

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

AMENDMENT TO THE EXISTING CONTRACT BETWEEN THE UNITED STATES  
AND  
CLEAR CREEK COMMUNITY SERVICES DISTRICT  
PROVIDING FOR  
PROJECT WATER SERVICE AND FACILITIES REPAYMENT

Exhibits

Exhibit A – Map of Contractor’s Service Area

*This Exhibit is unchanged from current Contract.*

Exhibit B – Rates and Charges

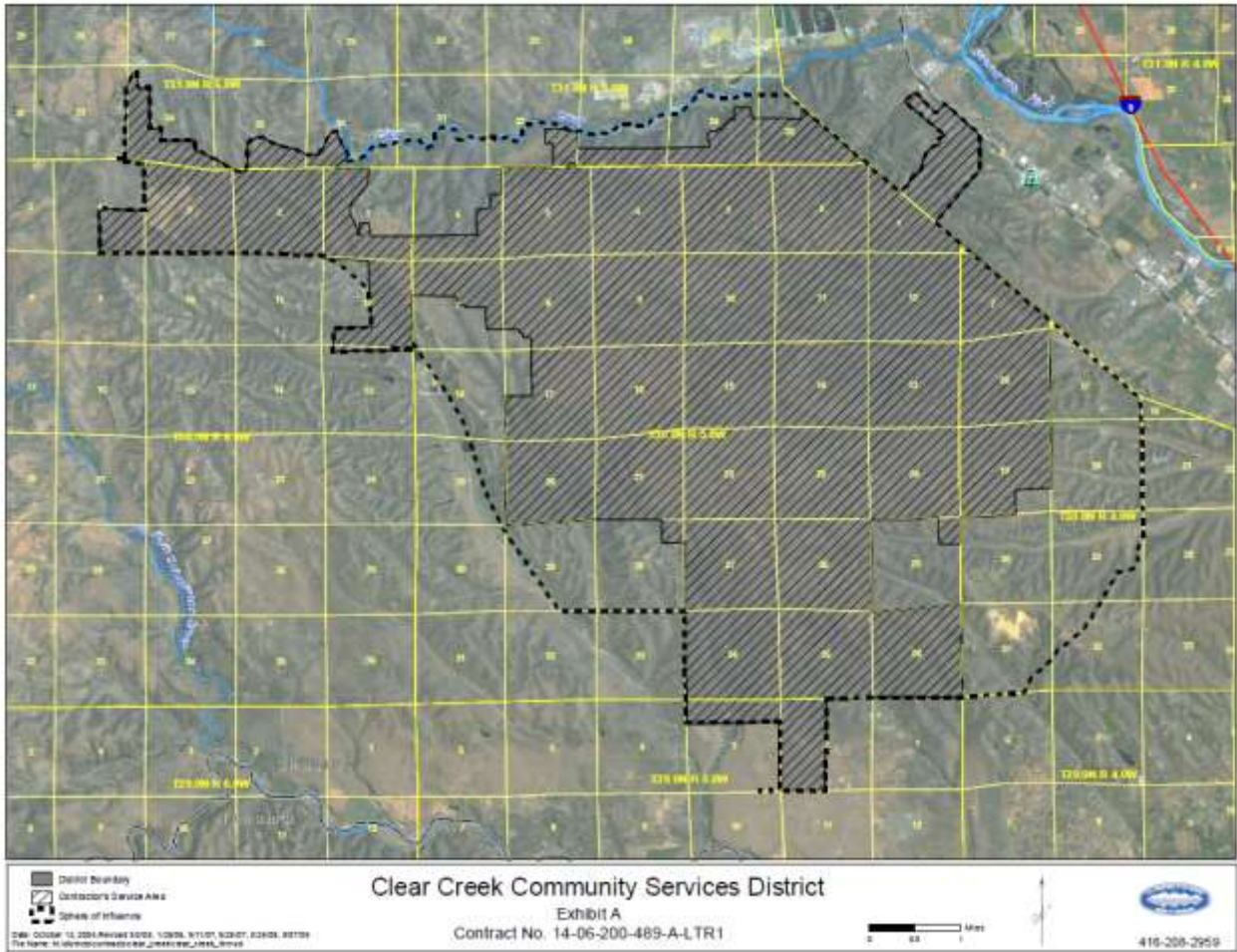
*This Exhibit template is unchanged from current Contract and is updated annually. Rate Schedules may be found at: <https://www.usbr.gov/mp/cvpwaterrates/ratebooks/index.html>*

Exhibit C – Guidelines For Determining If Project Water Is Put To Use As Irrigation Water

*This Exhibit was modified during the WIIN Act Negotiations.*

Exhibit D – Repayment Obligation

*This Exhibit template was developed during the WIIN Act Negotiations. Relevant data will be incorporated upon contract execution.*



