

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

- WHEREAS, pursuant to Resolution No. 08-87-258, the Tribal Council of the White Mountain Apache Tribe authorized Ted Wilbert of Wilbert Associates, Inc. to act in the name of the White Mountain Apache Tribe for the purpose of researching the economic and physical feasibility of developing a pulp and paper mill project on the Fort Apache Indian Reservation; and
- WHEREAS, in conjunction with said proposed project, the White Mountain Apache Tribe also recommitted its residual chips and pulpwood to said proposed project by contract with Wilbert Associates, Inc.; and
- WHEREAS, the Tribal Council of the White Mountain Apache Tribe continues to be committed to the objectives of said proposed project; and
- WHEREAS, the Tribal Council is advised that the physical feasibility of developing a pulp and paper mill project in the White Mountain appears promising and although said mill may not be located on the reservation, it would nevertheless be located within the White Mountains in the proximity of the Fort Apache Indian Reservation; and
- WHEREAS, the Tribal Council desired that any proposal developed as part of the paper mill project include provisions for employment of tribal members of the White Mountain Apache Tribe; and
- WHEREAS, the Tribal Council of the White Mountain Apache Tribe continues to be committed to the objectives of said proposed project; and
- WHEREAS, the Tribal Council desires that any proposal developed as part of the paper mill project include provisions for employment of tribal members of the White Mountain Apache Tribe in all phases of the operation of the related facilities and woods operation, including construction of said mill and that provisions providing for needed transportation from the tribal communities within the reservation to the paper mill facilities be provided for; and

WHEREAS, the Tribal Council is also desirous that any proposal developed as part of the paper mill project include provisions for utilizing enterprises of the White Mountain Apache Tribe and their products in all phases of the construction of the related facilities; and

WHEREAS, any proposal developed as part of the paper mill project should include the purchase of roundwood from the tribal forest and a source of water supply from the White Mountain Apache Tribe at appraised fair market value; and

WHEREAS, the price for the sawmill chips will be on the same terms and conditions as agreed upon in FATCO's contract with Wilbert Associates, Inc. dated January 24, 1989. In addition to the quantities of chips and pulpwood covered by the above resolutions, Wilbert Associates, Inc. shall have the option to purchase on the same terms all additional quantities of chips and pulpwood that the Tribe may decide to sell over and above those quantities authorized by Resolution No. 08-90-164.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby reaffirms its interest and commitment to the objectives and completion of the proposed pulp and paper mill project whether said project is located on the Fort Apache Indian Reservation or the White Mountain in the proximity of the reservation. In accordance with this commitment the Tribe will extend the time covered by Resolution Nos. 08-90-164 and 08-90-165 until December 31, 1991.

BE IT FURTHER RESOLVED that the price for the sawmill chips will be on the same terms and conditions as agreed upon in FATCO's contract with Wilbert Associates, Inc, dated January 24, 1989. In addition to the quantities of chips and pulpwood covered by the above resolutions, Wilbert Associates, Inc., shall have the option to purchase on the same terms all additional quantities of chips and pulpwood that the Tribe may decide to sell over and above those quantities authorized by Resolution No. 80-90-164.

BE IT FURTHER RESOLVED by the Tribal Council that any proposal developed in furtherance of the pulp and paper mill project should include provisions for employment of members of the White Mountain Apache Tribe in all phases of the operation and construction of the related facilities and woods operations and transportation as

needed from the tribal communities within the reservation to the paper mill facilities.

BE IT FURTHER RESOLVED by the Tribal Council that any proposal developed as part of the paper mill and pulp project should include provisions for utilizing enterprises of the White Mountain Apache Tribe and their products in all phases of the construction of related facilities, and the purchase of roundwood from the tribe's forest and water from the White Mountain Apache Tribe at appraised fair market value.

BE IT FURTHER RESOLVED by the Tribal Council that any proposals developed in contemplation of the paper mill project should also anticipate that the White Mountain Apache Tribe may be interested in purchasing an equity position in said paper mill project either through the direct investment of funds or equivalent value thereof in the form of raw materials.

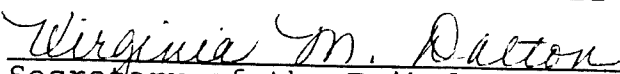
BE IT FURTHER RESOLVED, if Wilbert Associates, Inc. is unable to start construction of the mill on or before December 31, 1991, and the Tribe is not satisfied that Wilbert Associates, Inc. has made sufficient project in their efforts to start construction by that date, Wilbert Associates, Inc. will pay the Tribe the sum of \$25,000 (to be placed in escrow). In addition, Wilbert Associates, Inc. will provide the Tribe with copies of all pertinent feasibility, engineering, and financing studies that they have conducted up to December 31, 1991 should the Tribe proceed in the development of this project on its own accord.

The foregoing resolution was on October 2, 1990, duly adopted by a vote of nine 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) of the Amended Constitution and Bylaws 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).

OCT 5 1990

Fort Apache Indian Agency
Wickenburg, Arizona


Chairman of the Tribal Council


Secretary of the Tribal Council