

Oregon rancher challenging well shutdown

By MATEUSZ PERKOWSKI
Capital Press

An Oregon rancher is challenging the state government's method of determining when groundwater well pumping must be shut down to avoid disrupting surface water rights.

Tom Mallams of Klamath County claims the Oregon Water Resources Department has ordered him to stop pumping from a well near Snake Creek, a tributary of the Sycan River, based on an erroneous mathematical model.

The well was drilled into a confined aquifer that's not connected to the creek or the river, so pumping restrictions won't have any effect on surface water flows, according to Mallams.

Mallams has petitioned Marion County Circuit Court Judge Thomas Hart to overturn OWRD's order because it's "not supported by substantial evidence" as required by Oregon law.

The agency has derived its conclusions from "general studies of the Klamath Basin" without collecting any data specific to Mallams' well, according to the petition for review.

Mallams claims OWRD should have instead relied on a well driller's report submitted to the agency, which found the well is hydraulically separate from surface waters.

A representative of OWRD said the agency is reviewing the legal challenge with attorneys from the Oregon Department of Justice and can't comment on the litigation at this time.

Turn to **SHUTDOWN**, Page 12



BANKING ON WETLANDS

Cash crop involves offsetting development in fast-growing Western Washington

By DON JENKINS
Capital Press

RIDGEFIELD, Wash. — The Morgan family's land, bordered by rivers and nearly surrounded by housing and other developments in fast-growing southwestern Washington state, has been a dairy, ranch and tree farm. Someday soon, it will produce a new cash crop: wetlands.

The wetlands will supplant pasture, but David Morgan, the farm's third-generation manager, says his family would rather cultivate 876 acres of fish and wildlife habitat than sell to developers. Much of the 1,600-acre property will remain a tree farm.

"This way, my kids still get to roam around and be part of a farm," he said. "It seemed really obvious" as an option.

Morgan is putting a portion of the farm into a wetlands mitigation bank, a process overseen by the Washington Department of Ecology and the U.S. Army Corps of Engineers.

"It takes a ton of work, a ton of science to put it together," Morgan said.

Once approved, the bank will sell "credits" to developers who fill in wetlands elsewhere in the watershed to build housing subdivisions and roads.

One acre of wetlands equals roughly one credit — a little more or a little less in some cases, depending on the quality of wetlands.

Turn to **WETLANDS**, Page 12



Photos by Don Jenkins/Capital Press

David Morgan, third-generation manager of the family farm, points to a feature of the farm. The historic Lancaster House, built circa 1850, is in the background.

TOP PHOTO: Cows graze on land along the Coweeman River in Kelso, Wash., that is being converted into wetlands. The wetlands will yield "credits" for developers to buy to make up for filling in wetlands elsewhere in the watershed.

"When the farmer owns the land, it's not worth anything. If it's wetlands, it's worth something."

Bill Zimmerman, Clark County Farm Bureau president

Jump in dark northern spring wheat prices takes soft white wheat with it

By MATTHEW WEAVER
Capital Press

Farmers should take advantage of the surge in wheat prices and sell at least some of their crops, market analysts say.

On the Portland market, dark northern spring wheat prices have ranged from \$8.55 to \$10.15 per bushel, depending on protein percentages. That's an increase of more than \$2 a bushel from April prices, according to the USDA Market News.

The increase is the result of dry weather and extreme heat in the wheat-growing regions of

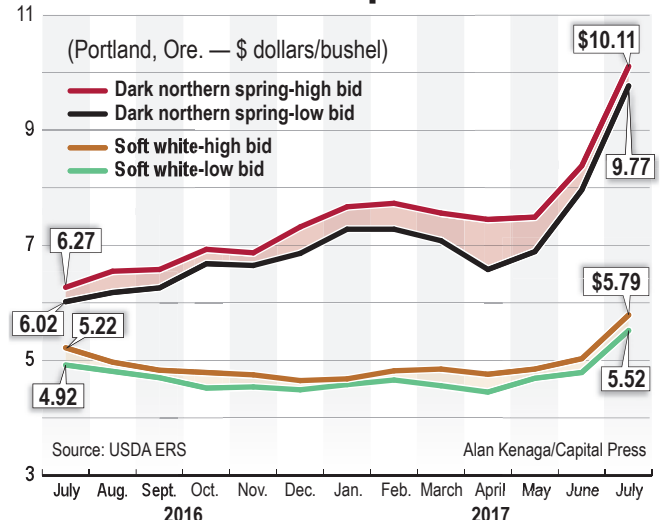
Eastern Montana and the Dakotas, said Byron Behne, marketing manager for Northwest Grain Growers in Walla Walla, Wash.

The Wall Street Journal recently listed wheat as the top-performing commodity, up about 25 percent year-to-date.

"I don't think we're going back to \$25 (per bushel) DNS like we did in the winter of 2008 ... but \$10 isn't out of the question because it's a very specific high-end wheat with a high-end use," Behne said. "People are going to pay whatever it takes to get it."

Turn to **WHEAT**, Page 12

Portland wheat prices



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