



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## Modification of Hydroelectric Benefit Calculation by Ak-Chin Energy Services

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- WHEREAS,** in 2004 the White Mountain Apache Tribe began receiving monthly financial benefits from the Ak-Chin Indian Community for the use of its Colorado River Storage Project (CRSP) hydroelectric allocation; and
- WHEREAS,** the Tribe has agreed to adjust the methodology used to calculate that benefit total since that time such that reductions in what is paid result; and
- WHEREAS,** those adjustments have been at the request of Ak-Chin and driven by the availability of other less expensive energy resources; and
- WHEREAS,** the Tribe's current CRSP contract extends until 2024; and
- WHEREAS,** the Tribe is not currently positioned to receive the electricity itself and making such arrangements will possibly require a period of years; and
- WHEREAS,** Ak-Chin has recently again asked for an approximately 10% reduction in the benefit it must pay during certain periods of the calendar year; and
- WHEREAS,** agreeing to this reduction will reduce the Tribe's overall annual benefit total from this arrangement by less than that percentage; and
- WHEREAS,** the Tribe has no immediate alternative taker of the resource; and
- WHEREAS,** the Tribe can agree to the term while also pursuing other arrangements to benefit from the electricity as the Tribe can cancel the agreement with Ak-Chin by giving one year's notice.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the modification of its benefit agreement with Ak-Chin Energy Services as requested by them.

**BE IT FURTHER RESOLVED** that the Tribal Council of the White Mountain Apache Tribe hereby authorizes the Chairwoman or her designee to execute documents needed for this purpose.

**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 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.

**Resolution No. 04-2019-86**

**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.

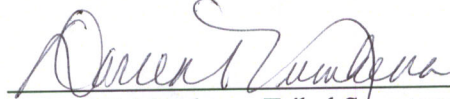
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on April 17, 2019 duly adopted by a vote of TEN for, ZERO against, and ZERO 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).



Gwendena Lee-Gatewood, Chairwoman

5/6/19  
Date



Doreen T. Numkena, Tribal Secretary

5/6/2019  
Date