



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

**(Approving Lease to Navopache Electric Cooperative for
Installation of Microwave on McKay's Peak)**

- WHEREAS,** Navopache Electric Cooperative communicates with Seven Mile using Grainger analog radios that are more than fifteen (15) years old and which replacement parts are no longer available; and
- WHEREAS,** the Seven Mile communication site provides radio communications for Navopache trucks and also eight (8) Network Terminal Units (NTUs) located at Alchesay Substation, Canyon Day, Cibecue Ridge, Drumbeat Substation, FATCO Mill, FATCO Plant, Roberts Ranch and Seven Mile; and
- WHEREAS,** the NTUs allow Navopache to communicate with devices that are installed at these different locations and thereby operate their electrical system more efficiently; and
- WHEREAS,** in the event of a device lock out, Navopache is usually able to close it in within a few seconds using the SCADA (Supervisory Control and Data Acquisition) System; however, if there is no communication with those devices, it would indicate that power on the reservation would be out a minimum of two hours or more depending on where the device is located; and
- WHEREAS,** in order to prevent this potential power outage on the reservation, Navopache is proposing to upgrade the Grainger analog radios to Harris digital microwave radios, at no charge to the Tribe; and
- WHEREAS,** in order to achieve this upgrade, the location of Harris radios is required on McKay's Peak, which will provide a line of site for the digital microwave radio to communicate with Seven Mile; and
- WHEREAS,** in addition to providing reliable communications, the new digital microwave radio parts and support are readily available, and Navopache's electronic communication technicians have recently undergone extensive training on the new digital microwave radios and are already operating and maintaining this type of digital microwave radios at five of their communication sites; and
- WHEREAS,** Navopache is requesting authorization to enter into a lease with the White Mountain Apache Tribe, to install equipment (listed in Attachment 1), at McKay's Peak, on the Fort Apache Indian Reservation; and

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WHEREAS, a stress analysis has been performed at the request of Navopache, and it has been determined that no overstresses were encountered on the tower located at McKay's Peak, and that the foundations are adequate by design; and

WHEREAS, Navopache further proposes that in lieu of lease payments, it will assume responsibility for providing electrical power, at its own expense, to the White Mountain Apache Tribe meters at the McKay's Peak.

WHEREAS, the Tribal Council concludes that it is in the best interest of the Tribe to enter into a lease with Navopache Electric Coop. for the purposes identified herein.

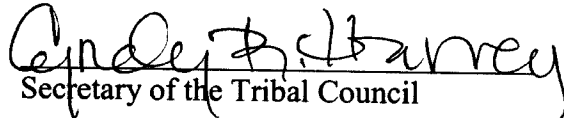
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe's Legal Department is hereby directed to negotiate a lease arrangement with Navopache Electric Coop. in accordance with the terms set forth herein, to install and maintain equipment at McKay's Peak, which will provide a line of site for digital microwave radio communication with Seven Mile.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Council Chairman, or in his absence the Vice Chairwoman or other duly authorized representative, is hereby authorized to execute any and all documents necessary to effectuate the intent of this resolution.

The foregoing resolution was on March 15, 2007, 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), (h), (i), (s), (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