EXHIBIT “EE”

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 316 HON. JACK KOMAR, JUDGE

COORDINATION PROCEEDING SPECIAL TITLE (RULE 1550B)	
ANTELOPE VALLEY GROUNDWATER CASES	JUDICIAL COUNCIL COORDINATION NO. JCCP4408
PALMDALE WATER DISTRICT AND QUARTZ HILL WATER DISTRICT, CROSS-COMPLAINANTS, VS. LOS ANGELES COUNTY WATERWORKS, DISTRICT NO. 40, ET AL, CROSS-DEFENDANTS.	SANTA CLARA CASE NO. 1-05-CV-049053

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, MARCH 23, 2011

APPEARANCES:

(SEE APPEARANCE PAGES)

GINGER WELKER, CSR #5585
OFFICIAL REPORTER

APPEARANCES:

ANTELOPE VALLEY GROUNDWATER AGREEMENT ASSOCIATION (AGWA)	BROWNSTEIN, HYATT, FARBER & SCHRECK BY: MICHAEL FIFE 21 EAST CARRILLO STREET SANTA BARBARA, CA 93101 (805) 963-7000
TEJON RANCH CORP	KUHS & PARKER BY: ROBERT G. KUHS WILLIAM KUHS 1200 TRUXTUN AVENUE SUITE 200 BAKERSFIELD, CA 93301 (661) 322-4004
PALMDALE WATER DISTRICT	LAGERLOF, SENECAL, GOSNEY & KRUSE, LLP BY: THOMAS S. BUNN III 301 NORTH LAKE AVENUE 10TH FLOOR PASADENA, CA 91101-4108 (626) 793-9400
CITY OF LANCASTER & ROSAMOND CSD	MURPHY & EVERTZ BY: DOUGLAS J. EVERTZ 650 TOWN CENTER DRIVE SUITE 550 COSTA MESA, CA 92626 (714) 277-1700
LITTLEROCK CREEK IRRIGATION DISTRICT & PALM RANCH IRRIGATION DISTRICT:	LEMIEUX & O'NEILL BY: WAYNE LEMIEUX 2393 TOWNSGATE ROAD SUITE 201 WESTLAKE VILLAGE, CA 91361 (805) 495-4770
BOLTHOUSE PROPERTIES	BY: RICHARD G. ZIMMER BANK OF AMERICA BUILDING 1430 TRUXTUN AVENUE SUITE 900 BAKERSFIELD, CA 93301 (661) 322-6023

APPEARANCES (CONTINUED)

U.S. BORAX	MORRISON & FOERSTER, LLP BY: WILLIAM M. SLOAN 425 MARKET STREET SAN FRANCISCO, CA 94105 (415) 268-7209
QUARTZ HILL WATER DISTRICTS	CHARLTON WEEKS BY: BRADLEY T. WEEKS 1007 W. AVE. M-14, SUITE A PALMDALE, CA 93551 (661)265-0969
RICHARD A. WOOD SMALL PUMPER CLASS	OFFICES OF MICHAEL MCLACHLAN BY: MICHAEL D. MCLACHLAN 10490 SANTA MONICA BLVD. LOS ANGELES, CA 90025 (310) 954-8270
L.A. COUNTY WATERWORKS DISTRICT NO. 40	BEST, BEST & KRIEGER, LLP BY: JEFFREY V. DUNN STEFANIE D. HEDLUND 5 PARK PLAZA, SUITE 1500 IRVINE, CA 92614 (949) 263-2600
L.A. COUNTY WATERWORKS DISTRICT NO. 40	OFFICE OF THE COUNTY COUNSEL, COUNTY OF L.A. BY: WARREN R. WELLEN 500 WEST TEMPLE STREET 6TH FLOOR LOS ANGELES, CA 90012 (213) 974-9668
CALIFORNIA WATER SERVICES COMPANY	JOHN S. TOOTLE CORPORATE COUNSEL 2632 W. 237TH STREET TORRANCE, CA 90505-5272 (310) 257-1488

APPEARANCES (CONTINUED)

CITY OF LOS ANGELES

LOS ANGELES CITY ATTORNEY
DEPARTMENT OF WATER & POWER
BY: JULIE CONBOY RILEY
111 NORTH HOPE STREET
ROOM 340
LOS ANGELES, CA 90051
(213) 367-4513

* * *

I N D E X

W I T N E S S E S

BOLTHOUSE PROPERTIES

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
N. THOMAS SHEAHAN (RESUMED)				
BY MR. ZIMMER	1			
BY MR. WAYNE LEMIEUX		44		
BY MR. DUNN		76		
(RESUMED)		111		
BY MR. WEEKS		155		
BY MR. ZIMMER			162	

AGWA

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
EUGENE B. NEBEKER				
BY MR. FIFE	170			

TEJON RANCH

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
ERICSON JOHN LIST				
BY MR. WILLIAM KUHS	179			

E X H I B I T S

BOLTHOUSE PROPERTIES	FOR I.D.	IN EVIDENCE
C9 - SERIES OF SLIDES (BOOK OF EXHIBITS)		166

LITTLEROCK	FOR I.D.	IN EVIDENCE
L1 - 1PG. DIAGRAM (8.5X11")	70	

LA COUNTY WATERWORKS	FOR I.D.	IN EVIDENCE
SCALMANINI 151 - (FROM USGS 2003 REPORT)	110	
SCALMANINI 152 (NEBEKER DECLARATION)	174	

TEJON RANCH	FOR I.D.	IN EVIDENCE
D46 - CV OF DR. LIST	176	
D47 - DR. LIST'S SLIDES	177	
D48 - COPY OF TABLE C8A	178	

WITHDRAWN ANNUALLY OVER A LONG PERIOD OF TIME IN EXCESS OF THE TOTAL OF SAFE YIELD PLUS TEMPORARY SURPLUS AND WHICH PRODUCES THE UNDESIRABLE RESULT OF GRADUAL LOWERING OF THE GROUNDWATER LEVELS, RESULTING IN THE DEPLETION OF THE SUPPLY.

SO WHAT I DID AS PART OF MY ANALYSIS WAS TO APPLY THIS ANALYSIS TO SOME FIVE-YEAR PERIODS, THINKING THAT FIVE YEARS MIGHT BE -- IT IS A SMALL PERIOD, BUT IT IS A REASONABLY LONG PERIOD THAT WOULD ALLOW ME TO MAKE AN ASSESSMENT OF THE OVERDRAFT. AND I DID THAT FOR THE FIVE-YEAR PERIODS ENDING IN 1985 THROUGH 2008. SO IT COVERS THE PERIOD 1980 THROUGH 2008.

