

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving 2019 Annual Scheduling Agreement with New Magma Irrigation
and Drainage District)

RESOLUTION NO. 19-028

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the power "to consult, negotiate and conclude agreements and contracts on**
3 **behalf of the Tohono O'odham Nation with Federal, State and local governments**
4 **and other Indian tribes or their departments, agencies, or political subdivisions,**
5 **or with private persons or organizations on all matters within the authority of the**
6 **Tohono O'odham Council." (Constitution, Article VI, Section 1(f)); and**

7 **WHEREAS, by Resolution No. 15-351 the Tohono O'odham Nation approved an agreement**
8 **with the New Magma Irrigation and Drainage District providing for delivery of a**
9 **portion of the Nation's CAP water for water storage at a groundwater savings**
10 **facility (the "Agreement"), and the Agreement was executed by the parties on**
11 **December 12, 2015; and**

12 **WHEREAS, the original term of the Agreement was for two calendar years, from January 1,**
13 **2016 to December 31, 2017; and**

14 **WHEREAS, the term of the Agreement was subsequently amended to end on December 31,**
15 **2022; and**

16 **WHEREAS, the Agreement allows the parties to negotiate a quantity of water and a price each**
17 **year, as set forth in an Annual Scheduling Agreement; and**

18 **WHEREAS, the Water Resources Committee recommends a quantity of water and a price as**
19 **set forth in the 2019 Annual Scheduling Agreement attached to this resolution.**

20 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
21 **2019 Annual Scheduling Agreement with the New Magma Irrigation and Drainage**
22 **District substantially in the form attached hereto, and authorizes the Chairman**
23 **of the Nation to execute it.**

24 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH**
25 **day of JANUARY, 2019 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-**
26 **AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by**
27 **Article VI, Section 1(f) and Article XVII, Section 2 of the Constitution of the Tohono O'odham**
28 **Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**
29 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**
30 **16 of the Act of June 18, 1934 (48 Stat.984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Timothy Joaquin, Legislative Chairman

17 day of January, 2019

1 ATTEST:

2 *Evonne Wilson*

3
4 Evonne Wilson, Legislative Secretary

5
6 15 day of January, 2019

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8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
9 O'odham Nation on the 11 day of January, 2019 at 3:50 o'clock, P.m.,
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
11 effective upon his approval or upon his failure to either approve or disapprove it within 48
12 hours of submittal.

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15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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17 *Timothy C. Joaquin* *for*
18 Timothy Joaquin, Legislative Chairman

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24 APPROVED

on the 29 day of January, 2019

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26 DISAPPROVED

at 9:06 o'clock, A.m.

EXCEEDED 48 HOURS

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29 *Edward D. Manuel*
30 EDWARD D. MANUEL, CHAIRMAN
31 TOHONO O'ODHAM NATION

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36 Returned to the Legislative Secretary on the 29 day of

37
38 January, 2019, at 9:40 o'clock, A.m.

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40 *Evonne Wilson*
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42 Evonne Wilson, Legislative Secretary

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ACTION: APPROVING 2019 ANNUAL SCHEDULING AGREEMENT WITH NEW MAGMA IRRIGATION AND DRAINAGE DISTRICT

Moved: COUNCILMAN ANTHONY J. FRANCISCO, JR.

SECOND: COUNCILWOMAN LUCINDA J. ALLEN

DATE: JANUARY 11, 2019

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			X
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (<i>Absent</i>) (Evelyn Juan Manuel) (<i>Present</i>)	263.6	X			
	2. ADRIANNE TILLER (Idalcen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			X
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (<i>Absent</i>) (Felicia Nunez) (<i>Present</i>)	116.15	X			X
	2. JANICE FELIX ()	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5	X			
	2. SANDRA D. ORTEGA ()	104.5	X			
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			X
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	3,084.6	-0-	-0-	[04]