

*This document is an electronic version of the Low Flow Allocation Agreement's Ancillary Agreement #2.
If there is any discrepancy, the language in the original document will control. 2-20-2018*

ANCILLARY AGREEMENT #2
TO THE POTOMAC RIVER LOW FLOW ALLOCATION AGREEMENT
(MODERATOR'S COMPENSATION AND REASONABLE EXPENSES)

1. Compensation: Pursuant to Article 1, Section H, of the Potomac River Low Flow Allocation Agreement (LFAA), at the annual April meeting the governing parties shall set, by majority vote, the per diem fee to be paid the Moderator in the event his services shall be necessary. Effective May 1, 1983, and until further modified by the governing parties, the per diem fee shall be \$500.00.

2. Payment of Compensation and Other Reasonable Expenses:

a. The governing parties hereby agree that the State of Maryland annually shall pay the Moderator the full amount of compensation and reimbursement for his reasonable expenses in a manner agreeable to the State and the Moderator, and that each governing party shall, subject to the availability of funds, reimburse the State for its equal share. On or before March 1 of each year, the State will submit to each of the other governing parties a bill for its share for the preceding calendar year. Subject to the availability of funds, such bill shall be paid within 30 days of receipt.

b. In any instance where the expenses of the Moderator may reasonably be regarded as extraordinary or subject to question, the State shall consult with the other governing parties in advance of the incurrence or reimbursement of such expenses in order to effectuate the provisions of Article 1, Section H, of the LFAA. Each governing party shall notify the State in writing

of the title, address, and phone number of its agent who is authorized to determine the reasonableness of the Moderator's expenses. For purposes of this paragraph, the agent of the State is the Director, Water Resources Administration, Tawes State Office Building, Annapolis, Maryland 21401, (301) 269-3846.

3. Effective Date: This agreement shall become binding when executed by all parties hereto. When this Ancillary Agreement #2 becomes binding, Ancillary Agreement #1 shall have no further force and effect.

IN WITNESS WHEREOF, the governing parties have executed this Ancillary Agreement #2 to the Potomac River Low Flow Allocation Agreement.

ATTEST:

THE UNITED STATES OF AMERICA

Dale W. Taylor Col, CE
12 October 84
(Date)

[Signature]
Chief of Engineers

THE STATE OF MARYLAND

Thomas A. Deming
February 7, 1984
(Date)

By [Signature]
Governor

[Signature]
Secretary of Natural Resources

THE COMMONWEALTH OF VIRGINIA

[Signature]
5/30/84

By Charles S. Robb
Governor

June 11, 1984
(Date)

8-10-84

8/10/84
(Date)

[Signature]
Chairman, State Water Control Board

THE DISTRICT OF COLUMBIA

By [Signature]
Mayor

[Signature]
Director, Department of
~~Engineering and Sanitation~~
Public Works