

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

5 INTERIM RENEWAL CONTRACT BETWEEN THE UNITED STATES
6 AND
7 WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 1
8 PROVIDING FOR PROJECT WATER SERVICE

9 THIS CONTRACT, made this _____ day of _____, 2012,
10 in pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or
11 supplementary thereto, including, but not limited to, the acts of August 26, 1937 (50 Stat. 844),
12 as amended and supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented,
13 July 2, 1956 (70 Stat. 483), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), as
14 amended, and Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively
15 hereinafter referred to as Federal Reclamation law, between the UNITED STATES OF
16 AMERICA, hereinafter referred to as the United States, and WESTLANDS WATER DISTRICT
17 DISTRIBUTION DISTRICT NO. 1, hereinafter referred to as the Contractor, a public agency of
18 the State of California, duly organized, existing, and acting pursuant to the laws thereof;

19 WITNESSETH, That:

20 EXPLANATORY RECITALS

21 WHEREAS, the United States and the Widren Water District (Widren) entered
22 into interim renewal Contract (long-form interim renewal contract) No. 14-06-200-8018-IR1,
23 which provided for the continued water service to Widren following expiration of Contract
24 No. 14-06-200-8018; and

25 WHEREAS, the last long-form interim renewal contract between the United
26 States and Widren is Contract No. 14-06-200-8018-IR5, hereinafter referred to as IR5; and

27 WHEREAS, the United States and Widren entered into successive renewals of
28 IR5, of which the last was Contract No. 14-06-200-8018-IR8; and

29 WHEREAS, on May 27, 2005, the Contractor, Widren, and the United States
30 executed an agreement, “Agreement for Assignment of Widren Water District’s Water
31 Service Contract to Westlands Water District Distribution District No. 1”, which assigned to
32 the Contractor all rights, duties, and obligations of Widren in IR8; and

33 WHEREAS, the United States and the Contractor entered into the first interim
34 renewal contract identified as Contract No. 7-07-20-8018-IR8-B hereinafter referred to as the
35 IR8-B; and

36 WHEREAS, the United States and the Contractor have entered into successive
37 renewals of IR8-B, the most recent of which is Contract No. 14-06-200-8018-IR12-B,
38 hereinafter referred to as the IR12-B, effective March 1, 2010, through February 29, 2012; and

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

45 WHEREAS, the Contractor has requested a subsequent interim renewal contract
46 pursuant to IR12-B; and

47 WHEREAS, the United States has determined that the Contractor has to date
48 fulfilled all of its obligations IR12-B; and

49 WHEREAS, the United States is willing to renew the IR12-B pursuant to the
50 terms and conditions set forth below;

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

53 RENEWAL AND REVISION OF
54 CONTRACT NO. 14-06-200-8018-IR12-B

55 1. Except as specifically modified by this Contract, all provisions of the IR12-B are
56 renewed with the same force and effect as if they were included in full text with the exception of
57 Article 1 of the IR12-B thereof, which is revised as follows:

58 (a) The first sentence in subdivision (a) of Article 1 of the IR12-B is replaced
59 with the following language: “This Contract shall be effective from March 1, 2012, and shall
60 remain in effect through February 28, 2014, and thereafter will be renewed as described in
61 Article 2 of the IR5 if a long-term renewal contract has not been executed with an effective
62 commencement date of March 1, 2014.”

63 (b) Subdivision (b) of Article 1 of the IR12-B is amended by deleting the
64 date “February 29, 2012,” and replacing same with the date “February 28, 2014.”

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 (SEAL)

72 WESTLANDS WATER DISTRICT
73 DISTRIBUTION DISTRICT NO. 1

74 By: _____
75 President of the Board of Directors

76 Attest:

77 By: _____
78 Secretary of the Board of Directors