



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

(Acceptance of Settlement and Release Agreement with Freeport-McMoRan Corporation)

WHEREAS, pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, Freeport-McMoRan Corporation, formerly known as Phelps Dodge Corporation, (hereinafter "Freeport"), and the White Mountain Apache Tribe, (hereinafter "Tribe"), have agreed to a Settlement and Release Agreement, a true copy of which is attached to this resolution and incorporated by reference herein as if set forth in full, for the waiver, settlement, and release by the Tribe and the Department of Interior, acting in its capacity as trustee for the Tribe, for any past, present and future obligations of Freeport for the rights of way described in the Settlement and Release Agreement in exchange for compensation to be paid by Freeport to the Tribe in the amount of \$445,402, which amount the Tribe acknowledges is sufficient consideration for the Settlement and Release Agreement. The Tribal Council of the White Mountain Apache Tribe has reviewed the Settlement and Release Agreement and understands the terms of the Agreement.

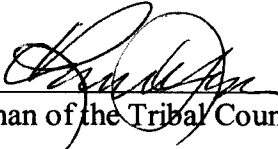
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves acceptance of the Settlement and Release Agreement between the White Mountain Apache Tribe, the Department of Interior, acting in its capacity as trustee for the Tribe, and Freeport, in the form and content attached to this resolution and incorporated by reference herein as if set forth in full, and acknowledges that receipt of \$445,402 from Freeport pursuant to the terms of the Settlement and Release Agreement will be complete and sufficient consideration for the Settlement and Release Agreement.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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

Resolution No. 03-2011-51

The foregoing resolution was on MARCH 7, 2011 duly adopted by a vote of SIX for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (e), (f), (h), (i), (m), (q), (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