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TAYLOR & RING

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Attorneys for Cross-defendants,

LITTLE ROCK SAND AND GRAVEL, INC.,

a California Corporation;

THE GEORGE AND CHARLENE LANE FAMILY TRUST;

THE FRANK AND YVONNE LANE 1993 FAMILY

TRUST, DATED MARCH 5, 1993, AS RESTATED

JULY 20, 2000; MONTE VISTA BUILDING SITES, INC.,

a California Corporation; A.V. MATERIALS, INC.,

a California Corporation; A.C. WARNACK,

as Trustee of the A.C. WARNACK TRUST;

HOLLIDAY ROCK CO., INC.,

successor in interest to

LITTLEROCK AGGREGATE CO., INC. dba

ANTELOPE VALLEY AGGREGATE, INC.;

LITTLEROCK AGGREGATE CO., INC. dba

ANTELOPE VALLEY AGGREGATE, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

ANTELOPE VALLEY GROUNDWATER CASES)

Judicial Council Coordination No.
4408

Included Actions:)

For filing purposes only:
Santa Clara County Case No.
1-05-CV-049053

Los Angeles County Waterworks)

District No. 40 v. Diamond)

Farming Co. Superior Court of)

California County of Los Angeles,)

Case No. BC 325 201)

[Assigned to the Honorable Jack
Komar]

Los Angeles County Waterworks 2)

District No. 40 v. Diamong)

Farming Co. Superior court of)

Califronia, County of Kern, Case)

No. S-1500-CV-254-348)

**EXPERT WITNESS DESIGNATION OF
LITTLE ROCK SAND AND
GRAVEL, INC., THE
GEORGE AND CHARLENE LANE FAMILY
TRUST, THE FRANK AND YVONNE LANE
1993 FAMILY TRUST, DATED MARCH
5, 1993, AS RESTATED JULY 20,
2000, MONTE VISTA BUILDING**

1	Wm. Bolthouse Farms, Inc. V. City)	SITES, INC., A.V. MATERIALS,
	of Lancaster Diamond Farming Co.)	INC., A.C. WARNACK, AS TRUSTEE
2	V. City of Lancaster Diamond)	OF THE A.C. WARNACK TRUST,
	Farming Co. V. Palmdale Water)	HOLLIDAY ROCK CO., INC., AND
3	Dist. Superior Court of)	LITTLE ROCK AGGREGATE CO., INC.
	California, County of Riverside,)	DBA ANTELOPE VALLEY AGGREGATE,
4	consolidated actions, Case No.)	INC. FOR PHASE 4 TRIAL;
	RIC 353 840, RIC 344 436, RIC 344)	DECLARATION OF JAMES W. LEWIS
5	668)	

PLEASE TAKE NOTICE that cross-defendants LITTLE ROCK SAND AND GRAVEL, INC., HOLLIDAY ROCK CO., INC., successor in interest to LITTLE ROCK AGGREGATE CO., INC. dba ANTELOPE VALLEY AGGREGATE, INC., LITTLE ROCK AGGREGATE CO., INC. dba ANTELOPE VALLEY AGGREGATE, INC., THE FRANK AND YVONNE LANE 1993 FAMILY TRUST, DATED MARCH 5, 1993, AS RESTATED JULY 20, 2000, THE GEORGE AND CHARLENE LANE FAMILY TRUST, MONTE VISTA BUILDING SITES, INC., A.V. MATERIALS, INC. and A.C. WARNACK, as trustee of THE A.C. WARNACK TRUST, submit the following list of expert witnesses who may be called to testify at the Phase 4 trial in this matter.

RETAINED EXPERTS

1. Douglas C. Shumway, 12277 Apple Valley Rd., #184, Apple Valley, CA 92308, (760) 285-5801. Available for deposition January 18, 21, 22, 23, 25 (p.m. only), 28 and 30, 2013.
2. Blake McCullough-Sanden, University of California

1 Cooperative Extension, 1031 S. Mt. Vernon Ave., Bakersfield, CA
2 93307, (661) 868-6218. Available for deposition on January 28,
3 29, 2013. Potentially available on January 21 and/or 25, 2013.

