



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Acceptance of Transfer of Equipment and Operation of the Whiteriver National Weather Monitoring Station from the National Oceanic and Atmospheric Administration [NOAA])

WHEREAS, the Tribal Council adopted Resolution No. 06-2010-172 on June 9, 2010, granting a lease to the Bureau of Indian Affairs (BIA) for the Rick Lupe Fire Management Facility and permitting the installation and operation of a national weather monitoring station within the Facility; and

WHEREAS, in 2014, the NOAA decided to discontinue the United States Regional Climate Reference Network Program (USRCRN) and not operate or maintain the national weather monitoring station at the Rick Lupe Fire Management Facility and at other sites within the National Forest in Arizona; and

WHEREAS, the weather monitoring station in Whiteriver provides reliable and valuable temperature and precipitation data, and NOAA wishes to transfer ownership of the Whiteriver station and equipment to the Tribe at no charge; and

WHEREAS, the Tribe's water rights attorney, Robert Brauchli, recommends that the White Mountain Apache Tribe accept ownership of the station and equipment from NOAA and respectfully suggests that Cheryl Pailzote, Director of the WMAT Water Resources Program, be designated as the logical contact person for the Tribe to accept the transfer of ownership and to be responsible for monitoring and maintaining the station; and

WHEREAS, the Tribal Council is advised that the Tribe's maintenance responsibility for the station would be very minimal and that NOAA has spare parts which are being stored by the National Park Service in Arizona and which will be provided to the Tribe free of charge, when and if replacement parts are needed; and

WHEREAS, the temperature and precipitation data collected at the Whiteriver station will provide valuable information to the White Mountain Apache Tribe for long-term water resource planning and other purposes; and

WHEREAS, the Tribal Council concludes that the transfer of ownership of the Whiteriver station and equipment from NOAA to the White Mountain Apache Tribe is in the best interests of the Tribe and will assist the Tribe's administration and management of water resources within its Homeland; and

WHEREAS, the Tribal Council further concludes that Cheryl Pailzote, Director of the WMAT Water Resource Program, be the designated contact for the Tribe for acceptance of the transfer of the station and equipment from NOAA to the Tribe.

Resolution No. 02-2015-25

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby accepts ownership and maintenance responsibility of the Whiteriver climate station and equipment therein located within the Rick Lupe Fire Management Facility.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that, in compliance with the Fort Apache Agency's security procedures, only authorized contractors or employees of the Tribe will be permitted to enter said property.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Fort Apache Agency will maintain roads and paths leading to the site providing unencumbered access at all times.

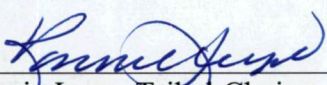
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby designates Cheryl Pailzote, Director of the WMAT Water Resources Program, to be the contact person for the Tribe to accept the transfer of the station and equipment and to maintain and operate the station on behalf of the Tribe.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

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 with NOAA and BIA, as required or necessary, to effectuate the intent of this Resolution.

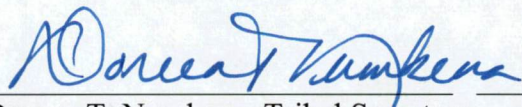
The foregoing resolution was on **FEBRUARY 11, 2015** duly adopted by a vote of **NINE** for, **ZERO** against, and **ONE** abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Tribal Chairman

2/13/15

Date



Doreen T. Numkena, Tribal Secretary

2-17-2015

Date