

AGREEMENT AND STIPULATION

THIS AGREEMENT AND STIPULATION, made by and between the United States of America, by and through the United States Department of the Interior, Bureau of Reclamation, Mid-Pacific Region, hereinafter referred to as the "United States", and the Oakdale Irrigation District and South San Joaquin Irrigation District, hereinafter referred to as "Districts",

W I T N E S S E T H :

WHEREAS, the United States is now constructing the New Melones Dam and Reservoir which will be operated by the Bureau of Reclamation and which will inundate the existing Melones Dam and Reservoir of Districts, and the parties wish to agree upon the yield for consumptive purposes of the Districts' water rights on the Stanislaus River;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

After completion of New Melones Dam and Reservoir, the United States, in recognition of the water rights of Districts, will deliver each year to Districts for diversion at Goodwin Diversion Dam the following quantities of water:

1. 200,000 acre-feet from New Melones storage,
2. 36,000 acre-feet for storage in Woodward Reservoir,

and

3. That portion of the New Melones Reservoir inflow required to meet the Districts' direct diversion requirements but not to exceed 1,816.6 cubic feet per second.

Subject to the following limitation:

The maximum quantity of water delivered each year is limited to 654,000 acre-feet or the total quantity of New Melones Reservoir inflow during the water year (October 1 of one year through September 30 of the succeeding year), whichever is the smaller.

In consideration of the foregoing, the protests filed by the Districts against the assignment and approval of Applications 14858 and 14859 to the Bureau of Reclamation are hereby withdrawn and any objections to the issuance of permits on Applications 19303 and 19304 are waived.

Districts have rights under water right applications 12614, 12873 and 13310, and permits and licenses issued thereon, to use water for power generation purposes at Tulloch Power Plant. This agreement shall not be deemed to limit or diminish the Districts' rights, entitlements or yields thereunder. The parties intend to negotiate and endeavor to reach agreement on this subject.

This agreement shall not have any effect upon the Districts' claim for compensation for the taking of Districts' property and loss of power revenues arising out of the construction of New Melones Dam and Reservoir.

The foregoing agreement shall also be considered as a stipulation in the above entitled proceeding and it shall be filed in said proceeding and the State Water Resources Control Board is requested to include it as a condition in each permit issued on Applications 14858 and 14859 upon being assigned to the United States Bureau of Reclamation and in each permit issued on Applications 19303 and 19304.

Dated as of this 24th day of October, 1972.

UNITED STATES OF AMERICA by
and through the United States
Department of the Interior,
Bureau of Reclamation,
Mid-Pacific Region

By H. E. Horton
Acting Regional Director

OAKDALE IRRIGATION DISTRICT

By [Signature]
President

By [Signature]
Secretary

SOUTH SAN JOAQUIN IRRIGATION DISTRICT

By [Signature]
President

By [Signature]
Secretary

OFFICE OF THE BOARD OF DIRECTORS
OF THE OAKDALE IRRIGATION DISTRICT

I hereby certify that the attached Agreement and Stipulation was duly approved by resolution of the Board of Directors of the Oakdale Irrigation District at said Board's regular adjourned meeting of October 24, 1972, and that the President and Secretary were authorized to execute said Agreement and Stipulation for and in behalf of the Oakdale Irrigation District.

Attest: *Arthur R. [Signature]*
Secretary

Manteca, California

October 24, 1972

OFFICE OF THE BOARD OF DIRECTORS
OF THE
SOUTH SAN JOAQUIN IRRIGATION DISTRICT

I hereby certify that the attached Agreement and Stipulation was authorized to be executed by the Vice-President and Secretary of the Board of Directors of the South San Joaquin Irrigation District at their meeting held October 24, 1972, and as recorded in Permanent Records of the said District in Volume 18 at Page 303.

ATTEST:


N. A. Negley, Jr., Secretary
South San Joaquin Irrigation District