

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
8 PROVIDING FOR PROJECT WATER SERVICE

9 THIS CONTRACT, made this _____ day of _____, 2014,
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
17 DISTRICT, hereinafter referred to as the Contractor, a public agency of the State of California,
18 duly organized, existing, and acting pursuant to the laws thereof;

19 WITNESSETH, That:

20 EXPLANATORY RECITALS

21 WHEREAS, the United States and the Contractor entered into interim renewal Contract
22 (long-form interim renewal contract) No. 14-06-200-495A-IR1 which provided for the continued
23 water service after Contract No. 14-06-200-495A (which addressed the “Contract Between the
24 United States and Westlands Water District Providing for Water Service”, dated June 5, 1963,

25 and the Stipulated Judgment in the lawsuit entitled *Barcellos and Wolfsen, Inc. v. Westlands*
26 *Water District*, Civ. No. F-79-106-EDP (E.D. Cal.), as consolidated with *Westlands Water*
27 *District v. United States of America*, Civ. No. F-81-245-EDP (E.D. Cal.), entered into on
28 December 30, 1986) ended water service on December 31, 2007; and

29 WHEREAS, the last long-form interim renewal contract between the United
30 States and the Contractor is Contract No. 14-06-200-495A-IR1, hereinafter referred to as IR1; and

31 WHEREAS, the United States and the Contractor have entered into successive
32 renewals of IR1, the most recent of which is Contract No. 14-06-200-495A-IR3, hereinafter
33 referred to as IR3, effective March 1, 2012, through February 28, 2014; and

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

40 WHEREAS, the Contractor has requested a subsequent interim renewal contract
41 pursuant to IR3; and

42 WHEREAS, the United States has determined that the Contractor has to date
43 fulfilled all of its obligations under IR3; and

44 WHEREAS, the United States is willing to renew IR3 pursuant to the terms and
45 conditions set forth below;

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

48 RENEWAL AND REVISION OF
49 CONTRACT NO. 14-06-200-495A-IR3

50 1. Except as specifically modified by this Contract, all provisions of IR3 are
51 renewed with the same force and effect as if they were included in full text with the exception of
52 Article 1 of IR3 thereof, which is revised as follows:

53 (a) The first sentence in subdivision (a) of Article 1 of IR3 is replaced with
54 the following language: “This Contract shall be effective from March 1, 2014, and shall remain
55 in effect through February 29, 2016, and thereafter will be renewed as described in Article 2 of
56 IR1 if a long-term renewal contract has not been executed with an effective commencement date
57 of March 1, 2016.”

58 (b) Subdivision (b) of Article 1 of IR3 is amended by deleting the date
59 “February 28, 2014,” and replacing same with the date “February 29, 2016.”

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

62 UNITED STATES OF AMERICA

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

66 (SEAL)

67 WESTLANDS WATER DISTRICT

68 By: _____
69 President of the Board of Directors

70 Attest:

71 By: _____
72 Secretary of the Board of Directors