

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
Central Valley Project, California

INTERIM RENEWAL CONTRACT AMONG THE UNITED STATES  
AND  
PAJARO VALLEY WATER MANAGEMENT AGENCY, SANTA CLARA VALLEY WATER  
DISTRICT, AND WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 1  
PROVIDING FOR PROJECT WATER SERVICE

THIS CONTRACT, made this 28 day of February, 2006, in  
pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or supplementary  
thereto, including, but not limited to, the acts of August 26, 1937 (50 Stat. 844), as amended and  
supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented, July 2, 1956  
(70 Stat. 483), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), as amended, and Title  
XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively hereinafter referred to as  
Federal Reclamation law, among the UNITED STATES OF AMERICA, hereinafter referred to as the  
United States, and PAJARO VALLEY WATER MANAGEMENT AGENCY, SANTA CLARA  
VALLEY WATER DISTRICT, AND WESTLANDS WATER DISTRICT DISTRIBUTION  
DISTRICT NO. 1, hereinafter referred to as the Contractors, public agencies of the State of California,  
duly organized, existing, and acting pursuant to the laws thereof;

WITNESSETH, That:

EXPLANATORY RECITALS

WHEREAS, the United States and the Contractors entered into an interim renewal  
contract identified as Contract No. 14-06-200-3365A-IR5-B, hereinafter referred to as the Interim

29 Renewal Contract, which provided for the continued water service to the Contractors following  
30 expiration of Contract No. 14-06-200-3365A-B; and

31 WHEREAS, the United States and the Contractors have entered into successive  
32 renewals of the Interim Renewal Contract, the most recent of which is Contract No. 14-06-200-  
33 3365A-IR8-B, hereinafter referred to as the Existing Interim Renewal Contract, from March 1, 2004,  
34 through February 28, 2006; and

35 WHEREAS, the United States and the Contractors have made significant progress in  
36 their negotiations of a long-term renewal contract, believe that further negotiations on the long-term  
37 renewal contract would be beneficial, and mutually commit to continue to negotiate to seek to reach  
38 agreement, but anticipate that the environmental documentation necessary for execution of any long-  
39 term renewal contract will be delayed until the summer of 2006 and may be delayed further for reasons  
40 beyond the control of the parties; and

41 WHEREAS, the Contractors have requested a subsequent interim renewal contract  
42 pursuant to Subdivision (b)(1) of Article 2 of the Interim Renewal Contract and Article 1 of the  
43 Existing Interim Renewal Contract; and

44 WHEREAS, the United States has determined that the Contractors have to date  
45 fulfilled all of its obligations under the Existing Interim Renewal Contract; and

46 WHEREAS, the United States is willing to renew the Existing Interim Renewal  
47 Contract pursuant to the terms and conditions set forth below;

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

50           INCORPORATION AND REVISION OF EXISTING INTERIM RENEWAL CONTRACT

51           1.       The terms and conditions of the Existing Interim Renewal Contract are hereby  
52 incorporated by reference into this Contract with the same force and effect as if they were included in  
53 full text with the exception of Article 1 thereof, which is revised as follows:

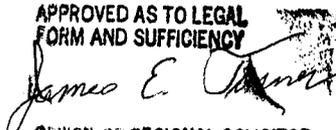
54                   (a)       The first sentence in Subdivision (a) of Article 1 of the Existing Interim  
55 Renewal Contract is modified as follows: “This interim renewal contract shall be effective from  
56 March 1, 2006, and shall remain in effect through February 28, 2007, and thereafter will be renewed as  
57 described in Subdivision (a) of Article 2 of the Interim Renewal Contract if a long-term renewal contract  
58 has not been executed with an effective commencement date of March 1, 2007.”

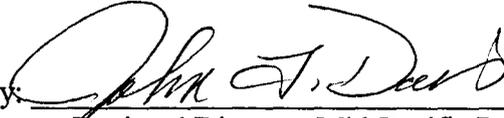
59                   (b)       Subdivision (b) of Article 1 of the Existing Interim Renewal Contract is  
amended by deleting the date “February 15, 2006,” and replacing same with the date  
61 “February 15, 2007.”

