

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

- WHEREAS, Resolution No. 64-81, duly adopted by the Tribal Council July 29, 1964, copy of which is attached, states the Tribal Council granted permission to Arizona Public Service Company to make surveys for distribution and transmission lines in accordance with their application and maps which are on file in the office of the Superintendent of the Fort Apache Indian Agency, and
- WHEREAS, the Superintendent of the Fort Apache Indian Agency, Whiteriver, Arizona, was authorized to grant a right-of-way to Arizona Public Service Company pursuant to the official plat of said area on file in the office of said Superintendent copies of said plats being shown to the Tribal Council indicating by solid line thereon on the location of the requested right-of-way and the Apache Substation Site, Drawings marked D-20917 and 309-E-63), and
- WHEREAS, the Tribal Council consented and granted permission to the Superintendent of the Fort Apache Indian Agency to execute all documents necessary to effectuate said right-of-way and Apache Substation site for a period of not to exceed 25 years from the date of October 22, 1964, and
- WHEREAS, Arizona Public Service Company is in the process of selling to Navopache Electric Cooperative, Inc., the electric transmission line and Apache Substation built in 1964 on the right-of-way and Apache Substation Site granted to Arizona Public Service Company by Resolution No. 64-81, and
- WHEREAS, Arizona Public Service Company has requested that this electric transmission line right-of-way and Apache Substation Site be transferred to Navopache Electric Cooperative, Inc., upon completion of the sale between Arizona Public Service Company and Navopache Electric Cooperative, Inc., and
- WHEREAS, Tribal Resolution No. 297, adopted by the Tribal Council July 11, 1949, a copy of which is attached, authorized Navopache Electric Cooperative, Inc. to proceed with a survey and construction of an electric transmission line from the Town of McNary in a northwesterly direction toward Show Low, Arizona, and
- WHEREAS, Tribal Resolution No. 59-2, adopted by the Tribal Council January 16, 1950, copy of which is attached, provided that the right-of-way approved by Resolution No. 297 dated July 11, 1949, be hereby transferred to the Central Arizona Light and Power Company subject to the same conditions as provided in Resolution No. 297, and
- WHEREAS, Tribal Resolution No. 50-19, adopted by the Tribal Council May 31, 1950, copy of which is attached, approved the application of the Central Arizona Light and Power Company for a right-of-way for an electric

transmission line from McNary, Arizona, in a northerly direction to the north boundary as described in said application and in accordance with the map attached to said application for a distance of 3.2 miles and shown by a broken line (copy of said map being exhibited to the Tribal Council showing approval by the Department of the Interior, Office of the Secretary, signed by William E. Warne, Assistant Secretary of the Interior June 21, 1950, said approval being for a period of 50 years from June 21, 1950, as indicated in the title block on said map), and

WHEREAS, Arizona Public Service Company, the successor to Central Arizona Light and Power Company, is in the process of selling to Navopache Electric Cooperative, Inc. said electric transmission constructed in 1950 on the right-of-way granted to Central Arizona Light and Power Company as shown on the exhibited map, and

WHEREAS, Arizona Public Service has requested that this transmission line right-of-way be transferred from Central Arizona Light and Power Company to Navopache Electric Cooperative, Inc. upon completion of the sale between Arizona Public Service Company and Navopache Electric Cooperative, Inc., and

WHEREAS, the Tribe will benefit by the construction of both lines and/or transfer of both lines from Arizona Public Service Company to Navopache Electric Cooperative, Inc., because of additional and more efficient power that will be available to users on the Fort Apache Indian Reservation.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the right-of-way for the McNary-Show Low transmission approved by Resolution No. 297 dated July 11, 1949 and Resolution No. 50-2, and conditions set forth therein be hereby transferred to the Navopache Electric Cooperative, Inc. and that the proposed sale of the electric transmission line by Arizona Public Service Company to Navopache Electric Cooperative, Inc. is approved, provided, however, that the term of this right-of-way be for a period of 50 years from the date of approval of this resolution in lieu of terminating June 21, 2000, and further that the annual right-of-way fee payable to the Tribe shall be \$25.00 per mile and \$250.00 per substation payable on the first day of January, 1984, said rates to be reviewed every ten years until expiration of the right-of-way.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the right-of-way and Apache Substation Site approved by Resolution No. 64-81, be hereby transferred to the Navopache Electric Cooperative, Inc., with all conditions set forth in Resolution No. 64-81 and the proposed sale of the 1964 electric transmission line and Apache Substation by Arizona Public Service Company to Navopache Electric Cooperative, Inc., is approved, provided, however, that the terms of this right-of-way and Apache Substation Site shall be for a period of

50 years from the date of approval of this Resolution in lieu of terminating October 24, 1989 and further; that the annual right-of-way fee payable to the Tribe shall be \$25.00 per mile and \$250.00 per substation, payable on the first day of January, 1984, said rates reviewed every ten years until expiration of the right-of-way.

