

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

**(Approving Employment of Expert Economists – Water Rights)**

- WHEREAS**, the White Mountain Apache Tribe has substantial water use claims in both the Little Colorado River and Gila River General Stream Adjudications now pending in the Apache County and Maricopa County Superior Courts, respectively; and
- WHEREAS**, the Secretary of the Interior has appointed a Federal Negotiating Team to assist the Tribe in the quantification of its aboriginal and otherwise reserved rights to the use of water in the Little Colorado River, Salt River and Gila River water systems and sources thereof; and
- WHEREAS**, the Tribe has prepared a Water Use Claim based upon practicably irrigable acreage (PIA) and livestock operations, amongst other claimed historic, current, and future uses of water; and
- WHEREAS**, the Tribe will require an economic analysis, benefit-cost analysis, economic-based studies, land use analysis and economic feasibility of the Tribe's present and future water needs for agriculture, livestock, recreation, fish and wildlife, and cultural and environmental uses; and
- WHEREAS**, the Tribe must retain the services of a qualified economist in the above-described disciplines to assist the Tribe in the preparation of its water use claims for meetings with the Federal Negotiating Team and adverse State parties, and to prepare, as necessary, for negotiation and litigation to protect and advance the Tribe's water use claims; and
- WHEREAS**, the Tribe's water rights counsel, Robert C. Brauchli, has this date introduced Dr. Robert B. McKusick, an Agricultural economist and Vice President and Senior Principal of Northwest Economic Associates, a division of ENTRIX, located in Vancouver, Washington; and
- WHEREAS**, Dr. McKusick and his associates have expertise in Agricultural Economics, Natural Resources Economics, Water Rights Claims, Energy Economics and Benefit-Cost Analysis, and have assisted Indian Tribes in respect to their water use rights for many years; and
- WHEREAS**, the Tribal Council concludes that it would be in the best interests of the White Mountain Apache Tribe to retain the services of Dr. McKusick and ENTRIX to provide and prepare expert economic analysis and testimony in support of the Tribe's

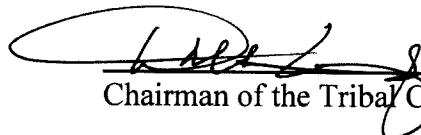
water rights claims and to coordinate and cooperate with the Tribe's water rights team to advance the Tribe's aboriginal and reserved water use claims; and

**WHEREAS**, the Tribal Council is advised that funds have been budgeted from the BIA FY 2005 Litigation and Negotiation Support Grant to retain Dr. McKusick and his associates for the preparation of a cost/benefit and economic analysis of the Tribe's agricultural and livestock water use claim and for other economic analysis that might be required for other water uses claimed by the Tribe, now and in the future.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves an expert witness consulting agreement between the White Mountain Apache Tribe and ENTRIX Corporation for the purposes set forth in this resolution.

**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 finalize and sign any expert witness consultant contract between the Tribe and ENTRIX for the purposes set forth herein.

The foregoing resolution was on APRIL 7, 2005 duly adopted by a vote of SIX 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), (f), (g), (h), (i), (j), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of 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