

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

WHEREAS, Resolution No. 71-86 and contracts prepared pursuant thereto requires at least an annual revaluation of the stumpage rates for the Fort Apache Timber Company to be effective each April 1st, and has provisions for review and adjustment at not less than three-month intervals if subsequent circumstances warrant an interim adjustment, and

WHEREAS, this revaluation has been made and has been discussed in detail with the Forestry Committee, and

WHEREAS, the Bureau of Indian Affairs revaluation indicates a ratio (royalty) percentage of 20% to 40%, and

WHEREAS, the Forestry Committee after considering the problems of determining an equitable stumpage rate for Fort Apache Timber Company recommended that the current 16% ratio (royalty) percentage be used when the lumber sales are less than \$150.00/MBM lumber tally, F.O.B. mill and 20% when lumber sales are \$150.00/MBM or more lumber tally F.O.B. mill until next May unless a revaluation is made.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Fort Apache Timber Company be charged 16% of their gross sales F.O.B. mill less purchased lumber for stumpage effective April 1st., 1973, and May 1st, 1973, the ratio percentage will be 16% when the lumber sales are less than \$150.00/MBM lumber tally F.O.B. mill and 20% when lumber sales are \$150.00/MBM, or more lumber tally F.O.B. mill, for all timber sales except for the Horse Mesa Salvage Logging Unit which shall be at 5% of gross sales F.O.B. mill less purchased lumber.

BE IT FURTHER RESOLVED that the stumpage valuation system herein specified shall supercede any other pricing arrangement of forest products, not covered by specific contract reference, under the terms and conditions of the several contracts between the White Mountain Apache Tribe, its subsidiary enterprise, the Fort Apache Timber Company.

BE IT FURTHER RESOLVED that revaluations may be made annually February 1st each year and may be made at not less than three-month intervals. It is herein established that these intervals shall be the calendar quarters and any adjustment that may result shall be effective as of the first day of the quarter that the request for revaluation was made i.e. the first day of May, August, November or February depending on the circumstances.

The foregoing resolution was on June 7, 1973 duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

Fred Donahley
Chairman of the Tribal Council

Gloriana H. Gray
Acting Secretary of the Tribal Council

