

CALIFORNIA GAMBLING CONTROL COMMISSION

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*Memorandum*

DATE: July 30, 2015

TO: Chairman Evans
Commissioner Conklin
Commissioner Hammond
Commissioner Schuetz

VIA: ANNA CARR
Interim Executive Director

FROM: Rachelle Ryan
Associate Analyst, Administration Division

SUBJECT: Revenue Sharing Trust Fund Report of Distribution of Funds to Eligible Recipient Indian Tribes for the Quarter Ended June 30, 2015

All eligible Tribes will be allocated a total of \$275,000.00, which consists of \$176,128.44 from license fees, interest income, and \$98,871.56 from shortfall funds that have been transferred into the Revenue Sharing Trust Fund (RSTF) from the Special Distribution Fund (SDF) as shown in Exhibit 1.

License fees of \$12,850,446.70 and interest income of \$14,794.73, for a total of \$12,865,241.43, was received into the RSTF for the quarterly period ended June 30, 2015. A portion of the interest income is allocated to previously approved distributions held in the RSTF on behalf of one (1) Tribe in the amount of \$7,865.14. The quarterly amount of the shortfall in payments to all eligible recipient Indian Tribes for the quarter totals \$7,217,623.88.

Staff continues to recommend that the distribution to the California Valley Miwok Tribe be allocated but withheld. The U.S. District Court for the District of Columbia issued a decision stating the Assistant Secretary's decision to recognize the five members of the Sylvia Burley faction was unreasonable. The court remanded the matter back to the Secretary of the Interior for reconsideration. It is unclear when the Bureau of Indian Affairs (BIA) will issue a new decision.

Staff recommends that the distribution allocated to the Lipay Nation of Santa Ysabel be distributed to the Yavapai Apache Nation, pursuant to an order from Sacramento County Superior Court and the distribution allocated to the Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation be distributed to

Grandpoint Bank, as Escrow Agent, pursuant to an order from Inyo County Superior Court.

Staff also recommends that the distribution to the Alturas Indian Rancheria be allocated but withheld pending a decision by the Bureau of Indian Affairs (BIA) regarding who they will recognize as the lawful governing body of the Tribe for the purposes of government-to-government relations. The decision of the Northern California Agency Superintendent of the BIA was appealed on April 30, 2015 to the Regional Director of the BIA.

A listing of the amount of revenue received from each Compact Tribe is attached as Exhibit 2. The receipts are equally distributed to seventy-three (73)¹ of the eighty-nine (89) Tribes listed in Exhibit 1 as eligible 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 two (2) Tribes was \$1,665,000.00. 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 \$22,808.21 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 June 30, 2015, are summarized in the following Table 1:

Table 1		
Indian Gaming Revenue Sharing Trust Fund License Fee Payment Aging Schedule as of June 30, 2015		
Period(s) in Arrears²	Number of Tribes	Amount of License Fees Due
One (1) Quarter (Section 4.3.2.3)	2	\$1,665,000.00
Exceeds 30 days after the calendar quarter (Section 4.3.2.2)	0	\$.00
Totals	2	\$1,665,000.00

A fund condition statement for the RSTF through June 30, 2015, for the fiscal year 2014-15 is attached as Exhibit 3.

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

² Periods in Arrears are categorized according to the applicable Compact provisions of either 4.3.2.2 or 4.3.2.3.

Commissioners
July 30, 2015

Attachments:

- Exhibit 1 – RSTF Distribution List
- Exhibit 2 – RSTF Received From Compacted Tribes
- Exhibit 3 – RSTF Fund Condition Statement

