

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: Gene T. Bahlman, William and Julie Barnes, William R. Barnes & Eldora M. Barnes Family Trust of 1989, Thomas M. Bookman, B.J. Calandri, John Calandri, John Calandri as Trustee of the John and B.J. Calandri 2001 Trust, Son Rise Farms, Calmat Land Company, Sal and Connie L. Cardile, Efren and Luz Chavez, Consolidated Rock Products, Del Sur Ranch LLC, Steven Godde as Trustee of the Forrest G. Godde Trust, Lawrence A. Godde, Lawrence A. Godde and Godde Trust, Robert and Phillip Gorrindo, Gorrindo Family Trust, Laura Griffin, Healy Farms, Healy Enterprises, Inc., Habod Javadi, Juniper Hills Water Group, Eugene V., Beverly A., & Paul S. Kindig, Paul S. & Sharon R. Kindig, 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, Maritorena Living Trust, Jose and Marie Maritorena, Richard H. Miner, Barry S. Munz, Terry A. Munz and Kathleen M. Munz, Eugene B. Nebeker, R and M Ranch, Inc., Richard and Michael Nelson, Robert Jones, John and Adrienne Reca, Edgar C. Ritter, Paula E. Ritter, Paula E. Ritter as Trustee of the Ritter Family Trust, Sahara Nursery, Mabel Selak, Jeffrey L. & Nancee J. Siebert, Dr. Samuel Kremen, Tierra Bonita Ranch Company, Beverly Tobias, Triple M Property FKA and 3M Property Investment Co., Vulcan Materials Co. and Vulcan Lands Inc., Willow Springs Company, Donna and Nina Wilson, Ramin Zomorodi, Genz Development and Castle Ranch Estate, **collectively known as the Antelope Valley Groundwater 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-254-348 Wm. 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

) **OBJECTION TO PUBLIC WATER
SUPPLIERS' TRIAL SETTING
CONFERENCE STATEMENT**
)

) **Date: November 9, 2012**
) **Time: 9:00 a.m.**
) **Dept.: 1**
)

1 The Antelope Valley Groundwater Agreement Association (“AGWA”) hereby objects to
2 the Trial Setting Conference Statement (“Statement”) filed by the Public Water Suppliers on
3 November 7, 2012. In particular, AGWA objects to the Public Water Suppliers’ improper and
4 unsubstantiated claims set forth in footnote 1 of their Statement, referring to alleged statements by
5 the United States Geological Survey (“USGS”).

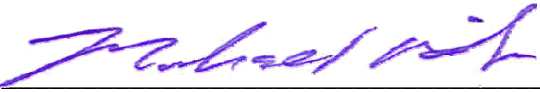
6 On page 1, note 1 of their Statement, the Public Water Suppliers vaguely reference “recent
7 public statements” by the USGS related to land subsidence and groundwater in storage, without
8 providing any citation to the source of such information or analysis demonstrating the same.
9 Setting aside the propriety of introducing such hearsay and unsubstantiated evidence at this point
10 in time, contrary to the Public Water Suppliers’ statement, in fact, USGS records of actual water
11 levels in the Basin—as opposed to computer simulations—since 2005 show that water levels have
12 remained stable and have actually gone up in the so-called “problem area” around Lancaster and
13 Palmdale.

14 Notably, the Public Water Suppliers’ Summary Expert Report, which they relied upon in
15 Phase III, arbitrarily ended its analysis in 2005, and did not introduce any analysis of subsidence
16 or change in groundwater storage beyond 2005. (See, e.g., Summary Expert Report, Phase 3 –
17 Basin Yield and Overdraft, Antelope Area Valley of Adjudication (July 2010), pp. IV-10; IV-12;
18 IV-14 [investigation period].)

19 AGWA objects to the Public Water Suppliers’ potentially misleading, conclusory and
20 unsubstantiated allegations about the status of the Basin.

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22 Dated: November 8, 2012

BROWNSTEIN HYATT FARBER SCHRECK, LLP

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24 By: 

25 MICHAEL T. FIFE
26 BRADLEY J. HERREMA
27 ATTORNEYS FOR AGWA
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