RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a Confidentiality Agreement Between ASARCO LLC and the Tohono O'odham Nation)

RESOLUTION NO. 15-013

WHEREAS, the Tohono O'odham Legislative Council is vested with the power to “consult, negotiate and conclude agreements and contracts on behalf of the Tohono O'odham Nation with Federal, State and local governments...” (Constitution of the Tohono O'odham Nation, Article VI, Section 1(f)); and

WHEREAS, ASARCO LLC has approached the Tohono O'odham Nation (“Nation”), the San Xavier District, and the San Xavier Allottees Association with a proposal that would facilitate a northward pushback of the main pit; and

WHEREAS, the Nation, the San Xavier District, and the San Xavier Allottees Association has requested certain information to inform their decision regarding this proposal; and

WHEREAS, ASARCO LLC has indicated that they will release the requested information, but that the parties receiving the information must execute a confidentiality agreement; and

WHEREAS, the Agricultural and Natural Resources Committee has reviewed the Confidentiality Agreement and recommends that it be approved.

NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it approves the Confidentiality Agreement substantially in the form attached hereto and authorizes the Chairperson of the Nation to execute it and any related documents reasonably necessary to implement the Confidentiality Agreement.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH day of JANUARY, 2015 at a meeting at which a quorum was present with a vote of 2,946.5 FOR; 0 Against; 01 NOT VOTING; and 04 ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(f) 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

Timothy Joaquin, Legislative Chairman

13 day of January 2015
RESOLUTION NO. 15-013
(Approving a Confidentiality Agreement Between ASARCO LLC and the Tohono O'odham Nation)
Page 2 of 2

ATTEST:

Evonne Wilson, Legislative Secretary

[ ] day of January, 2015

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13th day of January, 2015 at 2:44 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

Timothy Joaquina, Legislative Chairman

[√] APPROVED
on the 15th day of January, 2015

at 10:44 o'clock, a.m.

NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15th day of January, 2015, at 12:00 o'clock, p.m.

Evonne Wilson, Legislative Secretary
**ACTION:** APPROVING A CONFIDENTIALITY AGREEMENT BETWEEN ASARCO LLC AND THE TOHONO O'ODHAM NATION

**MOVED:** COUNCILMAN BILLMAN LOPEZ  
**SECOND:** COUNCILMAN LOUIS R. LOPEZ  
**DATE:** JANUARY 09, 2015

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>LEGISLATIVE REPRESENTATIVES</th>
<th># OF VOTES</th>
<th>FOR</th>
<th>AGAINST</th>
<th>NOT VOTING</th>
<th>ABSENT</th>
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</table>
| SIF OIDAK 224.2 | 1. LUCINDA ALLEN (Nicholas Jose)  
2. MARY LOPEZ ( ) | 112.1 | X | | | |
| | | 112.1 | X | | | X |
| SELL 502.0 | 1. ARTHUR WILSON (Ophelia Patmen)  
2. BARBARA HAVIER (Beverly Rivas) | 251.0 | X | | | |
| | | 251.0 | X | | | X |
| SCHUK TOAK 174.2 | 1. FRANCES B. STEPHENS (Anthony J. Rios)  
2. QUINTIN C. LOPEZ (John Fendenhelm) | 87.1 | X | | | |
| | | 87.1 | X | | | X |
| SAN XAVIER 224.2 | 1. HILARION CAMPUS (Daniel L.A. Preston, III)  
2. RACHEAL WILSON-STONER (Olivia Villegas-Liston) | 112.1 | X | | | |
| | | 112.1 | X | | | |
| SAN LUCY 219.6 | 1. DIANA MANUEL (Gloria Ramírez)  
2. JANA MONTANA ( ) | 109.8 | X | | | |
| | | 109.8 | X | | | X |
| PISINEMO 210.6 | 1. CHESTER ANTONE (Tony Murdletta)  
2. EDWARD MANUEL, SR. ( ) | 105.3 | X | | | |
| | | 105.3 | X | | | |
| HICKI WAN 196.9 | 1. LOUIS R. LOPEZ ( )  
2. SANDRA ORTEGA (Manuel Osequeda, Jr.) | 98.45 | X | | | |
| | | 98.45 | X | | | |
| HIA CED 19.6 | 1. PATRICK ANDREWS (Janice E. Paul)  
2. VIRGINIA GARCIA ( ) | 9.8 | X | | | |
| | | 9.8 | X | | | x |
| GU VO 241.0 | 1. GRACE MANUEL (Floyd Flores)  
2. PAMELA ANGHILL (Jeffery Antone, Sr.) | 120.5 | X | | | |
| | | 120.5 | X | | | X |
| GU ACHI 257.3 | 1. TIMOTHY L. JOAQUIN ( )  
2. LORETTA LEWIS (Louis Johnson) | 128.65 | X | | | |
| | | 128.65 | X | | | |
| CHUKUT KUK 319.2 | 1. ETHEL GARCIA (Mariakay C. Henry)  
2. BILLMAN LOPEZ ( ) | 159.6 | X | | | |
| | | 159.6 | X | | | |
| BABOQUIVARI 357.7 | 1. FRANCES MIGUEL (Roberta Harvey)  
2. VERNON J. SMITH (Gloria Zazueta) | 178.85 | X | | | |
| | | 178.85 | X | | | |
| **TOTAL** | **2,946.5** | **2,946.5** | **-0-** | | | |

[01] [04]