**Exhibit B**  
**CLEAR CREEK COMMUNITY SERVICES DISTRICT**  
**2020 Rates and Charges**  
**(Per Acre-Foot)**

District Form - Irrigation/M&I  
Contract No. 14-06-200-489-A-P

	Irrigation Water	M&I Water
<b>COST-OF-SERVICE (COS) RATES</b>		
Capital Component	\$40.81	\$0.00
O&M Component		
Water Marketing	\$8.97	\$6.12
Storage	\$18.01	\$14.99
Conveyance	\$0.00	\$0.00
Deficit Cost Component		
Interest Bearing	\$7.77	\$0.00
ARRA Component	\$0.00	\$0.00
<b>TOTAL COS RATE (Tier 1 Rate)</b>	<b>\$75.56</b>	<b>\$21.11</b>
<b>IRRIGATION FULL COST RATE (RRA)</b>		
Section 202(3) Rate is applicable to a Qualified Recipient or to a Limited Recipient receiving irrigation water on or before October 1, 1981.	\$108.52	
Section 205(s)(3) Rate is applicable to a Limited Recipient that did not receive irrigation water on or before October 1, 1981.	\$131.74	
<b>M&amp;I FULL COST RATE</b>		
		\$21.11
<b>TIERED PRICING COMPONENTS</b> (In Addition to Total COS Rate Above)		
<b>Irrigation</b>		
Tier 2 Rate: ~80% ~90% of Contract Total [Section 202(3) Irrigation Full Cost Rate - Irrigation COS Rate]/2 (Amount to be added to Tier 1 Rate)	\$16.48	
Tier 3 Rate: ~90% of Contract Total [Section 202(3) Irrigation Full Cost Rate - Irrigation COS Rate] (Amount to be added to Tier 1 Rate)	\$32.96	
<b>M&amp;I</b>		
Tier 2 Rate: ~80% ~90% of Contract Total [M&I Full Cost Rate - M&I COS Rate]/2 (Amount to be Added to Tier 1 Rate)		\$0.00
Tier 3 Rate: ~90% of Contract Total [M&I Full Cost Rate - M&I COS Rate] (Amount to be Added to Tier 1 Rate)		\$0.00
<b>CHARGES AND ASSESSMENTS</b> (Payments in Addition to Rates)		
P.L. 102-575 Surcharges (Restoration Fund Payments) <sup>2</sup> [Section 3407(4)(2)(A)]	\$10.91	\$21.82
P.L. 106-377 Assessment (Trinity Public Utilities District) <sup>3</sup> [Appendix B, Section 203]	\$0.12	\$0.12

<sup>2</sup> The surcharges were determined pursuant to Title XXXIV of P.L. 102-575. Restoration Fund surcharges under P.L. 102-575 are determined on a fiscal year basis (10/1-9/30).

<sup>3</sup> The Trinity Public Utilities District Assessment is applicable to each acre-foot of water delivered from 3/1 - 2/28 and is adjusted annually.

Recent Historic Use, as defined in the CVP M&I Water Shortage Policy, is 2,163 acre-foot.

Additional details of the rate components are available on the Internet at  
[www.uibr.gov/imp/cvpwaterrates/ratebook](http://www.uibr.gov/imp/cvpwaterrates/ratebook).

EXHIBIT C

GUIDELINES FOR DETERMINING IF PROJECT WATER  
IS PUT TO USE AS IRRIGATION WATER

A. Objective:

1. Achieve the proper use of Project Water irrespective of landholding size.
2. Obtain reimbursement to the Reclamation Fund for Project Water at the appropriate Rates.

B. Focus:

1. Usually, the Rates for Irrigation Water are significantly less than the Rates for M&I Water. Contractors that have both irrigation and M&I as purposes of use in their contracts have to determine the appropriate Rates to charge their customers for Project Water. That determination becomes more difficult for smaller landholdings because activities on a rural residence may appear to be like activities on a farm or ranch.
2. To qualify as Irrigation Water, Project Water must be used to irrigate land primarily for the production of commercial agricultural crops or livestock, and domestic and other uses that are incidental thereto.

C. Criteria to consider:

1. Existence of a business or development plan; and
2. Commercial crop or livestock sales or barter; and/or
3. Commercial improvements to land, including but not limited to buildings (barns, storage facilities, workshop, livestock shed), irrigation system, leveling, corrals, fencing, fruit or nut trees, vines, etc.); and
4. Related enterprises involving the landholder. For example, Project Water diverted to irrigate pasture for horses used in a commercial cattle operation would be at the Rates for Irrigation Water in contrast to Project Water diverted to irrigate pasture for horses used only for personal enjoyment which would be at the Rates for M&I Water.

D. Decision:

1. The Contractor shall be responsible for ascertaining whether Project Water delivered is put to use as Irrigation Water or M&I Water. In the past, Reclamation's focus has been on landholdings operated in units of less than two acres. More recently, that focus has been on landholdings operated in units of less than five acres.
2. The guidelines recognize that the Contractor continues to survey all landholdings during the term of its contract to determine if landholders are paying the appropriate Rates for Project Water. The Contractor will require a new application requesting Project Water at the Rates

for Irrigation Water when there is a change in the purpose of use or ownership of any landholdings after the date of execution of this Contract.

