

**MICHAEL T. FIFE (State Bar No. 203025)**  
**BRADLEY J. HERREMA (State Bar No. 228976)**  
**BROWNSTEIN HYATT FARBER SCHRECK, LLP**  
**21 East Carrillo Street**  
**Santa Barbara, California 93101**  
**Telephone No: (805) 963-7000**  
**Facsimile No: (805) 965-4333**

**Attorneys for:** B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Forrest G. Godde, Forrest G. Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Kootenai Properties, Inc., Gailen Kyle, Gailen Kyle as Trustee of the Kyle Trust, James W. Kyle, James W. Kyle as Trustee of the Kyle Family Trust, Julia Kyle, Wanda E. Kyle, Eugene B. Nebeker, R and M Ranch, Inc., Edgar C. Ritter Paula E. Ritter, Paula E. Ritter as Trustee of the Ritter Family Trust, Trust, Hines Family Trust , Malloy Family Partners, Consolidated Rock Products, Calmat Land Company, Marygrace H. Santoro as Trustee for the Marygrace H. Santoro Rev Trust, Marygrace H. Santoro, Helen Stathatos, Savas Stathatos, Savas Stathatos as Trustee for the Stathatos Family Trust, Dennis L. & Marjorie E. Groven Trust, Scott S. & Kay B. Harter, Habod Javadi, Juniper Hills Water Group, Eugene V., Beverly A., & Paul S. Kindig, Paul S. & Sharon R. Kindig, Jose Maritorena Living Trust, Richard H. Miner, Jeffrey L. & Nancee J. Siebert, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Beverly Tobias, Leo L. Simi, White Fence Farms Mutual Water Co. No. 3., William R. Barnes & Eldora M. Barnes Family Trust of 1989, Healy Enterprises, Inc., John and Adrienne Reca, Sahara Nursery, Sal and Connie L. Cardile, Gene T. Bahlman, **collectively known as the Antelope Valley Ground Water Agreement Association ("AGWA")**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF LOS ANGELES**

**ANTELOPE VALLEY**  
**GROUNDWATER CASES**

) Judicial Council Coordination Proceeding  
) No. 4408  
)

Included Actions:

) **Santa Clara Case No. 1-05-CV-049053**  
) Assigned to The Honorable Jack Komar  
)

Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California County of Los Angeles, Case No. BC 325 201 Los Angeles County Waterworks District No. 40 v. Diamond Farming Co. Superior Court of California, County of Kern, Case No. S-1500-CV-254-348Wm. Bolthouse Farms, Inc. v. City of Lancaster Diamond Farming Co. v. City of Lancaster Diamond Farming Co. v. Palmdale Water Dist. Superior Court of California, County of Riverside, consolidated actions, Case No. RIC 353 840, RIC 344 436, RIC 344 668

) **EXPERT WITNESS DESIGNATION FOR**  
) **PHASE 3 TRIAL PURSUANT TO C.C.P. §**  
) **2034.210; DECLARATIONS OF MICHAEL**  
) **T. FIFE PURSUANT TO C.C.P. §**  
) **2034.260(c)**  
)

EXPERT WITNESS DESIGNATION FOR PHASE 3 TRIAL

1           The Antelope Valley Groundwater Agreement Association (“AGWA”) hereby designates its  
2 expert witnesses for Phase 3 trial:

