

RESOLUTION
COLORADO RIVER TRIBAL COUNCIL

A Resolution to Approve an Indemnification Agreement with Siemens Water Technologies Corporation, Agreement by and Between Siemens Water Technology Corporation and the Colorado River Indian Tribes Environmental Protection Office, and the Certification of the Siemens Water Technologies Corporation RCRA Part B Permit Application

Be it resolved by the Tribal Council of the Colorado River Indian Tribes, in ~~regular~~ / special meeting assembled on October 26, 2009

WHEREAS, the Colorado River Indian Tribes (hereinafter "Tribe") is a federally recognized Indian Tribe, duly organized with a tribal governing body known as the Tribal Council according to the provisions contained in the Indian Reorganization Act of June 18, 1934; and

WHEREAS, Article VI, Section 1(e) of the Constitution of the Colorado River Indian Tribes authorizes the Tribal Council to manage all economic affairs of the Tribe; and

WHEREAS, Siemens Water Technologies Corporation (hereinafter "Siemens"), through its predecessors, and the Tribe have previously entered into a business lease under which Siemens has leased a parcel of land in the Tribe's Industrial Park of the purpose of operating a carbon reactivation plant (hereinafter "Facility") that reactivates spent carbon; and

WHEREAS, the Facility is subject to regulation by the United States under the Resources Conservation and Recovery Act and its implementing regulations (hereinafter "RCRA");

WHEREAS, the Facility is operating in interim status under RCRA and, pursuant to those requirements, Siemens has completed and is prepared to submit a permit application under Part B of the Resource Conservation and Recovery Act (RCRA);

The foregoing resolution was on October 26, 2009 duly approved by a vote of 6 for, 0 against and 1 abstaining, by the Tribal Council of the Colorado River Indian Tribes, pursuant to authority vested in it by Section 1.e./f., Article VI of the Constitution and By laws of the Tribes, ratified by the Tribes on March 1, 1975 and approved by the Secretary of the Interior on May 29, 1975, pursuant to Section 16 of the Act of June 18, 1934, (46 Stat. 984). This resolution is effective as of the date of its adoption.

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COLORADO RIVER TRIBAL COUNCIL
By [Signature]
Chairman
[Signature]
Secretary

WHEREAS, the Tribe, as landowner, must certify the permit application before it can be submitted to the United States Environmental Protection Agency (hereinafter "EPA");

WHEREAS, the Environmental Protection Office (hereinafter "EPO") has requested Siemens, and Siemens has agreed, to take on certain additional responsibilities; and

WHEREAS, Siemens has offered to indemnify, defend and hold harmless the Tribe against certain legal actions that may be brought by the EPA.

NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the Colorado River Indian Tribes that the Indemnification Agreement with Siemens Water Technologies Corporation, Agreement By and Between Siemens Water Technology Corporation and the Colorado River Indian Tribes Environmental Protection Office, and the Certification of the Siemens Water Technologies Corporation RCRA Part B Permit Application are hereby approved; and

BE IT FURTHER AND FINALLY RESOLVED the Tribal Council Chairman and Secretary, or their designated representatives, are hereby authorized and directed to execute any and all documents necessary to implement this Resolution.