

JANET K. GOLDSMITH, State Bar No. 065959
KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation
400 Capitol Mall, 27th Floor
Sacramento, CA 95814-4416
Telephone: (916) 321-4500
Facsimile: (916) 321-4555

CARMEN A. TRUTANICH, Los Angeles City Attorney
RICHARD M. BROWN, General Counsel, Water and
Power
RAYMOND ILGUNAS, General Counsel, Los Angeles
World Airports
1 World Way, Room 104
Los Angeles, CA 90045-5803
Attorneys for Defendant CITY OF LOS ANGELES and
LOS ANGELES WORLD AIRPORTS

Exempt from Filing Fee Pursuant to
Government Code Section 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

Coordination Proceeding

Case No. 105 CV 049053

**ANTELOPE VALLEY
GROUNDWATER CASES**

Judicial Council Coordination Proceeding
No. 4408

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.

The Honorable Jack Komar
Santa Clara Case No. Case No. 105 CV 049053

Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co.

**CITY OF LOS ANGELES' DESIGNATION
OF WITNESSES FOR PHASE 4 TRIAL
AND EXPERT DECLARATION OF
JANET K. GOLDSMITH**

Wm. Bolthouse Farms, Inc. v. City of
Lancaster

Riverside County Superior Court

Diamond Farming Co. v. City of
Lancaster

Lead Case No. RIC 344436

Case No. RIC 344668

Case No. RIC 353840

Diamond Farming Co. v. Palmdale Water
District

Los Angeles Superior Court

Case No. BC 325201

Kern County Superior Court

Case No. S-1500-CV-254348

Date: December 21, 2012

1 Janet K. Goldsmith, attorney of record for Cross-Defendant City of Los Angeles, by and
2 through its Department of Airports, Los Angeles World Airports ("LAWA"), hereby declares that
3 the LAWA expects to call the following witnesses to testify on its behalf in the Phase 4 Trial of
4 this case:

5 **EXPERT WITNESS**

6 Robert C. Wagner, P.E.
7 Wagner & Bonsignore Consulting Civil Engineers, Inc.
8 2151 River Plaza Drive, Suite 100
9 Sacramento, California 95833-4133

10 Mr. Wagner is the president of Wagner & Bonsignore Engineers and is a Registered Civil
11 Engineer in California and Nevada, with 23 years experience in water resources management,
12 water right analysis, surface and groundwater water hydrology and land use evaluations for
13 municipal and agricultural projects. Mr. Wagner has been the court appointed Mojave
14 Watermaster for over 17 years and has provided expert witness testimony on various matters
15 related to water resources and water rights in court and before the State Water Resources Control
16 Board. Mr. Wagner has demonstrated expertise in areas of consumptive use analysis, watershed
17 hydrology, facility design for storm water capture and analysis of return flow to support water
18 transfers, administration of court ordered judgments and water supply sustainability.

19 Mr. Wagner's qualifications are described in more detail in his resume, which is attached
20 hereto as Exhibit A.

21 Mr. Wagner has agreed to testify at the Phase 4 Trial scheduled to commence on February
22 11, 2013 concerning the amount of groundwater production and use and the use of substituted
23 treated effluent for irrigation and other uses on LAWA's parcel for the calendar year 2011 and
24 January 1 through November 30, 2012, and the amount of claimed reasonable and beneficial use
25 of water on the parcels owned by the City of Los Angeles subject to adjudication in this matter.

26 Mr. Wagner is available for deposition on January 21, 22, 24, 25 and February 5 and 6th,
27 2013. Mr. Wagner's fee for providing deposition testimony is \$337.50 per hour including travel
28 time, with an eight hour minimum, plus expenses. Mr. Wagner will be sufficiently familiar with

1 the pending action to submit to a meaningful oral deposition concerning the testimony he is
2 expected to give at trial, and the basis of that testimony.

3 Mr. Wagner's formal report is still in preparation and I am informed and believe that it is
4 expected to be completed by January 18, 2013. The report will provide further detail for the data
5 that already has been produced by Mr. Wagner, which was included as Exhibits C, D, D-1 and E
6 of City of Los Angeles' Response to Discovery Order for Phase 4 Trial, filed December 21, 2012
7 as Document #5493 on the Court's website for this case. The formal report will be produced in
8 electronic format posted to the Court's website. It, together with his file on this matter, will be
9 made available for inspection at least three business days prior to the date set for his deposition at
10 Mr. Wagner's place of business or such other location as the parties may agree upon.

11 The City of Los Angeles also hereby designates as its own expert witness any and all
12 experts designated by other parties hereto and reserves the right to claim such experts as its own
13 and call them as its own witnesses at trial if desired.

