

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

- WHEREAS,** ten years ago, the greater Whiteriver Community serving over 11,000 Reservation residents, most of whom were Tribal members, was intermittently without adequate drinking water during the summer and water had to be rationed for drinking and bathing purposes; and
- WHEREAS,** the White Mountain Apache Tribe and the Indian Health Service combined efforts in 1990 to construct the Miner Flat well field which was designed to produce, and did produce, nearly 3,000 gallons of water per minute from the southern edge of the Coconino Aquifer; and
- WHEREAS,** production of the well field has fallen to less than 1,500 gallons per minute and the Tribe's consulting hydrogeologist and other hydrology experts advise that production will not exceed 1,120 per minute for the near term, and has even fallen as low as 900 gallons per minute; and
- WHEREAS,** the current water need of the Whiteriver Community population is 2,300 gallons per minute; and
- WHEREAS,** the Miner Flat well field, according to an extensive study by the Tribe's expert consultants and the Indian Health Service, indicates that the production capacity of the Miner Flat well field is in precipitous decline and is pumping from a finite, non-rechargeable source for the Tribe's domestic water supply; and
- WHEREAS,** the Tribe has applied for and received a grant from the Environmental Protection Agency (EPA) with technical assistance and additional funding from the Indian Health Service (IHS) in the approximate amount of \$1,695,300 for construction of an emergency project to divert, settle and treat surface water from the north fork of the White River with implementation scheduled in late 2004; and
- WHEREAS,** said North Fork Diversion Project will include a diversion structure on the north fork below Diamond Creek in Whiteriver, settling basins to remove suspended sediment, and a package water treatment plant; and
- WHEREAS,** surface water on the Reservation and specifically from the north fork of the White River is the only dependable source of a domestic drinking water for the Tribe now and in the future; and
- WHEREAS,** the North Fork Diversion Project will be financed by IHS and EPA through agreements now in place with FY 2002 and FY 2003 funds, but the IHS and the Tribe's engineering and other consultants have determined that the cost of the North Fork Diversion Project will be approximately \$2,398,800, and that it will be

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necessary for the successful completion of the project for the White Mountain Apache Tribe to secure at least \$703,500 in additional funds for the project; and

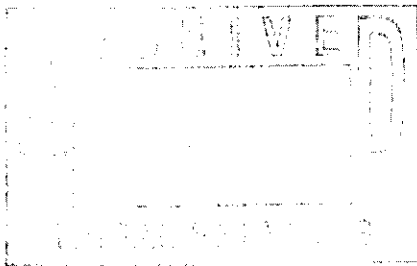
WHEREAS, over 11,000 persons, most of whom are Tribal members, are faced with the imminent threat of no potable drinking water and water for other domestic purposes for cleaning and bathing and other essential health and welfare needs if the North Fork Diversion Project cannot be constructed in a timely fashion within the next year or two; and

WHEREAS, the precipitous decline of the Miner Flat well field is exacerbated by statewide drought conditions; and

WHEREAS, the Tribal Council concludes that the Tribe must apply for a HUD Imminent Threat Grant in the amount of \$350,000 to help pay for the cost of the North Fork Diversion Project and that there is compelling justification for the HUD Grant as over eighty percent of the Tribe's population will be in a situation of imminent threat from a lack of sufficient potable drinking and domestic water in the very near future.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and directs the Tribal Chairman, and in his absence, the Vice Chairman, to apply for and to sign all necessary applications and documentation for a HUD Imminent Threat Grant in the amount of \$350,000 and to seek and secure other funding necessary and required for construction and completion of the North Fork Drinking Water Diversion Project.

The foregoing resolution was on OCTOBER 16, 2003 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 IV, Section 1 (a), (b), (d), (h), (i), (j), (k), (l), (t), and (u) 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