

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

- WHEREAS, the Tribal Council of the White Mountain Apache Tribe is fully advised and aware that the Secretary of the Department of the Interior is currently considering water allocations from the Central Arizona Project, including possible reallocation of waters therefrom to central Arizona Indian Tribes, and
- WHEREAS, the Tribal Council has been advised that the Bureau of Indian Affairs is instructed to undertake an environmental impact assessment for the purposes of such Secretarial reallocation decisions, and
- WHEREAS, the Tribal Council has been presented with, and had reviewed, the "work plan" for such assessment by the Bureau of Indian Affairs, including the compilation of existing data or information relating to "water needs" on the Fort Apache Indian Reservation, and
- WHEREAS, the Tribal Council is aware, from various meetings and correspondence with Bureau of Indian Affairs and Interior officials, that it is the intention of the Department of the Interior to use Central Arizona Project allocations, or reallocations, to Indian Tribes, for the purpose of proceeding with negotiated settlements of Indian Water Rights in Arizona, and
- WHEREAS, the Tribal Council enacted Resolution No. 79-36, establishing that it shall not presently negotiate the water rights of the White Mountain Apache Tribe, and that it does not authorize or consent to the United States, or anyone acting on its behalf, to negotiate water rights of the Tribe, and
- WHEREAS, the Tribal Council finds that neither the basis nor the scope of the planned environmental impact assessment hereinabove referenced serve the interests or the legal posture of the Tribe, but rather constitute actions against these interests, and
- WHEREAS, the Tribal Council of the White Mountain Apache Tribe finds that it is not in the best interests of the Tribe for it to be involved in the Central Arizona Project reallocation process, or the environmental impact assessment related thereto.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe does not authorize nor consent to its inclusion in the current Secretarial considerations on Central Arizona Project allocations and the Bureau of Indian Affairs environmental impact assessments related thereto.

BE IT FURTHER RESOLVED that the Tribal Council directs that no agency of the Tribe, or anyone acting on behalf of the Tribe, deliver any information concerning the Tribe and its water rights, to anyone, without the express written consent of the Tribe, through its legal department.


BE IT FURTHER RESOLVED that the Tribal Council expressly reaffirms that it shall not subject the water rights of the White Mountain Apache Tribe to negotiated settlement, or any processes in contemplation thereof.

The foregoing resolution was on October 10, 1979 duly adopted by a vote of 10 for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) & (f) 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).

RECEIVED

OCT 11 1979

FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ.


Chairman of the Tribal Council


Secretary of the Tribal Council