



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

*A Resolution entitled, "Amendment to Resolution No. 13-083-VJB, Technical Report to determine the preliminary design, cost and schedule for the Project"*

**WHEREAS,** The Mandan Hidatsa and Arikara Nation ("MHA Nation" or "Tribes") having accepted the Indian Reorganization Act of June 18, 1934 ("IRA"), and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

**WHEREAS,** The Constitution of the MHA Nation 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,** Article III, Section 1 of the Constitution of the MHA Nation provides that the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** Article VI, Section 5(1) of the Constitution of the MHA Nation provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council; and

**WHEREAS,** Article VI, Section 5(c) of the Constitution of the MHA Nation specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes for the Tribes; and

**WHEREAS,** The Nation has dedicated several years to the development of the MHA Nation Clean Fuels Refinery Project ("Project") near Makoti, North Dakota on tribal trust lands; and

**WHEREAS,** The Nation has commenced construction on the Project; and

**WHEREAS,** Thunder Butte Petroleum Services, Inc. ("TBPS") has entered into an agreement with Ventech Engineers International, LLC ("Ventech") to perform a Technical Report to determine the preliminary design, cost and schedule for the Project; and

**WHEREAS,** Ventech has submitted a Proposal to TBPS to conduct the Technical Report, attached hereto and incorporated by reference; and

**WHEREAS,** The Tribal Business Council approved the Proposal pending the successful negotiation of a contract to perform said Technical Report by approving Resolution No. 13-083-VJB on June 13, 2013; and



**WHEREAS,** The Tribal Business Council has determined that it is in the best interest of the Nation to amend Resolution No. 13-083-VJB by increasing the cap for total expenditures by \$100,000.00 of Tribal funds to pay the costs incurred pursuant to the Ventech Agreement.

**NOW THEREFORE BE IT RESOLVED,** that the Tribal Business Council hereby authorizes and approves the Proposal which is attached hereto as Exhibit A and incorporated herein by reference with Ventech to provide the Technical Report for Phase I of the Project (“Report”) and authorizes the expenditure of not more than \$450,000.00 of Tribal funds to pay the costs incurred pursuant to the attached Agreement.

**BE IT FURTHER RESOLVED,** that the Tribal Business Council hereby authorizes the Chairman to finalize and enter into a contract with Ventech concerning the aforementioned Technical Report.

**BE IT FURTHER RESOLVED,** the Tribal Chairman is hereby authorized to take such action as is necessary to carry out the terms and intent of this Resolution.



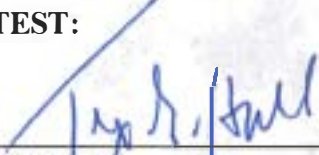
**CERTIFICATION**

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11 day of July, 2013, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman  Voting.  Not Voting.

Dated this 11 day of July, 2013.

  
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Tribal Secretary, V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

**ATTEST:**  
  
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Tribal Chairman, Tex G. Hall  
Tribal Business Council  
Three Affiliated Tribes