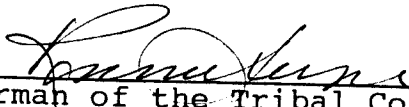



RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION

- WHEREAS, Navopache Electric Co-op. Inc. has been requested by the White Mountain Apache Tribe to extend electrical service to the Whiteriver Fire Station; and
- WHEREAS, 25 C.F.R. 161.22 provides that an agreement must be entered into by and between the land owner, the White Mountain Apache Tribe, and the applicant, Navopache Electric Co-op., before any work by the applicant may be undertaken to construct a service line across such land; and
- WHEREAS, the Navopache Electric Co-op. has drafted a service line agreement in accordance with BIA Regulations, which includes a legal description and map of the location of the service line, attached to this resolution and incorporated by reference herein; and
- WHEREAS, the service line agreement and BIA Regulations require that tribal authorization in the form of a resolution must be attached to the agreement; and
- WHEREAS, the Tribal Council concludes that the service line agreement between the Tribe and Navopache Electric Co-op. in the form and substance attached hereto should be approved by the Tribal Council.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby grants permission to Navopache Electric Co-op. to construct an electrical service line as described in the service line agreement attached and incorporated by reference herein.
- BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes the Tribal Chairman, and in his absence the Vice-Chairman, to sign the service line agreement with Navopache Electric Co-op. for the purposes described therein.

Resolution No. 09-90-208

The foregoing resolution was on September 12, 1990, duly adopted by a vote of eight for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (b) (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

RECEIVED

SEP 18 1990

Fort Apache Indian Agency  
Whiteriver, Arizona

SERVICE LINE AGREEMENT

WHEREAS, NAVOPACHE ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS, HEREINAFTER TERMED "APPLICANT," HAS BEEN REQUESTED TO EXTEND ELECTRICAL SERVICE TO WHITERIVER  
(TYPE OF SERVICE)

FIRE STATION WHO IS THE OWNER OR LEGALLY AUTHORIZED OCCUPANT OR USER OF A TRACT OF TRIBAL LAND LOCATED ON THE FORT APACHE INDIAN RESERVATION, DESCRIBED AS:

WHITERIVER  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NORTHEAST QUARTER, SECTION 13, T 5N, R 22E,  
G 4 SRB 4 MERIDIAN, COUNTY OF NAVAJO

STATE OF ARIZONA; AND

WHEREAS, THE LOCATION OF THE SERVICE LINE REQUIRED TO SERVE THE ABOVE-DESCRIBED PROPERTY, AND ITS EXTENT, IS MORE PARTICULARLY SHOWN AND DELINEATED ON THE ATTACHED PLAT MARKED "EXHIBIT A", WHICH HAS BEEN PREPARED IN ACCORDANCE WITH 25 CFR 161.22(c), AND WHICH BY THIS REFERENCE IS MADE A PART HEREOF; AND

WHEREAS, THE REGULATIONS 25 CFR 161.22, PROVIDE THAT AN AGREEMENT SHALL BE ENTERED INTO BY AND BETWEEN THE LANDOWNER AND THE APPLICANT BEFORE ANY WORK BY THE APPLICANT MAY BE UNDERTAKEN TO CONSTRUCT A SERVICE LINE ACROSS SUCH LAND; AND

\*(IN CASE OF TRIBAL LAND A CERTIFIED COPY OF THE TRIBAL AUTHORIZATION SHOULD BE ATTACHED TO AGREEMENT WHEN REQUIRED.)

WHEREAS, THOSE REGULATIONS FURTHER PROVIDE THAT A SERVICE LINE SHALL BE FOR THE SOLE PURPOSE OF SUPPLYING THE OWNER OR AUTHORIZED OCCUPANT OR USER OF LAND, INCLUDING SCHOOLS, AND CHURCHES, WITH TELEPHONE, WATER, ELECTRIC POWER, GAS, AND OTHER UTILITIES FOR USE BY SUCH OWNER, OCCUPANT, OR USER OF THE LAND ON THE PREMISES.

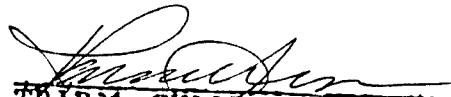
NOW, THEREFORE, IT IS HEREBY AGREED THAT IN CONSIDERATION OF THE APPLICANT FURNISHING ELECTRICAL SERVICE TO THE WITH-DESCRIBED PROPERTY, THE LAND OWNER HEREBY GRANTS PERMISSION TO APPLICANT TO CONSTRUCT A SERVICE LINE ON AND ACROSS SAID PROPERTY WITHOUT THE PAYMENT OF ANY MONETARY COMPENSATION FOR DAMAGES.

APPLICANT AGREES TO COMPLY WITH ALL THE APPLICABLE REQUIREMENTS OF 25 CFR 161.22.

