

FILED  
TULARE COUNTY SUPERIOR COURT  
VISALIA DIVISION

AUG 31 2010

LARAYNE CLEEK, CLERK  
BY: \_\_\_\_\_

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF TULARE

11	KAWEAH DELTA WATER CONSERVATION DISTRICT, a California water conservation district,	)	Case No. 10-238020
12		)	<del>PROPOSED</del> JUDGMENT DETERMINING
13	Plaintiff	)	VALIDITY OF THE CONTRACT
14	vs.	)	BETWEEN THE UNITED STATES OF
15		)	AMERICA AND KAWEAH DELTA WATER
16	ALL PERSONS INTERESTED IN THE MATTER OF THE REPAYMENT CONTRACT BETWEEN THE UNITED STATES AND KAWEAH DELTA WATER CONSERVATION DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM THE FRIANT DIVISION OF THE CENTRAL VALLEY PROJECT AND FOR FACILITIES REPAYMENT,	)	CONSERVATION DISTRICT
17		)	
18		)	
19		)	
20	Defendants.	)	
21		)	

22 Upon reading and considering the unopposed Ex Parte  
23 Application for Judgment requesting the validation and  
24 confirmation of Plaintiff Kaweah Delta Water Conservation  
25 District's (District) certain contract entitled "UNITED STATES  
26 DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION, CENTRAL VALLEY

1 PROJECT, CALIFORNIA, CONTRACT BETWEEN THE UNITED STATES AND  
2 KAWEAH DELTA WATER CONSERVATION DISTRICT PROVIDING FOR PROJECT  
3 WATER SERVICE FROM FRIANT DIVISION AND FOR FACILITIES REPAYMENT,"  
4 Contract No. I75r-1809A (hereinafter referred to as the  
5 "Repayment Contract"), due proof having been made by satisfactory  
6 evidence submitted to the Court that the District caused this  
7 action to be brought within the proper time; that Summons was  
8 issued herein and was duly published pursuant to Section 6063 of  
9 the California Government Code in the *Valley Voice*, a newspaper  
10 of general circulation published in the County of Tulare, State  
11 of California, and in the *Hanford Sentinel*, a newspaper of  
12 general circulation published in the County of Kings, State of  
13 California, both designated by a Superior Court in their  
14 jurisdiction; that jurisdiction of the subject matter of this  
15 action and of all persons interested has been duly obtained by  
16 this Court and is complete; that no person appeared in said  
17 action to contest the validity of the contract involved in said  
18 action or any proceeding taken for the authorization of approval  
19 thereof or any other matters involved in said proceedings.

20 And it further appearing that the time for such appearances  
21 and contest has expired and the default of all defendants has  
22 been duly entered, it is now, upon application of the District,  
23 ORDERED, ADJUDGED and DECREED AS FOLLOWS THAT:

- 24 1. The proceedings leading up to, and including, the  
25 authorization of the execution and the approval of the  
26 Repayment Contract by the DISTRICT's Board of Directors,

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are hereby validated and confirmed, and each and all provisions of the Repayment Contract are hereby approved, confirmed and declared lawful, valid and upon execution binding upon the respective parties thereto.

2. All persons are permanently enjoined from the institution of any action or proceeding raising an issue as to whether the judgment of this Court is binding and conclusive.

Dated: 8.31.10

**LLOYD L HICKS**  
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JUDGE OF THE SUPERIOR COURT