

ALESHIRE & WYNDER, LLP  
WESLEY A. MILIBAND, State Bar No. 241283  
*wmiliband@awattorneys.com*  
MILES P. HOGAN, State Bar No. 287345  
*mhogan@awattorneys.com*  
18881 Von Karman Avenue, Suite 1700  
Irvine, California 92612  
Telephone: (949) 223.1170  
Facsimile: (949) 223.1180

Attorneys for Defendant and Cross-Complainant  
Phelan Piñon Hills Community Services District

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

Coordination Proceeding  
Special Title (Rule 1550(b))

**ANTELOPE VALLEY  
GROUNDWATER CASES**

Included Actions:

*Los Angeles County Waterworks District  
No. 40 v.  
Diamond Farming Co., et al.*  
Los Angeles County Superior Court, Case  
No. BC 325 201

*Los Angeles County Waterworks District  
No. 40 v.  
Diamond Farming Co., et al.*  
Kern County Superior Court, Case No.  
S-1500-CV-254-348

*Wm. Bolthouse Farms, Inc. v. City of  
Lancaster*  
*Diamond Farming Co. v. City of Lancaster*  
*Diamond Farming Co. v. Palmdale Water  
Dist.*  
Riverside County Superior Court,  
Consolidated Action, Case Nos. RIC 353  
840, RIC 344 436, RIC 344 668

AND RELATED CROSS-ACTIONS

Case No. Judicial Council Coordination  
Proceeding No. 4408

(For Filing Purposes Only: Santa Clara  
County Case No.: 1-05-CV-049053)

**WITNESS AND EXHIBIT LIST OF  
PHELAN PIÑON HILLS COMMUNITY  
SERVICES DISTRICT FOR PHELAN  
PIÑON HILLS COMMUNITY SERVICES  
DISTRICT TRIAL SET FOR NOVEMBER  
4, 2014**

Assigned for All Purposes to:  
Hon. Jack Komar

Trial Date: November 4, 2014  
(Trial Related to Phelan Piñon  
Hills Community Services  
District)

Time: 10:00 a.m.  
Location: Stanley Mosk Courthouse  
111 North Hill Street  
Los Angeles, California  
Dept: 56 / Room 514 (5<sup>th</sup> Floor)



Phelan Piñon Hills Community Services District (“PPHCSD”) hereby confirms that the witnesses previously disclosed by PPHCSD – namely General Manager Don Bartz and designated expert Thomas Harder – remain witnesses for the upcoming trial. Also, the following serves as the list of exhibits that may be offered by PPHCSD for the trial set for November 4, 2014:

<u><b>Exhibit No.</b></u>	<u><b>Exhibit Description</b></u>	<u><b>Date Entered</b></u>	<u><b>Objection</b></u>	<u><b>Date Admitted</b></u>
<b>PhelanCSD-1</b>	Local Agency Formation Commission County of San Bernardino, Resolution No. 2994			
<b>PhelanCSD-2</b>	Transmittal Re Real Estate Appraisals			
<b>PhelanCSD-3</b>	Letter re Original Contracts for Purchase of Parcels (APN 3089-021-901 and 3089-021-902)			
<b>PhelanCSD-4</b>	Letter from Los Angeles County to San Bernardino County dated June 23, 1999			
<b>PhelanCSD-5</b>	Letter from California Department of Health dated July 9, 1999			
<b>PhelanCSD-6</b>	Quitclaim Deed, Executed On or About September 13, 1999			
<b>PhelanCSD-7</b>	Letter from Los Angeles County to San Bernardino County Enclosing Original Grant Deed for the Well 14 Parcel w/ Certificate of Acceptance			
<b>PhelanCSD-8</b>	San Bernardino County’s Initial Study for CSA 70, Zone L, Well #14 Project, March 2000			
<b>PhelanCSD-9</b>	California State Clearinghouse’s Acknowledgement of Receipt, May 30, 2000			
<b>PhelanCSD-10</b>	Letter from California State Clearinghouse to San Bernardino County Re Well 14 Project, June 21, 2000			
<b>PhelanCSD-11</b>	Negative Declaration and Notice of Determination, August 29, 2000			



<u><b>Exhibit No.</b></u>	<u><b>Exhibit Description</b></u>	<u><b>Date Entered</b></u>	<u><b>Objection</b></u>	<u><b>Date Admitted</b></u>
<b>PhelanCSD-12</b>	Agenda for San Bernardino County Board of Supervisors' Board Meeting, June 3, 2003			
<b>PhelanCSD-13</b>	Well Completion Report – On or About March 4, 2004			
<b>PhelanCSD-14</b>	Local Agency Formation Commission, County of San Bernardino's Certificate of Completion of Phelan Piñon Hills' Formation			
<b>PhelanCSD-15</b>	Depiction of Phelan Piñon Hills' Service Area			
<b>PhelanCSD-16</b>	Flowmeter Readings for Well 14 for Calendar Years 2005 through December 31, 2013			
<b>PhelanCSD-17</b>	Certificates of Accuracy for Tests Performed on Well 14			
<b>PhelanCSD-18</b>	First Notice of Extraction and Diversion of Water and Annual Notices of Extraction and Diversion of Water for Well 14 from 2005 through 2013			
<b>PhelanCSD-19</b>	Illustration – Air Photo Location Map			
<b>PhelanCSD-20</b>	Illustration – Air Photo, 24-May-13			
<b>PhelanCSD-21</b>	Illustration – Street View			
<b>PhelanCSD-22</b>	Curriculum Vitae of Phelan Piñon Hills' Designated Expert Thomas E. Harder			
<b>PhelanCSD-23</b>	Trial Testimony of Joseph Scalmanini, Phase Three: January 13, 2011 (Volume 4), Pages 510 - 511			
<b>PhelanCSD-24</b>	Trial Testimony of Joseph Scalmanini, Phase Three: January 20, 2011 (Volume 8), Pages 953 – 955			
<b>PhelanCSD-25</b>	Curriculum Vitae of Phelan Piñon			



