

Attachment B

STATE OF CALIFORNIA

ATTACHMENT B

10/1/09

CALIFORNIA GAMBLING CONTROL COMMISSION

Address: 2399 Gateway Oaks Drive, Suite 220 • Sacramento, CA 95833-4231
Phone: (916) 263-0700 • FAX: (916) 263-0499



DATE: January 29, 2009

TO: Gambling Control Commission

FROM: Richard Ross, Deputy Director
Compliance Division

SUBJECT: Revenue Sharing Trust Fund Report of Distribution of Funds to Non-Compact Tribes (Eligible Recipient Indian Tribes) for the Quarter Ended December 31, 2008

All eligible Tribes will receive a total of \$275,000.00, which consists of \$117,531.46 from license fees and interest income and \$157,468.54 from shortfall funds that have been transferred into RSTF from SDF as shown in Exhibit 1. The quarterly amount of the shortfall in payments to all eligible recipient Indian Tribes for the quarter totals \$11,180,266.34. A portion of the interest earned is allocated to previously approved distributions held in RSTF on behalf of one (1) Tribe in the amount of \$25,262.91.

The total amount of quarterly license fee payments and interest received into the RSTF for the quarterly period ended December 31, 2008, is approximately \$8.37 million. License fees approximate \$8.23 million and interest of \$144,221.82 was received in October 2008.

The Big Valley Band of Pomo Indians requested on October 13, 2008 to be placed on the list of eligible recipients for the RSTF for the quarter ending September 30, 2008. The Tribe was approved as an eligible recipient non-compact Tribe at the January 8, 2009 Commission meeting. Additionally, the Shingle Springs Band of Miwok Indians became an ineligible recipient Tribe as a result of the operation of class III gaming devices in excess of 349.

A listing of the amount of revenue received from each Compact Tribe is attached as Exhibit 3. The receipts are equally distributed to seventy-one (71)* of the eighty-six (86) Tribes listed in Exhibit 1 as eligible Non-Compact recipient Tribes (pending receipt of outstanding eligibility certification forms, if any).

At the end of the calendar quarter, the amount of outstanding license fee payments due into the RSTF from five (5) Tribes was \$1,171,425.00. If the total license fee payments due at the end of this quarter had been paid into the RSTF, each recipient Tribe would have received \$16,498.94 in additional RSTF money with this quarter's distribution in lieu of an equal amount of SDF transferred shortfall funds. Total outstanding and due license fee payments for the quarter ended December 31, 2008, are summarized in the following Table 1:

| Table 1 | | |
|--|-------------------------|-----------------------------------|
| Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of December 31, 2008 | | |
| Quarter(s) in Arrears | Number of Tribes | Amount of License Fees Due |
| 1 | 5 | \$1,171,425.00 |
| Totals | 5 | \$1,171,425.00 |

A fund condition statement for the RSTF through December 31, 2008, for the fiscal year 2008-09 is attached as Exhibit 2.

* Distribution to California Valley Miwok Tribe is withheld pending resolution of tribal leadership dispute

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2008**

| | Recipient Indian Tribe | Quarterly Distribution from Revenue Received | Quarterly Shortfall | Total Potential Quarterly Distribution | Distributions Inception to December 31, 2008 |
|----|--|---|----------------------------|---|---|
| 1 | Alturas Indian Rancheria | \$117,531.46 | \$157,468.54 | \$275,000.00 | \$7,838,385.42 |
| 2 | Augustine Band ² | .00 | .00 | .00 | 1,238,385.42 |
| 3 | Bear River Band of the Rohnerville Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 4 | Benton Paiute Reservation | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 5 | Big Lagoon Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 6 | Big Pine Reservation | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 7 | Big Sandy Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 8 | Big Valley Band of Pomo Indians | 117,531.46 | 157,468.54 | 275,000.00 | 550,000.00 |
| 9 | Bishop Paiute Tribe | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 10 | Blue Lake Rancheria ² | .00 | .00 | .00 | 1,788,385.42 |
| 11 | Bridgeport Paiute Indian Colony | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 12 | Buena Vista Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 13 | Cahto Indian Tribe of Laytonville Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 14 | Cahuilla Band of Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 15 | California Valley Miwok Tribe ¹ | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 16 | Campo Band of Mission Indians ² | .00 | .00 | .00 | 538,034.21 |
| 17 | Cedarville Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 18 | Chemehuevi Indian Tribe | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 19 | Cher-Ae Heights Indian Community | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 20 | Chicken Ranch Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 21 | Cloverdale Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 22 | Cold Springs Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 23 | Colorado River Indian Tribes | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 24 | Cortina Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 25 | Coyote Valley Band of Pomo Indians | 117,531.46 | 157,468.54 | 275,000.00 | 3,850,000.00 |
| 26 | Death Valley Timbi-Sha Shoshone Tribe | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 27 | Dry Creek Rancheria ² | .00 | .00 | .00 | 1,513,385.42 |
| 28 | Elam Indian Colony | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 29 | Elk Valley Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 30 | Enterprise Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 31 | Ewilaapaayp Band of Kumeyaay Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2008**

