

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving 2023 Annual Scheduling Agreement with New Magma  
Irrigation and Drainage District)**

**RESOLUTION NO. 23-427**

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 term of the Storage Agreement is from January 1, 2023 to December 31, 2025;**  
12 **and**

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

15 **WHEREAS, the Water Resources Department recommends a quantity of water and a price as**  
16 **set forth in the 2023 Annual Scheduling Agreement attached to this resolution;**  
17 **provided, that in accordance with the Storage Agreement, monthly amounts in**  
18 **the Annual Scheduling Agreement may be adjusted, so long that there is no**  
19 **increase or decrease in the total amount of water set forth in the Annual**  
20 **Scheduling Agreement.**

21 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**  
22 **2023 Annual Scheduling Agreement with the New Magma Irrigation and Drainage**  
23 **District substantially in the form attached hereto, and authorizes the Chairman**  
24 **of the Nation to execute it; provided, that in accordance with the Storage**  
25 **Agreement, monthly amounts identified in the Annual Scheduling Agreement**  
26 **may be adjusted, so long that there is no increase or decrease in the total amount**  
27 **of water set forth in the Annual Scheduling Agreement.**

28 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup>**  
29 **day of NOVEMBER 2023 at a meeting at which a quorum was present with a vote of 3,263.3 FOR;**  
30 **-0- AGAINST; [01] NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**  
31 **Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**  
32 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**  
33 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934**  
34 **(48 Stat.984).**  
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Wavalene M. Saunders  
Wavalene M. Saunders, Legislative Chairwoman

9 day of November, 2023

ATTEST

Evonne Wilson  
Evonne Wilson, Legislative Secretary

9 day of November, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9 day of November, 2023 at 4:00 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 10 day of November, 2023

DISAPPROVED

at 5:49 o'clock, P.m.

Verlon M. Jose  
VERLON M. JOSE, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13 day of

November, 2023, at 8:30 o'clock, A.m.

Evonne Wilson  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVING 2023 ANNUAL SCHEDULING AGREEMENT WITH NEW MAGMA IRRIGATION AND DRAINAGE DISTRICT****MOVED: COUNCILWOMAN JANICE FELIX****SECOND: VICE CHAIRWOMAN MARLAKAY HENRY****DATE: NOVEMBER 07, 2023**

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			X
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS <i>(Absent)</i> (Cornelius Antone) <i>(Present)</i> 2. MARLAKAY HENRY ( )	177.35 177.35	X X			
GUACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. TIMOTHY L. JOAQUIN (Jerome L. Joaquin)	141.35 141.35	X X			X
GU VO 276.0	1. DALLAS LEWIS ( ) 2. LESLIE LUNA (Grace Manuel)	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			
PISINEMO 236.2	1. EDWARD D. MANUEL (Monica Morgan) 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	128.8 128.8	X X			
SAN XAVIER 244.5	1. JANICE FELIX ( ) 2. DANIEL L.A. PRESTON III ( )	122.25 122.25	X X			X
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			
SELLS 558.0	1. EVELYN JUAN MANUEL (Arvada Liston) 2. JANET B. BLEANDO ( )	279.0 279.0	X X		X	
SIF OIDA 247.1	1. LUCINDA ALLEN (Francis Homewytewa) 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
	<b>TOTAL</b>	<b>3,263.30</b>	<b>3,263.3</b>	<b>-0-</b>	<b>[01]</b>	<b>[03]</b>