

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

WHEREAS, Resolution 71-86 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 February 1st, and has provision for review and adjustment at no less than three-month intervals if subsequent circumstances warrant in 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 35.6% to 37.2%, and FATCO's revaluation indicates a ratio (royalty) percentage of 28.7%; and

WHEREAS, the Forestry Committee after considering the problem of determining and equitable Royalty Percentage for road suspense account and stumpage for Fort Apache Timber Company recommended that Fort Apache Timber Company be charged, effective May 1, 1978, at the following rates:

Ratio (Royalty)	
<u>Lumber Price less purchased lumber and cut stock sales.</u>	<u>Percentage to be charged for lumber and chip sales. FOB Mill</u>
\$109.00 and less	8
\$110.00 to \$149.99	16
\$150.00 to \$199.99	20
\$200.00 and more	28
Salvage sales	5

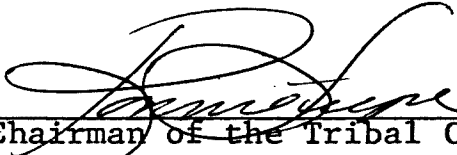
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Fort Apache Timber Company be charged, effective May 1, 1978, the Royalty Percentage as recommended above by the Forestry Committee.


BE IT FURTHER RESOLVED that the valuation system herein specified shall super ede any other pricing arrangement of forest products, not covered by specific contract reference, under the terms and conditions of several contracts between the White Mountain Apache Tribe, its subsidiary enterprise, the Fort Apache Timber Company.

BE IT FURTHER RESOLVED that revaluation may be made annually February 1st each year and may be made at no 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 May, August, November, or February depending on the circumstances.

BE IT FURTHER RESOLVED that a deduction not to exceed 15% of Ratio Percentage be accrued in the Roads Suspense Account to provide for forest road construction.

The foregoing resolution was on July 14, 1978, duly adopted by a vote of nine (9) for and zero (0) against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe on 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).


Chairman of the Tribal Council


ACTING Secretary of the Tribal Council

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FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ.