

EXHIBIT L - VIABILITY FUND DISBURSEMENT REQUEST

October 2, 1997

Mr. William D. Phillimore
Kern Water Bank Authority
P.O. Box 80607
Bakersfield, CA 93308

RE: Kern Water Bank NCCP/HCP
Viability Fund Disbursement Request

Dear Mr. Phillimore:

In accordance with the terms of the Agreement Regarding the Implementation of the Kern Water Bank Natural Community Conservation Plan / Habitat Conservation Plan (the "Agreement"), by and among the United States Fish and Wildlife Service ("USFWS"), the California Department of Fish and Game ("CDFG") and Kern Water Bank Authority ("KWBA"), dated as of [March 31], 1997, you are hereby authorized and requested to make disbursement of funds held by you in the Kern Water Bank Authority Covered Species Viability Fund ("Viability Fund") established pursuant to Section 3.3.2 of the Agreement.

You are hereby requested to pay, within 10 business days of your receipt of this notice, from the Viability Fund, to the person, corporation or other entity designated below as Payee, the sum set forth below such designation, subject to the limitations set forth in the Agreement.

Payee: _____
Address: _____
Amount: _____

The best available scientific data which establishes that a serious concern exists regarding the viability of a population of _____ **[insert one or more Covered Species]** located on the Kern Water Bank is attached as Exhibit A. The plan of action and methodology of the USFWS and CDFG, supported by that best available scientific data, is attached as Exhibit B.

Dated: _____

UNITED STATES FISH AND WILDLIFE SERVICE

By: _____
[name]

Title:

Dated: _____

CALIFORNIA DEPARTMENT OF FISH AND GAME

By: _____
[name]

Title:

Enclosures

cc: Robert D. Thornton, Esq.