

AGREEMENT

This AGREEMENT is made and entered into this 28 day of February, 2018, by and between the COUNTY OF TULARE, hereinafter called the Seller, and WHEELER RIDGE-MARICOPA WATER STORAGE DISTRICT, hereinafter called the Purchaser.

WITNESSETH:

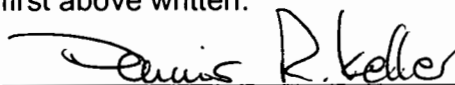
THAT WHEREAS, the Purchaser desires to obtain from Seller, a portion of Seller's 2017-2018 water supply under its contract with the U.S. Bureau of Reclamation (USBR) for Central Valley Project water; and

WHEREAS, the Seller desires to sell and deliver the same to Purchaser.

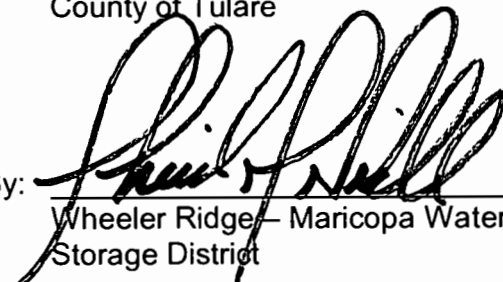
NOW, THEREFORE, the parties hereto agree as follows:

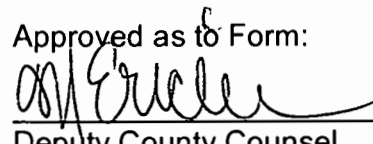
1. The Seller does hereby assign, transfer, sell and authorize the USBR to deliver to Purchaser from Seller's 2017-2018 supply, up to 4,863 acre-feet of water belonging to it to the Purchaser, to be delivered before February 28, 2018.
2. The Purchaser agrees to pay the Seller the purchase price for delivered supplies, payment to be made within 45 days of invoice receipt. The purchase price shall reflect the sum of the Cost of Service, Restoration Fund, Trinity Public Utility District surcharge, wheeling as applicable to the wheeling mechanism, both from the Sacramento – San Joaquin Rivers Delta to Tupman and in the Cross Valley Canal and an amount of \$25.00 per acre-foot in addition to all base and delivery related charges. In addition, the Purchaser agrees to hold harmless, defend and indemnify Tulare County from any cost or expenses claims, actions, damages or losses of any kind, including death, related to this transaction.
3. Delivery of water shall be in the Sacramento – San Joaquin Rivers Delta and/or at multiple points of delivery along the California Aqueduct as may be mutually further agreed upon by the Seller, Purchaser and USBR.
4. This Agreement shall constitute an authorization of said USBR to deliver the amounts of water hereinabove agreed upon.

IN WITNESS HEREOF, the parties hereto have hereunto set their hands the day and year first above written.

By: 
County of Tulare

By: 
Chairman, Board of Supervisors
Tulare County

By: 
Wheeler Ridge – Maricopa Water
Storage District

Approved as to Form:
By: 
Deputy County Counsel