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

16	)	Civil No. S-80-583-LKK [In Equity No. 30]
17	)	
18	)	DECLARATION OF ROBERT COLELLA
19	)	IN SUPPORT OF PLAINTIFF'S MOTION
20	)	TO AMEND ANGLE DECREE RE:
21	)	PLACE OF USE OF WATER RIGHTS
	)	AND TO ESTABLISH COURT-APPROVED
	)	PROCESS FOR FUTURE ANNEXATIONS
	)	<u>AND CHANGES IN PLACE OF USE</u>
	)	DATE: October 20, 2008
	)	TIME: 10:00 a.m.
	)	COURT: Courtroom 4, 15 <sup>th</sup> Floor

22 I, ROBERT COLELLA, declare as follows:

- 23 1. I submit this declaration pursuant to Civil Local Rule 43-140(a)(2) and 28 U.S.C.  
24 § 1746 to provide evidence in support of the Plaintiff United States of America's  
25 Motion to Amend the Angle Decree in this case. The following facts are within

26 DECLARATION OF ROBERT COLELLA i/s/o PLAINTIFF'S MOTION  
27 TO AMEND ANGLE DECREE RE: PLACE OF USE OF WATER RIGHTS  
28 AND TO ESTABLISH COURT-APPROVED PROCESS FOR FUTURE  
ANNEXATIONS AND CHANGES IN PLACE OF USE

1 my personal knowledge. If called as a witness, I could and would testify  
2 competently thereto.

3 2. I am employed as a Water Rights Specialist with the U.S. Bureau of Reclamation  
4 (Reclamation) in the Department of the Interior. I have been employed by  
5 Reclamation since February, 1998, and in my current capacity since October,  
6 2000. My current responsibilities include acquiring, preserving, and protecting  
7 the water rights required by Reclamation for the successful operation of the Mid-  
8 Pacific Region.

9 3. I attach as Exhibit 1 a true and correct copy of the Decree in United States of  
10 America v. H.C. Angle.

11 4. I attach as Exhibit 2 a true and correct copy of a letter from George Wilson to  
12 Michael Heaton, dated October 30, 2006.

13 5. I attach as Exhibit 3 a true and correct copy of a description of the Bureau of  
14 Reclamation's federal Orland Project, California.

15 6. I attach as Exhibit 4 a true and correct copy of a map of the Orland Project area.

16 7. I attach as Exhibit 5 a true and correct copy of the 1964 contract between the  
17 United States and the Orland Unit Water Users' Association.

18 8. I attach as Exhibit 6 a true and correct copy of the 1909 contract between the  
19 United States and the Orland Unit Water Users' Association.

20 9. I attach as Exhibit 7 a true and correct copy of an example stock subscription for  
21 capital stock of the Orland Unit Water Users Association.

22 10. I attach as Exhibit 8 a true and correct copy of an example Application for  
23 Permanent Water Right.

24 11. I attach as Exhibit 9 a true and correct copy of an example Final Water-Right  
25 Certificate.

- 1           12.    I attach as Exhibit 10 a true and correct copy of a Tabulation of Lands Issued  
2                    Water Right Certificates Not Covered by Orland Project Land Schedule.
- 3           13.    I attach as Exhibit 11 a true and correct copy of a Proposed Project Land  
4                    Schedule.
- 5           14.    I attach as Exhibit 12 a true and correct copy of a map of the Orland Project Land  
6                    Schedule.
- 7           15.    I attach as Exhibit 13 a true and correct copy of the Notice of Petition and Petition  
8                    to Confirm Change in Place of Use of Certain Decreed Rights filed by Donald  
9                    Garlin.
- 10          16.    I attach as Exhibit 14 a true and correct copy of the Petition Memorandum in  
11                    Support of Petition to Confirm Change in Place of Use of Certain Decreed Rights  
12                    filed by Donald Garlin.
- 13          17.    I attach as Exhibit 15 a true and correct copy of the list of decreed water right  
14                    owners who are annually assessed by the court for payment of water master and  
15                    related expenses.
- 16          18.    I attach as Exhibit 16 a true and correct copy of the Order Granting Petition of  
17                    Donald A. Garlin to Confirm Change in Place of Use of Petitioner's Angle Decree  
18                    Rights.
- 19          19.    I have conferred with Mr. George Wilson, the court-appointed Water Master  
20                    under the Angle Decree. On October 30, 2006, Mr. Wilson sent a letter to  
21                    Reclamation (Exhibit 2, above), in which he stated his opinion that the proposed  
22                    amendment to the Angle Decree with regard to changing the place of use of  
23                    certain parcels of land would not result in injury to the water rights of any party to  
24                    the Angle Decree. Reclamation has taken Mr. Wilson's letter and his opinion into  
25                    account in preparing the Motion to Amend the Angle Decree.

1           20.    I attach as Exhibit 17 a true and correct copy of a Proof of Publication issued by  
2                   the Orland Press-Register. Reclamation has published legal notice of this motion  
3                   in the Orland Press-Register on January 2, 2008.

4           21.    I attach as Exhibit 18 a true and correct copy of the Order Confirming Changes in  
5                   Certain Decreed Rights entered by the court in United States v. Angle on January  
6                   8, 1986.

7           I declare under the penalty of perjury that the foregoing information is true and correct.

8   Executed this 3<sup>rd</sup> day of September, 2008, in Sacramento, California.

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ROBERT COLELLA