

# EXHIBIT 8

TO

MEMORANDUM IN SUPPORT OF MOTION IN LIMINE TO ESTABLISH THE UNITED STATES' LEGAL ENTITLEMENT TO A FEDERAL RESERVED WATER RIGHT AND TO LIMIT THE SCOPE OF EVIDENCE NECESSARY AT TRIAL

Civil No. 05-cv-49053

## EXECUTIVE ORDER

REVOCATION OF EXECUTIVE ORDER NO. 8752 OF JUNE 23, 1934, AMENDING SUBDIVISION XVIII OF SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me by the Civil Service Act (22 Stat. 403), it is ordered that Executive Order No. 8752 of June 23, 1934, amending Subdivision XVIII of Schedule A of the Civil Service Rules by adding thereto the following paragraph: "13. Positions in the National Soldiers' Home at Johnson City, Tennessee", be and it is hereby revoked, effective January 1, 1938.

With the exception of the incumbents of positions ordinarily excepted under paragraphs 11 and 12, Subdivision XVIII of Schedule A of the Civil Service Rules, those employees appointed to positions at the Veterans' Administration Facility, Mountain Home, (National Soldiers' Home, Johnson City) Tennessee, subsequent to June 26, 1934, who do not have a civil-service status, may acquire such status in accordance with the provisions of section 6 of Civil Service Rule II as amended by Executive Order No. 7408 of July 6, 1935.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
November 15, 1937.

[No. 7739]

[P. R. Doc. 37-3338; Filed, November 15, 1937; 1:40 p. m.]

## EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

California

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 35 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered as follows:

SECTION 1. Executive Order No. 6910 of November 26, 1934, as amended, temporarily withdrawing all public lands in certain states for classification and other purposes, is hereby revoked in so far as it affects the following-described tract of land in California:

SAN BERNARDINO MERIDIAN

T. 10 N., R. 9 W., sec. 32, E $\frac{1}{2}$ W $\frac{1}{2}$  and E $\frac{1}{2}$ , 400 acres.

SECTION 2. Subject to the conditions expressed in the above-mentioned acts and to all valid existing rights, the tract of land described in section 1 of this order is hereby temporarily withdrawn from settlement, location, sale, or entry and reserved for use of the War Department for military purposes.

SECTION 3. The reservation made by section 2 of this order shall remain in force until revoked by the President or by act of Congress.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
November 15, 1937

[No. 7740]

[P. R. Doc. 37-3339; Filed, November 16, 1937; 1:40 p. m.]

## EXECUTIVE ORDER

RESERVOIR SITE RESTORATION NO. 17; PARTIAL REVOCATION OF EXECUTIVE ORDER OF JUNE 8, 1926, CREATING RESERVOIR SITE RESERVE NO. 17

California

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, 35 Stat. 847, as amended by the act of August 24, 1912, 37 Stat. 497, the Executive Order

of June 8, 1926, creating Reservoir Site Reserve No. 17, is hereby revoked as to the following-described lands:

MOUNT Diablo MERIDIAN

- T. 12 S., R. 24 E.,  
sec. 1, lots 1, 2, 3, and 4;  
sec. 12, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 13, E $\frac{1}{2}$ E $\frac{1}{4}$ ;  
sec. 24, N $\frac{1}{2}$ SW $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 13 S., R. 24 E.,  
sec. 1, lots 1 and 7.
- T. 11 S., R. 25 E.,  
sec. 31, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , fractional W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , fractional W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 33, SE $\frac{1}{4}$ .
- T. 13 S., R. 25 E.,  
sec. 4, NE $\frac{1}{4}$ ;  
sec. 5, lot 3, lot 4 except SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
sec. 6, fractional NE $\frac{1}{4}$  of lot 1, S $\frac{1}{2}$  of lot 2, lot 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 19, lots 1, 2, and 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 24, N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 28, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 29, SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 31, lot 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
November 15, 1937.

[No. 7741]

[P. R. Doc. 37-3340; Filed, November 16, 1937; 1:41 p. m.]

## TREASURY DEPARTMENT

Bureau of Customs.

[T. D. 49249]

CUSTOMS REGULATIONS AMENDED—ADMINISTRATION OF OATHS BY CUSTOMS PATROL INSPECTORS

To District Patrol Superintendents and Others Concerned:

Pursuant to the authority conferred by sections 486 (a) and 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1486 (a) and 1624) and T. D. 48047, article 1380 of the Customs Regulations of 1937 is hereby amended by inserting the letter "(a)" before the word "Such" in line one thereof and by adding a new paragraph, designated "(b)," reading as follows:

(b) Customs patrol inspectors are hereby designated to administer any oaths required or authorized by law or regulations promulgated thereunder in respect of any matter coming before them in the performance of their official duties.

[SEAL]

JAMES H. MOYLE,  
Commissioner of Customs.

Approved, November 11, 1937.

STEPHEN B. GIBBONE,  
Acting Secretary of the Treasury.

[P. R. Doc. 37-3341; Filed, November 16, 1937; 4:03 p. m.]

[T. D. 49250]

CUSTOMS REGULATIONS AMENDED—PORTS OF DOCUMENTATION  
CUSTOMS PORT OF CORDOVA, ALASKA, DESIGNATED AS PORT OF DOCUMENTATION; DESIGNATION OF CUSTOMS PORT OF SEWARD, ALASKA, AS PORT OF DOCUMENTATION REVOKED

To Collectors of Customs and Others Concerned:

The Department of Commerce has designated the customs port of Cordova, Alaska, as a port of documentation, effective November 15, 1937.

The designation of the customs port of Seward, Alaska, as a port of documentation has been revoked by the Department of Commerce, effective the same date.