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

15
16 THE UNITED STATES OF AMERICA,
17 Plaintiff,
18 v.
19 H.C. ANGLE, et al.,
20 Defendants.

Civil No. S-80-583-LKK [In Equity No. 30]

DECLARATION OF CHARLES R.
SHOCKEY IN SUPPORT OF
UNITED STATES' RESPONSE TO
DEFENDANT BARKLEY'S MOTION
TO REQUIRE CHANGES IN
PRACTICES OF WATER MASTER

DATE: April 5, 2010
TIME: 10:00 a.m.
COURT: Courtroom 4, 15th Floor

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27 DECLARATION OF CHARLES R. SHOCKEY iso
28 UNITED STATES' RESPONSE TO DEFENDANT
BARKLEY'S MOTION TO REQUIRE CHANGES
IN PRACTICES OF WATER MASTER

Civil No. S-80-583-LKK

1 I, Charles R. Shockey, submit the following statement pursuant to and in accordance with
2 28 U.S.C. § 1746.

3 1. I am one of the attorneys of record assigned to represent the plaintiff United States
4 of America in this action. I submit this declaration in support of the United
5 States' Response to Defendant Barkley's Motion to Require Changes in Practices
6 of the Water Master. I have personal knowledge of the facts stated herein. I am
7 over 21 years of age, of sound mind, and competent to testify in this matter. If
8 called upon to testify, I would testify that the facts set forth in this Declaration are
9 true and correct.

10 2. I attach as Exhibit 1 a true and correct copy of the "Petition" dated January 5,
11 2010, submitted by Michael J. Barkley to the members of the California State
12 Water Resources Control Board. Exhibit 1 consists of a two-page document
13 signed by Mr. Barkley and a one-page attachment setting forth Comments by Mr.
14 Barkley, intended to be presented during the Board's Public Forum at the January
15 5, 2010 Board Meeting.

16 3. I attach as Exhibit 2 a true and correct copy of a "Petition for Reconsideration of
17 Staff Denial of Protest Letter of 12/14/2009," dated January 12, 2010, and signed
18 by Mr. Barkley. Exhibit 2 is a nine-page document concerning Mr. Barkley's
19 protest for a petition for extension of Bureau of Reclamation's permitted
20 Application 18115 authorizing storage of water at Black Butte Reservoir on Stony
21 Creek in Tehama and Glenn Counties.

22 4. I attach as Exhibit 3 a true and correct copy of a "Statement of Points and
23 Authorities in Support of Legal Issues Raised in the Petition," filed concurrently
24 with Mr. Barkley's "Petition for Reconsideration of Staff Denial of Protest Letter
25 of 12/14/2009." Exhibit 3 is a four-page document dated January 12, 2010,
26 signed by Mr. Barkley.

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1 5. On February 19, 2010, I contacted Ms. Katherine Mrowka, Chief, Inland Streams
2 Unit, Division of Water Rights, State Water Resources Control Board, California
3 Department of Water Resources. I inquired regarding the status of the Petition for
4 Reconsideration, which Mr. Michael J. Barkley filed from the denial of his Protest
5 to the Bureau of Reclamation's Application 18115 for Extension of Time for the
6 right to store water at Black Butte Reservoir. Ms. Mrowka informed me that Mr.
7 Barkley's Petition for Reconsideration remains pending before the Board.

8 I declare under penalty of perjury under the laws of the United States of America that the
9 following is true and correct.

10 Executed this 22nd day of February, 2010, at Sacramento, California.

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/s/ Charles R. Shockey

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Charles R. Shockey

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