



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution entitled, "Wind and Renewable Power Feasibility Study"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, In the interest of economic development and self sufficiency the Three Affiliated Tribes are examining their energy management strategies and investigating the possibility of developing renewable electric power generation and transmission facilities on the Reservation for sole use by the Three Affiliated Tribes and for the potential export of energy; and

WHEREAS, The Tribal Business Council held a regular meeting on March 14, 2003 and has heard a presentation from Mr. Eric Simons, Director of Business Development of Distributed Generation Systems, Inc. (Disgen) regarding energy generation and management on the Reservation and in particular the potential for developing large scale wind power generation facilities as well as other renewable energy power technologies on the Reservation; and

WHEREAS, The Three Affiliated Tribes are interested in entering into an Energy Services Agreement (ESA) with Disgen for the purpose of collaborating on an application to the United States Department of Energy (DOE) for funds to be made available in 2003, pursuant to DOE solicitation #DE-PS36-03GO93002 specifically for the study of the feasibility of developing wind power generation capability on tribal lands and upon the award of the grant of such monies to engage the services of Disgen to conduct said feasibility study; and

WHEREAS, A motion was made and passed in a regularly scheduled meeting of the Tribal Business Council held on March 14, 2003 to recommend as legislation a resolution to engage the services of Disgen to assist in the writing of the aforementioned grant application, at no cost to the Tribe, and to engage the services of Disgen pursuant to the aforementioned ESA, for which Disgen will be compensated solely out of monies available to the Tribe under the aforementioned grant and Disgen fees not to exceed Twenty-Five Thousand Dollars (\$25,000.); and negotiable thereafter.



NOW THEREFORE BE IT RESOLVED, the Tribal Business Council hereby agrees to engage the services of Disgen, as set forth above, to assist in the writing of the aforementioned grant application and to enter into the aforementioned ESA.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14th day of March, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. [] Not Voting.

Dated this 14th day of March, 2003.

ATTEST:

[Signature]
Chairman, Tex G. Hall
Tribal Business Council

[Signature]
Executive Secretary, Randy Phelan
Tribal Business Council