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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 TRIAL ON
CLAIMS BY PHELAN PIÑON HILLS
COMMUNITY SERVICES DISTRICT
SET FOR AUGUST 25-27, 2015**

Date: August 25-27, 2015
Time: 10:00 a.m.
Location/Dept.: 191 North First Street
San Jose, CA 95113
Dept. 12

Assigned for All Purposes to:
Hon. Jack Komar

Date/Time: 08/25-27/15, 10:00 a.m., San Jose
(Trial/Hearing on claims by Phelan Piñon Hills CSD)
Date/Time: 09/28-10/16/15, 10:00 a.m., TBD
(Prove-up Hearings [evidentiary hearing for a
physical solution])

01133.0012/265561.1

WITNESS AND EXHIBIT LIST OF PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT
FOR TRIAL ON CLAIMS BY PHELAN PIÑON HILLS COMM. SVC. DIST. SET FOR AUGUST 25-27-2015

ALESHIRE &
WYNDER, LLP
ATTORNEYS AT LAW





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 August 25-27, 2015:

<u>Exhibit No.</u>	<u>Exhibit Description</u>	<u>Date Entered</u>	<u>Objection</u>	<u>Date Admitted</u>
PhelanCSD-1	Local Agency Formation Commission County of San Bernardino, Resolution No. 2994	Cite for Exhibits 1-24 (11/4/2014 transcript, P73:2:P74:6)		11/4/2014
PhelanCSD-2	Transmittal Re Real Estate Appraisals			11/4/2014
PhelanCSD-3	Letter re Original Contracts for Purchase of Parcels (APN 3089-021-901 and 3089-021-902)			11/4/2014
PhelanCSD-4	Letter from Los Angeles County to San Bernardino County dated June 23, 1999			11/4/2014
PhelanCSD-5	Letter from California Department of Health dated July 9, 1999		Limited Purposes stated in ¶50 of the stipulation	11/4/2014
PhelanCSD-6	Quitclaim Deed, Executed On or About September 13, 1999			11/4/2014
PhelanCSD-7	Letter from Los Angeles County to San Bernardino County Enclosing Original Grant Deed for the Well 14 Parcel w/ Certificate of Acceptance			11/4/2014
PhelanCSD-8	San Bernardino County’s Initial Study for CSA 70, Zone L, Well #14 Project, March 2000		Limited Purposes as stated in the stipulation at ¶8.	11/4/2014
PhelanCSD-9	California State Clearinghouse’s Acknowledgement of Receipt, May 30, 2000			11/4/2014



<u>Exhibit No.</u>	<u>Exhibit Description</u>	<u>Date Entered</u>	<u>Objection</u>	<u>Date Admitted</u>
PhelanCSD-10	Letter from California State Clearinghouse to San Bernardino County Re Well 14 Project, June 21, 2000			11/4/2014
PhelanCSD-11	Negative Declaration and Notice of Determination, August 29, 2000			11/4/2014
PhelanCSD-12	Agenda for San Bernardino County Board of Supervisors' Board Meeting, June 3, 2003			11/4/2014
PhelanCSD-13	Well Completion Report – On or About March 4, 2004			11/4/2014
PhelanCSD-14	Local Agency Formation Commission, County of San Bernardino's Certificate of Completion of Phelan Piñon Hills' Formation			11/4/2014
PhelanCSD-15	Depiction of Phelan Piñon Hills' Service Area			11/4/2014
PhelanCSD-16	Flowmeter Readings for Well 14 for Calendar Years 2005 through December 31, 2013			11/4/2014
PhelanCSD-17	Certificates of Accuracy for Tests Performed on Well 14			11/4/2014
PhelanCSD-18	First Notice of Extraction and Diversion of Water and Annual Notices of Extraction and Diversion of Water for Well 14 from 2005 through 2013			11/4/2014
PhelanCSD-19	Illustration – Air Photo Location Map			11/4/2014
PhelanCSD-20	Illustration – Air Photo, 24-May-13			11/4/2014
PhelanCSD-21	Illustration – Street View			11/4/2014
PhelanCSD-22	Curriculum Vitae of Phelan Piñon Hills' Designated Expert Thomas E. Harder			11/4/2014



<u>Exhibit No.</u>	<u>Exhibit Description</u>	<u>Date Entered</u>	<u>Objection</u>	<u>Date Admitted</u>
PhelanCSD-23	Trial Testimony of Joseph Scalmanini, Phase Three: January 13, 2011 (Volume 4), Pages 510 - 511			11/4/2014
PhelanCSD-24	Trial Testimony of Joseph Scalmanini, Phase Three: January 20, 2011 (Volume 8), Pages 953 – 955			11/4/2014
PhelanCSD-25	Curriculum Vitae of Phelan Piñon Hills' Designated Expert Thomas E. Harder (<i>Updated October, 2014</i>)	Cite for Exhibits 25-52 (except for 36, 41, 42, 50, 51, see below) 11/5/2014 Transcript, P214:27-28.		11/5/2014
PhelanCSD-26	Illustration – Groundwater Basins & PPHCSD Service Area			11/5/2014
PhelanCSD-27	Illustration – Production Wells Within the Buttes and Pearland Subunits			11/5/2014
PhelanCSD-28	Illustration – Groundwater Elevation Contour Map, March 2013			11/5/2014
PhelanCSD-29	Illustration – Monitoring Wells			11/5/2014
PhelanCSD-30	Illustration – Groundwater Storage Change – Gravity Drainage			11/5/2014
PhelanCSD-31	Illustration – 1992 – 1997 Groundwater Storage Change Map			11/5/2014
PhelanCSD-32	Illustration – 1998 – 2005 Groundwater Storage Change Map			11/5/2014
PhelanCSD-33	Illustration – 2006 – 2009 Groundwater Storage Change Map			11/5/2014
PhelanCSD-34	Illustration – 1951 – 2009 Groundwater Storage Change Map			11/5/2014
PhelanCSD-35	Illustration – Well 14 Levels			11/5/2014
PhelanCSD-36	Scalmanini, et al., 2010 Summary Expert Report, page IV-13	See cite listed in 41 and 42 below.		No


