.5				X
	2. JOHN RENO (Mary Hoffman)	52.5				X
GU VO 134.0	1. MICHAEL FLORES ()	67.0	X			
	2. FERN SALCIDO (Larry Montana)	67.0	X			X
HICKIWAN 142.0	1. LLOYD FRANCISCO ()	71.0	X			X
	2. ALEX JOSE ()	71.0	X			
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ()	91.5	X			X
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
TOTAL		1,876.0	1,254.0	-0-	517.0	105.0 [10]

****PASSED VOTES**