

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Affirmation of Tribal Water Rights)

DEFEAT

RES. NO. 333-87

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WHEREAS, the Southern Arizona Water Rights Settlement Act (SAWRSA) of 1982 (P. L. 97-293) was enacted to settle the water claims of the San Xavier and Schuk Toak Districts of the Tohono O'Odham Nation; and

WHEREAS, the San Xavier District Council has encountered numerous problems, questions and issues as a result of implementing this legislation; and

WHEREAS, the enacted legislation failed to consider the water rights of individual O'Odham landowners (allottees) by non-representation of these individuals during the negotiations; and

WHEREAS, the San Xavier District Council has concluded that negotiation and ensuing legislation is not in the best interests of the Tohono O'Odham Nation, particularly the San Xavier District; and

WHEREAS, the San Xavier District Council has concluded that Southern Arizona Water Right Settlement Act has eroded tribal self-determination by governing that development of water for agriculture purposes be funded by the United States Government while development of water for all other purposes be funded solely by the Tohono O'Odham Nation; and

WHEREAS, the San Xavier District Council strongly urges that tribes litigate violated water rights.

NOW, THEREFORE, BE IT RESOLVED by the Tohono O'Odham Legislative Council that it hereby seeks the support and reinforcement on behalf of the San Xavier District, the Tohono O'Odham Nation, and American Indians and Alaska Natives to the 44th National Congress of American Indians in Tampa, Florida to reaffirm water rights for all tribes and to pursue water rights litigation.

BE IT FURTHER RESOLVED that the Official Delegate of the Tohono O'odham Nation to the National Congress of American Indians is hereby authorized and directed to do everything necessary to implement the purposes of this resolution.

1 The foregoing resolution was defeated by the Tohono O'odham Council on the 15th
2 day of September, 1987, at a meeting at which a quorum was present with a vote
3 of 559.5 for; 583.0 against; 497.5 not voting; and 01 absent, pursuant to the
4 powers vested in the Council by Section 2 (a)(b) & (c) of Article XVII of the
5 Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation
6 on January 18, 1986, and approved by the Acting Deputy Assistant Secretary -
7 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act
8 of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

9 Harriet Toro
10 Harriet Toro, Legislative Chairperson
11 16th day of September, 1987.

12 ATTEST:

13 Teresa M. Choyguha
14 Teresa M. Choyguha, Legislative Secretary
15 16th day of September, 1987.

16 Said Resolution was submitted for approval to the office of the Chairman of the
17 Tohono O'odham Nation on the 17th day of September, 1987, at 2:21
18 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the
19 Constitution and will become effective upon his approval or upon his failure to
20 either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

21 Harriet Toro
22 Harriet Toro, Legislative Chairperson

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24 APPROVED) on the 18th day of Sept., 1987, at
25 DISAPPROVED) 2:49 o'clock, P..M.

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27 Enos J. Francisco, Jr.
28 Enos J. FRANCISCO, JR., Chairman
29 TOHONO O'ODHAM NATION

30 Returned to Legislative Secretary on the 18th day of September, 1987,
31 at 4:46 o'clock, P..M.

32 Teresa M. Choyguha
Teresa M. Choyguha
Legislative Secretary

D E F E A T E D

MOVED: VIRGIL LEWIS

SUBJECT: AFFIRMATION OF TRIBAL WATER RIGHTS

SECOND: EUGENE ENIS, SR.

DATE: SEPTEMBER 15, 1987

RESOLUTION OR ORDINANCE # 333-87

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF ODAK 138.0	1. Nicholas Jose (Letitia Garcia) 2. Willard Juan, Sr. (Melissa Gregorio)	69.0 69.0		X X		
SELLS 257.0	1. Andrew Patricio (Daniel Lopez) 2. Fred Stevens ()	128.5 128.5		X	X	
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco) 2. Joseph Juan (Frances Francisco)	52.5 52.5		X X		
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios) 2. Tony Felix (Carmelita Mattias)	63.0 63.0	X X			
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. () 2. Joann Garcia (Frances Miguel)	120.5 120.5			X X	
GU ACHI 158.0	1. Percy Lopez () 2. Fernando Joaquin ()	79.0 79.0	X X			
PISINEMO 116.0	1. Johnson Jose () 2. Edward Manuel (Alex Antone)	58.0 58.0	X X			X
SAN LUCY 85.0	1. Max Jose (Dewey Ortega) 2. John Reno ()	42.5 42.5		X X		
GU VO 117.0	1. Virgil Lewis (Roy Montana) 2. Cross Antone (Juan Joe Cipriano)	58.5 58.5	X X			
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0			X X	
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro (Marvin Thomas)	84.5 84.5		X X		
TOTALS		1640.0	559.5	583.0	497.5	01