14 The City of Los Angeles further reserves the rights expressly set forth in California Code
15 of Civil Procedure section 2034.210, *et seq.* concerning the retention, designation and use of
16 expert witnesses and all rights to subsequently name expert witnesses as provided by California
17 Code of Civil Procedure section 2034, *et seq.*

18 **NON-EXPERT WITNESSES**

19 The City of Los Angeles also designates the following persons as non-expert witnesses for
20 the purposes set forth below.

21 1. Vivian D. Howell

22 Manager of Commercial Development Real Estate and Property Management –
23 LAX Non-Airfield and Palmdale
6053 W. Century Blvd, Suite 400
Los Angeles, California 90045

24 and

25 2. Robert D. Freeman

26 Airport Environmental Manager for the City of Los Angeles
27 7301 World Way West, 3d Fl.
Los Angeles, California, 90045

28 Ms. Howell will provide evidence of LAWA's ownership of the parcel as to which it

1 claims overlying groundwater rights, and of the leases under which portions of the parcel are used
2 by others.

3 Ms. Howell is available for deposition during the period from January 10 through 31,
4 subject to coordination of the dates for convenience, as provided in the Court's Case Management
5 Order of December 11, 2012.

6 Mr. Freeman will provide testimony concerning the groundwater production and use by
7 LAWA and its lessees, the filing of Annual Notices of Groundwater Extraction and Diversion for
8 2000 through 2004 and 2011, and the use of substituted treated effluent for irrigation of crops on
9 LAWA's parcel.

10 Mr. Freeman is available for deposition during the period from January 10 through 31,
11 subject to coordination of the dates for convenience, as provided in the Court's Case Management
12 Order of December 11, 2012.

13 I declare under the penalty of perjury that the foregoing is true and correct and that this
14 Declaration of Witness Designation was executed on January 4, 2013, at Sacramento, California.

15
16 Dated: January 4, 2013.

17 CARMEN A. TRUTANICH, City Attorney
18 Richard M. Brown, General Counsel, Water and Power
19 Raymond Ilgunas, General Counsel, Los Angeles World
20 Airports

21 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
22 A Professional Corporation

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By



Janet K. Goldsmith
Attorneys for Defendant CITY OF LOS ANGELES
and LOS ANGELES WORLD AIRPORTS

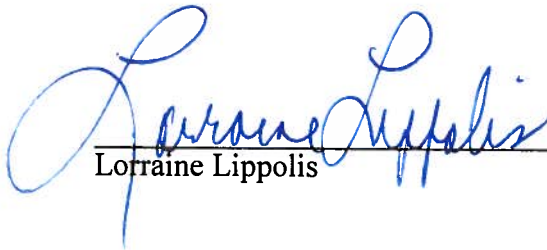
PROOF OF SERVICE

I DECLARE THAT:

I am employed in the County of Sacramento, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 400 Capitol Mall, 27th Floor, Sacramento, California 95814.

On January 4, 2013, I served the attached CITY OF LOS ANGELES' DECLARATION AND DESIGNATION OF WITNESSES FOR PHASE 4 TRIAL by posting the document to the Santa Clara Superior Court website www.scefiling.org. in regard to the Antelope Valley Groundwater matter.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this document was executed on January 4, 2013.



Lorraine Lippolis

EXHIBIT A

Wagner & Bonsignore

Consulting Civil Engineers, A Corporation

Nicholas F. Bonsignore, P.E.
Robert C. Wagner, P.E.
Paula J. Whealen
Henry S. Matsunaga

James C. Hanson
Consulting Civil Engineer
A Corporation

Brad E. Newton, Ph.D., P.G.
David Houston, P.E.
David P. Lounsbury, P.E.
Vincent Maples, P.E.
Emily MacDonald
Ryan E. Stolfus

ROBERT C. WAGNER PROFESSIONAL RESUME

REGISTRATION:

Civil Engineer, California (License No. 52903)
Civil Engineer, Nevada (License No. 021017)

EDUCATION:

B.S. Civil Engineering - California State University, Sacramento, CA - 1988

EXPERIENCE:

Mr. Wagner is the president of Wagner & Bonsignore Engineers and is a Registered Civil Engineer in California and Nevada, with 23 years experience in water resources management, water right analysis, surface and groundwater water hydrology and land use evaluations for municipal and agricultural projects. Mr. Wagner has been the court appointed Mojave Watermaster for over 17 years and has provided expert witness testimony on various matters related to water resources and water rights in court and before the State Water Resources Control Board. Mr. Wagner has demonstrated expertise in areas of consumptive use analysis, watershed hydrology, facility design for storm water capture and analysis of return flow to support water transfers, administration of court ordered judgments and water supply sustainability.

Mr. Wagner serves a wide variety of private and public clients throughout California, managing projects from concept to implementation. Mr. Wagner's work includes pre-1914 appropriative water right investigation, analysis of riparian and overlying water rights and appropriative rights administered by the State Water Resources Control Board.

