

1 [X] Hearing is set:
2 Date: Friday, April 2, 2010
3 Time: 1:30 p.m.
4 Judge: to be determined
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8 **FRANKLIN COUNTY SUPERIOR COURT**
9 **IN AND FOR THE STATE OF WASHINGTON**

10 FIVE CORNERS FAMILY FARMERS,
11 SCOTT COLLIN, THE CENTER FOR
12 ENVIRONMENTAL LAW AND POLICY
AND SIERRA CLUB,

13 Plaintiffs,

14 v.

15 STATE OF WASHINGTON, WASHINGTON
16 DEPARTMENT OF ECOLOGY, and
EASTERDAY RANCHES, INC.,

17 Defendants.

18 and

19 WASHINGTON CATTLEMEN'S
20 ASSOCIATION, COLUMBIA SNAKE
21 RIVER IRRIGATORS ASSOCIATION,
22 WASHINGTON STATE DAIRY
23 FEDERATION, NORTHWEST DAIRY
24 ASSOCIATION, WASHINGTON CATTLE
25 FEEDERS ASSOCIATION, CATTLE
26 PRODUCERS OF WASHINGTON,
WASHINGTON STATE SHEEP
PRODUCERS and WASHINGTON FARM
BUREAU,

Intervenor-Defendants.

No. 09-2-51185-6

DECLARATION OF ART GROENEWEG

1 COMES NOW, ART GROENEWEG, and states and declares:

2 1. My name is Art Groeneweg. I am over the age of 18 and competent to testify hereto.

3 I make this declaration based upon my own personal knowledge.

4 2. I reside in Monroe, Washington. I am a member of the Washington State Dairy
5 Federation and the Washington Farm Bureau.

6 3. Our family operates Hollandia Farms, L.P., a dairy and row-crop farm. I am the
7 second generation to operate Hollandia Farms. This dairy farm has been in operation since 1967 and
8 we currently employ approximately a dozen people. I grew up on this farm and have been a
9 dairyman most of my life.

10 4. Currently we farm 900 acres. We milk approximately 550 dairy cows and have 600
11 replacement heifers. The dollar value of our annual milk production is approximately \$2,200,000 per
12 year.

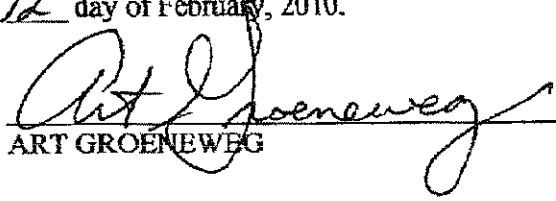
13 5. We rely on water rights from three exempt wells to provide water for stock drinking
14 and clean-up at the dairy. These wells have been installed over time and the value of that
15 infrastructure is approximately \$20,000.00 to \$35,000.00 per well. We use approximately 40,000
16 gallons of water per day from these three wells. On one occasion over the last eight years, a dairy
17 inspector asserted that my use of stock-water should be limited to 5,000 gallons of water per day and
18 suggested that I find a water right. I believe and understand that I already have water rights based on
19 my water withdrawals from my exempt wells and those water rights are not limited to 5,000 gallons
20 per day. I contacted the State of Washington and inquired about this. I received a message back from
21 Jim Waldo, who was the then governor's water representative. In his message, Mr. Waldo told me
22 not to worry about the Department of Ecology's assertion – that my water use was limited to 5,000
23 gallons per day. I have looked for other water rights and I have been unable to find other water rights
24 to buy or try to move to my property. If my water rights were limited to 5,000 gallons per day I
25 would be forced out of business.

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I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Signed at Monroe, Washington on this 12th day of February, 2010.


ART GROENEWEG

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