

Resolution No. 61-94

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

WHEREAS, the Tribal Recreation Board has proposed hunting regulations for the Year, 1961-62, and

WHEREAS, said regulations were duly considered by the Tribal Council.

BE IT RESOLVED that the proposed hunting regulations marked Exhibit "A" and attached hereto and by reference made a part of this resolution are hereby adopted by the White Mountain Apache Tribal Council for the Year, 1961-62.

The foregoing resolution was on September 6, 1961 duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (f) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

Resolution No. 61-94

Received in Superintendent's Office

SEP 13 1961

(Date)

SEP 20 1961

Mr. F. M. Haverland

Area Director, Phoenix, Arizona

Dear Mr. Haverland:

Resolution No. 61-94 was enacted on September 6, 1961 by the Council of the White Mountain Apache Tribe pursuant to authority vested in Article V, Section 1 (f) of the Tribe's Constitution. Under this authority the Tribe may regulate hunting and fishing on the Reservation. Under this authority the resolution is not subject to rescission by the Secretary of the Interior.

This resolution resolves that the proposed hunting regulations, marked Exhibit A, and attached and by reference made a part of this resolution was adopted by the White Mountain Apache Tribal Council for 1961-62.

Sincerely yours,

/s/ Albert M. Hawley

Superintendent

HUNTING REGULATIONS
1961 - 1962
White Mountain Apache Tribe

Adopted by the White Mountain Apache Tribal Council September 6, 1961

1. These regulations shall apply to all bona-fide members of the White Mountain Apache Tribe and others permitted to hunt on the Fort Apache Indian Reservation in accordance with Ordinance No. 14.
 2. DEER : Season Dates - September 15, 1961 to January 14, 1962.
Bag Limit - five (5) deer per family.
 3. TURKEY : Season Dates - October 14, 1961 to October 30, 1961 and December 9, 1961 to December 25, 1961.
Bag Limit - one (1) turkey per family each season.
 4. ELK : Season Dates - September 29, 1961 to October 4, 1961.
Open Area : Fort Apache Reservation east of Highway 60.
Bag Limit - one (1) elk per family.
Legal Elk - Bull only, including spikes.

Season Dates - November 18, 1961 to December 3, 1961.
Bag Limit - one (1) elk per family
Legal Elk - any elk
- CHECKING STATIONS : All tribal members participating in either elk hunt will be required to check out of a hunter checking station located at Whiteriver, Hon Dah, Carrizo Junction or with a Tribal Game Warden if an elk is killed.
5. JAVELINA : Season Dates - February 22, 1962 to March 11, 1962
Bag Limit - three (3) per family
Legal Javelina - any javelina
 6. BEAR : Season Dates - September 1, 1961 to February 28, 1962
Bag Limit - one (1) bear per family
Legal Bear - any bear

7. COTTONTAIL RABBITS : Season Dates - September 1, 1961 to February 28, 1962.
Bag Limit - ten (10) per day or in possession.
8. TREE SQUIRRELS : Season Dates - October 18, 1961 to November 12, 1961.
Bag Limit - five (5) per day or in possession.
9. QUAIL : Season Dates - October 1, 1961 to October 31, 1961 and December 10, 1961 to January 3, 1962.
Open Area : That portion of Gila County west of U.S. Highway 60.
Bag Limit - fifteen (15) per day or in possession.
10. DOVE : Season Dates - September 1, 1961 to September 24, 1961 and December 9, 1961 to January 3, 1962.
Bag and Possession Limit - ten (10) mourning doves and twenty-five (25) whiterings.
Shooting Hours - one half (1/2) hour before sunrise to sunset.
11. WATERFOWL : (Ducks) - Season Dates - October 7, at noon to November 5, 1961. December 1, at noon to January 7, 1962.
Goose - Season Dates - October 25, 1961 to January 7, 1962.

Daily Bag Limit - four (4) which may not include more than one (1) wood duck and one (1) hooded merganser.
Possession Limit - eight (8)

The bag and possession limit on geese will be six (6), but not more than three (3) of them may be of the dark species which include the Canada, cakler, Whitefronted, tule, blue and emperor.

