

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 02/03/11

DEPT. 4

HONORABLE Jack Komar

JUDGE

C. PRESCOTT

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

R. NAVA, C.A.

Deputy Sheriff

NONE

Reporter

9:00 am

JCCP4408

Plaintiff

APPEARANCES ON EX PARTE

Counsel

RALPH B. KALFAYAN (X)

Coordination Proceeding Special
Title Rule (1550(b))

DOUGLAS J. EVERTZ (X)

Defendant

Counsel

THOMAS S. BUNN III

ANTELOPE VALLEY GROUNDWATER CAS
*ASSIGNED TO JUDGE JACK KOMAR
IN SANTA CLARA COUNTY (8/31/05

BRADLEY T. WEEKS (X)
WESLEY A. MILIBAND (X)
W. KEITH LEMIEUX (X)

NATURE OF PROCEEDINGS:

COURT TRIAL;

Court orders the Minute Order of 2/1/11 corrected
Nunc Pro Tunc.

It appearing to the court that the minute order
of 2/1/11 does not correctly reflect the order of the
Court, the minute order of 2/1/11 is ordered corrected
NUNC PRO TUNC to add:

The Court projects February 7,8,9,and 10 as
trial dates along with previously stated dates

Trial resumes from February 2, 2011 with the resump-
tion of the videographic testimony of Joseph
Scalmanani.

Scalmanani's exhibits: 1(Scalmanani Resume), 2(topa-
graphical map-Jurisdictional Boundary), 3(The concepts
of Groundwater basin yield), 4(Summary of definitions)
5(Summary of definitions-con't SAFE YIELD), 6(Summary
of Definitions-con't SAFE YIELD), 7(SAFE YIELD-Lee),
8(SAFE YIELD-Meinzer), 9(SAFE YIELD-Safe Water Rights
Board[1962]), 10(SAFE YIELD-Mann[1968]), 11("SAFE" vs
"Sustainable" Yield), 12(Sustainable Yield), 13(Over-
draft-Hydrogeologic Criteria), 14(Overdraft), 15(Over-
draft-Related Undesirable Effects), 16(verdraft relat-
ed Undesirable Effect-San Fernando Valley), 17(Over-

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NATURE OF PROCEEDINGS:

draft-Related Undesirable Effect Mendota Area, Joaquin Valley), 18(Overdraft-Related Undesirable Effect-Antelope Valley), 19(Overdraft-Related Undesirable Effect-Antelope Valley), 20(Total Subsidence, 1930-1992), 21(Subsidence and Groundwater Level Monitoring Points Antelope Valley Area), 22(Subsidence Groundwater Level Monitoring Points USGS, 1994,2000, 2005) 23(Historical Groundwater Levels and Subsidence), 24(Historical Groundwater Levels and subsidence USGS WRI Report 94-4184, Figures 19 and 20, 1994), 25(Conceptual Model of Aquifer Systems), 26(Land Subsidence [1990-2004]), 27(Aquifer System Water Levels and Compaction 1990-2009), 28(Historical through Recent Groundwater Elevations), 29(Regional Geologic Map), 30(Location Map-Geologic Cross-Sections), 31(Subsurface Extent of Lake Bed Deposits), 32(Subsurface Extent of Lake Bed Deposits-extended legend), 33(Geologic Cross-Section B-B), 34(Geologic Cross-Section B-B con't), 35(Geologic Cross-Section C-C), 37(Geologic Cross-Section C C con't), 38(Geologic Cross-Section K-K), 39(Early Historical Irrigated Crop Acreage) 40(Historical Irrigated Crop Acreage), 42(Table D.2-1b) 43(Table D.2-2a), 44(Table D.2-2b), 45(Historical Cropping Pattern), 46(Land Use in 1950), 47(Land Use in 1989-1990), 48(Land Use in 1999-2000), 49(Land Use in 2005), 50(Historical Population), 51(Table D.2-3) 52(Appendix D-3:Table 1), 53(Appendix D-3:Table 2), 54(Appendix D-3:Table 3), 55(Appendix D-3:Table 4), 56(Appendix D-3:Table 5), 57(Appendix D-3:Table 6), 58(Summary of Applied Crop Water Duties), 60(Estimated

