

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

178r-423
Amendment No. 1

Amendatory contract between United States and Middle Rio Grande Conservancy District to Contract No. I78r-423 dated September 24, 1951

This amendatory contract made this 19th day of June, 1953, in pursuance of the Act of Congress of June 17, 1902 (32 Stat. 388), and acts amendatory thereof and supplementary thereto and particularly the Acts of Congress of June 30, 1948 (62 Stat. 1171), and Act of May 17, 1950 (64 Stat. 163), all collectively herein styled the Federal Reclamation Law, between the United States of America, herein styled the United States, and the Middle Rio Grande Conservancy District, a body corporate and political division of the State of New Mexico having its principal office in the City of Albuquerque, State of New Mexico, acting herein pursuant to the Conservancy District Reclamation Contract Act as amended, herein styled the DISTRICT.

WITNESSETH THAT:

2. WHEREAS, the United States and the District wish to amend their existing contract No. I78r-423 dated September 24, 1951, to conform to the opinion of the Supreme Court of the State of New Mexico filed May 11, 1953, and

3. WHEREAS, the deletion of a portion of the original contract is agreeable to both parties,

NOW THEREFORE, the parties hereto agree as follows:

4. Article 21 of the aforesaid repayment contract is hereby amended by deletion of the following sentence:

"Should any assessment or assessments required by the terms of this contract and levied against any tract of land or water user in the District be judicially determined to be irregular or void or the District or its officers be enjoined or restrained from making or collecting any assessments upon such land as provided for herein, then such tract or water user shall have no right to any of the benefits of this contract and no water made available through the works constructed or rehabilitated by the United States hereunder shall be delivered to or for such tract of land or water user."

5. With the exception of the above deletion said Article 21 and all remaining provisions of the repayment contract dated September 24, 1951, shall remain in full force and effect.

6. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit that may arise herefrom but this restriction shall not be construed to extend to this contract if made with a corporation or company for its general benefit.

IN WITNESS WHEREOF the parties hereto have caused this instrument and a counterpart thereof to be duly executed the day and year first hereinabove written.

THE UNITED STATES OF AMERICA

By H. E. Robbins
H. E. Robbins, Regional Director
Region 5, Bureau of Reclamation
Amarillo, Texas

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

By Oscar Love
Title: President

ATTEST:

J. W. Gay
Secretary
Middle Rio Grande Conservancy District