



JAN 2 2002

Daniel W. Hester  
Fredericks, Pelcyger & Hester  
Christopher Plaza  
1075 South Boulder Road  
Suite 305  
Louisville, CO 80027

Re: Amendments to the Confederated Tribes of the Umatilla Indian Reservation  
Gaming Code

Dear Mr. Hester:

This letter responds to your request to review and approve amendments to the Confederated Tribes of the Umatilla Indian Reservation Gaming Code. The Tribe adopted the amendments pursuant to Resolution 01-101 on October 1, 2001. We received the amendments on October 16, 2001. The Chairman of the National Indian Gaming Commission (NIGC) originally approved the Tribe's ordinance on September 8, 2000. This letter constitutes approval under the Indian Gaming Regulatory Act (IGRA) of the submitted amendments.

Thank you for submitting the amendment for review and approval. If you have any questions or require further assistance, please contact Cynthia Omberg at (202) 632-7003.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Montie R. Deer".

Montie R. Deer  
Chairman

Resolution No. 01-101  
OCT 16 2001**CERTIFICATE**

The undersigned, Antone Minthorn and Rose Mary Narcisse, hereby certify that they are the Chairman and Secretary, respectively, of the Board of Trustees, of the Confederated Tribes of the Umatilla Indian Reservation of Oregon ("Confederated Tribes") and that the Board of Trustees, in the Tribal Administration Offices in Mission, Oregon, on October 1, 2001 after being polled adopted by a vote of 7 to 0, 0 abstaining, the following Resolution.

**RESOLUTION**

- WHEREAS,** the Board of Trustees is the governing body of the Confederated Tribes by the Authority set forth in Article VI, Section 1 of the Constitution and By-laws of the Confederated Tribes adopted on November 4, 1949 and approved by the Secretary of Interior on December 7, 1949; **AND**
- WHEREAS,** pursuant to Article VI, Section 1 (d) the Board of Trustees has the authority to "promulgate and enforce ordinances governing the conduct of all persons and activities within the boundaries of the Umatilla Indian Reservation providing for the procedures of the Board of Trustees, in carrying out any powers herein conferred upon the Board of Trustees"; **AND**
- WHEREAS,** the Board of Trustees adopted the Tribal Gaming Code by Resolution 00-82 on August 14, 2000, which Code has been approved by the National Indian Gaming Commission (NIGC) on September 8, 2000, as required by the Indian Gaming Regulatory Act (IGRA); **AND**
- WHEREAS,** Wildhorse Casino management has proposed minor amendments to the Gaming Code, which amendments have been reviewed by the Tribal Gaming Commission; **AND**
- WHEREAS,** the Tribal Gaming Commission has transmitted the amendments to the Board of Trustees with their recommendation for approval; **AND**
- WHEREAS,** the Board of Trustees conducted a worksession to review the attached amendments to the Gaming Code on August 30, 2001. **NOW THEREFORE BE IT**
- RESOLVED,** that the Board of Trustees hereby approves the attached Amendments to Sections 9, 22 and 30 of the Gaming Code; **AND BE IT FINALLY**
- RESOLVED,** that the Board of Trustees hereby authorizes its Chairman to submit the attached Gaming Code amendments to the NIGC for their approval as required by IGRA.

Dated this 1<sup>st</sup> day of October, 2001

ATTEST:

  
Rose Mary Narcisse, Secretary  
Board of Trustees

  
Antone Minthorn, Chairman  
Board of Trustees

**ATTACHMENT TO BOARD OF TRUSTEES RESOLUTION 01-101  
AMENDMENTS TO GAMING CODE**

1. Section 9 shall be revised in its entirety as follows:

§ 9. PRIZES

A. No Assignments.

The right of any person to a Prize is personal and may not be assigned.

B. Unclaimed and Illegal Prizes.

1. Any unclaimed Prize of a Class II or Class III Gaming activity shall be retained by the owner of the gaming activity or enterprise, and be available to the winner of the Prize, for ninety days after the Prize is available to be claimed except as follows:
  - a. Any Off Track Betting Prize must be collected within 90 days after the end of the race meet.
  - b. Any Keno Prize must be collected as follows:
    - (1) A single race Prize must be collected prior to the beginning of the next race;
    - (2) A 2 to 20 race Prize must be collected within 30 days of the date the Keno ticket is issued; and
    - (3) A 21 and above race Prize must be collected within 360 days the Keno ticket is issued.
2. Any person who fails to claim a Prize during such time shall forfeit all rights to the Prize and the Prize shall become the property of the Tribes. The Gaming Operation shall provide patrons with adequate notice of the applicable redemption period for all Prizes.
3. Prizes are conditioned on lawful play of games and may not be awarded to a Player when obtained in violation of this Code or any regulations promulgated thereunder. Under Prize won by a person

under the age of eighteen (18), or in the case of Class III games under the age of twenty-one (21), shall not be awarded to any underage Player playing in violation of Section 8 of this Code. Any such Prize shall be awarded to the Tribes, and the approximate consideration paid by the underaged Player shall be refunded to the Player. Any dispute arising out of a decision regarding payment of a Prize pursuant to this provision must be resolved pursuant to Section 32 of this Code and applicable regulations.

4. Section 22 is rescinded. Section 22 shall be marked Reserved.

5. Section 30 shall be revised in its entirety as follows:

§ 30. PROHIBITION ON EXTENSION OF CREDIT AND CHECK CASHING ON CLASS III GAMING FLOOR

All gaming conducted pursuant to this Code shall be conducted on a cash basis. The Tribal Gaming Operation shall not permit the cashing of checks on the Class III gaming floor. Nothing in this Code shall restrict the Tribal Gaming Operation from cashing checks in any area where Class II gaming is conducted or in non-gaming areas of the Gaming Facility.