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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.

Civil No. S-80-583-LKK [In Equity No. 30]
ORDER DENYING DEFENDANT
MICHAEL J. BARKLEY'S MOTION
TO REQUIRE CHANGES IN PRACTICES
OF THE WATER MASTER
[PROPOSED]

This matter is before the Court on the motion filed by defendant Michael J. Barkley to require certain changes in the practices of the Water Master appointed by this Court to help administer the 1930 Angle Decree. This motion marks the third time that defendant Barkley has appeared before the Court to request relief concerning the Angle Decree.

On February 11, 2009, the Court entered an Order that granted the plaintiff United States of America's motion to amend the Angle Decree with respect to the place of use and denied defendant Barkley's counter-motion to vacate the Decree. *United States v. Angle*, 2009 WL 347749 (E.D.Cal. Feb. 11, 2009). On May 5, 2009, the Court denied defendant Barkley's motion to reconsider the February 11, 2009 Order. *United States v. Angle*, 2009 WL 1212240

1 (E.D.Cal. May 5, 2009).

2 On December 21, 2009, defendant Barkley filed the “Motion to Require Changes in
3 Practices of the Water Master, Angle Decree para XVI.” Doc. 307. On February 22, 2010, the
4 United States filed an opposition to the latest motion, supported by a Declaration of George
5 Wilson, the Water Master who was appointed by the Court in 1982 and has served in that
6 capacity ever since.

7 The Court, having considered the defendant’s motion, the plaintiff’s response, the
8 defendant’s reply, and the complete record in this matter, finds that good cause exists to DENY
9 the defendant’s motion to require changes in the practices of the Water Master. The defendant
10 has failed to provide any valid basis to modify those practices. The Court is satisfied that Water
11 Master Wilson continues to perform his functions under the Angle Decree in a satisfactory
12 manner and that the changes requested by defendant Barkley are not warranted. The Court also
13 denied Mr. Barkley’s remaining requests to reopen and modify the Angle Decree.

14 Accordingly, IT IS HEREBY ORDERED THAT the defendant’s motion to require
15 changes in the practices of the Water Master is DENIED.

16
17 SO ORDERED this ___ day of _____, 2010.

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20 HONORABLE LAWRENCE K. KARLTON
21 SENIOR UNITED STATES DISTRICT JUDGE

22
23 Presented by:

24 CHARLES R. SHOCKEY, Attorney
25 D.C. Bar # 914879
26 United States Department of Justice
27 Environment & Natural Resources Division
28 Natural Resources Section
501 “I” Street, Suite 9-700
Sacramento, CA 95814-2322

ORDER DENYING DEFENDANT MICHAEL J. BARKLEY’S
MOTION TO REQUIRE CHANGES IN PRACTICES OF THE
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Civil No. S-80-583-LKK

1 Telephone: (916) 930-2203
2 Attorney for Plaintiff

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