Mr. Wagner has demonstrated communication skills to work with a wide range of legal and technical professional and stakeholder groups. He has strong organizational and analytical skills and a recognized ability to provide cost effective solutions to difficult water resource problems.

*2151 River Plaza Drive • Suite 100 • Sacramento, CA 95833-4133
Ph: 916-441-6850 or 916-448-2821 • Fax: 916-779-3120*

RECENT EXPERIENCE INCLUDES THE FOLLOWING:

Provide engineering services for Chino Basin Water Conservation District, San Bernardino County in connection with storm water recharge in Chino Basin.

Watermaster Engineer for Orange County Water District; perform analysis of hydrologic and water quality data for the Santa Ana River Watershed for Water Year 2009-10; distinguish storm flow and base flow at Prado Dam and at Riverside Narrows, preparation of portions of the Watermaster's annual report to the Court.

Provide engineering services for Lake Alpine Water Company / Alpine County in connection with the State Water Resources Control Board water right hearing and hydrology of South Fork Stanislaus River for State Filed Application 5648.

Provide Engineering services for Natomas Mutual Water Company, in connection with the water rights. Evaluation of water rights for 51,000 acres of agricultural operation, water right analysis and water transfers.

Provide engineering services on behalf of City of Sacramento in connection with the Water Resources of the American River.

Provide engineering services on behalf of City of Ukiah in connection with water rights and hydrology of the Russian River, Mendocino County.

Provide engineering services on behalf of Sonoma County Water Agency in connection with development of agricultural reuse project for use of treated wastewater for vineyard irrigation.

Provide engineering services in connection with analysis of water production and hydrologic data for development of water use agreements for over 100 growers in the Dry Creek Valley in Sonoma County.

Provide engineering services for City of Santa Maria in connection with the hydrologic resources of the Santa Maria Groundwater Basin.

Engineering expert in the matter of Bonadiman v. Evans in San Bernardino Superior Court on behalf of prevailing party Evans. Research and documentation of water development and water right acquisition dating to 1883.

Provide engineering services for The Wildlands Conservancy in connection with water resource matters for extensive land holdings in San Bernardino and Kern Counties.

Provide engineering services for Wells Fargo Bank in connection with the analysis of water rights and water availability on the Kern River.

Watermaster Engineer for the Mojave Basin Area Watermaster in the matter of the Mojave River Adjudication, City of Barstow, et al, vs. City of Adelanto, et al. Collection and analysis of data for preparation of Annual Watermaster Report, including groundwater production and hydrology studies of the Mojave River System and groundwater basin in connection with storm flow base flow separation determination and the analysis of water transfers and land use changes. Preparation of Annual Watermaster report.

Provide engineering services on behalf of the Mojave Water Agency in connection with Mojave Basin Area Adjudication. Coordinate activities for professional and subprofessional staff for collection, analysis and verification of water production records for approximately 7,000 wells in the Mojave River Basin. Participate in meetings of the Joint Engineer-Attorney Drafting Committee formed to negotiate and draft the Stipulated Judgment. Participation in the drafting and ongoing revisions of the Watermaster Rules and Regulations.

Provide engineering services in connection with engineering services for the Warren Valley Basin Watermaster, San Bernardino County. Analysis of groundwater production records and basin hydrology for preparation of Annual Watermaster Report.

Provide engineering services in connection with work for East Valley Water District, San Bernardino County, regarding the analysis of surface and subsurface hydrology of the Santa Ana River and the availability of water for the Seven Oaks Dam Project and fully appropriated listing of the Santa Ana River.

Provide engineering services on behalf of Kirkwood Associates before the State Water Resources Control Board in the matter of South Fork American River Hearings, October 1995. Analysis of the South Fork American River and Caples Creek hydrology in connection with same.

Provide engineering services in connection with work for High Desert Water District, San Bernardino County, regarding the analysis of water quality and ground water elevation data for monitoring the potential impacts of ground water extractions from the Ames Valley Basin.

Provide engineering services in connection with work for Hidden Valley Lake Community Services District, Lake County, regarding the hydrologic analysis of Upper Putah Creek Watershed and the Coyote Valley groundwater basin in support of amendments to fully appropriated stream status and applications to appropriate surface and subsurface water from Putah Creek; continued monitoring of the Coyote Valley groundwater basin in connection with administration of water rights.

Wagner & Bonsignore
Consulting Civil Engineers, A Corporation

CONTINUING EDUCATION

- “California Environmental Quality Act Update”, University of California, Davis - February 1992
- “California Water Law”, University of California, Davis - November 1989 to January 1990
- “Understanding Wetlands and 404 Permitting”, ASCE July 1997
- “Fundamentals of Water Rights and Colorado River Issues”, University of Nevada, Las Vegas January 1998
- “Fundamentals of Groundwater Hydrology”, UC Berkeley Extension, July 2002