



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, 15<sup>th</sup> 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,

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

23 DAVID T. SHELEDY  
Assistant U.S. Attorney

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

27 PLAINTIFF'S NOTICE OF MOTION AND MOTION TO AMEND  
28 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

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*/s/ Charles R. Shockey*

CHARLES R. SHOCKEY, Attorney  
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Dated: September 5, 2008.

OF COUNSEL:

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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

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