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7 IN THE SUPERIOR COURT OF CALIFORNIA  
8 FOR THE COUNTY OF SAN BERNARDINO  
9

10 THE NEW 49'ERS, INC., a California  
11 corporation, DEREK D. EIMER; STEPHEN  
12 JONES; DAVID GUIDERO; MARVIN GARRY  
LAMPSHIRE II; and DYTON W. GILLILAND,

13 Plaintiffs and Petitioners,

14 v.

15 CALIFORNIA DEPARTMENT OF FISH AND  
16 WILDLIFE and CHARLTON H. BONHAM, in  
his capacity as Director of the California  
Department of Fish and Wildlife,

17 Defendants and Respondents.  
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Case No.

**DECLARATION OF ROBERTA COLLUM  
IN SUPPORT OF MOTION FOR A  
TEMPORARY RESTRAINING ORDER  
AND/OR PRELIMINARY INJUNCTION**

19  
20 Roberta Collum declares:

- 21 1. I am a resident of Happy Camp, California, and owner of the Elk Creek  
22 Campground.  
23 2. My business has suffered large losses from 2009 through 2014 because of  
24 restrictions on miners coming to stay in Siskiyou County. This summer, because of this Court's  
25 Order, more miners have returned, and my Park has been full again.  
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1           3.       Happy Camp is a rather small, rural community, and there are few things going on  
2 that most people are not aware of. It is no secret that there was an incredible amount of excitement  
3 and anticipation in advance of the Miners' Motion for an injunction that took place on the 23rd of  
4 June. Since this Court ruled and produced an Order declaring that California's moratorium on  
5 suction dredging is both unconstitutional and unenforceable, we all just assumed this Court would  
6 order DFW to allow suction dredgers to go back to work.

7           4.       I am not an attorney, but I don't understand how a court can rule that the State's  
8 actions are unconstitutional and then allow them to continue doing them. This has greatly reduced  
9 my faith in California's justice system. I know many others who feel the same way. If we cannot  
10 look to the courts to protect us from the unlawful actions of the State, what other remedy do we  
11 have?

12           5.       Since this Court's ruling on June 23rd, one of my customers has already cancelled  
13 his reservations for the remainder of the season and has departed Happy Camp. I am aware of 5  
14 more customers who are delaying their departure until after this Court decides this new TRO  
15 motion.

16           5.       If we do not get dredging back on the Klamath River this week, half my Park will be  
17 empty within another week.

18           6.       Had I not believed so strongly that this Court was going to put a stop to the State's  
19 unconstitutional actions, I would have been more careful about turning away others who wanted to  
20 stay in my Park this summer for reasons other than suction dredging and tried to focus on that  
21 clientele. There is no way to gain that business back now.

22           7.       Mining for gold has been a big part of our local heritage and culture along the  
23 Klamath River all the way back to the original gold rush. For the past 30 years or longer, until  
24 2009, suction dredging in the Klamath River has driven a large portion of the local economy,  
25 especially since logging and milling has mostly been put out of business in these parts.  
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8. Every lost suction dredger is yet another person that is not spending money in the RV parks, restaurants, grocery store, fuel station, auto parts store, tire shop, and the numerous other local small businesses.

9. The State's unconstitutional mining restrictions have caused very serious injury to our economy here in Siskiyou County. Just for a short while this spring, because of this Court's Order, my business and the town finally had some hope that we would start to get back on our feet. Now our futures hang in the balance once again. There are a lot of people and a substantial economy that are affected by this Court's decisions.

10. Once again, I am asking for some amount of relief be provided to our local suction dredgers so that we can capture the remaining part of our 2015 season.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed at Happy Camp, California, this 2nd day of July, 2015.

  
Roberta Collum