

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

Resolution No. 51-7

BE IT RESOLVED by the Council of the white Mountain Apache Tribe that the Phelps Dodge Corporation be hereby authorized to proceed with surveys for a proposed right-of-way application for the construction of a tunnel from Showlow Creek, which is outside of the reservation, to the upper tributaries of Forestdale Canyon, within the reservation, for the purpose of diverting flood waters which they may acquire, to the Salt River drainage. Said tunnel to be located in Section 16, T9N, Range 22E, G&SR MER. It shall be expressly understood that the Phelps Dodge Corporation shall agree to make adequate provision for the prevention of excessive erosion which might be caused by diversion of said flood waters and shall provide suitable road crossings on stream beds used for the transportation of said water and that the tribe shall be reimbursed in the amount mutually agreed on for the use of said stream beds from the outlet of said tunnel to the point where said water enters Salt River. It shall also be expressly understood prior to the granting of rights-of-way that said company will not acquire any right or title to the use of any natural stream flows in any of the stream beds which may be used for the conveyance of such waters as may be diverted into Forestdale Canyon.

BE IT FURTHER RESOLVED that the company shall obtain authorization to proceed with construction of said tunnel before any construction is actually undertaken within the reservation.

The foregoing Resolution was on March 16, 1951 duly adopted by a vote of 7 for and 1 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 19, 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).

Nelson L. Lipe
Chairman of the Tribal Council

Mary C. Endfield
Secretary of the Tribal Council

Recommended:

(M.D.) R. D. [REDACTED]
R. D. Hoitz, Superintendent

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