



Matthew Weaver/Capital Press

Eric Labes of Lind, Wash., driving the Grain Digger, and Jim Oswald of Spokane, driving the Prison Break, collide during the June 9 Lind Demolition Derby.

CRUNCH TIME

Combine demolition derby raises profile of tiny town in Eastern Washington state

By **MATTHEW WEAVER**
Capital Press

LIND, Wash. — When a five-ton combine going full speed rams into your combine, you feel it. “It rattles every bone in your body,” said Eric Labes of Lind, Wash., one of 12 drivers in the June 9 Lind Combine Demolition Derby. “If it weren’t for the seatbelt, you’d probably fly out.”

Sometimes the collisions hurt. “Quite a few hurt today,” said Jim Oswald of Spokane, who was competing in his 15th derby.

In its 31st year, the derby is the main event of Lind’s annual weekend celebration and community fundraiser.

Driving in the derby is a one-of-a-kind experience, said longtime driver Josh Knodel of Lind.

“Especially for us farm boys,” Knodel said. “We grow up taught to take it easy, conserve your machine, slow down

and don’t beat it up and then out here it’s just the total opposite. For us, it’s just, you know, let’s just rip them apart. Something your dad didn’t tell you when you first started driving, that’s for sure.”

The derby rules require only that drivers be older than 18 and have a driver’s license.

Farmers’ event

At the beginning of each heat, combines with names like “Grain Digger,” “Honey Badger” and “The Enticer” circled one another in the 80,000 square-foot arena, waiting for the signal to go. The crowd cheered when Knodel and longtime friend Matt Miller made the first crunch of the day, egged

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Matthew Weaver/Capital Press
Grain trucks race during the intermission of the annual combine demolition derby June 9 in Lind, Wash.

“It rattles every bone in your body. If it weren’t for the seatbelt, you’d probably fly out.”

— Derby driver Eric Labes of Lind, Wash.

Klamath water users argue tribes’ lawsuit filed in wrong court

Motion seeks to dismiss case in San Francisco

By **GEORGE PLAVERN**
Capital Press

The Klamath Water Users Association has asking a federal judge in San Francisco to dismiss a lawsuit filed in May by the Klamath Tribes, arguing the case should be heard in a different venue.

The tribes are suing three federal

agencies, including the U.S. Fish and Wildlife Service, Bureau of Reclamation and National Marine Fisheries Service, seeking an injunction to hold more water in Upper Klamath Lake for endangered shortnose and Lost River suckers.

Both species of fish were listed as endangered in 1988. According to the tribes, harvests decreased from more than 10,000 to just 687 suckers between 1968 and 1985. Today, just two fish are harvested every year for ceremonial purposes.

The lawsuit was filed in federal district court in San Francisco before Judge William Orrick — the same judge who recently upheld a separate injunction for the Hoopa Valley and Yurok tribes in Northern California that requires greater flows in the Klamath River to protect threatened salmon from a deadly waterborne virus.

Both Klamath Basin suckers and salmon are managed under the same 2013 joint biological opinion, or BiOp.

The KWUA, along with the Sunnyside Irrigation District and California farmer Ben DuVal, filed Thursday to intervene in the Klamath Tribes’ lawsuit and have it dismissed from Orrick’s court.

In a statement, KWUA Executive Director Scott White the lawsuit must be heard “where the parties are or where they claim an injury happened, which is primarily Oregon.”

The water users’ motion states that a federal court in Oregon or Sac-

ramento, Calif. would be allowable, but not in San Francisco.

“There are laws about where a lawsuit can be filed,” DuVal said. “You can’t just file a lawsuit in New Jersey because that is where you want to go. That’s what our motion says. The Klamath Tribes lawsuit claims that part of the Klamath Project is in the judicial district based in San Francisco, but that’s not correct.”

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Don Jenkins/Capital Press

The U.S. Supreme Court tied 4-4 on Washington Attorney General Bob Ferguson’s appeal of an order requiring the state to replace more than 800 fish-impeding culverts at an estimated cost of \$2 billion.

Supreme Court tie goes to tribes in landmark culvert case

Farm groups on losing side of appeal

By **DON JENKINS**
Capital Press

The U.S. Supreme Court’s 4-4 tie on whether Washington’s fish-impeding culverts violate treaty rights was a victory for 21 Western Washington tribes, whose stance was opposed by farm groups, cities, counties, 11 states and

Washington’s Democratic attorney general.

In a one-sentence statement Monday, the court announced it was equally divided in the latest phase of United States v. Washington, long-running litigation to interpret the Stevens Treaties of 1854-55.

As a result, a 9th U.S.

Circuit Court of Appeals order to replace more than 800 culverts under state roads stands. Critics contend the circuit court has handed tribes a precedent for challenging dams, restricting farming and altering century-old water rights.

“To that point, we would hope that anyone who is degrading habitat to the extent that the state is, would be willing to sit down and work

with us, instead of having to go to court,” said Brian Cladoosby, chairman of the Swinomish Indian tribe in northwest Washington.

“We are very happy with the decision,” he said. “I look forward to getting the culverts replaced as soon as possible.”

The U.S. Justice Department and tribes argued that

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