# License Term d-1

# SPECIAL TERMS

## Term D-1 Tributaries to Clear Lake - Agreement

Licensee shall comply with the following provisions which are derived from the contract between the licensee and Yolo County Flood Control and Water Conservation District, executed on [DATE] , and filed with the State Water Board:

(1) If during the period from September 1 of any year to April 30 of the succeeding year, either (a) the elevation of Clear Lake has reached 7.56 feet as measured on the Rumsey Gage or (b) water has been discharged from Clear Lake to hold the water level down in compliance with the Gopcevic Decree, water collected to storage during the licensee's corresponding diversion season shall be water appropriated under this license. If during such period from September 1 to April 30, either (a) or (b) above does not occur, water collected in the licensee's reservoir shall be purchased from the Yolo County Flood Control and Water Conservation District.

(2) Licensee shall install and maintain in the reservoir an accurate direct reading staff gage, calibrated to storage in acre-feet, which is referenced to a permanent benchmark. Licensee shall supply the staff gage reading on or about October 1 of each year to the Yolo County Flood Control and Water Conservation District and to the State Water Board.

(3) Licensee shall allow a designated representative of the Yolo County Flood Control and Water Conservation District reasonable access to the reservoir for the purpose of determining water levels.

Inclusion in this license of certain provisions of the referenced contract shall not be construed as disapproval of other provisions of the contract or as affecting the enforceability, as between the parties, of such other provisions insofar as they are consistent with the terms of this license.

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