

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 THE DEPARTMENT OF WATER RESOURCES
7 OF THE STATE OF CALIFORNIA,
8 AND
9 THE COUNTY OF FRESNO
10 PROVIDING FOR PROJECT WATER SERVICE

11 THIS CONTRACT, made this _____ day of _____, 2012,
12 in pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or
13 supplementary thereto, including, but not limited to, the acts of August 26, 1937 (50 Stat. 844),
14 as amended and supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented,
15 July 2, 1956 (70 Stat. 483), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), as
16 amended, and Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively
17 hereinafter referred to as Federal Reclamation law, among the UNITED STATES OF
18 AMERICA, hereinafter referred to as the United States, DEPARTMENT OF WATER
19 RESOURCES OF THE STATE OF CALIFORNIA, hereinafter referred to as DWR, and the
20 COUNTY OF FRESNO, hereinafter referred to as the Contractor, a political subdivision of the
21 State of California, duly organized, existing, and acting pursuant to the laws thereof;

22 WITNESSETH, That:

23 EXPLANATORY RECITALS

24 WHEREAS, the United States, DWR, and the Contractor entered into interim
25 renewal Contract (long-form interim renewal contract) No. 14-06-200-8292A-IR1 which

26 provided for the continued water service to the Contractor following expiration of Contract
27 No. 14-06-200-8292A; and

28 WHEREAS, the last long-form interim renewal contract between the United
29 States, DWR, and the Contractor is Contract No. 14-06-200-8292A-IR5, hereinafter referred
30 to as IR5; and

31 WHEREAS, the United States, DWR, and the Contractor have entered into
32 successive renewals of IR5, the most recent of which is Contract No.
33 14-06-200-8292A-IR13, hereinafter referred to as IR13, effective March 1, 2010, through
34 February 29, 2012; and

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

41 WHEREAS, the Contractor has requested a subsequent interim renewal contract
42 pursuant to IR13; and

43 WHEREAS, the United States has determined that the Contractor has to date
44 fulfilled all of its obligations under IR13; and

45 WHEREAS, the United States and DWR are willing to renew IR13 pursuant to
46 the terms and conditions set forth below; and

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

49 RENEWAL AND REVISION OF
50 CONTRACT NO. 14-06-200-8292A-IR13

51 1. Except as specifically modified by this Contract, all provisions of IR13 are
52 renewed with the same force and effect as if they were included in full text with the exception of
53 Article 1 of IR13 thereof, which is revised as follows:

54 (a) The first sentence in subdivision (a) of Article 1 of IR13 is replaced with
55 the following language: “This Contract shall be effective from March 1, 2012, and shall remain
56 in effect through February 28, 2014, and thereafter will be renewed as described in Article 2 of
57 IR5 if a long-term renewal contract has not been executed with an effective commencement date
58 of March 1, 2014.”

59 (b) Subdivision (b) of Article 1 of IR13 is amended by deleting the date
60 “February 15, 2012,” and replacing same with the date “February 15, 2014.”

61 (c) Subdivision (c) of Article 1 of IR13 is amended by deleting the dates
62 “February 1, 2012”, “February 15, 2012”, and “February 29, 2012”, respectively, and
63 replacing same with the dates “February 1, 2014”, “February 15, 2014”, and “February 28,
64 2014”, respectively.

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

67 UNITED STATES OF AMERICA

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

71 Approved as to Legal Form and DEPARTMENT OF WATER RESOURCES
72 Sufficiency: OF THE STATE OF CALIFORNIA

73 _____ By: _____
74 Chief Counsel Director
75 Department of Water Resources Department of Water Resources

76 (SEAL)

77 COUNTY OF FRESNO

78 By: _____
79 Chairman, Board of Supervisors

80 Attest:

81 By: _____ By: _____
82 Clerk, Board of Supervisors Director, Department of Public Works and
83 Planning

84 Approved as to Accounting form: Approved as to Legal Form:

85 By: _____ By: _____
86 Auditor-Controller/Treasurer/ Chief Counsel
87 Tax Collector

88 BUDGET UNIT NO. _____ ACCOUNT NO. _____
89 FUND _____
90 SUBCLASS _____