- 3           1.     JAN M. H. HENDRICKX, PH.D., IR.  
4                 New Mexico Institute of Mining and Technology  
5                 801 Leroy Place  
6                 Socorro, NM 87801  
7                 (575) 835-5892
- 8           2.     JOEL E. KIMMELSHUE, PH.D.  
9                 NewFields Agricultural & Environmental Resources  
10                2020 L Street, Suite 110  
11                Sacramento, CA 95811  
12                (916) 265-6350
- 13          3.     JOHN L. WILSON, PH.D.  
14                 New Mexico Institute of Mining and Technology  
15                 801 Leroy Place  
16                 Socorro, NM 87801  
17                 (575) 835-5634
- 18          4.     EUGENE B. NEBEKER, PH.D.  
19                 Nebeker Ranch  
20                 400 North Rockingham Ave.  
21                 Los Angeles, CA 90049  
22                 (310) 440-8862
- 23          5.     JULIE KYLE  
24                 Kyle & Kyle Ranches, Inc.  
25                 12345 E. Avenue J  
26                 Lancaster, CA 93535  
27                 (661) 946-1784
- 28          6.     JOHN CALANDRI  
                Calandri Farms and Sonrise Farms  
                43511 North 70th Street East  
                Lancaster, CA 93535  
                (661) 992-9300


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1  
2 7. JOHN MARITORENA  
3 300 E. Panama Rd.  
4 Bakersfield, CA 93307  
5 (661) 833-0329

6 In addition to the above designated experts, AGWA reserves the right to call as expert  
7 witnesses any or all of the experts who have been, or may subsequently be, designated by any of the  
8 parties to this case. AGWA reserves the right, pursuant to section 2034.280 of the Code of Civil  
9 Procedure, as well as any other constitutional, statutory and/or common law rights it may have, to later  
10 name other experts before the trial or call to testify at trial experts not named, whose testimony may be  
11 utilized to rebut the contentions and testimony of the parties, the parties' experts or other persons or  
12 experts that may testify.

13  
14 Dated: July 15, 2010

BROWNSTEIN HYATT FARBER SCHRECK, LLP

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16 By: \_\_\_\_\_  
17 MICHAEL T. FIFE  
18 BRADLEY J. HERREMA  
19 ATTORNEYS FOR AGWA  
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DECLARATION OF MICHAEL T. FIFE

RE: DR. JAN M. H. HENDRICKX

1. I, Michael T. Fife, am an attorney of record in this action for Defendants, Cross-Complainants, and Cross-Defendants the ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION (“AGWA”).

2. AGWA intends to offer at the Phase 3 trial in this action, either orally or by deposition testimony, the expert opinion testimony of DR. JAN M. H. HENDRICKX whose business address and telephone number are:

New Mexico Institute of Mining and Technology  
801 Leroy Place  
Socorro, NM 87801  
(575) 835-5892

3. Dr. Hendrickx is a hydrologist, with an expertise in the processes of water movement through the Earth’s Critical Zone using field observations, laboratory experiments, and mathematical models. He has experience in this area in the western United States and throughout the world. He has extensive experience in field investigation methods and he has developed and applied complex numerical models for simulation of groundwater recharge. Attached hereto as Exhibit A, and incorporated herein by this reference, is the statement of qualifications of Dr. Hendrickx.

4. Dr. Hendrickx is expected to testify at the Phase 3 trial about:

- (a) the areas which contribute recharge to the Antelope Valley Groundwater Basin (“Basin”),
- (b) evapotranspiration in the areas contributing recharge to the Basin, and
- (c) recharge to the Basin.

5. Dr. Hendrickx has agreed to testify at the Phase 3 trial of this action and is sufficiently familiar with the pending action to submit a meaningful oral deposition concerning the testimony described above, including his expert opinion and the basis thereof.

6. Dr. Hendrickx’ fee for providing deposition and/or trial testimony is \$350 per

1 hour.

2 I declare under penalty of perjury under the laws of the State of California that the  
3 foregoing is true and correct. Executed this 15th day of July, 2010, at Santa Barbara, California.

4  
5 BROWNSTEIN HYATT FARBER SCHRECK, LLP

6 

7 By: \_\_\_\_\_  
8 MICHAEL T. FIFE  
9 BRADLEY J. HERREMA  
10 ATTORNEYS FOR AGWA

DECLARATION OF MICHAEL T. FIFE

RE: DR. JOEL E. KIMMELSHUE

1. I, Michael T. Fife, am an attorney of record in this action for Defendants, Cross-Complainants, and Cross-Defendants the ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION (“AGWA”).

