EXHIBIT B
DELTA LANDS RECLAMATION DISTRICT NO. 770
YEAR 2010 CONVEYANCE RATES
(Per Acre-Foot)

Cost Component	(1) M&I Cost of Service
Water Marketing	$ 3.20
Conveyance	
O&M	*
Capital	$ 6.46
Other Cost	$ 2.40
Total:	$12.06

(1) The M&I Cost of Service Rate is the Contractor's rate to introduce Non-Project Water as defined in Exhibit C into Friant Division facilities.

*Conveyance operation and maintenance costs were removed for ratesetting purposes and are billed directly by the Operating Non-Federal Entity.

Additional details of rate components are available on the Internet at www.mp.usbr.gov/cvpwaterrates/.

EXHIBIT C
SOURCE(S) OF DELTA LANDS RECLAMATION DISTRICT NO. 770 NON-PROJECT WATER

The Non-Project Water conveyed pursuant to this Contract will be potentially damaging flood flows diverted by the Contractor from one or more of the following sources:

1. From the Kings River at Milepost 29.10 of the Friant-Kern Canal

2. From the Tule River at Milepost 95.67 of the Friant-Kern Canal

3. From the St. John's River (a channel of the Kaweah River) at Milepost 69.45 of the Friant-Kern Canal

Following are Exhibits C-1 through C-4. Exhibit C-1 is the acknowledgement letter from the Kings River Water Association that addresses the introduction of damaging floodwaters from the Kings River water into the Friant-Kern Canal. Exhibit C-2 is the acknowledgement letter from the Tule River Association that addresses unusable, potentially damaging floodwaters from the Tule River into the Friant-Kern Canal. Exhibit C-3 is the acknowledgement letter from the Kaweah and St. Johns Rivers Association which addresses the introduction of Non-Project Water from the St. John's River into the Friant-Kern Canal through September 30, 2010. If the Contractor wants to introduce Non-Project Water from the St. John's River into the Friant-Kern Canal after September 30, 2010, the Contractor shall submit to the Contracting Officer and the Operating Non-Federal Entity an updated letter(s) for the introduction of Non-Project Water from the St. John's River for the period October 1, 2010 through May 31, 2011. Without this additional documentation, the Contracting Officer will not allow the continued introduction of St. John's River Non-Project Water into the Friant-Kern Canal. Exhibit C-4 is the acknowledgement letter from the Kern River Watermaster that addresses the discharge of potentially damaging floodwaters into the Kern River.

EXHIBIT C-1

KINGS RIVER WATER ASSOCIATION

4888 EAST JENSEN AVENUE
FRESNO, CALIFORNIA 93725
TELEPHONE (559) 266-0767
FAX (559) 266-3818

May 13, 2010

Mr. Michael Jackson
U.S. Bureau of Reclamation
1243 N Street
Fresno, California 93721

Re: Floodwater Diversion Program

Dear Mr. Jackson:

This letter is written to confirm that the Kings River Water Association, on behalf of the water rights holders on the Kings River, does not object to the Delta Lands Reclamation District #770 floodwater diversion program in which damaging floodwaters on the Kings River are pumped into the Friant-Kern Canal. We recognize that the water diverted into the Canal would otherwise cause damage to lands in the Tulare Lakebed.

We will monitor the operations of the diversion pumps on the Kings River and will notify you if we believe that Delta Lands Reclamation District #770 proposes to divert any Kings River water that would not be damaging floodwater. If we make that determination, we will ask that you not accept any non-damaging water into the Friant-Kern Canal.

Yours very truly,

Steven Haugen
Watermaster

SH:pl

cc: Delta Lands Reclamation District #770
Valerie Curley, USBR
Gary W. Sawyers, Esq.

EXHIBIT C-2

TULE RIVER ASSOCIATION

January 21, 2010

Bureau of Reclamation
1243 'N' Street
Fresno, CA 93721
Attn: Mr. Michael Jackson, Area Manager

Re: Tule River Flood Water Diversions to Friant-Kern Canal

Dear Mr. Jackson:

The Tule River Association, the directors of which represent the holders of Pre-1914 water rights of the Tule River at and below Success Reservoir, passed a resolution in the regular board meeting of December 10, 1997, a certified copy is attached for reference, that allows without objection the diversion of unusable potentially damaging flood waters, pre-1914 water right holders water below Turnbull Weir, of the Tule River into the Friant-Kern Canal, subject to certain conditions set forth therein. The Tule River Association, with authorities established by the Association's 1965 Organization Agreement authorizes the watermaster, acting on behalf of the board of directors, to regulate diversions of the non project water pre-1914 water right holders water below Turnbull Weir, in the Friant-Kern Canal, and authorizes the transmittal of this letter and said resolution to the Bureau of Reclamation.

