

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Arrowrock Division, Boise Project, Idaho-Oregon

SUPPLEMENTAL CONTRACT PROVIDING FOR THE TRANSFER OF THE FIRST ONE-HALF
MILE OF THE MAIN CANAL OF THE ARROWROCK DIVISION TO THE BOISE PROJECT
BOARD OF CONTROL FOR OPERATION AND MAINTENANCE

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BOARD OF CONTROL FOR OPERATION AND MAINTENANCE

THIS supplemental contract, made this 24th day of
January, 1990, pursuant to the Acts of Congress of June 17,
1902 (32 Stat. 388), and August 13, 1914 (38 Stat. 686), and acts
amendatory thereof and supplementary thereto, hereinafter called the
Federal Reclamation Laws, by and among the UNITED STATES OF AMERICA,
hereinafter called the United States, and the BIG BEND IRRIGATION DISTRICT,
the BOISE-KUNA IRRIGATION DISTRICT, the NAMPA & MERIDIAN IRRIGATION
DISTRICT, the NEW YORK IRRIGATION DISTRICT, and the WILDER IRRIGATION
DISTRICT, hereinafter called the Districts, and the BOISE PROJECT BOARD OF
CONTROL, the operating agency of the Districts, hereinafter called the
Board,

WITNESSETH THAT:

Explanatory Recitals

2. **WHEREAS**, under the provisions of existing contracts between the
United States and each of the Districts, the United States has turned over
to the Districts for operation and maintenance, certain portions of the

Recital 2

Arrowrock Division, Boise Project, including the main canal (also known as the New York Canal) starting approximately one-half mile below the Boise Diversion Dam, all the division canals, laterals, and sublaterals of said main canal system, Deer Flat Reservoir, the canals and laterals receiving water from Deer Flat Reservoir, and all drainage canals of said Arrowrock Division, and has retained other project facilities, including Arrowrock Dam and Reservoir, and the Boise Diversion Dam, headworks, and powerplant. Facilities turned over to the Districts are termed transferred works, while facilities retained by the United States are termed reserved works, and

3. WHEREAS, the point on the main canal approximately one-half mile below the Boise Diversion Dam is no longer needed as a potential diversion site, because certain lands on the Boise Project were never developed and the associated water supply has been contracted for by the Districts, and

4. WHEREAS, it is the desire of the United States and the Districts that the remaining one-half mile of the main canal, currently a reserved works facility of the United States, be transferred to the Districts for operation and maintenance.

NOW, THEREFORE, in consideration of the mutual and dependent stipulations and covenants herein contained, it is hereby agreed as follows:

Recitals 3, 4

Works Transferred

5. The contract between the United States and the Boise-Kuna Irrigation District dated March 20, 1926, and the contract between the United States and the Nampa & Meridian Irrigation District dated March 2, 1926, and the contract between the United States and the New York Irrigation District dated September 27, 1926, and the contract between the United States and the Big Bend Irrigation dated March 25, 1926, and the contract between the United States and the Wilder Irrigation District dated April 6, 1926, are hereby amended by adding to the article entitled "Works Transferred" the following :

"Effective January 1, 1990, the section of the main canal immediately below the Boise Diversion Dam to the above mentioned point approximately one-half mile downstream is hereby transferred from the United States to the Board of Control for care, operation, and maintenance."

Operation and Maintenance of Certain Works Retained
by United States - Operation and Maintenance of One-Half
Mile of Main Canal Transferred - Water Delivery Point

6. Contracts specified in article 5 of this contract are also hereby amended by adding to the article entitled "Operation and Maintenance of

Certain Works Retained by United States - Payment by Board of a Pro Rate Share of Costs of Operation and Maintenance of Retained Works," the following:

"Arrowrock Dam and Reservoir, Boise Diversion Dam and headworks, and the powerplant shall continue to be reserved works and retained for operation and maintenance by the United States. The Districts assume the cost of operation and maintenance of the one-half mile of main canal so transferred to the Board of Control from the United States on January 1, 1990. Water, to lands so entitled, will be delivered by the United States to the Board of Control, as the operating agent of the Districts, at the point immediately below the Boise Diversion Dam headworks."

Compliance With Regulations

7. The Board agrees to operate the transferred works in full compliance with any regulations or orders heretofore or hereafter issued by the Secretary of the Interior.

