



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

**(Approving White Mountain Apache Tribe Amended and Restated
Water Rights Quantification Agreement)**

WHEREAS, the White Mountain Apache Tribe entered into a White Mountain Apache Tribe Water Rights Quantification Agreement dated January 13, 2009 ("2009 Quantification Agreement"), with the United States of America; the State of Arizona; Salt River Project Agricultural Improvement and Power District; the Salt River Valley Water Users' Association; the Roosevelt Water Conservation District; Arizona Water Company; the Arizona Cities of Phoenix, Mesa, Tempe, Chandler, Glendale, Scottsdale, Avondale, Peoria and Show Low; the Arizona town of Gilbert; Buckeye Irrigation Company, Buckeye Water Conservation and Drainage District; and the Central Arizona Water Conservation District (CAWCD), for the purpose of quantifying and protecting in perpetuity, the White Mountain Apache Tribe's Water Rights within the Salt River and Little Colorado River drainages that border, traverse and underlie the Tribe's present-day Fort Apache Indian Reservation established within the Tribe's former aboriginal lands, over which the Tribe enjoys an unbroken chain of aboriginal, legal, and beneficial title; and

WHEREAS, the 2009 Quantification Agreement among the above named parties and the White Mountain Apache Tribe, and the Exhibits thereto, including the terms of Waivers; CAP Leases between the Tribe and the Arizona Cities of Avondale, Chandler, Gilbert, Glendale, Mesa, Peoria, Phoenix, Tempe, and the Central Arizona Water Conservation District (CAWCD); and the CAP Water Delivery Contract between the United States and the Tribe, were approved by the Tribal Council of the White Mountain Apache Tribe and the other named parties on January 13, 2009, as a precondition to the introduction in Congress of what later became known as the White Mountain Apache Tribe Water Rights Quantification Act of 2010, Pub. L. 111-291, Title III, 124 STAT 3064, 3073 (2010) (hereinafter, "Act"); and

WHEREAS, Section 309 (d)(1)(A)(i) of the Act requires as one of the conditions of enforceability of the Act, that to the extent the 2009 Quantification Agreement conflicts with the Act, the Quantification Agreement must be revised through an amendment to eliminate the conflict; and

WHEREAS, an Amended and Restated White Mountain Apache Tribe Water Rights Quantification Agreement has been prepared in accordance with Section 309 (d)(1)(A)(i) of the Act and has been distributed and discussed with the Tribal Council by the Tribe's Water Rights Counsel Robert C. Brauchli and the WMAT Water Rights Team; and

WHEREAS, revisions made to the 2009 Quantification Agreement to conform to the Act have been presented to the Tribal Council in the Amended and Restated White Mountain Apache

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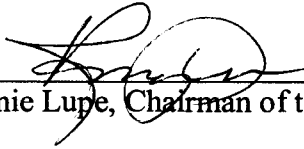
Tribe Water Rights Quantification Agreement and those revisions do not change or diminish the Tribe's Water Rights set forth in the January 13, 2009 Quantification Agreement; and

WHEREAS, the Tribal Council concludes that it would be in the best interest of the White Mountain Apache Tribe, and for the protection of the Tribe's water use rights in perpetuity, to approve the form and content of the Amended and Restated White Mountain Apache Tribe Water Rights Quantification Agreement, and the Waivers, CAP leases, CAP Water Delivery Contract between United States and Tribe, and any and all other exhibits attached and included within said Amended and Restated White Mountain Apache Tribe Water Rights Quantification Agreement.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the revisions to the 2009 Quantification Agreement, and any revisions to the Exhibits thereto, including the terms of the Waivers, CAP Leases between the Tribe and the Arizona Cities of Avondale, Chandler, Gilbert, Glendale, Mesa, Peoria, Phoenix, Tempe, and the Central Arizona Water Conservation District (CAWCD), and the CAP Water Delivery Contract between the United States and the Tribe, as set forth in the Amended and Restated White Mountain Apache Tribe Water Rights Quantification Agreement presented to the Tribal Council on this date and incorporated by reference herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, and in his absence, the Vice Chairman, and any other necessary Tribal officials and legal counsel, to sign the Amended and Restated White Mountain Apache Tribe Water Rights Quantification Agreement, Waivers, CAP Leases between the Tribe and the Arizona Cities of Avondale, Chandler, Gilbert, Glendale, Mesa, Peoria, Phoenix, Tempe, and the Central Arizona Water Conservation District (CAWCD), and the CAP Water Delivery Contract between the United States and the Tribe, and any and all other exhibits or documents included in the Amended and Restated White Mountain Apache Tribe Water Rights Quantification Agreement required to implement this Resolution.

The foregoing resolution was on **JANUARY 3, 2013** duly adopted by a vote of **SEVEN** for and **ZERO** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (c), (f), (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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council