



**MICHAEL T. FIFE (State Bar No. 203025)**  
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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 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**

Included Actions:

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

) Judicial Council Coordination Proceeding  
) No. 4408  
)

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

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

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

4 AGWA hereby designates as its expert witness for the Phase 5 trial:

5 JAN M. H. HENDRICKX, PH.D., IR.  
6 New Mexico Institute of Mining and Technology  
7 801 Leroy Place  
8 Socorro, NM 87801  
(575) 835-5892

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

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

17 AGWA reserves the right to call supplemental experts, rebuttal experts and experts to  
18 address issues raised by the Court or by other parties in the Phase 5 Trial. AGWA also reserves  
19 the right to supplement this designation.

20  
21  
22 Dated: November 18, 2013

BROWNSTEIN HYATT FARBER SCHRECK, LLP

23  
24 By: 

25 MICHAEL T. FIFE  
26 BRADLEY J. HERREMA  
27 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 5 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 5 trial about:

- (a) the areas which contribute recharge to the Antelope Valley Groundwater Basin ("Basin");
- (b) recharge to the Basin;
- (c) simulation of path of water that leaks from landscape irrigation systems;
- (d) quantification of urban return flows in urbanized areas of 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 5 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 8-17, 2014.

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 18th day of November, 2013, at Santa Barbara,  
12 California.

13 BROWNSTEIN HYATT FARBER SCHRECK, LLP  
14

15 

16 By: \_\_\_\_\_  
17 MICHAEL T. FIFE  
18 BRADLEY J. HERREMA  
19 ATTORNEYS FOR AGWA  
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**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 November 18, 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 November 18, 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 November 18, 2013.

LINDA MINKY  
TYPE OR PRINT NAME

  
SIGNATURE