

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving 2020 Annual Scheduling Agreement with New Magma Irrigation and  
Drainage District)**

**RESOLUTION NO. 19-470**

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**

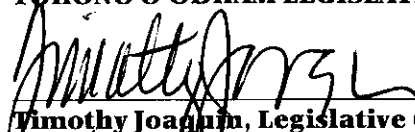
16 **WHEREAS, the Agreement allows the parties to negotiate a quantity of water and a price each**  
17 **year, as set forth in an Annual Scheduling Agreement; and**

18 **WHEREAS, the Water Resources Committee has reviewed the 2020 Annual Scheduling**  
19 **Agreement and recommends approval.**

20 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
21 **2020 Annual Scheduling Agreement with the New Magma Irrigation and Drainage**  
22 **District substantially in the form attached, and authorizes the Chairman of the**  
23 **Nation to execute the Agreement and any additional documentation reasonably**  
24 **necessary to implement the intent of the Agreement.**

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18<sup>TH</sup>**  
26 **day of DECEMBER, 2019 at a meeting at which a quorum was present with a vote of 2,961.9 FOR;**  
27 **-0- AGAINST; -0- NOT VOTING; and 213.8[07] ABSENT, pursuant to the powers vested in the**  
28 **Council by Article VI, Section 1(f) and Article XVII, Section 2 of the Constitution of the Tohono**  
29 **O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by**  
30 **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant**  
31 **to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
Timothy Joaquin, Legislative Chairman

18 day of December, 2019

RESOLUTION NO. 19-470

(Approving 2020 Annual Scheduling Agreement with New Magma Irrigation and Drainage District)

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1 ATTEST:

2 *Evonne Wilson*  
3

4 Evonne Wilson, Legislative Secretary

5 13 day of December, 2019  
6  
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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 18 day of December, 2019 at 4:54 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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14 TOHONO O'ODHAM LEGISLATIVE COUNCIL

15 *Timothy Joaquin*  
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17 Timothy Joaquin, Legislative Chairman  
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20  
21  APPROVED

22 on the 20 day of December, 2019

23  DISAPPROVED

24 at 8:55 o'clock, a .m.

25 *Ned Norris, Jr.*  
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27 NED NORRIS, JR., CHAIRMAN  
28 TOHONO O'ODHAM NATION  
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33 Returned to the Legislative Secretary on the 20 day of  
34 December, 2019, at 9:47 o'clock, a .m.  
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36 *Evonne Wilson*  
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38 Evonne Wilson, Legislative Secretary  
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**ACTION: APPROVING 2020 ANNUAL SCHEDULING AGREEMENT WITH NEW MAGMA IRRIGATION AND DRAINAGE DISTRICT**

**Moved: COUNCILWOMAN MARY LOPEZ**

**SECOND: VICE CHAIRMAN QUINTIN C. LOPEZ**

**DATE: DECEMBER 18, 2019**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY ( <i>Absent</i> ) (Frances G. Antone) ( <i>Present</i> )	192.40	X			X
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer)	173.75	X			
	2. MARLAKAY HENRY ( <i>Absent</i> ) (Billman Lopez) ( <i>Present</i> )	173.75	X			X
GUACHI 279.3	1. VICTORIA HOBBS ( )	139.65	X			X
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65	X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ( )	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ( )	106.90				X
	2. LOUIS R. LOPEZ ( <i>Absent</i> ) (Delma M. Garcia) ( <i>Present</i> )	106.90				X
PISINEMO 230.7	1. MONICA K. MORGAN ( )	115.35	X			
	2. MARIETTA MARTIN ( )	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ( )	117.80	X			
	2. JANA MONTANA (Lorraine M. Eller)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			X
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ( )	273.55	X			
	2. ARTHUR WILSON ( )	273.55	X			X
SIF OIDAK 244.5	1. LUCINDA ALLEN ( <i>Absent</i> ) (Yolonda Garcia) ( <i>Present</i> )	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
<b>TOTAL</b>		<b>3,175.7</b>	<b>2,961.9</b>	<b>-0-</b>	<b>-0-</b>	<b>213.8</b> <b>[07]</b>