

1 UNITED STATES
2 DEPARTMENT OF THE INTERIOR
3 BUREAU OF RECLAMATION
4 Central Valley Project, California

5 INTERIM RENEWAL CONTRACT AMONG THE UNITED STATES
6 AND
7 PAJARO VALLEY WATER MANAGEMENT AGENCY, SANTA CLARA VALLEY WATER
8 DISTRICT, AND WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 1
9 PROVIDING FOR PROJECT WATER SERVICE

10 THIS CONTRACT, made this _____ day of _____, 20____, in
11 pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or supplementary
12 thereto, including, but not limited to, the acts of August 26, 1937 (50 Stat. 844), as amended and
13 supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented, July 2, 1956
14 (70 Stat. 483), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), as amended, and Title
15 XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively hereinafter referred to as
16 Federal Reclamation law, among the UNITED STATES OF AMERICA, hereinafter referred to as the
17 United States, and PAJARO VALLEY WATER MANAGEMENT AGENCY, SANTA CLARA
18 VALLEY WATER DISTRICT, AND WESTLANDS WATER DISTRICT DISTRIBUTION
19 DISTRICT NO. 1, hereinafter referred to as the Contractors, public agencies of the State of California,
20 duly organized, existing, and acting pursuant to the laws thereof;

21 WITNESSETH, That:

22 EXPLANATORY RECITALS

23 WHEREAS, the United States and the Contractors entered into an interim renewal
24 contract identified as Contract No. 14-06-200-3365A-IR5-B, hereinafter referred to as the

25 Interim Renewal Contract, which provided for the continued water service to the Contractors following
26 expiration of Contract No. 14-06-200-3365A-B; and

27 WHEREAS, the United States and the Contractors have entered into successive
28 renewals of the Interim Renewal Contract, the most recent of which is Contract
29 No. 14-06-200-3365A-IR10-B, hereinafter referred to as the Existing Interim Renewal Contract, from
30 March 1, 2007, through February 29, 2008; and

31 WHEREAS, the United States and the Contractors have made significant progress in
32 their negotiations of a long-term renewal contract, believe that further negotiations on the long-term
33 renewal contract would be beneficial, and mutually commit to continue to negotiate to seek to reach
34 agreement, but anticipate that the environmental documentation necessary for execution of any long-
35 term renewal contract will be delayed until the summer of 2008 and may be delayed further for reasons
36 beyond the control of the parties; and

37 WHEREAS, the Contractors have requested a subsequent interim renewal contract
38 pursuant to Subdivision (b)(1) of Article 2 of the Interim Renewal Contract and Article 1 of the
39 Existing Interim Renewal Contract; and

40 WHEREAS, the United States has determined that the Contractors have to date
41 fulfilled all of its obligations under the Existing Interim Renewal Contract; and

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

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

46 INCORPORATION AND REVISION OF EXISTING INTERIM RENEWAL CONTRACT

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

50 (a) The first sentence in Subdivision (a) of Article 1 of the Existing Interim
51 Renewal Contract is modified as follows: “This interim renewal contract shall be effective from
52 March 1, 2008, and shall remain in effect through February 28, 2010, and thereafter will be renewed as
53 described in Subdivision (a) of Article 2 of the Interim Renewal Contract if a long-term renewal contract
54 has not been executed with an effective commencement date of March 1, 2010.”

55 (b) Subdivision (b) of Article 1 of the Existing Interim Renewal Contract is
56 amended by deleting the date “February 15, 2008,” and replacing same with the date
57 “February 15, 2010.”

58 (c) Subdivision (c) of Article 1 of the Existing Interim Renewal Contract is
59 amended by deleting the dates “February 1, 2008,” “February 15, 2008,” and “February 29, 2008,” and
60 replacing same with the dates “February 1, 2010,” “February 15, 2010,” and “February 28 , 2010,”
61 respectively.

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

64 UNITED STATES OF AMERICA

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

68 (SEAL) PAJARO VALLEY WATER MANAGEMENT AGENCY

69 Attest:
70 _____ By: _____
71 Secretary General Manager

72 (SEAL) SANTA CLARA VALLEY WATER DISTRICT

73 Attest:
74 _____ By: _____
75 Secretary General Manager

76 (SEAL) WESTLANDS WATER DISTRICT
77 DISTRIBUTION DISTRICT NO. 1
78

79 Attest:
80 _____ By: _____
81 Secretary President