4 3. John A. Dracup, Ph.D., P.E., University of California,
5 Berkeley Civil & Environmental Engineering, 625 Davis Hall,
6 Berkeley, CA 94720, (510) 643-4306. Available for deposition on
7 January 18, 21, 24 and 25 (p.m. only).

8 NON-RETAINED EXPERTS

9 Cross-defendants may call the following non-retained
10 experts to testify at the trial of this matter. These witnesses
11 may be asked expert opinion questions in addition to questions
12 concerning their percipient observations concerning the subject
13 matter of this litigation. Such expert opinions are expected to
14 include, but are not limited to, the following subjects: Type
15 of crops grown, crop yields, the amount of groundwater pumped,
16 the amount of electricity used, the reasonable and beneficial
17 use of groundwater, agricultural practices in the Antelope
18 Valley Groundwater Basin, crop duties, irrigation methods used
19 for crops, and other similar issues.

20 Such experts may also testify regarding issues relating to
21 ownership and use of property, groundwater pump tests,
22 groundwater pumps, calculations relating to groundwater pumping,
23 data used in calculations relating to groundwater pumping, etc.

24 Additionally, such experts may testify regarding issues

1 relating to the procedures used in the procurement of materials
2 used in the production of asphalt, aggregate and Ready Mix
3 Concrete, and the operation of facilities used to process
4 asphalt, aggregate and Ready Mix Concrete, including the uses
5 for groundwater, the amount of groundwater used, the reasonable
6 and beneficial use of groundwater, and issues related to
7 groundwater pumping.

8 They may also respond to any opinions expressed by any
9 expert witness called by Defendants.

10 1. George M. Lane, 42220 10th St West, Suite 101,
11 Lancaster, CA 93534, (661) 942-0435. **Available for deposition**
12 **on January 18, 21, 22, 23, 24, 25 (p.m. only), 28, 29, 2013.**

13 2. Carl F. Voss, Jr., Grimmway Farms, P.O. Box 81498,
14 Bakersfield, CA 93380-1498, (661) 393-3320. **Availability for**
15 **deposition unknown.**

16 3. Rick Koch and Gary Pardue, possibly others, Pump
17 Hydraulic Services at Southern California Edison, 10180
18 Telegraph Rd., Ventura, CA 93004, (805) 654-7312. **Availability**
19 **for deposition unknown.**

20 4. Steve McCracken of Granite Construction Company.
21 **Availability for deposition unknown.**

22 5. Bill Taylor of Granite Construction Company.
23 **Availability for deposition unknown.**

24 6. Person(s) Most Knowledgeable from Rottman Drilling

1 Company, Inc., 46471 Division Street Lancaster, CA 93535,
2 (661) 942-6125. **Availability for deposition unknown.**

3 7. John Calandri, SonRise Farms, 43511 North 70th Street
4 East, Lancaster, CA 93535. **Availability for deposition unknown.**

5 8. John Holliday, Holliday Rock Co., Inc., 1401 N. Benson
6 Ave., Upland, CA 91786, (909) 972-0407. **May potentially be**
7 **produced as a witness. Availability will be forthcoming.**

8 9. Peter H. Pouwels, Holliday Rock Co., Inc., 1401 N.
9 Benson Ave., Upland, CA 91786, (909) 972-0407. **January 18, 21,**
10 **22, 24, 25 (p.m. only), 28, 29, 2013.**

11 10. Dean Browning, Holliday Rock Co., Inc., 1401 N. Benson
12 Ave., Upland, CA 91786, (909) 972-0425. **January 18, 21, 22, 24,**
13 **25 (p.m. only), 28, 29, 2013.**

14 11. Robert J. Pluss, Littlerock Aggregate Co., Inc., 45730
15 Division Street, Lancaster, CA 93535, 661-948-2664. **Available**
16 **for deposition on January 21, 22, 28, 29, 2013.**

17 12. A.C. Warnack, Littlerock Aggregate Co., Inc., 45730
18 Division Street, Lancaster, CA 93535, 661-948-2664. **May**
19 **potentially be produced at trial. Availability for deposition**
20 **will be forthcoming if he is to be produced.**

21 Cross-defendants reserve the right to designate other
22 supplemental expert witnesses on or before the date ordered by
23 the court, pursuant to C.C.P. § 2034.280.

