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Comptroller of the Currency  
Administrator of National Banks

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Western District Office  
1225 17<sup>th</sup> Street, Suite 300  
Denver, Colorado 80202  
Telephone: (720) 475-765  
FAX: (301) 333-7010

**Conditional Approval #910  
August 2009**

July 9, 2009

Timothy W. LeClair, CPA  
Eide Bailly, LLP  
P.O. Box 2545  
Fargo, ND 58108-2545

**Subject:** Application to merge First National Bank of Ekalaka, Ekalaka, MT with and into Summit National Bank, Hulett, WY under the charter and title of the latter  
OCC Control Number 2009-WE-02-0010

Dear Mr. LeClair:

The Office of the Comptroller of the Currency (OCC) hereby conditionally approves the proposal to merge First National Bank of Ekalaka, Ekalaka, MT, with and into Summit National Bank, Hulett, WY.

This approval is granted based on a thorough review of all information available, including commitments and representations made in the application, merger agreement, and those of your representatives.

The OCC reviewed the proposed merger transaction under the criteria of the Bank Merger Act, 12 USC §1828(c), and applicable OCC regulations and policies. Among other matters, we found that the proposed transaction would not have significant anticompetitive effects. The OCC considered the financial and managerial resources of the banks, their future prospects, the convenience and needs of the communities to be served, and their effectiveness in combating money laundering activities. We considered these factors and found them consistent with approval.

This approval is subject to the following special requirement:

- Prior to consummation, Summit National Bank shall submit a three-year capital plan to the OCC's Salt Lake City Field Office for review and receive the OCC's non-objection to the plan.

Summit National Bank  
Hulett, WY  
OCC Control Number 2009-WE-02-0010

This conditional approval is subject to the following “condition imposed in writing by the agency in connection with the granting of any application or other request” within the meaning of 12 U.S.C. § 1818. As such, the condition is enforceable under 12 U.S.C. § 1818. The condition is:

- The Board of Directors of Summit National Bank shall fully implement and ensure continued adherence to the terms and provisions of the capital plan. This requirement may be modified or released upon written notification by the OCC.

Our approval is also subject to receipt of any other required regulatory approvals.

The Western District Office must be advised at least 10 days in advance of the desired effective date for the merger so it may issue the necessary certification letter. The effective date must follow the applicable Department of Justice’s 15 day injunction period.

If the merger is not consummated within one year from this date, the approval shall automatically terminate, unless the OCC grants an extension of the time period.

This approval and the activities and communications by OCC employees in connection with the filing, do not constitute a contract, express or implied, or any other obligation binding upon the OCC, the U.S., any agency or entity of the U.S., or any officer or employee of the U.S., and do not affect the ability of the OCC to exercise its supervisory, regulatory and examination authorities under applicable law and regulations. This approval is based on the bank’s representations, submissions, and information available to the OCC as of this date. The OCC may modify, suspend or rescind this approval if a material change in the information on which the OCC relied occurs prior to the date of the transaction to which this decision pertains. The foregoing may not be waived or modified by any employee or agent of the OCC or the U.S.

All correspondence and documents concerning this transaction should reference the OCC Control Number. If you have any questions, contact Senior Licensing Analyst Louis Gittleman at (720) 475-7650 or via e-mail at [WE.Licensing@occ.treas.gov](mailto:WE.Licensing@occ.treas.gov).

A separate letter is enclosed requesting your feedback on how we handled your application. We would appreciate your response so we may improve our service.

Sincerely,  
*signed*

James A. Bundy  
Acting Director for District Licensing

Enclosure