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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 316

HON. JACK KOMAR, JUDGE

COORDINATION PROCEEDING)
SPECIAL TITLE (RULE 1550B))
ANTELOPE VALLEY GROUNDWATER CASES)

JUDICIAL COUNCIL
COORDINATION
NO. JCCP4408

PALMDALE WATER DISTRICT AND)
QUARTZ HILL WATER DISTRICT,)
CROSS-COMPLAINANTS,)

SANTA CLARA CASE NO.
1-05-CV-049053

VS.)

LOS ANGELES COUNTY WATERWORKS,)
DISTRICT NO. 40, ET AL,)
CROSS-DEFENDANTS.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, FEBRUARY 17, 2011

APPEARANCES:

(SEE APPEARANCE PAGES)

GINGER WELKER, CSR #5585
OFFICIAL REPORTER

1 MR. ZIMMER: OBJECTION. NO FOUNDATION. MOTION TO
2 STRIKE.

3 THE COURT: OVERRULED.

4 MR. LEININGER: THE NEXT SLIDE.

5 Q HOW IS THIS BASE-WIDE OVERDRAFT AFFECTED
6 EDWARDS AIR FORCE BASE?

7 A TO GET A VIEW OF THAT, YOU REALLY HAVE TO GO
8 BACK AND LOOK AT WHAT THE SITUATION WAS IN THE BASIN
9 PRIOR TO DEVELOPMENT OF THE GROUNDWATER RESOURCE AND
10 WHAT IS PRESENTED HERE IS A MAP FROM DURBIN'S 1978
11 REPORT.

12 THESE ARE THE GROUNDWATER ELEVATION
13 CONTOURS, GROUNDWATER LEVELS FROM 1915; AND I HAVE ADDED
14 THE ARROWS IN RED THAT SHOW THE DIRECTION OF GROUNDWATER
15 FLOW, AND I HAVE ALSO ADDED THE APPROXIMATE LOCATION
16 HERE OF THE CURRENT SOUTHWEST BOUNDARY OF EDWARDS AIR
17 FORCE BASE.

18 AND FLOW AT THAT TIME PREDEVELOPMENT WAS
19 FROM THE RECHARGE AREAS WHICH ARE GENERALLY AROUND THE
20 MARGINS OF THE VALLEY. SO FLOW FROM THAT DIRECTION AND
21 FLOW TOOK PLACE THEN HERE TOWARD THE MAJOR DISCHARGE
22 AREAS WHICH WERE CENTERED HERE ON WHAT IS NOW EDWARDS
23 AIR FORCE BASE.

24 IF WE COULD GO TO THE NEXT.

25 Q I'M SORRY BEFORE WE GO TO THE NEXT ONE, YOU
26 LABELED THIS AS PREDEVELOPMENT FLOW.

27 WHAT DO YOU MEAN BY PREDEVELOPMENT?

28 A THERE WAS VERY LITTLE GROUNDWATER PUMPAGE AT

1 THIS TIME IN 1915.

2 Q NEXT SLIDE. NOW WE ARE LOOKING AT SLIDE
3 LABELED EXHIBIT I-14?

4

5 (EDWARDS AIR FORCE BASE EXHIBIT I-14
6 MARKED.)

7

8 THE WITNESS: THIS IS ESSENTIALLY THE SAME SLIDE
9 JUST FOCUSED IN ON THE DISCHARGE AREA AROUND ROSAMOND
10 LAKE AND THE SOUTHERN END OF ROGERS LAKE HERE. AGAIN,
11 FLOW DIRECTED TOWARD THE DISCHARGE AREA.

12 AT THAT TIME THIS WAS THE MAJOR DISCHARGE
13 ZONE, AND THERE WAS ACTIVELY FLOWING STREAMS IN THIS
14 AREA AND A HIGH LEVEL OF EVAPOTRANSPIRATION FROM
15 VEGETATION.

