

# **EXHIBIT 13**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**BEFORE THE POLLUTION CONTROL HEARINGS BOARD  
STATE OF WASHINGTON**

FIVE CORNERS FAMILY  
FARMERS,

Appellants,

v.

WASHINGTON STATE  
DEPARTMENT OF ECOLOGY,

Respondents.

and

EASTERDAY RANCHES, INC.

Respondents.

PCHB No. 09-106

**DECLARATION OF BLAINE  
DOUGHERTY**

I, BLAINE DOUGHERTY, declare the following under oath and penalty of perjury of  
the laws of the state of Washington:

1. I reside on a dryland wheat farm approximately six (6) miles outside of  
Connell, WA. I have farmed this land for over fifty (50) years, and my father and  
grandfather farmed this land before me.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

2. I have flown in a small airplane over the Easterday Feedlot on several occasions since construction began in approximately September of 2009.

3. During these flights, I have observed a large water mainline coming from an in-ground well and running to a large above-ground water-storage tank. I have observed a different water mainline running from the water tanks directly to a series of irrigation hand-lines.

4. I have observed these irrigation hand-lines sprinkling the disturbed areas of ground on the Easterday Feedlot.

5. I have *never* observed water trucks transporting water to the Easterday Feedlot.

DATED this 4<sup>th</sup> day of January, 2010.

  
Blaine Dougherty

**CERTIFICATE OF SERVICE**


I hereby certify that I emailed the following Declaration of Blaine Dougherty to the following:

Katharine G. Shirey  
Assistant Attorney General  
State of Washington, Department of Ecology  
Olympia, WA 98504-0117  
Fax (360) 586-6760

Crane Bergdahl  
Attorney at Law  
6610 W. Court St., Ste. A  
Pasco, WA 99301  
Fax (509) 545-4959

William Cameron  
wlc@leesmart.com

Dated this 4th day of January, 2010.

  
\_\_\_\_\_  
Karen S. Lindholdt