

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

WHEREAS, the White Mountain Apache Tribe is of the opinion that the Secretary of the Interior has such gross conflicts of interest that it is improper for him to act for and on behalf of the Salt River Water Users Association, the claims in the Salt River of which are diametrically opposed to the Tribe's interests in that river and it is outside of the law for the Secretary simultaneously to act for both the Tribe and the Salt River Water Users Association, which administers the Salt River Reclamation Project, by reason of those conflicts of interest, and

WHEREAS, the White Mountain Apache Tribe, in keeping with its intention not to negotiate away its water rights, is also opposed to acknowledging that the State Court has jurisdiction over the Tribe's rights in the Salt River and its tributaries, and will not appear in the State Court proceedings entitled, Salt River Water Users Association vs. White Mountain Apache Tribe in the Maricopa County Court, or in any other State Court, and

WHEREAS, the White Mountain Apache Tribe denies that the United States of America could properly represent the Tribe in the above-mentioned Salt River adjudication proceedings in the Maricopa County Court and will take every action requisite to prevent the United States of America acting through the Secretary of the Interior and the Department of Justice, if the Department of Justice seeks to represent the Tribe in those proceedings in opposition to the will of the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it directs the Tribal Chairman to fully advise the Secretary of the Interior in person, that under no circumstances is the Secretary to proceed with negotiations which will in any way involve the rights of the use of water of the White Mountain Apache Tribe in and to the water of the Salt River and its tributaries.

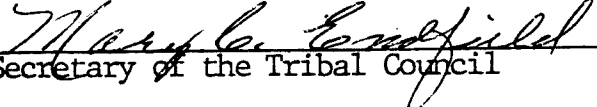
BE IT FURTHER RESOLVED that the White Mountain Apache Tribe does not authorize any representative of the Tribe to make an appearance for or on behalf of the Tribe in the on-going State proceedings to adjudicate its rights to the use of water in Salt River and its tributaries, now pending in the Maricopa County Court entitled Salt River Water Users Association vs. White Mountain Apache Tribe, or in any other State Court.

BE IT FURTHER RESOLVED that the Tribal Council directs that under no circumstances shall the Department of Justice attempt to appear on behalf of the White Mountain Apache Tribe in the aforesaid State adjudication involved the Tribe's rights to the use of water.

BE IT FURTHER RESOLVED that the Tribal Council directs that the Secretary of the Interior, by reason of the aforesaid conflicts of interest which permeate all of his activities, shall refrain from taking any action in litigation, negotiations or any other activities that could in any way affect the Tribe's rights to use of water in the Salt River and its tributaries.

The foregoing resolution was on February 07, 1980 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 (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).


Chairman of the Tribal Council


Secretary of the Tribal Council