

PROSECUTION TEAM EVIDENCE LIST

The following items are evidence for the Central Valley Regional Water Quality Control Board hearing regarding Administrative Civil Liability Complaint No. R5-2012-0561, Henry J. Tosta (dba Henry Tosta Dairy), Henry J. Tosta Jr. Family, Limited Partnership, Henry J. Tosta Trust. This matter is scheduled to be heard at the 24/25 July 2013 Central Valley Water Board meeting in Rancho Cordova. This list consists of evidence not already attached or included in Administrative Civil Liability Complaint No. R5-2012-0561.

| Exhibit | Description of Document | Document Date |
|---------|--|---------------|
| 27 | Internal Water Board memo from Louis Pratt to Rudy Schnagl | 18-Feb-1994 |
| 28 | San Joaquin County Community Development Department Application SA-94-44 | 5-Oct-1994 |
| 29 | Letter from Louis Pratt to San Joaquin County | 26-Oct-1994 |
| 30 | Letter from Louis Pratt to Henry Tosta regarding 30 July 1996 Inspection | 31-July-1996 |
| 31 | Fax from Ross Grunwald (American Geological Services Inc.) to Louis Pratt | 10-Sep-1996 |
| 32 | Work Plan: Initial Ground Water Investigation by American Geological Services Inc. | 13-Sep-1996 |
| 33 | Nitrate Loading Study by Valley Ag. Research | 1-Mar-1999 |
| 34 | Inspection Report Photos and Maps | 28-Mar-2002 |
| 35 | Letter from Henry Tosta to Louis Pratt and Robert Mattioli | 8-Apr-2002 |
| 36 | Stipulation for Final Judgment and Permanent Injunction from Superior Court of California, County of San Joaquin | 1-Feb-2003 |
| 37 | Inspection Report and Supplementary Photos, Reeve Road Heifer Ranch | 1-May-2012 |
| 38 | Letter from Henry Tosta Dairy to Regional Board Staff RE: CAO R5-2012-0708 | 3-Jul-2012 |
| 39 | Well Sounding Data Results from Western Dairy Design | 20-Jul-2012 |
| 40 | Letter from Henry Tosta Dairy to Regional Board Staff RE: CAO R5-2012-0708 | 2-Aug-2012 |
| 41 | Email from Jeff Fleming, Western Dairy Design, to Regional Board Staff | 30-Oct-2012 |
| 42 | Internal Memo Waste Management Plan Evaluation | 9-Nov-2012 |
| 43 | Recordnet.com Article by Alex Breitler | 1-Dec-2012 |
| 44 | Aerial Photos taken by Water Board Staff | 6-Dec-2012 |
| 45 | Inspection Report | 7-Dec-2012 |
| 46 | Nutrient Management Plan submitted by Dairy Monitoring Co. dated 10 December 2012 | 17-Dec-2012 |
| 47 | Inspection Report | 7-Jan-2013 |
| 48 | Inspection Report | 5-Mar-2013 |
| 49 | Email and Maps RE: Waste Management Plan Proposed Improvements | 15-Apr-2013 |
| 50 | 13267 Groundwater Monitoring Directive | 15-Apr-2013 |
| 51 | Inspection Report | 7-May-2013 |
| 52 | 2007, 2008, 2009, 2010, and 2011 Annual Reports for the Henry Tosta Dairy | 2007-2011 |
| 53 | Manure Tracking Manifest 2012 | 25-Feb-2013 |

PROSECUTION TEAM WITNESS LIST

- a. Clay Rodgers (5 minutes)
Assistant Executive Officer, Central Valley Water Board (Fresno)
Testimony on regulatory program generally and details of the proposed order.
- b. Charlene Herbst (5 minutes)
Senior Engineering Geologist, Central Valley Water Board
Testimony regarding the Dairy General Order requirements, calculation of the proposed penalty, compliance history, and details of the proposed order.
- c. Robert Busby (3 minutes)
Supervising Engineering Geologist, Central Valley Water Board
Testimony regarding the Dairy General Order requirements, calculation of the proposed penalty, and details of the proposed order.
- d. Sean Walsh (10 minutes)
Environmental Scientist, Central Valley Water Board
Testimony regarding Henry Tosta Dairy.
- e. Gilberto Corral (available to testify)
Water Resources Control Engineer, Central Valley Water Board
Testimony regarding Henry Tosta Dairy.
- f. Gerald Horner (available to testify)
RPS II, State Water Resources Control Board
Testimony regarding economic benefit of non-compliance and ability to pay the proposed penalty.
- g. Dennis DeAnda (available to testify)
Assistant Chief, Cal DFW – OSPR – Law Enforcement
Testimony regarding 2002 enforcement at the Henry Tosta Dairy.
- h. Terry Bechtel (available to testify)
Environmental Scientist, Central Valley Water Board
Testimony regarding 12/6/2012 aerial photos of the Henry Tosta Dairy.
- i. Lisa Wilson (available to testify)
Environmental Scientist, Central Valley Water Board
Testimony relating to the GIS map in Exhibits 4 and 5.
- j. Amanda Bonnes
Sisk Tallow Recycling employee
Testimony relating to Henry Tosta rendering records of cattle carcasses at the Henry Tosta Dairy, between 1 January 2007 and 1 May 2012.