SO SLIDE 188 IS A TABLE SHOWING THE RESULTS OF THAT ANALYSIS. LET ME JUST WALK YOU THROUGH WHAT IS ON THIS TABLE.

THIS IS A CONTINUATION OF THE SAME SET OF TABLES THAT I WAS TALKING ABOUT YESTERDAY, WHERE I DEVELOPED THE NATURAL RECHARGE VALUE, WHICH IS SHOWN ON HERE AS THE 105,000 ACRE-FOOT VALUE IN THE FOURTH COLUMN FROM THE LEFT, AND GOES ACROSS TO THE TOTAL INFLOW MINUS OUTFLOW, OR THAT VALUE THAT I HAVE FOR EACH YEAR.

THE COLUMNS THAT I HAVE HIGHLIGHTED IN GREEN ARE THOSE VALUES, THE TOTAL INFLOW MINUS -- AND TOTAL OUTFLOW, IF YOU WILL, BUT AVERAGED OVER FIVE-YEAR PERIODS ENDING IN THE YEAR THAT THE DATA ARE SHOWN IN.

FOR EXAMPLE, THE FIRST SET OF NUMBERS ARE SHOWN ON THE ROW OF 1985, AND THOSE REPRESENT AN AVERAGE FOR THE FIVE-YEAR PERIOD ENDING IN 1985.

SO FROM THOSE, I CAN POINT TO THE TOTAL INFLOW AND TOTAL OUTFLOW. AND THEN ON LAST COLUMN OVER IS THE DIFFERENCE. IF WE HAVE MORE INFLOW THAN OUTFLOW, THEN WE HAVE SURPLUS. AND THAT IS SHOWN IN BLUE. IF WE HAVE LESS INFLOW THAN OUTFLOW, WE WOULD HAVE A NEGATIVE VALUE, AND THAT WOULD BE SHOWN IN RED.

SO MY CALCULATIONS FOR EACH OF THESE FIVE-YEAR PERIODS ENDING IN 1985 THROUGH 2008 SHOW THAT WE HAVE A SURPLUS AMOUNT OF WATER FOR EACH OF THOSE FIVE-YEAR PERIODS. IN OTHER WORDS, FOR EACH OF THOSE FIVE-YEAR PERIODS, THE OUTFLOW WAS LESS THAN THE INFLOW.

AND SO IF I CONSIDER THAT TO BE THE CURRENT PERIOD FROM 1980 THROUGH PRESENT, I CAN SAY THAT THERE IS NO OVERDRAFT AND HAS BEEN NO OVERDRAFT IN THE ANTELOPE VALLEY GROUNDWATER BASIN IN ANY OF THE RECENT PERIODS.

Q THAT IS BASED SIMPLY ON A COMPARISON OF THE TOTAL INFLOW VERSUS THE TOTAL OUTFLOW IN THOSE FIVE-YEAR BLOCKS?

A THAT'S RIGHT. IN EACH OF THOSE FIVE-YEAR BLOCKS, THERE HAS BEEN A SURPLUS OF WATER.

Q THAT ANALYSIS, AS YOU TESTIFIED YESTERDAY, IS THAT BASED UPON THE CONSERVATIVE METHOD YOU USED OF ANALYZING IT, WHICH UNDERESTIMATES THE ACTUAL NATURAL RECHARGE?

A I BELIEVE IT DOES, YES. I THINK THAT IS A LOW NUMBER, CONSERVATIVELY LOW, BUT SOMEWHAT REALISTIC.

Q AND THAT ALSO YOUR ANALYSIS DID NOT TAKE

INTO CONSIDERATION SOCIOECONOMIC ISSUES AND MANAGEMENT ISSUES?

A IT IS BASED STRICTLY ON WATER SUPPLY ISSUES; THAT'S CORRECT.

Q AND WHERE DO WE GO FROM THERE?

A LET ME GO TO THE SLIDE 189 JUST A -- WHICH WOULD AGAIN BRING US BACK TO THE CONCEPT OF SAFE YIELD FOR THIS BASIN.

THIS SLIDE SUMMARIZES THE BASIS THAT I USED FOR THE DEFINING THE SAFE YIELD, THE LONG-TERM SAFE YIELD. AND THAT WAS DEFINED OVER A 27-YEAR PERIOD, USING THE RETURN FLOWS OVER THAT PERIOD AND THE ARTIFICIAL RECHARGE OVER THAT PERIOD AND THE NATURAL RECHARGE OVER THAT PERIOD.

SLIDE 190 THEN SHOWS THE CALCULATION USING THE DATA FOR THAT. THE RETURN FLOWS TOTAL 65,000 ACRE-FEET FOR ABOUT -- WELL, YOU CAN SEE THE NUMBERS; BUT MAKING THE CALCULATION, I CAME UP WITH A LONG-TERM AVERAGE SAFE YIELD OF 171,000 ACRE-FEET FOR THE ANTELOPE VALLEY GROUNDWATER BASIN.

Q THIS SUMMARIZES THE TOTAL SAFE YIELD YOU DETERMINED, PLUS ALL THE COMPONENT PARTS OF THAT?

A YES. NOW, IN MY PREVIOUS ANALYSIS, I LOOKED AT THE SURPLUS THAT WAS AVAILABLE IN THE FIVE-YEAR PERIODS ENDING IN 1985 THROUGH 2008. AND I WOULD LIKE TO ADDRESS THE PERIODS BEFORE THAT BECAUSE I LOOKED AT THOSE AND CONCLUDED THAT THOSE PERIODS ESSENTIALLY ARE WHAT I WOULD CONSIDER TEMPORARY SURPLUS PUMPING.

AND AGAIN, RECALL THAT TEMPORARY SURPLUS IS PUMPING IN ADDITION TO THE SAFE YIELD, BUT PUMPING WHICH WOULD CREATE ADDITIONAL GROUNDWATER STORAGE CAPACITY AND AVOID WASTE OF WATER WITHOUT ADVERSELY AFFECTING THE BASIN'S SAFE YIELD.

SLIDE 193 SHOWS THE PERIOD THAT I'M REFERRING TO. FOR EACH OF THE YEARS 1971 THROUGH 1981, I BELIEVE IT IS, IF I'M READING THAT RIGHT, THE TOTAL OUTFLOW OF THE BASIN WAS LARGER THAN THE CALCULATED TOTAL INFLOW. THAT RESULTED IN A LOWERING OF THE WATER TABLE DURING THAT TIME AND A NEGATIVE CHANGE IN STORAGE. I DON'T HAVE THE EXACT VALUES FOR THE CHANGE IN STORAGE, BUT THEY WERE THE VALUES THAT I USED IN CALCULATING THE NATURAL RECHARGE.

