

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Water Permit for Granite Construction Company for Road
Construction on Highway 86)**

RESOLUTION NO. 99-024

1 **WHEREAS, Granite Construction Company has contracted with the Arizona**
2 **Department of Transportation ("ADOT") to perform road construction and**
3 **repair on State Route 86 under a project entitled ADOT Road Construction**
4 **Project No. AC-STP-056-1(10)P (Why - Nine Mile Peak); and**

5 **WHEREAS, Granite Construction Company has requested use of non-potable water**
6 **from an existing well in Pisinemo District called Roads Well No. 1, and has**
7 **entered into an agreement with Pisinemo District and the Pisinemo**
8 **Development Authority for withdrawal and use of water from the well; and**

9 **WHEREAS, Article XVII of the Constitution of the Tohono O'odham Nation, entitled**
10 **Water Policy, gives to the Tohono O'odham Nation through its Legislative**
11 **Council, rather than to the districts, the authority to regulate water use**
12 **and to issue water use permits; and**

13 **WHEREAS, the Tohono O'odham Legislative Council agrees to grant a water permit to**
14 **Granite Construction Company for use of water from Roads Well No. 1 in**
15 **Pisinemo District for road construction purposes, to be paid for at the rate**
16 **of 40 cents (\$0.40) per 1000 gallons to be paid to the Nation and to be**
17 **allocated 55% to the Tohono O'odham Nation and 45% to Pisinemo District,**
18 **which water withdrawal and use will be monitored by Pisinemo District;**
19 **and**

20 **WHEREAS, the attached Water Permit has been reviewed by the Water Resources**
21 **Committee and is recommended for approval by the Legislative Council.**

22 **NOW, THEREFORE, BE IT RESOLVED that the "Water Permit for Non-Potable Water,**
23 **Pisinemo District, Tohono O'odham Nation" is hereby approved by the**
24 **Tohono O'odham Legislative Council in the form attached hereto, and the**

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Chairman of the Tohono O'odham Nation is authorized to sign it on behalf of the Nation. The prior water agreement between Pisinemo District, Pisinemo Development Authority and Granite Construction Company dated October 6, 1998 is hereby rescinded.

The foregoing Resolution was passed by the Tohono O'odham Council on the 07TH day of JANUARY, 1999 at a meeting at which a quorum was present with a vote of 1,271.5 FOR; 655.5 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Section 1 & 2 of Article XVII 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 January, 19 99

ATTEST:


Julianna Saraficio, Acting Legislative Secretary

7th day of January, 19 99.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 11th day of January, 19 99 at 5:03 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, Legislative Chairman

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APPROVED

on the 13th day of January, 1999

DISAPPROVED

at 12:45 o'clock, P.M.

Henry A. Ramon
EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13th day of

January, 1999, at 2:31 o'clock, P.M.

Julianna M. Lopez for
Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING WATER PERMIT FOR GRANITE CONSTRUCTION COMPANY FOR ROAD CONSTRUCTION ON HIGHWAY 86

MOVED: COUNCILMAN JOHN RENO

SECOND: COUNCILWOMAN EVELYN JUAN

DATE: JANUARY 07, 1999

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			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			X
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5		X		
	2. JOHNSON JOSE ()	69.5		X		
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0		X		X
	2. ALEX J. RAMON ()	95.0		X		
BABOQUIVARI 258.0	1. FRANCES MIGUEL ()	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	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		
	2. MARY ANN ANTONE (Darlene Andrew)	80.5		X		X
TOTAL		1,927.0	1,271.5	655.5	-0-	[03]

**PASSED VOTES