

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

- WHEREAS, the White Mountain Apache Tribe has grave concern respecting the protection of their water rights as a Reservation resource, and
- WHEREAS, it is the policy of the President of the United States and the Department of the Interior to negotiate or litigate the final solution of the water rights problem, and
- WHEREAS, the White Mountain Apache Tribe is aware that the protection of these water rights is a Trust Responsibility of the United States Government, and
- WHEREAS, it is the opinion of the White Mountain Apache Tribe that the United States Government has not acted in a timely manner to solve this major problem, and
- WHEREAS, the White Mountain Apache Tribe is in need of funding support to insure that proper technical information is assembled and collected to permit negotiation or litigation, and
- WHEREAS, the current Tribal Budget includes \$96,638.00 now being used in support of the Tribal Water Rights Committee and Tribal Water Rights Office to protect and evaluate the Tribe's water resources, and
- WHEREAS, the White Mountain Apache Tribe, through its Tribal Council, desires that the authority of P.L. 93-638 be used to permit the Tribe to contract with the Bureau of Indian Affairs for the sum of \$310,800.00, and
- WHEREAS, these funds would be used by the White Mountain Apache Tribe to contract with a nationally-recognized, qualified engineering firm to collect, assemble, identify and justify projection of Reservation water resources and water resource development, including present water uses, projected water uses and the development of a projected water use plan, all to the benefit of the Tribe, and
- WHEREAS, this data collection and the projections made thereunder will be of the quality required to negotiate or litigate the water rights and resources of the Fort Apache Indian Reservation, and

WHEREAS, the aforementioned sum will enable the White Mountain Apache Tribe to contract as indicated before and offset the indirect costs to the Tribe established by the General Accounting Office at 3.6%;

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Chairman is hereby authorized and directed to negotiate with the Bureau of Indian Affairs, including the execution of any and all documents required thereby, a contract and any amendments thereto, permitting the Tribe to have adequate funding to contract for the collection, compilation and identification of technical data concerning water rights and resources on the Fort Apache Indian Reservation and for assistance in negotiating or litigating the water rights, resources and needs for the Tribe and the Reservation,

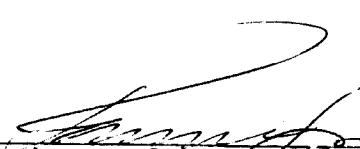
BE IT FURTHER RESOLVED that the authority of the Tribal Chairman shall remain in effect until expressly revoked by the Tribal Council,

BE IT FURTHER RESOLVED that progress on the contract shall be reviewed at each regular Tribal Council meeting and a financial report made to the Council every ninety (90) days,


BE IT FURTHER RESOLVED that the proposed starting date of the contract with the White Mountain Apache Tribe shall be on or about December 15, 1978 and said contract shall terminate on or about December 15, 1980, a period of two (2) calendar years.

BE IT FURTHER RESOLVED that the price of the contract be an addendum to the present Letter of Credit with the Treasury Department to minimize the financial burden on the Tribal Treasurer.

The foregoing Resolution was on November 17, 1978 duly adopted by a vote of 6 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 (i) 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 13, 1945 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council