BUT THE FACT IS, THIS PUMPING LOWERED THE WATER TABLE, BUT THEN THE WATER LEVELS LEVELED OUT, ESSENTIALLY, AFTER THAT TIME. SO THIS WAS A TIME WHEN THE GROUNDWATER BASIN WAS BEING PUMPED TO PROVIDE AVAILABLE STORAGE CAPACITY. AND THEN THAT PUMPING DID, IN FACT, PROVIDE AVAILABLE STORAGE CAPACITY.

Q DOES IT MATTER WHETHER IT LEVELS OUT? IS THAT IMPORTANT IN YOUR CALCULATION OR YOUR EXPERT OPINION, THAT IT LEVELS OUT?

A WELL, IT IS, BECAUSE IT IS NOT PUMPING THAT LED TO THE DEPLETION OF THE SUPPLY. IT WAS PUMPING THAT LOWERED THE WATER TABLE AND CREATED STORAGE CAPACITY AND THEN LEVELED OFF. SO IT IS NOT OVERDRAFT. IT IS TEMPORARY SURPLUS BECAUSE OF THAT BASIS.

Q IS THAT THE ONLY BASIS?

A NO. THE OTHER BASIS THAT I -- ACTUALLY, TWO OTHER BASES, AND I HAVE THAT ON SLIDE 194. IN ADDITION TO THE CRITERIA OF CREATING ADDITIONAL STORAGE, BY LOWERING THE WATER LEVEL IN THE ANTELOPE VALLEY GROUNDWATER BASIN, IT REDUCED THE HYDROSTATIC HEADS AND THE DIFFERENTIAL HYDROSTATIC HEADS BETWEEN THE WATER IN THE ANTELOPE VALLEY AND THE WATER IN THE ADJACENT MOJAVE BASIN AREA.

AS I SHOWED YESTERDAY, THE ADJACENT GROUNDWATER BASIN IS THE EL MIRAGE GROUNDWATER BASIN. WATER HAS BEEN FLOWING FROM THE ANTELOPE VALLEY INTO THE EL MIRAGE BASIN FOR A NUMBER OF YEARS, AS SHOWN BY THE CONTOURS MAPS AND WATER LEVELS, AND SO FORTH.

BY REDUCING THE HYDROSTATIC HEAD IN THE ANTELOPE VALLEY, THIS PUMPING OF TEMPORARY SURPLUS UP UNTIL THE EARLY '80S HAS REDUCED THE AMOUNT OF WATER LEAVING THE ANTELOPE VALLEY, AND THEREFORE, IT HAS AVOIDED WASTE OF THAT WATER.

Q IN OTHER WORDS, WASTE OF WATER THAT OTHERWISE MIGHT FLOW OUT OF THE BASIN?

A THAT IS RIGHT.

Q WHAT ABOUT IN THE SURROUNDING MOUNTAINS? DOES THE CHANGE IN HYDROSTATIC HEAD INCREASE HYDRAULIC GRADIENTS AND THEREFORE --

THE REPORTER: WOULD YOU PLEASE REPEAT THE QUESTION.

BY MR. ZIMMER:

Q IS IT JUST IN TERMS OF -- THE WASTE, JUST IN TERMS OF THE SOUTHEAST PORTION OF THE BASIN, OR DOES REDUCING THE LEVEL OF WATER IN THE GROUNDWATER BASIN INCREASE THE HYDRAULIC GRADIENT AND THEREFORE PULL EVEN MORE WATER FROM EVERYWHERE SURROUNDING THE WATERSHED?

A IT DOES HAVE THAT EFFECT. BY LOWERING THE HYDROSTATIC HEAD OR THE WATER LEVELS IN THE ANTELOPE VALLEY GROUNDWATER BASIN, WE INCREASE THE GRADIENT BETWEEN THE MOUNTAIN FRONT RECHARGE AREAS AND THE ANTELOPE VALLEY ALLUVIUM, WHICH TENDS TO INCREASE THE RATE OF FLOW OF NATURAL RECHARGE INTO THE GROUNDWATER BASIN.

ALTHOUGH WE DO ENHANCE THAT NATURAL RECHARGE, IT DOES NOT AFFECT THE CALCULATED SAFE YIELD THAT I HAVE CALCULATED BECAUSE THE SAFE YIELD I'VE CALCULATED WAS BASED ON A 27-YEAR PERIOD WHERE WE HAVE RELATIVELY UNIFORM CONDITIONS. SO MY SAFE YIELD VALUE HAS TAKEN THAT INTO ACCOUNT.

SO I CAN SAY THAT THE TEMPORARY SURPLUS DID NOT ADVERSELY AFFECT THE BASIN SAFE YIELD.

Q AND DIDN'T LEAD TO DEPLETION OF THE SUPPLY?

A THAT IS CORRECT.

Q WHERE DOES THAT TAKE US TO?

A I'M LOOKING AT SLIDE 195. AND AGAIN, THIS IS JUST SUMMARIZING WHAT I HAVE BEEN TRYING TO DESCRIBE ORALLY; THAT BASED ON THE DATA IN TABLE 4.8-1, WHICH IS FROM THE PURVEYORS' EXPERTS, THE SAME DATA THAT WE HAVE

BEEN USING, THE TEMPORARY SURPLUS THAT WAS BEING PUMPED EACH YEAR FROM 1971 THROUGH THE EARLY 1980S -- AND I WOULD SAY THROUGH 1981 -- CORRESPONDS WITH THE LOWERING OF THE WATER TABLE THAT IS REFLECTED BY THE NEGATIVE VALUES FOR CHANGE IN STORAGE.

ALTHOUGH I DON'T AGREE THAT THE VALUES ARE CORRECT, THE FACT THAT WE HAVE SEEN NEGATIVE VALUES IS CORRECT BECAUSE WE HAVE BEEN REDUCING STORAGE DURING THAT TIME. BUT FOR THE LAST 20 YEARS PRIOR TO THE START OF THIS CASE, AT ANY RATE, THE WATER LEVELS HAVE BEEN RELATIVELY FLAT, INDICATING THAT THERE HAVE ONLY BEEN SMALL CHANGES IN STORAGE.

I'M GOING TO SLIDE 196. AND I BELIEVE I HAVE ALREADY SHOWN THIS SAME SLIDE, BUT THIS IS SHOWING THE PERIOD DURING -- THE 20-YEAR PERIOD PRIOR TO WHEN WE STARTED THIS -- WHEN I STARTED THIS CASE, AT ANY RATE, WHEN THE WATER LEVELS WERE RELATIVELY FLAT.