24 Pursuant to C.C.P. §2034.310, Cross-defendants expressly

1 reserve the right to call any of the expert witnesses disclosed
2 by any other party in this lawsuit.

3 Cross-defendants reserve the right to call expert witnesses
4 in rebuttal and any other rights as may be afforded by the Code
5 of Civil Procedure.

6 Cross-defendants reserve the right to substitute any expert
7 witness disclosed herein or hereafter as may be necessary or
8 appropriate.

9 If any party hereto requires additional information not
10 contained in Cross-defendants' expert witness list or the
11 accompanying declaration, it is requested that such party
12 contact counsel for these cross-defendants. If no such request
13 is made, counsel for these cross-defendants will assume that
14 these disclosure materials are satisfactory to all concerned and
15 that no further action is required. Further, should any party
16 wish to take the deposition of cross-defendants' retained
17 expert(s), it is requested that contact be made with counsel for
18 cross-defendants, who will make convenient arrangements for all
19 concerned without the need for a subpoena.

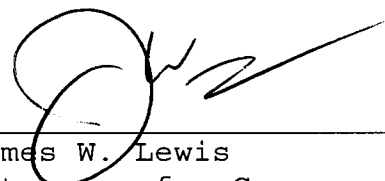
20 These cross-defendants reserve the right to videotape the
21 deposition of any expert designated by any party or any non-
22 retained expert in this matter pursuant to C.C.P. §2025.340(m)
23 and §2025.620 for use and presentation at the trial of this
24 matter regardless of whether the deponent is or is not present

1 and available at trial.

2 Dated: January 4, 2013

TAYLOR & RING

3
4
5 By:


James W. Lewis
Attorneys for Cross-
Defendants HOLLIDAY ROCK
CO., INC., successor in
interest to LITTLE ROCK
AGGREGATE CO., INC. dba
ANTELOPE VALLEY
AGGREGATE, INC.; THE
FRANK AND YVONNE LANE
1993 FAMILY TRUST, DATED
MARCH 5, 1993, AS
RESTATED JULY 20, 2000,
successor in interest to
FRANK A. LANE, ROE 612;
THE GEORGE AND CHARLENE
LANE FAMILY TRUST,
Successor in interest to
George M. Lane, Roe 316;
MONTE VISTA BUILDING
SITES, INC., a
California Corporation;
A.V. MATERIALS, INC., a
California Corporation,
ROE 9; A.C. WARNACK,
as Trustee of the A.C.
WARNACK TRUST; LITTLE
ROCK SAND AND GRAVEL,
INC.

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DECLARATION OF JAMES W. LEWIS

I, JAMES W. LEWIS, hereby declare as follows:

1. I am an attorney, duly licensed to practice before all of the courts of the State of California and am an attorney with the law firm of Taylor & Ring, LLP, counsel of record for cross-defendants LITTLE ROCK SAND AND GRAVEL, INC., HOLLIDAY ROCK CO., INC., successor in interest to LITTLEROCK AGGREGATE CO., INC. dba ANTELOPE VALLEY AGGREGATE, INC., LITTLEROCK AGGREGATE CO., INC. dba ANTELOPE VALLEY AGGREGATE, INC., THE FRANK AND YVONNE LANE 1993 FAMILY TRUST, DATED MARCH 5, 1993, AS RESTATED JULY 20, 2000, THE GEORGE AND CHARLENE LANE FAMILY TRUST, MONTE VISTA BUILDING SITES, INC., A.V. MATERIALS, INC. and A.C. WARNACK, as trustee of THE A.C. WARNACK TRUST ("Cross-defendants"). I am personally familiar with the proceedings in these matters, including those facts and circumstances stated herein. If called upon to do so, I could and would competently testify under oath as to those matters set forth in this Declaration.

