

My name is Tim Lequerica and my family ranching business is named Lequerica Brothers. We own 320 acres of private land within the Owyhee wild river corridor in Malheur County, Oregon. We are full-time ranchers and derive all of our income from our ranching operation. My ancestors were Basque immigrants to the Owyhee River area in 1900, and my family has worked in the livestock industry since that time. I was born in 1946, and have been involved in my family's livestock operation for my entire life.

Our private land is surrounded on all sides by Bureau of Land Management ("BLM") land within the Owyhee wild river canyon. Lequerica Brothers currently holds a permit to graze 444 cattle in the Saddle Butte BLM Allotment from November 1 to February 15. Our cattle in this allotment used to depend entirely on drinking water from the Owyhee River. The Owyhee River was named as a wild and scenic river by Congress in 1984. In that legislation, Congress promised our ranches would be protected. Because we have been ranching in this area since the 1900's, certainly Congress knew our use was a part of the Owyhee River. Our ranching use could not have been harming the river if Congress recognized it as a wild and scenic river.

However, in 1998, environmental groups Oregon Natural Desert Association ("ONDA") and Western Watersheds Project ("WWP") sued the BLM to eliminate the use of my ranch as well as the other ranchers along the Owyhee River. If these environmental groups would have achieved their goal, my ranch would have ultimately gone out of business.

ONDA and WWP's litigation was not centered on my ranch or the use of my land and BLM land, but whether or not BLM had jumped through the correct procedural hoops in writing a plan to manage and use the Owyhee wild and scenic river. I, along with other impacted ranch families, intervened in this litigation because the use of our ranch and land was going to be directly and significantly affected. ONDA and WWP claimed that we should not be able to get water for our cattle from the Owyhee River. If we do not have access to water, grazing would be eliminated despite the protection given to us by Congress. Collectively, the impacted families, including mine, paid \$42,000 of our money to participate in the litigation.

During the litigation, ONDA and WWP requested our grazing use be stayed or eliminated pending the outcome of the litigation. This would have been devastating to my ranch. The ranchers responded by arguing that we would keep our cattle from drinking from the river if we were provided alternative water locations. Our issue was not whether we had to use the Owyhee River; we just wanted a source of water for our thirsty livestock. The court granted our request over the strong objection of ONDA and WWP. Our argument was that if the court would allow us to install water pipelines and tanks on the dry BLM lands, we would be happy to keep cattle from drinking in the river as the environmentalists wanted. The environmentalists wanted no water at all, which would mean our cattle would go thirsty. The court said that since our plan kept livestock from accessing the wild and scenic river as requested by ONDA and WWP, we could

install our pipelines and water tanks on the dry parts of the BLM land. Those water improvements also provide significant benefit to wildlife since they need water also. We are still ranching on this land because we have water.

The litigation that the environmental groups filed was not justified. I feel it was harassment toward ranchers. There was no accuracy in the allegations and none of the points made by the environmental groups were valid.

Because the BLM failed jump through the procedural hoops, the federal government voluntarily agreed to pay ONDA and WWP \$128,000 in attorney fees and costs. Thus, my tax money paid for every part of the litigation. I paid my personal attorneys to represent me; my tax dollars paid the federal government who failed to do all the paperwork correctly; and my tax dollars paid the ONDA and WWP to sue the federal government. Although ONDA and WWP's ultimate goal of eliminating my ranch by eliminating my access to water failed, ONDA and WWP succeeded in forcing the government to do more paperwork, so ONDA and WWP were paid.