

Resolution # _____

A RESOLUTION APPROVING WYOMING DOWNS, LLC TO CONDUCT PARI-MUTUEL
WAGERING ON LIVE HORSE RACING, HISTORIC HORSE RACING, AND SIMULCAST
EVENTS AT TERRY RANCH BUSINESS PARK: TRACT 4, LARAMIE COUNTY, WYOMING

WHEREAS, the Wyoming State Legislature passed, and the Governor of the State of Wyoming signed into law changes to Wyoming Statutes, Title 11, Chapter 25, to permit pari-mutuel wagering on historic races; and

WHEREAS, the Wyoming Gaming Commission has adopted rules and regulations regulating pari-mutuel wagering on simulcast events, including historic races; and

WHEREAS, Wyoming Downs, LLC currently holds the necessary and appropriate permits issued by the Wyoming Gaming Commission to operate simulcasting facilities, historic horse racing, and live horse racing in the State of Wyoming (including but not limited to in Albany County, Campbell County, Natrona County, Laramie County, Converse County, Johnson County, and Sheridan County); and

WHEREAS, the Laramie County Board of Commissioners recognize the economic benefits to Laramie County through live horse racing, historic horse racing, and simulcasting within Laramie County; and

WHEREAS, the Laramie County Board of Commissioners recognize that it is through revenue derived from simulcasting at locations off the permitted live horse racetrack premises that allows a live horse racing operator to conduct the live racing days required under W.S. 11-25-104(m) and WY Rules and Regulations 038.0001.10 §3 within the State of Wyoming; and

WHEREAS, Wyoming Downs, LLC is a live horse racing operator that is both (i) licensed to conduct the minimum live race days required under W.S. § 11-24-104(m) and Chapter 10 of the Rules and Regulations of the Wyoming Gaming Commission within Uinta County on an annual basis and (ii) is conducting said live horse racing in Uinta County (excepting days that are cancelled for good cause due to weather or other uncontrollable circumstances); and;

WHEREAS, Wyoming Downs, recognizing its rights and obligations under Wyoming law, including, but not limited to those in W.S. 11-25-101 et seq. and the associated regulations of the Wyoming Gaming Commission, agrees to be bound by and comply with the terms and conditions in this Resolution.; and

WHEREAS, Wyo. Stat. Ann. § 11-25-102(a)(vii)(B) provides that “Simulcasting may be conducted off the permitted premises only if the board of county commissioners of the county in which such simulcasting will be conducted grant [grants] its approval.”; and

WHEREAS, said permitted premises is located at Terry Ranch Business Park: Tract 4 in Laramie County, Wyoming; and

WHEREAS, Wyoming Downs will be transferring its current simulcasting facility permit from 51-I25 Service Road to Terry Ranch Business Park: Tract 4 after all permitting and construction is completed at Terry Ranch Business Park: Tract 4; and

WHEREAS, after the facility has been transferred and the facility opened at Terry Ranch Business Park: Tract 4, the Laramie County Resolution 230207-14 at 51-I25 Service Road will be revoked.

NOW, THEREFORE, BE IT RESOLVED BY THE LARAMIE COUNTY, WYOMING BOARD OF COUNTY COMMISSIONERS THAT:

1. Pursuant to W. S. § 11-25-102(a)(vii)(B), the Board of Commissioners hereby approves Wyoming Downs ("Operator") to conduct pari-mutuel wagering on historic horse racing and simulcast events at Terry Ranch Business Park: Tract 4 in Laramie County, Wyoming 82007 ("Premises").
2. No more than 600 machines may be located at the Premises without the prior written approval of the Commission.
3. Once the facility at Terry Ranch Business Park: Tract 4 is open for business the Laramie County Resolution 230207-14 will be revoked.
4. This permission to operate is issued to Operator and may not be transferred from the Operator without the prior written approval of the Laramie County Board of Commissioners.
5. This license to operate granted by this Resolution shall be for a term of five (5) years from the commencement of pari-mutuel wagering on historic horse racing or simulcast events at the Premises. Operator shall submit a letter to the Laramie County Board of Commissioners beginning pari-mutuel wagering activities confirming the start date of the time period.
6. Operator shall submit a renewal application no later than sixty (60) days prior to expiration of this Resolution.
7. Renewal applications shall include a presentation of the financial and community benefits of the operation and evidence of continued compliance with the Rules and Regulations of the Wyoming Gaming Commission. After receipt of a renewal application, the Board will hold a properly noticed public hearing. Renewal applications may only be denied for good cause. Renewal Terms shall be for no less than three (3) years if granted.
8. During any Term, the County Commissioners shall have the right to revoke this or any other subsequent Resolution for the Permittee only for good cause. Examples of "good cause" include but are not limited to:

