

AGREEMENT FOR TRANSFER OF WATER

THIS AGREEMENT FOR TRANSFER OF WATER ("Agreement") is made and entered into this ____ day of June, 2016, by and among the City of Fresno, a municipal corporation ("Transferor") and the Kern-Tulare Water District, a California water district ("Transferee").

RECITALS

WHEREAS, the Transferor currently has 2016 Class 1 Central Valley Project ("CVP") water impounded in Millerton Lake ("Project Water") and desires to transfer 5,000 acre-feet of the Transferor's 2016 Project Water (the "Transferred Water") to the Transferee under the terms of this agreement; and

WHEREAS, the Transferee desires to receive the Transferred Water at the Kern-Tulare turnouts from the Friant-Kern Canal; and

WHEREAS, Section 10 of the Transferor's contract 14-06-200-8901D ("9D contract") with the U.S. 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 that 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 5,000 acre feet of Transferor's Class 1 water impounded at Millerton Lake to Transferee.
2. The Transferor shall pay the Bureau for water costs, including Restoration Fund charges and delivery costs associated with the Transferred Water, to turnouts from the Friant-Kern Canal.
3. The water shall be scheduled for delivery between May 1, 2016, and February 28, 2017.
4. The Bureau is hereby authorized to deliver the Transferred Water to the Transferee.
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

KERN TULARE WATER DISTRICT

By: _____

By: ACD dh

Name: _____

Steven C. Dalke
General Manager

Title: _____

ATTEST:
YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: Amanda B. Freeman Date 6/8/16
Amanda B. Freeman
Deputy City Attorney