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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 Recca, 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

**EXPERT WITNESS DESIGNATION FOR
PHASE IV TRIAL PURSUANT TO C.C.P.
§§ 2034.210 et seq.; DECLARATION OF
MICHAEL T. FIFE PURSUANT TO C.C.P.
§ 2034.260(c)**

PLEASE TAKE NOTICE that the Antelope Valley Groundwater Agreement Association (“AGWA”) makes the following written exchange of required expert witness information pursuant to Code of Civil Procedure section 2034.210:

AGWA hereby designates at its expert witness for the Phase 4 trial:

JAN M. H. HENDRICKX, PH.D., IR.
New Mexico Institute of Mining and Technology
801 Leroy Place
Socorro, NM 87801
(575) 835-5892

In addition to the above-designated expert, AGWA reserves the right to call as expert witnesses any or all of the experts who have been, or may subsequently be, designated by any of the parties to this case.

AGWA reserves the right, pursuant to section 2034.280 of the Code of Civil Procedure, as well as any other constitutional, statutory and/or common law rights it may have, to later name other experts before the trial or call to testify at trial experts not named, whose testimony may be utilized to rebut the contentions and testimony of the parties, the parties’ experts or other persons or experts that may testify.

AGWA reserves the right to call supplemental experts, rebuttal experts and experts to address issues raised by the Court or by other parties in the Phase 4 Trial. AGWA also reserves the right to supplement this designation.

Dated: January 4, 2013

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: 

MICHAEL T. FIFE
BRADLEY J. HERREMA
ATTORNEYS FOR AGWA

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 4 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 4 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;
- (c) recharge to the Basin;
- (d) geological features regarding recharge to the Basin; and
- (d) quantification of return flows in the Basin.

5. At this time, Dr. Hendrickx has not prepared any written, discoverable reports or writings covered by Code of Civil Procedure section 2034.270. Should Dr. Hendrickx

1 prepare any written reports on return flows to the Basin or related subject matter, AGWA will file
2 a supplement to this Expert Witness Designation and provide a copy of any relevant reports.

3 6. Dr. Hendrickx has agreed to testify at the Phase 4 trial of this action and is
4 sufficiently familiar with the pending action to submit a meaningful oral deposition concerning
5 the testimony described above, including his expert opinion and the basis thereof.

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

8 8. Dr. Hendrickx indicated that he is available for depositions between the
9 dates of January 14-31, 2013.

10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct. Executed this 4th day of January, 2013, at Santa Barbara,
12 California.

13 BROWNSTEIN HYATT FARBER SCHRECK, LLP

14 

15 By: _____

16 MICHAEL T. FIFE
17 BRADLEY J. HERREMA
18 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 January 4, 2013, I served the foregoing document described as:

**EXPERT WITNESS DESIGNATION FOR PHASE IV TRIAL
PURSUANT TO C.C.P. §§ 2034.210 et seq.; 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 by 5:00 p.m. on January 4, 2013.

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 January 4, 2013.

LINDA MINKY
TYPE OR PRINT NAME


SIGNATURE