Q SO WHAT WE ARE TALKING ABOUT HERE IS, THIS PERIOD -- THIS SHARP DECLINE HERE, PUMPING OUT TEMPORARY SURPLUS. AFTER THAT, WE HAD AT LEAST 20 YEARS OF RELATIVELY FLAT WATER LEVELS, WITHOUT ANY SIGNIFICANT CHANGE IN STORAGE?

A THAT IS RIGHT. AND ALTHOUGH WE DID PULL THE WATER LEVEL DOWN DURING THIS TIME, THERE'S THE BENEFIT OF THAT IN THAT WE HAVE CREATED AVAILABLE STORAGE CAPACITY TO INCREASE THE NATIVE RECHARGE AND TO ALLOW RETURN FLOWS AND ALLOW RECHARGE OF WATER INTO THE GROUNDWATER BASIN AND TO AVOID WASTE OF WATER. THERE

HAS BEEN OTHER WASTE THAT HAS BEEN AVOIDED BY PULLING THE WATER LEVELS DOWN.

Q IN ADDITION TO THAT, WE'VE TALKED ABOUT THIS PERIOD OF TIME AFTER 1998. THAT IS THE PERIOD THAT HAS MANIFESTLY -- MANIFESTED PROBLEMS IN TERMS OF THE CHANGE IN STORAGE CALCULATIONS THAT WE TALKED ABOUT A COUPLE OF TIMES YESTERDAY.

A THAT IS RIGHT; THAT IS RIGHT. AND I POINTED OUT ON ANOTHER SLIDE THE FACT THAT WE HAVE BEEN IN KIND OF A DROUGHT CONDITION DURING THAT PERIOD.

Q WE'VE BEEN IN KIND OF A DROUGHT CONDITION FROM '98 ON, AND WE HAVE CHANGE OF STORAGE. OBVIOUS MATHEMATICAL PROBLEMS THERE?

A YES, THAT IS CORRECT.

SO AGAIN, IN SUMMARY, 197, THE PUMPING OF TEMPORARY SURPLUS PRIOR TO THE EARLY 1980S HAS CREATED SUFFICIENT GROUNDWATER STORAGE TO ALLOW COLLECTION OF NATURAL RECHARGE AND TO PROVIDE THE ABILITY TO STORE WATER BY CURRENT AND FUTURE ARTIFICIAL RECHARGE. SO WE NOW HAVE A STORAGE SPACE AVAILABLE IN THE GROUNDWATER BASIN THAT WE CAN USE FOR THOSE PURPOSES.

Q NOW, IF YOU WERE JUST STORING WATER, YOU COULD CREATE A CONDITION, IF YOU DIDN'T HAVE ENOUGH SPACE WHERE YOU COULD STORE WATER, BUT IT WOULD STILL ALLOW WASTE -- FOR EXAMPLE, TO THE SOUTHEAST, INTO ANOTHER BASIN?

A YES. AND THERE STILL MAY BE WATER GOING OUT THERE, PARTLY DUE TO NATURAL DIFFERENTIAL HEADS BETWEEN

SHOW THE IMPACT OF THE CHANGES IN LAG TIME. AND I HAVE A SLIDE THAT I PRESENTED THAT SHOWS THAT.

Q NOW, IN ANY OF THE WORK THAT YOU DID, DID YOU REDO THE ANALYSIS THAT WAS DONE BY THE PUBLIC WATER SUPPLIERS USING THEIR -- USING A FIVE-YEAR LAG TIME? IN OTHER WORDS, DID YOU REDO THEIR SPECIFIC CALCULATIONS BUT SUBSTITUTING YOUR FIVE-YEAR LAG TIME?

A I BELIEVE I DID. I BELIEVE THAT IS ON ONE OF MY TABLES.

Q DID YOU USE THEIR BASE PERIOD TO DO THAT?

A YES.

Q OKAY. AND YOU USED ALL THE SAME INPUT AND OUTPUT TO THEN DO CHANGE OF STORAGE ESTIMATES THAT YOU DESCRIBED EARLIER?

A I BELIEVE SO, YES.

Q SO ALL OTHER THINGS BEING EQUAL, YOU ONLY CHANGED THE LAG TIME TO FIVE YEARS?

A I BELIEVE THAT IS CORRECT.

Q YOU SAID THAT YOU HAD A SLIDE THAT SHOWS THAT?

A I BELIEVE I DO.

Q CAN WE SEE THAT, PLEASE.

A IT WILL TAKE ME A MOMENT --

Q SURE.

A -- BUT I THINK I CAN FIND THAT.

Q SURE.

MR. WILLIAM KUHS: YOUR HONOR, AS A POINT OF CLARIFICATION, IS COUNSEL TALKING ABOUT LAG TIME ONLY

FOR AGRICULTURAL RETURN FLOWS? BECAUSE THERE ARE OTHER LAG TIMES.

MR. DUNN: I BELIEVE THE WITNESS HAS ONLY DESCRIBED ONE LAG TIME.

MR. WILLIAM KUHS: THAT'S NOT MY RECOLLECTION OF HIS TESTIMONY. BUT IN ANY EVENT, HE'S ASKED THE QUESTION. IT'S VAGUE. I'LL OBJECT ON VAGUENESS.

THE COURT: SO THIS WASN'T A PEREMPTORY KIND OF OBJECTION?

(LAUGHTER.)

MR. WILLIAM KUHS: I USE THOSE SPARINGLY, YOUR HONOR.

THE COURT: OVERRULED.

THE WITNESS: I HAVE PUT MY EXHIBIT 126 UP ON THE SCREEN. THIS IS -- LET ME MAKE SURE I'M LOOKING AT THE RIGHT THING. THIS IS WHAT I HAVE TITLED "RECONSTRUCTION OF TABLE 4.8-1," AND THIS IS USING A LAG TIME OF FIVE YEARS.

DOWN IN THE LOWER PORTION OF THIS EXHIBIT IS ANOTHER TABLE THAT HAS THE RESULTS OF THAT. AND I'M GOING TO GO TO SLIDE 127 THAT BLOWS UP THAT PORTION OF THE TABLE.

AND IF WE LOOK AT THE VERY TOP LINE OF DATA IN THAT TABLE -- I'M SORRY; WELL, MAYBE I'M INCORRECT. I'M SORRY. I HAVE TO APOLOGIZE. I AM INCORRECT.

I LOOKED AT THOSE PERIODS FROM 1951 ALL THE

WAY THROUGH 2005, BUT IN THIS TABLE, I DIDN'T COMBINE THEM ALL.

BY MR. DUNN:

Q ALL RIGHT.