E. Review:

A decision made by the Contractor may be reviewed by Reclamation. If Reclamation does not agree with the Contractor's decision, Reclamation shall provide notification, in writing, to the Contractor explaining specifically why Reclamation believes the decision made by the Contractor to deliver Irrigation Water to the landholding was not done so in accordance with these guidelines. Within 30 days of receipt of such notification, Reclamation and the Contractor shall meet and confer to determine what corrective actions should be taken to resolve the disagreement in accordance with these guidelines. If Reclamation and the Contractor cannot resolve the disagreement within 90 days of that notification, Reclamation shall, thereafter, provide its final determination, in writing to the Contractor. The Contractor retains the right to appeal up to and including the Commissioner of Reclamation any final decision they are in disagreement with.

F. Documentation:

These guidelines presume a landholding is only eligible to receive Project Water at the Rates for M&I Water unless documentation is provided to the Contractor to show it qualifies for Irrigation Water or an application by a landholder requesting new service for Irrigation Water is approved by the Contractor. The Contractor shall retain such documentation for a period of six years after the initial determination is made that Project Water is being used for irrigation purposes or after a landholder no longer is using Project Water for irrigation purposes, whichever is longer.

## Exhibit D Template

**Repayment Obligation - Current Calculation under the WIIN Act, Section 4011 (a) (2)**

Represents an Estimate of Cost to Repay Construction Based on Unpaid Construction from the 2018 Water Rate Books

**Contractor:** Clear Creek Community Service District  
**Facility:** Clear Creek Unit  
**Contract:** 14-06-200-0489L

Irrigation Construction Cost (2018 Irrigation Ratebook, Schedule A-2Ba and A-2Bc)			
	Unpaid Cost		Discount
Construction Cost (Excludes Intertie):	\$ 1,028,782	\$	926,848
Intertie Construction Cost:	\$ -	\$	-
<b>Total</b>	<b>\$ 1,028,782</b>	<b>\$</b>	<b>926,848</b>
If Paid in Installments (Used 30 yr CMT)			
Due			
Payment 1 May 1 2018		\$	240,613
Payment 2 May 1 2019		\$	240,613
Payment 3 May 1 2020		\$	240,613
Payment 4 May 1 2021		\$	240,613
<b>Total Installment Payments</b>		<b>\$</b>	<b>962,451</b>
20 yr CMT Rates - 4/23/2018			3.050%
Discount Rate (1/2 of the Treasury Rate per the WIIN Act, Section 4011(a)(2)(A))			1.525%

M&I Construction Cost (2018 M&I Ratebook, Sch A-2Ba)	
	Unpaid Cost
Construction Cost:	\$ (225,807)

**Calculation Support:**

Fiscal Yr	Unpaid Allocated Construction Cost			Unpaid Intertie Construction Cost			Total
	Beginning Balance	Straight Line Repayment	Present Value	Beginning Balance	Straight Line Repayment	Present Value	Present Values
2018	\$ 1,028,782	\$ 79,137	\$ 77,948	\$ -	\$ -	\$ -	\$ 77,948
2019	\$ 949,645	\$ 79,137	\$ 76,778	\$ -	\$ -	\$ -	\$ 76,778
2020	\$ 870,508	\$ 79,137	\$ 75,624	\$ -	\$ -	\$ -	\$ 75,624
2021	\$ 791,371	\$ 79,137	\$ 74,488	\$ -	\$ -	\$ -	\$ 74,488
2022	\$ 712,234	\$ 79,137	\$ 73,369	\$ -	\$ -	\$ -	\$ 73,369
2023	\$ 633,097	\$ 79,137	\$ 72,267	\$ -	\$ -	\$ -	\$ 72,267
2024	\$ 553,960	\$ 79,137	\$ 71,182	\$ -	\$ -	\$ -	\$ 71,182
2025	\$ 474,822	\$ 79,137	\$ 70,113	\$ -	\$ -	\$ -	\$ 70,113
2026	\$ 395,685	\$ 79,137	\$ 69,059	\$ -	\$ -	\$ -	\$ 69,059
2027	\$ 316,548	\$ 79,137	\$ 68,022	\$ -	\$ -	\$ -	\$ 68,022
2028	\$ 237,411	\$ 79,137	\$ 67,000	\$ -	\$ -	\$ -	\$ 67,000
2029	\$ 158,274	\$ 79,137	\$ 65,994	\$ -	\$ -	\$ -	\$ 65,994
2030	\$ 79,137	\$ 79,137	\$ 65,003	\$ -	\$ -	\$ -	\$ 65,003
2031-63				\$ -	\$ -	\$ -	\$ -
<b>Total, Lump Sum Payment</b>			<b>\$ 926,848</b>			<b>\$ -</b>	<b>\$ 926,848</b>

Amount of Reduction, Lump Sum                      \$      101,934                      \$      -                      \$      101,934