Canvasback and redhead ducks are fully protected and may not be taken.

12. Season will be closed on all other wild animals except predators and non-game animals.
13. CLOSED AREAS : The I. D. Game Preserve shall be closed to all hunting including predators.

The Smith Park Recreation Area shall be closed to all hunting for a distance of one (1) mile in any direction from Lake Hawley.

14. WEAPONS REGULATIONS : The weapons described herein are the only lawful weapons for the taking of game birds and game animals on the Fort Apache Indian Reservation.
FIRE ARMS : Restrictions on fire arms and their use in taking wild-life are as follows:

- (1.) Automatic firearms and tracer, full metal jacketed or altered metal jacketed bullets are prohibited.
- (2.) Shotguns larger than 10 gauge or capable of holding more than two shells in the magazine are prohibited.

(3.) Semi-automatic firearms of .23 caliber or larger with a magazine capacity of more than five shells are prohibited.

(4.) Only rifles of .23 caliber or larger are permitted for the taking of big game, except that any rifle other than the .22 rim-fire may be used to take javelina and turkey. The .357 magnum and .44 magnum pistols may be used to take big game. Any shotgun which is not prohibited in item 2 may be used to take turkey.

(5.) Rifled firearms are prohibited for the taking of game birds except the wild turkey.

(6.) Small game, fur bearing, non-game and predatory mammals may be taken with any firearm not prohibited under items 1, 2 and 3 of this Order.

(7.) Possession of any contrivance designed to silence, muffle or minimize the report of a firearm while hunting is prohibited.

BOW AND ARROW : Deer, javelina, wild turkey and bear may be taken with a bow having a pull of not less than 40 lbs. and using an arrow with a sharp bladed broadhead not less than 7/8 inches in width. Small game, fur bearing, non-game and predatory animals may be taken with any bow and arrow.

No person shall use or have in his possession or under his control while hunting any wild animal or bird any poisoned arrow, arrow with explosive tips, or any bow drawn, held or released by mechanical means.

The taking of all wildlife and/or fish by means of a crossbow is prohibited and illegal on the Fort Apache Reservation.

15. GENERAL REGULATIONS : Wild game shall be taken during day light hours only. Seasons shall be open year long on all predatory animals, non-game animals and non-game birds, except birds protected by Federal Regulations. Hunting from a vehicle is prohibited, and it is unlawful to shoot from, upon, across, or unto a road or railway. A road is any maintained right of way for public conveyance.

16. THE FOLLOWING DEFINITIONS OF WILD LIFE SHALL APPLY : (1) Game animals are deer, elk, bear, antelope, javelina, tree squirrel and cottontail rabbits. Big game are wild turkey, deer, elk, antelope, and javelina. Small game are game birds of all kinds except wild turkeys and all game animals not listed as big game.

Fur-bearing animals are muskrats, mink, beaver, badgers, and ringtail cats. Predatory animals are foxes, skunks, mountain lions, coyotes, wolves, jaguars, ocelots, raccoons, porcupines and feral house cats. Non-game animals are all wild animals except game animals, fur-bearing animals and predatory animals. Upland game birds are quail, partridge, grouse, pheasants and chukars. Migratory game birds are all waterfowl as specified by the Federal Migratory Bird Regulations. Non-game birds are all birds except upland game birds and migratory game birds. Song and insectivorous birds are protected.

SEP 20 1961

Mr. F. M. Haverland

Area Director, Phoenix, Arizona

Dear Mr. Haverland:

Resolution No. 61-95 resolves that the timber from the Coulter No. 2 Logging Unit contracted for by Southwest Forest Industries, Inc. may be mill deck scaled at the McNary sawmill. It also resolves that any other units contracted for by Southwest Forest Industries, Inc. may be scaled in the same manner, if so recommended by the Bureau and agreed upon by the Southwest Forest Industries, Inc.

This resolution was enacted on September 6, 1961 by the Council of the White Mountain Apache Tribe pursuant to authority vested in Article V, Section 1 (1) of the Tribe's Constitution. Under this authority the resolution is not subject to rescission by the Secretary of the Interior.

Sincerely yours,

757 Albert M. Hawley

Superintendent