

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

WHEREAS, the Tribal Attorney advises the Tribal Council that Special Water Rights Counsel, William H. Veeder, continues to prosecute water claims on behalf of the White Mountain Apache Tribe in the W-1 General Stream Adjudication in Phoenix and in the Little Colorado Stream Adjudication in St. John's in the Apache County Superior Court; and

WHEREAS, the Tribal Attorney advises the Tribal Council that extensive work is underway to protect the Tribe's aboriginal rights and claims to water in the Pinetop volcanic aquifer and the Coconino aquifer which lies beneath the top third of the Fort Apache Indian Reservation, but which is threatened by off-Reservation pumping; and

WHEREAS, said pumping of the Tribe's aboriginal water that lies beneath the Reservation threatens to cause environment debacle, including but not limited to reducing the depth of surface streams and water, threatening sensitive species, both plants and animals and drying up wetlands on the Reservation; and

WHEREAS, the very forest of the Reservation may be threatened by off-Reservation pumping of the Tribe's ground water that underlies the Reservation; and

WHEREAS, the Tribal Attorney explains that the Council previously adopted Resolution No. 08-95-276, which approved contracts for several expert consultants who are working on assembling the scientific data necessary to protect the Tribe's rights to its ground water and surface water and that these contracts expire September 30, 1996 and need to be renewed; and

WHEREAS, the Tribal Attorney explains that after consultation with water rights attorney, William H. Veeder, he recommends the following contracts be renewed for a period of two years to expire September 30, 1998, with the following contract sums, which include monies already owed to the expert consultants, and recommends additional monies to continue with the necessary work on the Tribe's water claims:

1. Elmer Clark, presently owed \$18,930.00, recommends an additional \$25,000.00, for a total of \$43,930.00.
2. Mike Watson, hydrologist, presently owed approximately \$23,000.00, recommends an additional \$27,000.00, for a total of \$50,000.00.
3. Dr. Charles Robinson, presently owed \$21,526.80, recommends an additional \$10,000.00, for a total of \$31,526.80.
4. Michael Kaczmarek, \$30,000.00 is recommended;

The above totals \$155,456.80, of which \$63,456.80 is presently owed; and

WHEREAS, the Tribal Council concurs in the recommendations and wishes to direct the Tribal Chairman to locate funds to extend the contracts to the foregoing experts for an additional two years and appropriate monies as identified above.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby extends the expert consultant contracts for Elmer Clark, Mike Watson, Dr. Charles Robinson, and Michael Kaczmarek for two years, to expire September 30, 1998, and authorizes payments of the amounts now owing and appropriation of additional monies as identified herein, for a total of \$155,456.80.

The foregoing resolution was on September 12, 1996, 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 IV, Section 1 (a), (b), (f), (i), (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).

RECEIVED

SEP 25 1996

PORTAFOLIO DE ARCHIVOS
WINTERRIVER, ARIZONA


Chairman of the Tribal Council


Secretary of the Tribal Council