2. Accompanying this declaration is a list of the persons whose expert opinion testimony Cross-defendants may present at the trial of this action, either in person or by way of deposition testimony.

3. The experts who have been retained by Cross-defendants and disclosed in the accompanying list are now or will be

1 sufficiently familiar with the pending action to allow for a
2 meaningful oral deposition in accordance with Code of Civil
3 Procedure Section 2034.010, et seq.

4 4. Cross-defendants have no control over certain non-
5 retained expert witnesses and can make no representations
6 regarding their availability or their ability or capacity to
7 testify, other than as is apparent from the record herein.
8 However, Cross-defendants intend to call said persons as
9 witnesses at trial and intends to ask them expert opinion
10 testimony in their area of expertise.

11 5. The experts identified in this Declaration are
12 expected to testify, either orally or by way of deposition
13 testimony at trial, on issues as more particularly stated herein
14 below.

15 6. Cross-defendants reserve the right to call any and all
16 additional experts necessary to respond to issues, facts, and
17 expert opinion testimony offered by or on behalf of any other
18 party to this litigation.

19 7. Douglas C. Shumway, TerraMins, Inc., 12277 Apple
20 Valley Rd., #184, Apple Valley, CA 92308, (760) 285-5801, has
21 agreed to testify at trial.

22 (a) Mr. Shumway has in excess of forty years of experience
23 in mining operations. His experience includes directing quarry
24 operations that relate to aggregate mining and processing,

1 including cement. He has a B.S. Degree in Engineering Geology.
2 He has served on the Mojave River Resource Conservation District
3 Board and the Mojave Water Agency Board. He was also a
4 California registered environmental assessor. For approximately
5 twenty years Mr. Shumway was an exploration, mining and
6 environmental manager at Mitsubishi Cement Corporation. Mr.
7 Shumway's C.V. is attached as "Exhibit 1" to this Declaration.

8 (b) Mr. Shumway will be called to testify and render
9 opinions on issues which include, but are not limited to, the
10 procedures used in the procurement of materials used in the
11 production of asphalt, aggregate and Ready Mix Concrete, and the
12 operation of facilities used to process asphalt, aggregate,
13 Ready Mix Concrete and potentially other related materials,
14 including the related uses for groundwater, the amount of
15 groundwater used and/or pumped, recycling, industry standards,
16 dust suppression, environmental regulations, issues relating to
17 the reasonable and beneficial use of groundwater, issues related
18 to groundwater pumping in connection with such activities, and
19 other issues relating to aggregate mining and similar
20 activities, processing and water usage in relation to the Phase
21 4 Trial in this matter. He may also respond to any opinions
22 expressed by any expert witness called by any party to this
23 litigation.

1 (c) Mr. Shumway will be sufficiently familiar with the
2 pending action to provide a meaningful oral deposition
3 concerning the specific testimony he is expected to give at
4 trial.

5 (d) Mr. Shumway's reports and writings, if any, will be
6 provided at least three business days prior to his deposition,
7 if there is sufficient time to do so. Mr. Shumway has not
8 prepared a report at this time.

9 (e) Mr. Shumway's fee for providing deposition testimony
10 is \$300.00 per hour.

11 8. Blake McCullough-Sanden, University of California
12 Cooperative Extension, 1031 S. Mt. Vernon Ave., Bakersfield, CA
13 93307, (661) 868-6218, has agreed to testify at trial.

