

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 TRI-VALLEY WATER DISTRICT
10 PROVIDING FOR PROJECT WATER SERVICE

11 THIS CONTRACT, made this _____ day of _____, 2016,
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, the DEPARTMENT OF WATER
19 RESOURCES OF THE STATE OF CALIFORNIA, hereinafter referred to as DWR, and the
20 TRI-VALLEY WATER DISTRICT, hereinafter referred to as the Contractor, a public agency of
21 the 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. 14-06-200-8565A-IR1 which

26 provided for the continued water service to the Contractor following expiration of Contract
27 No. 14-06-200-8565A; and

28 WHEREAS, the last long-form interim renewal contract between the United
29 States, DWR, and the Contractor is Contract No. 14-06-200-8565A-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. 14-06-200-8565A-IR15,
33 hereinafter referred to as IR15, effective March 1, 2014, through February 29, 2016; and

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

40 WHEREAS, the Contractor has requested a subsequent interim renewal contract
41 pursuant to IR15; and

42 WHEREAS, the United States has determined that the Contractor has to date
43 fulfilled all of its obligations under IR15; and

44 WHEREAS, the United States and DWR are willing to renew IR15 pursuant to
45 the terms and 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:

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RENEWAL AND REVISION OF
CONTRACT NO. 14-06-200-8565A-IR15

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1. Except as specifically modified by this Contract, all provisions of IR15 are renewed with the same force and effect as if they were included in full text with the exception of Article 1 of IR15 thereof, which is revised as follows:

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(a) The first sentence in subdivision (a) of Article 1 of IR15 is replaced with the following language: “This Contract shall be effective from March 1, 2016, and shall remain in effect through February 28, 2018, and thereafter will be renewed as described in Article 2 of IR5 if a long-term renewal contract has not been executed with an effective commencement date of March 1, 2018.”

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(b) Subdivision (b) of Article 1 of IR15 is amended by deleting the date “February 15, 2016,” and replacing same with the date “February 15, 2018.”

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(c) Subdivision (c) of Article 1 of IR15 is amended by deleting the dates “February 1, 2016”, “February 15, 2016”, and “February 29, 2016”, respectively, and replacing same with the dates “February 1, 2018”, “February 15, 2018”, and “February 28, 2018”, respectively.

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

66 UNITED STATES OF AMERICA

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

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

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

75 (SEAL)

76 TRI-VALLEY WATER DISTRICT

77 By: _____
78 President, Board of Directors

79 Attest:

80 _____
81 Secretary