

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Tohono O'odham Utility Authority North Komelik Water System  
Improvements Right-of-Way, Sif Oidak District, Tohono O'odham Nation)**

**RESOLUTION NO. 11-515**

1 **WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority, now**  
2 **known as Tohono O'odham Utility Authority (TOUA) for purposes of constructing,**  
3 **maintaining and operating various utility systems within the Nation to be owned**  
4 **wholly by the Nation; and**

5 **WHEREAS, the Tohono O'odham Legislative Council did pass Resolution No. 447-90 (Amending the**  
6 **Restated Plan of Operation of the Tohono O'odham Utility Authority) & Resolution No.**  
7 **91-175 (Adopting Second Restated Plan of Operation for the Tohono O'odham Utility**  
8 **Authority) which requires the Authority to submit for prior review and approval of the**  
9 **Legislative Council and each affected District any proposed utility easement; and**

10 **WHEREAS, TOUA requests permission for a Water System Improvements Right-of-Way and**  
11 **related facilities for the community of North Komelik, Sif Oidak District, Tohono**  
12 **O'odham Nation; and**

13 **WHEREAS, the requested Water System Improvements Right-of-Way Parcels A through F measure**  
14 **a total of 3,554.95 feet by 50 feet in width which equals 4.08 acres more or less; and**

15 **WHEREAS, TOUA has respectfully submitted all supporting documents and pertinent information**  
16 **(attached hereto and incorporated herein by reference) for uses consistent with the**  
17 **authorized purposes of TOUA; and**

18 **WHEREAS, the TOUA North Komelik Water System Improvements Right-of-Way and related**  
19 **facilities will be of substantial benefit to the North Komelik Community, Sif Oidak**  
20 **District, Tohono O'odham Nation and their respective members; and**

21 **WHEREAS, the community of North Komelik and the Sif Oidak District Council approved the**  
22 **requested Right-of-Way on 24 February 2011 and by enacting resolution SODC-11-055**  
23 **respectively; and**

24 **WHEREAS, Oversight Committee reviews were conducted by the Agriculture & Natural Resources**  
25 **Committee as well as the Water Resources Committee on October 07, 2011 & November**  
26 **08, 2011 respectively by which consensus recommendations were determined for**  
27 **approval thereof by the Tohono O'odham Legislative Council.**

28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**  
29 **approve the Right-of-Way as requested by TOUA for the North Komelik Water System**

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**(Approving Tohono O'odham Utility Authority North Komelik Water System Improvements Right-of-Way, Sif Oldak District, Tohono O'odham Nation)**

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1                   **Improvements and related facilities in the location (as more fully described in the**  
2                   **attached Right-of-Way Plan, Legal Description & Supporting Documents) and**  
3                   **construction by TOUA or its designated subsidiaries for uses consistent with the**  
4                   **authorized purposes of TOUA.**

5                   **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14<sup>th</sup> Day**  
6                   **of NOVEMBER, 2011 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-**  
7                   **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
8                   **Section 1 (i) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**  
9                   **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
10                   **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**  
11                   **Stat. 984).**

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14                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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19                   **Timothy Joaquin, Legislative Chairman**

20                   29 day of November, 2011

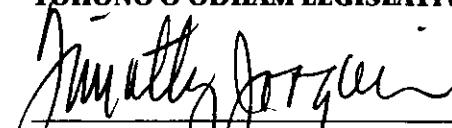
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22                   **ATTEST:**

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25                   **Evonne Wilson, Legislative Secretary**

26                   29 day of November, 2011

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29                   **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**  
30                   **Nation on the 29 day of November, 2011 at 3:45 o'clock, P.M.,**  
31                   **pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective**  
32                   **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
33                   **submittal.**

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35                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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38                   **Timothy Joaquin, Legislative Chairman**

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**(Approving Tohono O'odham Utility Authority North Komelik Water System Improvements Right-of-Way, Sif Oidak District, Tohono O'odham Nation)**

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1  APPROVED on the 29 day of November, 2011

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3  DISAPPROVED at 4:10 o'clock, p.M.

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5 Wendell Romero/Vice Chairman  
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7 **NED NORRIS, JR., CHAIRMAN**  
8 **TOHONO O'ODHAM NATION**

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13 Returned to the Legislative Secretary on the 30 day of

14 November, 2011, at 10:48 o'clock, a.M.

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16 Evonne Wilson  
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19 **Evonne Wilson, Legislative Secretary**

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**ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY NORTH KOMELIK WATER SYSTEM IMPROVEMENTS RIGHT-OF-WAY, SIF Oidak DISTRICT, TOHONO O'ODHAM NATION**

**MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON**

**SECOND: COUNCILWOMAN MARY LOPEZ**

**DATE: NOVEMBER 14, 2011**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>342.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
<b>CHUKUT KUK</b> <b>302.2</b>	1. ETHEL GARCIA <i>(Absent)</i> (Sara Mae Williams) <i>(Present)</i>	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> <b>244.9</b>	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			X
<b>GU VO</b> <b>226.7</b>	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			X
<b>HICKIWAN</b> <b>186.3</b>	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> <b>200.7</b>	1. CHESTER ANTONE ( )	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> <b>204.6</b>	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> <b>215.8</b>	1. HILARION CAMPUS ( )	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> <b>169.8</b>	1. FRANCES B. CONDE ( )	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> <b>475.7</b>	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF Oidak</b> <b>211.9</b>	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>