Right of Access

8. The United States retains the right of access to the transferred works for all project purposes.

Previous Contracts To Remain In Effect

9. This contract is supplementary to the contracts being amended, and those contracts, as well as other existing agreements among the parties hereto, are to remain in full force and effect except as herein specifically amended.

IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

UNITED STATES OF AMERICA

By John W. Key
Regional Director, PN Region
Bureau of Reclamation
Box 043 - 550 West Fort Street
Boise, Idaho 83724

(SEAL)

BIG BEND IRRIGATION DISTRICT

Attest: Elma Hitty
Secretary

By Dick Bennett
President

(SEAL)

BOISE-KUNA IRRIGATION DISTRICT

Attest: E. Fay Russell
Secretary

By Carl Gorman
Chairman

(SEAL)

NAMPA-MERIDIAN IRRIGATION DISTRICT

Attest: Daren Coon
Secretary

By Sam Heck
President

(SEAL)

NEW YORK IRRIGATION DISTRICT

Attest: Madeline Orr
Secretary

By L. L. Murphy
Chairman

(SEAL)

Attest:

Donna M. Young
Secretary

WILDER IRRIGATION DISTRICT

By

Thomas E. Dorsy
President

(SEAL)

Attest:

Jane A. Schell
Secretary

BOISE PROJECT BOARD OF CONTROL

By

Chester Hargrave
Chairman

STATE OF IDAHO)
 : ss
County of Ada)

On this 24th day of January, 1989, personally
appeared before me John W. Keys, III, to me known to be
the official of the United States of America that executed the within and
foregoing instrument and acknowledged said instrument to be the free and
voluntary act and deed of said United States, for the uses and purposes
therein mentioned, and on oath stated that he was authorized to execute
said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

Diana L. Jacobs
Notary Public in and for the
State of Idaho

(SEAL)

Residing at Boise

My commission expires: 5-23-94

STATE OF OREGON)
 : ss
County of Melburn)

On this 27 day of December, 1989, before me,
Quette K. Freitag, a Notary Public, personally appeared
Allick Bennett, known to me to be the person
whose name is subscribed to the within instrument and acknowledged to me
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

Quette K. Freitag
Notary Public in and for the
State of Oregon

(SEAL)

Residing at Adrian, Or.

My commission expires: 8-04-91

STATE OF IDAHO)
 : ss
County of Ada)

On this 6th day of December, 1989, before me,

Judith A. Young, a Notary Public, personally appeared
Carl German, known to me to be the person
whose name is subscribed to the within instrument and acknowledged to me
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

Judith A. Young
Notary Public in and for the
State of Idaho

(SEAL)

Residing at Wildes, ID

My commission expires: 6-9-91

STATE OF IDAHO)
 : ss
County of Ada)

On this 6th day of December, 1989, before me,

Judith A. Young, a Notary Public, personally appeared
Henry Weick, known to me to be the person
whose name is subscribed to the within instrument and acknowledged to me
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

Judith A. Young
Notary Public in and for the
State of Idaho

(SEAL)

Residing at Wildes, ID

My commission expires: 6-9-91

STATE OF IDAHO)
 : ss
County of Ada)

On this 6th day of December, 1989, before me,

Jessith A. Young, a Notary Public, personally appeared
L J Mungito, known to me to be the person
whose name is subscribed to the within instrument and acknowledged to me
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

Jessith A. Young
Notary Public in and for the
State of Idaho

(SEAL)

Residing at Wilder, ID

My commission expires: 6-9-91

STATE OF IDAHO)
 : ss
County of Ada)

On this 6th day of December, 1989, before me,

Jessith A. Young, a Notary Public, personally appeared
Thomas E. Dorsey, known to me to be the person
whose name is subscribed to the within instrument and acknowledged to me
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

Jessith A. Young
Notary Public in and for the
State of Idaho

(SEAL)

Residing at Wilder, ID

My commission expires: 6-9-91

STATE OF IDAHO)
 : ss
County of Ada)

On this 6th day of December, 1989, before me,

Janeth A. Young, a Notary Public, personally appeared
Chester Handman, known to me to be the person
whose name is subscribed to the within instrument and acknowledged to me
that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal as of the day and year first above written.

Janeth A. Young
Notary Public in and for the
State of Idaho

(SEAL)

Residing at Wilder, ID

My commission expires: 6-9-91