

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appointing Nation's Negotiating Team for Sif Oidak Water Claims)**

RESOLUTION NO. 99-244

1 **WHEREAS, the Tohono O'odham Nation has claims pending in the Gila River General**
2 **Stream Adjudication related to the water resources in the Sif Oidak**
3 **District ("Sif Oidak Claim"); and**

4 **WHEREAS, pursuant to Resolution No. 94-014, the Sif Oidak Claim for quantification**
5 **of water rights and associated damages to such rights has been presented**
6 **to the United States Department of the Interior with a request for**
7 **appointment of a Federal Negotiating Team to commence negotiations of**
8 **the Claim; and**

9 **WHEREAS, several requests for appointment of a Federal Negotiating Team**
10 **subsequently have been submitted to the Interior Department, the most**
11 **recent of which was conveyed by letter of April 01, 1998 to David Hayes,**
12 **Counselor to the Secretary of the Interior (copy attached); and**

13 **WHEREAS, by letter of October 26, 1998 from Mr. Hayes (copy attached), a Federal**
14 **Assessment Working Group was appointed to determine whether**
15 **establishment of a Federal Negotiating Team is warranted; and**

16 **WHEREAS, the Sif Oidak District Council has been briefed on the technical and legal**
17 **assessment of the Claim, including an outline of the components of a**
18 **prospective settlement; and**

19 **WHEREAS, the Water Resources Committee recommends the establishment of a team**
20 **for the Nation to negotiate the Claim with the Federal Assessment**
21 **Working Group and any Federal Negotiating Team which may be**

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1 appointed; and

2 WHEREAS, the Water Resources Committee recommends that the Nation's Negotiating
3 Team consist of the members of the Committee, the Chairman of the
4 Nation and a representative appointed by the Sif Oidak District Council;
5 and

6 WHEREAS, on April 13, 1999, the Sif Oidak District Council appointed Regis Andrew
7 to serve as the District's representative on the Nation's Negotiating Team,
8 with Gloria Thomas as Mr. Andrew's alternate.

9 NOW, THEREFORE, BE IT RESOLVED THAT:

- 10 1. The Tohono O'odham Legislative Council hereby establishes the
11 Nation's Negotiating Team for the Sif Oidak Water Claim, with a
12 membership consisting of the Water Resources Committee, the
13 Chairman of the Nation and Regis Andrew, with Gloria Thomas as
14 Mr. Andrew's alternate.
- 15 2. The Nation's Negotiating Team is authorized to commence
16 negotiations with the Federal Assessment Working Group on the Sif
17 Oidak Water Claim, and continue such negotiations with any later
18 established Federal Negotiating Team.

19 The foregoing Resolution was passed by the Tohono O'odham Council on the 10TH day
20 of MAY, 1999 at a meeting at which a quorum was present with a vote of 1,927.0 FOR; -0-
21 AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the
22 Council by Section 2 of Article XVII of the Constitution of the Tohono O'Odham Nation,
23 adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the
24 Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986,
25 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).
26

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Albert Manuel, Jr. for
Dennis Ramon, Legislative Chairman

12th day of May, 19 99

ATTEST:

Julianna Saraficio
Julianna Saraficio, Acting Legislative Secretary

10th day of May, 19 99.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 12th day of May, 19 99 at 2:57 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

Albert Manuel, Jr. for
Dennis Ramon, Legislative Chairman

APPROVED

on the 13th day of May, 19 99

DISAPPROVED

at 6:05 o'clock, P.M.

Edward D. Manuel
EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 14 day of

May, 19 99, at 9:03 o'clock, A.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPOINTING NATION'S NEGOTIATING TEAM FOR SIF OIDAK WATER CLAIMS

MOVED: COUNCILWOMAN MARY ANN ANTONE

SECOND: COUNCILMAN JOSEPH JUAN

DATE: MAY 10, 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 | | | 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 | | | X |
| | 2. GLORIA MONTANA (Phillip Antone) | 71.0 | 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 | | | |
| | 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 | | | 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 | | | 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 | | | |
| TOTAL | | 1,927.0 | 1,927.0 | -0- | -0- | [06] |

**PASSED VOTES