

Exhibit A

ANTE0529

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 322

HON. JACK KOMAR, JUDGE

COORDINATION PROCEEDING)	JUDICIAL COUNCIL
SPECIAL TITLE (RULE 1550(B))	COORDINATION NO.
)	JCCP4408
ANTELOPE VALLEY GROUNDWATER CASES)	SANTA CLARA CASE NO.
)	1-05-CV-049053
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PALMDALE WATER DISTRICT AND QUARTZ)	
HILL WATER DISTRICT,)	
)	
CROSS-COMPLAINANTS,)	
)	
VS.)	
)	
LOS ANGELES COUNTY WATERWORKS)	
DISTRICT NO. 40, ET AL.,)	
)	
CROSS-DEFENDANTS.)	
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REPORTER'S TRANSCRIPT OF PROCEEDINGS
WEDNESDAY, MAY 29, 2013

APPEARANCES:

<hr/>	
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SANDRA GECO, CSR NO. 3806
OFFICIAL REPORTER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 322	HON. JACK KOMAR, JUDGE
COORDINATION PROCEEDING) JUDICIAL COUNCIL) COORDINATION NO.) JCCP4408
SPECIAL TITLE (RULE 1550(B)	
ANTELOPE VALLEY GROUNDWATER CASES	
_____) SANTA CLARA CASE NO.) 1-05-CV-049053
PALMDALE WATER DISTRICT AND QUARTZ HILL WATER DISTRICT,)
CROSS-COMPLAINANTS,)
VS.)
LOS ANGELES COUNTY WATERWORKS)

DISTRICT NO. 40, ET AL., ANTE0529)
CROSS-DEFENDANTS.)
_____)

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS

I, SANDRA GECO, OFFICIAL REPORTER OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES, 1 THROUGH 187, INCLUSIVE, COMPRISE A FULL, TRUE AND CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD IN THE ABOVE-ENTITLED MATTER, REPORTED BY ME ON WEDNESDAY, MAY 29, 2013.

DATED THIS 1ST DAY OF JUNE, 2013.

_____, CSR NO. 3806
OFFICIAL REPORTER

1

1 CASE NUMBER: JCCP4408
2 CASE NAME: COORDINATION PROCEEDING SPECIAL
3 TITLE (RULE 1550(B))
4 ANTELOPE VALLEY GROUNDWATER CASES
5 LOS ANGELES, CA; WEDNESDAY, MAY 29, 2013
6 DEPARTMENT NO. 322 HON. JACK KOMAR, JUDGE
7 REPORTER: SANDRA GECO, CSR NO. 3806
8 TIME: 9:00 A.M.
9 APPEARANCES: (AS NOTED ON TITLE PAGE.)

10

11 (THE FOLLOWING PROCEEDINGS WERE HELD
12 IN OPEN COURT:)

13

13 FOR PHASE FOUR TRIAL (PALMDALE WATER DISTRICT)."

14 ASK THAT THOSE BE ADMITTED.

15 THE COURT: ALL RIGHT. AND THAT'S IN SUPPORT OF
16 YOUR CLAIM OF PUMPING IN THE SUM OF 7,024.67 ACRE FEET IN
17 2011, AND 7,542.85 ACRE FEET IN 2012.

18 MR. BUNN: CORRECT.

19 THE COURT: AND IF THERE IS NO OBJECTION, THEY
20 WILL BE ADMITTED.

21 (MARKED & REC'D: = EXHIBIT 4-PALMDALEWD-1.)

22 (MARKED & REC'D: = EXHIBIT 4-PALMDALEWD-2.)

23 (MARKED & REC'D: = EXHIBIT 4-PALMDALEWD-3.)

24 THE COURT: THANK YOU, MR. BUNN.

25 PHELAN WILL BE NEXT.

26 MR. MILIBAND: THANK YOU, YOUR HONOR. GOOD
27 AFTERNOON.

28 WEST MILIBAND APPEARING FOR PHELAN

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1 PINON HILLS COMMUNITY SERVICES DISTRICT.

