

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving 2017 Annual Scheduling Agreement with New Magma Irrigation  
and Drainage District)**

**RESOLUTION NO. 17-052**

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, 2105; and**

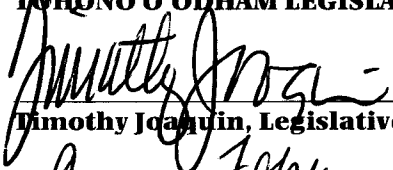
12 **WHEREAS, the term of the Agreement is for two calendar years, from January 1, 2016 to**  
13 **December 31, 2017; and**

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

16 **WHEREAS, the Water Resources Committee recommends a quantity of water and a price as**  
17 **set forth in the 2017 Annual Scheduling Agreement attached to this resolution.**

18 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
19 **2017 Annual Scheduling Agreement with the New Magma Irrigation and Drainage**  
20 **District substantially in the form attached hereto, and authorizes the Chairman**  
21 **of the Nation to execute it.**

22 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup> day**  
23 **of FEBRUARY, 2017 at a meeting at which a quorum was present with a vote of 3,021.4 FOR;**  
24 **-0- AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by**  
25 **Article VI, Section 1(f) and Article XVII, Section 2 of the Constitution of the Tohono O'odham**  
26 **Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**  
27 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**  
28 **16 of the Act of June 18, 1934 (48 Stat.984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL  
  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman  
9 day of February, 2017

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ATTEST:

*Yvonne Wilson*  
Evonne Wilson, Legislative Secretary

09 day of February, 2017

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9 day of February, 2017 at 11:58 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

*Timothy Joaquin*  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 9 day of February, 2017

DISAPPROVED

at 3:15 o'clock, P .m.

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

Returned to the Legislative Secretary on the 09 day of  
February, 2017, at 4:56 o'clock, P .m.

*Yvonne Wilson*  
Evonne Wilson, Legislative Secretary

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**ACTION: APPROVING 2017 ANNUAL SCHEDULING AGREEMENT WITH NEW MAGMA IRRIGATION AND DRAINAGE DISTRICT**

**Moved: COUNCILMAN QUINTIN C. LOPEZ**

**SECOND: COUNCILWOMAN PAMELA ANGHILL**

**DATE: FEBRUARY 07, 2017**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH ( <i>Absent</i> ) (Gloria Zazueta) ( <i>Present</i> )	183.60	X			X
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marla Kay Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			X
	2. LORETTA LEWIS ( )	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			X
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ ( <i>Absent</i> ) (Shirley Molina) ( <i>Present</i> )	102.90	X			
	2. SANDRA ORTEGA ( )	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ( <i>Absent</i> ) (Caroline D. Garcia) ( <i>Present</i> )	109.95	X			
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL (Lorraine Eiler)	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ( <i>Absent</i> ) (Felicia Nunez) ( <i>Present</i> )	114.3	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ( )	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER (Idaleen Reyes)	256.75	X			X
SIF OJDAK 231.6	1. LUCINDA ALLEN ( )	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			X
<b>TOTAL</b>		<b>3,021.4</b>	<b>3,021.4</b>	<b>-0-</b>	<b>-0-</b>	<b>[05]</b>