

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 THE HILLS VALLEY IRRIGATION DISTRICT
10 PROVIDING FOR PROJECT WATER SERVICE

11 THIS CONTRACT, made this _____ day of _____, 2012,
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, DEPARTMENT OF WATER
19 RESOURCES OF THE STATE OF CALIFORNIA, hereinafter referred to as DWR, and the
20 HILLS VALLEY IRRIGATION DISTRICT, hereinafter referred to as the Contractor, a public
21 agency of the State of California, duly organized, existing, and acting pursuant to the laws
22 thereof;

23 WITNESSETH, That:

24 EXPLANATORY RECITALS

25 WHEREAS, the United States, DWR, and the Contractor entered into interim
26 renewal Contract (long-form interim renewal contract) No. 14-06-200-8466A-IR1 which

27 provided for the continued water service to the Contractor following expiration of Contract
28 No. 14-06-200-8466A; and

29 WHEREAS, the last long-form interim renewal contract between the United
30 States, DWR, and the Contractor is Contract No. 14-06-200-8466A-IR5, hereinafter referred
31 to as IR5; and

32 WHEREAS, the United States, DWR, and the Contractor have entered into
33 successive renewals of IR5, the most recent of which is Contract No.
34 14-06-200-8466A-IR13, hereinafter referred to as IR13, effective March 1, 2010, through
35 February 29, 2012; and

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

42 WHEREAS, the Contractor has requested a subsequent interim renewal contract
43 pursuant to IR13; and

44 WHEREAS, the United States has determined that the Contractor has to date
45 fulfilled all of its obligations under IR13; and

46 WHEREAS, the United States and DWR are willing to renew IR13 pursuant to
47 the terms and conditions set forth below; and

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

50 RENEWAL AND REVISION OF
51 CONTRACT NO. 14-06-200-8466A-IR13

52 1. Except as specifically modified by this Contract, all provisions of IR13 are
53 renewed with the same force and effect as if they were included in full text with the exception of
54 Article 1 of IR13 thereof, which is revised as follows:

55 (a) The first sentence in subdivision (a) of Article 1 of IR13 is replaced with
56 the following language: “This Contract shall be effective from March 1, 2012, and shall remain
57 in effect through February 28, 2014, and thereafter will be renewed as described in Article 2 of
58 IR5 if a long-term renewal contract has not been executed with an effective commencement date
59 of March 1, 2014.”

60 (b) Subdivision (b) of Article 1 of IR13 is amended by deleting the date
61 “February 15, 2012,” and replacing same with the date “February 15, 2014.”

62 (c) Subdivision (c) of Article 1 of IR13 is amended by deleting the dates
63 “February 1, 2012”, “February 15, 2012”, and “February 29, 2012”, respectively, and
64 replacing same with the dates “February 1, 2014”, “February 15, 2014”, and “February 28,
65 2014”, respectively.

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

68 UNITED STATES OF AMERICA

69 By: _____
70 Regional Director, Mid-Pacific Region
71 Bureau of Reclamation

72 Approved as to Legal Form and DEPARTMENT OF WATER RESOURCES
73 Sufficiency: OF THE STATE OF CALIFORNIA

74 _____ By: _____
75 Chief Counsel Director
76 Department of Water Resources Department of Water Resources

77 (SEAL)

78 HILLS VALLEY IRRIGATION DISTRICT

79 By: _____
80 President, Board of Directors

81 Attest:

82 _____
83 Secretary