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EXEMPT FROM FILING FEE
[GOV. CODE § 6103]
FILED
TULARE COUNTY SUPERIOR COURT
VISALIA DIVISION

SEP 02 2010

LARAYNE CLEEK, CLERK
BY *Rachel M. Miller*

7 **SUPERIOR COURT OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF TULARE**

9
10 LEWIS CREEK WATER DISTRICT,
11 Plaintiff,

10-238021

12 vs.

**[PROPOSED] JUDGMENT
VALIDATING AND CONFIRMING
CONTRACT AND PROCEEDINGS**

14 ALL PERSONS INTERESTED IN THE
15 MATTER OF THE VALIDITY OF THAT
CERTAIN CONTRACT, ENTITLED
16 "UNITED STATES DEPARTMENT OF
INTERIOR, BUREAU OF RECLAMATION,
17 CENTRAL VALLEY PROJECT,
CALIFORNIA, CONTRACT BETWEEN
18 THE UNITED STATES AND LEWIS
CREEK WATER DISTRICT PROVIDING
19 FOR PROJECT WATER SERVICE AND
FACILITIES REPAYMENT," CONTRACT
20 NO. 14-06-200-1911D, OR IN THE
PROCEEDINGS LEADING UP TO, AND
21 INCLUDING, THE AUTHORIZATION OF
THE EXECUTION AND THE APPROVAL
22 OF SAID CONTRACT,

[Wat. Code § 34530; Code Civ.
Proc. § 860 et seq.]

22 Defendants.

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25 Upon reading and considering the unopposed Ex Parte Application for
26 Judgment requesting the validation and confirmation of Plaintiff LEWIS
27 CREEK WATER DISTRICT'S ("DISTRICT") certain contract entitled "UNITED
28 STATES DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION,

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1 CENTRAL VALLEY PROJECT, CALIFORNIA, CONTRACT BETWEEN THE
2 UNITED STATES AND LEWIS CREEK WATER DISTRICT PROVIDING FOR
3 PROJECT WATER SERVICE FROM FRIANT DIVISION AND FOR FACILITIES
4 REPAYMENT," CONTRACT NO. 14-06-200-1911D (hereinafter referred to as
5 the "Repayment Contract"); that due proof having been made by satisfactory
6 evidence submitted to the Court that the DISTRICT caused the above-
7 captioned action to be brought within the proper time; that Summons was
8 issued herein and was duly published, as ordered by the Court and
9 pursuant to California Government Code §6063, in *The Valley Voice*,
10 designated a newspaper of general circulation published in the County of
11 Tulare, State of California, as designated by the Court in its jurisdiction;
12 that jurisdiction of the subject matter of this action and all persons
13 interested has been duly obtained by the Court and is complete; that no
14 person appeared in said action to contest the validity of the Repayment
15 Contract or any proceeding taken for the authorization of approval thereof
16 or any other matters involved in said approval proceedings.

17 And it further appearing that the time for such appearance and contest has
18 expired and the default of all defendants has been duly entered, it is now,
19 upon application of the DISTRICT, ORDERED, ADJUDGED AND DECREED
20 AS FOLLOWS THAT:

- 21 1. The proceedings leading up to, and including, the authorization of
22 the execution and the approval of the Repayment Contract by the
23 DISTRICT's Board of Directors, are hereby validated and
24 confirmed, and each and all provisions of the Repayment Contract
25 are hereby approved, confirmed and declared lawful, valid and
26 upon execution binding upon the respective parties thereto.

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- 2. All persons are permanently enjoined from institution of any action or proceeding raising an issue as to whether the judgment of this Court is binding and conclusive.
- 3. The Case Management Conference set for October 28, 2010, in this matter is hereby vacated.

Dated: 9-2-2010


JUDGE OF THE SUPERIOR COURT