

A12-271

CONTRACT EXECUTION REQUEST

CITY AGENCY _____ UTILITY _____ DATE SUBMITTED TO CCT 9/27/12

NEW AGREEMENT AMENDMENT _____ (AGREEMENT NO.) 10/2/12

COUNCIL/AGENCY/UTILITY APPROVAL DATE (if applicable) 9/25/12

CONTRACTOR/CONSULTANT California Domestic Water Company
MAIN/SAN GABRIEL GROUNDWATER BASIN

DESCRIPTION OF SERVICE LEASE OF ANNUAL WATER PRODUCTION RIGHTS

COMMENCEMENT DATE UPON EXECUTION 10-05-12 ONGOING _____

EXPIRATION DATE 6/30/2016 UPON COMPLETION (Approximate Date) _____

INSURANCE CERTIFICATE(S) ATTACHED:

YES _____ NO, NOT REQUIRED PER CITY ATTORNEY

DEPARTMENT CONTACT PERSON DAN WALL

CONTRACT AMOUNT: \$4.8 MILLION PER YEAR

A12-271

AGREEMENT FOR LEASE OF ANNUAL WATER PRODUCTION RIGHTS

THIS AGREEMENT is made and effective as of July 1, 2012 ("Effective Date"), between the City of Whittier ("Lessor") and California Domestic Water Company ("Lessee"). Lessor and Lessee are sometimes individually referred to herein as a "Party" and are sometimes collectively referred to herein as the "Parties."

1. Water Rights Leased

A. Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, the right to extract two-thousand (2,000) acre-feet per year of Lessor's Annual Production Right from the Main Basin in each of the Lease Years (Fiscal Years 2012-2013 through 2015-2016, inclusive), an additional four-thousand (4,000) acre-feet of Lessor's Annual Production Right from the Main Basin in the 2012-2013 Lease Year, and up to an additional four-thousand (4,000) acre-feet of Lessor's Annual Production Right from the Main Basin in each of the subsequent Lease Years (Fiscal Years 2013-2014 through 2015-2016, inclusive) as are determined by the Lessor to be excess to the needs of the Lessor in each of the said subsequent Lease Years. Lessee agrees to put all amounts of water extracted under this Agreement to reasonable and beneficial use.