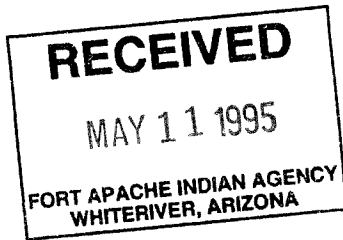


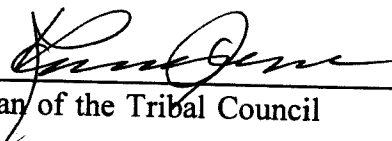
**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

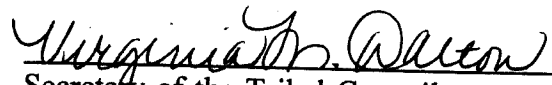
- WHEREAS**, the State of Arizona has enacted H.B. 2276 under an emergency cause which has resulted in sweeping changes to the Arizona Surface Water Code and Arizona Stream Adjudication Statutes; and
- WHEREAS**, under A.R.S. Sections 45-151(E) & (F) in this legislation, claimants under state law such as mines, irrigation districts, cities, or other persons can legally make a claim for water on federal Indian reservations; and
- WHEREAS**, water claims made by state persons under this new legislation would also allow for the removal of water from the reservation for use elsewhere, and, the statutes would open up new time periods for making claims in the pending adjudication for water rights on Indian lands and "grandfather" the water rights of small non-Indian water users without subjecting them to the adjudication process; and
- WHEREAS**, following the enactment of H.B. 2276, the San Carlos Apache Tribe, Tonto Apache Tribe, and the Yavapai Apache Tribe filed a Special Action Petition in the Arizona Supreme Court, Special Action No. Civ. 95-0161-SA; challenging the constitutionality of the legislation on several grounds; and
- WHEREAS**, the Arizona Supreme Court will be deciding whether or not to take jurisdiction of said Special Action and it is in the best interest of all Tribes to join in the Petition for Special Action in the Arizona Supreme Court to contest state laws that threaten Tribal water rights, Tribal sovereignty and the integrity of Indian reservations; and
- WHEREAS**, this legislation enacted by the State of Arizona represents the greatest direct threat to federally reserved Indian water rights ever launched by the State of Arizona.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe fully supports the Special Action Petition, No. Civ. 95-0161-SA, filed by the San Carlos Apache, Tonto Apache, and Yavapai Apache Tribes in defense of Indian water rights in the State of Arizona.
- BE IT FURTHER RESOLVED** by the Tribal Council directs the Tribal Attorney to file a Joinder in Petition for Special Action with the Arizona Supreme Court.

**Resolution No. 05-95-161**

The forgoing resolution was on May 03, 1995, duly adopted by a vote of nine for a zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by the White Mountain Apache Tribal Constitution, including Articles IV, Sections 1(a), (f), (i), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on 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).



  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council