16 BY MR. LEININGER:

17 Q HAVE THE GROUNDWATER CONDITIONS CHANGED?

18 A YES, THEY HAVE.

19 Q HOW HAVE THEY CHANGED?

20 A IF WE COULD GO TO THE NEXT -- SO THIS IS
21 LOOKING AT GROUNDWATER LEVEL CONTOUR MAP FROM 1951.

22 MR. ROBERT KUHS: DO WE HAVE AN EXHIBIT NUMBER,
23 YOUR HONOR?

24 THE COURT: 14.

25 MR. LEININGER: I APOLOGIZE. THE LAST ONE WAS
26 EXHIBIT 14. THIS IS EXHIBIT I-15.

27

28

1 (EDWARDS AIR FORCE BASE EXHIBIT I-15
2 MARKED.)
3

4 THE WITNESS: THIS MAP WAS MODIFIED FROM MR.
5 WILDERMUTH'S EXHIBIT 20; AND, THEN, AGAIN, I HAVE ADDED
6 THE FLOW ARROWS IN RED AND THE EDWARD AIR FORCE BASE
7 BOUNDARY IN BLACK.

8 AND WHAT WE SEE BY 1951 IS THE FORMATION OF
9 VERY LARGE CONE OF DEPRESSION TO THIS SOUTH OF EDWARDS
10 CAUSED PRIMARILY BY AGRICULTURAL PUMPAGE IN THAT AREA.
11 AND THIS LARGE CONE OF DEPRESSION ESSENTIALLY STOPPED
12 RECHARGE THAT HAD PREVIOUSLY FROM HERE -- FROM THE MAJOR
13 RECHARGE AREAS HERE, LITTLEROCK AND BIG ROCK CREEK,
14 TOWARD THIS AREA OF THE BASE.

15 AND, IN FACT, WATER NOW FROM THIS SOUTHWEST
16 CORNER OF THE BASE WAS BEING PULLED OFF INTO THAT MAJOR
17 PUMPING DEPRESSION.

18 MR. SLOAN: WITH RESPECT TO THIS EXHIBIT, IF I
19 UNDERSTAND, THIS IS THE 1951 GROUNDWATER CONTOUR MAP
20 FROM MR. WILDERMUTH THAT WAS IDENTIFIED AS AN EXHIBIT
21 20. WE HAD BOTH AN EXHIBIT 20 AND A MODIFIED EXHIBIT
22 20; AND IN PARTICULAR, SOME OF THE CONTOURS ACTUALLY UP
23 IN THE EDWARDS AIR FORCE BASE DIDN'T CHANGE. IF WE
24 COULD JUST GET CLARIFICATION AS TO WHICH ONE WE ARE
25 LOOKING AT.

26 THE WITNESS: IT WOULD BE THE FIRST -- THE ONE HE
27 DISTRIBUTED.
28

1 BY MR. LEININGER:

2 Q AT HIS TRIAL?

3 A AT HIS TILE.

4 Q SO THAT IS MODIFIED? IS THAT --

5 MR. SLOAN: SO IT'S NOT THE CONTOUR MAP THAT WAS
6 IN THE SUMMARY EXPERT REPORT?

7 THE WITNESS: NO.

8 MR. SLOAN: NO. THANK YOU.

9 BY MR. LEININGER:

10 Q OKAY. SO WHAT'S THE CURRENT SITUATION FOR
11 INFLOWS AT EDWARDS AIR FORCE BASE?

12 A IF I COULD HAVE THE NEXT SLIDE.

13

14 (EDWARDS AIR FORCE BASE EXHIBIT I-16
15 MARKED.)

16

17 THE WITNESS: SO THIS IS SLIDE -- AGAIN, THIS IS
18 FROM MR. WILDERMUTH'S EXHIBIT 28 THAT WAS DISTRIBUTED
19 THE FIRST WEEK. THESE ARE THE 2009 GROUNDWATER LEVEL
20 CONTOURS. AND, AGAIN, I HAVE ADDED ARROWS IN THE
21 BOUNDARY AND THE -- MAJOR AREA OF PUMPING IS SHIFTED
22 SOMEWHAT TO THE SOUTH.

