

**AMENDMENT TO
BLACKFEET NATION – MONTANA TOBACCO TAX AGREEMENT**

THIS AMENDMENT TO THE BLACKFEET NATION- MONTANA TOBACCO TAX AGREEMENT amends the Agreement entered into on the 29th day of July, 2005, between the State of Montana (hereinafter referred to as “State”), and the Blackfeet Nation of the Blackfeet Reservation (hereinafter referred to as the “Nation”).

RECITALS

WHEREAS, the STATE and the NATION entered into the BLACKFEET NATION – MONTANA TOBACCO TAX AGREEMENT (hereinafter “Tobacco Tax Agreement”) on July 29, 2005; and

WHEREAS, Section 9 of the Tobacco Tax Agreement permits amendments to said Agreement by written instrument signed by both parties; and,

WHEREAS, both parties wish to make amendments to the written Agreement between the parties;

NOW THEREFORE, the State and Nation, in consideration of the mutual promises contained herein, agree to amend the Alcoholic Beverages Tax Agreement as follows:

Section 5(b) of the Tobacco Tax Agreement dated July 29, 2005, is replaced by the following:

(b) The state shall distribute the monies due to the Nation under this Agreement no later than thirty (30) days from the end of each calendar quarter. The State will include with each distribution a statement showing how the distribution was determined for that quarter. This distribution shall be sent to the Council unless the Council otherwise instructs the State. Said instruction shall be in writing and include authorization by the Council. Distributions shall continue until the expiration or the termination of this Agreement as provided below or required by law. For the purposes of this Agreement, a calendar quarter begins on January 1, April 1, July 1, and October 1 of each year. The State’s responsibility to distribute monies to the Council is subject to and limited by the Agreement entered into between the State and the Nation on September 3, 2004, as subsequently amended. The parties agree that this Blackfeet Nation

– Montana Alcoholic Beverages Tax Agreement compliments Section 4 of the September 3, 2004 Agreement, as subsequently amended.

DATED this 10th day of October 2005.

STATE OF MONTANA

/S/ BRIAN SCHWEITZER
Brian Schweitzer, Governor

/S/ DAN BUCKS
Dan Bucks, Director, Department of Revenue

BLACKFEET NATION:

/S/ PAT THOMAS
Pat Thomas, Chairman
Blackfeet Tribal Business Council

Approved pursuant to § 18-11-105, MCA:

MIKE MCGRATH
Mike McGrath, Montana Attorney General

Ross P. Denny, Superintendent, Blackfeet Indian Agency, the Bureau of Indian Affairs, United States Department of Interior, hereby approves this AMENDMENT TO BLACKFEET NATION - MONTANA TOBACCO TAX AGREEMENT.

/S/ ROSS P. DENNY
Ross P. Denny