A SO I CORRECT MY TESTIMONY.

Q OKAY. GOOD.

A I DIDN'T COMBINE THEM ALL, BUT I COULD, WITH A CALCULATOR, TAKE THE NUMBERS THAT I SHOW IN THE UPPER PART OF THAT TABLE AND COME UP WITH THAT RESULT.

Q BUT YOU HAVEN'T DONE THAT, AND YOU DIDN'T TESTIFY --

A IT'S JUST A MATTER OF ADDING THEM TOGETHER AND DIVIDING BY THE NUMBER OF YEARS.

Q NOW, THE OTHER CORRECTION, AS YOU CALL IT, THAT YOU MADE WAS TO SUBSTITUTE YOUR ESTIMATE OF NATURAL RECHARGE FOR THE ESTIMATE OF NATURAL RECHARGE BY THE PUBLIC WATER SUPPLIERS' GROUP; IS THAT CORRECT?

A NO, I DON'T BELIEVE THAT IS CORRECT.

Q ALL RIGHT. LET ME BACK UP.

FOR YOUR WATER BALANCE, YOU TOOK THE DATA INPUTS AND OUTPUTS FROM THE PUBLIC WATER SUPPLIERS' REPORTS; CORRECT?

A YES.

Q INCLUDING THE CHANGE OF STORAGE?

A YES.

Q ALL RIGHT. AND YOU MADE WHAT YOU CALL TWO CORRECTIONS?

A YES.

Q ONE WAS LAG TIME?
A THAT IS CORRECT.
Q AND WE HAVE ASKED SOME QUESTIONS ABOUT THAT. THE SECOND CORRECTION WAS BASE PERIOD?
A YES.
Q AND YOUR BASE PERIOD WAS 1971 TO 1997?
A YES.
Q ALL RIGHT. NOW, WHEN YOU USED YOUR BASE PERIOD, THAT DERIVED A SEPARATE -- OR EXCUSE ME.
YOU DERIVED FROM YOUR BASE PERIOD YOUR OWN ESTIMATE OF NATURAL RECHARGE; IS THAT CORRECT?
A YES.
Q AND THAT WAS ABOUT 106,000 ACRE-FEET A YEAR?
A ABOUT 105,000.
Q ABOUT 105,000.
A I BELIEVE THE NUMBER WAS 105,308 IN THE TABLE. AGAIN, IT'S APPROXIMATELY 105,000.
Q ALL RIGHT. AND WITH THE WORK THAT YOU DID IN YOUR WATER BALANCE, WITH YOUR ESTIMATE OF NATURAL RECHARGE AND YOUR FIVE-YEAR LAG TIME, YOU DID SOME CHECKING OF THAT, I THINK. YOU LOOKED TO SEE IF IT WAS REASONABLE; IS THAT RIGHT?
MR. ZIMMER: THAT KIND OF MISSTATES HIS TESTIMONY. IT MAY BE ARGUMENTATIVE BECAUSE HE SAID "YOUR FIVE-YEAR LAG TIME." I'M ASSUMING IT'S WHAT HE USED. IT WAS ACTUALLY GRISMER OR ORO GRANDE OR HYDRUS.
THE COURT: WELL, I THINK YOU CAN REPHRASE YOUR QUESTION AND MAKE IT LESS ARGUMENTATIVE.

MR. DUNN: YES.

Q ONCE YOU TOOK THE DATA FROM THE PUBLIC WATER SUPPLIERS AND DID YOUR CALCULATIONS WITH YOUR OWN BASE PERIOD OF -- SORRY, 1971 TO 1997 AND A FIVE-YEAR LAG TIME THAT YOU CAME UP WITH --

A YES.

Q ALL RIGHT. YOU CAME UP -- ULTIMATELY, YOU DERIVED YOUR OWN ESTIMATE OF NATURAL RECHARGE?

A WELL, I MADE A CALCULATION OF NATURAL RECHARGE BASED ON THE PURVEYORS' EXPERTS' DATA THAT I USED FOR THAT TIME PERIOD WITH THAT LAG TIME.

Q ALL RIGHT. AND WITH A BASE PERIOD OF 1971 TO 1997?

A YES, A 27-YEAR BASE PERIOD.

Q JUST TO MOVE THROUGH THIS QUICKLY, YOU CAME UP WITH A DIFFERENT ESTIMATE FROM THE PUBLIC WATER SUPPLIERS. YOURS IS HIGHER, AT 105,000 ACRE-FEET A YEAR; IS THAT CORRECT?

A MINE IS 105,000, BASED ON THE LAG TIME AND BASE PERIOD. THEIRS IS A DIFFERENT NUMBER, BASED ON A DIFFERENT LAG TIME AND A DIFFERENT BASE PERIOD.

Q AND DID YOU TEST THE ESTIMATE OF NATURAL RECHARGE THAT YOU CAME UP WITH, WITH SOME OF YOUR OTHER WORK INVOLVING CHANGE IN STORAGE, FOR EXAMPLE?

MR. SLOAN: OBJECTION, VAGUE.

THE WITNESS: I'M NOT SURE THAT I UNDERSTAND THAT. I CAN TRY TO EXPLAIN WHAT I DID. YOU MENTIONED REASONABLENESS, AND THERE WERE A COUPLE OF ITEMS OF MY

CALCULATIONS THAT I ADJUSTED FOR REASONABLENESS, BUT THEY WEREN'T THE NATIVE RECHARGE OR THE CHANGE IN STORAGE.

BY MR. DUNN:

Q WELL, LET'S LOOK AT, IF WE COULD, FOR A MOMENT -- LET'S GO TO PAGE 95, IF WE COULD, ON THE SLIDES.

A YES.

Q YOU PREPARED PAGE 95?

A YES.

Q OKAY. AND MY QUESTIONS FOCUS ON THE GREEN DOTS AND THEN THE HORIZONTAL GREEN LINE. WHAT DOES THAT SHOW?

A THE HORIZONTAL GREEN LINE SHOWS THE AVERAGE CHANGE IN STORAGE OVER THE PERIOD 1998 TO 2008. THE GREEN DOTS SHOW THE CUMULATIVE CHANGE IN STORAGE OVER THAT TIME STARTING IN 1998.

Q AND WHO DID THIS ANALYSIS?

A WHO CREATED THIS FIGURE?

Q YES.

A I DID THIS FIGURE.

Q SO THESE ARE YOUR ESTIMATES OF CHANGE IN STORAGE?

A THESE ARE THE ESTIMATES OF CHANGE IN STORAGE DONE BY MR. WILDERMUTH THAT I USED TO CREATE THIS FIGURE.

