

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Right-of-Way, Schuk Du'ag
Farms, Schuk Du'ag District, Tohono O'odham Nation)**

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RESOLUTION NO. 98-435

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) and on 15 May 1991 passed Resolution No. 91-175 (Adopting Second Restated Plan of Operation for the Tohono O'odham Utility Authority) requiring written consent from a community or district for which requested Right-of-Way is located; and

WHEREAS, TOUA requests permission for a Right-of-Way to serve the Schuk Du'ag Farms with Three Phase Electric Utility Service within Schuk Du'ag District, Tohono O'odham Nation; 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 Garcia Strip Community approved the requested Right-of-Way on 17 May 1998 by its Resolution #GS-5/17/98-06; and

WHEREAS, the Schuk Du'ag District Council also approved the requested Right-of-Way on 11 July 1998 by its Resolution #ST-07/11/98-27; and

WHEREAS, the Garcia Strip Community and Schuk Du'ag District further determines that the new Three Phase Electric Utility Service will be of substantial benefit to the Community, District, Nation and their respective members; and

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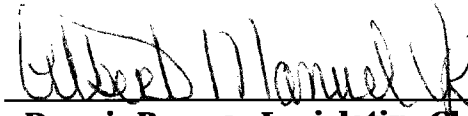
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3 **WHEREAS, the Natural Resources Committee and Agriculture Committee of the**
4 **Tohono O'odham Legislative Council have reviewed the requested Right-of-**
5 **Way and by consensus recommends approval thereof.**

6 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does**
7 **hereby approve the Right-of-Way as requested by TOUA to supply the Schuk**
8 **Du'ag Farms with Three Phase Electric Utility Service and related facilities**
9 **for the location (as more fully described in the attached maps and legal**
10 **description) and construction by TOUA or its designated subsidiaries for**
11 **uses consistent with the authorized purposes of TOUA.**

12 **The foregoing Resolution was passed by the Tohono O'odham Council on the 13TH day**
13 **of OCTOBER, 1998 at a meeting at which a quorum was present with a vote of 1,738.0**
14 **FOR; -0- AGAINST; -0- NOT VOTING; and 189.0 [09] ABSENT, pursuant to the powers vested**
15 **in the Council by Section 1 (i) of Article VI of the Constitution of the Tohono O'Odham**
16 **Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by**
17 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986,**
18 **pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

16 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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19 **Dennis Ramon, Legislative Chairman**
20 13th day of October, 19 98

21 **ATTEST:**

22 
23 **Julianna Saraficio, Acting Legislative Secretary**

24 13th day of Oct, 19 98.

25 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
26 **O'Odham Nation on the 13th day of Oct, 19 98 at 3:52**
27 **o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution**
28 **and will become effective upon his approval or upon his failure to either approve or**
disapprove it within 48 hours of submittal.

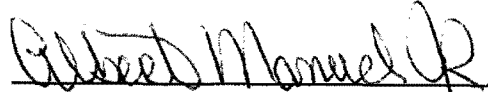
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Schuk Du'ag District, Tohono O'odham Nation)**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

APPROVED

on the 14 day of October, 1998

DISAPPROVED

at 1:35 o'clock, P.M.



EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14 day of

October, 1998, at 2:25 o'clock, P.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY RIGHT-OF-WAY, SCHUK DU'AG FARMS, SCHUK DU'AG DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILMAN JOSEPH JUAN

SECOND: COUNCILMAN AMBROSE ENCINAS

DATE: OCTOBER 13, 1998

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5				X
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5				X
HICKIWAN 146.0	1. ALEX JOSE ()	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			X
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			X
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5	X			X
	2. JOHNSON JOSE ()	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			
	2. ALEX J. RAMON ()	95.0	X			X
BABOQUIVARI 258.0	1. FRANCES MIGUEL ()	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			X
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	X			X
	2. DENNIS RAMON ()	73.0	X			
SCHUK TOAK 120.0	1. JOSEPH JUAN ()	60.0	X			
	2. AMBROSE ENCINAS ()	60.0	X			
SELLS 322.0	1. DENNIS E. JOSE ()	161.0	X			
	2. EVELYN JUAN ()	161.0	X			
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			X
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
TOTAL		1,927.0	1,738.0	-0-	-0-	189.0 [09]

****PASSED VOTES**