

1 Jeff B. Kray, WSBA No. 22174
James A. Tupper, Jr., WSBA No. 16873
2 Marten Law LLP
1191 Second Ave, Suite 2200
3 Seattle, Washington 98101
jkray@martenlaw.com
4 jtupper@martenlaw.com
Ph: (206) 292-2600
5
6

7 UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 COW PALACE, LLC; THE DOLSEN
12 COMPANIES; THREE D
13 PROPERTIES, LLC; GEORGE &
14 MARGARET, L.L.C.; GEORGE
DERUYTER AND SON DAIRY,
L.L.C.; D AND J DAIRY, L.L.C. (f/k/a
D AND A DAIRY, L.L.C.); LIBERTY
15 DAIRY LLC; ARIZONA ACRES
LIMITED PARTNERSHIP; LIBERTY
16 ACRES LLC; BOSMA DAIRY
PARTNERS, LLC; BOSMA
17 ENTERPRISES, INC.; HENRY
BOSMA; HENRIETA BOSMA; and
18 KATHLEEN NICOLAUS,

19 Defendants.

Case No. 1:24-cv-3092

DECLARATION OF LADON
LINDE IN SUPPORT OF
DAIRIES' OPPOSITION TO
EPA'S MOTION FOR
PRELIMINARY INJUNCTION

1 I, LADON LINDE, am over the age of 18, have personal knowledge of all the facts
2 stated herein, and declare as follows:

3 1. I am a Yakima County Commissioner elected to represent District No. 3 on
4 the Yakima County Board of Commissioners. District No. 3 includes portions of
5 the Lower Yakima Valley south of the three dairies that are subject to the lawsuit
6 in this matter.

7 2. I grew up in Granger, Washington and I am familiar with and share the
8 concerns of the community in Lower Yakima Valley that every residence has an
9 opportunity to have their drinking water wells tested for nitrates and the
10 opportunity to receive either reverse osmosis treatment or bottled water.

11 3. I believe that these efforts are best handled at the local level. Yakima County
12 in conjunction with the Yakima Health District has an effective program through
13 the Lower Yakima Valley Groundwater Management Area (GWMA) to provide
14 outreach to residents and follow up to test drinking water and then provide
15 treatment and bottled water.

16 4. In the last couple of years, we have approached Washington Legislature for
17 funding to support our efforts. We received funding in the last session. This has
18 helped Yakima County Public Works and Yakima Health District to engage in
19 outreach through mailers, notices, and canvassing by neighborhood and home-by-
20 home to make people aware of the availability to get their water tested.

5. Our efforts at the local level are already touching the areas that EPA now wants to expand into in this lawsuit. We are already addressing it with local people on the ground who are doing great work including weekends to make it happen.

6. The EPA effort to address this in this action is only going to create duplication, confusion, and cover areas where we are already effectively addressing safe drinking water in our community.

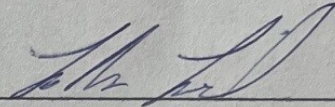
Dated this 27th day of September 2024.

LADON LINDE

1 5. Our efforts at the local level are already touching the areas that EPA now
2 wants to expand into in this lawsuit. We are already addressing it with local people
3 on the ground who are doing great work including weekends to make it happen.

4 6. The EPA effort to address this in this action is only going to create
5 duplication, confusion, and cover areas where we are already effectively
6 addressing safe drinking water in our community.

7 Dated this 27th day of September 2024.

8
9
10 
11 LADON LINDE

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which in turn automatically generated a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF system. The NEF for the foregoing specifically identifies recipients of electronic notice.

I hereby certify that on September 30, 2024, I mailed by United States Postal Service the document to the following non-CM/ECF participants:

Henry Bosma
4300 Beam Rd.
Zillah, WA 98953-9050

Henrietta Bosma
4300 Beam Rd.
Zillah, WA 98953-9050

Kathleen Nicolaus
12475 W. Meadow Wood Dr.
Boise, ID 83713-5853

Executed in Seattle, Washington on September 30, 2024.

/s/ Sophie Johnson
Sophie Johnson, Legal Assistant