

Exhibit 23

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

)
) Santa Clara
 ANTELOPE VALLEY GROUNDWATER CASES,) Case No.
) 1-05-CV-049053
) VOLUME IV

TRIAL TESTIMONY OF JOSEPH SCALMANINI
THURSDAY, JANUARY 13, 2011
WALNUT CREEK, CALIFORNIA

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1 that would collect domestic wastewater from
2 typically inside water use; meaning inside the
3 house, and routed to a wastewater treatment plant.

4 And then ultimately -- and we also looked
5 at measured deliveries of water supply to M&I 13:54:34
6 entities, or by M&I entities and/or purveyors, and
7 then metered inflows and outflows at wastewater
8 treatment plants to ultimately conclude that
9 approximately 70 percent of the publicly-served
10 areas in the valley are also served by sewer 13:54:57
11 agencies that would route wastewater to treatment
12 plants.

13 So we analyzed looking at water use
14 records on a month-by-month basis how much water is
15 approximately used inside the house versus how much 13:55:15
16 water is used for landscaping or irrigation purposes
17 outside the house and estimated return flows from
18 the irrigation outside of the house. And in the
19 case of sewered entities, routed all the inside
20 water used to a sewer and to a wastewater treatment 13:55:31
21 plant from which it was then treated, you know, as
22 ultimately recycled water or treated wastewater.

23 For the non-sewered areas then we
24 considered those to be served by so-called onsite
25 waste treatment systems, individual onsite waste 13:55:51

1 treatment systems.

2 Q. Like a septic tank?

3 A. Yeah. In fact, you took the words out
4 of my mouth. Yeah, basically a septic tank and
5 leach field combination. Which means that assuming 13:56:03
6 outside water use is the same as it is in sewerred
7 areas, that a fraction of that water would route as
8 deep percolation back to the water table. But the
9 inside water use instead of being routed to a sewer
10 is routed to a septic tank and in turn flows to a 13:56:17
11 leach field which constantly recharges the ground,
12 or the groundwater.

13 And so based on an interpretation of how
14 much water arrives at wastewater treatment plants,
15 et cetera, and looking at monthly distribution of 13:56:32
16 water use, we concluded that about 45 percent of all
17 water use in the Antelope Valley is used inside the
18 house and about 55 percent is used outside the
19 house.

20 And so in the case of onsite waste 13:56:47
21 disposal systems, we took that 45 percent inside
22 water use, in effect routed it to a septic tank and
23 in turn to a leach field and deep percolated it to
24 the ground.

25 So if you take -- or into the ground. 13:57:00

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CERTIFICATE OF REPORTER

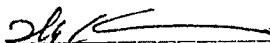
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3 I, JANIS L. JENNINGS, a Certified
4 Shorthand Reporter of the State of California, do
5 hereby certify:

6 That the foregoing proceedings were taken
7 before me at the time and place herein set forth;
8 that any witnesses in the foregoing proceedings,
9 prior to testifying, were placed under oath; that a
10 verbatim record of the proceedings was made by me
11 using machine shorthand which was thereafter
12 transcribed under my direction; further, that the
13 foregoing is an accurate transcription thereof.

14 I further certify that I am neither
15 financially interested in the action nor a relative
16 or employee of any attorney of any of the parties.

17 IN WITNESS WHEREOF, I have this date
18 subscribed my name.

19
20 Dated: January 25, 2011
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Gail E. Kenamer, CSR No. 4583

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