| | Recipient Indian Tribe | Quarterly Distribution from Revenue Received | Quarterly Shortfall | Total Potential Quarterly Distribution | Distributions Inception to December 31, 2008 |
|----|--|---|----------------------------|---|---|
| 32 | Federated Indians of Graton Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,417,594.03 |
| 33 | Fort Bidwell Indian Community | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 34 | Fort Independence Reservation | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 35 | Fort Mojave Indian Tribe | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 36 | Greenville Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 37 | Grindstone Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 38 | Guidiville Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 39 | Habematolel Pomo of Upper Lake | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 40 | Hoopa Valley Tribe | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 41 | Hopland Band of Pomo Indians ² | .00 | .00 | .00 | 441,306.53 |
| 42 | Inaja-Cosmit Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 43 | Lone Band of Miwok Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 44 | Jamul Indian Village | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 45 | Karuk Tribe of California | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 46 | La Jolla Band of Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 47 | La Posta Band of Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 48 | Lone Pine Reservation | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 49 | Los Coyotes Band of Cahuilla Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 50 | Lower Lake Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,417,594.03 |
| 51 | Lytton Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 52 | Manchester Point Arena Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 53 | Manzanita Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 54 | Mechoopda Indian Tribe | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 55 | Mesa Grande Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 56 | Middletown Rancheria ² | .00 | .00 | .00 | 482,578.08 |
| 57 | Northfork Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 58 | Pala Band of Mission Indians ² | .00 | .00 | .00 | 482,578.08 |
| 59 | Paskenta Band of Nomelaki Indians ² | .00 | .00 | .00 | 688,385.42 |
| 60 | Pauma Band of Mission Indians ² | .00 | .00 | .00 | 482,578.08 |
| 61 | Picayune Rancheria ² | .00 | .00 | .00 | 1,513,385.42 |

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended December 31, 2008**

| | Recipient Indian Tribe | Quarterly Distribution from Revenue Received | Quarterly Shortfall | Total Potential Quarterly Distribution | Distributions Inception to December 31, 2008 |
|----|--|---|----------------------------|---|---|
| 62 | Pinoleville Reservation | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 63 | Pit River Tribe | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 64 | Potter Valley Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 65 | Quartz Valley Indian Community | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 66 | Quechan Tribe of Fort Yuma | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 67 | Ramona Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 68 | Redwood Valley Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 69 | Resighini Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 70 | Rincon Band of Mission Indians ² | .00 | .00 | .00 | 441,306.53 |
| 71 | Round Valley Indian Tribe | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 72 | San Pasqual Mission Indians ² | .00 | .00 | .00 | 482,578.08 |
| 73 | Santa Rosa Band of Cahuilla Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 74 | Santa Ysabel Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 75 | Scotts Valley Band of Pomo Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 76 | Sherwood Valley Pomo Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 77 | Shingle Springs Rancheria ² | .00 | .00 | .00 | 7,563,385.42 |
| 78 | Smith River Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 79 | Stewarts Point Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 80 | Susanville Indian Rancheria | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 81 | Table Bluff Reservation | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 82 | Torrez-Martinez Mission Indians | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 83 | Tuolumne Band of Me-Wuk Indians ² | .00 | .00 | .00 | 482,578.08 |
| 84 | United Auburn Indian Community ² | .00 | .00 | .00 | 1,513,385.42 |
| 85 | Washoe Tribe of Nevada & California | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| 86 | Yurok Tribe of the Yurok Reservation | 117,531.46 | 157,468.54 | 275,000.00 | 7,838,385.42 |
| | Total | \$8,344,733.66 | \$11,180,266.34 | \$19,525,000.00 | \$564,059,246.81 |

¹ Distribution to California Valley Miwok Tribe is withheld pending resolution of tribal leadership dispute.

