

AGREEMENT FOR TRANSFER OF WATER

THIS AGREEMENT FOR TRANSFER OF WATER (Agreement) is made and entered into this ____ day of December 2016, by and between the City of Fresno, a municipal corporation (Transferor) and the Wheeler Ridge - Maricopa Water Storage District, a California water storage district (Transferee).

RECITALS

WHEREAS, the Transferor currently has 2016 Class 1 Central Valley Project (CVP) water impounded in San Luis Reservoir (Project Water) and desires to transfer 5,629 acre-feet of the Transferor's Project Water (Transferred Water) to the Transferee under the terms of this agreement; and

WHEREAS, the Transferee, a Member Unit of the Kern County Water Agency, desires to receive the Transferred Water from the San Luis Reservoir for use in those portions of Transferee's service area within the CVP Place of Use; and

WHEREAS, the City desires to sell up to 5,629 acre-feet of Project Water to the Transferee; and

WHEREAS, Section 10 of the Transferor's 9D Contract with the United States Bureau of Reclamation (Bureau) provides that the Transferor and Transferee may arrange for delivery of such water to the Transferee, and provide notice of such arrangement to the Bureau so it may deliver such water to the Transferee.

AGREEMENT

NOW, THEREFORE, the Transferor and Transferee hereby agree as follows:

1. The Transferor does hereby notify the Bureau that pursuant to Section 10 of its 9D contract, Transferor is directing the Bureau to deliver 5,629 acre feet of Transferor's Project Water to Transferee.
2. The Transferor shall pay the Bureau for water costs, including Restoration Fund charges, delivery costs, and carryover charges associated with the Transferred Water at the San Luis Reservoir.
3. The Bureau is hereby authorized to immediately deliver the Transferred Water to the Department of Water Resources (DWR) on behalf of the Transferee.
4. The Transferee may then schedule delivery of the Transferred Water with DWR anytime during 2017.
5. The Transferor and Transferee shall deliver a copy of this Agreement to the Bureau as notice of the parties' authorization for the transfer provided for by this Agreement.

[Signatures follow on next page]

IN WITNESS WHEREOF, the Transferor and the Transferee have executed this agreement on the day and year first hereinabove set forth.

CITY OF FRESNO,
A California municipal corporation

WHEELER RIDGE – MARICOPA WATER
STORAGE DISTRICT, a California water
storage district

By: _____
Thomas C. Esqueda, Director
Department of Public Utilities

By: _____

Name: _____

ATTEST:
YVONNE SPENCE, CMC
City Clerk

Title: _____
Robert J. Kunde, Engineer-Manager

By: _____

By: _____
Deputy

Name: _____

Title: _____
James A. Smith, Assistant Treasurer

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Amanda B. Freeman Date
Deputy City Attorney