

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

(Authorizing the Chairman and Designees to Negotiate with Governor of the Gila River Indian Community for Leasing of Gaming Device Rights)

WHEREAS, through the powers vested in the White Mountain Apache Tribe by virtue of its inherent sovereignty or by existing law, the White Mountain Apache Tribal Council has the authority pursuant to Article IV, Section 1(a) of the Tribe Constitution to, inter alia, govern all use of Gaming Devices and rights thereto, and to exercise such other powers as may be delegated to the Council by members of the Tribe, or which are vested in the Tribe through its inherent sovereignty or by federal law; and

WHEREAS, the Tribe has the power to lease Gaming Device rights to other Tribes pursuant to the Compact between the Tribe and the State of Arizona under A.R.S. §501.02-3(d)(12)(A); and

WHEREAS, under the Compact, A.R.S. §5-601.02-3(c)(5), the Tribe has an allocation of Gaming Devices and Gaming Facilities, of which 300 Gaming Devices and one additional casino remain available under; and

WHEREAS, the Governor of the Gila River Indian Community has requested to negotiate transfer of 300 Gaming Device rights from the Tribe; and

WHEREAS, the Hon-dah Resort and Casino has been evaluating whether to build a second casino or expand the current facility for the remaining Gaming Devices, or construct a new casino for all of the Gaming Devices allocated to the Tribe; and

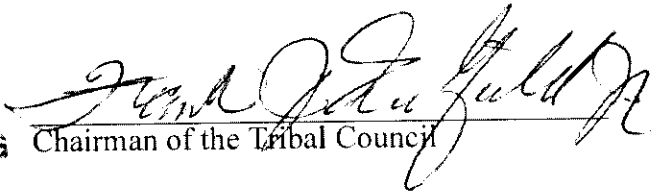
WHEREAS, the Tribal Council finds that a transfer of Gaming Device rights may have an economic benefit, but that benefit must be weighed against the benefit of maintaining the Gaming Devices within a Gaming Facility operated by the Tribe and the jobs that may be created by the additional machines.

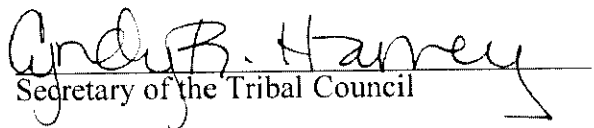
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. The Chief Executive Officer of the Hon-dah is hereby directed to analyze the cost and benefits of either transferring Gaming Device rights to the Gila River Indian Community or operating the Gaming Devices within a second Gaming Facility operated by the Tribe, report to the Tribal Council accordingly.
2. The Chairman, or in his absence, the Vice-Chairman, and his designees, together as a negotiating team, are hereby authorized to negotiate a lease agreement for the acquisition of up to 300 Gaming Device rights for a period of up to ten years with the Gila River Indian Community; provided that the agreement be subject to approval by the Tribal Council.
3. The negotiating team shall report regularly to the Council and, if required, the Chairman shall call a special session for Council consideration.

Resolution No. 08-2005-230B

The foregoing resolution was on AUGUST 10, 2005 duly adopted by a vote of EIGHT 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), (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).


ACTING Chairman of the Tribal Council


Secretary of the Tribal Council