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August 25, 2008

2455-2

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Re: Antelope Valley Groundwater Litigation
Santa Clara County Superior Court Case No. 1-05-CV-049053
Judicial Council Coordination Proceeding No. 4408

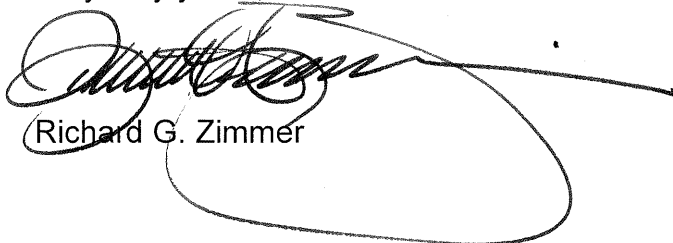
Dear Mr. Kuhs:

The following correspondence is in reference to your correspondence dated August 22, 2008. As you know, the Court, within the past few weeks, decided for the first time that the Phase 2 Trial would be for the purpose of determining whether there are any sub-basins in the area of adjudication. Since sub-basins was not an issue in the Riverside case, nor an issue of any significance in the Technical Committee, and since we only recently received the reports of other experts regarding potential sub-basins, it is difficult to provide you with any additional information as you have requested.

Generally speaking, I believe our expert is of the opinion that the area of adjudication is a hydraulically connected common water source. However, until other experts indicate what they plan to testify about, I do not know whether we will use our expert, Tom Sheahan, or not, or if so, on what particular issues.

Give me a call if you have any further questions or comments. I hope this helps.

Very truly yours,



Richard G. Zimmer

RGZ/nm

cc: Counsel and Parties

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