

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

**(Approving an Amendment to its Power Delivery Agreement with
Western and the Ak-Chin Indian Community Utility Authority)**

WHEREAS, in the spring of 2000, the White Mountain Apache Tribe (Tribe) applied for an allocation of hydroelectric power from the Western Area Power Administration's Colorado River Storage Project (CRSP); and

WHEREAS, on July 29, 2002, the Western Area Power Administration (Western) announced the Tribe's specific allocation of hydroelectric power from that Project; and

WHEREAS, in September, 2004 the Tribe, Western, and the Ak-Chin Indian Community Utility Authority; and entered an agreement for delivery of the power allocated to the Tribe; and

WHEREAS, the Tribe receives a monthly benefit as a result of this agreement; and

WHEREAS, the agreement currently provides that this benefit will be calculated only with respect to supplemental power that the Ak-Chin Indian Community Utility Authority would have purchased from Western if it didn't instead take delivery of any power belonging to the Tribe; and

WHEREAS, the price for Western power may become high enough in future months that Ak-Chin would curtail all of its supplemental Western power purchases; and

WHEREAS, the agreement therefore needs to be modified to allow for the use of other supplemental power sources as the basis for the pricing offset to Ak-Chin and resulting Tribal benefit.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves an amendment to its power delivery agreement with Western and the Ak-Chin Indian Community Utility Authority for the purpose of ensuring that the arrangement provides a continuing benefit to the Tribe and authorizes the Tribal Attorney and his designees to negotiate and the Tribal Chairman to execute the same on the Tribe's behalf and transmit it to Western for their review and approval.

The foregoing resolution was on JULY 6, 2005 duly adopted by a vote of EIGHT for, ONE against, and ONE abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (b), (h), (i), (s), and (t) of the Constitution of the Tribe,

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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