Under California law, Water Code Section 1706, pre-1914 water rights holders may change the point of diversion, place of use or purpose of use (including storage for later use) provided others are not injured by such change. The proposed change in point of diversion in the Friant Kern Canal, conveyance in the Friant-Kern Canal, and change in place of use to include Friant Division Contractors, of waters of pre 1914 water right holders below Turnbull Weir, would not cause injury to other water users on Tule River as determined by the watermaster.

The Tule River Association has not modified its position of not objecting to the pumping of Pre-1914 Tule River water rights below Turnbull Weir into the Friant-Kern Canal when such waters would otherwise cause damage in the Tulare Lakebed since adoption of the 1997 resolution.

As set forth in the resolution, the diversion of Tule River flood waters into the Friant-Kern Canal must be coordinated with the Tule River Watermaster/Lower Tule River Irrigation District. All such diversions shall be monitored with the daily flow recorded by Delta Lands Reclamation District No. 770 and submitted to the Tule River Watermaster.

Very truly yours,

R.L. Schafer
Watermaster/Secretary

RLS/mep

Enclosure

cc: Bureau of Reclamation
Barbara Hidlebrug
Sheryl Carter
Delta Lands Reclamation District No. 770, Attn: Walter Bricker

EXHIBIT C-3

KAWEAH & ST. JOHNS RIVERS ASSOCIATION

Since 1927

February 10, 2010

Michael Jackson
United States Department of Interior
Bureau of Reclamation
South – Central California Area Office
1243 "N" Street
Fresno, California 93721-1813

Dear Mr. Jackson:

This letter is written, at the request of Delta Lands Reclamation District No. 770, to provide written documentation of the Kaweah & St. Johns Rivers Association's policy regarding the pumping of potentially damaging flood water from the Kaweah River System into the Friant-Kern Canal for the remainder of the current water year ending September 30, 2010. The Association Board of Directors, which represents the holders of pre-1914 water rights on the Kaweah and St. Johns Rivers at and below Terminus Reservoir, has authorized me, as Watermaster, with authorities established by the Association's 1974 Kaweah and St. Johns Rivers Association Agreement, to transmit this letter to the Bureau of Reclamation.

The Association has a policy, which provides that water to which the Member Units of its Association are entitled shall be utilized only within the Kaweah River hydrologic surface boundary. However, such water that is considered potentially damaging flood water has been allowed to be rerouted outside these boundaries solely for flood control purposes without objection.

It is my understanding that Delta Lands Reclamation District No. 770 has entered into an agreement whereby potentially damaging floodwater will be conveyed to it by a member(s) of the Association having a valid right to divert such water to reasonable and beneficial use. Delta Lands intends to take delivery of such water from such Association member(s) by pumping it into the Friant Kern Canal for ultimate delivery to Friant Division contractors, at mutually agreeable times and quantities. With this understanding, and consistent with the above noted policies, I am able to confirm that:

1) The proposed delivery of water to Friant Division contractors in this manner will be considered to be a diversion that is consistent with one or more pre-1914 appropriative water rights of an Association member;
2) I, as the Watermaster, have been given authority under the Association's 1974 Kaweah and St. Johns Rivers Association Agreement, to regulate diversions of water under the various pre-1914 appropriative water rights of the Association members;

7525 N. Farmersville Boulevard, Farmersville, CA 93223 Phone 559 747 5601 Fax [illegible] [illegible]

3) The proposed change in point of diversion of water under a valid pre-1914 appropriative right for conveyance into Friant Division Project facilities, and the proposed change in place of use of that water for ultimate beneficial use by Friant Division contractors, is authorized, and in my opinion, there will be no legal injury to another water user. Further the pre-1914 appropriative water rights being relied upon for such diversion are sufficient in quantity and seasonality to support these proposed changes. The basis for my opinion is my review of the proposed transferee's water rights as set forth in Association schedules attached to the aforementioned Association Agreement, and the anticipated hydrologic conditions under which the subject diversion is being contemplated.