Q ALL RIGHT. IT SHOWS A LOST OF CHANGE OF STORAGE, THE GREEN DOTS, FROM 1998 THROUGH 2008; IS THAT

CORRECT?

A WELL, IT SHOWS WHAT IT SHOWS. IT SHOWS THAT THERE IS A -- THERE IS A CHANGE IN STORAGE DURING THAT TIME, BEGINNING IN 1998 -- CUMULATIVE CHANGE IN STORAGE.

Q NOW, IF WE GO TO PAGE 185 -- COULD WE GO THERE QUICKLY?

A QUICKLY? I'M NOT SURE. BUT ALL RIGHT.

Q AS FAST AS WE CAN, THEN.

A 185?

Q YES, PLEASE.

A ALL RIGHT. I HAVE THAT.

Q ALL RIGHT. NOW, YOU PREPARED THIS SLIDE; IS THAT CORRECT?

A YES.

Q THE GREEN SHADED AREA FROM 1971 THROUGH 1997 REFLECTS THE BASE PERIOD THAT YOU SELECTED?

A YES.

Q ALL RIGHT. AND THEN THERE'S -- IN THE MIDDLE, UNDER THE TITLE "YEARLY CALCULATIONS," YOU HAVE "TOTAL INFLOW" AND, PARENTHETICALLY, "SAFE YIELD." DO YOU SEE THAT?

A YES.

Q IT'S ALSO SHADED GREEN AS WELL?

A YES, THAT'S THAT TRUE.

Q NOW, THERE ARE A NUMBER OF YEARS THERE. FOR EACH YEAR FROM 1971 THROUGH 1997, THERE IS A CORRESPONDING RESULT WHERE IT SAYS "TOTAL INFLOW MINUS OUTFLOW." DO YOU SEE THAT?

A YES.

Q THAT IS DONE ON AN ANNUAL BASIS?

A THAT'S CORRECT.

Q AND SOME OF THE NUMBERS THERE ARE PARENTHETICALLY INSERTED. I TAKE IT THAT'S A NEGATIVE OR A MINUS?

A YES, THAT'S RIGHT.

Q SO FOR EXAMPLE, THE FIRST ONE THAT'S LISTED THERE PARENTHETICALLY, 138,063, THAT IS A NEGATIVE OUTFLOW?

A THAT IS A NEGATIVE VALUE OF TOTAL INFLOW MINUS OUTFLOW, YES. IT'S A NEGATIVE VALUE.

Q FOR THAT PARTICULAR YEAR, 1971, OUTFLOW IS GREATER THAN INFLOW?

A YES.

Q BY THAT AMOUNT?

A YES -- BY THESE DATA.

Q AND AS I UNDERSTAND YOUR TESTIMONY, YOU DID YOUR OWN CHANGE OF STORAGE ANALYSIS, USING YOUR BASE PERIOD?

A NO, THAT IS NOT CORRECT. I SELECTED A BASE PERIOD THAT USED THE CHANGE OF STORAGE DATA PRODUCED BY MR. WILDERMUTH BUT WHICH PRODUCED AN OVERALL MINIMUM CHANGE IN STORAGE FOR THE LONGEST BASE PERIOD I COULD COME UP WITH.

Q NOW, FOR EACH OF THE YEARS 1971 THROUGH 1997 IN YOUR BASE PERIOD, YOU USED AS THE AVERAGE NATURAL RECHARGE YOUR ESTIMATE OF 105,308. DO YOU SEE THAT?

A YES.

Q THAT IS, IN FACT, YOUR ESTIMATE OF THE NATURAL RECHARGE FOR THE BASIN, BASED ON YOUR BASE PERIOD; IS THAT CORRECT?

A AND BASED ON THESE DATA, YES.

Q OKAY. MY QUESTION FOR YOU, MR. SHEAHAN, IS, DID YOU SUM OR ADD UP THE TOTAL INFLOWS AND OUTFLOWS FOR EVERY YEAR FROM 1971 THROUGH 1997 TO CHECK YOUR ESTIMATES OF YOUR WORK IN THIS CASE?

A WHAT WORK ARE YOU TALKING ABOUT?

Q WELL, DID YOU, FOR EXAMPLE, ADD UP THE TOTAL OUTFLOWS AND INFLOWS AS INDICATED FROM 1971 THROUGH 1997?

A YES.

Q OKAY. AND NOW, MY NUMBERS SHOW THAT IF YOU ADD ALL THE NEGATIVE NUMBERS, IT COMES UP WITH A NEGATIVE 863,359. I DON'T KNOW IF THAT MATH IS EXACTLY RIGHT, BUT IS THAT CONSISTENT WITH YOUR ANALYSIS?

MR. ZIMMER: VAGUE.

THE COURT: IT'S OVERRULED.

THE WITNESS: ARE YOU TALKING ABOUT THESE DIFFERENCES ON THE RIGHT-HAND SIDE?

BY MR. DUNN:

Q YES, JUST THE NEGATIVE NUMBERS.

A NO, I DIDN'T ADD THOSE UP. I HAD NO NEED TO ADD THOSE UP FOR THIS ANALYSIS. I ADDED UP THE NUMBERS THAT ARE SHOWN HIGHLIGHTED IN GREEN. I THOUGHT YOU WERE REFERRING TO THE ONES I HIGHLIGHTED AND MADE VERY

OBVIOUS.

Q NO. WHAT I'M ASKING, MR. SHEAHAN, IS, IF WE LOOK AT THE RIGHT-HAND COLUMN, THE TOTAL INFLOW MINUS OUTFLOW --

A YES.

Q -- IF WE ADD UP ALL THE YEARS WITH NEGATIVE OUTFLOW, I COME UP WITH 863,359. DO YOU HAVE ANY REASON TO DISAGREE WITH THAT?

A I HAVE NO REASON TO DISAGREE WITH IT.

Q AND THEN THAT WOULD BE FROM YEARS 1971 THROUGH 1981, INCLUSIVE. AND THEN IF WE START, THEN, WITH 1982 AND THEN ADD UP THE POSITIVE NUMBERS UP TO 1997, THE END OF YOUR BASE PERIOD, I COME UP WITH A POSITIVE NUMBER --

(DISCUSSION HELD OFF THE RECORD.)

BY MR. DUNN:

Q THE POSITIVE NUMBERS FROM 1981 THROUGH 1997 TOTAL 609,449. DO YOU ANY REASON TO DISAGREE WITH THAT?

A NOT RIGHT NOW. I HAVEN'T ADDED THOSE UP, SPECIFICALLY, BUT I DON'T HAVE ANY REASON TO DISAGREE WITH IT.