THIS AGREEMENT IS IN THE NATURE OF A LICENSE, REVOCABLE AT ANY TIME AT THE SOLE OPTION OF THE LANDOWNER, AND CONVEYS NO INTEREST IN THE LAND TRAVERSED WHATSOEVER.

IN WITNESS WHEREOF, THIS AGREEMENT WAS EXECUTED THIS 5th DAY OF September, 19 90.

  
APPLICANT

  
TRIBAL CHAIRMAN, WHITE MOUNTAIN  
APACHE TRIBE

RESOLUTION NO.

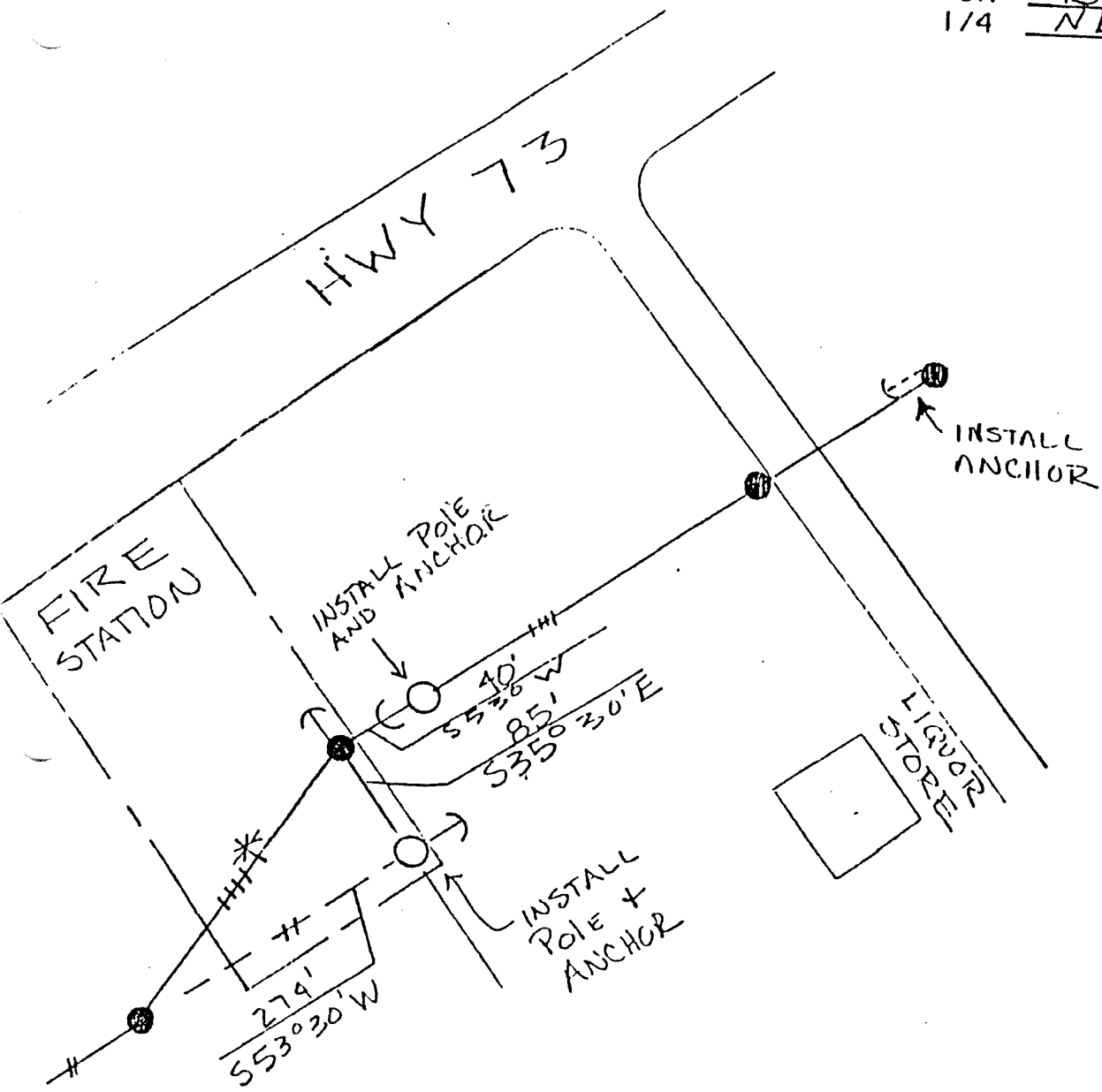
APPROVED ON \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
SUPERINTENDENT

TOWNSHIP 5N  
RANGE 22E  
SECTION 13  
1/4 NE



SCALE NTS



**LEGEND**

●——  
ING LINE

○——  
ED LINE EXTENSION

*Kurt R. ...*  
ENGINEERING MANAGER  
NAVOPACHE ELECTRIC CO-OPERATIVE

*[Signature]*  
TRIBAL CHAIRMAN  
WHITE MTN. APACHE TRIBE