

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

WHEREAS, The Tribal Council of the White Mountain Apache Tribe has been requested by Mr. Dick Palmer on behalf of E.C. Spear Construction Co., to grant authorization for the extraction of cinders from various cinder pits on the Fort Apache Indian Reservation; and

WHEREAS, Mr. Palmer proposes to extract 25,000 tons of cinders from the "Lester Oliver" pit or, in the alternative, the "Hawley Lake" pit at the junction of Big Bear and Little Bear, for use in an on-Reservation highway construction project from Hawley Lake Junction to Big Lake turn-off, to be bid on by Spear Construction Co.; and

WHEREAS, Mr. Palmer offers to pay up to fifteen cents per ton of cinders, and a rental fee on land used during extraction, as compensation to the Tribe, and to bring the slope of any pit so utilized, down to a grade acceptable to the Tribe; and

WHEREAS, The Tribal Council has considered the benefit to the Tribe of authorizing the extraction of cinders from the Reservation, the environmental and employment consequences of such authorization, and the terms of the proposal made by Mr. Palmer on behalf of Spear Construction Company.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the extraction of 25,000 tons of cinders from the "Hawley Lake" cinder pit on the Reservation by E.C. Spear Construction Company, for use in an on-Reservation highway construction project from Hawley Lake Junction to Big Lake turn-off, upon successful bid of such project by said Company.

BE IT FURTHER RESOLVED that the Tribal Chairman and B.I.A. Superintendent are hereby authorized and directed to negotiate and determine the terms and conditions of the authorization herein granted, in the best interests and benefit to the Tribe, provided that no less than fifteen cents per ton shall be acceptable for such cinders; and to issue such permits to E.C. Spear Construction Company as are necessary to fulfill the purposes of this Resolution.

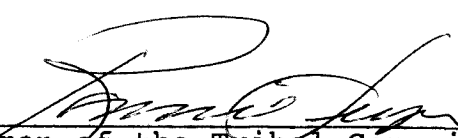
The foregoing resolution was on May 10, 1978 duly adopted by a vote of 10 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1(b) and (h) of the Amended Constitution and By-Laws of

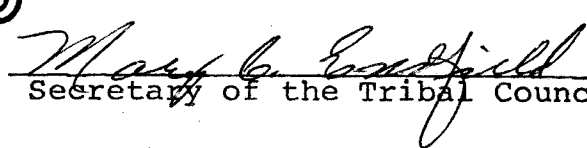
The Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

R E C E I V E D

JUN 08 1978

**FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ.**


Chairman of the Tribal Council


Secretary of the Tribal Council