Q WHEN WE COMPARE THE POSITIVE NUMBERS WITH THE OVERALL NEGATIVE NUMBERS, I COME UP WITH A MINUS FROM 1971 THROUGH 1997, INCLUSIVE, AN OVERALL LOSS OF -- OR NEGATIVE AMOUNT OF 253,910 ACRE-FEET. DO YOU HAVE ANY REASON TO DISAGREE WITH THAT MATH?

A NO.

Q IF I DIVIDE THAT BY 27 YEARS, IT COMES UP FOR THE ENTIRE BASE PERIOD WITH AN OVERALL AVERAGE ANNUAL LOSS OR NEGATIVE OUTFLOW OF 9,404 ACRE-FEET. DO YOU HAVE ANY REASON TO DISAGREE WITH THAT?

A NOT AS I SIT HERE. I HAVEN'T DONE THAT, BUT NO, I DON'T HAVE ANY REASON TO DISAGREE WITH THAT.

Q NOW, I BELIEVE -- WELL, STRIKE THAT.

GOING BACK NOW FOR JUST A MOMENT TO THE LAG TIME. DID YOU CHECK YOUR FIVE-YEAR ESTIMATE OF LAG TIME WITH ANY OF THE WORK DONE BY THE USGS IN THE ANTELOPE VALLEY?

MR. WILLIAM KUHS: OBJECTION. IT'S VAGUE BECAUSE IT DOESN'T INDICATE LAG ON AGRICULTURAL RETURN FLOWS, LAG ON M & I FLOWS, LAG ON SEWAGE TREATMENT FLOWS.

THE COURT: OVERRULED.

YOU CAN ANSWER THE QUESTION.

THE WITNESS: I'M NOT AWARE OF ANY SPECIFIC STUDIES IN THE ANTELOPE VALLEY ON LAG TIME. THE ONLY STUDIES -- BY THE USGS. THE ONLY STUDIES I'M AWARE OF ARE THE STUDY BY MR. GRISMER AND THE STUDY BY -- I BELIEVE IT WAS MR. WANG, AT THE WILDERMUTH COMPANY, THE HYDRUS II STUDY.

AND THE THIRD STUDY I'M AWARE OF WAS THE LAG TIME CALCULATED FOR THE ORO GRANDE AREA BY THE US GEOLOGICAL SURVEY JUST TO THE EAST OF US IN THE MOJAVE BASIN.

BY MR. DUNN:

Q MR. SHEAHAN, IN THE USGS STUDIES THAT YOU

A I THINK THAT IS ABOUT RIGHT. I'LL ACCEPT THAT AS BEING TRUE.

Q IN 1997, 46,768 ACRE-FEET OF WATER WAS IMPORTED?

MR. ZIMMER: NO FOUNDATION.

THE WITNESS: I DON'T KNOW THAT NUMBER, AS I SIT HERE. IF YOU WOULD LIKE ME TO REVIEW YOUR DATA, I WOULD BE HAPPY TO.

BY MR. WEEKS:

Q DO YOU HAVE ANY REASON TO DISAGREE WITH THAT NUMBER?

MR. ZIMMER: NO FOUNDATION.

THE COURT: WELL, OVERRULED.

YOU MAY ANSWER THE QUESTION.

THE WITNESS: I HAVE NO REASON TO DISAGREE WITH IT BECAUSE I DON'T HAVE THE NUMBER IN FRONT OF ME.

BY MR. WEEKS:

Q KEEPING ALL OTHER FACTORS THE SAME IN YOUR ANALYSIS, IF NO WATER WAS IMPORTED BETWEEN 1971 AND 1997, THERE WOULD HAVE BEEN A NEGATIVE CHANGE IN STORAGE, WOULDN'T THERE?

MR. ZIMMER: RELEVANCE.

THE COURT: OVERRULED.

THE WITNESS: IF WE WERE TO CHANGE THE AMOUNT OF WATER IMPORTED IN MY ANALYSIS, IT WOULDN'T CHANGE THE CHANGE IN STORAGE NUMBERS AT ALL BECAUSE THE CHANGE IN STORAGE NUMBERS WERE SEPARATELY DETERMINED.

IT WOULD HAVE CHANGED THE ANALYSIS OF

NATURAL RECHARGE, AND IT WOULD HAVE REDUCED THE TOTAL AMOUNT OF INFLOW, WHICH WOULD HAVE CREATED A LARGER NATURAL RECHARGE THAN I CALCULATED, SO IT WOULD HAVE AFFECTED IT IN THAT WAY.

BY MR. WEEKS:

Q ON PAGE 12, IF YOU WOULD TAKE A LOOK AT THE COLUMN TITLED "TOTAL RETURN FLOWS."

A YES.

Q IN THAT COLUMN OF TOTAL RETURN FLOWS, THAT INCLUDES RETURN FLOWS FROM IMPORTED WATER?

A YES.

Q AND IF WE WERE TO RECALCULATE -- IF WE WERE TO RECALCULATE THE TOTAL INFLOWS MINUS OUTFLOWS IN THE CHART ON PAGE 212, BUT WE DIDN'T INCLUDE THE IMPORTED WATER ON THE RETURN FLOWS, THEN THAT WOULD INCREASE THE -- OR I'M SORRY, IT WOULD -- IT WOULD DECREASE THE AMOUNT OF SURPLUS YOU HAVE REFLECTED ON THAT PAGE, WOULDN'T IT?

A MAY I JUST SAY, IF I UNDERSTAND YOUR QUESTION, YOU ARE SUGGESTING THAT I WOULD CONTINUE TO USE THE ARTIFICIAL IMPORTED WATER IN MY CALCULATION OF NATURAL RECHARGE.

Q NO, IT'S THE OTHER WAY, DOCTOR. WE --

A EXCUSE ME. LET ME FINISH, BECAUSE WHAT I'M UNDERSTANDING YOU TO SAY IS THAT I WOULD KEEP THE SAME NATURAL RECHARGE, WHICH MEANS THAT I WOULD HAVE TO INCLUDE THE IMPORTED WATER AS INFLOW AS PART OF THE CALCULATION OF NATURAL RECHARGE AND THEN GO BACK AND

CHANGE IT TO NOT INCLUDE THE ARTIFICIAL RECHARGE FOR THE PURPOSE OF ESTABLISHING WHETHER THE INFLOW AND OUTFLOW DIFFERENCE WAS THE SAME. I FIND THAT TO BE VERY CONFUSING AND --

Q WHAT I'M ASKING YOU TO DO IS KEEP -- ASSUME ALL THE OTHER FACTORS ARE THE SAME ON THIS PAGE.

