



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approval of Agreement with Brownstein Hyatt Farber Schreck)

WHEREAS, the White Mountain Apache Tribe quantified its aboriginal and Indian reserved water rights in the White Mountain Apache Tribe Water Rights Quantification Agreement of 2009(Quantification Agreement) which was confirmed by the White Mountain Apache Water Rights Quantification Act of 2010 (WMAT Act); and

WHEREAS, the Quantification Agreement was amended and restated in 2013 to conform to the WMAT Act, as required by the Act, and was approved by the Arizona State Court pursuant to its McCarran Amendment jurisdiction on December 18, 2014; and

WHEREAS, the cornerstone of the Quantification Agreement and the WMAT Act is funding for the design and construction of a rural water system comprised of the Miner Flat Dam and reservoir, a treatment plant, and a 55 mile pipeline from the community of Whiteriver to the community of Cibecue; and

WHEREAS, the WMAT Act appropriated mandatory funding to design and build the rural water system based upon October 2007 cost estimates; and

WHEREAS, the axis and site of the proposed Miner flat Dam was moved downstream from the original proposed site pursuant to recommendations by the Tribe's Consultant Review Board of independent experts and the Bureau of Reclamation; and Gannett Fleming, the Tribe's engineering and design firm for the Miner Flat Dam, has recently completed exploratory drilling at that site and has analyzed its findings; and

WHEREAS, the Tribe's consultants, civil engineer and hydrologist Mike Watson and geologist Mike Kaczmarek, have explained the geological findings, construction recommendations, and cost estimates prepared by Gannett Fleming and they concur with Gannett Fleming's geological analysis, construction recommendations, and revised cost estimates; and

WHEREAS, the construction cost for the Miner Flat Dam and reservoir will increase considerably based upon the dam site analysis and conclusions reached by Gannett Fleming; and

WHEREAS, it is recommended to the Tribal Council by Robert C. Brauchli, water rights attorney for the Tribe, that immediate steps be taken by the Tribe to obtain additional Federal appropriations for the rural water system; and

WHEREAS, Ryan A. Smith Esq., an attorney with Brownstein Hyatt Farber Schreck, a Washington DC lobbying firm, has made a presentation to the Tribal Council in regards to the lobbying services that his firm can offer to the Tribe to obtain additional Federal appropriations for the rural water system; and

Resolution No. 06-2015-114

WHEREAS, Robert C. Brauchli, water rights attorney for the Tribe, recommends that the Tribe engage the services of Brownstein Hyatt Farber Schreck to provide "United States legislative lobbying" services for the purpose of obtaining additional Federal appropriations for construction of the Tribe's rural water system in accordance with the proposed fee agreement for said services, incorporated by reference herein; and

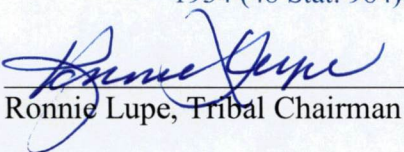
WHEREAS, the Tribal Council concludes that it would be in the best interests of the White Mountain Apache Tribe to engage the lobbying services of Brownstein Hyatt Farber Schreck for the purpose of obtaining additional Federal appropriations for the successful design and construction of the rural water system which is essential for the health, welfare and future of the White Mountain Apache Tribe, and for their reservation as a permanent and self-sustaining Homeland for the Apache people.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the agreement, incorporated by reference herein, between the White Mountain Apache Tribe and Brownstein Hyatt Farber Schreck, to provide lobbying services for the White Mountain Apache Tribe for the purposes described herein.

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.

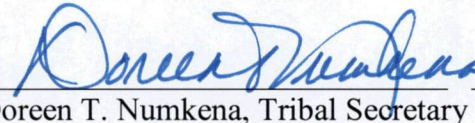
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JUNE 4, 2015** duly adopted by a vote of **NINE** for, **ZERO** against, and **ONE** abstention 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).



Ronnie Lupe, Tribal Chairman

6/10/15
Date



Doreen T. Numkena, Tribal Secretary

6-11-2015
Date