As has been required in the past, any diversions of water that is subject to Pre-1914 appropriative rights from the Kaweah River System are to be coordinated with the Watermaster as to notice, timing and magnitude of diversions.

In addition, copies of any documents, such as contracts, licenses, and diversion records, which pertain to the facilities or diversions that impact the Kaweah River System, are to be provided to the Association in a timely manner.

As in previous years, this opinion is based on a review and understanding of the proposed activities that are pertinent to the 2010 water year only, and is subject to change in subsequent years.

Sincerely,

Mark Larsen
Watermaster

BG:kh

cc: Delta Lands Reclamation District No. 770
Sheryl Carter, Bureau of Reclamation
Valerie Curley, Bureau of Reclamation
Kaweah & St. Johns Rivers Association Board of Directors
Alex M. Peltzer, Esquire

EXHIBIT C-4

KERN RIVER WATERMASTER

3340 Cavalier Avenue
Bakersfield, CA 93308-9575
Telephone (661) 393-2696

P.O. Box 81435
Bakersfield, CA 93380-1435
Facsimile (661) 393-6884

January 21, 2010

Bureau of Reclamation
South Central California Area Office
1243 "N" Street
Fresno, CA. 93721-1813

Attn: Mr. Michael Jackson, Acting Area Manager

Re: Delta Lands Reclamation District No. 770 Floodwater Disposal

Dear Mr. Jackson:

Delta Lands RD No. 770 has indicated that it anticipates a need to dispose of potentially damaging floodwater diverted from the Kaweah and Tule Rivers into the Friant-Kern Canal (FKC) system. I understand this water to be floodwater that will be diverted so as to reduce potential damages to lands within the area served by DLRD No. 770.

I also understand that the portions of the floodwater diverted into the FKC can be disposed of by discharging it into the Kern River at the terminus of the FKC. I have no objection to accepting the floodwater for disposition in the Kern river basin, provided that Delta Lands coordinates it operations with the Kern River Watermaster or designee on behalf of the water users, as it has in the past, and it is understood that I reserve the right (after providing reasonable notice to all parties sufficient to allow the disposition of water already in the FKC and destined for the Kern River) to discontinue acceptance of this water if Delta Lands fails to provide adequate coordination or conditions develop with local supplies that require termination of Delta Lands program. Further, it is my understanding that DLRD No. 770 has agreed to take responsibility for the safe disposal of the floodwater.

Please feel free to contact me if you have any questions.

Very truly yours,

C.H. Williams
Kern River Watermaster

Cc: Kern River Interests
Walter Brocker, DLRD
John Ryan, COR

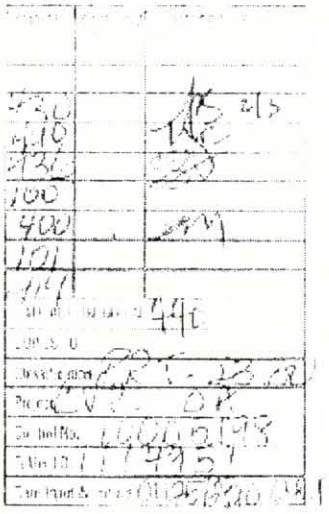

EXHIBIT D

QUALITY ASSURANCE PROJECT PLAN

Placeholder

Exhibit D - Temporary Contract Between the United States and Delta Lands Reclamation District No. 770 for Conveyance of Non-Project Water

Table 1 - Water Quality Monitoring Locations

Friant-Kern Canal Milepost	Description	Water Quality Monitoring Point
28.31	Trimmer Springs Road bridge	Upstream
29.10	Kings River discharge pipes	
30.46	Tulare Ave bridge	Downstream
69.23	Road 204 bridge	Upstream
69.45	St. Johns River discharge pipes	
71.18	Avenue 322 bridge	Downstream
95.15	Henderson Road bridge	Upstream
95.67	Tule River discharge pipes	
96.28	Olive Ave (Avenue 156) bridge	Downstream

Notes:
The water quality monitoring points are subject to review at any time by the Contracting Officer.

The separate agreement between Delta Lands Reclamation District No. 770 and Friant Water Authority is hereby incorporated by reference.

