

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Granting a Temporary and Permanent Right-of-Way, and Approving the
Appraisal Conducted by Bruce D. Greenberg, Inc., for the Construction
of the CAP Link Pipeline)**

RESOLUTION NO. 99-388

1 **WHEREAS, the Tohono O'odham Council has previously authorized the San Xavier**
2 **District to undertake the function of the Bureau of Reclamation pursuant to**
3 **the Indian Self-Determination Act, P.L. 93-638 (as amended) to acquire rights-**
4 **of-way for the Central Arizona Project (CAP) Link Pipeline construction; and**

5 **WHEREAS, the San Xavier District Council by Resolution No. SXDC 05-98-05 supported the**
6 **CAP Link Pipeline, and Design Review of the Farm Rehabilitation Plan**
7 **Proposal, and supported by Resolution No. SXDC 07-99-06, the granting of a**
8 **temporary and permanent right-of-way and the appraisal amount for the CAP**
9 **Link Pipeline; and**

10 **WHEREAS, the Tohono O'odham Legislative Council had previously approved a right-of-**
11 **way for this project by Resolution No. 92-002; and**

12 **WHEREAS, appraisals on seventeen (17) allotments and a section of trust property were**
13 **completed (dated February 24, 1999) and submitted by San Xavier District**
14 **consultants Bruce G. Greenberg, Inc.; and**

15 **WHEREAS, the Bureau of Indian Affairs has completed their review and approvals of all**
16 **affected allotments and the trust property.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby**
18 **agrees to provide a temporary and permanent right-of-way on trust property**
19 **located at San Xavier District in southwest 1/4 Section 35, T.15 R.S. 13 east, for**
20 **construction of the CAP Link Pipeline.**

21 **BE IT FURTHER RESOLVED, that the Tohono O'odham Legislative Council hereby finds the**
22 **amount of \$8,477 to be fair and just compensation and approves the amount**
23 **as the assigned value by Bruce D. Greenberg, Inc.; and further agrees to**
24 **provide the amount be paid to the San Xavier District upon receipt by the**
25 **Tohono O'odham Nation.**

RESOLUTION NO. 99-388

**(Granting a Temporary and Permanent Right-of-Way and Approving the Appraisal Conducted by Bruce D. Greenberg, Inc., for the Construction of the CAP Link Pipeline)
Page 2 of 3**

**BE IT FINALLY RESOLVED, that Tohono O'odham Legislative Council Resolution No. 92-002
is hereby amended to reflect the new appraisal amount.**

The foregoing Resolution was passed by the Tohono O'odham Council on the 14TH day of JULY, 1999 at a meeting at which a quorum was present with a vote of 1,148.7 FOR; 794.2 AGAINST; -0- NOT VOTING; and 222.6 [04] ABSENT, pursuant to the powers vested in the Council by Section 2 (d) 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

18 day of July, 19 99

ATTEST:


Julianna Saraficio, Acting Legislative Secretary

14 day of July, 19 99.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 18 day of July, 19 99 at 7:42 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

RESOLUTION NO. 99-388

(Granting a Temporary and Permanent Right-of-Way and Approving the Appraisal Conducted by Bruce D. Greenberg, Inc., for the Construction of the CAP Link Pipeline)
Page 3 of 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

APPROVED

on the 19 day of July, 19 99

DISAPPROVED

at 1:15 o'clock, P.M.

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

Returned to the Legislative Secretary on the 19 day of

July, 19 99, at 4:32 o'clock, P.M.

Juliana Saraficio
Juliana Saraficio, Acting Legislative Secretary

ACTION: GRANTING A TEMPORARY AND PERMANENT RIGHT-OF-WAY, AND APPROVING THE APPRAISAL CONDUCTED BY BRUCE D. GREENBERG, INC., FOR THE CONSTRUCTION OF THE CAP LINK PIPELINE

MOVED: COUNCILMAN TONY BURRELL

SECOND: COUNCILMAN JOHNSON JOSE

DATE: JULY 14, 1999

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE** ()	186.35		X		
	2. EVELYN JUAN ()	186.35		X		
SCHUK TOAK 133.4	1. MARY FLORES** ()	66.7		X		
	2. AMBROSE ENCINAS ()	66.7		X		
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			X
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05		X		
	2. GLORIA RAMIREZ** ()	64.05		X		
GU VO 160.0	1. FERN SALCIDO ()	80.0		X		
	2. GLORIA MONTANA (Phillip Antone)	80.0		X		X
HICKIWAN 158.1	1. ALEX JOSE (Shirley Santos)	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3				X
	2. DAVID GARCIA (Mary Audrey Juan)	111.3				X
TOTAL		2,165.5	1,148.7	794.2	-0-	222.6 [04]

****PASSED VOTES**