2. AGWA intends to offer at the Phase 3 trial in this action, either orally or by deposition testimony, the expert opinion testimony of DR. JOEL E. KIMMELSHUE whose business address and telephone number are:

NewFields Agricultural & Environmental Resources  
2020 L Street, Suite 110  
Sacramento, CA 95811  
(916) 265-6350

3. Dr. Kimmelshue is an agricultural specialist and soil and water scientist. He has experience in agricultural and environmental science in the western United States, as well as agricultural research and crop production throughout the United States and in various locations in the Middle East. Attached hereto as Exhibit B, and incorporated herein by this reference, is the statement of qualifications of Dr. Kimmelshue.

4. Dr. Kimmelshue is expected to testify at the Phase 3 trial about:

- (a) the agricultural practices in the Antelope Valley Groundwater Basin (“Basin”),
- (b) the distribution of crops and their water use in the Basin,
- (c) irrigation methods in the Basin and associated irrigation efficiencies in the Basin, and
- (d) return flows from agricultural and urban areas in the Basin.

5. Dr. Kimmelshue has agreed to testify at the Phase 3 trial of this action and is sufficiently familiar with the pending action to submit a meaningful oral deposition concerning the testimony described above, including his expert opinion and the basis thereof.

6. Dr. Kimmelshue’s fee for providing deposition and/or trial testimony is \$300

EXPERT WITNESS DESIGNATION FOR PHASE 3

1 per hour.

2 I declare under penalty of perjury under the laws of the State of California that the  
3 foregoing is true and correct. Executed this 15th day of July, 2010, at Santa Barbara, California.

4  
5 BROWNSTEIN HYATT FARBER SCHRECK, LLP

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7 By: \_\_\_\_\_  
8 MICHAEL T. FIFE  
9 BRADLEY J. HERREMA  
10 ATTORNEYS FOR AGWA

DECLARATION OF MICHAEL T. FIFE

RE: DR. JOHN L. WILSON

1. I, Michael T. Fife, am an attorney of record in this action for Defendants, Cross-Complainants, and Cross-Defendants the ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION (“AGWA”).

2. AGWA intends to offer at the Phase 3 trial in this action, either orally or by deposition testimony, the expert opinion testimony of DR. JOHN L. WILSON whose business address and telephone number are:

New Mexico Institute of Mining and Technology  
801 Leroy Place  
Socorro, NM 87801  
(575) 835-5634

3. Dr. Wilson is a hydrologist with expertise regarding environmental fluid flow and transport, using field and laboratory experiments and mathematical models, to examine the movement of fluids, chemicals, colloids, and bacteria through hydrologic systems. He has particular experience in mountain block groundwater recharge in the western United States. Attached hereto as Exhibit C, and incorporated herein by this reference, is the statement of qualifications of Dr. Wilson.

4. Dr. Wilson is expected to testify at the Phase 3 trial about:

- (a) the areas which contribute recharge to the Antelope Valley Groundwater Basin (“Basin”), and
- (b) mountain block recharge to the Basin.

5. Dr. Wilson has agreed to testify at the Phase 3 trial of this action and is sufficiently familiar with the pending action to submit a meaningful oral deposition concerning the testimony described above, including his expert opinion and the basis thereof.

6. Dr. Wilson’s fee for providing deposition and/or trial testimony is \$600 per hour.

I declare under penalty of perjury under the laws of the State of California that the

EXPERT WITNESS DESIGNATION FOR PHASE 3



1 foregoing is true and correct. Executed this 15th day of July, 2010, at Santa Barbara, California.

2  
3 BROWNSTEIN HYATT FARBER SCHRECK, LLP

4 

5 By: \_\_\_\_\_  
6 MICHAEL T. FIFE  
7 BRADLEY J. HERREMA  
8 ATTORNEYS FOR AGWA

DECLARATION OF MICHAEL T. FIFE

RE: EUGENE B. NEBEKER

1. I, Michael T. Fife, am an attorney of record in this action for Defendants, Cross-Complainants, and Cross-Defendants the ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION (“AGWA”).