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2015**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2015
1	Alturas Indian Rancheria	176,128.44	98,871.56	\$275,000.00	\$14,988,385.42
2	Augustine Band of Cahuilla Indians ²	.00	.00	.00	1,238,385.42
3	Bear River Band of the Rohnerville Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
4	Big Lagoon Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
5	Big Pine Paiute Tribe of the Owens Valley	176,128.44	98,871.56	275,000.00	14,988,385.42
6	Big Sandy Rancheria of Western Mono Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
7	Big Valley Band of Pomo Indians of the Big Valley Rancheria	176,128.44	98,871.56	275,000.00	7,700,000.00
8	Bishop Paiute Tribe	176,128.44	98,871.56	275,000.00	14,988,385.42
9	Blue Lake Rancheria ²	.00	.00	.00	1,788,385.42
10	Bridgeport Indian Colony	176,128.44	98,871.56	275,000.00	14,988,385.42
11	Buena Vista Rancheria of Me-Wuk Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
12	Cahto Tribe	176,128.44	98,871.56	275,000.00	14,988,385.42
13	Cahuilla Band of Mission Indians of the Cahuilla Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
14	California Valley Miwok Tribe ¹	176,128.44	98,871.56	275,000.00	14,988,385.42
15	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation ²	.00	.00	.00	538,034.21
16	Cedarville Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
17	Chemehuevi Indian Tribe of the Chemehuevi Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
18	Cher-Ae Heights Indian Community of the Trinidad Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
19	Chicken Ranch Rancheria of Me-Wuk Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
20	Cloverdale Rancheria of Pomo Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
21	Cold Springs Rancheria of Mono Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
22	Colorado River Indian Tribes of the Colorado River Indian Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2015**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2015
23	Cortina Indian Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
24	Coyote Valley Reservation	176,128.44	98,871.56	275,000.00	11,000,000.00
25	Death Valley Timbi-Sha Shoshone Tribe	176,128.44	98,871.56	275,000.00	14,988,385.42
26	Dry Creek Rancheria of Pomo Indians of California ²	.00	.00	.00	1,513,385.42
27	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
28	Elk Valley Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
29	Enterprise Rancheria of Maidu Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
30	Ewiiapaayp Band of Kumeyaay Indians	176,128.44	98,871.56	275,000.00	14,988,385.42
31	Federated Indians of Graton Rancheria ²	.00	.00	.00	12,642,594.03
32	Fort Bidwell Indian Community of the Fort Bidwell Reservation of California	176,128.44	98,871.56	275,000.00	14,988,385.42
33	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
34	Fort Mojave Indian Tribe of Arizona, California & Nevada	176,128.44	98,871.56	275,000.00	14,988,385.42
35	Greenville Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
36	Grindstone Indian Rancheria of Wintun-Wailaki Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
37	Guidiville Rancheria of California	176,128.44	98,871.56	275,000.00	14,988,385.42
38	Habematolel Pomo of Upper Lake	176,128.44	98,871.56	275,000.00	14,988,385.42
39	Hoop Valley Tribe	176,128.44	98,871.56	275,000.00	14,988,385.42
40	Hopland Band of Pomo Indians of the Hopland Rancheria	176,128.44	98,871.56	275,000.00	2,916,306.53
41	Iipay Nation of Santa Ysabel	176,128.44	98,871.56	275,000.00	14,988,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2015**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2015
42	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
43	Ione Band of Miwok Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
44	Jamul Indian Village of California	176,128.44	98,871.56	275,000.00	14,988,385.42
45	Karuk Tribe	176,128.44	98,871.56	275,000.00	14,988,385.42
46	Kashia Band of Pomo Indians of the Stewarts Point Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
47	La Jolla Band of Luiseno Indians	176,128.44	98,871.56	275,000.00	14,988,385.42
48	La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
49	Lone Pine Paiute-Shoshone Tribe	176,128.44	98,871.56	275,000.00	14,988,385.42
50	Los Coyotes Band of Cahuilla and Cupeno Indians	176,128.44	98,871.56	275,000.00	14,988,385.42
51	Lower Lake Rancheria	176,128.44	98,871.56	275,000.00	14,567,594.03
52	Lytton Rancheria of California	176,128.44	98,871.56	275,000.00	14,988,385.42
53	Manchester Band of Pomo Indians of the Manchester Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
54	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
55	Mechoopda Indian Tribe of Chico Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
56	Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
57	Middletown Rancheria of Pomo Indians of California ²	.00	.00	.00	482,578.08
58	Northfork Rancheria of Mono Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
59	Pala Band of Luiseno Mission Indians of the Pala Reservation ²	.00	.00	.00	482,578.08
60	Paskenta Band of Nomlaki Indians of California ²	.00	.00	.00	688,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2015**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2015
61	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation ²	.00	.00	.00	482,578.08
62	Picayune Rancheria of Chukchansi Indians of California ²	.00	.00	.00	1,513,385.42
63	Pinoleville Pomo Nation	176,128.44	98,871.56	275,000.00	14,988,385.42
64	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	176,128.44	98,871.56	275,000.00	14,988,385.42
65	Potter Valley Tribe	176,128.44	98,871.56	275,000.00	14,988,385.42
66	Quartz Valley Indian Community of the Quartz Valley Reservation of California	176,128.44	98,871.56	275,000.00	14,988,385.42
67	Quechan Tribe of the Fort Yuma Indian Reservation ²	.00	.00	.00	7,838,385.42
68	Ramona Band of Cahuilla	176,128.44	98,871.56	275,000.00	14,988,385.42
69	Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California	176,128.44	98,871.56	275,000.00	14,988,385.42
70	Resighini Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
71	Rincon Band of Luiseno Mission Indians of the Rincon Reservation ²	.00	.00	.00	441,306.53
72	Robinson Rancheria	176,128.44	98,871.56	275,000.00	1,100,000.00
73	Round Valley Indian Tribes, Round Valley Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
74	San Pasqual Band of Diegueno Mission Indians of California ²	.00	.00	.00	482,578.08
75	Santa Rosa Band of Cahuilla Indians	176,128.44	98,871.56	275,000.00	14,988,385.42
76	Scotts Valley Band of Pomo Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42
77	Sherwood Valley Rancheria of Pomo Indians of California	176,128.44	98,871.56	275,000.00	14,988,385.42

