

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

WHEREAS, the Tribal Council of the White Mountain Apache Tribe is advised that the following six (6) stream flow gauges are being operated and maintained within the exterior boundaries of the Fort Apache Indian Reservation maintained by the U.S. Geological Survey:

1. East Fork Whiteriver near Fort Apache - SRP [Salt River Project] supports by providing some money for operations;
2. Black River near Fort Apache - SRP supports;
3. Salt River near Chrysotile (Salt River Bridge) - SRP does not support, includes precipitation gauge;
4. Carrizo Creek near Show Low - SRP supports, includes precipitation gauge;
5. Cibecue Creek near Chrysotile - SRP supports, includes precipitation gauge;
6. Whiteriver near Fort Apache - SRP does not support, includes precipitation gauge; and

WHEREAS, the precipitation gauges collect data every 15 minutes and transmit data every four (4) hours under regular operations and during high stream flow, data is transmitted every 15 minutes; and

WHEREAS, previously, in 1959, stream flow gauges were installed at Whitesprings, Cibecue Creek below Cibecue Springs, Cibecue Creek upstream from Farmer's Diversion and Cibecue Creek at its junction with the Salt River in connection with proposed modification of vegetative cover on the Cibecue watershed; and

WHEREAS, it is the conclusion of the Tribal Council that other stream flow gauging stations installed in the upper Salt River basin in 1957 at Pacheta Creek at Maverick, Big Bonita Creek near Fort Apache, Whiteriver near Fort Apache, Black River near Fort Apache and Cibecue Creek near Chrysotile, Arizona and on the East Fork of the Whiteriver near Fort Apache were installed for the purpose of providing information on the effects of watershed treatment; and

WHEREAS, during the 1950's, the Department of Interior in co-sponsorship with the Salt River Project and BIA was instrumental in defoliating and destroying thousands of Cottonwood trees along the tributaries of Cibecue Creek, Carrizo Creek, North Fork and East Fork at the Whiteriver, the Whiteriver and Black River and their respective watersheds; and

WHEREAS, the sole purpose of the wanton destruction of the riparian vegetation and cottonwood trees was to increase water run off to Phoenix for the benefit of the Salt River Water Users Association and not that of the White Mountain Apache Tribe and its Reservation; and

WHEREAS, resulting destruction of riparian vegetation caused irreparable harm and injury to animal and plant species, to Tribal farm lands and induced erosion and flooding; and

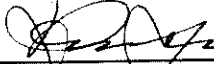
WHEREAS, the U.S. Geological Survey whose interest appears to be scientific information gathering only, is presently responsible for maintaining and co-sponsoring six (6) stream flow gauge stations currently operating within the Reservation; and

WHEREAS, the Tribal Council concludes that the manipulation of the Tribe's reserved water rights and watershed constituted an environmental crime against nature and the people of the White Mountain Apache Tribe and that the stream gauging stations which measure the effects of the prior vegetation and modification program should be removed forthwith by the U.S. Geological Survey.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the U.S. Geological Survey to enter upon the Fort Apache Indian Reservation and remove all stream flow gauge stations as identified in this Resolution within thirty (30) days of the receipt of this Resolution.

BE IT FURTHER RESOLVED by the Tribal Council that any stream flow gauge stations not removed within thirty (30) days shall be considered in trespass and will be subject to available legal process for removal of same.

The foregoing resolution was on August 04, 1994, duly adopted by a vote of eight for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (h), (i), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

RESOLVED

AUG 16 1994