Revised: 06/29/2010 SCC-107

Exhibit D - Temporary Contract Between the United States and Delta Lands Reclamation District No. 770 for Conveyance of Non-Project Water

Table 2 - Water Quality Monitoring Requirements

What will be measured in the water?	Water to be Tested	How often will a sample be collected?	When will the samples be collected?	Who will collect samples? (7)
Constituents of Concern (1)(6)	CVP water in the canal	Quarterly	January, April, June, October	Reclamation (CVP Baseline Program)
	River water (2)	Annual	Within 3 days of pumping into the canal	Independent agent
	Canal water upstream of discharge point (5)	Monthly	While pumping into the canal	Independent agent
Bacterial organisms (3)	River water (2)	Monthly	While pumping into the canal	Independent agent
	Canal water downstream of discharge point (5)	Monthly	While pumping into the canal	Independent agent
	Canal water upstream of discharge point (5)	Weekly	While pumping into the canal	Friant Water Authority
Electrical conductivity, turbidity (4)	River water (2)	Weekly	While pumping into the canal	Friant Water Authority
	Canal water downstream of discharge point (5)	Weekly	While pumping into the canal	Friant Water Authority
	Canal water upstream of discharge point (5)	(6)	While pumping into the canal	Independent agent
Other constituents of concern (6)	River water (2)	(6)	While pumping into the canal	Independent agent
	Canal water downstream of discharge point (5)	(6)	While pumping into the canal	Independent agent

Notes:
(1) See Table 3.
(2) "Non-Project Water" specified in the current contract between the United States and Delta Lands Reclamation District No. 770.
(3) Cryptosporidium, Giardia, total coliform bacteria
(4) Field measurements.
(5) Locations listed on Table 1
(6) To be determined by the Contracting Officer, if necessary.
(7) All samples must be collected and analyzed according to the current Quality Assurance Project Plan.
This water quality monitoring program is subject to review at any time by the Contracting Officer.
Revised: 06/29/2010 SCC-107

Exhibit D - Temporary Contract Between the United States and Delta Lands Reclamation District No. 770 for Conveyance of Non-Project Water

Table 3. California Drinking Water Standards (Maximum Contaminant Levels)

CONSTITUENT OR PARAMETER	Units	California DHS Maximum Contaminant Level	Note	Detection Limit for Reporting	Note	CAS Registry Number
Primary Constituents (CCR § 64431)						
Aluminum	mg/L	1	1	0.05	2	7429-90-5
Antimony	mg/L	0.006	1	0.006	2	7440-36-0
Arsenic	mg/L	0.010	1	0.002	2	7440-38-2
Asbestos	MFL > 10µm	7	1	0.2	2	1332-21-4
Barium	mg/L	1	1	0.1	2	7440-39-3
Beryllium	mg/L	0.004	1	0.001	2	7440-41-7
Cadmium	mg/L	0.005	1	0.001	2	7440-43-9
Chromium	mg/L	0.05	1	0.01	2	7440-47-3
Cyanide	mg/L	0.15	1	0.1	2	57-12-5
Fluoride	mg/L	2.0	1	0.1	2	16984-48-8
Mercury	mg/L	0.002	1	0.001	2	7439-97-6
Nickel	mg/L	0.1	1	0.01	2	7440-02-0
Nitrate (as NO3)	mg/L	45	1	2	2	7727-37-9
Nitrate + Nitrite (sum as Nitrogen)	mg/L	10	1			
Nitrite (as Nitrogen)	mg/L	1	1	0.4	2	7632-00-0
Perchlorate	mg/L	0.006	1	0.004	2	107-02-8
Selenium	mg/L	0.05	1	0.005	2	7782-49-2
Thallium	mg/L	0.002	1	0.001	2	7440-28-0
Secondary Constituents (CCR § 64449)						
Aluminum	mg/L	0.2	6	50	2	7429-90-5
Chloride	mg/L	500	7			16887-00-6
Color	units	15	6			E-11712
Copper	mg/L	1.0	6			7440-50-8
Foaming agents (MBAS)	mg/L	0.5	6			E-14562
Iron	mg/L	0.3	6			7439-89-6
Manganese	mg/L	0.05	6			7439-96-5
Methyl-tert-butyl ether (MtBE)	mg/L	0.005	6	0.003	5	1634-04-4
Odor - Threshold	units	3	6			E-11734
Silver	mg/L	0.1	6			7440-22-4
Specific conductance (EC)	µS/cm	1,600	7, 9			E-10184
Sulfate	mg/L	500	7			14808-79-8
Thiobencarb	mg/L	0.001	6	0.001	5	28249-77-6
Total dissolved solids (TDS)	mg/L	1,000	7			E-10173
Turbidity	NTU	5	6			E-10617
Zinc	mg/L	5.0	6			7440-66-6
Other required analyses (CCR § 64449 (b)(2), CCR § 64678, CCR § 64681)						
Boron	mg/L	0.7	13			7440-42-8
Copper	mg/L	1.3	9, 12	0.05	10	7440-50-8
Lead	mg/L	0.015	9, 11	0.005	10	7439-92-1
pH	units	6.5 - 8.3	8, 9			E-10139
Sodium	mg/L	69	8,13			7440-23-5
Radiochemistry (CCR § 64442)						
Radioactivity, Gross Alpha	pCi/L	15	3	3	3	12587-46-1
Microbiology						
Cryptosporidium	org/liter	No MCL, measure for presence				137259-50-8
Fecal Coliform	MPN/100ml	200 - 400				E-761692
Giardia	org/liter	No MCL, measure for presence				137259-49-5
Total Coliform bacteria	MPN/100ml	No MCL, measure for presence				E-761700

