

Amended by

Resolution No. 65-13

Resolution No. 64-129

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

WHEREAS, Navopache Electric Cooperative, Inc. has requested a permission to survey and construct a powerline from the Fort Apache Timber Company wellsite on the North Fork of Whiteriver to the water storage tank at the Fort Apache Timber Company sawmill, a distance of approximately 3200 feet and 20 feet in width pursuant to the official plat of said area on file in the office of the Superintendent of the Fort Apache Indian Agency, Whiteriver, Arizona for a period of not to exceed 20 years, and

WHEREAS, the construction of this powerline will be beneficial to the tribal members, and

WHEREAS, the said Navopache Electric Cooperative, Inc. has presented an agreement for purchase of power dated October 13, 1964, which agreement was read to the Tribal Council and provides, among other things, at a minimum payment of \$30.25 for electrical power used in pumping water from the wellsite to the Fort Apache Timber Company sawmill.

BE IT RESOLVED by the Council of the White Mountain Apache Tribe that the Navopache Electric Cooperative, Inc. is hereby granted permission to make surveys for the above powerline in accordance with their application and maps, which are on file in the office of the Superintendent of the Fort Apache Indian Agency to which reference is hereby made.

BE IT FURTHER RESOLVED that the Superintendent is authorized to grant a right of way approximately 3200 feet in length and 20 feet in width to Navopache Electric Cooperative, Inc. pursuant to the official plat of said area on file in the office of the Superintendent of the Fort Apache Indian Agency, Whiteriver, Arizona for a period not to exceed 20 years.

BE IT FURTHER RESOLVED that the Chairman and Secretary of the White Mountain Apache Tribal Council is authorized and directed to sign for and on behalf of the Tribe, the above agreement for purchase of power.

BE IT FURTHER RESOLVED that the Navopache Electric Cooperative, Inc. reseed all areas where vegetation is destroyed by the construction of or the use of said right of way.

BE IT FURTHER RESOLVED that the right of way agreement provide that Navopache Electric Cooperative, Inc. shall repair and maintain all fences which might be damaged during construction of said electric powerlines or which may be damaged due to the maintenance of same.

BE IT FURTHER RESOLVED that all damages be waived because of the beneficial results that will ensue by the survey and construction of the powerline with the exception of repair of fences and the reseedling of lands which may be damaged by the construction or use of said right of way.

Received in Superintendent's Office

DEC 10 1964

[Date]

The foregoing resolution was on December 2, 1964 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 (1) 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 C. Eschill

Secretary of the Tribal Council