The foregoing resolution was on March 08, 1984 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 (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).


Chairman of the Tribal Council


Secretary of the Tribal Council

RECEIVED
MAR 10 1984

FEDERAL BUREAU OF INDIAN AFFAIRS
WHITE MOUNTAIN APACHE TRIBE

Resolution No. 84-62

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

- WHEREAS, Resolution No. 64-81, duly adopted by the Tribal Council July 29, 1964, copy of which is attached, states the Tribal Council granted permission to Arizona Public Service Company to make surveys for distribution and transmission lines in accordance with their application and maps which are on file in the office of the Superintendent of the Fort Apache Indian Agency, and
- WHEREAS, the Superintendent of the Fort Apache Indian Agency, Whiteriver, Arizona, was authorized to grant a right-of-way to Arizona Public Service Company pursuant to the official plat of said area on file in the office of said Superintendent copies of said plats being shown to the Tribal Council indicating by solid line thereon on the location of the requested right-of-way and the Apache Substation Site, Drawings marked D-20917 and 309-E-63), and
- WHEREAS, the Tribal Council consented and granted permission to the Superintendent of the Fort Apache Indian Agency to execute all documents necessary to effectuate said right-of-way and Apache Substation site for a period of not to exceed 25 years from the date of October 22, 1964, and
- WHEREAS, Arizona Public Service Company is in the process of selling to Navopache Electric Cooperative, Inc., the electric transmission line and Apache Substation built in 1964 on the right-of-way and Apache Substation Site granted to Arizona Public Service Company by Resolution No. 64-81, and
- WHEREAS, Arizona Public Service Company has requested that this electric transmission line right-of-way and Apache Substation Site be transferred to Navopache Electric Cooperative, Inc., upon completion of the sale between Arizona Public Service Company and Navopache Electric Cooperative, Inc., and
- WHEREAS, Tribal Resolution No. 297, adopted by the Tribal Council July 11, 1949, a copy of which is attached, authorized Navopache Electric Cooperative, Inc. to proceed with a survey and construction of an electric transmission line from the Town of McNary in a northwesterly direction toward Show Low, Arizona, and
- WHEREAS, Tribal Resolution No. 59-2, adopted by the Tribal Council January 16, 1950, copy of which is attached, provided that the right-of-way approved by Resolution No. 297 dated July 11, 1949, be hereby transferred to the Central Arizona Light and Power Company subject to the same conditions as provided in Resolution No. 297, and
- WHEREAS, Tribal Resolution No. 50-19, adopted by the Tribal Council May 31, 1950, copy of which is attached, approved the application of the Central Arizona Light and Power Company for a right-of-way for an electric

transmission line from McNary, Arizona, in a northerly direction to the north boundary as described in said application and in accordance with the map attached to said application for a distance of 3.2 miles and shown by a broken line (copy of said map being exhibited to the Tribal Council showing approval by the Department of the Interior, Office of the Secretary, signed by William E. Warne, Assistant Secretary of the Interior June 21, 1950, said approval being for a period of 50 years from June 21, 1950, as indicated in the title block on said map), and

WHEREAS, Arizona Public Service Company, the successor to Central Arizona Light and Power Company, is in the process of selling to Navopache Electric Cooperative, Inc. said electric transmission constructed in 1950 on the right-of-way granted to Central Arizona Light and Power Company as shown on the exhibited map, and

WHEREAS, Arizona Public Service has requested that this transmission line right-of-way be transferred from Central Arizona Light and Power Company to Navopache Electric Cooperative, Inc. upon completion of the sale between Arizona Public Service Company and Navopache Electric Cooperative, Inc., and

WHEREAS, the Tribe will benefit by the construction of both lines and/or transfer of both lines from Arizona Public Service Company to Navopache Electric Cooperative, Inc., because of additional and more efficient power that will be available to users on the Fort Apache Indian Reservation.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the right-of-way for the McNary-Show Low transmission approved by Resolution No. 297 dated July 11, 1949 and Resolution No. 50-2, and conditions set forth therein be hereby transferred to the Navopache Electric Cooperative, Inc. and that the proposed sale of the electric transmission line by Arizona Public Service Company to Navopache Electric Cooperative, Inc. is approved, provided, however, that the term of this right-of-way be for a period of 50 years from the date of approval of this resolution in lieu of terminating June 21, 2000, and further that the annual right-of-way fee payable to the Tribe shall be \$25.00 per mile and \$250.00 per substation payable on the first day of January, 1984, said rates to be reviewed every ten years until expiration of the right-of-way.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the right-of-way and Apache Substation Site approved by Resolution No. 64-81, be hereby transferred to the Navopache Electric Cooperative, Inc., with all conditions set forth in Resolution No. 64-81 and the proposed sale of the 1964 electric transmission line and Apache Substation by Arizona Public Service Company to Navopache Electric Cooperative, Inc., is approved, provided, however, that the terms of this right-of-way and Apache Substation Site shall be for a period of

50 years from the date of approval of this Resolution in lieu of terminating October 24, 1989 and further; that the annual right-of-way fee payable to the Tribe shall be \$25.00 per mile and \$250.00 per substation, payable on the first day of January, 1984, said rates reviewed every ten years until expiration of the right-of-way.

