

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

- WHEREAS,** the White Mountain Apache Tribe is confronted with a drinking water crisis due to the rapid decline of drinking water delivery capacity from the Miner Flat well field amounting to half of its prior delivery production; and
- WHEREAS,** thousands of Tribal members and residents in the greater Whiteriver area are dependent upon the Miner Flat well field for drinking water; and
- WHEREAS,** the Tribe and the Indian Health Service are currently working together to drill and install two to three more wells near the Miner Flat well field as an emergency, interim measure to maintain current levels of production until a new source of drinking water, which will entail diversion of surface waters from the North Fork of the White River system, is completed; and
- WHEREAS,** the declining drinking water supply for the greater Whiteriver area, which includes the Whiteriver Community, Canyon Day and Cedar Creek, has become more acute due to the ongoing drought in the State of Arizona which is forecast to last several more years; and
- WHEREAS,** current water supplies from the Miner Flat well field may last less than five more years at current production rates and the possibilities for developing other groundwater sources are limited as most high quality groundwater is north of the Mogollan Rim outside Reservation boundaries; and
- WHEREAS,** with funding from the EPA and the Indian Health Service, a water diversion on the North Fork of the White River upstream of the main part of the community of Whiteriver will be constructed to provide drinking water; and
- WHEREAS,** exact site has not been chosen for the diversion project but the best area thus far has been determined to be between Diamond Creek and Whiteriver; and
- WHEREAS,** the North Fork of the White River provides a reliable, year round sources of high quality water which is easily accessible; and
- WHEREAS,** the advantages of a location between Diamond Creek and Whiteriver have been discussed with the Tribal Council by the Tribe's consulting Hydrologist, Dr. Laurel Lacher and Mike Watson, Civil Engineer/Hydrologist on this and prior occasions; and
- WHEREAS,** the Tribal Council is advised that a series of detailed studies will be needed to determine the exact location of the diversion works, settling ponds, and pipeline to deliver stream water to the proposed treatment plant near Rainbow City; and

Resolution No. 04-2003-124

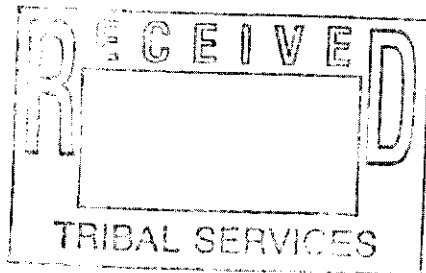
WHEREAS, it is essential that Tribal consultants, staff, the Tribal Engineering Department and persons under the authority and direction of the Tribe have access to potential sites on the North Fork for the diversion project without interference, as any delay or hindrance or obstruction by any persons will unduly threaten the health and safety of thousands of Tribal members and residents in the greater Whiteriver, Canyon Day and Cedar Creek communities dependent upon a dependable drinking water supply; and

WHEREAS, the Tribal Council concludes that community meetings should be scheduled in consultation with District IV Council members and the Council at large to insure there is an understanding of the indispensable need for the Tribe to construct the North Fork diversion for drinking water to protect the health, safety and welfare and to protect the aboriginal homeland of the Apache people.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes a Request For Proposals (RFP) to be mailed out to select engineering firms for the purpose of identifying an engineering firm to recommend the best location and design of the diversion system, and that following Tribal Council approval of the location and design, the engineering firm will commence construction.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe, that it hereby authorizes the Tribal Engineering Department, and any other Tribal staff and departments acting in cooperation with any engineering firm or consultants, to have access to the North Fork without obstruction from any person for the purpose of completing, as soon as possible, surveys and engineering studies and report for the North Fork drinking water diversion project and by copy of this Resolution to the Tribal Police Department and Bureau of Indian Affairs, requests assistance and cooperation from law enforcement agencies in the event that any person or entity obstructs or attempts to deny access to the North Fork for the purposes stated herein.

The foregoing resolution was on **APRIL 21, 2003** 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), (g), (h), (i), (j), (k), (q), (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