

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the reconsideration of distribution regarding
the El Paso Ajo Right-of-Way)

RES. NO. 35-89

1 WHEREAS, the El Paso Natural Gas Company ("El Paso") did on
2 October 17, 1977, receive a Grant of Easement for
3 Rights-of-Way for a term of twenty years for natural gas
4 pipelines running through Sif-Oidak and Hickiwan
5 Districts, which grant provides for the renegotiation of
6 the original fair market value of \$140,800.00 after ten
7 years in order to make adjustments for any increases
8 therefore during the first ten years of the term; and

9 WHEREAS, representatives of El Paso did meet with representatives
10 of the Sif-Oidak and Hickiwan Districts, the Natural
11 Resource Committee and the Executive Office, and did in
12 good faith negotiate an adjustment of the fair market
13 value, and have recommended an increase thereof of
14 \$95,000.00 in said value, which represents a negotiated
15 adjustment of the original fair market value for the ten
16 year period between a Consumer Price Index adjustment of
17 87.17% and a Producers Price Index adjustment of 58.63%;
18 and

19 WHEREAS, the Legislative Council approves the recommended
20 adjustment.

21 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham
22 Legislative Council does hereby rescind Resolution No.
23 09-89.

24 BE IT FURTHER RESOLVED that the Tohono O'Odham Legislative
25 Council approves of the recommendation and does hereby
26 authorize and direct distribution of said sum, as
27 follows:

- 28 1. 59.2% or \$56,240.00 to the Sif Oidak District
- 29 2. 40.8% or \$38,760.00 to the Hickiwan District

30
31 The foregoing Resolution was passed by the Tohono O'odham Council
32 on the 6th. day of February, 1989 at a meeting at which a quorum
was present with a vote of 900.5 for; 581.5 against; -0- not
voting; and 158.0 absent, pursuant to the powers vested in the
Council by Section 1 (d)(2) & (i)(1) of Article VI of the

1 Constitution of the Tohono O'odham Nation, adopted by the Tohono
2 O'odham Nation on January 18, 1986, and approved by the Acting
3 Deputy Assistant Secretary - Indian Affairs (Operations) on March
4 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
5 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

6 Harriet Toro
7 Harriet Toro, Legislative Chairperson

8 14th day of December, 1989.

9
10 ATTEST:

11 Teresa M. Choyguha
12 Teresa M. Choyguha, Legislative Secretary

13 14th day of February, 1989.

14
15 Said Resolution was submitted for approval to the office of the
16 Chairman of the Tohono O'odham Nation on the 14 day of
17 Feb, 1989, at 4:54 o'clock, P.M.,
18 pursuant to the provisions of Section 5 of Article VII of the
19 Constitution and will become effective upon his approval or upon
20 his failure to either approve or disapprove it within 48 hours of
21 submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

22 Andrew M. Patricio
23 Harriet Toro, Legislative Chairperson

24 [] APPROVED) on the 17th day of February, 1989,
25 [] DISAPPROVED) at 8:33 o'clock, A.M.

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

29 Returned to the Legislative Secretary on the 17th day of
30 February, 1989, at 9:11 o'clock, A.M.

31 Teresa M. Choyguha
32 Teresa M. Choyguha
Legislative Secretary

MOVED: Willard Juan, Sr.

SUBJECT: Approving the

SECOND: Virgil Lewis

reconsideration distribution

DATE: February 06, 1989

regarding El Paso Right-of-Way

RESOLUTION #35-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez)	84.5		X		
	2. Harriet Toro ()	84.5		X		
HICKIWAN 128.0	1. Lloyd Francisco (Eleanor Santos)	64.0	X			
	2. Henry Ramon (Billy Manuel)	64.0	X			
GU VO 117.0	1. Cross Antone (Juan Joe Cipriano)	58.5	X			
	2. Virgil Lewis (Roy Montana)	58.5	X			
SAN LUCY 85.0	1. John Reno ()	42.5	X			X
	2. Max Jose (Dewey Ortega)	42.5	X			
PISINEMO 116.0	1. Edward Manuel (Alex Antone)	58.0		X		
	2. Johnson Jose ()	58.0		X		
GU ACHI 158.0	1. Fernando Joaquin ()	79.0				X
	2. Percy Lopez ()	79.0				X
BABOQUIVARI 241.0	1. Joann Garcia (Frances Miguel)	120.5	X			X
	2. Kenneth Chico, Sr. ()	120.5	X			
SAN XAVIER 126.0	1. Tony Felix (Carmelita Mattias)	63.0		X		
	2. Eugene Enis (Michael Rios)	63.0	X			
SCHUK TOAK 105.0	1. Joseph Juan (Frances Francisco)	52.5		X		X
	2. Julia Carrillo (JoAnn Francisco)	52.5		X		
SELLS 257.0	1. Fred Stevens ()	128.5		X		
	2. Andrew Patricio (Daniel Lopez)	128.5	X			
SIF OIDAK 138.0	1. Willard Juan, Sr. (Melissa Gregorio)	69.0	X			
	2. Nicholas Jose (Letitia Garcia)	69.0	X			X
TOTAL		1,640.0	900.5	581.5	-0-	158.0