Exhibit 1**Revenue Sharing Trust Fund Distribution****Total Amount of Distribution for the Quarter Ended June 30, 2015**

	Recipient Indian Tribe	Quarterly Distribution from Revenue Received	Quarterly Shortfall	Total Potential Quarterly Distribution	Distributions Inception to June 30, 2015
78	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract) ²	.00	.00	.00	7,563,385.42
79	Smith River Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
80	Susanville Indian Rancheria	176,128.44	98,871.56	275,000.00	14,988,385.42
81	Tejon Indian Tribe	176,128.44	98,871.56	275,000.00	3,834,890.00
82	Torres Martinez Desert Cahuilla Indians	176,128.44	98,871.56	275,000.00	14,988,385.42
83	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California ²	.00	.00	.00	482,578.08
84	United Auburn Indian Community of the Auburn Rancheria of California ²	.00	.00	.00	1,513,385.42
85	Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
86	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)	176,128.44	98,871.56	275,000.00	14,988,385.42
87	Wilton Rancheria	176,128.44	98,871.56	275,000.00	6,669,505.49
88	Wiyot Tribe	176,128.44	98,871.56	275,000.00	14,988,385.42
89	Yurok Tribe of the Yurok Reservation	176,128.44	98,871.56	275,000.00	14,988,385.42
	Total	\$12,857,376.12	\$7,217,623.88	\$20,075,000.00	\$1,076,713,642.30

Footnotes:

¹ Distribution to the Tribe is currently pending.² No longer an eligible recipient Tribe; however, previously received RSTF distributions.

Exhibit 2**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending June 30, 2015**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
1	Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation	\$2,000,000.00	\$19,327,953.20
2	Alturas Indian Rancheria	0.00	375,000.00
3	Augustine Band of Cahuilla Indians	90,000.00	856,741.27
4	Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation	736,350.00	11,138,050.27
5	Bear River Band of the Rohnerville Rancheria	0.00	0.00
6	Berry Creek Rancheria of Maidu Indians of California	129,600.00	1,552,270.68
7	Big Sandy Rancheria of Western Mono Indians of California	0.00	0.00 ¹
8	Big Valley Band of Pomo Indians of the Big Valley Rancheria	45,000.00	680,671.23
9	Blue Lake Rancheria	117,981.63	684,231.63
10	Buena Vista Rancheria of Me-Wuk Indians of California	0.00	0.00 ¹
11	Cabazon Band of Mission Indians	1,374,150.00	17,195,156.91
12	Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria	360,000.00	2,065,808.22
13	Cahto Tribe	0.00	0.00
14	Cahuilla Band of Mission Indians of the Cahuilla Reservation	0.00	125,000.00
15	Campo Band of Diegueno Mission Indians of the Campo Indian Reservation	33,750.00	669,421.23
16	Chemehuevi Indian Tribe of the Chemehuevi Reservation	0.00	0.00 ¹
17	Cher-Ae Heights Indian Community of the Trinidad Rancheria	0.00	0.00
18	Chicken Ranch Rancheria of Me-Wuk Indians of California	0.00	0.00
19	Dry Creek Rancheria of Pomo Indians of California	603,750.00	18,584,496.58
20	Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria	0.00	0.00
21	Elk Valley Rancheria	0.00	62,500.00
22	Ewiiapaayp Band of Kumeyaay Indians	0.00	2,437,433.22

