

Water

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Owen's concern is that there's not enough of the latter to produce as much water as she would like to have available to slake city residents' thirsts and keep their green lawns and gardens from turning brown this summer.

"It's concerning to me," Owen said on Tuesday, March 15. "I would encourage people to be in a mode of conservation, and to be prepared for water curtailment come July. At this point I don't see anything that would prevent that. We're anticipating a drought year again."

Although a flurry of spring snowstorms could alter the equation somewhat, Owen expects the situation this summer will be similar to what happened in 2021.

On July 8, 2021, Owen said in an interview with the Herald, referring to the city's water demand rising to above 5 million gallons per day even while the supply from the springs and streams in its 10,000-acre watershed was dropping as the drought worsened: "We can't do this the whole summer."

And residents didn't. After record heat late in June 2021 contributed to a 45% increase in the city's water use compared with June 2020, the city enacted stage 2 of the water curtailment ordinance on July 12.

(The city went on alert status, the first stage, on June 28.)

Stage 2, also known as "warning status," restricts residents to using city water (it doesn't affect private wells) to irrigate lawns or gardens only between 7 p.m. and 7 a.m., when evaporation declines.

Although the ordinance allows the city to cite and fine residents who fail to comply, city officials emphasized last summer that they didn't intend to do so, and no citations were issued.

Owen hoped that voluntary compliance with the water use restriction would allow the city to avoid enacting stage 3 of the ordinance for the first time ever.



Baker City Public Works/Contributed Photo

One of the intakes in the Baker City watershed where water is diverted into the city's supply pipeline.



Baker City Public Works/Contributed Photo, File

Goodrich Reservoir in the Elkhorn Mountains west of Baker City is key source of water for Baker City.

Under that stage, all outdoor watering using city water is banned.

As it turned out, that restriction wasn't needed.

The city's water use dropped by 23% in August 2021 compared with July, avoiding a more severe water supply crisis.

Where the water comes from
The city has three main sources of water.

The primary source, and the one the city uses year round, is the aforementioned watershed, on the east slopes of the Elkhorns and ranging from Elk Creek

at the southern end to Goodrich Creek in the north. The city taps several streams, including Salmon, Marble and Mill creeks, as well as multiple springs.

For most of the year — generally from early summer or late fall through spring

Commission

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That's the system we have and that's the system we've always, sometimes enjoyed, sometimes not, there's rocky roads there and difficult times," Nichols said. "But we've all survived it"

Nichols said he opposes vaccine and mask mandates.

He said he is vaccinated against COVID-19, and that he wore a mask in the County Courthouse.

"I usually did it just because, I didn't agree with it, but all county employees were required to do that," Nichols said. "And so, I didn't like wearing it but I did it"

Nichols said he believes the resolution would in effect make the commission an enforcement agency rather than a legislative body.

"In other words, we cannot enforce those kinds of things," Nichols said.

Harvey disagreed. "This proposed resolution has no legal mandates on anything," Harvey said. "It is stating a position that the county would possibly take as to not enforcing things that inhibit the rights of the citizens of the United States and Baker County."

Harvey said he appreciates the work that went into the res-

olution. He said any such resolution needs to be reviewed by county counsel and a public review before possible approval. "We will let folks see it before we take the vote," Harvey said.

Public comments

As was the case when commissioners discussed the resolution on Dec. 15, 2021, and on Jan. 12, 2022, several people urged commissioners to approve the resolution.

The version of the resolution that Harvey and Bennett decided to send to Mosier for review is missing one part of the document that Baker County United submitted.

Jake Brown of Halfway, representing Baker County United, said the group deleted the clause that states: "Baker County Commissioners proudly join the Constitutional Sheriffs and Police Officers Association and that the undersigned commissioners do hereby denounce any acts or agencies that promote the aforementioned practices."

Carrie Matthews of Baker City, another BCU representative, said the group, in urging commissioners to pass the resolution, is asking them to "put your money where your mouth is."

"How important is this oath to you? We have many resolutions that would be consid-

ered redundant but, once again during our conversations, a resolution doesn't have teeth but it does make a statement," Matthews said. "You can say the words. But if the words mean nothing, then don't pass the resolution. If the words do mean something to you, then my recommendation is to pass it"

Curtis Martin of North Powder said he believes the vast majority of Baker County residents want a truly representative local government.

"I think each one of those resolutions goes back to saying, we want our county to be our main thrust of our government," Martin said. "Right now, I feel like the way our society is, we're upside down. Everybody looks toward the federal government as being the supreme authority than the state and the county. That's exactly opposite of what our founding fathers designed it for"

Kody Justus addressed the concern about enforcement and the commissioners being a legislative body.

"I don't think that passing a resolution or what's being asked is outside of your scope," Justus said. "So as a legislative body it is your position to provide guidance for law enforcement and give them laws in the county to enforce"

He said as a legislative body, the commissioners are not to-

tally separated from enforcement.

Dan Freeman encouraged the commissioners to support the resolution.

Speaking in opposition to the resolution, Gary Dielman of Baker City said the right to vote determines who will be the representatives for the county.

"This little, small, tiny group does not represent the people I know in this county," Dielman said, referring to Baker County United.

Dielman said commissioners should have followed Baker City's lead and not considered approving the resolution, which Baker County United also sent to City Hall.