CONSTITUENT OR PARAMETER	Units	California DHS Maximum Contaminant Level	Note	Detection Limit for Reporting	Note	CAS Registry Number
Molinate	mg/L	0.02	4	0.002	5	2212-67-1
Thiobencarb	mg/L	0.07	4	0.001	5	28249-77-6
EPA 531.1 Method						
Carbofuran	mg/L	0.018	4	0.005	5	1563-66-2
Oxamyl	mg/L	0.05	4	0.02	5	23135-22-0
EPA 547 Method						
Glyphosate	mg/L	0.7	4	0.025	5	1071-83-6
EPA 548.1 Method						
Endothall	mg/L	0.1	4	0.045	5	145-73-3
EPA 549.2 Method						
Diquat	mg/L	0.02	4	0.004	5	85-00-7
EPA 1613 Method						
2,3,7,8-TCDD (Dioxin)	mg/L	3×10^{-8}	4	5×10^{-7}	5	1746-01-6

Adapted from Marshack, Jon B. July 2008. A Compilation of Water Quality Goals. Prepared for the California Environmental Protection Agency, Regional Water Quality Control Board.

Download from: http://www.swrcb.ca.gov/rwqcb5/water_issues/water_quality_standards_limits/water_quality_goals/index.shtml

California Code of Regulaitons, Title 22. Division 4. Environmental Health. Chapter 15 Domestic water Quality and Monitoring Regulations

Download from: http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Lawbook/dwregulations-06-24-2010.pdf

Revised: 6/29/2010

Exhibit D - Temporary Contract Between the United States and Delta Lands Reclamation District No. 770 for Conveyance of Non-Project Water

Notes for Table 3

Title 22. California Code of Regulations, California Safe Drinking Water Act and Related Laws and Regulations. January 2009.
http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Lawbook/DWstatutes-01-01-2009-withSB2x1.pdf
http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Lawbook/dwregulations-01-01-2009.pdf

[1] Table 64431-A. Maximum Contaminant Levels, Inorganic Chemicals
[2] Table 64432-A. Detection Limits for Purpose of Reporting (DLRs) for Regulated Inorganic Chemicals
[3] Table 64442. Radionuclide Maximum contaminant Levels (MCLs) and Detection Levels for Reporting (DLRs)
[4] Table 64444-A. Maximum Contaminant Levels Organic Chemicals
[5] Table 64445.1-A. Detection Limits for Reporting (DLRs) for Regulated Organic Chemicals
[6] Table 64449-A. Secondary Maximum Contaminant Levels "Consumer Acceptance Levels"
[7] Table 64449-B. Secondary Maximum Contaminant Levels "Consumer Acceptance Levels"
[8] § 64449(b)(2)
[9] § 64670.(c)
[10] Table 64678-A. DLRs for Lead and Copper
[11] § 64678 (d)
[12] § 64678 (e)
[13] Ayers, R. S. and D. W. Westcot, 1985. Water Quality for Agriculture, Food and Agriculture Organization of the

Abbreviations

MFL Million fibers per liter; MCL for fibers exceeding 1 µm in length
µg/L Micrograms per liter or parts per billion