14 (a) Mr. McCullough-Sanden has been an Irrigation and
15 Agronomy Farm Advisor for the University of California
16 Cooperative Extension, Kern County, since 1992. In that role he
17 has been involved in education and research programs relating to
18 soil/salinity/irrigation management for all crops in Kern
19 County, and agronomic production practice for alfalfa, dry beans
20 and oil crops. He previously served as an irrigation technical
21 advisor in regard to the management of irrigation on 26,000
22 acres of pistachios, almonds, olives, grain and cotton. He also
23 has prior experience as a farm manager. Mr. McCullough-Sanden
24 holds a B.S. degree in International Agricultural

1 Development/Agronomy and an M.S. degree in Water
2 Science/Irrigation and Drainage from the University of
3 California at Davis. Mr. McCullough-Sanden's C.V. is attached
4 as "Exhibit 2" to this Declaration.

5 (b) Mr. McCullough-Sanden will testify concerning issues
6 relating to groundwater pumping and usage in relation to crops
7 and other agricultural and farm uses, including but not limited
8 to, crop water use, crop water demand, irrigation, drainage,
9 wells, pumps, electrical records, pump tests, water usage and
10 consumption, irrigation systems, crop evapotranspiration, crop
11 water consumption, agricultural application rates, irrigation
12 demand, issues relating to the reasonable and beneficial use of
13 groundwater, and other related issues. Mr. McCullough-Sanden
14 will also respond to any opinions expressed by any expert
15 witness called by any other party to this litigation.

16 (C) Mr. McCullough-Sanden has agreed to testify at trial
17 and will be sufficiently familiar with the pending action to
18 provide a meaningful oral deposition concerning the specific
19 testimony he is expected to give at trial. Mr. McCullough-
20 Sanden's reports and writings, if any, will be provided at least
21 three business days prior to his deposition, if there is
22 sufficient time to do so.

23 (d) Mr. McCullough-Sanden's hourly rate for deposition is
24 \$300 per hour.

1 9. John A. Dracup, Ph.D., P.E., University of California,
2 Berkeley, Civil & Environmental Engineering, has agreed to
3 testify at trial.

4 (a) Dr. Dracup is currently a professor at the University
5 of California, Berkeley. He was previously a professor at the
6 University of California, Los Angeles for over twenty years.
7 Dr. Dracup holds a Ph.D. in Civil Engineering (major in water
8 resource engineering and hydrology, minor in natural resource
9 economics). Dr. Dracup's C.V. is attached as "Exhibit 3" to
10 this Declaration.

11 (b) Dr. Dracup will testify concerning issues relating to
12 quantifying and calculating groundwater pumping, including but
13 not limited to, the amount of groundwater pumped and/or used by
14 these Cross-defendants, issues relating to the reasonable and
15 beneficial use of groundwater pumped by these cross-defendants,
16 the type, nature, production, and operation of the water systems
17 used by these cross-defendants, pumps, wells, water recycling
18 issues, and other similar issues. Dr. Dracup will also respond
19 to any opinions expressed by any expert witness called by any
20 other party to this litigation.

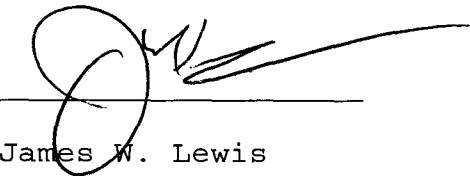
21 (c) Dr. Dracup has agreed to testify at trial and will be
22 sufficiently familiar with the pending action to provide a
23 meaningful oral deposition concerning the specific testimony he
24 is expected to give at trial. Dr. Dracup's reports and

1 writings, if any, will be provided at least three business days
2 prior to his deposition, if there is sufficient time to do so.

3 (d) Dr. Dracup's hourly rate for deposition is \$500 per
4 hour.

5 I declare under penalty of perjury under the laws of the
6 State of California that the foregoing is true and correct.

7 Executed this 4th day of January, 2013, at Los Angeles,
8 California.

9 
10 James W. Lewis

STATE OF CALIFORNIA

On January 4, 2013, I served the foregoing document, described as:

on the interested parties in this action in the following manner:

Executed on January 4, 2013 at Los Angeles, California.

James W. Lewis

