

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

WHEREAS, Tribal Resolution No. 179 adopted by the Tribal Council on December 2, 1946 authorized the Navopache Electric Cooperative of Lakeside, Arizona to survey for an electric transmission line from McNary, Arizona to various communities on the Fort Apache Reservation, subject to approval of the Commissioner of Indian Affairs in accordance with existing regulations, and

WHEREAS, the Navopache Electric Cooperative is now ready to begin construction of the electric transmission line, and desires to obtain right-of-way for the construction, operation and maintenance of an electrical transmission line across portions of the Fort Apache Indian Reservation,

NOW THEREFORE BE IT RESOLVED by the Council of the White Mountain Apache Tribe in special session, duly called, this 29th day of March, 1948, a quorum being present, that the granting of a right-of-way for the construction, operation and maintenance of an electric transmission line from McNary to the North Fork community, Whiteriver and adjacent communities, Fort Apache, East Fork Community, Canyon Day Community and farm station, Kinishba Ruins and Museum and the Williams Creek Fish Cultural Station, all within the Fort Apache Indian Reservation is hereby approved subject to the regulations pertaining to the granting of rights-of-way across Indian tribal lands, said right-of-way to be not in excess of forty (40) feet in width, and the granting of said right-of-way shall also grant the Navopache Electric Cooperative, its officers and employees, its successors and assigns the right of egress and ingress to said right-of-way, so long as said right-of-way easement shall be in effect and used exclusively for purposes set forth in the application.

BE IT FURTHER RESOLVED that damages to standing timber and tribal land are hereby waived, provided, any merchantable timber cleared from said right-of-way shall be cut into commercial logs of designated lengths and shall remain the property of the White Mountain Apache Tribe.

The foregoing resolution was on March 29, 1948 duly adopted by a vote of 8 for and 0 against, by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article VI, Section 1 (c) of the Constitution and By-Laws of the Tribe, ratified by the Tribe on August 15, 1938 and approved by the Secretary of the Interior on August 26, 1938 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).