The wording

The resolution states that "the following abuses will not be allowed or tolerated within Baker County:

- Orders restricting citizens from the free exercise of their religion or the right to freely assemble as guaranteed in the 1st Amendment.
- Orders depriving its citizens of life, liberty or property, without the "due process of law" as guaranteed in the 5th Amendment.
- Registration of personal firearms under any circumstances as guaranteed under the 2nd Amendment nor

"I would encourage people to be in a mode of conservation, and to be prepared for water curtailment come July. At this point I don't see anything that would prevent that."

— Michelle Owen, Baker City public works director

— those freeflowing sources supply enough water to meet the needs of the city's residents and businesses, which usually amounts to 2 million gallons or less during the colder months.

But often by mid summer the city reaches a threshold where water use, which naturally rises as residents seek to keep their lawns lush and gardens growing, exceeds the amount the city can divert into its watershed pipeline.

At that point, Owen said, the city starts to supplement the shortfall with either, and sometimes with both, of its two other sources.

Those are a well, on the hill near the city's reservoir at the southwest corner of town, and Goodrich Reservoir, a natural lake at the base of Elkhorn Peak that the city dammed decades ago to increase its capacity.

Goodrich holds about 200 million gallons when full, and Owen said she expects that it will fill this spring despite a below-average snow-pack.

To augment the aquifer that the well drills into, and to increase the well's volume, the city, during the winter and early spring, diverts tens of millions of gallons of water from the watershed into the well.

In 2009 Baker City was the first Oregon city to receive a state permit for this tactic, known as Aquifer Storage and Recovery.

The goal, Owen said, is to delay as long as possible each summer the day on which the city has to start siphoning water from Goodrich Reservoir and the well.

The later in the summer the city starts to draw down those finite sources, which can't be readily replenished until winter, the more likely that the city will have a comfortable surplus of water until autumn's chill causes water use to drop substantially.

the confiscation of firearms without probable cause, due process, and constitutionally compliant warrants issued by a local or state jurisdiction.

"• Inspections of person or property without probable cause nor audits or searches of a citizen's personal affairs or finances without probable cause, due process and constitutionally compliant warrants issued by a local or state jurisdiction pursuant to the 4th Amendment.

"• No private property including but not limited to mining, timber, and water rights shall be taken for public use without just compensation pursuant to the 5th Amendment.

"• The detainment or search of citizens without probable cause and proper due process compliance, or the informed consent of the citizen pursuant to the 4th Amendment."

Longer wait expected for a second well

Owen had hoped to add a third supplementary water source this summer — a new well that was drilled in 2020 and finished in April 2021.

The city's plan was to build a well house and install the piping to connect the well to the distribution system, with the 654-foot-deep well to start producing water in the spring of 2022.

But the sluggish supply chain, which has affected all sorts of industries over the past year or so, interrupted.

Owen said the lack of available parts needed to finish the well project, including electronic controls, likely will prevent the city from using the well until 2023.

Owen said that although she expects the city will cut back on water use for the second straight summer at Quail Ridge Golf Course, Mount Hope Cemetery and city parks, as well as encourage the Baker School District to reduce irrigation on its properties, including the Baker Sports Complex, those curtailments likely won't start until the watershed supply begins to diminish.

So long as the watershed can meet all the city's needs, she said there's no benefit, at least to the city, to reducing water use. Once the well aquifer has been replenished and Goodrich Reservoir is full, there is no way for the city to store any more water.

Owen said the city does try to keep as much water as possible in the watershed streams, which helps farmers and ranchers in Baker Valley who also use those sources.

Although the city's state permit allows it to divert water from the watershed into the storage well as late as June 15, Owen said the city usually stops doing so in early April to maximize the volume in the streams as they flow into the valley.

"• Arrests with continued incarcerations without charges and complete due process, including, but not limited to public and speedy jury trials, in a court of state or local jurisdiction pursuant to the 5th and 6th Amendment."

"• Domestic utilization of our nation's military or federal agencies operating under power granted under the laws of war against American citizens pursuant to the 3rd Amendment.

"• Arrest of citizens or seizure of persons or property or any other action in violation of any constitutional provision under the United States constitution by federal law enforcement pursuant to the 5th Amendment.

"• Force, threaten, coerce or deceive, a citizen to receive any medical treatment against their will which is guaranteed in the 13th Amendment."

OTEC

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other students from across the country for the all-expenses-paid trip.

Youth Tour delegates come back energized with a broader understanding of their government, the nation's history and the electric cooperative way of life and business model."

said Joe Hathaway, communications manager at OTEC. "Sponsoring students to attend the Youth Tour each year is an investment in the future leaders of Eastern Oregon."

During their trip to the nation's capital, the four students will visit historical sites, meet with members of Oregon's congressional delegation, create podcasts and digital photo projects and learn about elec-

tric cooperatives and issues related to energy and climate change legislation.

Also returning after a two-year hiatus is the Idaho Youth Rally, a summer leadership camp in Caldwell, Idaho, open to high school sophomores who attend school or are homeschooled in OTEC's service area, which includes Baker, Grant, Harney and Union counties.

Up to four students from OTEC's service area will join other high schoolers from around the West to participate in a variety of activities and classes that build skills in leadership, teamwork and perseverance.

This year's Idaho Youth Rally will take place July 11-16. Applications are available at otec.coop/idaaho-youth-rally. The deadline to apply is May 9.

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