Applicability of Irrigation and M&I Definitions in PEC P05 Issued July 24, 2013

Does project-specific legislation clearly define water use categories?
- Yes: Use the project-specific definitions.
- No:
  - Was the contract executed on or after July 24, 2013?
    - Yes: Use the definitions in PEC P05.
    - No:
      - Does the contract allow the use of irrigation water for nonagricultural purposes, as indicated by either:
        - definitions of relevant terms in the contract that clearly allow it, or
        - evidence that Reclamation and the contractor have both interpreted the contract to allow it (i.e., evidence of past nonagricultural uses of irrigation water and both parties' knowledge of them, such as contract compliance reviews, Reclamation's participation in subcontracts, etc.)?
          - Yes:
            - Was the contract
              - renewed on or after July 24, 2013, or
              - amended or supplemented after July 24, 2013 in a way that provided the contractor new or additional benefits?
                - Yes: Use the definitions in PEC P05.
                - No: Use the contract definitions (explicit or implied by parties' practices).
          - No: Use the definitions in PEC P05.
      - No: Use the definitions in PEC P05.
  - No: Use the definitions in PEC P05.

Was the nonagricultural use initiated after the date on which the contract was renewed, amended, or supplemented?
- Yes: Use the definitions in PEC P05.
- No: Use the contract definitions (explicit or implied).