2 YOUR HONOR, I HAVE FIVE EXHIBITS THAT I
3 WOULD LIKE TO OFFER INTO EVIDENCE.

4 THE COURT: VERY WELL.

5 MR. MILIBAND: THE FIRST I'D LIKE TO OFFER FOR
6 IDENTIFICATION, AS 4-PHELANCSD-1, IS THE DECLARATION WITH
7 EXHIBITS FROM PHELAN'S GENERAL MANAGER, DON BARTZ, FROM
8 JANUARY 21ST, 2013.

9 SPECIFICALLY FOR THE COURT'S REFERENCE AT
10 PARAGRAPHS 10 AND 13, AND EXHIBITS D AND E TO THAT
11 DECLARATION, ARE WELL LOGS AND PUMP TEST INFORMATION THAT
12 PROVIDE A BASIS FOR THE NUMBERS.

13 AND SPECIFICALLY WITHIN PHELAN'S EXHIBIT 1,
14 THEY ARE NUMBERED SEQUENTIALLY, THE PAGES, SO IF THE

15 COURT WOULD LIKE, I CAN PROVIDE PAGE NUMBERS FOR THOSE
16 EXHIBITS, WHICH ARE PAGES 18 TO 42, AND PAGES 43 AND 45.

17 THE NEXT IN ORDER IS 4-PHELANCSD-2, WHICH
18 IS THE DECLARATION FROM PHELAN'S GENERAL MANAGER, DON
19 BARTZ, WITH TODAY'S DATE, MAY 29TH, 2013, WHICH PROVIDES
20 A CALCULATION OF DECEMBER 2012 PRODUCTION INFORMATION.
21 WHICH WAS INCLUDED IN THE WELL LOGS PRODUCED BACK IN
22 JANUARY, BUT GIVEN THE ORDERS AT THAT TIME, ONLY GOING
23 THROUGH NOVEMBER 2012.

24 MR. BARTZ HAS NOW CALCULATED THAT NUMBER
25 FOR THE COURT'S REFERENCE. THE AMOUNTS SUBSTANTIATE THE
26 2012 FIGURE THAT'S PROVIDED IN THE MASTER MATRIX.

27 TOGETHER, THOSE TWO EXHIBITS PROVIDE THE
28 BASIS FOR THE NUMBERS BEFORE THE COURT FOR 2011 AND 2012.

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1 NEXT IN ORDER FOR IDENTIFICATION AS
2 4-PHELANCSD-3 IS PHELAN'S ANNUAL NOTICE OF GROUNDWATER
3 EXTRACTION AND DIVERSION FOR YEAR 2011. THIS WAS
4 PREVIOUSLY DISCLOSED WITH PHELAN'S DECEMBER 21ST, 2012
5 DISCOVERY DISCLOSURE.

6 NEXT IN ORDER FOR IDENTIFICATION IS
7 4-PHELANCSD-4, WHICH IS A STIPULATION WITH COPA DE ORO
8 LAND COMPANY DATED APRIL 29TH, 2013.

9 NEXT IN ORDER FOR IDENTIFICATION IS AS
10 4-PHELANCSD-5, WHICH IS PHELAN'S STIPULATION WITH THE
11 WOOD CLASS FROM APRIL 22, 2013.

12 THOSE ARE THE FIVE EXHIBITS, YOUR HONOR,
13 THAT I'D LIKE TO MOVE INTO EVIDENCE.

14 AND I DO HAVE JUST A FEW OTHER POINTS I CAN
15 ADD. THERE ARE OTHER STIPULATIONS, CERTAINLY, AS SEEN
16 WITHIN THE MASTER MATRIX.

17 AND WITHIN THAT, IF I COULD JUST NITPICK
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18 JUST TO CORRECTLY HAVE PHELAN'S ENTIRE NAME PROPERLY
19 STATED IN THERE. THERE'S IS JUST A COUPLE OF GRAMMATICAL
20 ERRORS.

