



In support of this Conditional Order of Certification and upon the commission staff's thorough reviews and recommendations and upon the documents and testimony submitted by the applicant, the KRGC finds and determines as follows:

**I. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. That Boot Hill and its officers, directors, key employees and investors have successfully demonstrated their background suitability to support a facility manager certificate for Boot Hill.

2. That Boot Hill is timely in all of its required payments for the cost of KRGC oversight;

3. That Boot Hill has successfully completed the following required regulatory plans and has the commission's approval for each matter specified therein:

- a. A Minimum Internal Controls System plan, K.A.R. 112-104-1, *et seq.*;
- b. a Security Plan, K.A.R. 112-105-1, *et seq.*;
- c. a Surveillance Plan, K.A.R. 112-106-1, *et seq.*;
- d. Table Games rules and procedures, K.A.R. 112-108-1, *et seq.*; and
- e. a Responsible Gaming Plan, K.A.R. 112-112-1, *et seq.*

4. That Boot Hill's final certification under K.A.R. 112-101-1, *et seq.*, is conditioned on Boot Hill's successful demonstration to the KRGC's executive director that Boot Hill is following and will follow all of its plans. Such demonstration(s) shall:

- a. Be an invitation-only event;
- b. involve live gambling with real money;
- c. involve at least one shift-change;

- d. occur at times agreed to by Boot Hill and the executive director;  
and
- e. produce a charitable contribution from Boot Hill's share of the revenue of at least \$8,000 per controlled demonstration. Based on Boot Hill's request that there be two controlled demonstrations, the total contribution shall be at least \$16,000. The controlled demonstrations shall be otherwise in accordance with Boot Hill's controlled demonstration plan and commission staff directions; and

5. Boot Hill's final certification is also conditioned on its conducting of further responsible gambling training by February 1, 2009.

6. For purposes of certification duration under K.A.R. 112-101-7, that Boot Hill's facility manager certificate shall be treated as being issued on December 4, 2009.

## **II. ORDER**

Subject to the final approval of the executive director as outlined in this Order, the Commission hereby grants Boot Hill Casino & Resorts a conditional certificate to operate a lottery gaming facility in the Southwest gaming zone and hereby provides any and all approvals necessary to operate that facility as required under the Expanded Lottery Act or related regulations.

**Conditional Certification Ordered by:**

*Carol H. Sader*

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Carol Sader  
Commission Chairperson

*John L. Keck*

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Commissioner

*Ray L. Shue*

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Commissioner

*Greg*

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Commissioner

*William Fentel*

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Commissioner

**Final Certification upon successful completion of  
a controlled demonstration approved by:**

*Stephen L. Martino*

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Stephen L. Martino  
KRGK Executive Director

*12/15/09*

\_\_\_\_\_  
Date

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing pleading was hand delivered to CLARK STEWART, agent for Boot Hill Casino & Resort.

[Handwritten Signature]  
Commission representative

12/4/09