2. AGWA intends to offer at the Phase 3 trial in this action, either orally or by deposition testimony, the expert opinion testimony of DR. EUGENE B. NEBEKER whose address and telephone number are:

Nebeker Ranch  
400 North Rockingham  
Los Angeles, CA 90049  
(310) 440-8862

3. Dr. Nebeker is the owner and operator of Nebeker Ranch, a third generation farming operation located in the Basin. He has personal experience with irrigated agriculture in the Basin.

4. Dr. Nebeker received his Ph.D. in Chemical and Nuclear Engineering from the California Institute of Technology in 1965.

5. Dr. Nebeker is expected to testify at the Phase 3 trial about:

- (a) the agricultural practices in the Antelope Valley Groundwater Basin (“Basin”),
- (b) the distribution of crops and their water use in the Basin,
- (c) irrigation methods in the Basin, and
- (d) return flows from agricultural practices in the Basin.

6. Dr. Nebeker has agreed to testify at the Phase 3 trial of this action and is sufficiently familiar with the pending action to submit a meaningful oral deposition concerning the testimony described above, including his expert opinion and the basis thereof.

7. Dr. Nebeker’s only fee for providing deposition and/or trial testimony is his

EXPERT WITNESS DESIGNATION FOR PHASE 3

1 reasonable costs of transportation and lodging.

2 I declare under penalty of perjury under the laws of the State of California that the  
3 foregoing is true and correct. Executed this 15th day of July, 2010, at Santa Barbara, California.

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5 BROWNSTEIN HYATT FARBER SCHRECK, LLP

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7 By: \_\_\_\_\_  
8 MICHAEL T. FIFE  
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DECLARATION OF MICHAEL T. FIFE

RE: JULIE KYLE

1. I, Michael T. Fife, am an attorney of record in this action for Defendants, Cross-Complainants, and Cross-Defendants the ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION (“AGWA”).

2. AGWA intends to offer at the Phase 3 trial in this action, either orally or by deposition testimony, the expert opinion testimony of JULIE KYLE whose address and telephone number are:

Kyle & Kyle Ranches, Inc.  
12345 E. Avenue J  
Lancaster, CA 93535  
(661) 946-1784

3. Ms. Kyle is the owner and operator of Kyle & Kyle Ranch, a third generation farming operation.

4. Ms. Kyle is expected to testify at the Phase 3 trial about:

- (a) the agricultural practices in the Antelope Valley Groundwater Basin (“Basin”),
- (b) the distribution of crops and their water use in the Basin,
- (c) irrigation methods in the Basin, and
- (d) return flows from agricultural practices in the Basin.

5. Ms. Kyle has agreed to testify at the Phase 3 trial of this action and is sufficiently familiar with the pending action to submit a meaningful oral deposition concerning the testimony described above, including his expert opinion and the basis thereof.

6. Ms. Kyle’s only fee for providing deposition and/or trial testimony is her reasonable costs of transportation and lodging.

EXPERT WITNESS DESIGNATION FOR PHASE 3

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct. Executed this 15th day of July, 2010, at Santa Barbara, California.

3 BROWNSTEIN HYATT FARBER SCHRECK, LLP

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5 By: \_\_\_\_\_

6 MICHAEL T. FIFE  
7 BRADLEY J. HERREMA  
8 ATTORNEYS FOR AGWA

DECLARATION OF MICHAEL T. FIFE

RE: JOHN CALANDRI

1. I, Michael T. Fife, am an attorney of record in this action for Defendants, Cross-Complainants, and Cross-Defendants the ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION (“AGWA”).