- i. A determination by the Commissioners that the Operator has a history of gross violation of Wyoming Statutes, the terms and conditions herein, the Rules and Regulations of the Wyoming Gaming Commission, local ordinance; or
 - ii. Suspension or revocation of license by the Wyoming Gaming Commission; or
 - iii. Based on evidence before the Commissioners, the welfare of the people residing in the immediate vicinity of the permit premises is in fact adversely and seriously affected by Wyoming Downs' operations.
- b. Standard (iii.) can be found in Wyoming Liquor License Statutes and the County and Wyoming Downs Parties hereto adopt the case law found in Wyoming interpreting these conditions for liquor license renewals/transfers as interpretive precedent for the meaning of these conditions.

The County will provide a minimum of 15 days' notice of any intent or action to revoke permission as provided in this resolution. The Commissioners will set a public hearing within forty-five (45) days of notice or revocation at which evidence may be taken. Wyoming Downs and any interested parties may be heard in regard to the revocation and a decision by the Commissioners may be made upon the issue or continued for issuance of written findings and conclusions.

9. Operator shall update the Board on an annual basis regarding its operations including tax revenue and any operational issues.

10. By signature below Wyoming Downs agrees and consents to the above terms and conditions.

RESOLVED, this ____ day of _____ 2025.

BOARD OF COUNTY COMMISSIONERS
LARAMIE COUNTY, WYOMING

Chairman

ATTEST :

Debra K Lee, Laramie County Clerk

Reviewed and approved as to form:



Laramie County Attorney

March 19, 2025

Sent via email: commissioners@laramiecountywy.gov

Laramie County Board of County Commissioners
c/o Chairman, Mr. Gunnar Malm
310 W. 19th St., Suite 300
Cheyenne, WY 82001

Re: Wyoming Downs, LLC Simulcast Facility Transfer

Dear Laramie County Board of County Commissioners (“Board”),

Our firm represents Wyoming Downs, LLC (“Wyoming Downs”). We are contacting the Board to provide notice of Wyoming Downs’s intent to transfer one of its licensed simulcast facilities to a different location within Laramie County. This letter serves as a preliminary connection on the issue, we of course look forward to more detailed conversations regarding the transfer.

Pursuant to Resolution 230207-14, the Board approved Wyoming Downs to conduct pari-mutuel wagering on historic horse racing and simulcast events at 51-I25 Service Road (the “Senator’s Grill” at Terry Bison Ranch). *See* Exhibit 1. Wyoming Downs has operated an off-track betting facility at that location since 2023. Wyoming Downs has since purchased real property located off Exit 2 on I-25, immediately north of the firework operations in the area. The property is currently unaddressed but its legal description is Terry Ranch Business Park: Tract 4.

Wyoming Downs intends to build a new state of the art facility at this location. The new facility is intended to draw out of state revenue. The facility is a substantial investment within the Laramie County. Wyoming Downs is happy to share with the Board its plans for the facility. *See* Exhibit 2. When Wyoming Downs is given approval and appropriately licensed, construction will begin, and the facility will be opened as soon as possible.

Wyoming Downs needs time to build the new facility, as well as complete the regulatory process. It will continue operating at the Senator’s Grill until construction of the new facility is complete. To that end, Wyoming Downs seeks a resolution approving a transfer to a new location while continuing its operations at Senator’s Grill until construction is completed. Attached is a draft resolution from Wyoming Downs. *See* Exhibit 3. The proposed resolution states that when the new facility opens for business, Resolution 230207-14 shall be immediately revoked.

