

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

- WHEREAS, Resolution No. 71-86 and 73-100 and contracts prepared pursuant thereto requires at least an annual revaluation of the stumpage rates for the Fort Apache Timber Company to be effective each April 1st, and has provisions for review and adjustment at not less than three-month intervals if subsequent circumstances warrant an interim adjustment, and
- WHEREAS, this revaluation has been made and has been discussed in detail with the Forestry Committee, and
- WHEREAS, the Bureau of Indian Affairs revaluation indicates a ratio (royalty) percentage of 43% to 48% and Fort Apache Timber Company appraisal indicates 23.64%, and
- WHEREAS, the Forestry Committee, after considering the problems of determining an equitable stumpage rate for Fort Apache Timber Company, recommended that 16% ratio (royalty) percentage be used when the lumber sales are less than \$150.00/MBM lumber tally, F.O.B. mill and 20% when lumber sales are \$150.00/MBM or more lumber tally F.O.B. mill until next May unless a revaluation is made. The 5% of gross scale will be retained for salvage sales.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Fort Apache Timber Company be charged 16% of their gross sales F.O.B. mill less purchased lumber and cut stock sales for stumpage effective April 1, 1974, when the lumber sales are less than \$150.00/MBM, or more lumber tally F.O.B. mill; for all timber sales except for that Horse Mesa Salvage Logging Unit which shall be at 5% of gross sales F.O.B. mill less purchased lumber and cut stock sales.
- BE IT FURTHER RESOLVED that the stumpage valuation system herein specified shall supercede any other pricing arrangement of forest products, not covered by specific contract reference, under the terms and conditions of the several contracts between the White Mountain Apache Tribe, its subsidiary enterprise, the Fort Apache Timber Company.
- BE IT FURTHER RESOLVED that revaluations may be made annually 1st each year and may be made at not less than three-month intervals. It is herein established that these intervals shall be the calendar quarters and any adjustment that may result shall be effective as of the first day of the quarter that the request for revaluation was made i.e. the first day of June, September, December or April depending on the circumstances.

The foregoing resolution was on July 10, 1974 duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (1) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Joan Satcha
ACTING Chairman of the Tribal Council

Marjorie Goodfield
Secretary of the Tribal Council

Gila Woodpecker Resolution file

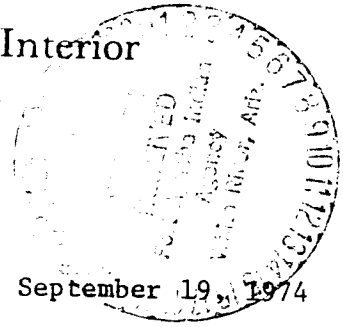


1. Supt

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
PHOENIX AREA OFFICE

P.O. Box 7007
Phoenix, Arizona 85011



IN REPLY REFER TO:

2. Forestry

Memorandum

To: Superintendent, Fort Apache Agency
Attention: Forestry

From: Area Director

Subject: Tribal Resolution No. 74-115

It has been brought to our attention that our letter of August 29, 1974 approving the conditions of Tribal Resolution 74-115 did not state the complete substance of the Resolution which is as follows:

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Fort Apache Timber Company be charged 16% of their gross sales F.O.B. mill less purchased lumber and cut stock sales for stumpage effective April 1, 1974, when the lumber sales are less than \$150.00/MBM, or more lumber tally F.O.B. mill; for all timber sales except for that Horse Mesa Salvage Logging Unit which shall be at 5% of gross sales F.O.B. mill less purchased lumber and cut stock sales.

Complete approval of the above was the intent in our letter of August 29, 1974.

[Signature]
Acting ASST Area Director



Save Energy and You Serve America!

JUL 31 1974

MEMORANDUM

**TO: Area Director
Attention: Tribal Operations**

FROM: Superintendent

SUBJECT: Tribal Resolution No. 74-115

Resolution No. 71-86 and 73-100 and contracts prepared pursuant thereto requires at least an annual revaluation of the stumpage rates for the Fort Apache Timber Company to be effective each April 1st, and has provisions for review and adjustment at not less than three-month intervals if subsequent circumstances warrant an interim adjustment.

This revaluation has been made and discussed in detail with the Forestry Committee.

The Tribal Council by Resolution No. 74-115 adopted the recommendations of the Forestry Committee that Fort Apache Timber Company be charged 16% of their gross sales F.O.B. mill less purchased lumber and cut stock sales for stumpage effective April 1, 1974 when the lumber sales are less than \$150.00/MBM, or more lumber tally F.O.B. mill; for all timber sales except for that Horse Mesa Salvage Logging Unit which shall be at 5% of gross sales F.O.B. mill less purchased lumber and cut stock sales.

The resolution was adopted on July 10, 1974 by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (1) of the Amended Constitution. Under this authority the resolution is not subject to review or approval.

/s/ Tim C. Dye

Superintendent