

**MAY 28, 2010 SPECIAL SESSION  
CROW TRIBAL LEGISLATURE**

**JOINT ACTION RESOLUTION NO. JAR 10-08**

**JOINT ACTION RESOLUTION OF THE CROW TRIBAL EXECUTIVE BRANCH AND  
CROW TRIBAL LEGISLATIVE BRANCH ENTITLED:**

**“RESOLUTION OF SUPPORT FOR AUSTRALIAN-AMERICAN ENERGY  
COMPANY, IN COOPERATION WITH WESTMORELAND RESOURCES, INC., TO  
DEVELOP EXPORT MARKETS FOR SALES OF CROW COAL FROM THE MANY  
STARS PROJECT AND THE ABSALOKA MINE.”**

**WHEREAS**, the Crow Tribe and Australian-American Energy Company, LLC ("AAEC") and their affiliates have entered into a Project Agreement for the development of the Many Stars coal-to-liquids ("CTL") plant, including a lease of Tribally-owned coal to supply the plant; and

**WHEREAS**, the Crow Tribe is committed to assisting with and facilitating the successful development of the Many Stars project, which will provide major employment opportunities for Tribal members and revenue for the Crow Tribe; and

**WHEREAS**, the ability to mine and sell coal to outside markets, in addition to supplying the CTL plant, will facilitate financing for the Many Stars project and increase Tribal employment and revenues from such additional outside coal sales; and

**WHEREAS**, the Many Stars Project Agreement and coal lease already allow for outside coal sales by further mutual agreement of the parties, and the Chairman of the Executive Branch, in consultation with the Legislature, has given written assurances that the Tribe agrees in principle with allowing such additional sales on terms to be further agreed among the parties which would include the Tribe receiving 50% of the profits on such additional sales; and

**WHEREAS**, due to the growing demand for coal in Asia, there are potential opportunities to develop both short- and long-term export markets for Crow coal, and AAEC is in the process of investigating those markets and the logistics for transporting coal to West Coast ship-loading terminals; and

**WHEREAS**, the Absaloka Mine, operated by Westmoreland Resources, Inc. and affiliates ("WRI"), currently produces and sells coal leased from the Crow Tribe, employing a workforce consisting of a majority of Crow Tribal members, and royalties and production taxes from the Absaloka Mine provide the majority of non-federal funding necessary for Tribal operations; and

**WHEREAS**, the Absaloka Mine has excess production capacity which could support additional export sales of Crow coal under its existing coal leases with the Crow Tribe, and WRI has also begun exploring these potential export markets and port facilities; and

**WHEREAS**, the Absaloka Mine could also provide a transitional coal supply for the Many Stars CTL plant until the Many Stars coal mine(s) are developed, as already provided for in the Many Stars Project Agreement; and

**WHEREAS**, the life of the Absaloka Mine is limited by the amount of coal reserves within its existing leases, and WRI's current domestic coal sales could be extended by making additional coal available from the Many Stars coal lease; and

**WHEREAS**, the Crow Tribe, AAEC and WRI have begun discussions on working together to vigorously pursue the Asian export market and related agreements which could result in additional sales opportunities for Tribally-owned coal, extension of the Absaloka Mine life to sustain the Tribe's current coal revenues, and enhancement of investor support for the Many Stars CTL project;

**NOW THEREFORE BE IT RESOLVED BY THE EXECUTIVE AND LEGISLATIVE BRANCHES OF THE CROW TRIBE:**

**That the Legislative and Executive Branches of the Crow Tribe strongly support the efforts of Australian-American Energy Company, LLC, in cooperation with Westmoreland Resources, Inc., and in close consultation with the Crow Tribe, to develop export markets and related agreements for sales of Crow coal from the Many Stars Project and the Absaloka Mine.**

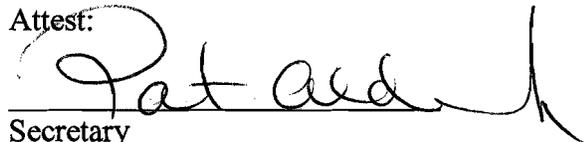
**CERTIFICATION**

I hereby certify that this Joint Action Resolution entitled **“RESOLUTION OF SUPPORT FOR AUSTRALIAN-AMERICAN ENERGY COMPANY, IN COOPERATION WITH WESTMORELAND RESOURCES, INC., TO DEVELOP EXPORT MARKETS FOR SALES OF CROW COAL FROM THE MANY STARS PROJECT AND THE ABSALOKA MINE”** was duly approved by the Crow Tribal Legislature with a vote of 16 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 28<sup>th</sup> day of May, 2010.



Speaker of the House  
Legislative Branch, Crow Tribe

Attest:



Secretary  
Legislative Branch, Crow Tribe



**EXECUTIVE ACTION**

I hereby X (approve), \_\_\_\_\_ (veto) this Joint Action Resolution entitled **“RESOLUTION OF SUPPORT FOR AUSTRALIAN-AMERICAN ENERGY COMPANY, IN COOPERATION WITH WESTMORELAND RESOURCES, INC., TO DEVELOP EXPORT MARKETS FOR SALES OF CROW COAL FROM THE MANY STARS PROJECT AND THE ABSALOKA MINE”** pursuant to the Authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians.

Dated this 28<sup>th</sup> day of June, 2010.



Cedric Black Eagle, Chairman  
Executive Branch, Crow Tribe

**RESOLUTION OF SUPPORT FOR AUSTRALIAN-AMERICAN ENERGY COMPANY, IN COOPERATION WITH WESTMORELAND RESOURCES, INC., TO DEVELOP EXPORT MARKETS FOR SALES OF CROW COAL FROM THE MANY STARS PROJECT AND THE ABSALOKA MINE."**

**Bill or Resolution:** JAR10-08 **Introduced by:** Executive Branch **Date of Vote:** May 28, 2010  
**Number** & Legislative Branch

<u>Representative:</u>	<u>Yes</u>	<u>No</u>	<u>Abstained</u>
H. Two Leggins	_____	_____	_____
V. Pretty Paint	<u>X</u>	_____	_____
C. J. Stewart	<u>X</u>	_____	_____
K. Shane	<u>X</u>	_____	_____
S. Backbone	<u>X</u>	_____	_____
O. Half, Jr.	<u>X</u>	_____	_____
W. Plainfeather	<u>X</u>	_____	_____
R. Old Crow, Sr.	<u>X</u>	_____	_____
M. Not Afraid	<u>X</u>	_____	_____
V. Crooked Arm	<u>X</u>	_____	_____
L. DeCrane	<u>X</u>	_____	_____
C. Goes Ahead	<u>X</u>	_____	_____
B. Hugs	_____	_____	_____
G. Real Bird, Jr.	<u>X</u>	_____	_____
M. Backbone	<u>X</u>	_____	_____
D. Wilson	<u>X</u>	_____	_____
P. Alden, Jr. <i>Secretary of the House</i>	<u>X</u>	_____	_____
M. Covers Up, Sr. <i>Speaker of the House</i>	<u>X</u>	_____	_____
<b>Totals:</b>	<u>16</u>	<u>0</u>	<u>0</u>

Result of Vote:

**Passed**

Not Passed

Tabled

Veto-Override

  
 \_\_\_\_\_  
 Senator Manuel Covers Up, Sr. Date  
 Speaker of the House

 5-28-10  
 \_\_\_\_\_  
 Senator Pat Alden, Jr. Date  
 Secretary of the House