

From: Justin Scott-Coe [<mailto:jscottcoe@mvwd.org>]
Sent: Thursday, August 29, 2013 9:22 AM
To: Peter Kavounas
Cc: Mark Kinsey; Van Jew
Subject: RMPU Section 8 - Requested Changes
Importance: High

Hi Peter,

MVWD requests the following three (3) changes to RMPU Section 8, Draft 3. We apologize for sending these so late, and look forward to discussing at this morning's Committee meeting.

1. Page 8-2, #2: Change last sentence to the following (changes in ***bold italics***): "Similar to the Management Zone 1 ***forbearance*** plan, this project may be interim in nature, ***while a more permanent management strategy is developed by the affected party(ies).***"
2. Page 8-12, under Appropriative Pool New Yield and Cost Allocation Agreement; and Page 8-17, first bullet: Change last sentence of both sections to the following (changes in ***bold italics***): "The Appropriative Pool reserves the right to ***change the currently established method for allocating costs and benefits associated with stormwater New Yield. However, the Appropriative Pool recognizes that the currently established method is memorialized within contractual agreements—including the Judgment, the Peace Agreement, the First Amendment to the Peace Agreement, and the Peace II Agreement—which were all the product of extensive negotiations. Any change in allocation method would first require a negotiation process among the Appropriative Pool parties, and then an amendment to the Judgment would need to be adopted by Watermaster and approved by the Court.***"
3. Page 8-16, first bullet: Change second sentence to the following (changes in ***bold italics***): "Watermaster and the IEUA will determine each party's cost share based on the benefit to the parties ***and consistent with the cost share provisions in the Peace II Agreement.***"

Sincerely,



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