

## AMENDMENT NO. 2

to

Water Purchase Contract dated 23 October 2003

between

the City of Jackson (Seller) and the Breathitt County Water District (Buyer)

The parties to the Water Purchase Contract have identified a need to amend the Water Purchase Contract dated 23 October 2003 to:

- Add a fifth Point of Delivery;
- Acknowledge the cross connection requirement.

Upon execution, this Amendment dated 26 July 2007 shall become a part of the Contract, equally binding as the original Contract.

### The Contract is hereby amended is follows:

**Section A.5.** in the original Contract allows for the Seller to furnish the Buyer finished water through two points of delivery. Amendment No. 1 added two more points of delivery:

Point of Delivery No. 1..... master meter at EOL of Seller's line on KY 30

Point of Delivery No. 2..... master meter at 12-Inch flange at WTP yard

Point of Delivery No. 3..... master meter at EOL of Seller's line on KY 52

Point of Delivery No. 4..... master meter at intersection of KY 30 & Town Hill Rd

This Amendment will add one point of delivery:

Point of Delivery No. 5..... master meter at KY 15 South and Lost Creek

**Section A.1.** Point of Delivery No. 5 (POD5) carries no minimum or maximum volume of water at this time. The Seller reserves the right to establish a minimum sale and/or a maximum volume at a later date. If such limits are to be imposed, the Seller shall notify the Buyer in writing and an amendment to the Water Purchase Contract shall be executed.



Delivery Point	Monthly Limit (gallons)	Rate (gallons per minute)
POD1	3,000,000	118
POD2	not applicable	not applicable
POD3	3,200,000	170
POD4	not applicable	not applicable
POD5	not applicable	not applicable

**Section B.4.** (new) A double check valve assembly (DCVA) will be required downstream of POD5 in accordance with Section 52.52 B (4)(b) of the Jackson ordinance. The DCVA must be installed between the source, POD5, and the proposed Buyer's storage facility(ies). The Buyer shall submit a plansheet with the proposed DCVA detailed by make, model, and size, as well as the location within the hydraulic design clearly shown. The Seller shall promptly review the design and indicate approval or lack thereof by letter to the Buyer's engineer. The DCVA designed for installation must be approved by the City prior to construction.

This Amendment consists of three pages.

In witness whereof, the parties hereto, acting under the authority of their respective governing bodies, has caused this Amendment to be duly executed in six (6) counterparts, each of which shall constitute an original.

Seller:

City of Jackson, Kentucky

By: 

Michael D. Miller, Mayor

By: 

Angie Combs, City Clerk

Buyer:

Breathitt County Water District

By: 

John Lester Smith, Chairman

By: 

Kay Barnett, Secretary

Page 2 of 3



Rural Development Concurrence

By: \_\_\_\_\_

Date: \_\_\_\_\_

Community Programs Specialist

TARIFF BRANCH  
**RECEIVED**  
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