62                   (c)       Subdivision (c) of Article 1 of the Existing Interim Renewal Contract is  
63 amended by deleting the dates “February 1, 2006,” “February 15, 2006,” and “February 28, 2006,” and  
64 replacing same with the dates “February 1, 2007,” “February 15, 2007,” and “February 28, 2007,”  
65 respectively.

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

68 UNITED STATES OF AMERICA

69 APPROVED AS TO LEGAL  
70 FORM AND SUFFICIENCY  
71   
OFFICE OF REGIONAL SOLICITOR  
DEPARTMENT OF THE INTERIOR

By:   
Regional Director, Mid-Pacific Region  
Bureau of Reclamation

72 (SEAL)  
73

PAJARO VALLEY WATER  
MANAGEMENT AGENCY

74 Attest:

75   
76 Secretary

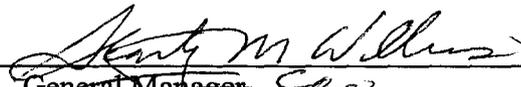
By:   
General Manager

77 (SEAL)

SANTA CLARA VALLEY WATER DISTRICT

78 Attest:

79 \_\_\_\_\_  
80 Secretary

By:   
General Manager *CEO*

81 (SEAL)

82 WESTLANDS WATER DISTRICT  
83 DISTRIBUTION DISTRICT NO. 1

84 Attest:

85   
86 Secretary

By:   
President

**RESOLUTION NO. 101-06**

**WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 1**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
APPROVING THE FORM OF THE NEW INTERIM RENEWAL CONTRACT  
AMONG THE UNITED STATES OF AMERICA AND PAJARO VALLEY WATER  
MANAGEMENT AGENCY, SANTA CLARA VALLEY WATER DISTRICT AND  
WESTLANDS WATER DISTRICT DISTRIBUTION DISTRICT NO. 1 PROVIDING FOR  
PROJECT WATER SERVICE, AND AUTHORIZING EXECUTION THEREOF**

WHEREAS, on March 1, 2004, Pajaro Valley Water Management Agency, Santa Clara Valley Water District, and Westlands Water District Distribution District No. 1 (DD1; District) and the United States of America through the Bureau of Reclamation entered into a successive Interim Water Service Contract No. 14-06-200-3365A-IR5-B, now referred to as the "Existing Interim Renewal Contract"; and

WHEREAS, the Existing Interim Renewal Contract provided for the continued water service to the contractors from March 1, 2004 through February 28, 2006 and during this period, Reclamation expected to complete the Environmental Impact Statement (EIS) for Contract Renewal; and

WHEREAS, the EIS for Contract Renewal is now not expected to be finalized until July 2006; and

WHEREAS, to accommodate the completion of the EIS, the Bureau of Reclamation has submitted a new one-year interim renewal contract to the contractors, Contract No. 14-06-200-3365A-IR9-B (New Interim Renewal Contract); and

WHEREAS, it is in the best interest of DD1 and its landowners that DD1 renew the water service contract with the United States pursuant to the Act of Congress of July 2, 1956 (70 Stat. 483) and the Act of Congress of October 30, 1992, (96 Stat. 1262), thereby providing continued water service to lands within DD1; and

WHEREAS, the District has reviewed the terms and conditions of the form of the New Interim Renewal Contract and finds the form and content thereof to be acceptable to the District and appropriate for execution.

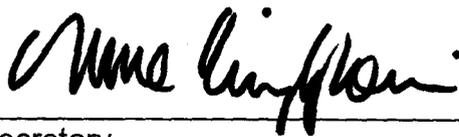
NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. The facts set forth in the recitals above and in the documents referenced therein are true and correct, and the Board so finds and determines.

STATE OF CALIFORNIA        )  
  )ss  
COUNTY OF FRESNO        )

I, Dave Ciapponi, do hereby certify that I am the duly appointed, qualified and acting Secretary of Westlands Water District Distribution District No. 1, a public district organized under the laws of the State of California with its offices at Fresno, California; that Resolution No. 101-06 was duly and regularly adopted by the Board of Directors of Westlands Water District Distribution District No. 1 at a meeting of said Board of Directors duly called and held on the 21<sup>st</sup> of February, 2006, at the offices of said Westlands Water District Distribution District No. 1 at which a quorum of said Directors was present and acting; and that said Resolution is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as Secretary of said District this day of 27<sup>th</sup> of February, 2006.



Secretary  
Westlands Water District Distribution District No. 1