As the Board is aware, before Wyoming Downs can take steps to begin construction it must first receive permission from this governing body. Wyoming Downs is not seeking to add an additional facility within the county; however, the Board's approval is needed for the relocation as it must permit the use of a specific premises for simulcasting operations before Wyoming Downs can seek a license from the Wyoming Gaming Commission. Upon receiving the Board's approval of the new location, Wyoming Downs will similarly seek to transfer applicable permits and licenses with the Wyoming Gaming Commission. The Wyoming Gaming Commission agrees with this procedure.

Thank you for your time and consideration. We appreciate this Board's continued attention to the industry and service to all of us here in Laramie County. We are happy to make ourselves available at any time for further conversation on this matter.

Best regards,

HATHAWAY & KUNZ, LLP



Matthew D. Kaufman
Marianne K. Shanor
Brent R. Rhodes

RESOLUTION # 230207-14**A RESOLUTION APPROVING WYOMING DOWNS, LLC TO CONDUCT PARI-MUTUEL WAGERING ON LIVE HORSE RACING, HISTORIC HORSE RACING, SIMULCAST EVENTS AND RODEO EVENTS WITHIN LARAMIE COUNTY, WYOMING**

WHEREAS, The Wyoming State Legislature passed and the Governor of the State of Wyoming signed into law changes to Wyoming Statutes, Title 11, Chapter 25, to permit pari-mutuel wagering on historic races (see Laws of Wyoming, 2013, Ch. 75); codified in Wyo. Stat. Ann. § 11-25-101 et seq. (as amended) and as defined in the Wyoming Gaming Commission Rules Chapter 1(bb) and,

WHEREAS, the Wyoming Gaming Commission (f/k/a the Wyoming Pari-Mutuel Commission) has adopted rules that were filed with the Secretary of State on December 18, 2013 regulating pari-mutuel wagering on simulcast events, including historic races; and,

WHEREAS, Wyoming Downs LLC, currently holds the necessary and appropriate permits issued by the Wyoming Gaming Commission to operate simulcasting facilities in the State of Wyoming; and,

WHEREAS, Wyoming Downs LLC, requests the approval of the Laramie County Commissioners to operate from an additional location at 51-125 Service Rd., East, Cheyenne, Wyoming 82007, to include pari-mutuel wagering on live horse racing, historic horse racing, simulcast events; and rodeo events, and,


WHEREAS, Wyo. Stat. Ann. § 11-25-102(a)(vii)(B) requires approval of the County Commissioners in the county in which simulcasting shall take place, as the final approval to be filed with the Wyoming Gaming Commission, not less than 60 days prior to the first day of proposed simulcast operation, for a permit to simulcast at the location indicated herein is granted, and;

WHEREAS, Pursuant to the Wyoming Gaming Commission regulations, Chapter 10, Sec. 3 (c)(i)(H)(vi): Based on the documentation and presentation submitted by Wyoming Downs in support of this request for approval, there is no indication that the location of the proposed simulcast facility and number of patrons expected to occupy same, violate the Laramie County Land Use Regulations,

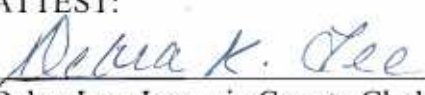
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE COUNTY OF LARAMIE, WYOMING: That, pursuant to Wyo. Stat. § 11-25-102(a)(vii)(B), the Laramie County Board of commissioners approves Wyoming Downs, LLC to conduct pari-mutuel wagering on live horse racing, historic horse racing, simulcast events and rodeo events within Laramie County at an additional location at 51-125 Service Rd., East, Cheyenne, Wyoming.

RESOLVED, this 7 day of February, 2023.

**BOARD OF COUNTY COMMISSIONERS
LARAMIE COUNTY, WYOMING**


Chairman

ATTEST:


Debra Lee, Laramie County Clerk

Reviewed and approved as to form:


Laramie County Attorney's Office

COPY OF RECORD

WYOMING DOWNS LLC

Site Transfer Application
Cheyenne Border Site (Exit 2)

CHEYENNE BORDER SITE (EXIT 2)

- Moving existing site located at Terry Bison Ranch (Senator's Grill) to a new state of the art facility built from the ground up at Exit 2.
- New facility will feature many amenities focused on capturing out-of-state revenue.
- Proposing 600 terminals.
- Owners have built this type of facility in two other markets.
- This is a transfer of a location, therefore, no additional OTB locations added to Laramie County.