Exhibit 2**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending June 30, 2015**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
23	Federated Indians of Graton Rancheria	8,237,586.00	11,737,741.00
24	Hoopa Valley Tribe	0.00	0.00
25	Hopland Band of Pomo Indians of the Hopland Rancheria	0.00	3,368,042.68
26	Jackson Rancheria of Me-Wuk Indians of California	1,266,750.00	13,826,348.92
27	Jamul Indian Village of California	0.00	0.00
28	La Jolla Band of Luiseno Indians	0.00	0.00
29	Manchester Band of Pomo Indians of the Manchester Rancheria	0.00	0.00
30	Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation	0.00	0.00
31	Middletown Rancheria of Pomo Indians of California	0.00	437,500.00
32	Mooretown Rancheria of Maidu Indians of California	135,000.00	2,507,132.22
33	Morongo Band of Mission Indians	2,960,000.00	15,422,104.14
34	Bishop Paiute Tribe	0.00	0.00
35	Pala Band of Luiseno Mission Indians of the Pala Reservation	2,000,000.00	34,375,896.37
36	Paskenta Band of Nomlaki Indians of California	138,500.00	1,011,023.48
37	Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation	315,000.00	7,086,161.71
38	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation	3,088,000.00	17,594,120.11
39	Picayune Rancheria of Chukchansi Indians of California	551,250.00	31,754,619.86
40	Pit River Tribe (includes XL Ranch, Big Bend, Likely, Lookout, Montgomery Creek and Roaring Creek Rancherias)	0.00	0.00
41	Quechan Tribe of the Fort Yuma Indian Reservation	0.00	0.00
42	Redding Rancheria	84,375.00	1,996,397.64
43	Resighini Rancheria	0.00	0.00
44	Rincon Band of Luiseno Mission Indians of the Rincon Reservation	1,382,962.50	27,651,204.46
45	Robinson Rancheria of Pomo Indians	0.00	337,500.00

Exhibit 2**Revenue Sharing Trust Fund****Amount of Revenue from Each Compact Tribe Received by the Commission through the Quarter Ending June 30, 2015**

	Compact Tribe	Revenue Received Fiscal Year to Date	Revenue Received Inception to Date
46	San Manuel Band of Mission Indians	3,152,000.00	22,450,240.41
47	San Pasqual Band of Diegueno Mission Indians of California	3,075,000.00	29,045,866.84
48	Santa Rosa Indian Community of the Santa Rosa Rancheria	2,544,300.00	38,485,151.51
49	Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation	1,315,500.00	19,898,289.04
50	Sherwood Valley Rancheria of Pomo Indians of California	0.00	0.00
51	Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract)	6,222,383.52	32,391,923.87
52	Smith River Rancheria	0.00	0.00
53	Soboba Band of Luiseno Indians	865,050.00	12,509,230.59
54	Susanville Indian Rancheria	0.00	0.00
55	Sycuan Band of the Kumeyaay Nation	2,339,850.00	35,392,635.21
56	Table Mountain Rancheria of California	1,169,250.00	17,686,107.53
57	Tule River Indian Tribe of the Tule River Reservation	490,650.00	11,654,874.04
58	Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California	750,000.00	5,419,083.02
59	Twenty-Nine Palms Band of Mission Indians of California	1,378,500.00	20,851,228.77
60	United Auburn Indian Community of the Auburn Rancheria of California	2,000,000.00	26,950,312.20
61	Viejas Band of Kumeyaay Indians	2,000,000.00	23,695,189.25
62	Yocha Dehe Wintun Nation	2,000,000.00	25,137,524.18
	Totals	\$54,952,488.65	\$566,428,183.49
	Interest	60,664.77	9,361,811.64
	Grand Totals	\$55,013,153.42	\$575,789,995.13

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.

EXHIBIT 3
CALIFORNIA GAMBLING CONTROL COMMISSION
0366 - INDIAN GAMING REVENUE SHARING TRUST FUND
FUND CONDITION STATEMENT
As of the Quarter Ended June 30, 2015
Cash Basis

BEGINNING BALANCE	\$ 33,280,566.55
REVENUES AND TRANSFERS – Current Year	
Revenues:	
250300 Income from surplus money investments	60,664.77
216900 License fees held in trust	51,752,488.65
Transfer from the SDF to the RSTF for shortfall per Item 0855-111-0367, Budget Act of 2014	23,500,000.00
Redirect from the GF to the RSTF per Provision 2, Item 0855-111-0367, Budget Act of 2014	3,200,000.00
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Totals, Revenues	78,513,153.42
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Totals, Resources	111,793,719.97
EXPENDITURES	
Disbursements to Eligible Indian Recipient Tribes	78,925,000.00
Disbursements of accrued interest	525.01
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Totals, Expenditures	78,925,525.01
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Executive Order transfer from the RSTF to the SDF Pursuant to Government Code Section 12012.90	275,000.00
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FUND BALANCE, prior to distribution	32,593,194.96
Pending distribution	19,525,000.00
Disbursement held on behalf of the Alturas Indian Rancheria	275,000.00
Disbursements held on behalf of the California Valley Miwok Tribe pending identification of Tribal government	11,513,001.99
Interest due to Tribes ¹	481,812.59
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FUND BALANCE, after distribution ²	\$ <u>798,380.38</u>

Footnotes:

¹. Accrued interest on previously held distributions in the amount of \$481,812.59 for California Valley Miwok Tribe.

². The fund balance represents the cash basis balance as identified by the Commission since inception of the Fund. This balance may not agree with the State Controller's fund balance, which is reported on an accrual basis. Additional reconciling items may exist that have not been identified.