

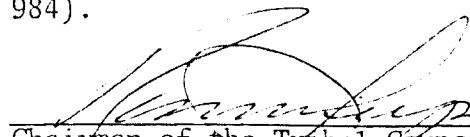
RESOLUTION OF THE  
 WHITE MOUNTAIN APACHE TRIBE OF THE  
 FORT APACHE INDIAN RESERVATION

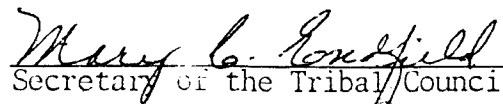
- WHEREAS, the Tribal Council of the White Mountain Apache Tribe has received reports from various sources and agencies that damages have occurred to the Irrigation Reuse Project in Canyon Day because of negligence, carelessness, and nonfeasance of duty by the engineering firms of Adam, Hamlyn and Anderson as well as Lufkin Construction Company, the contractor for the Whiteriver Waste Water Management System, and
- WHEREAS, verification is required to determine if these reports are true and to assess possible liability and damages to the appropriate parties at fault, and
- WHEREAS, the Tribal Council is alarmed by resulting and ongoing damages being suffered by the Canyon Day Farm as a result of construction delays and the cutoff of water to the irrigation pivots caused by the contractor and engineers, and
- WHEREAS, the Tribal Council is further disturbed by cost overruns in the project which are not due to any fault of the Tribe or its agencies but is rather due to a lack of advocacy by the engineer hired by the Tribe and the contractor itself, and
- WHEREAS, the Tribal Council concludes that Michael Watson, the Civil Engineer-Hydrologist employed by the Tribe to supervise the construction of the Canyon Day Irrigation Project and Don E. Booker, Tribal Planner are best suited to conduct an investigation of these allegations of damage, breach of contract and lack of advocacy engaged in by the engineering firm of Adam, Hamlyn and Anderson and committed by the Contractor.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs Michael Watson and Don E. Booker to forthwith conduct an investigation of damages and causes thereof to the Canyon Day Agricultural Program and upon completion of their investigation to submit a full report to the Tribal Council of the White Mountain Apache Tribe.

The foregoing resolution was on June 03, 1982 duly adopted by a vote of 9 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 18, 1934 (48 Stat. 984).

RECEIVED

JUN 04 1982

  
 Chairman of the Tribal Council

  
 Secretary of the Tribal Council