21 I'M NOT SURE HOW THIS DOCUMENT IS
22 ULTIMATELY GOING TO BE USED, SO I JUST WANTED TO INSURE
23 ACCURACY.

24 THE COURT: WELL, LET'S MAKE SURE IT'S SPELLED
25 CORRECTLY.

26 MR. MILIBAND: ALL RIGHT. VERY WELL, YOUR HONOR.

27 ON PAGE 4 OF THAT MASTER MATRIX, BETWEEN
28 LINES 2 AND 3 IS WHERE PHELAN PINON HILLS COMMUNITY

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1 SERVICES DISTRICT IS LISTED, WITHIN THE WORD "PINON," IT
2 SHOULD BE SPELLED P-I-N-O-N.

3 THERE SHOULD BE AN "S" ON THE END OF
4 "HILL."

5 AND AN "S" ON THE END OF "SERVICE."

6 THE COURT: OKAY. PHELAN PINON HILLS COMMUNITY
7 SERVICES DISTRICT.

8 MR. MILIBAND: CORRECT, YOUR HONOR.

9 THE COURT: OKAY. PINON AS IN NUTS.

10 MR. MILIBAND: THAT'S RIGHT. WHICH THEY ACTUALLY
11 DID FAR BEFORE THE DISTRICT'S FORMATION, HUNDRED YEARS
12 AGO.

13 THE COURT: INTERESTING HISTORY.

14 ALL RIGHT. AND YOU'RE OFFERING THESE IN
15 SUPPORT OF THE PUMPING OF THIS 1,053.14 ACRE FEET PER
16 YEAR IN 2011, AND 1,035.26 ACRE FEET IN 2012.

17 MR. MILIBAND: THAT'S CORRECT, YOUR HONOR.

18 THE COURT: OKAY. THAT'S ALL FROM ONE WELL.

19 MR. MILIBAND: THAT'S CORRECT.

20 THE COURT: ANY OBJECTION?
21 HEARING NONE, IT WILL BE ADMITTED. THANK
22 YOU.

23 MR. MILIBAND: THANK YOU.
24 (MARKED & REC'D: = EXHIBIT 4-PHELANCSD-1.)
25 (MARKED & REC'D: = EXHIBIT 4-PHELANCSD-2.)
26 (MARKED & REC'D: = EXHIBIT 4-PHELANCSD-3.)
27 (MARKED & REC'D: = EXHIBIT 4-PHELANCSD-4.)
28 (MARKED & REC'D: = EXHIBIT 4-PHELANCSD-5.)

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1 THE COURT: ALL RIGHT. QUARTS HILL WATER
2 DISTRICT.

3 MR. WEEKS: BRAD WEEKS, QUARTZ HILL WATER
4 DISTRICT.

5 I REQUEST THE DECLARATION OF CHAD REED BE
6 MARKED AS EXHIBIT 4-QHWD-1. REQUEST IT BE ADMITTED TO
7 SUPPORT 1433.8 ACRE FEET FOR 2011, AND 1524.9 ACRE FEET
8 2012.

9 THE COURT: ALL RIGHT. ANY OBJECTION?

10 HEARING NONE, IT WILL BE ADMITTED.

11 (MARKED & REC'D: = EXHIBIT 4-QHWD-1.)

12 MR. KUHS: EXCUSE ME, YOUR HONOR. THIS GOES BACK
13 TO THE PRODUCTION ISSUE WE SPOKE ABOUT EARLIER.

14 MR. WEEKS WAS KIND ENOUGH TO FORWARD THOSE
15 RECORDS OVER TO MY OFFICE ON SATURDAY BY EMAIL. I
16 FORWARDED IT ON TO A CONSULTANT WHO'S REVIEWING THOSE
17 NUMBERS.

18 THE SHORT ANSWER IS, YOUR HONOR, THAT I'VE
19 GOT A CONSULTANT REVIEWING THOSE RECORDS RIGHT NOW. AND
20 I'D ASK THE COURT TO -- I DON'T MIND THAT THEY BE
21 RECEIVED. BUT AS TO ANY CONCLUSIONS OR FINDINGS BASED ON
22 THOSE RECORDS, I'D ASK THE COURT TO RESERVE THOSE UNTIL