

Exhibit M

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF SANTA CLARA
3

4 **CERTIFIED**
5 **TRANSCRIPT**

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7)
8) Santa Clara
9 ANTELOPE VALLEY GROUNDWATER CASES,) Case No.
10) 1-05-CV-049053
11) VOLUME VIII
12 -----
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15 TRIAL TESTIMONY OF JOSEPH SCALMANINI
16 THURSDAY, JANUARY 20, 2011
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20 REPORTED BY:
21 TOM FRASIK, RPR, CSR 6961
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25 PAGES 923 - 1029

Page 923

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TRIAL TESTIMONY OF JOSEPH SCALMANINI,
taken at 2001 North Main Street, Suite 390,
Walnut Creek, California, commencing at
10:34 a.m., Thursday, January 20, 2011,
before Tom Frasik, Registered Professional
Reporter, California Certified Shorthand
Reporter No. 6961.

1 myself with that kind of detail, so I don't know.

2 BY MR. KUHS:

3 Q. Had you ever asked Mr. Dunn's office to serve
4 discovery on any pumper in the basin to determine the
5 quantity of water being pumped? 11:11:01

6 A. No.

7 Q. Are you familiar with an entity called Phelen
8 Pinon Community Services District?

9 A. Yes.

10 Q. Did you consider Phelen CSD's pumping in your 11:11:32
11 analysis of safe yield?

12 A. No.

13 Q. You have any idea as to how much water Phelen
14 Pinon Community Services District has been extracting
15 from the aquifer? 11:11:54

16 A. What aquifer?

17 Q. The aquifer underlying the Antelope Valley area
18 of adjudication.

19 A. I don't remember exactly, but it seems like the
20 last few years, meaning maybe back into the last year or 11:12:11
21 two of the analysis that we did, but it's only in very
22 recent time. They have a well, at least that's my
23 understanding, that's located just on the west side of
24 the -- call it the southeast boundary of the Antelope
25 Valley area of adjudication. 11:12:38

Page 953

1 TRIAL REPORTER'S CERTIFICATION

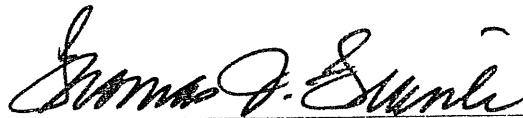
2 I, THOMAS J. FRASIK, Registered Professional
3 Reporter, and California Certified Shorthand Reporter,
4 Number 6961, do hereby certify:

5 That the foregoing Trial Testimony was taken
6 before me at the time and place herein set forth;

7 That the testimony of the witness and all
8 objections made by counsel at the time of the
9 examination were recorded stenographically by me, and
10 were thereafter transcribed under my direction and
11 supervision, and that the foregoing pages contain a
12 full, true, and accurate record of all proceedings and
13 testimony to the best of my skill and ability.

14 I further certify that I am neither counsel for
15 any party to said action, nor am I related to any party
16 to said action, nor am I in any way interested in the
17 outcome thereof.

18 IN WITNESS WHEREOF, I have subscribed my name
19 this 25th day of January, 2011.
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24 THOMAS J. FRASIK, RPR, CSR No. 6961
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