

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

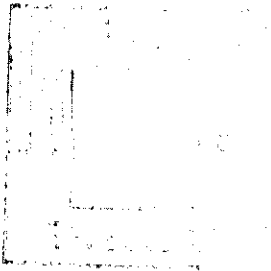
- WHEREAS,** the Tribal Council on September 14, 1998 adopted Resolution No. 09-98-230 which extended the expert consultant contracts for Mike Watson d/b/a Watson Engineering, Inc. and Michael Kaczmarek, the hydrologist employed by Morrison-Maierle, Inc., for an additional two years and said contract extensions expired on September 30, 2000; and
- WHEREAS,** expert consultants Michael Watson and Michael Kaczmarek have continued to update and complete an inventory of the Tribe's surface and groundwaters in the Salt River and Little Colorado River drainages, with emphasis on the preparation of a groundwater model, imperative for the protection of the Tribe's senior and paramount aboriginal and otherwise reserved claims and rights to the base flow of the Salt River, the source of which is the Trans-Basin Coconino and other aquifers; and
- WHEREAS,** water rights consultants Watson and Kaczmarek have also continued preparation of technical and legal findings and exhibits describing the Tribe's resources and management alternatives, the evaluation of surface water, groundwater, range, forest, geology and plant ecology, preparation of maps and exhibits and updates thereto, and other services provided for in their respective contracts entered into on June 30, 1995 with the White Mountain Apache Tribe; and
- WHEREAS,** the Tribe has received approximately \$100,000 in funding from the BIA's Water Rights Litigation and Negotiation Program (344) and said funds have been allocated for employment of a historian/archivist to initiate research in support of the Tribe's water rights litigation, and to fund continuation of groundwater modeling efforts and water rights preparation by consulting hydrologist Mike Watson and hydrogeologist Michael Kaczmarek; and
- WHEREAS,** professional services rendered by expert consultants Watson and Kaczmarek may be paid from the FY 2001 BIA (344) program grants currently administered by Tribal Hydrologist Dr. Laurel Laucher and Tribe's legal department; and
- WHEREAS,** the Tribal Council concludes that extending the 1995 contract between the Tribe and Watson Engineering, Inc. and Morrison & Maierle, Inc. is essential for the protection of the Tribe's prior and paramount, aboriginal and other reserved rights to the base flow of the Reservation's springs and streams and to continue the Tribe's preparation of its water rights claim and a trans-basin groundwater model to defend the Tribe's priceless water rights from off-Reservation groundwater pumpers.

Resolution No. 09-2001-257

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby extends the expert consultant contracts for Mike Watson, d/b/a Watson Engineering, Inc., and Michael Kaczmarek, employed by Morrison & Maierle, Inc. for an additional three years commencing September 30, 2000 and expiring on September 30, 2003 in conformity with the form and content of the contract addendums attached to this Resolution and incorporated by reference herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, and, in his absence, the Vice-Chairman, to execute the contract addendums attached and incorporated by reference herein.

The foregoing resolution was on September 14, 2001 duly adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (i), (s), (t), and () of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council

Secretary of the Tribal Council