

Washington state farmers sue to stop feedlot plan

By SHANNON DININNY – 1 day ago

YAKIMA, Wash. (AP) — A group of Washington state farmers have joined two environmental groups in filing a lawsuit to block a proposed feedlot from using a well that is exempt from requiring state permits to water up to 30,000 cattle.

Easterday Ranches Inc., a longtime cattle company and one of the largest feedlot operators in the Northwest, wants to build the region's first new feedlot in years on dry land near the small town of Eltopia, about 25 miles northeast of Pasco.

As proposed, the feedlot would be home to up to 30,000 additional cattle. The company already operates a 30,000-head feedlot in the area near Pasco in central Washington.

Easterday bought a water right for dust control and cooling cattle at the new feedlot, and the state Department of Ecology approved that water right transfer on June 11.

However, Easterday would use a well that is exempt from a state water permit to draw drinking water for the cattle.

Under a state law passed in 1945, some wells may be drilled without a permit, as long as water usage is limited to 5,000 gallons per day. They include wells for livestock watering, small industrial uses, domestic use or noncommercial watering of a small lawn or garden.

Conservation groups have long complained the law opens the state's limited water resources to unlimited use. But a 2005 opinion by state Attorney General Rob McKenna barred the state from limiting the amount of water that ranchers draw daily for their livestock.

Neighboring farmers contend the additional water drawn from underground by Easterday could dry up their own wells. The area is made up of rural homesteads, where farmers plant dryland wheat and draw drinking water for their homes from deep, underground wells.

"After over 100 years of conservative farming on some of the driest land in Washington, our lives and livelihoods are in jeopardy from this huge industrial feedlot," said Scott Collin, a fourth-generation dryland wheat farmer and member of the group Five Corners Family Farmers.

Five Corners Family Farmers and the environmental groups Center for Environmental Law and Policy and Sierra Club filed the lawsuit Tuesday in Thurston County Superior Court in Olympia. The lawsuit seeks a declaration that livestock operators may not draw an unlimited amount of water from exempt wells, or that an exempt well is not available to Easterday Ranches.

The lawsuit names the state of Washington, the state Ecology Department, and Easterday Ranches as defendants.

The Ecology Department estimates the average feedlot cow consumes about 18-20 gallons of water per day. At 30,000 cows, that's more than 500,000 gallons of water, or enough to nearly fill an Olympic-size swimming pool each day.

The Ecology Department asked the state Legislature to weigh in and resolve the exempt-well question last session, but lawmakers failed to address it amid the state's budget crisis. Instead, they ordered a group of lawmakers, livestock industry representatives, environmental groups and tribes to discuss the issue this year.

Dan Partridge, spokesman for the Ecology Department, said the agency couldn't immediately comment on the lawsuit. Cody Easterday of Easterday Ranches declined to comment.