² No longer an eligible Non-Compact recipient Tribe, however previously received RSTF distributions.

EXHIBIT 2

CALIFORNIA GAMBLING CONTROL COMMISSION 0366 - INDIAN GAMING REVENUE SHARING TRUST FUND FUND CONDITION STATEMENT For the Six Months ended December 31, 2008 Cash Basis

| | |
|--|------------------|
| BEGINNING BALANCE | \$ 28,735,200.54 |
| REVENUES AND TRANSFERS | |
| Revenues: | |
| 150300 Income from surplus money investments | 392,153.59 |
| 216900 License fees held in trust | 18,364,391.62 |
| Transfer from the SDF to the RSTF for shortfall per Item 0855-111-0367, Budget Act of 2008 | 39,200,000.00 |
| | <hr/> |
| Totals, Revenues | \$ 57,956,545.21 |
| | <hr/> |
| Totals, Resources | \$ 86,691,745.75 |
| EXPENDITURES | |
| Disbursements: | |
| Distribution | \$ 38,775,000.00 |
| | <hr/> |
| Totals, Expenditures | \$ 38,775,000.00 |
| | <hr/> |
| FUND BALANCE, prior to distribution | \$ 47,916,745.75 |
| Pending distribution | 19,250,000.00 |
| Previously approved disbursements held on behalf of the California Valley MiWok Tribe pending resolution of tribal leadership dispute | 4,363,001.99 |
| Interest due to Tribe ¹ | 277,314.18 |
| Assembly Bill No. 673 (Chapter 210, Statutes of 2003) and Government Code Section 12012.90 reserve pending resolution | 275,000.00 |
| | <hr/> |
| FUND BALANCE, after distribution | \$ 23,751,429.58 |

Footnotes:

1. Accrued interest on previously held distributions in the amount of \$277,314.18 as of Quarter Ending December 31, 2008 for California Valley Miwok Tribe pending distribution.

Exhibit 3**Revenue Sharing Trust Fund Distribution****Amount of Revenue from Each Compact Tribe Received by the Commission for the Quarter Ending December 31, 2008**

| | Compact Tribe | Revenue Received Fiscal Year to Date | Revenue Received Inception to Date |
|----|---|---|---------------------------------------|
| 1 | Agua Caliente Band of Cahuilla Indians | \$1,000,000.00 | \$6,327,953.20 |
| 2 | Alturas Indian Rancheria | 0.00 | 375,000.00 |
| 3 | Augustine Band of Mission Indians | 0.00 | 562,500.00 |
| 4 | Barona Band of Mission Indians | 368,175.00 | 6,167,687.77 |
| 5 | Bear River Band of the Rohnerville Rancheria | 0.00 | 0.00 |
| 6 | Berry Creek Rancheria | 32,400.00 | 677,470.68 |
| 7 | Big Sandy Rancheria | 0.00 | 0.00 ¹ |
| 8 | Big Valley Rancheria | 0.00 | 500,000.00 |
| 9 | Bishop Paiute Tribe | 0.00 | 0.00 |
| 10 | Blue Lake Rancheria | 16,250.00 | 516,250.00 |
| 11 | Buena Vista Rancheria | 0.00 | 0.00 ¹ |
| 12 | Cabazon Band of Mission Indians | 633,375.00 | 8,342,379.55 |
| 13 | Cahto Indian Tribe of the Laytonville Rancheria | 0.00 | 0.00 |
| 14 | Cahuilla Band of Mission Indians | 0.00 | 125,000.00 |
| 15 | Campo Band of Diegueno Mission Indians | 0.00 | 500,000.00 |
| 16 | Chemehuevi Indian Tribe | 0.00 | 0.00 ¹ |
| 17 | Cher-Ae Heights Indian Community | 0.00 | 0.00 |
| 18 | Chicken Ranch Rancheria | 0.00 | 0.00 |
| 19 | Colusa Rancheria | 0.00 | 403,750.00 |
| 20 | Dry Creek Rancheria | 333,750.00 | 11,181,996.58 |
| 21 | Elem Indian Colony | 0.00 | 0.00 |
| 22 | Elk Valley Rancheria | 0.00 | 62,500.00 |
| 23 | Ewiaapaayp Band of Kumeyaay Indians | 0.00 | 2,437,433.22 |
| 24 | Hoopa Valley Tribe | 0.00 | 0.00 |
| 25 | Hopland Band of Pomo Indians | 163,350.00 | 2,946,316.24 |
| 26 | Jackson Rancheria | 511,500.00 | 6,552,316.36 |
| 27 | Jamul Indian Village | 0.00 | 0.00 |
| 28 | La Jolla Band of Luiseno Indians | 0.00 | 0.00 |
| 29 | Manchester Point Arena Rancheria | 0.00 | 0.00 |
| 30 | Manzanita Band of Mission Indians | 0.00 | 0.00 |
| 31 | Middletown Rancheria | 15,000.00 | 337,500.00 |
| 32 | Mooretown Rancheria | 112,500.00 | 1,290,113.38 |
| 33 | Morongo Band of Mission Indians | 964,804.14 | 1,462,104.14 |
| 34 | Pala Band of Mission Indians | 1,000,000.00 | 21,375,896.37 |
| 35 | Paskenta Band of Nomlaki Indians | 0.00 | 528,750.00 |
| 36 | Pauma/Yuima Band of Mission Indians | 1,000,000.00 | 2,556,852.17 |

