

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Addendum No. 1 to the Business Lease (Water Well Sites))**

RESOLUTION NO. 13-041

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

7 **WHEREAS, Cyprus Tohono Corporation ("Cyprus") and the Tohono O'odham Nation ("Nation")**
8 **entered into a Business Lease for the Water Well Sites on July 23, 1987; and**

9 **WHEREAS, in accordance with Section 7 of the Business Lease for the Water Well Sites, Cyprus**
10 **timely exercised its option to renew the Business Lease for the Water Well Sites for a**
11 **period of twenty-five years; and**

12 **WHEREAS, pursuant to Section 7 of the Business Lease for the Water Well Sites, Cyprus and the**
13 **Nation entered into negotiations to determine a mutually agreeable fair purchase**
14 **price per acre foot of water extracted from the Property by Cyprus from the water wells**
15 **subject to the lease; and**

16 **WHEREAS, the parties have reached a mutually acceptable fair purchase price of \$250.00 per acre**
17 **foot of water extracted from the Property for the term of the renewal; and**

18 **WHEREAS, the Agricultural and Natural Resources Committee have reviewed Addendum No. 1 to**
19 **the Business Lease (Water Well Sites) and recommend approval.**

20 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it approves**
21 **Addendum No. 1 to the Business Lease (Water Well Sites) substantially in the form**
22 **attached hereto and authorizes and directs the Chairman of the Nation to execute it**
23 **and any related documents reasonably necessary to implement the Addendum.**

24 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH Day**
25 **of FEBRUARY, 2013 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-**
26 **AGAINST; [02] NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by**
27 **Section 1 (f) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**
28 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
29 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
30 **Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

11 day of February, 2013

ATTEST:




Evonne Wilson, Legislative Secretary

11 day of February, 2013

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 11 day of February, 2013 at 4:20 o'clock, P.M., pursuant to the provisions of Section 4 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

 For

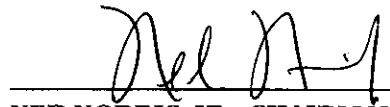
Timothy Joaquin, Legislative Chairman

APPROVED

on the 12 day of Febury, 2013

DISAPPROVED

at 8:58 o'clock, A.M.



NED NORRIS, JR., CHAIRMAN

TOHONO O'ODHAM NATION


RESOLUTION NO. 13-041

(Approving Addendum No. 1 to the Business Lease (Water Well Sites))

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1 **Returned to the Legislative Secretary on the 12 day of**

2 February, 2013, at 9:52 o'clock, a.M.

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7 **Evonne Wilson, Legislative Secretary**

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ACTION: APPROVING ADDENDUM NO. 1 TO THE BUSINESS LEASE (WATER WELL SITES)

MOVED: COUNCILWOMAN FRANCES STEPHENS

SECOND: COUNCILWOMAN MARY LOPEZ

DATE: FEBRUARY 06, 2013

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|--|-----------------|-----------------|------------|-------------|-------------|
| BABOQUIVARI 342.0 | 1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>) | 171.0 | X | | | |
| | 2. FRANCES G. ANTONE (Vernon Smith) | 171.0 | X | | | |
| CHUKUT KUK 302.2 | 1. ETHEL GARCIA (Sara Mae Williams) | 151.10 | X | | | |
| | 2. BILLMAN LOPEZ () | 151.10 | X | | | |
| GU ACHI 244.9 | 1. TIMOTHY L. JOAQUIN () | 122.45 | X | | | |
| | 2. CYNTHIA E. MANUEL (Louis L. Johnson) | 122.45 | X | | | |
| GU VO 226.7 | 1. GRACE MANUEL (Floyd Flores) | 113.35 | X | | | |
| | 2. PAMELA ANGHILL () | 113.35 | X | | | X |
| HICKIWAN 186.3 | 1. LOUIS R. LOPEZ (Michelle Ortega) | 93.15 | X | | | |
| | 2. SANDRA ORTEGA () | 93.15 | X | | | X |
| PISINEMO 200.7 | 1. CHESTER ANTONE (Tony Murrietta) | 100.35 | X | | | X |
| | 2. EDWARD MANUEL (Gerald Fayuant) | 100.35 | X | | | |
| SAN LUCY 204.6 | 1. LORRAINE EILER (<i>Absent</i>) (Diana Manuel) (<i>Present</i>) | 102.30 | X | | | |
| | 2. JANA MONTANA (Gloria Ramirez) | 102.30 | X | | | X |
| SAN XAVIER 215.8 | 1. HILARION CAMPUS (Racheal Vilson-Stoner) | 107.90 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON (Eugene Enis) | 107.90 | X | | X | |
| SCHUK TOAK 169.8 | 1. FRANCES B. STEPHENS (Anthony J. Rios) | 84.90 | X | | | |
| | 2. FREDERICK JOSE (Phyllis Cachora) | 84.90 | X | | | |
| SELLS 475.7 | 1. ARTHUR WILSON (Kimberly Mull) | 237.85 | X | | | X |
| | 2. MARIA ACKERMAN () | 237.85 | X | | | |
| SIF OIDAK 211.9 | 1. NICHOLAS JOSE () | 105.95 | X | | X | |
| | 2. MARY LOPEZ () | 105.95 | X | | | |
| TOTAL | | 2,780.60 | 2,780.60 | -0- | [02] | [05] |