

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Expressing the Tohono O'odham Nation's Interest in Acquiring the Cemetery
1 **Property near Darby Wells and Other Federal Lands managed by the Bureau**
2 **of Land Management for the Benefit of the Hia Ced O'odham)**

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4 **RESOLUTION NO. 96-138**

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6 **WHEREAS, the Bureau of Land Management ("BLM") is in the process of**
7 **amending its list of lands in Arizona which are available for disposal;**
8
9 **and**

10 **WHEREAS, certain lands in the vicinity of Darby Wells, Ajo and Why may be**
11 **listed or otherwise be made available for acquisition by the Tohono**
12 **O'odham Nation ("Nation"); and**

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15 **WHEREAS, the lands of interest to the Nation include a 20 acre parcel near**
16 **Darby Wells that is used as a cemetery by the Hia Ced O'odham,**
17 **and a 40 acre parcel known as the Bluebird mining claim to which**
18 **the Nation already owns the subsurface rights; and**

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21 **WHEREAS, in Resolution No. 16-84, the Nation expressed its interest in assisting**
22 **the Hia Ced O'odham in their endeavor to acquire land, and created**
23 **a Hia Ced O'odham office by Resolution No. 363-85, to carry out the**
24 **land acquisition objectives of the Hia Ced O'odham; and**
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WHEREAS, the Natural Resources Committee recommends that the Nation go forward with acquiring the cemetery property near Darby Wells from the BLM for the Hia Ced O'odham, that the Nation express its interest in additional properties managed by the BLM, including the surface rights to the Bluebird property, which additional properties are to be identified within 15 days after the effective date of this resolution by the Hia Ced O'odham program of the Nation, and that any such properties acquired by the Nation be maintained by the United States in trust for the Nation.

NOW, THEREFORE, BE IT RESOLVED that the Legislative Council of the Tohono O'odham Nation authorizes and directs the Chairman of the Nation and the Natural Resources Committee to negotiate with the BLM expressing the Nation's interest in acquiring from the BLM the cemetery parcel near Darby Wells and other parcels identified within 15 days by the Hia Ced O'odham program of the Nation, to be maintained by the United States in trust for the Nation.

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BE IT FURTHER RESOLVED that the Hia Ced O'odham program bring a report
to the Natural Resources Committee when it is determined that
parcels are available for acquisition by the Nation and that the
Natural Resources Committee negotiate with the BLM and bring its
recommendations to the Legislative Council for approval.

BE IT FINALLY RESOLVED that the intent of Resolution Nos. 16-84 and 363-85
in assisting the Hia Ced O'odham in their endeavor for land
acquisition would fulfill the Tohono O'odham Nation's obligation to
the Hia Ced O'odham.

The foregoing Resolution was passed by the Tohono O'Odham Council on the
10TH day of APRIL, 1996 at a meeting at which a quorum was present with a
vote 1,742.0 FOR; -0- AGAINST; -0- NOT VOTING; and 134.0 (04) ABSENT,
pursuant to the powers vested in the Council by Article VI, Section 1(i)(3) and
Article XVI, Section 9 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, Legislative Chairman

11th day of April, 1996

RESOLUTION NO. 96-138

(Expressing the Tohono O'odham Nation's Interest in Acquiring the Cemetery Property near Darby Wells and Other Federal Lands managed by the Bureau of Land Management for the Benefit of the Hia Ced O'odham)

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ATTEST:

Frances Antone

Frances Antone, Legislative Secretary

11th day of *April*, 19 *96*

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the *11th* day of *April*, 19 *96* at *3:27* 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

Dennis Ramon

Dennis Ramon, Legislative Chairman

APPROVED

on the *11* day of *April*, 19 *96*

DISAPPROVED

at *3:30* o'clock, *P*.M.

Edward D. Manuel

EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

RESOLUTION NO. 96-138

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Returned to the Legislative Secretary on the 11th day of

April, 1996, at 3:45 o'clock, P.M.

Frances Antone
Frances Antone, Legislative Secretary

ACTION: EXPRESSING THE TOHONO O'ODHAM NATION'S INTEREST IN ACQUIRING THE CEMETERY PROPERTY NEAR DARBY WELLS AND OTHER FEDERAL LANDS MANAGED BY THE BUREAU OF LAND MANAGEMENT FOR THE BENEFIT OF THE HIA CED O'ODHAM

MOVED: COUNCILWOMAN MARY JANE JUAN-MOORE

SECOND: COUNCILWOMAN RITA MARTINEZ

DATE: APRIL 10, 1996

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|------------------------------------------------|----------------|----------------|------------|------------|-----------------------------|
| SIF OIDAK 160.0 | 1. MARY ANN ANTONE (Nellie Miguel) | 80.0 | X | | | |
| | 2. RITA MARTINEZ (Maxine Norris) | 80.0 | X | | | |
| SELLS 314.0 | 1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.) | 157.0 | X | | | |
| | 2. LUCILLE ENCINAS (Cynthia Chico) | 157.0 | X | | | |
| SCHUK TOAK 117.0 | 1. KENNETH J. ANTONE () | 58.5 | 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 | | | |
| BABOQUIVARI 257.0 | 1. EDWARD KISTO (Idella Stanley) | 128.5 | X | | | X |
| | 2. FRANCES MIGUEL (Kenneth Chico, Sr.) | 128.5 | X | | | |
| GU ACHI 187.0 | 1. WILLARD ANITA (Louis Johnson) | 93.5 | X | | | 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 | | | |
| 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 |
| HICKIWAN 142.0 | 1. LLOYD FRANCISCO () | 71.0 | X | | | |
| | 2. ALEX JOSE () | 71.0 | X | | | |
| CHUKUT KUK 183.0 | 1. KENNETH WILLIAMS () | 91.5 | X | | | |
| | 2. DAVID GARCIA (Marvin Thomas) | 91.5 | X | | | |
| TOTAL | | 1,876.0 | 1,742.0 | -0- | -0- | 134.0 [04] |

****PASSED VOTES**