Exhibit 3**Revenue Sharing Trust Fund Distribution**

Amount of Revenue from Each Compact Tribe Received by the Commission for the Quarter Ending December 31, 2008

| | Compact Tribe | Revenue Received Fiscal Year to Date | Revenue Received Inception to Date |
|----|---|---|---------------------------------------|
| 37 | Pechanga Band of Luiseno Mission | 1,000,000.00 | 3,506,120.11 |
| 38 | Picayune Rancheria | 1,102,500.00 | 17,015,219.18 |
| 39 | Pit River Tribe | 0.00 | 0.00 |
| 40 | Quechan Indian Nation | 0.00 | 0.00 |
| 41 | Redding Rancheria | 123,750.00 | 1,000,772.64 |
| 42 | Resighini Rancheria | 0.00 | 0.00 |
| 43 | Rincon Band of Mission Indians | 445,000.00 | 11,515,746.58 |
| 44 | Robinson Rancheria | 62,500.00 | 337,500.00 |
| 45 | Rumsey Rancheria | 1,000,000.00 | 12,137,524.18 |
| 46 | San Manuel Band of Mission Indians | 999,999.98 | 8,298,240.41 |
| 47 | San Pasqual Band of Diegueno Indians | 640,200.00 | 10,422,581.91 |
| 48 | Santa Rosa Indian Community | 1,272,150.00 | 21,947,201.51 |
| 49 | Santa Ynez Band of Chumash Indians | 328,875.00 | 11,018,664.04 |
| 50 | Sherwood Valley Rancheria | 0.00 | 0.00 |
| 51 | Shingle Springs Rancheria | 0.00 | 1,332,500.00 |
| 52 | Smith River Rancheria | 0.00 | 0.00 |
| 53 | Soboba Band of Mission Indians | 432,525.00 | 6,886,405.59 |
| 54 | Susanville Indian Rancheria | 0.00 | 0.00 |
| 55 | Sycuan Band of Mission Indians | 1,169,925.00 | 20,183,610.21 |
| 56 | Table Mountain Rancheria | 292,312.50 | 9,793,670.03 |
| 57 | Tule River Reservation | 513,450.00 | 6,491,274.04 |
| 58 | Tuolumne Rancheria | 140,850.00 | 1,458,697.81 |
| 59 | Twenty-Nine Palms Band of Mission Indians | 689,250.00 | 11,890,978.77 |
| 60 | United Auburn Indian Community | 1,000,000.00 | 13,950,312.20 |
| 61 | Viejas Band of Mission Indians | 1,000,000.00 | 10,694,230.34 |
| | Totals | 18,364,391.62 | 255,111,019.21 |
| | Interest | 392,153.59 | 7,953,954.15 |
| | Grand Totals | \$18,756,545.21 | \$263,064,973.36 |

Footnotes:

1. Prepayment receipts were returned to payor Tribes for the return of unused putative gaming device licenses issued by Sides Accountancy Corporation. Licenses in equal number were issued by the Commission on September 5, 2002 resulting in \$2,137,500 in prepayment fees to the Fund.