

1 in Subsection 8.3, and Ivins Irrigation shall receive a proportionate allocation based on its acre foot  
2 allocation set forth in Subsection 8.4.1. Supplemental Project Water can be supplied to the  
3 Shivwits Band, New Santa Clara, St. George Clara, and Ivins Irrigation as provided in Subsection  
4 8.5 up to the full allocation volumes identified in Subsections 8.3 and 8.4.1.

5 8.5 Supplemental Project Water.

6 8.5.1 The groundwater rights of the Parties comprising Supplemental Project  
7 Water shall be part of the Santa Clara Project Water Right supply and the Supplemental Project  
8 Water shall be utilized as needed to satisfy the water demands set forth in Subsections 8.3 and 8.4  
9 in Below Average Water Years.

10 8.5.2 The decision regarding the use of the Supplemental Project Water shall be  
11 made by the WCWCD, or any successor operator of the Santa Clara Project, in conjunction with  
12 the Parties entitled to receive Santa Clara Project Water and St. George. Only those Parties which  
13 receive Supplemental Project Water shall be obligated to pay the related operation, maintenance,  
14 repair, and replacement costs in accordance with Subsection 7.2 for that Supplemental Project  
15 Water.

16 8.5.3 If any Santa Clara Project water user chooses not to receive its full allocation  
17 of Supplemental Project Water in any Santa Clara Water Delivery Year, any other Santa Clara  
18 Project water user may elect to take delivery of such unused Supplemental Project Water, subject  
19 to the water right limitations in subsections 8.3 and 8.4, by filing a written request in that year with  
20 WCWCD, or any successor operator of the Santa Clara Project, and paying the associated  
21 OMR&R costs. The requests will be granted pro rata among those making the requests based on  
22 the available unused Supplemental Project Water supply.

23 8.5.4 St. George shall be solely responsible for payment of all costs associated with  
24 drilling and equipping the wells it uses to supply Supplemental Project Water. The operation,  
25 maintenance, repair, and replacement costs for the groundwater wells developed by St. George to  
26 provide 4.0 cfs of the Supplemental Project Water supply shall be allocated between St. George  
27 and the Parties entitled to Santa Clara Project Water based on quantities of water used by these