<u>Exhibit No.</u>	<u>Exhibit Description</u>	<u>Date Entered</u>	<u>Objection</u>	<u>Date Admitted</u>
	Hills' Designated Expert Thomas E. Harder ( <i>Updated October, 2014</i> )			
<b>PhelanCSD-26</b>	Illustration – Groundwater Basins & PPHCSD Service Area			
<b>PhelanCSD-27</b>	Illustration – Production Wells Within the Buttes and Pearland Subunits			
<b>PhelanCSD-28</b>	Illustration – Groundwater Elevation Contour Map, March 2013			
<b>PhelanCSD-29</b>	Illustration – Monitoring Wells			
<b>PhelanCSD-30</b>	Illustration – Groundwater Storage Change – Gravity Drainage			
<b>PhelanCSD-31</b>	Illustration – 1992 – 1997 Groundwater Storage Change Map			
<b>PhelanCSD-32</b>	Illustration – 1998 – 2005 Groundwater Storage Change Map			
<b>PhelanCSD-33</b>	Illustration – 2006 – 2009 Groundwater Storage Change Map			
<b>PhelanCSD-34</b>	Illustration – 1951 – 2009 Groundwater Storage Change Map			
<b>PhelanCSD-35</b>	Illustration – Well 14 Levels			
<b>PhelanCSD-36</b>	Scalmanini, et al., 2010 Summary Expert Report, page IV-13			
<b>PhelanCSD-37</b>	Scalmanini, et al., 2010 Summary Expert Report Appendix E Illustration, Figure E2-4 – Groundwater Elevation Trends			
<b>PhelanCSD-38</b>	Illustration – Total Subsidence 1930 to 1992			
<b>PhelanCSD-39</b>	Illustration – Parcels with Active Water Connections - 2013			
<b>PhelanCSD-40</b>	Illustration – Groundwater Elevation Contour Map, March 2013			

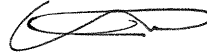


<u><b>Exhibit No.</b></u>	<u><b>Exhibit Description</b></u>	<u><b>Date Entered</b></u>	<u><b>Objection</b></u>	<u><b>Date Admitted</b></u>
<b>PhelanCSD-41</b>	Scalmanini, et al., 2010 Summary Expert Report, page D-21			
<b>PhelanCSD-42</b>	Scalmanini, et al., 2010 Summary Expert Report, page D-22			
<b>PhelanCSD-43</b>	Illustration – Phelan Piñon Hills Community Services District Water Distribution Pipelines			
<b>PhelanCSD-44</b>	Summary of Phelan Piñon Hills Community Services District Return Flow within the Antelope Valley Groundwater Basin			
<b>PhelanCSD-45</b>	Lancaster Air Photo Location Map			
<b>PhelanCSD-46</b>	Ariel Photo – Western Lancaster, 24-May-13			
<b>PhelanCSD-47</b>	Illustration – Piñon Hills Air Photo Location Map			
<b>PhelanCSD-48</b>	Piñon Hills Area Air Photo, 24-May-13			
<b>PhelanCSD-49</b>	Piñon Hills Area, Street View of Typical Front Yard			
<b>PhelanCSD-50</b>	Opinions of Thomas Harder for the November 4, 2014 Trial – Antelope Valley Adjudication Case			
<b>PhelanCSD-51</b>	Opinions of Thomas Harder as They Relate to Phase V of the Antelope Valley Adjudication Case			
<b>PhelanCSD-52</b>	Return Flow Cross Section			

1 DATED: October 31, 2014

ALESHIRE & WYNDER, LLP  
WESLEY A. MILIBAND  
MILES P. HOGAN

4 By:



5 WESLEY A. MILIBAND  
6 Attorneys for Defendant and Cross-Complainant  
7 Phelan Piñon Hills Community Services District

ALESHIRE &  
WYNDER, LLP  
ATTORNEYS AT LAW



**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

I, Linda Yarvis,

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 18881 Von Karman Avenue, Suite 1700, Irvine, CA 92612.

On October 31, 2014, I served the within document(s) described as **WITNESS AND EXHIBIT LIST OF PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT FOR PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT TRIAL SET FOR NOVEMBER 4, 2014** on the interested parties in this action as follows:

**BY ELECTRONIC SERVICE:** By posting the document(s) listed above to the Santa Clara County Superior Court website in regard to Antelope Valley Groundwater matter pursuant to the Court's Clarification Order. Electronic service and electronic posting completed through [www.scefiling.org](http://www.scefiling.org).

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

Executed on October 31, 2014, at Irvine, California.

Linda Yarvis

ALESHIRE &  
WYNDER LLP  
ATTORNEYS AT LAW

