

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

(Approving Watson Engineering, Inc. to prepare Master Plan for Drinking Water Infrastructure-FAIR)

- WHEREAS,** Tribal Chairman Dallas Massey, Sr., on April 17, 2003, requested Congressman Rick Renzi, on behalf of the White Mountain Apache Tribe (Tribe), to assist the Tribe in obtaining grant funding through the Environmental Protection Agency (EPA) for preparation of a comprehensive Master Plan for Drinking Water Infrastructure needs for the Fort Apache Indian Reservation based on population and housing projections through the year 2050, and drinking, commercial and industrial water needs through the year 2100; and
- WHEREAS,** the Tribe's request for EPA funding was granted by Congress with approximately \$289,300 from EPA with the balance of the \$526,300 budget to be funded by matching funds from the White Mountain Apache Tribe, which for purposes of the EPA grant may be satisfied by 638 funding already obtained by the White Mountain Apache Tribe; and
- WHEREAS,** the Tribe's Hydrology & Water Resources Program and Water Rights Consultants prepared and submitted an application to EPA to secure the funds that had been appropriated by Congress as required by EPA regulations; and
- WHEREAS,** the Tribe's EPA grant application was approved by EPA; and
- WHEREAS,** EPA regulations require that the Tribe prepare and publicize a Request for Proposals for Professional Services to develop a Master Drinking Water Infrastructure Plan for the Fort Apache Indian Reservation and accordingly, the Tribal Hydrologist, in consultation with EPA, prepared a Request for Proposals (RFP) which was publicized and distributed as required by law; and
- WHEREAS,** the top three responding engineering firms to the RFP were evaluated based upon interviews and review of their respective written proposals; and
- WHEREAS,** Watson Engineering, Inc., of Helena, Montana, received the highest rating; and
- WHEREAS,** the Tribal Council wishes to confirm the selection of Watson Engineering, Inc., to provide professional engineering services for the development of a Master Drinking Water Infrastructure Plan for the Fort Apache Indian Reservation; and

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WHEREAS, a comprehensive Master Plan for Drinking Water Infrastructure on the Fort Apache Indian Reservation will determine the Tribe's future needs for quantity and quality of the Tribe's water sources, the adequacy of those sources, the initial costs of constructing the infrastructure to develop and distribute treated water, and the operation, maintenance, and replacement cost of managing the infrastructure into the future; and

WHEREAS, a Master Plan is not only essential to a determination how to meet the domestic water needs of the Tribe, but will also become the foundation for the Tribe's domestic drinking water rights claims through the year 2100; and

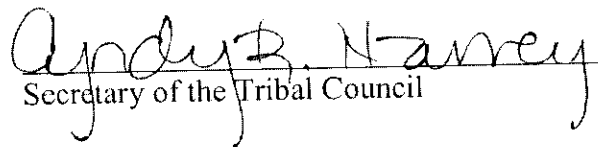
WHEREAS, completion of the Master Plan will also provide critical evidence and proof of the Tribe's domestic water needs which is imperative for the protection and assertion of the Tribe's aboriginal and otherwise reserved water rights claims in water rights negotiations, meetings with the Federal Negotiating Team, water rights litigation, and for Congressional legislation and appropriations to construct the Tribe's drinking water infrastructure.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby accepts and selects Watson Engineering, Inc., of Helena, Montana, to provide professional services for the development of a Master Plan for Drinking Water Infrastructure for the Fort Apache Indian Reservation.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and directs the Tribal Chairman, and in his absence, the Vice-Chairman, to sign any and all necessary documents that might be required to implement and execute this Resolution.

The foregoing resolution was on July 13, 2005, duly adopted by a vote of SIX 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), (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