

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving First Amended 2024 Annual Scheduling Agreement with New  
Magma Irrigation and Drainage District)**

**RESOLUTION NO. 24-355**

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. 23-089, 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 "Storage Agreement"); and

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

13 **WHEREAS,** by Resolution No. 24-118, the Tohono O'odham Nation approved a 2024 Annual  
14 Scheduling Agreement; and

15 **WHEREAS,** New Magma Irrigation and Drainage District has requested that the Nation store  
16 an additional quantity of water pursuant to the Storage Agreement in 2024,  
17 necessitating an amendment to the 2024 Annual Scheduling Agreement; and

18 **WHEREAS,** the Water Resources Department recommends a quantity of water and a price as  
19 set forth in the First Amended 2024 Annual Scheduling Agreement attached to this  
20 resolution, subject to adjustment in accordance with the Storage Agreement.

21 **WHEREAS,** the Water Resources Committee has reviewed the proposed amendment to the  
22 2024 annual scheduling agreement with NMIDD and recommends its approval;

23 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the  
24 First Amended 2024 Annual Scheduling Agreement with the New Magma  
25 Irrigation and Drainage District substantially in the form attached hereto, and  
26 authorizes the Chairman of the Nation to execute it; provided, that the First  
27 Amended 2024 Annual Scheduling Agreement shall be subject to adjustment in  
28 accordance with the Storage Agreement.

29 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup>  
30 day of OCTOBER 2024 at a meeting at which a quorum was present with a vote of 2,300.35 FOR;  
31 404.95 AGAINST; 558.0[02]NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the  
32 Council by Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by  
33 the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
34 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June  
35 18, 1934 (48 Stat.984).



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**(Approving First Amended 2024 Annual Scheduling Agreement with New Magma Irrigation and Drainage District)**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

*Wavalene M. Saunders*  
**Wavalene M. Saunders, Legislative Chairwoman**

14 day of October, 2024

**ATTEST:**

*Evonne Wilson*

**Evonne Wilson, Legislative Secretary**

14 day of October, 2024

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 14 day of October, 2024 at 1:10 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**

*Wavalene M. Saunders*  
**Wavalene M. Saunders, Legislative Chairwoman**

**APPROVED**

on the 14 day of October, 2024

**DISAPPROVED**

at 3:38 o'clock, p.m.

*Verlon M. Jose*

**VERLON M. JOSE, CHAIRMAN  
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 15 day of

October, 2024, at 10:15 o'clock, a.m.

*Evonne Wilson*

**Evonne Wilson, Legislative Secretary**

**ACTION: APPROVING FIRST AMENDED 2024 ANNUAL SCHEDULING AGREEMENT WITH NEW MAGMA IRRIGATION AND DRAINAGE DISTRICT****MOVED: COUNCILMAN DANIEL L.A PRESTON III****SECOND: COUNCILMAN DALLAS LEWIS****DATE: OCTOBER 09, 2024**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X X			
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ( )	177.35 177.35	X X			X
GU ACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. JEROME F. JOAQUIN ( )	141.35 141.35		X X		
GU VO 276.0	1. DALLAS LEWIS ( ) 2. LESLIE LUNA ( )	138.0 138.0	X X			
HICKIWAN 220.5	1. DELMA M. GARCIA ( ) 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			X
PISINEMO 236.2	1. EDWARD D. MANUEL ( ) 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL ( <i>Absent</i> ) (Christina Andrews) ( <i>Present</i> ) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	128.8 128.8	X X			X
SAN XAVIER 244.5	1. JANICE FELIX ( ) 2. DANIEL L.A. PRESTON III ( )	122.25 122.25		X		
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			X
SELLS 558.0	1. EVELYN JUAN MANUEL (Arvada Liston) 2. JANET B. ELEANDO ( )	279.0 279.0			X X	
SIF OIDAK 247.1	1. FRANCIS HOMEWYTEWA ( ) 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
	<b>TOTAL</b>	<b>3,263.30</b>	<b>2,300.35</b>	<b>404.95</b>	<b>558.0 [02]</b>	<b>[04]</b>