STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES

AMENDMENT NO. 1
TO THE APRIL 11, 1968 AGREEMENT BETWEEN
THE STATE OF CALIFORNIA
AND
THE CITY OF ANTIOCH

THIS AMENDMENT is made and entered into this 29th day of October, 2013, between the Department of Water Resources of the State of California (DWR), and the City of Antioch (City).

AGREEMENT

1. The 1968 Agreement between DWR and the City is amended as follows:

Article 1 is amended to read in its entirety: "The term of this agreement shall begin on the first day of October 1968, and shall continue in effect until terminated by either party by written notice to the other party given at least 12 months prior to the effective date of such termination. The effective date of termination shall be the last day of a year (September 30) and no termination shall be effective prior to September 30, 2028."

Article 3 is amended to read: "V is the total quantity of water in acre-feet introduced into the City's transmission facilities, including water diverted by the City and substitute water purchased by the City, for delivery within the City's service area, which shall be the most expansive of the Antioch City Boundary or Antioch Urban Growth Boundary or Antioch Sphere of Influence ("SOI") as shown on Exhibit "A" attached hereto and by this reference made a part hereof from 8:00 a.m. on December 9, to 8:00 a.m. on July 6."

Article 4 is amended to read: "Such measurements will be made at such intervals as shall reasonably be necessary and as mutually agreed upon. DWR and the City have negotiated and agreed that such measurements will be made at slack current, which shall be deemed to occur two hours after daily higher high tide, effective January 1, 2013."

Exhibit A is replaced with attached map "City of Antioch Boundary, SOI, and Urban Growth Boundary" as created by the Contra Costa County Community Development, GIS group on 7/13/2009.

2. The parties waive any and all claims either one may have against the other for past actions or activities arising out of this 1968 Agreement.

3. The existing Tolling Agreement, effective May 22, 2013, terminates upon the date of full execution of this Amendment.

4. All other provisions of the 1968 Agreement, except those modified by this Amendment, remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto, by their authorized representatives, have executed this Amendment No. 1 to the to the April 11, 1968 Agreement between the State of California and the City of Antioch, which Amendment becomes effective on the date first set forth above.

Approved as to legal form
and sufficiency

for _____
Chief Counsel
Department of Water Resources

Date 10/28/13

STATE OF CALIFORNIA
DEPARTMENT OF WATER
RESOURCES

_____
Mark W. Cowin
Director

Date 10/29/13

Approved as to legal form
and sufficiency

Lynn Tracy Nerland
Name

City Attorney
Title

Date 10-22-13

CITY OF ANTIOCH

_____
Name

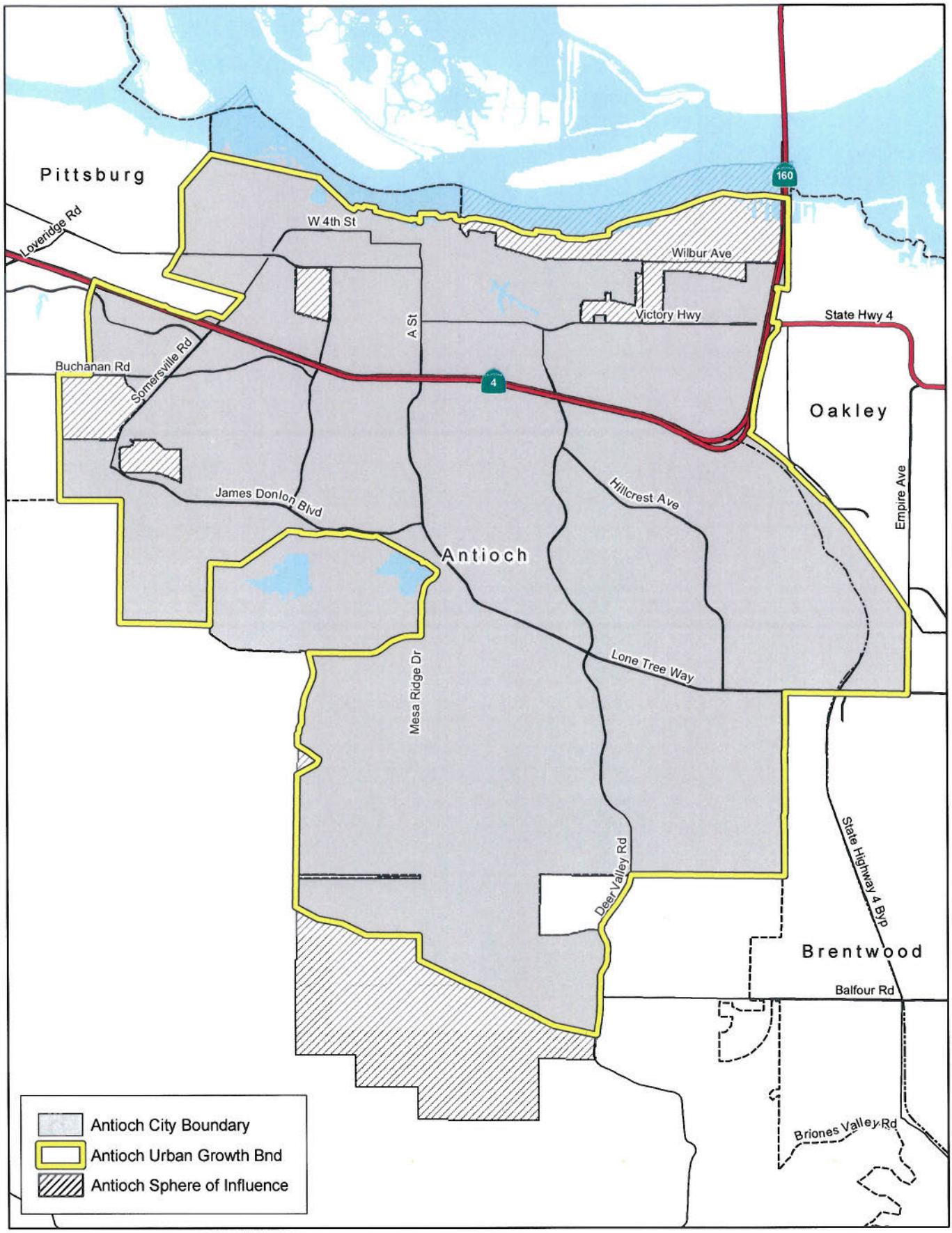
City Manager
Title

Date 10-22-13

Exhibit A

DWR-310

City of Antioch Boundary, SOI, and Urban Growth Boundary



Map created 7/13/2009
by Contra Costa County Community Development, GIS Group
651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095
37:59:48.455N 122:06:35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

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