

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

- WHEREAS, the Tribal Council of the White Mountain Apache Tribe from time immemorial has exercised its inherent and sovereign rights over the natural resources and lakes and streams found within its ancestral and aboriginal lands, a part of which is still occupied today as it has been for several centuries; and
- WHEREAS, the White Mountain Apache Tribe has resisted attempts by the United States of America, State of Arizona, the Bureau of Reclamation of the Department of the Interior, the Justice Department of the United States and the Salt River Project, paramount agent for the Bureau of Land Reclamation, to encroach upon and derogate the White Mountain Apache Tribe's right and title to the waters arising on and flowing from the reservation land of the White Mountain Apache Tribe; and
- WHEREAS, the White Mountain Apache Tribe has, since 1979, been resolute in its opposition to the forced and unwanted representation of the tribe by the Federal Government's Justice Department, Department of the Interior, and Solicitor for the Department of the Interior, in state and federal court proceedings which attempt to quantify the tribe's water rights; and
- WHEREAS, irreconcilable conflicts of interest which permeate the purported representation of the tribe by the federal government and its attorneys has manifested itself in unethical and grossly inadequate representation of Indian tribes and the White Mountain Apache Tribe, thereby resulting in the confiscatory court sanction seizure of Indian water rights; and
- WHEREAS, the Department of the Interior, through the Solicitor's Office, and the Department of Justice have continued to force upon the White Mountain Apache Tribe its unwanted and deceitful "Legal Representation" under the aegis of "Trust Responsibility" despite litigation filed by the White Mountain Apache Tribe in its tribal court and in the United States Federal Court for the District of Columbia now pending before the United States Supreme Court on Petition for Certiorari for conflicts of interest; and
- WHEREAS, the most recent attempts by the Solicitors Office of the Department of Interior and the Justice Department have forced their unwanted representation on the White Mountain Apache Tribe as manifested in the brief for the United States in the consolidated appeals now before the United States Supreme Court in Arizona v. San Carlos et al., No 81-47, Montana v. Northern Cheyenne, No. 81-2188, Oct. Term 1982 and Navajo Nation v. United States, No. 81-2147, in which they have sought to bind the White

Mountain Apache Tribe by implication to the legal arguments which are anti-Indian and pro-quantification; and

WHEREAS, the intolerable conflict of interest and tribe representation of the White Mountain Apache Tribe in the United States' Brief is designed to seize the water rights of the White Mountain Apache Tribe without its consent to representation; and

WHEREAS, the White Mountain Apache Tribe remains resolute in its repudiation of any such "Representation" of its inherent, sovereign and ancestral rights to its water, by the United States loyalty to the states and non Indian water users under said representation of Indian tribes, a crime of great magnitude; and

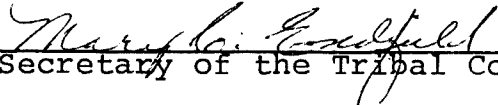
WHEREAS, the White Mountain Apache Tribal Council resolves that the United States Supreme Court, the Clerk of the Supreme Court and the Department of Justice and the United States Solicitor should be immediately notified that the United States does not represent the White Mountain Apache Tribe as its "Legal Representative" for the United States Supreme Court in the cases set forth above and that the White Mountain Apache Tribe definitely opposes any representation expressed or implied by the United States of the tribe's sacred claims to waters on its reservation lands.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that a copy of this resolution be delivered immediately to the Clerk of the United States Supreme Court for distribution to the individual Justices of the Supreme Court as proper notification that the United States does not represent the White Mountain Apache Tribe either expressly or by implication in the proceedings before that Court in the above entitled cases and that the White Mountain Apache Tribe cannot be bound by the unwanted and remedial advocacy of the United States regarding the tribe's precious and paramount rights to waters on its reservation.

The foregoing resolution was on March 15, 1983 duly adopted by a vote of 10 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 (a, d, e, f, h & i) of the Amended Constitution and Bylaws 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).



Chairman of the Tribal Council



Secretary of the Tribal Council