

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

WHEREAS, Guy Phillips dba Phillips Asbestos Company has since 1957 operated those said mining claims on the Fort Apache Indian Reservation commonly known as the K and M Claims, and

WHEREAS, the Tribe from that date has realized in excess of nine, royalties from the said operation, and

WHEREAS, the said Guy Phillips has proved himself to be an excellent mining operator.

BE IT RESOLVED that the Council of the White Mountain Apache Tribe authorize the Chairman and Secretary on behalf of the Council to sign a mining lease with Guy Phillips of Gila County, Arizona.

BE IT FURTHER RESOLVED that the said lease be for a period of ten years, provided for the usual ten percent royalty with a \$1,000.00 minimum royalty payment due and payable on the first anniversary date of this lease.

BE IT FURTHER RESOLVED that Agency Realty Assistant prepare said mining lease on the forms approved by the Bureau of Indian Affairs.

BE IT FURTHER RESOLVED that the Secretary of the Interior or his authorized representative approve said negotiated lease without advertising covering those two asbestos mining claims described in Contract No. 1-30-IND-2623.

The foregoing resolution was on December 6, 1961 duly adopted by a vote of 10 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 (b) 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).

Lester Oliver
Chairman of the Tribal Council

Mary G. Enfield
Secretary of the Tribal Council

Received in Superintendent's Office

DEC 13 1961

(Date)

Resolution No. 61-117

DEC 19 1961

Mr. F. M. Haverland

Area Director, Phoenix, Arizona

Dear Mr. Haverland:

Mr. Guy G. Phillips, Phillips Asbestos Mines, Globe, Arizona, has made application to renew his asbestos mining lease, Contract No. I-30-Ind-2623, which expired by its own terms and conditions on November 25, 1961. This lease was on the old form and, therefore, does not contain the clause, which would extend it automatically if there was production in paying quantities.

The Tribal Council has approved Mr. Phillips' application by Resolution No. 61-117 on December 7, 1961. Mr. Phillips has offered the usual ten percent royalty, with a minimum royalty of \$1,000 per year. The lease covers 35.33 acres and the usual annual ground rental of \$1 per acre is contained in the lease. The lease will also provide for the minimum annual development expenditure of \$10 per acre.

There has been some confusion regarding this lease and Mr. Phillips was under the impression until recently that the lease had been extended in compliance with Resolution No. 59-42, adopted on July 1, 1959, which authorized the Chairman and Secretary to sign an addendum to the lease. Please refer to Area Office letter of July 23, 1959 regarding this addendum.

We have not requested an inspection of the mine by the Regional Mining Supervisor as the road has been washed out and it would be necessary to walk four or five miles. However, as soon as the road has been repaired and weather permits we will request the Supervisor to make an inspection.

Mr. Phillips is considered one of the best mining men in the country and he has always been very cooperative with this office and the Tribal Council. He has always used a lot of Indian labor in his mines both on and off the reservation.

As we would like to get the mine in operation as soon as possible, it is requested that advertising be waived and authorization given to negotiate a lease with the proposed lessee.

Resolution No. 61-117 was duly adopted by the Council of the White Mountain Apache Tribe pursuant to authority vested in Article V, Section 1 (b) of the Tribe's Constitution. As this resolution is not inconsistent with any law or regulation the resolution is not subject to rescission by the Secretary of the Interior.

Sincerely yours,

/s/ Albert M. Hawley

Superintendent