

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

- WHEREAS, the White Mountain Apache Tribe continues to assert its immemorial and Winter's rights to waters on the Reservation and within the Salt River, and
- WHEREAS, such assertion may involve litigation or congressional action in addition to current negotiations regarding disputed water claims, and
- WHEREAS, the Tribe deems it necessary and appropriate to secure funds for all fees and costs incurred or anticipated for these purposes, particularly in consideration of the relatively short time presently available to either finalize negotiations or initiate litigation, and
- WHEREAS, the Department of Interior has generally acknowledged its trust responsibilities to the Tribe in the Tribe's preservation of its water rights, and
- WHEREAS, such federal responsibility requires federal commitment to the Tribe in acting to assist the Tribe in the preservation of Tribal water rights, including the extremely necessary financial commitments with which any water rights issues can be resolved effectively.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it respectfully requests the urgent and necessary federal funding assistance for resolving water rights disputes affecting the Tribe, and the concurrent commitment of the Department of Interior in preserving the Tribe's water rights through the costly, but necessary, processes in which the Tribe becomes involved.
- BE IT FURTHER RESOLVED that the Tribal Council presently assesses needed funding for the fact-finding phase of negotiations in the amounts of \$165,000.00 for expert engineer services and \$150,000.00 for travel expenses and attorney's fees related to this phase; provided that said amounts exclude any appraisal of the costs and fees for litigation, including expert witness fees and attorney's fees which may be necessary by April, 1979, if negotiations in such water matters fail.

The foregoing resolution was on November 09, 1978 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 (f) and (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).

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FORT APACHE INDIAN


Chairman of the Tribal Council


Secretary of the Tribal Council