

Appendix 1014

WATER: CALIFORNIA

**METROPOLITAN WATER DISTRICT AND CITY OF
SAN DIEGO, MARCH 14, 1947**

THIS AGREEMENT, made this 14th day of March, 1947, between the CITY OF SAN DIEGO, a municipal corporation, and THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public corporation of the State of California,

Witnesseth that:

1. Whereas the City of San Diego, under date of April 15, 1926, filed an application with the Division of Water Resources, Department of Public Works of the State of California, seeking a permit to appropriate from the Colorado River 112,000 acre-feet annually of the waters of said river for use in the City of San Diego, which application is now pending before the Division of Water Resources and is designated Application No. 4997; and

2. Whereas, under date of August 18, 1931, the Palo Verde Irrigation District, Imperial Irrigation District, Coachella Valley County Water District, The Metropolitan Water District of Southern California, the City of Los Angeles, the City of San Diego and County of San Diego entered into an agreement fixing their respective priorities in the waters of the Colorado River available for use in California under the Colorado River Compact and the Boulder Canyon Project Act, which contract is commonly referred to as the "Seven-Party Priority Agreement"; and

3. Whereas, under date of February 15, 1933, the United States and San Diego entered into a water-delivery contract approved by the County of San Diego, providing for the delivery by the United States to the City of San Diego of certain waters of the Colorado River in accordance with the schedule of priorities fixed in said Seven-Party Priority Agreement, said contract being for the benefit of the City of San Diego and the County of San Diego and commonly referred to as the "San Diego Water Delivery Contract"; and

4. Whereas, under date of October 4, 1946, a contract was entered into between the United States of America, the City of San Diego, the San Diego County Water Authority, a municipal corporation of the State of California, and The Metropolitan Water District of Southern California, providing for the merger of all the rights of the City of San Diego to the storage and delivery of Colorado River

water under the "San Diego Water Delivery Contract" with the rights of The Metropolitan Water District of Southern California to the storage and delivery of Colorado River water under a water-delivery contract between the United States of America and The Metropolitan Water District of Southern California, dated April 24, 1930, as amended by a Supplementary Contract dated September 28, 1931, and further providing that the diversion point of water heretofore agreed to be delivered to the City of San Diego under said water-delivery contract of February 15, 1933, should be changed from a point on the Colorado River immediately above Imperial Dam to The Metropolitan Water District of Southern California's intake at a point on the Colorado River immediately above Parker Dam, said contract being contingent upon annexation of San Diego County Water Authority to The Metropolitan Water District of Southern California prior to January 1, 1947; and

5. Whereas San Diego County Water Authority, pursuant to the will of a majority of the qualified electors of said County Water Authority voting thereon at a special election held for that purpose on November 5, 1946, has become annexed to and is now a part of The Metropolitan Water District of Southern California, such annexation proceedings having been completed on the 17th day of December 1946:

Now, therefore, in consideration of the premises and in furtherance of the mutual covenants and agreements contained in that certain contract merging the rights of the City of San Diego and The Metropolitan Water District of Southern California, dated October 4, 1946, the City of San Diego does hereby grant and convey to The Metropolitan Water District of Southern California all of its right and interest in and to the storage and delivery of Colorado River water as evidenced by said water delivery contract of February 15, 1933, together with all of its right and interest in and to the use of the waters of the Colorado River under any act of appropriation heretofore made, and does hereby assign and transfer to The Metropolitan Water District of Southern California any and all rights it may have acquired, or may in the future acquire, under and by virtue of that certain application to appropriate water from the Colorado River heretofore referred to and designated Application No. 4997.

In witness whereof the parties hereto have executed this contract the day and year first above written.

CITY OF SAN DIEGO,
By (s) F. A. RHODES, *City Manager.*

Attest:
[SEAL]

(s) FRED W. SICK, *City Clerk.*
THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA,
By (s) JULIAN HINDS,
General Manager and Chief Engineer.
JHH

Attest
[SEAL]

(s) A. L. GRAM, *Executive Secretary.*
Approved January 27, 1947.

COUNTY OF SAN DIEGO,
By (s) DE GRAFF AUSTIN,
Chairman, Board of Supervisors.

Attest:
[SEAL]

J. B. McLEES,
County Clerk and ex officio Clerk
of the Board of Supervisors.
By (s) M. NASLAND, *Deputy.*
SAN DIEGO COUNTY WATER AUTHORITY,
By (s) J. L. BURKHOLDER,
General Manager and Chief Engineer.

Attest:

(s) ELEANOR LONGFELLOW,
Executive Secretary.

Approved as to form and execution:

(s) JAMES H. HOWARD,
General Counsel.
DMK