



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(Addressing Changes to Energy Calculations)**

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**WHEREAS,** in 2004 the White Mountain Apache Tribe (WMAT) entered into a contract with the Ak-Chin Indian Community Utility Authority (Ak-Chin) and the Western Area Power Administration (Western) to purchase WMAT's share of Colorado River Storage Project power; and

**WHEREAS,** the contract provides for Ak-Chin to credit the Tribe for its opportunity to use the power; and

**WHEREAS,** the contract continues in effect through 2024 unless cancelled or modified by either party; and

**WHEREAS,** the contract provides that Ak-Chin calculate that credit each month based on the cost of Western Replacement Power (WRP) for that same month; and

**WHEREAS,** Ak-Chin now wants to change the way the credit payment to the Tribe is calculated; and

**WHEREAS,** Ak-Chin now wants to perpetually calculate the credit based on a natural gas or other unspecified price; and

**WHEREAS,** the identified price for the initial month of that new calculation methodology shows a projected loss to the Tribe compared to WRP.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby rejects the calculation on any basis other than WRP unless that calculation creates a larger credit when the two values for that same month are compared.

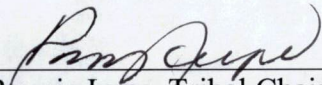
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

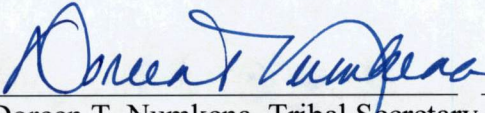
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

**Resolution No. 12-2014-201**

The foregoing resolution was on **DECEMBER 17, 2014** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **THREE** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

  
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Ronnie Lupe, Tribal Chairman

12-19-14  
Date

  
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Doreen T. Numkena, Tribal Secretary

12-22-14  
Date