

R. O. Draft 12/12-2003
R. O. Draft 11/06-2003
Irrigation and/or M&I
Contract No.
14-06-200-3365A-IR8-B

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

INTERIM RENEWAL CONTRACT BETWEEN THE UNITED STATES
AND
PAJARO VALLEY WATER MANAGEMENT AGENCY, SANTA CLARA VALLEY WATER
DISTRICT, AND WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 1
PROVIDING FOR PROJECT WATER SERVICE

THIS CONTRACT, made this 2nd day of March, 2004, 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, between THE UNITED STATES OF AMERICA, hereinafter referred to as the United States, and
PAJARO VALLEY WATER MANAGEMENT AGENCY, SANTA CLARA VALLEY WATER
DISTRICT, AND WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 1, hereinafter
referred to as the Contractors, public agencies 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 and the Contractors entered into an interim renewal
29 contract identified as Contract No. 14-06-200-3365A-IR5-B, hereinafter referred to as the Interim
30 Renewal Contract, which provided for the continued water service to the Contractors following
31 expiration of Contract No. 14-06-200-3365A-B; and

32 WHEREAS, the United States and the Contractors have entered into successive
33 renewals of the Interim Renewal Contract, the most recent of which is Contract No. 14-06-200-
34 3365A-IR7-B, hereinafter referred to as the Existing Interim Renewal Contract from March 1, 2003,
35 through February 29, 2004; and

36 WHEREAS, the United States and the Contractors have made significant progress in
37 their negotiations of a long-term renewal contract, believe that further negotiations on the long-term
38 renewal contract would be beneficial, and mutually commit to continue to negotiate to seek to reach
39 agreement, but anticipate that the environmental documentation necessary for execution of any long-
40 term renewal contract will be delayed at least an additional 7 months, and may be delayed further for
41 reasons beyond the control of the parties; and

42 WHEREAS, the Contractors have 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 Contractors have 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 in
54 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 March
57 1, 2004, and shall remain in effect through February 28, 2006, and thereafter will be renewed as
58 described in Subdivision (a) of Article 2 of the Interim Renewal Contract if a long-term renewal contract
59 has not been executed with an effective commencement date of March 1, 2006; Provided, that if a long-
60 term renewal contract has been executed with an effective commencement date of March 1, 2005, this
61 interim renewal contract shall expire on February 28, 2005."

62 (b) Subdivision (b) of Article 1 of the Existing Interim Renewal Contract is
63 amended by deleting the date "February 15, 2004," and replacing same with the date
64 "February 15, 2006."

65 (c) Subdivision (c) of Article 1 of the Existing Interim Renewal Contract is
66 amended by deleting the dates "February 1, 2004," "February 15, 2004," and "February 29, 2004," and
67 replacing same with the dates "February 1, 2006," "February 15, 2006," and "February 28, 2006,"
68 respectively.

69 IN WITNESS WHEREOF, the parties hereto have executed this interim renewal contract
70 as of the day and year first above written.

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APPROVED AS TO LEGAL
FORM AND SUFFICIENCY

/s/ James E. Turner

OFFICE OF REGIONAL SOLICITOR
DEPARTMENT OF THE INTERIOR

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THE UNITED STATES OF AMERICA

By: /s/ Kirk C. Rodgers
Regional Director, Mid-Pacific Region
Bureau of Reclamation

75 (SEAL)

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PAJARO VALLEY WATER
MANAGEMENT AGENCY

77 Attest:

78 /s/ Linda Contreras
79 Secretary

By: /s/ Charles McNiesh
General Manager

80 (SEAL)

SANTA CLARA VALLEY WATER DISTRICT

81 Attest:

82 _____
83 Secretary

By: /s/ Stanley M. Williams
Chief Executive Officer

84 (SEAL)

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WESTLANDS WATER DISTRICT
DISTRIBUTION DISTRICT NO. 1

87 Attest:

88 /s/ Dave Ciapponi
89 Secretary

By: /s/ Daniel Errotabere
President