2. AGWA intends to offer at the Phase 3 trial in this action, either orally or by deposition testimony, the expert opinion testimony of JOHN CALANDRI whose address and telephone number are:

Calandri Farms and Sonrise Farms  
43511 North 70th Street East  
Lancaster, CA 93535  
(661) 992-9300

3. Mr. Calandri is the owner and operator of Calandri Sonrise Farms, a third generation farming operation in the Basin.

4. Mr. Calandri is expected to testify at the Phase 3 trial about:

- (a) the agricultural practices in the Antelope Valley Groundwater Basin (“Basin”),
- (b) the distribution of crops and their water use in the Basin,
- (c) irrigation methods in the Basin, and
- (d) return flows from agricultural practices in the Basin.

5. Mr. Calandri has agreed to testify at the Phase 3 trial of this action and is sufficiently familiar with the pending action to submit a meaningful oral deposition concerning the testimony described above, including his expert opinion and the basis thereof.

6. Mr. Calandri’s only fee for providing deposition and/or trial testimony is his reasonable costs of transportation and lodging.

EXPERT WITNESS DESIGNATION FOR PHASE 3

1 I declare under penalty of perjury under the laws of the State of California that the foregoing  
2 is true and correct. Executed this 15th day of July, 2010, at Santa Barbara, California.

3 BROWNSTEIN HYATT FARBER SCHRECK, LLP

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5 By: \_\_\_\_\_  
6 MICHAEL T. FIFE  
7 BRADLEY J. HERREMA  
8 ATTORNEYS FOR AGWA

DECLARATION OF MICHAEL T. FIFE

RE: JOHN MARITORENA

1. I, Michael T. Fife, am an attorney of record in this action for Defendants, Cross-Complainants, and Cross-Defendants the ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION (“AGWA”).

2. AGWA intends to offer at the Phase 3 trial in this action, either orally or by deposition testimony, the expert opinion testimony of JOHN MARITORENA whose address and telephone number are:

300 E. Panama Rd.  
Bakersfield, CA 93307  
(661) 833-0329

3. Mr. Maritorena is the trustee of the Josè Maritorena Living Trust. Mr. Maritorena and the Maritorena family and has been farming land within the adjudication boundaries for more than 15 years.

4. Mr. Maritorena is expected to testify at the Phase 3 trial about:

- (a) the agricultural practices in the Antelope Valley Groundwater Basin (“Basin”),
- (b) the distribution of crops and their water use in the Basin,
- (c) irrigation methods in the Basin, and
- (d) return flows from agricultural practices in the Basin.

5. Mr. Maritorena has agreed to testify at the Phase 3 trial of this action and is sufficiently familiar with the pending action to submit a meaningful oral deposition concerning the testimony described above, including his expert opinion and the basis thereof.

6. Mr. Maritorena’s only fee for providing deposition and/or trial testimony is his reasonable costs of transportation and lodging.

EXPERT WITNESS DESIGNATION FOR PHASE 3



1 I declare under penalty of perjury under the laws of the State of California that the foregoing  
2 is true and correct. Executed this 15th day of July, 2010, at Santa Barbara, California.

3 BROWNSTEIN HYATT FARBER SCHRECK, LLP

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5 By: \_\_\_\_\_

6 MICHAEL T. FIFE  
7 BRADLEY J. HERREMA  
8 ATTORNEYS FOR AGWA

**PROOF OF SERVICE**

**STATE OF CALIFORNIA,  
COUNTY OF SANTA BARBARA**

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action; my business address is: 21 E. Carrillo Street, Santa Barbara, California 93101.

On July 15, 2010, I served the foregoing document described as:

**EXPERT WITNESS DESIGNATION FOR PHASE 3 TRIAL PURSUANT TO C.C.P. § 2034.210; DECLARATIONS OF MICHAEL T. FIFE PURSUANT TO C.C.P. § 2034.260(c)**

on the interested parties in this action.

By posting it on the website at 4:30 p.m. on July 15, 2010.  
This posting was reported as complete and without error.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed in Santa Barbara, California, on July 15, 2010.

MARIA KLACHKO-BLAIR  
\_\_\_\_\_  
TYPE OR PRINT NAME



\_\_\_\_\_  
SIGNATURE