

Irrigation and M&I
Contract No. 14-06-200-8292A-IR17

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 COUNTY OF FRESNO
10 PROVIDING FOR PROJECT WATER SERVICE
11 FROM THE SAN LUIS UNIT AND DELTA DIVISION

12 THIS CONTRACT, made this 6th day of February, 2018,
13 in pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory or
14 supplementary thereto, including, but not limited to, the Acts of August 26, 1937 (50 Stat. 844),
15 as amended and supplemented, August 4, 1939 (53 Stat. 1187), as amended and supplemented,
16 July 2, 1956 (70 Stat. 483), June 21, 1963 (77 Stat. 68), October 12, 1982 (96 Stat. 1263), as
17 amended, and Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706), all collectively
18 hereinafter referred to as Federal Reclamation law, among the UNITED STATES OF
19 AMERICA, hereinafter referred to as the United States, the DEPARTMENT OF WATER
20 RESOURCES OF THE STATE OF CALIFORNIA, hereinafter referred to as DWR, and the
21 COUNTY OF FRESNO, hereinafter referred to as the Contractor, a political subdivision of the
22 State of California, duly organized, existing, and acting pursuant to the laws 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. 14-06-200-8292A-IR1 which

27 provided for the continued water service to the Contractor following expiration of Contract
28 No. 14-06-200-8292A; and

29 WHEREAS, the last long-form interim renewal contract between the United
30 States, DWR, and the Contractor is Contract No. 14-06-200-8292A-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.14-06-200-8292A-IR16,
34 hereinafter referred to as IR16, effective March 1, 2016, through February 28, 2018; and

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

41 WHEREAS, the Contractor has requested a subsequent interim renewal contract
42 pursuant to IR16; and

43 WHEREAS, the United States has determined that the Contractor has to date
44 fulfilled all of its obligations under IR16; and

45 WHEREAS, the United States and DWR are willing to renew IR16 pursuant to
46 the terms and conditions set forth below;

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

49 RENEWAL AND REVISION OF
50 CONTRACT NO. 14-06-200-8292A-IR16

51 1. Except as specifically modified by this Contract, all provisions of IR16 are
52 renewed with the same force and effect as if they were included in full text with the exception of
53 Article 1 of IR16 thereof, which is revised as follows:

54 (a) The first sentence in subdivision (a) of Article 1 of IR4 is modified as
55 follows: “This Contract shall be effective from March 1, 2018, and shall remain in effect
56 through February 29, 2020, and thereafter will be renewed as described in Article 2 of IR1 if a
57 long-term renewal contract has not been executed with an effective commencement date of
58 March 1, 2020.”

59 (b) Subdivision (b) of Article 1 of IR16 is amended by deleting the date
60 “February 15, 2018,” and replacing same with the date “February 15, 2020.”

61 (c) Subdivision (c) of Article 1 of IR15 is amended by deleting the dates
62 “February 1, 2018”, “February 15, 2018”, and “February 28, 2018”, respectively, and
63 replacing same with the dates “February 1, 2020”, “February 15, 2020”, and
64 “February 29, 2020”, respectively.

65 IN WITNESS WHEREOF, the parties hereto have executed this Contract as of

66 the day and year first above written.

67 UNITED STATES OF AMERICA

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

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

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

76 (SEAL)

77 COUNTY OF FRESNO

78 By: *Sal Jantoro*
79 Chairman, Board of Supervisors
80 Attest:

81 By: *Russell C. Deputy* By: _____
82 Clerk, Board of Supervisors Director, Department of Public Works and
83 Planning

84 Approved as to Accounting form: Approved as to Legal Form:

85 By: *Oscar J. Garcia* By: *Robert Wall*
86 Auditor-Controller/Treasurer/
87 Tax Collector ~~Chief Counsel~~ Deputy County Counsel

88 BUDGET UNIT NO. 9174
89 SUBCLASS. 16000
90 FUND 0830
91 ACCOUNT NO 7010