The foregoing resolution was on March 08, 1984 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 (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).


Chairman of the Tribal Council


Secretary of the Tribal Council

RECEIVED
MAR 10 1984

FORN ANTHONY
WHITE MOUNTAIN, ARIZ.

Resolution No. 84-62

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

WHEREAS, the Arizona Public Service Company has requested permission to survey and construct a power distribution line to supplement its present power lines, and

WHEREAS, the Tribe will benefit by the survey and construction of said lines because of additional power that will be made available to the Fort Apache Timber Company and other tribal users.

BE IT RESOLVED that the Tribal Council of the White Mountain Apache Tribe that the Arizona Public Service Company is hereby granted permission to make surveys for said distribution and transmission lines in accordance with their application and maps which are on file in the office of the Superintendent of the Fort Apache Indian Agency, in which reference is hereby made.

BE IT FURTHER RESOLVED that the Superintendent is hereby authorized to grant a right of way to the Arizona Public Service Company pursuant to the official plat of said area on file in the office of the Superintendent of the Fort Apache Indian Agency, Whiteriver, Arizona.

BE IT FURTHER RESOLVED that the Tribal Council consents and hereby grants permission to the Superintendent of the Fort Apache Indian Agency to execute all documents necessary to effectuate said right of way for a period of not to exceed 25 years.

BE IT FURTHER RESOLVED that the Arizona Public Service Company pay to the Tribe for the use of the right of way \$10.00 per mile or fraction thereof for transmission lines and \$50.00 per acre or major fraction thereof of ground upon which said substation is located, annually, in advance upon the execution of said right of way by the Superintendent, and thereafter on or before the 30th day of July of each and every year during the term of the said right of way, as rental for the land and premises herein being used.

BE IT FURTHER RESOLVED that the Arizona Public Service Company reseed all areas where vegetation is destroyed by the construction or use of said right of way.

BE IT FURTHER RESOLVED that the right of way agreement provide that Arizona Public Service Company shall repair and maintain all fences and cattle guards which might be damaged during construction of said electric power lines or which may be damaged due to maintenance of said power lines.

BE IT FURTHER RESOLVED that the Superintendent of the Fort Apache Indian Agency is hereby requested to ascertain the amount of damages caused by the construction of said power lines and that he require the Arizona Service Company reimburse the White Mountain Apache Tribe for said damages.

The foregoing resolution was on July 29, 1964 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 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).

Lee Babin
Acting Chairman of the Tribal Council

Marjorie C. Goodfield
Secretary of the Tribal Council

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

WHEREAS, Tribal Council Resolution No. 297 adopted by the Council July 11, 1949 approved the request of the Navopache Electric Co-operative, Inc., of Lakeside, Arizona for authority to survey and construct an electric transmission line from McNary, Arizona in a northwesterly direction on lands of the Fort Apache Indian Reservation, and

WHEREAS, the Central Arizona Light and Power Company has requested that this transmission line right-of-way be transferred from the Navopache Electric Cooperative, Inc., to the Central Arizona Light and Power Company upon relinquishment of any and all rights, privileges and authorization for said power transmission line,

NOW THEREFORE BE IT RESOLVED by the Council of the White Mountain Apache Tribe that the right-of-way for the proposed McNary-Showlow transmission line approved by Tribal Resolution No. 297 dated July 11, 1949 be hereby transferred to the Central Light and Power Company subject to the same conditions as provided in Resolution No. 297 and including a sub-station site near McNary.

