

AMENDMENT TO PERMIT

This amendment is made and entered into this 30th day of September, 1976, by and between the Department of Water Resources of the State of California, herein called Department, and North Delta Water Agency, herein called Agency.

RECITALS

(a) Department and Agency entered into a Memorandum of Permit dated August 12, 1976, herein called the permit, under which Department was permitted to install a temporary rock dam, herein called the dam, across Sutter Slough immediately upstream from Sutter Island Upper Cross Road.

(b) Subsequent to the execution of the permit, Department installed the dam in the manner prescribed in the permit and has performed the monitoring and met the standards called for in the permit. Department has determined that the assurances as to quality in paragraphs 6 and 7 of the permit can be maintained with a lesser flow than that required in paragraph 10 of the permit. It has also determined that a lesser flow will not adversely affect the water supply available to diverters downstream from the dam in view of the provisions made by Department for standby capability in the event of such adverse effects, and in view of the reduced demand for irrigation water to be anticipated from the date of this amendment to the removal of the dam.

(c) Agency recognizes the desire of Department to preserve as far as possible the water presently remaining in storage in the event of a succeeding dry year, and is willing to remove the requirement of minimum flow from paragraph 10 of the permit in return for the assurances hereinafter set forth.

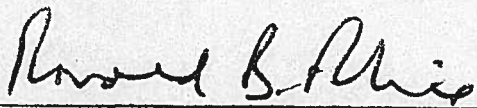
AGREEMENTS

1. The permit is amended as follows:
  - (a) Paragraph 10 is deleted;

(b) Paragraph 12 is amended to delete the first sentence thereof and to insert the following: "Department will commence removal of the dam on or before November 29, 1976, complete the removal of any rock within the channel above a depth of minus ten (-10) feet USGS on or before December 3, 1976, and restore the channel location to its prior condition by December 20, 1976, provided that Department will promptly commence and diligently pursue the removal of the dam and restoration of the channel prior to November 29, 1976 if the flow in the Sacramento River at Sacramento reaches 30,000 cfs and is forecast to continue at or above that flow for at least 72 hours, work to commence on or before the date such flow is reached."

2. Except as herein amended the permit shall remain in full force and effect, including all assurances as to the maintenance of water quality during the period of installation of the dam.

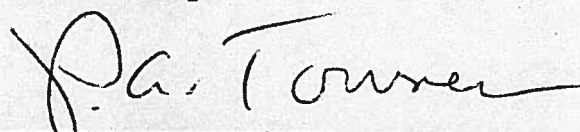
DEPARTMENT OF WATER RESOURCES

By   
Ronald B. Robie, Director

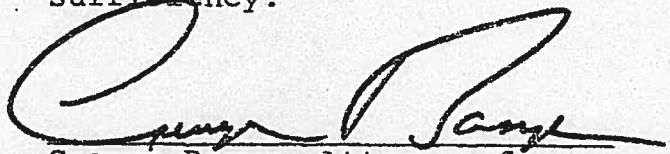
NORTH DELTA WATER AGENCY

By   
W. R. Darsie, President

Approved as to legal form and sufficiency:

  
P. A. Towner, Chief Counsel  
Department of Water Resources

Approved as to legal form and sufficiency:

  
George Basye, Attorney for  
North Delta Water Agency