
THIRTEENTH AMENDMENT TO AGREEMENT REGARDING ADDITIONAL EXTRACTIONS FROM THE SAN BERNARDINO BASIN AREA

This Thirteenth Amendment to Agreement Regarding

Additional Extractions from The San Bernardino Basin Area is
entered into between the San Bernardino Valley Municipal Water

District, hereinafter called "VALLEY DISTRICT," and the Western

Municipal Water District of Riverside County, hereinafter called

"WESTERN"."

RECITALS

On December 22, 1981, the parties hereto entered into an Agreement providing for additional extractions from the San Bernardino Basin Area by or on behalf of the City of Riverside, and by later amendment also the Riverside Highland Water Company, upon the terms and conditions specified therein. Paragraph 8 of said Agreement provides that it may be amended with mutual consent of the parties in writing, and the parties desire now to further amend said Agreement to provide for increased extractions for the calendar year 1999 only.

AGREEMENT

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

Definition of Additional Extractions.

As used herein, the term "additional extractions" means any extractions of water by the plaintiffs in the action described in Paragraph 2, on page 1 of the December 22, 1981 Agreement in excess of the amounts permitted by the Judgment in such action; and with respect to entities other than the plaintiffs in such

total amount of water that can be produced without any replenishment obligation.

2. <u>Temporary Surplus</u>.

It is agreed that there is an existing temporary surplus of natural groundwater supply in the artesian zone of the San Bernardino Basin Area; that in the Pressure Zone near the San Jacinto Fault, a localized condition of elevated water levels exists; that there is a need for dewatering measures in the area; and that it is in the public interest and in the interest of sound groundwater resources management that production of water from such area be increased as provided herein.

action, the term means any extractions of water in excess of the

3. Additional Extractions by Plaintiffs.

During the calendar year 1999, the plaintiffs may make additional extractions from the San Bernardino Basin Area for use within Western in the aggregate amount of 10,000 acre-feet. Such total amount shall be allocated among the plaintiffs as follows:

City of Riverside 8047 AF
Meeks & Daley Water Co. 1209 AF
Riverside Highland Water Co. 662 AF

Regents of University of
California 82 AF
vided, that in the Watermaster's accounting,

Provided, that in the Watermaster's accounting, pumping by any plaintiff in excess of its allocation may be offset by underpumping of additional extractions by one or more of the other plaintiffs, so long as the aggregate additional pumping by all plaintiffs does not exceed 10,000 acre-feet. The individual allocations are in proportion to plaintiffs' respective shares of the safe yield of the San Bernardino Basin Area.

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4. Additional Extractions by Entities Other than Plaintiffs.

During the calendar year 1999, entities other than the plaintiffs under the Western Judgment may make additional extractions (i.e., in excess of a total of 167,238 acre-feet) from the San Bernardino Basin Area for use in San Bernardino County without any replenishment obligation under Paragraph VI(c) of the Western Judgment.

5. Paragraph X Replenishment. The replenishment obligations provided in Paragraph X of the Western Judgment shall not apply to additional extractions, irrespective of the place of use of such water, provided that no water can be exported from the Santa Ana River Watershed.

6. Use in Calendar Year 1999 Only.

Additional extractions are permitted hereunder for 1999 only. If not made in full or in part in 1999, they do not carry forward or give rights to make any additional extractions in future years.

7. Other Terms and Conditions.

This Thirteenth Amendment supersedes Paragraph 2 on page 4 of the December 22, 1981 Agreement, and any prior amendments thereto or provisions thereof which are in conflict with this Amendment. All other provisions of the 1981 Agreement shall remain in effect. Extractions made under this Amendment are in addition to those authorized under the Twelfth Amendment for delivery of water to the Orange County Water District.

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3	SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT
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6	President E 0 10 km
7	By: Secretary
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9	WESTERN MUNICIPAL WATER DISTRICT OF RIVERSIDE COUNTY
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11	By: Clizabeth L. Currison
12	President
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