



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(Approving Memorandum of Agreement with U.S. Indian Health Service  
for Project No. PH19-V43 for Construction of Miner Flat Water Transmission Main  
Including \$169,000.00 Tribal Contribution)**

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power “To negotiate, make and perform contracts and agreements of every description, not inconsistent with Federal law or [the] constitution, with...the United States...”; and

**WHEREAS,** The U.S. Indian Health Service desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe to allow it to construct Project No. PH10-V43, Minor Flat Water Transmission Line (the “Project”), which will provide replacement for 22,450 feet of the deteriorated upper water transmission pipeline at a cost of \$3,296,00.00, of which \$3,126,915 is to be provided for by Indian Health Service and \$169,085.00 is to be provided by the Tribe (attached and incorporated herein by reference); and

**WHEREAS,** Upon completion of the Project by Indian Health Service, the Tribe’s Utility Authority will assume ownership of the pipe and appurtenances and will be responsible for their operation and maintenance; and

**WHEREAS,** The Tribal Council finds that approving the Memorandum of Agreement will contribute to the infrastructure needs of the Tribe now and far into the future, and is in the best interests of the Tribe and its members.

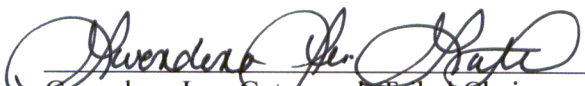
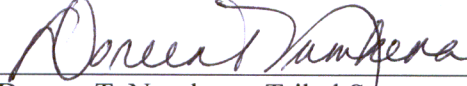
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Memorandum of Agreement between the Tribe and Indian Health Service for Project No. PH10-V43 Minor Flat Dam Main Transmission Line is hereby approved.

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

**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.

**Resolution No. 08-2019-177**

The foregoing resolution, on **AUGUST 22, 2019** was duly adopted by a vote of **TEN** for, **ZERO** against, and **ONE** 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).

 9.12.19  9-12-19  
Gwendena Lee-Gatewood, Tribal Chairwoman      Date      Doreen T. Numkena, Tribal Secretary      Date