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7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES

10
11 Coordination Proceeding
Special Title (Rule 3.550)

12
13 **ANTELOPE VALLEY**
14 **GROUNDWATER CASES**

15 Included Actions:

16 **Los Angeles County Waterworks District No. 40**
17 **v. Diamond Farming Co.**
Los Angeles County Superior Court
Case No. BC 325 201

18 **Los Angeles County Waterworks District No. 40**
19 **v. Diamond Farming Co.**
Kern County Superior Court
20 Case No. S-1500-CV-254-348

21 **Wm. Bolthouse Farms, Inc. v. City of Lancaster**
22 **Diamond Farming Co. v. City of Lancaster**
23 **Diamond Farming Co. v. Palmdale Water District**
Riverside County Superior Court
Case Nos. RIC 353 840, RIC 344 436, RIC 344 668
24 (Consolidated Actions)

JUDICIAL COUNCIL COORDINATION
PROCEEDING NO. 4408

Los Angeles County Superior Court
Lead Case No. BC 325 201

For e-service purposes only:
Santa Clara County Superior Court
Case No. 1-05-CV-049053

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SUPPLEMENTAL DECLARATION OF
BRUCE N. NELSON FOR PHASE IV
TRIAL

Trial Date: May 28, 2013
Time: 9:00 am
Dept. No.: TBA
Judge: Hon. Jack Komar

1 I, Bruce N. Nelson, hereby declare:

2 1. On January 31, 2013, I prepared and signed my "Declaration of Bruce Nelson in Lieu of
3 Deposition for Phase 4 Trial" that has been filed in this matter. Since that time, I have been informed
4 that the scope of the Phase 4 Trial is limited to groundwater pumping in 2011 and 2012 from within
5 the Antelope Valley Area of Adjudication. Based on that limitation, the actual groundwater pumping
6 is based on Wells 30, 33, 34 and 43, and U.S. Borax's extraction wells, and the amounts were
7 reflected in the Exhibit F to my prior declaration. Since the filing of that declaration, I have obtained
8 the remaining information for 2012 and have cross-checked all of the amounts for these wells. I
9 found one discrepancy that has resulted in a reduction of 28 acre feet in the amount of 2011
10 extraction well pumping, and that reduction is incorporated and reflected in the amount provided
11 below. Based on U.S. Borax's meter readings, as well as the reports provided on the extraction wells
12 to the Lahontan Regional Water Quality Control Board, all of which I have been involved with, the
13 following are the groundwater pumping amounts by U.S. Borax for 2011 and 2012:

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<u>2011</u>	<u>2012</u>
924 acre feet	1146 acre feet

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18 2. With respect to ownership, I reviewed all of U.S. Borax's parcel ownership, and also provided
19 preliminary title sheets showing ownership as Exhibit P to my prior declaration.

20 I declare under penalty of perjury under the laws of the State of California that the foregoing is
21 true and correct. Executed this 24th day of May 2013.

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24 
25 Bruce N. Nelson

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PROOF OF SERVICE

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California 94105-2482. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on May 24, 2013, I served a copy of the attached **SUPPLEMENTAL DECLARATION OF BRUCE N. NELSON FOR PHASE IV TRIAL** by electronically posting a true copy thereof to Santa Clara County Superior Court’s electronic filing website for complex civil litigation cases with respect to Judicial Council Coordination Proceeding No. 4408 (Antelope Valley Groundwater matter).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Francisco, California, on May 24, 2013.

Patti Pomerantz
(typed)



(signature)