23 AT THIS POINT IN TIME, YOU CAN SEE BY THE
24 ARROWS THAT GROUNDWATER DIVIDE EXISTS BOTH ALONG THIS
25 SOUTHERN BOUNDARY OF THE BASE OF FLOWS OFF IN THIS
26 DIRECTION ON THIS SIDE OF THE BOUNDARY AND THAT SIDE OF
27 THE BOUNDARY ON THAT DIRECTION ON THAT SIDE. AND
28 INCLUDING ON THIS WESTERN BOUNDARY, THERE IS ALSO A

1 GROUNDWATER DIVIDE IN THAT AREA.

2 SO, ESSENTIALLY, EDWARDS HAS BEEN SHUT OFF
3 FROM ANY INFLOWS FROM NATURAL RECHARGE FROM THE MAJOR
4 RECHARGE AREAS. AND THE CONSEQUENCE OF THIS BEING
5 ISOLATED FROM THOSE RECHARGE AREAS IS THAT EDWARDS IS
6 ESSENTIALLY MINING ITS GROUNDWATER AT THIS POINT.

7 BY MR. LEININGER:

8 Q WHAT DO YOU MEAN BY "MINING"?

9 MR. ZIMMER: I HAVE AN OBJECTION, YOUR HONOR,
10 TWO-FOLD: FIRST THE WITNESS APPEARS TO BE RELYING ON
11 EXHIBITS THAT ARE SUBJECT TO MOTION TO STRIKE IN
12 MR. WILDERMUTH'S TESTIMONY BEING THE CHANGED OPINIONS AS
13 TO CONTOUR LINES PRODUCED AT TRIAL.

14 SECONDLY, A RELEVANCE OBJECTION TO THIS
15 ISSUE ABOUT BEING CUT OFF FROM WATER AND MOTION TO
16 STRIKE ON THAT BASIS.

17 THIRD, THAT IT IS BEYOND THE SCOPE OF BOTH
18 THE TRIAL AND THE DESIGNATION.

19 THE COURT: OVERRULED.

20 BY MR. LEININGER:

21 Q WHAT DO YOU MEAN WHEN YOU SAY "MINING" OF
22 THE AQUIFER?

23 A IT WOULD BE A PROLONGED EXTRACTION OF WATER
24 IN EXCESS OF RECHARGING. AND IN THIS CASE BECAUSE THERE
25 IS VERY LITTLE LOCAL RECHARGE, AND IT HAS BEEN CUT OFF
26 FROM THE MAJOR RECHARGE AREAS IN THE VALLEY. BUT THE
27 MINING IS REMOVING WATER THAT IS NOT BEING REPLACED.

28 Q WHAT EVIDENCE DO YOU HAVE OF THESE CHANGED

1 CONDITIONS OR THE MINING OF THE AQUIFER UNDER EDWARDS?

2 A COULD I HAVE THE NEXT ONE. SO THIS IS --
3 PORTIONS OF A FIGURE SORT OF A CLOSE-UP OF A FIGURE FROM
4 THE SUMMARY EXPERT REPORT THAT PRESENTED THREE
5 HYDROGRAPHS, AND I HAVE JUST INCLUDED THE THREE
6 HYDROGRAPHS FROM WELLS LOCATED ON EDWARDS AIR FORCE
7 BASE: ONE IN THE SOUTH, ONE SORT OF MIDWAY, AND ONE
8 MORE OR LESS IN THE NORTHERN PART OF THE BASE; AND THE
9 TIME PERIOD OF THESE HYDROGRAPHS IS FROM ABOUT 1950 UP
10 TO THE PRESENT.

11 AND ALL THREE HYDROGRAPHS SHOW ONGOING LOSS
12 OF STORAGE, ONGOING DECLINING WATER LEVELS BENEATH
13 EDWARDS AIR FORCE BASE.

14 Q AND WHAT ARE THE CONSEQUENCES OF DECLINING
15 WATER LEVELS AT EDWARDS AIR FORCE BASE?

16 MR. ZIMMER: VAGUE AND SPECULATION -- VAGUE AS TO
17 TIME.

18 THE COURT: OVERRULED.

19 THE WITNESS: IF I COULD HAVE THE NEXT SLIDE,
20 PLEASE.

21 MR. LEININGER: FOR THE RECORD, YOUR HONOR, THIS
22 SLIDE IS MARKED -- I'M SORRY. THE PREVIOUS SLIDE ON
23 FALLING WATER LEVELS AT EDWARDS AIR FORCE BASE WILL BE
24 EXHIBIT I-17.

25

26 (EDWARDS AIR FORCE BASE EXHIBIT I-17
27 MARKED.)

28