

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 THE STATE OF CALIFORNIA
8 PROVIDING FOR PROJECT WATER SERVICE TO THE MENDOTA
9 WATERFOWL MANAGEMENT AREA HEADQUARTERS
10 FROM THE SAN LUIS UNIT AND DELTA DIVISION

11 THIS CONTRACT, made this _____ day of _____, 20____,
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 June 3, 1960 (74 Stat. 156), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263),
16 October 27, 1986 (100 Stat. 3050), as amended, and Title XXXIV of the Act of October 30, 1992
17 (106 Stat. 4706), all collectively hereinafter referred to as Federal Reclamation law, between
18 the UNITED STATES OF AMERICA, hereinafter referred to as the United States, and the
19 STATE OF CALIFORNIA, represented by the CALIFORNIA DEPARTMENT OF FISH AND
20 WILDLIFE, hereinafter referred to as the Contractor, a public agency of the State of California,
21 duly organized, existing, and acting pursuant to the laws thereof;

22 WITNESSETH, That:

23 EXPLANATORY RECITALS

24 WHEREAS, the United States and the Contractor entered into an interim renewal
25 contract identified as Contract No. 14-06-200-8033A-IR1, hereinafter referred to as IR1, which

26 provided for the continued water service to the Contractor effective from January 1, 2009,
27 through February 28, 2011; and

28 WHEREAS, the United States and the Contractor have entered into successive
29 renewals of IR1, the most recent of which is Contract No. 14-06-200-8033A-IR4, hereinafter
30 referred to as IR4, effective from March 1, 2015, through February 28, 2017; and

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

37 WHEREAS, the Contractor has requested a subsequent interim renewal contract
38 pursuant to Article 2 of IR1; and

39 WHEREAS, the United States has determined that the Contractor has to date
40 fulfilled all of its obligations under IR4; and

41 WHEREAS, the United States is willing to renew IR4 pursuant to the terms and
42 conditions set forth below;

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

45 RENEWAL AND REVISION OF
46 CONTRACT NO. 14-06-200-8033A-IR4

47 1. Except as specifically modified by this Contract, all provisions of IR4 are
48 renewed with the same force and effect as if they were included in full text with the exception of
49 Article 1 of IR4 thereof, which is revised as follows:

50 (a) The first sentence in subdivision (a) of Article 1 of IR4 is modified as
51 follows: "This Contract shall be effective from March 1, 2017, and shall remain in effect
52 through February 28, 2019, and thereafter will be renewed as described in Article 2 of IR1 if a
53 long-term renewal contract has not been executed with an effective commencement date of
54 March 1, 2019."

55 (b) Subdivision (b) of Article 1 of IR4 is amended by deleting the date
56 "February 28, 2017," and replacing same with the date "February 28, 2019."

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

59 UNITED STATES OF AMERICA

60 By: _____
61 Regional Director, Mid-Pacific Region
62 Bureau of Reclamation

63 (SEAL)

64 CALIFORNIA DEPARTMENT OF
FISH AND WILDLIFE

65 By: _____
66 Director