

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

WHEREAS, the Tribal Water Rights Team has made a presentation to the Tribal Council regarding the purported Little Colorado River general stream adjudication pending in the Apache County Superior Court and the Gila River general stream adjudication pending in the Maricopa County Superior Court, such presentation further addressing all related issues summarized in Resolution 12-99-305; and

WHEREAS, the White Mountain Apache Tribe has consistently objected to representation of and attempted submission by the Department of Interior and Department of Justice of the Tribe's reserved water rights in the aforementioned State Court proceedings, because of the failure or refusal thus far of the Departments of Justice and Interior to assert the Tribe's aboriginal, prior and paramount rights to the transbasin Coconino and other Aquifers in the State Court proceedings, and because said agents of the Trustee United States have prepared a claim for water rights in the Gila River Adjudication to which the Tribe has consistently objected for reasons, among others, that the claim understates practical irrigable acreage and water requirements within the Tribe's Reservation, and have not aggressively defended Tribe's claims against State parties that have threatened and continue to threaten the reserved water rights of the White Mountain Apache Tribe; and

WHEREAS, the White Mountain Apache Tribe has requested funding from the Trustee United States through its principal agent, the Bureau of Indian Affairs, to prepare and defend its water rights but said requests have not been funded; and

WHEREAS, the White Mountain Apache Tribe is faced with unrelenting political and legal pressure to divest the Tribe of its reserved water rights and the Tribe must continue to take measures to protect its priceless water rights in the Salt River and Little Colorado River Basins; and

WHEREAS, the Tribal Council has discussed with the Tribe's Water Rights Team a proposed water rights budget for fiscal year 2001, to include the employment of agricultural economists, historians and other experts to advance and protect the Tribe's reserved water rights, and said proposed budget is in the approximate amount of \$500,000; and

WHEREAS, the Tribal Council concludes that it would be in the best interests of the White Mountain Apache Tribe to approve the proposed water rights budget in furtherance

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of the water rights of the Tribe and to properly prepare the Tribe to address the issues fully summarized in Resolution 12-99-305.

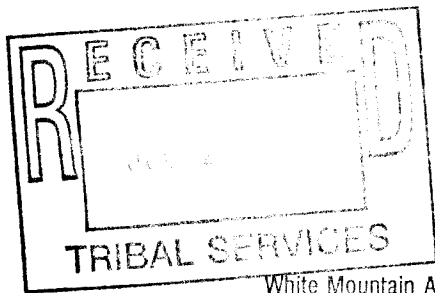
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and sets aside the sum of \$500,000 in Tribal funds for preparation and defense of the reserved water rights of the White Mountain Apache Tribe.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Legal Department and Special Water Rights Counsel, Robert C. Brauchli, are hereby directed to negotiate and administer any expert witness contracts authorized by this Resolution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Water Rights Team to provide the Tribal Council a status report as to the preparation and protection of the Tribe's water claims and an accounting of expenditures authorized by this Resolution at such times and places as directed by the Tribal Council.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, and in his absence the Vice-Chairman, to execute any and all expert consultant contracts required to implement the purposes of this Resolution.

The foregoing resolution was on July 10, 2000, duly adopted by a vote of ten 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) (d) (f) (i) (k) (s) (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



White Mountain Apache Tribe
Tribal Attorney

[Handwritten Signature]
ACTING Chairman of the Tribal Council

[Handwritten Signature]
Secretary of the Tribal Council

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