Irrigation and M&I
R. O. Draft 12/12-2005
Contract No.
14-06-200-8292A-IR10

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Central Valley Project, California

INTERIM RENEWAL CONTRACT AMONG THE UNITED STATES, DEPARTMENT OF WATER RESOURCES OF THE STATE OF CALIFORNIA, AND COUNTY OF FRESNO PROVIDING FOR PROJECT WATER SERVICE

THIS CONTRACT, made this _____ day of _____, 20____, in pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or supplementary thereto, including, but not limited to, the acts of August 26, 1937 (50 Stat. 844), as amended and supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented, July 2, 1956 (70 Stat. 483), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), as amended, and Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively hereinafter referred to as Federal Reclamation law, among the UNITED STATES OF AMERICA, hereinafter referred to as the United States, DEPARTMENT OF WATER RESOURCES OF THE STATE OF CALIFORNIA, hereinafter referred to as DWR, and COUNTY OF FRESNO, hereinafter referred to as the Contractor, a public agency of the State of California, duly organized, existing, and acting pursuant to the laws thereof;

WITNESSETH, That:

27 EXPLANATORY RECITALS

28 WHEREAS, the United States, DWR, and the Contractor entered into an interim
29 renewal contract identified as Contract No. 14-06-200-8292A-IR5, hereinafter referred to as the
30 Interim Renewal Contract, which provided for the continued water service to the Contractor
31 following expiration of Contract No. 14-06-200-8292A; and

32 WHEREAS, the United States, DWR, and the Contractor have entered into
33 successive renewals of the Interim Renewal Contract, the most recent of which is Contract No.
34 14-06-200-8292A-IR9, hereinafter referred to as the Existing Interim Renewal Contract, from
35 March 1, 2005, through February 28, 2006; and

36 WHEREAS, the United States, DWR, and the Contractor have made significant
37 progress in their negotiations of a long-term renewal contract, believe that further negotiations on
38 the long-term renewal contract would be beneficial, and mutually commit to continue to negotiate to
39 seek to reach agreement, but anticipate that the environmental documentation necessary for
40 execution of any long-term renewal contract will be delayed until March 2007 and may be delayed
41 further for reasons beyond the control of the parties; and

42 WHEREAS, the Contractor has requested a subsequent interim renewal contract
43 pursuant to Subdivision (b)(1) of Article 2 of the Interim Renewal Contract and Article 1 of the
44 Existing Interim Renewal Contract; and

45 WHEREAS, the United States has determined that the Contractor has to date
46 fulfilled all of its obligations under the Existing Interim Renewal Contract; and

47 WHEREAS, the United States is willing to renew the Existing Interim Renewal
48 Contract pursuant to the terms and conditions set forth below;

49 NOW, THEREFORE, in consideration of the mutual and dependent covenants herein
50 contained, it is hereby mutually agreed by the parties hereto as follows:

51 INCORPORATION AND REVISION OF EXISTING INTERIM RENEWAL CONTRACT

52 1. The terms and conditions of the Existing Interim Renewal Contract are hereby
53 incorporated by reference into this Contract with the same force and effect as if they were included
54 in full text with the exception of Article 1 thereof, which is revised as follows:

55 (a) The first sentence in Subdivision (a) of Article 1 of the Existing Interim
56 Renewal Contract is modified as follows: "This interim renewal contract shall be effective from
57 March 1, 2006, and shall remain in effect through February 28, 2007, and thereafter will be renewed
58 as described in Subdivision (a) of Article 2 of the Interim Renewal Contract if a long-term renewal
59 contract has not been executed with an effective commencement date of March 1, 2007."

60 (b) Subdivision (b) of Article 1 of the Existing Interim Renewal Contract is
61 amended by deleting the date "February 15, 2006," and replacing same with the date
62 "February 15, 2007."

63 (c) Subdivision (c) of Article 1 of the Existing Interim Renewal Contract is
64 amended by deleting the dates "February 1, 2006," "February 15, 2006," and "February 28, 2006,"
65 and replacing same with the dates "February 1, 2007," "February 15, 2007," and "February 28,
66 2007," respectively.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the day and year first above written.

UNITED STATES OF AMERICA

By: _____
Regional Director, Mid-Pacific Region
Bureau of Reclamation

Approved as to Legal Form and Sufficiency:

_____
Chief Counsel
Department of Water Resources

DEPARTMENT OF WATER RESOURCES
OF THE STATE OF CALIFORNIA

By: _____
Director
Department of Water Resources

(SEAL)

COUNTY OF FRESNO

By: _____
Chairman, Board of Supervisors

Attest:

_____
Clerk, Board of Supervisors

By: _____
Director, Planning and Resources
Management Department

Approved as to Accounting Form:

_____
Auditor-Controller/Treasurer/
Tax Collector

Approved as to Legal Form:

By: _____
County Counsel

BUDGET UNIT NO. _____

ACCOUNT NO. _____

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