

**FIRST AMENDMENT TO
EFFLUENT DISCHARGE AGREEMENT**

This First Amendment to Effluent Discharge Agreement (the "First Amendment") is made as of _____, 2020 by and between Buckeye Water Conservation and Drainage District (the "District") and the City of Goodyear, an Arizona municipal corporation ("the City"). The District and the City are sometimes hereinafter referred to collectively as the Parties.

RECITALS:

1. The City and the District entered into that certain Effluent Discharge Agreement dated June 24, 2019 (the "Agreement") for the discharge of Class A+ effluent from the City's 157th Avenue Water Reclamation Facility (the "Plant") into water delivery canals owned and operated by the District (the "Canals").
2. The City would like to continue discharging Class A+ effluent from the Plant into the Canals, and the District would like to continue receiving such effluent.
3. The initial term of the Agreement was for one year.
4. Paragraph 3 of the Agreement, provides for five (5) successive one (1) year extension period subject to appropriations and the mutual agreement of the Parties.
5. Both Parties have agreed to the first one (1) year extension.

AGREEMENTS:


NOW, THEREFORE, in consideration of the promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the District and the City agree as follows:

1. The Recitals set forth above are incorporated by this reference as if fully set forth herein and are hereby acknowledged and agreed to by the Parties.
2. Pursuant to Paragraph 3 of the Agreement, the term of the Agreement is extended for an additional one (1) year from the date the Agreement expires, June 24, 2020. The Agreement, as amended and extended shall expire on June 24, 2021.

3. Except as expressly provided herein, all other terms and conditions of the Agreement, as amended and extended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment to Effluent Discharge Agreement as of the date and year set forth in the introductory paragraph above.

Buckeye Water Conservation and Drainage District

By: 
Noel Carter
Its: General Manager
Date: 6/9/2020

City of Goodyear, an Arizona municipal corporation

By: _____
Georgia Lord
Its: Mayor
Date: _____

Approved as to form:

City Attorney

Attest:

City Clerk