



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Adopting the New Benefit Calculation Method for Ak-Chin Energy Services)

WHEREAS, in 2004 the White Mountain Apache Tribe (Tribe) contracted for electricity from the Western Area Power Administration Colorado River Storage Project (CRSP) for a term of 20 years; and

WHEREAS, without its own electric utility the Tribe needed a contract partner to receive benefits from this electricity contract; and

WHEREAS, the Tribe selected the Ak-Chin Indian Community utility authority (Ak-Chin Energy Services/ACES) as its benefit partner for this purpose; and

WHEREAS, that arrangement has benefitted the Tribe financially for most of the years it has been in place; and

WHEREAS, recent electricity pricing shifts, however, have reduced or eliminated that benefit in many months; and

WHEREAS, Ak-Chin is now offering a different method of calculating the Tribe's monthly benefit for this electricity; and

WHEREAS, Ak-Chin's new calculation shows an improved financial benefit to the Tribe; and

WHEREAS, the Legal Department with the Tribe's Special Counsel for this matter will negotiate the specific amendment to the Tribe's CRSP benefit agreement with Ak-Chin.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby adopts the new benefit calculation methodology being offered by ACES until such time as the Tribe wishes to again reevaluate that arrangement.

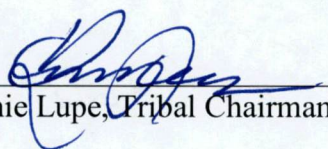
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution 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 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.

Resolution No. 05-2016-113

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.

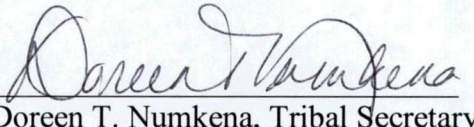
The foregoing resolution was on May 19, 2016 duly adopted by a vote of NINE for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified 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

5/23/16

Date



Doreen T. Numkena, Tribal Secretary

5/23/2016

Date