



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Agreement for Legal Services with Douma Law, P.C.)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) and (d), that the Tribal Council (“Council”) shall exercise the power “[t]o represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution” and “[t]o employ legal counsel” to represent the Tribe; and
- WHEREAS,** Water is the source of life for the people, land, and animals, and as DziłŁigaiSi’anN’dee, we are gifted with precious waters that have sustained our people since time immemorial; and
- WHEREAS,** The Council remains committed to ensuring the Tribe’s water rights are protected and benefit the people for generations to come to ensure the prosperity of the White Mountain Apache Tribe; and
- WHEREAS,** The Tribe previously contracted with the late Robert “Bob” Brauchli to provide legal services to the Tribe as Special Legal Counsel for water rights and other issues, and he did extraordinary work on behalf of the Tribe to quantify the Tribe’s water rights and to begin the process of meeting the requirements to obtain a Record of Decision (“ROD”) from the Secretary of the Department of Interior pursuant to the WMAT Water Rights Settlement Act of 2010 (P.L. 111-291); and
- WHEREAS,** Since the resignation of the Tribe’s water rights attorney, Bob Brauchli, in 2020, the Tribe’s Attorney General KeAloha Douma has handled all water rights issues for the Tribe as part of the Tribe’s water rights team, including but not limited to: reviewing and negotiating all water-related contracts; drafting relevant resolutions and memoranda; supporting the Tribe’s federal lobbying efforts; actively participating in meetings with the Department of the Interior, the Bureau of Reclamation, the Interior’s Indian Water Rights Office, the Bureau of Indian Affairs, the Army Corps of Engineers, Tribal consultants, the Tribe’s Consultant Review Board (“CRB”); in addition to fulfilling her normal day-to-day responsibilities and duties as Attorney General; and
- WHEREAS,** The Council recognizes the need to maintain continuity and strong legal representation by an attorney licensed in the State of Arizona for the Tribe’s water rights as it pertains to the WMAT Rural Water System (“RWS”) or any other water-related issues; and

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WHEREAS, The Tribe has recently negotiated and entered into a Self-Determination Construction Contract with the U.S. Department of the Interior (“DOI”), Bureau of Reclamation, pursuant to the Tribe’s Act and the Title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) (formerly 25 U.S.C. 450 et seq.) (“ISDEAA”) to perform planning, engineering, and design of the Tribe’s Rural Water System that includes a budget for special legal counsel; and

WHEREAS, It is proposed by Councilman Travis Tessay and Councilman Arnold Beach of District I for the Tribe to continue to utilize the legal services of KeAloha May Cody Alo Douma, who is a tribal member with family roots in Cibecue, as she has proven herself over the past eight years working for the Tribe’s Office of the Attorney General to be an outstanding attorney that is dedicated to the betterment of the White Mountain Apache Tribe and its people; and

WHEREAS, It is proposed that Attorney General Douma continue as Attorney General of the White Mountain Apache Tribe until May 5, 2022, to provide a smooth transition with the new Tribal Administration, after which her contract will be terminated for convenience and a contract between Douma Law & Mediation, P.C., d.b.a. Douma Law, P.C., shall immediately be in effect; and

WHEREAS, The Council recognizes the urgency to maintain water rights representation and that by authorizing the Tribe to enter into an agreement with Douma Law, P.C. for tribal member and Arizona licensed attorney KeAloha Douma to continue to represent the Tribe on all water-related issues will meet that need and is in the best interest of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes entering into an agreement with Douma Law& Mediation, P.C., d.b.a. Douma Law, P.C., to provide legal services for water rights and other issues as needed, effective date beginning May 6, 2022, after the termination for convenience of the contract between Attorney General KeAloha Douma and the Tribe on May 5, 2022 as set forth in this Resolution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby extends its deepest appreciation to Attorney General KeAloha Douma for her years of dedicated and exceptional service as the first woman to serve as the Attorney General of the White Mountain Apache Tribe.


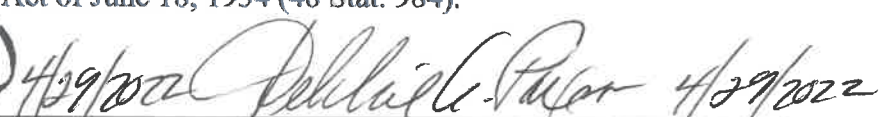
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution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

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.

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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 26, 2022 duly adopted by a vote of EIGHT for, ZERO against, and ONE 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).

 4/29/2022  4/29/2022
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date