<u>Exhibit No.</u>	<u>Exhibit Description</u>	<u>Date Entered</u>	<u>Objection</u>	<u>Date Admitted</u>
PhelanCSD-37	Scalmanini, et al., 2010 Summary Expert Report Appendix E Illustration, Figure E2-4 – Groundwater Elevation Trends			11/5/2014
PhelanCSD-38	Illustration – Total Subsidence 1930 to 1992			11/5/2014
PhelanCSD-39	Illustration – Parcels with Active Water Connections - 2013			11/5/2014
PhelanCSD-40	Illustration – Groundwater Elevation Contour Map, March 2013			11/5/2014
PhelanCSD-41	Scalmanini, et al., 2010 Summary Expert Report, page D-21	36, 41 and 42 Hearsay, Summary Expert Report has not come into evidence. The ¶¶ have been read into evidence, and so they are in that sense in evidence. (11/5/2014 Transcript P213:19-P214:28)		No
PhelanCSD-42	Scalmanini, et al., 2010 Summary Expert Report, page D-22			No
PhelanCSD-43	Illustration – Phelan Piñon Hills Community Services District Water Distribution Pipelines			11/5/2014
PhelanCSD-44	Summary of Phelan Piñon Hills Community Services District Return Flow within the Antelope Valley Groundwater Basin			11/5/2014
PhelanCSD-45	Lancaster Air Photo Location Map			11/5/2014
PhelanCSD-46	Ariel Photo – Western Lancaster, 24-May-13			11/5/2014
PhelanCSD-47	Illustration – Piñon Hills Air Photo Location Map			11/5/2014
PhelanCSD-48	Piñon Hills Area Air Photo, 24-May-13			11/5/2014
PhelanCSD-49	Piñon Hills Area, Street View of Typical Front Yard			11/5/2014



<u>Exhibit No.</u>	<u>Exhibit Description</u>	<u>Date Entered</u>	<u>Objection</u>	<u>Date Admitted</u>
PhelanCSD-50	Opinions of Thomas Harder for the November 4, 2014 Trial – Antelope Valley Adjudication Case	Argumentative Exhibits. Can use in Closing Argument, but won't be admitted in as evidence. (11/5/2014 Transcript, P213:8-17.)		No
PhelanCSD-51	Opinions of Thomas Harder as They Relate to Phase V of the Antelope Valley Adjudication Case			No
PhelanCSD-52	Return Flow Cross Section			11/5/2014
PhelanCSD-53	Summary of Phelan Piñon Hills Community Services District Delivered Water Within the Antelope Valley Groundwater Basin			
PhelanCSD-54	Certified copy of Agreement No. 99-199 dated March 23, 1999 from the Board of Supervisors, County of San Bernardino			
PhelanCSD-55	Certified copy of Agreement No. 99-714 dated August 3, 1999 from the Board of Supervisors, County of San Bernardino			
PhelanCSD-56	Summary of Annual Groundwater Production PPHCSD Wells in the Antelope Valley Groundwater Basin 1986-2009			

DATED: August 24, 2015

ALESHIRE & WYNDER, LLP
 JUNE S. AILIN
 MILES P. HOGAN

By: 
 JUNE S. AILIN
 Attorneys for Defendant and Cross-Complainant
 Phelan Piñon Hills Community Services District

2 **PROOF OF SERVICE**

3 **STATE OF CALIFORNIA, COUNTY OF ORANGE**

4 I, Linda Yarvis,

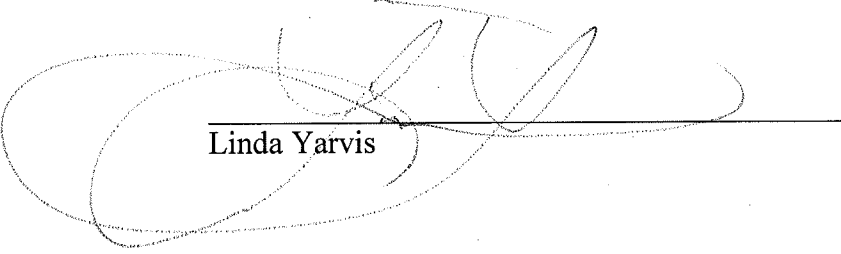
5 I am employed in the County of Orange, State of California. I am over the age of 18 and not a
6 party to the within action. My business address is 18881 Von Karman Avenue, Suite 1700, Irvine, CA
92612.

7 On August 21, 2015, I served the within document(s) described as **WITNESS AND**
8 **EXHIBIT LIST OF PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT FOR**
9 **TRIAL ON CLAIMS BY PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT**
SET FOR AUGUST 25-27, 2015 on the interested parties in this action as follows:

10 **BY ELECTRONIC SERVICE:** By posting the document(s) listed above to the Santa Clara
11 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
12 www.scefiling.org.

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

14 Executed on August 21, 2015, at Irvine, California.

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17 Linda Yarvis
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WYNDER LLP
ATTORNEYS AT LAW

