

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Tohono O'odham Utility Authority Right-of-Way, North & South  
Hickiwan, Hickiwan District, Tohono O'odham Nation)**

**RESOLUTION NO. 98-088**

**WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority, now known as Tohono O'odham Utility Authority (TOUA), for purposes of constructing, maintaining and operating various utility systems within the Nation to be owned wholly by the Nation; and**

**WHEREAS, the Tohono O'odham Legislative Council on 10 December 1990 did pass Resolution No. 447-90 (Amending the Restated Plan of Operation of the Tohono O'odham Utility Authority) requiring written consent from such district which the Right-of-Way is located; and**

**WHEREAS, TOUA requests permission for a Right-of-Way to reroute the North and South Hickiwan Community Water Transmission Line which is exposed due to the recent rainfall, run-off and erosion; and**

**WHEREAS, TOUA, Community Representatives and District Officials are aware of the potential health hazards and have resolved to expedite the outlined protocol for the benefit of the Communities of North and South Hickiwan; and**

**WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached hereto and incorporated herein by reference) for uses consistent with the authorized purposes of TOUA; and**

**WHEREAS, the Hickiwan District has determined that the location of the requested Right-of-Way is not in conflict with any land use plans adopted by the Communities, Hickiwan District and approved by the Tohono O'odham Legislative Council; and**

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**WHEREAS, the Hickiwan District Council approved the requested Right-of-Way by its District Council Resolution No. 97-19.**

**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby approve the Right-of-Way as requested by TOUA to reroute the North & South Hickiwan Water Transmission Line for the location (as more fully described in the attached maps and legal description) and construction by TOUA for uses consistent with the authorized purposes of TOUA.**

**The foregoing Resolution was passed by the Tohono O'odham Council on the 3RD, day of MARCH, 1998 at a meeting at which a quorum was present with a vote of 1,927.0 FOR; -0- AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by Section 1 (j) of Article VI 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**

5<sup>th</sup> day of March, 1998

**ATTEST:**

  
\_\_\_\_\_  
**Julianna Saraficio, Acting Legislative Secretary**

3<sup>rd</sup> day of March, 1998.

**Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 5<sup>th</sup> day of March, 1998 at 5:02 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.**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**


  
**Dennis Ramon, Legislative Chairman**

**APPROVED**

on the 6<sup>th</sup> day of March, 1998

**DISAPPROVED**

at 1:42 o'clock, P.M.

  
**EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 6<sup>th</sup> day of

March, 1998, at 2:55 o'clock, P.M.

  
**Julianna Saraffelo, Acting Legislative Secretary**

ACTION: **APPROVING TOHONO O'ODHAM UTILITY AUTHORITY RIGHT-OF-WAY, NORTH & SOUTH HICKIWAN, HICKIWAN DISTRICT, TOHONO O'ODHAM NATION**MOVED: **COUNCILMAN JOHN RENO**SECOND: **COUNCILWOMAN FRANCES ANTONE**DATE: **MARCH 03, 1998**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>CHUKUT KUK</b> <b>189.0</b>	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			X
<b>HICKIWAN</b> <b>146.0</b>	1. ALEX JOSE ( )	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
<b>GU VO</b> <b>142.0</b>	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
<b>SAN LUCY</b> <b>114.0</b>	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
<b>PISINEMO</b> <b>139.0</b>	1. BARBARA SALVICIO ( )	69.5	X			
	2. JOHNSON JOSE ( )	69.5	X			
<b>GU ACHI</b> <b>190.0</b>	1. LOUIS JOHNSON ( )	95.0	X			
	2. ALEX J. RAMON ( )	95.0	X			X
<b>BABOQUIVARI</b> <b>258.0</b>	1. FRANCES MIGUEL ( )	129.0	X			X
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
<b>SAN XAVIER</b> <b>146.0</b>	1. TONY BURRELL ( )	73.0	X			
	2. DENNIS RAMON ( )	73.0	X			
<b>SCHUK TOAK</b> <b>120.0</b>	1. JOSEPH JUAN ( )	60.0	X			
	2. AMBROSE ENCINAS ( )	60.0	X			
<b>SELLS</b> <b>322.0</b>	1. DENNIS E. JOSE ( )	161.0	X			X
	2. EVELYN JUAN ( )	161.0	X			
<b>SIF OIDAK</b> <b>161.0</b>	1. RITA MARTINEZ (Maxine Norris)	80.5	X			
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			X
<b>TOTAL</b>		<b>1,927.0</b>	<b>1,927.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>

\*\*PASSED VOTES