

**First Amendment to Memorandum of Agreement for the Interim Provision
of Water to the 15-Mile Reach of the Colorado River
Originally Entered into by the U.S. Fish and Wildlife Service and
the Colorado River Water Conservation District on April 19, 2000**

This Amendment to Memorandum of Agreement for the Interim Provision of Water to the 15-Mile Reach of the Colorado River (the "Agreement" reference number CA00013) is entered into by and between the Colorado River Water Conservation District (the "River District") and the U. S. Fish and Wildlife Service (the "Service") as of July 1, 2010.

Recitals

- A. Effective July 1, 2000, the River District and the Service entered into a Memorandum of Agreement to provide for the interim provision of 5,412.5 acre-feet of water annually to the 15-Mile Reach pursuant to the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program) and the 15-Mile Reach Programmatic Biological Opinion (PBO) dated December 20, 1999.
- B. The PBO obligates Water Users to execute an agreement with the Service to furnish a permanent source of water in the amount 10,825 acre-feet for the 15-Mile Reach by July 1, 2010. Water Users are currently engaged in an Environmental Assessment which has identified 5,412.5 acre-feet from Granby Reservoir and 5,412.5 acre-feet from Ruedi Reservoir as the preferred alternative for the permanent source. It will not be possible to implement the preferred alternative by July 1, 2010.
- C. The term of the Agreement extends to July 1, 2010. In order to provide time needed to implement the permanent supply, the River District and the Service wish to extend the Agreement for an additional 3-year term with a possible extension of two additional 1-year terms upon mutual agreement of the River District and the Service.
- D. Denver Water entered into a similar agreement with the Service for providing an additional 5,412.5 acre-feet of water annually to the 15-Mile Reach for an interim period of ten (10) years and it is expected that Denver Water and the Service will enter into a similar extension.

The parties therefore agree as follows:

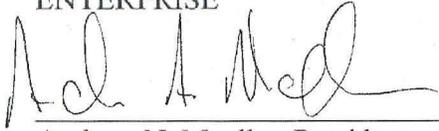
- 1. Paragraph 2.F. of the Agreement is amended to extend the term of the Agreement from July 1, 2010 to July 1, 2013, or until a permanent source for the 5,412.5 acre

feet is developed, or until the Programmatic Biological Opinion is no longer in effect, whichever occurs earlier. Upon mutual agreement of the River District and the Service the Agreement may be extended for up to two (2) additional years.

2. All other terms, conditions, and provisions of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this Amendment to the Agreement upon the terms, conditions, and provisions stated above.

COLORADO RIVER WATER
CONSERVATION DISTRICT
AND ITS COLORADO RIVER WATER PROJECTS
ENTERPRISE



Andrew N. Mueller, President

ATTEST:



Richard Eric Kuhn, Secretary

U. S. FISH AND WILDLIFE SERVICE



Stephen D. Guertin, Regional Director

ACTING