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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

THE UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
H.C. ANGLE, et al.,)
Defendants.)
PLAINTIFF'S NOTICE OF MOTION
AND MOTION TO AMEND ANGLE
DECREE RE: PLACE OF USE OF
WATER RIGHTS AND TO
ESTABLISH COURT-APPROVED
PROCESS FOR FUTURE ANNEXATIONS
AND CHANGES IN PLACE OF USE
DATE: October 20, 2008
TIME: 10:00 a.m.
COURT: Courtroom 4, 15th Floor

PLAINTIFF'S NOTICE OF MOTION AND MOTION TO AMEND ANGLE DECREE
RE: PLACE OF USE OF WATER RIGHTS AND TO ESTABLISH COURT-APPROVED
PROCESS FOR FUTURE ANNEXATIONS AND CHANGES IN PLACE OF USE

PLAINTIFF'S NOTICE OF MOTION AND MOTION TO AMEND
ANGLE DECREE RE: PLACE OF USE OF WATER RIGHTS AND
TO ESTABLISH COURT-APPROVED PROCESS FOR FUTURE
ANNEXATIONS AND CHANGES IN PLACE OF USE

Civil No. S-80-583-LKK

1 TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

2 YOU ARE HEREBY GIVEN NOTICE THAT on October 20, 2008, at 10:00 a.m., or as
3 soon thereafter as the court's schedule permits, before the Honorable Lawrence K. Karlton, in
4 Courtroom 4, 15th Floor, of the United States District Court for the Eastern District of California,
5 Sacramento Division, located at 501 "I" Street, Sacramento, California 95814, the plaintiff
6 United States of America hereby moves to amend the Angle Decree entered by the Honorable
7 Frank H. Kerrigan of this court on January 13, 1930. The motion seeks to confirm changes in the
8 place of use of certain decreed water rights set forth in the Angle Decree. The motion also seeks
9 to establish a court-approved process for future annexations of land and changes in the place of
10 use governed by the Angle Decree.

11 This motion is made pursuant to Fed. R. Civ. P. 7(b) and L.R. 78(b) on the grounds
12 specified in this notice of motion and motion, the memorandum in support, the exhibits and
13 evidence offered in support thereof, the pleadings and papers filed herein, and such other and
14 further evidence as may be presented to the court at the time of the hearing.

15 Pursuant to this notice, the plaintiff United States of America hereby moves to amend the
16 Angle Decree by changing the place of use for the decreed water rights at issue and establishing a
17 court-approved process for future annexations of land and changes in the place of use governed
18 by the Angle Decree. A proposed Order is attached for the court's consideration.

19 Respectfully Submitted,

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21 McGREGOR W. SCOTT
United States Attorney
Eastern District of California

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23 DAVID T. SHELLEDY
Assistant U.S. Attorney

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25 RONALD J. TENPAS
Assistant Attorney General
United States Department of Justice
Environment & Natural Resources Division

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28 TO ESTABLISH COURT-APPROVED PROCESS FOR FUTURE
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/s/ *Charles R. Shockey*

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Dated: September 5, 2008.

OF COUNSEL:

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