The foregoing Resolution was on January 16, 1950 duly adopted by a vote of 5 for and 3 against, by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article VI, Section 1 (c) of the Constitution and By-Laws of the Tribe, ratified by the Tribe on August 15, 1938 and approved by the Secretary of the Interior on August 26, 1938 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

/S/ Fred Larzelere
Vice-Chairman of the Tribal Council

Recommended by:

/S/ Mary C. Endfield
Secretary of the Tribal Council

/S/ R. D. Holtz
R. D. Holtz, Superintendent

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

WHEREAS, Tribal Council Resolution No. 297 adopted by the Council July 11, 1949 approved the request of the Navopache Electric Co-operative, Inc., of Lakeside, Arizona for authority to survey and construct an electric transmission line from McNary, Arizona in a northwesterly direction on lands of the Fort Apache Indian Reservation, and

WHEREAS, the Central Arizona Light and Power Company has requested that this transmission line right-of-way be transferred from the Navopache Electric Cooperative, Inc., to the Central Arizona Light and Power Company upon relinquishment of any and all rights, privileges and authorization for said power transmission line,

NOW THEREFORE BE IT RESOLVED by the Council of the White Mountain Apache Tribe that the right-of-way for the proposed McNary-Showlow transmission line approved by Tribal Resolution No. 297 dated July 11, 1949 be hereby transferred to the Central Light and Power Company subject to the same conditions as provided in Resolution No. 297 and including a sub-station site near McNary.

The foregoing Resolution was on January 16, 1950 duly adopted by a vote of 5 for and 3 against, by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article VI, Section 1 (c) of the Constitution and By-Laws of the Tribe, ratified by the Tribe on August 15, 1938 and approved by the Secretary of the Interior on August 26, 1938 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

/S/ Fred Larzelere
Vice-Chairman of the Tribal Council

Recommended by:

/S/ Mary C. Endfield
Secretary of the Tribal Council

/S/ R. D. Holtz
R. D. Holtz, Superintendent

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

WHEREAS, Tribal Council, Resolution No. 50-2 approved by the Council on January 16, 1950 approved the granting of a right-of-way to the Central Arizona Light and Power Company for the construction of an electric transmission line from McNary Arizona in a northerly direction to the north boundary of the Fort Apache Indian Reservation, and

WHEREAS, the Company has made application for said right-of-way and deposited funds to cover the estimated damages in accordance with applicable regulations and as required by Tribal Council Resolution No. 297, approved July 11, 1949,

NOW THEREFORE BE IT RESOLVED by the Council of the White Mountain Apache Tribe that the application of the Central Arizona Light and Power Company for a right-of-way for an electric transmission line from McNary, Arizona in a northerly direction to the north boundary as described in said application and in accordance with the map attached to said application for a distance of 3.2 miles is hereby approved provided the said Central Arizona Light and Power Company, its accessors and assigns, shall pay to the White Mountain Apache Tribe the sum of ten dollars (\$10.00) per mile annually for each mile said transmission line shall traverse lands of the Fort Apache Indian Reservation, provided further that said application shall be subject to the approval of the Secretary of the Interior or his duly authorized representative in accordance with applicable regulations.

BE IT FURTHER RESOLVED That any and all monies received in accordance herewith shall be deposited with the Superintendent of the Fort Apache Agency to the credit of the tribe in its general fund account.

The foregoing resolution was on May 31, 1950 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 VI, Section 1 (c) of the Constitution and By-Laws of the Tribe, ratified by the Tribe on August 15, 1938 and approved by the Secretary of the Interior on August 26, 1938 pursuant to Section 16 of the Act of June 16, 1934 (48 Stat. 984).

/S/ Nelson Lupe
Chairman of the Tribal Council

Recommended by:

/S/ Mary C. Endfield
Secretary of the Tribal Council

/S/ R. D. Holtz
R. D. Holtz, Superintendent

WHITE MOUNTAIN APACHE TRIBE
FORT APACHE INDIAN RESERVATION

RESOLVED by the Council of the White Mountain Apache Tribe of the Fort Apache Indian Reservation that, the request of the Navopache Electric Cooperative, Inc., Lakeside, Arizona, to proceed with construction of the electric distribution line from a point on the East boundary of the reservation near reservation ranch in a Southwesterly direction to the town of Haverly, which survey was authorized by Tribal Resolution 268 approved November 13, 1948, is hereby granted subject to the provisions of Title 25 CFR, Part 258.

RESOLVED that the request of the Navopache Electric Cooperative, Inc. to proceed with a survey and construction of an electric transmission line from the town of Haverly in a Northwesterly direction towards Phoenix, Arizona which will traverse reservation lands for approximately three miles tentatively described as crossing sections 24, 13, 14, and 11, of T8N, R23E, S. 1E., is hereby authorized subject to the provisions of Title 25 CFR, Part 258.

RESOLVED that damages shall be paid in accordance with provisions with Title 25 CFR, Part 258.

The foregoing resolution was on July 11, 1949, duly adopted by a vote of 8 for and 0 against, by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article VI, Section 1 (a) of the Constitution and by-laws of the tribe ratified by the tribe on August 17, 1948 and approved by the Secretary of the Interior on August 25, 1948, pursuant to Section 15 of the Act of June 16, 1934 (48 Stat. 984).

Robert Oliver
Chairman of the Tribal Council

Alice M. ...
Acting Secretary of the Tribal Council

Recorded by:
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