

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

WHEREAS, the Southwest Forest Industries, Inc., hereinafter referred to as "Southwest" and the White Mountain Apache Tribe of the Fort Apache Indian Reservation, hereinafter referred to as the "Tribe", on June 16, 1958, entered into an agreement authorizing the Forest Service, U. S. Department of Agriculture, to scale the Tribe's logs delivered to Southwest's mill at McNary, Arizona, and which agreement was modified on December 14, 1961, to provide similar scaling service by the Forest Service at Southwest's pulpmill at Snowflake, Arizona, and

WHEREAS, it has been found to be mutually advantageous to continue the provisions of said agreement, and

WHEREAS, it is understood by both parties that the aforesaid Forest Service will be scaling the Tribe's logs according to the provisions of the National Forest Service Scaling Handbook, subject to regional modifications approved by the Region III Forester of the Forest Service, except that:

- a) Logs delivered for scaling shall be scaled for their merchantable contents without regard to standards of merchantability based on percentage of sound contents, and
- b) The overlength on logs for trimming will not exceed one inch to each four feet of log length. Logs which overrun this allowance will be scaled as if two feet longer, and

WHEREAS, it is anticipated that the new National Forest Service Scaling Handbook procedures may result in significant changes in the net scale, as compared to the net scale derived from the previous procedures.

BE IT RESOLVED that this scaling agreement be modified to the extent that the Phoenix Area Director, Bureau of Indian Affairs, be authorized to determine the average difference in net log scale between the two aforementioned scaling procedures and to apply this difference as an adjustment percentage to the volume of timber hereafter scaled and reported. The adjustment percentage may be varied by the Area Director as he deems necessary, and

BE IT FURTHER RESOLVED that any timber sales made by the Tribe to Southwest subsequent to this modified agreement may be scaled by the Forest Service using the new National Forest Service Handbook, with all of the above-mentioned provisions thereto, except that the adjustment percentage of the net log scale will not apply.

The foregoing resolution was on March 4, 1965 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 (i) 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).

Sister Oliver
Chairman of the Tribal Council

Henry L. English
Secretary of the Tribal Council

Received in the Secretary's Office

MAR 9 1965

Resolution No. 65-39

(Date)