

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval of P.L. 97-293 Allocation of Costs)

RES. NO. 439-87

1 WHEREAS, on October 12, 1982, Public Law 97-293 (Southern Arizona
2 Water Rights Settlement Act) was enacted into law and on
3 October 11, 1983, the agreement between the United
4 States and the Tohono O'odham (Nation), as required by
5 the Act, was executed by the parties; and

6 WHEREAS, as mandated by the Act and Agreement, part of the cost
7 for the on reservation Planning Costs for the San Xavier
8 and Schuk Toak new Farm Development were to be allocated
9 to the United States Government and part of these costs
10 were to be allocated to the Nation; and

11 WHEREAS, it is necessary that the Nation and the Bureau of
12 Reclamation enter into an agreement that will determine
13 the Allocation of Planning Costs based upon percentages
14 of cost, the United States will pay and the percentage
15 of cost the Nation will pay; and

16 WHEREAS, representatives from the Bureau of Reclamation and
17 representatives of the Nation, including the Water
18 Resource Committee, have, through negotiations, agreed
19 on the percentages to be used in determining the
20 Allocation of Planning Costs, which is set forth in the
21 proposed agreement attached herein, which costs is made
22 apart hereof entitled agreement between the Bureau of
23 Reclamation and the Tohono O'odham Nation; and

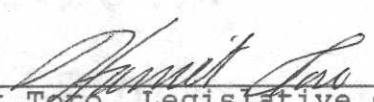
24 WHEREAS, the Water Resources Committee and other representatives
25 of the Nation involved in the negotiations with the
26 Bureau of Reclamation believe that the percentages to be
27 used to determine the Allocation of Cost between the
28 Nation and the United States are fair and equitable and
29 recommend the Council approve the Agreement attached
30 hereto.
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1 NOW, THEREFORE, BE IT RESOLVED that the percentages set forth in
2 the attached agreement to be used for the Allocation of
3 Planning Cost between the United States and the Nation,
4 as mandated by Public Law 97-293 in the agreement
5 executed hereunder, are hereby approved and the
6 Chairman or Vice Chairman of the Nation is hereby
7 authorized to execute the Agreement attached hereto and
8 made a part hereof.

9 BE IT FURTHER RESOLVED the Allocation on the Nation's Planning
10 Cost previously incurred due to the implementation of
11 Public Law 97-293 be paid as soon as practicable from
12 Public Law 97-293 Trust Income.

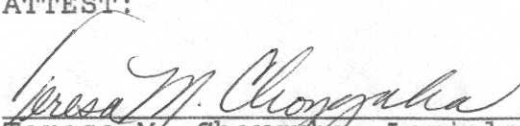
13 The foregoing resolution was passed by the Tohono O'odham
14 Council on the 10th day of December, 1987, at a meeting at which
15 a quorum was present with a vote of 1,480.5 for; 101.0 against;
16 58.5 not voting; and 02 absent; pursuant to the powers vested in
17 the Council by Section 1 d (2) of Article VI of the Constitution
18 of the Tohono O'odham Nation on January 18, 1986, and approved by
19 the Acting Deputy Assistant Secretary - Indian Affairs
20 (Operations) on March 6, 1986, pursuant to Section 16 of the Act
21 of June 18, 1934 (48 Stat. 984).

22 TOHONO O'ODHAM LEGISLATIVE COUNCIL

23 
24 Harriet Toro, Legislative Chairperson

25 17th day of December, 1987.

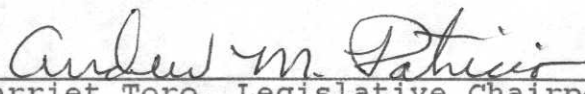
26 ATTEST:

27 
28 Teresa M. Choygaha, Legislative Secretary

29 17th day of December, 1987.

30 Said Resolution was submitted for approval to the office of the
31 Chairman of the Tohono O'odham Nation on the 17 day of
32 Dec., 1987, at 10:06 o'clock, A..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


For Harriet Toro, Legislative Chairperson

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[X] APPROVED) on the 21 day of Dec.,
[] DISAPPROVED) 19 87, at 2:47 o'clock, P..M.

for Enos J. Francisco Jr.
ENOS J. FRANCISCO, JR., Chairman
TOHONO O'ODHAM NATION

Returned to Legislative Secretary on the 22nd day of
December, 19 87, at 9:00 o'clock, A..M.

Teresa M. Choyguha
Teresa M. Choyguha
Legislative Secretary

MOVED: Julia Carrillo

SUBJECT: Approval of P.L. 97-293 Allocation

SECOND: Rosita Ruiz

of Costs

DATE: December 10, 1987

RESOLUTION OR ORDINANCE # 439-87

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 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			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			
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			X
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro ()	84.5 84.5	X X			
TOTALS		1640.0	1,480.5	101.0	58.5	02