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NATURE OF PROCEEDINGS:

Early Historical Agricultural Water Requirements),
61(Table D.3-1),62(Historical M&I Water Requirements)
63(Table D.3-3), 64(Tabulated Environmental and Open
Space Wter Requirements), 65(Historical Total Water
Requirements), 66(Table D.3-5), 67(Historical Ground-
water Pumping), 68(Appendix D-7:Table 2),69(Historical
Local Water Use), 70(Boundaries of SWP Contractors
with Table A Amounts), 71(Historical supplemental
(SWP) Water Use), 72(Historical Local and Supplemental
(SWP Water Use), 73(Table D.4-1), 74(Recycled Water
Disposition), 75(Table D.4-3), 76(Historical Total
Water Use), 77(Table D.4-4), 78(Native sustainable
Yield), 79(Native and supplemental Sustainable Yield),
80(Study (Base) Period),

At 1:30 p.m. following noon recess, Court hears
Ex Parte application.

EX PARTE APPLICATION FOR EXTENSION OF HEARING DATE FOR
PLAINTIFF WILLIS CLASS' MOTION FOR AN AWARD OF ATTOR-
NEY'S FEES, REIMBURSEMENT OF EXPENSES, AND CLASS RE-
PRESENTATIVE AWARD AND EXTENSION FOR PUBLIC WATER
SUPPLIERS TO RESPOND TO WILLIS CLASS DISCOVERY;

Court reads and considers ex parte application.

Ex parte application called for hearing and argued.

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9:00 am	JCCP4408	Plaintiff	APPEARANCES ON EX PARTE
		Counsel	RALPH B. KALFAYAN (X)
	Coordination Proceeding Special Title Rule (1550(b))		DOUGLAS J. EVERTZ (X)
		Defendant	
	ANTELOPE VALLEY GROUNDWATER CAS	Counsel	THOMAS S. BUNN III
	*ASSIGNED TO JUDGE JACK KOMAR		BRADLEY T. WEEKS (X)
	IN SANTA CLARA COUNTY (8/31/05		WESLEY A. MILIBAND (X)
			W. KEITH LEMIEUX (X)

NATURE OF PROCEEDINGS:

Court GRANTS ex parte application and extends the date of the Hearing on the Willis Class' Motion for Award of Attorneys Fees, Reimbursment of Expenses and Class Representative Award to March 22, 2011 9:00a.m. at a Location to be Designated.

The Motion for Final Approval of Settlement remains as previously scheduled, 2/24/11 10:00 a.m..

Plaintiff Willis to give notice.

Videographic testimony of Joseph Scalmanani resumes.

Scalmanani's exhibits: 81(Base Periods Based on Stream flow, Big Rock Creek near Valyermo), 82(Base Periods Based on Precipitation, Acton Station), 83(Base Periods Based on Precipitation, Fairmont Station), 84(Base Periods Based on Precipitation, Sandberg Station), 85(Schematic Illustration of Natural Recharge), 86 (Natural Recharge), 87(Schematic Illustration of Natural Recharge), 88(Natural Recharge), 89(Safe/Sustainable Yield), 90(Safe/Sustainable Yield con't), 91(Safe/Sustainable Yield con't), 92(Native Safe Yield), 100(Bibliography for the Summary Report Appendix B), 101(Expert summary Report), 102(Scalmanani Data Sources, Antelope Valley Phase III), 103(Stipulation and Protective Order re Confidentiality of Settlement Discussions) are marked for Identification, only.

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	IN SANTA CLARA COUNTY (8/31/05)		W. KEITH LEMIEUX (X)

NATURE OF PROCEEDINGS:

Court continues Trial to February 7, 2011 9:00 a.m. in
Department 4.