



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

(Approving Amendment for S.313 Extending Enforceability Date)

WHEREAS, the White Mountain Apache Water Rights Quantification Act ("Act") of 2009 (S.313), was marked up by the Senate Indian Affairs Committee on September 10, 2009; and

WHEREAS, the Congressional Budget Office (CBO), a nonpartisan congressional office that analyzes and reviews proposed legislation in order to enforce Congressional budget policies with respect to the consideration of revenue and direct spending legislation, has reviewed and prepared a cost estimate of the Tribe's water rights legislation, a copy of which has been distributed to the Tribal Council; and

WHEREAS, the Tribal Council was advised on November 16, 2009, by a representative from Senator Jon Kyl's office and from Congresswoman Ann Kirkpatrick's office, and by special water rights counsel, Robert C. Brauchli, that the Congressional Budget Office had reviewed S.313, and determined that a provision in S.313 regarding the Lower Colorado River Basin Fund may score pursuant to Senate PAYGO Rules; and

WHEREAS, the Tribal Council was further advised that the current proposed Enforceability Date of S.313, specifically described in Section 9 (d) of S.313, is October 31, 2015, but that an extension of that date to April 30, 2020, and other minor changes to the pending water rights legislation would resolve the scoring issue raised by the CBO; and

WHEREAS, the Tribal Council is advised that if the scoring issue is not resolved in the Tribe's water rights legislation to the satisfaction of the CBO, the Tribe's water rights legislation will not be approved by Congress; and

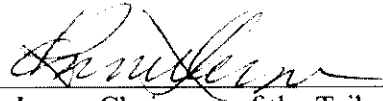
WHEREAS, the Tribal Council concludes that it would be in the best interest of the White Mountain Apache Tribe and for the preservation of its water rights through congressional legislation, that it formally approve an extension of the Enforceability Date of the Tribe's water rights legislation to April 30, 2020, in order to resolve the scoring issue raised by the CBO.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves a proposed amendment to S.313 in the form of a substitute bill to extend the Enforceability Date of S. 313, from October 31, 2015, to April 30, 2020, as well as other minor changes related to the enforceability date issue.

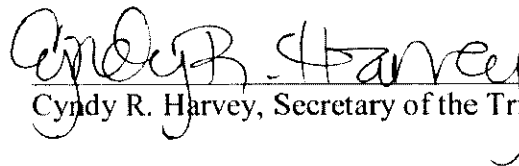
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

Resolution No. 11-2009-361

The foregoing resolution was on November 17, 2009 duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (e), (f), (h), (i), (m), (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).



Ronnie Lupe, Chairman of the Tribal Council



Cindy R. Harvey, Secretary of the Tribal Council