

the following options:

- a. The Purchase Option Currently in Place: The City sells to the Band the amount of domestic/potable water it requests, up to 100 acre feet annually. The water is supplied from the water tank located on the Shivwits Reservation that is supplied by the N-Aquifer or from some other source agreed to by both the City and the Band. The price of the domestic/potable water shall be the same then charged to City residents. The amount of water taken by the Band shall be measured by the City's meters where Shivwits delivery pipelines connect to the City's main pipeline or tank or at any other mutually agreed points of delivery. Nothing herein precludes the City from selling the Band additional water beyond 100 AFA at in-City rates.
- b. Exchange: The Band may elect to exchange water from its Reuse Water Right for the same quantity of treated domestic/potable water from the City, provided that the amount exchanged when combined with any amount being purchased under option 1(a) above shall not exceed 200 AFA. The domestic/potable water will come from the City water system located on the Shivwits Reservation that is supplied by the N-Aquifer or from some other source agreed to by both the City and the Band. The amount of water taken by the Band shall be measured by the City's meters where Shivwits delivery pipelines connect to the City's main pipeline or tank or at any other mutually agreed points of delivery. In addition to this 1 to 1 exchange of waters of comparable value, the Band will pay the in-City rates for treatment and delivery of the exchanged potable water, but not any water acquisition costs or other irrelevant add-ons charged to City residents. Through this arrangement, the City will save the cost of pumping the exchanged Shivwits Reuse Water north to the Reservation. The City will remain obligated to provide domestic/potable water during interruptions of service from the Reuse Project, including those interruptions designated as Force Majeure in Section 15.1 of the Reuse Agreement. Upon three months' notice, the Band may initiate, increase (not to exceed the 200 AFA cap), decrease, suspend, or terminate the exchange.
- c. Alternative Means: The Parties may agree upon any other