

**FIRST AMENDMENT TO
CHIPPEWA CREE TRIBE – MONTANA
TOBACCO TAX AGREEMENT**

This FIRST AMENDMENT TO CHIPPEWA CREE TRIBE TOBACCO TAX AGREEMENT is entered into between the State of Montana, Department of Revenue (“State”) and the Chippewa Cree Tribe of the Rocky Boy’s Reservation (“Tribe”).

RECITALS

WHEREAS, the State and the Tribe entered into the Chippewa Cree Tribe-Montana Tobacco Tax Agreement (“Agreement”) on December 23, 2005; and

WHEREAS, the parties desire to amend certain parts of the Agreement;

THEREFORE, the State and the Tribe agree to amend the Agreement as follows:

Section 10.a. of the Agreement is amended to read as follows:

10. Termination

- a. This Agreement may be terminated by either party upon five (5) years written notice to the other party for circumstances not constituting cause, or upon thirty (30) days written notice for circumstances constituting cause. “Cause” means any material change in circumstances that alters or affects the terms of the Agreement, whether express or implied, foreseen or unforeseen.

As required by Section 9 of the Agreement, the parties’ signatures are set forth below. Except as expressly amended hereby, all terms and conditions of the Agreement remain in full force and effect.

This Amendment consists of two (2) pages.

DATED this 24th day of May, 2006

STATE OF MONTANA

CHIPPEWA CREE TRIBE OF
THE ROCKY BOY'S
RESERVATION

/s/ Brian Schweitzer
Brian Schweitzer
Governor

/s/ John C. Houle
John Houle, Chairman
Chippewa Cree Business
Committee

/s/ Dan Bucks
Dan Bucks, Director
Department of Revenue

Approved pursuant to Mont. Code Ann. §18-11-105

/s/ Mike McGrath
Mike McGrath, Attorney General