

EXHIBIT "D"

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF SANTA CLARA
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6) Santa Clara
7) Case No.
8 ANTELOPE VALLEY GROUNDWATER CASES,) 1-05-CV-049053
9)
10) Volume III
11 -----

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16 Continued Deposition of JOSEPH SCALMANINI, taken at
17 301 North Lake Avenue, 10th Floor, Pasadena, California,
18 beginning at 10:37 a.m. and ending at 5:27 p.m. on
19 Monday, December 13, 2010, before RUBEN GARCIA,
20 Certified Shorthand Reporter No. 11305.

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1 from the mid '80s to the mid to late '90s. And then
2 turned around and went down. And that correlates with
3 the change in land use and the change in the pumping
4 stresses that are out there.

5 Q But you said something about that's where it's
6 using about what the yield is, the amount of the yield
7 is being pumped?

8 A Close.

9 Q Let's talk about Grismer and -- were there any
10 other opinions on Sheehan?

11 A I told you if I thought there was anything
12 else from memory over lunch I'd tell you, so I guess I
13 better tell you. The thing I didn't mention was
14 subsidence. He makes some pretty matter of fact
15 statements of how subsidence had leveled off in the
16 early '90s and then there wasn't any ongoing subsidence
17 in the basin. And I would disagree with that.

18 Q And why?

19 A Well, when was I here last? Two weeks ago?

20 Q Right. Close enough.

21 A So you asked me some questions about that
22 topic.

23 Q I asked you whether subsidence was continuing
24 or not. And you said you hadn't looked at it.

25 A Yeah, I did. And I don't often admit this out

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1 the record.

2 (Discussion off the record.)

3 MR. ZIMMER: We're back on.

4 BY MR. ZIMMER:

5 Q You said that the subsidence had continued at
6 the same level since the 1990s?

7 A Well, for all practical purposes, a linear
8 rate, meaning the rate of subsidence, is pretty much a
9 straight line.

10 Q I'm not familiar with extensometer. How does
11 that read out? Does that show subsidence or does it
12 give you some other data?

13 A It's a device that physically measures, if you
14 will, the movement of the ground surface or the entire
15 column from the ground surface down to the depth of
16 installation of the extensometer.

17 Q How sensitive is that?

18 A Extremely.

19 Q Does it measure in hundredths of inches?
20 Thousandths?

21 A Wow. I think I could say confidently at least
22 within hundredths of a foot. I probably shouldn't
23 speculate beyond that. I think it has to do with the
24 sensitivity of the instrumentation that's installed at
25 the ground surface to measure it. But you can see

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1 loud, but I will. I was frustrated because I knew I
2 had, but I couldn't call it to mind when I was sitting
3 here. But I was thinking to myself -- so I was
4 answering your question and I was thinking to myself,
5 I'm going to go home and double check. So I did.

6 And remember we talked about extensometers.
7 It might have been more when Michael was asking me
8 questions.

9 Q It was.

10 A And I said I couldn't remember about the
11 ongoing data collection because I thought there was a
12 possibility the funding had dried up and they might just
13 be sitting out there. But I was wrong on that
14 speculation.

15 So there have been extensometers out there
16 since 1990. They have been read. And there's a clear
17 and complete dataset that tracks water levels and
18 monitoring wells around the extensometers and subsidence
19 itself from the extensometers since they went in. And
20 subsidence continues, for all practical purposes,
21 linearly from 1990 to the present.

22 Q When you say linearly, do you mean it's
23 remained the same or --

24 A At the same rate.

25 MR. DUNN: Can I interrupt just for a second? Off

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1 extremely small fluctuations. Whether they're less,
2 meaning smaller than a hundredth of a foot, I can't tell
3 you from instant memory.

4 But, you know, if you looked at data plotted,
5 which are recorded with some kind of a data logger on
6 various small time steps, you could see a little bit of
7 what I call noisiness to the line when you plot it out,
8 which shows real small -- almost like vibrations, it's
9 the wrong word on the ground surface, so it's not like a
10 nice clean line. It's got a little bit of small
11 jaggedness to it, which is partly result of how
12 frequently the measurements are made.

13 But the instrumentation on the extensometer
14 can record to very high sensitivity or very small
15 fluctuations in the ground surface.

16 Q How long have the extensometers been there?

17 A Since 1990. Investigation of subsidence went
18 on for decades before that, but that's when the
19 extensometers went in.

20 Q And was there a range on what the
21 extensometers showed in terms of subsidence throughout
22 that period from 1990 to --

23 A Well, the one I recall is that based on
24 measurements of the ground surface itself prior to 1992
25 there was -- the location where the extensometer is on

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19 (Pages 485 - 488)

1 STATE OF CALIFORNIA)
) SS.
 2 COUNTY OF LOS ANGELES)
 3
 I, RUBEN GARCIA, CSR No. 11305, do hereby
 4 certify:
 5 That the foregoing deposition testimony of
 6 JOSEPH SCALMANINI was taken before me at the time and
 7 place therein set forth, at which time the witness was
 8 placed under oath and was sworn by me to tell the truth,
 9 the whole truth, and nothing but the truth.
 10 That the testimony of the witness and all
 11 objections by counsel at the time of the examination
 12 were recorded stenographically by me, and were
 13 thereafter transcribed under my direction and
 14 supervision, and that the foregoing pages contain a
 15 full, true and accurate record of all proceedings and
 16 testimony to the best of my skill and ability.
 17 I further certify that I am neither counsel
 18 for any party in said action, nor am I related to any
 19 party in said action, nor am I in any way interested in
 20 the outcome thereof.
 21 IN WITNESS WHEREOF, I have subscribed my name
 22 this 27th day of December, 2010.
 23
 24 _____
 25 RUBEN GARCIA, CSR No. 11305

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1 DEPOSITION EXHIBITS		
2 JOSEPH SCALMANINI		
3		
4 NUMBER	DESCRIPTION	IDENTIFIED
5 Exhibit 7	Jump drive produced by Mr. Scalmanini	583
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4 MONDAY, DECEMBER 13, 2010

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8 JOSEPH SCALMANINI	
9 By Mr. Zimmer	419, 606
10 By Mr. Fife	496
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15 INSTRUCTION NOT TO ANSWER	
16 (None)	
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19 INFORMATION REQUESTED	
20 (None)	
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