

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

- WHEREAS**, much of the western United States, including the Fort Apache Indian Reservation, has been experiencing a severe drought since 1998; and
- WHEREAS**, performance of the Miner Flat well field, which is the sole source of drinking water for the greater Whiteriver community, including Canyon Day, and a major source for the Cedar Creek Community, has been in rapid decline for the past two or more years, and is already unable to meet current demand without supplemental water from Columbine Spring; and
- WHEREAS**, forecasts show no indication of significant drought relief in the near future, and, in fact, suggest that a prolonged drought may persist in Arizona for several more years; and
- WHEREAS**, initial predictions for recharge at Miner Flat well field have proven to be incorrect and a recent study (December 2001) by the Tribe's consulting and staff hydrologists revealed that little or no recharge is occurring at the well field, and that the well field cannot be expected to recover to its original production rates, even if the drought ends soon; and
- WHEREAS**, providing a safe, high quality, reliable source of potable (drinking) water to the people of the White Mountain Apache Tribe while protecting the sacred waters of the Tribe's natural springs and streams are of paramount importance; and
- WHEREAS**, Tribal staff and consultants are currently working with the Indian Health Service to address the urgent need for a replacement water supply for the people of the White Mountain Apache Tribe by developing a surface water diversion and treatment plant on the North Fork of the White River; and
- WHEREAS**, this new drinking water supply system is not anticipated to be operational before the fall of 2004, and efforts to sustain production from Miner Flat well field with additional wells and spring water are not guaranteed to be able to meet peak summer demands; and
- WHEREAS**, the Tribal Council is concerned that there be in place, both short and long term strategies in a water management plan for the drought stressed Reservation and that any water management plan should include various thresholds to trigger or activate different aspects of drought mitigation looking at the urgent aspects first, such as the grave crisis now facing the Tribe due to the rapid decline in available potable water, and secondarily, development of a longer term plan for drought mitigation; and
- WHEREAS**, an integral part of planning for a long term drought is to promote water conservation which by the very nature of the Apache people has long been practiced as water

culturally is a sacred and precious resource not to be wasted or dealt with carelessly; and

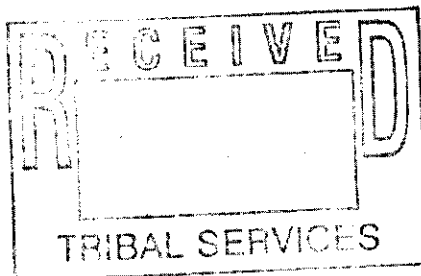
WHEREAS, the Council anticipates that the Tribe's short and long term strategies for dealing with the drought will include short and long term planning to address specific problem areas including domestic, municipal, and industrial water supply, agriculture, wildlife and wildlife habitat, conservation education, fire suppression, protection of riparian and sacred plants and will advance the Tribe's sovereignty and protection of its aboriginal and otherwise reserved rights to the use of water on its lands; and

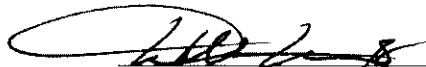
WHEREAS, the Tribal Council concludes that it would be in the best interests of the Tribe to designate a water management and reservation drought plan task force directed by the Tribal Hydrologist with the assistance and consultation of the Tribe's water rights attorneys, consulting hydrologists and environmental staff which would consider municipal, industrial, domestic, agricultural and other uses of water on the Reservation in the context of a Reservation-wide drought and water conservation plan for review and approval by the Tribal Council.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Hydrologist in coordination with the Tribe's water rights attorneys, consulting hydrologists and environmental staff, and the Tribe's Legal Department, to develop a Reservation- wide Drought and Water Conservation Plan for the White Mountain Apache Tribe.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Reservation drought and water conservation plan should provide guidelines for short, medium and long term strategies that will protect the Tribe's precious water resources while furthering the Tribe's sovereign, aboriginal and reserved rights to the use of water on its lands.

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), (f), (g), (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