A AND THAT'S WHY I SAID CAN I ASSUME, THEN, THAT WE HAVE INCLUDED THE IMPORTED WATER IN THE CALCULATION OF NATURAL RECHARGE?

Q WELL, ASSUMING EVERYTHING IS THE SAME HERE EXCEPT YOU ARE SUBTRACTING FROM RETURN FLOWS IMPORTED WATER. THAT IS MY HYPOTHETICAL.

A ALL RIGHT.

Q SUBTRACTING RETURN FLOWS -- I'M SORRY, SUBTRACTING IMPORTED WATER FROM THE RETURN FLOWS. THE EFFECT OF SUBTRACTING IMPORTED WATER FROM RETURN FLOWS WOULD BE TO DECREASE THE SURPLUS YOU HAVE LISTED IN THE FAR-RIGHT COLUMN?

MR. ZIMMER: IRRELEVANT; MISSTATES HIS TESTIMONY. HE HAS DONE A SAFE YIELD ANALYSIS HERE, NOT JUST A SURPLUS ANALYSIS.

THE COURT: WELL, HE INCLUDES ARTIFICIAL RECHARGE IN HIS CALCULATIONS.

MR. WEEKS: I'M NOT TALKING ABOUT ARTIFICIAL RECHARGE, YOUR HONOR. I'M REFERRING TO RETURN FLOWS.

THE COURT: YOU CAN'T HAVE RETURN FLOWS FROM ARTIFICIAL RECHARGE UNLESS YOU HAVE ARTIFICIAL RECHARGE.

MR. WEEKS: YOUR HONOR, PART OF THE RETURN FLOWS

ON THAT CHART IS RETURN FLOWS FROM IMPORTED WATER.

MR. WILLIAM KUHS: I'LL FURTHER OBJECT, YOUR HONOR, ON THE BASIS IT'S BEYOND THE SCOPE OF THIS TRIAL.

MR. WEEKS: WELL, THE ISSUE HERE IS -- THIS WITNESS IS TESTIFYING ABOUT A SAFE YIELD.

THE COURT: I THINK THAT -- I DON'T UNDERSTAND YOUR QUESTION. I DON'T THINK THE WITNESS UNDERSTANDS YOUR QUESTION. SO WHY DON'T YOU REPHRASE IT IN A WAY THAT MAYBE HE CAN UNDERSTAND IT, EVEN IF I CAN'T.

MR. WEEKS: OKAY.

Q A COMPONENT OF THE TOTAL RETURN FLOWS ON PAGE 212 INCLUDE RETURN FLOWS FROM IMPORTED WATER.

A THAT'S CORRECT. AND THOSE WERE INCLUDED IN THE CALCULATION FOR NATIVE RECHARGE SHOWN ON 212. THAT IS AN IMPORTANT ELEMENT.

Q I'M SORRY, SIR. I DON'T SEE A COLUMN ENTITLED "NATIVE RECHARGE" ON THIS PAGE.

A I'M SORRY, "NATURAL RECHARGE." IT IS THE COLUMN HIGHLIGHTED IN GREEN.

Q SO YOU ARE SAYING IMPORTED WATER CONTRIBUTES TO NATURAL RECHARGE?

A IMPORTED WATER IS ONE OF THE INFLOW ITEMS THAT IS USED IN THE SET OF DATA IN A PREVIOUS TABLE THAT I SHOWED, FROM WHICH I WAS ABLE TO CALCULATE THE NATURAL RECHARGE VALUE. AND I CAME UP WITH AN AVERAGE NATURAL RECHARGE OVER THAT 27-YEAR PERIOD, AND I PLACED THAT AVERAGE NATURAL RECHARGE INTO THIS TABLE.

NOW, IF YOU WOULD LIKE ME TO ASSUME THAT WE

DID NOT HAVE THE IMPORTED WATER, I WOULD NEED TO GO BACK TO THE CALCULATION OF NATURAL RECHARGE, TAKE THE IMPORTED WATER VALUES OUT OF THAT COLUMN, ESSENTIALLY, AND REDUCE THE TOTAL INFLOW. THAT WOULD PRODUCE A LARGER NATURAL RECHARGE THAT WOULD GO INTO THIS TABLE. IT WOULD NOT BE THE SAME NATURAL RECHARGE.

AND I HAVEN'T DONE THAT, BUT I BELIEVE THAT IF I HAD DONE THAT, I WOULD COME UP WITH EXACTLY THE SAME DIFFERENCES IN THE COLUMN THAT IS HIGHLIGHTED IN YELLOW.

BUT YOU CAN'T CORRECT ONE WITHOUT CORRECTING THE OTHER, AND YOU ARE SUGGESTING THAT I LEAVE THE NATURAL RECHARGE CALCULATION, WHICH INCLUDES THE IMPORTED WATER IN THAT ANALYSIS, AND THEN TAKE IT OUT FOR A SUBSEQUENT ANALYSIS. AND THAT IS JUST NOT AN APPROPRIATE THING TO DO. IT IS MEANINGLESS.

IT IS ALMOST THE SAME AS SAYING, "LET'S JUST DEDUCT 5 FROM ALL THOSE NUMBERS. AND WOULD THAT MAKE THEM LOWER?"

"YES," THE ANSWER IS, "IT WOULD MAKE THEM LOWER."

YOU CAN'T DO THAT.

Q SO IT'S YOUR TESTIMONY THAT IF YOU DIDN'T INCLUDE IMPORTED WATER, THEN THE NATURAL RECHARGE WOULD BE HIGHER?

A THE CALCULATED VALUE FOR NATURAL RECHARGE WOULD BE HIGHER, YES.

Q HOW ABOUT THE VALUE THAT WOULD INCLUDE

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

DEPARTMENT NO. 316 HON. JACK KOMAR,

COORDINATION PROCEEDING SPECIAL TITLE (RULE 1550B)	
ANTELOPE VALLEY GROUNDWATER CASES	JUDICIAL COUNCIL COORDINATION NO. JCCP4408
PALMDALE WATER DISTRICT AND QUARTZ HILL WATER DISTRICT, CROSS-COMPLAINANTS, VS. LOS ANGELES COUNTY WATERWORKS, DISTRICT NO. 40, ET AL, CROSS-DEFENDANTS.	SANTA CLARA CASE NO. 1-05-CV-049053

STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES)

I, GINGER WELKER, OFFICIAL REPORTER OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE TRANSCRIPT DATED MARCH 23, 2011 COMPRISES A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD IN THE ABOVE ENTITLED CAUSE.

DATED THIS 24TH DAY OF MARCH, 2011.

_____

OFFICIAL REPORTER, CSR #5585