

How rural western farmers stood up against entrenched environmentalists and agencies of the Federal government...and prevailed!



# THE STAND AT KLAMATH FALLS

How rural western farmers stood up against entrenched environmentalists and agencies of the federal government...and prevailed.

### JEFF HEAD

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#### Introduction

This is the story of how rural western farmers and their supporters stood up against entrenched environmentalists, liberal politicians, appointed federal judges, and agencies of the federal government...and prevailed.

It is the story of farmers in the Klamath Basin and those who supported them in their struggle to reclaim their water rights in Oregon and California the summer of 2001.

It is a story of intolerable conditions that could not be allowed to stand...and those conditions did not stand.

It is a story told through eye-witness accounts, narratives, and pictures. This author was humbled to stand with those patriotic, Godfearing Americans defending their God-given, unalienable rights against a federal bureaucracy gone amuck. It's a story of how a rabid environmental lobby, federal judges, and politicians willfully perverted our system to deprive citizens of their water and property rights. In so doing, those citizens were in danger of losing their livelihoods and their way of life.

May this inspiring story of American faith, courage, and determination serve as a beacon for all those who read it. May it also serve as a model for others in defending their own rights whenever this specter rears its ugly head.

Five years after the actual events, in which much has occurred to overshadow those events, nothing can erase their importance or their impact...then, now, or in the future.

The time has come for this author to tell the story.

*Jeff Head Emmett, Idaho, January 2006.* 

#### Acknowledgements

There are too many individuals who gave of themselves, their hearts, their minds, their time, their means, and their body and soul to list all of them individually. Nonetheless, there are some I simply must mention.

To those farmers and their friends in Klamath - Joey, Danny, Barron, Barbara, Marni, Gavin, Mike, Bob, Gaylord, the Bill(s), James, Stan, Rick, Jim (God rest his soul) and Mary - thank you for showing me what true Americans can accomplish when they courageously stand. Thank you for graciously allowing me, a misplaced Texan living in Idaho, to be a part of your struggle. God bless, keep, and prosper you all.

In addition, to a few of the tens of thousands who came from all across the country to help - Sean, Rocky, J.J., Jared (my son), Brian, AuntB (Billie), Mary, the Dave(s), Bill, Christie, Phil, and Tom - thank you and God bless and keep you for helping. All of you, with all the others who came, made a huge difference. In the end, the numbers mattered a lot to the Administration and impacted the course it ultimately chose to take.

To all those who helped either actively at the head-gates or at home, on the internet, getting signatures, writing letters, making calls, posting on forums, or in other ways - thank you, and may God bless you.

To some of the web sites that supported the farmers and made a huge difference in garnering the much needed support - Freerepublic.com (Jim, thanks and God bless), SierraTimes.com (J.J., again, thanks and God's best to you), the Frontiers of Freedom, KlamathBasinCrisis.org (where I initially learned of the troubles), and KlamathBucketBrigade.org. Thanks for providing a revolution in the way news gets out. We are all better for it.

Finally, thanks especially to my wife (who edited this work), my children, my father (God rest his soul), and my mother for putting up with me as I gave myself to this cause. My love for you, my faith in God, and a desire to avoid similar circumstances fueled me. I have been taught from my youth that if we help others in such circumstances, we ourselves will find help when we are in need. That is what I tried to do.

The good farmers of the Klamath Basin faced a crisis of tremendous proportions in 2001, and in many ways they still face it today. But with the help they received, coupled with their own courage, commitment, ingenuity, and faith in God and their fellowman, they prevailed and got through.

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## THE STAND AT KLAMATH FALLS

## THE BACKGROUND

#### THE BACKGROUND

[Thanks to the Klamath Bucket Brigade and the Klamath Basin Crisis web sites for material regarding this background section. Also reference, "The Klamath Project," by Eric A. Stene.]

#### Klamath Basin, 1903 - 1988

Under provisions of the Reclamation Act of 1902, California and Oregon gave lake and wetlands areas in the Klamath Basin over to the federal government to drain and reclaim for homesteading for agricultural use. The U.S. Government declared that it would gather all the water rights in the Klamath Basin for use by a proposed Klamath Project that would be created therewith. Under Section 8 of the Act, those water rights would then attach to the irrigated land as an appurtenance, which is defined as an incidental right attached to a principal property right and passing in possession with it.

The Act stated that the appropriation would be in conformance with state water law. Under those laws, the water was required to be put to beneficial use within the Klamath Project. This was affirmed in Title 43, Chapter 12, Sub-chapter 1, Section 372 where it states:

> "The right to the use of water acquired under the provisions of this Act shall be appurtenant to the land irrigated, and beneficial use shall be the basis, the measure, and the limit of the right."

In October 1903, John T. Whistler, Oregon District Engineer for the Reclamation Service, investigated the Klamath region at the request of Fredrick H. Newell, who would later become Director of Reclamation. Whistler recommended a controlling dam at the lower end of Upper Klamath Lake to retain enough water to irrigate 200,000 acres. In 1904, Newell visited Klamath and assessed the project's possibilities. While delivering a speech to a large audience there, Newell said he believed that then Secretary of the Interior, Ethan Allen Hitchcock, would approve construction of the project.

Approval of the Project rested on adjudication of all water rights that were either vested or could conflict in the area; surrender of rights on both the Lower Klamath Lake and Tule Lakes; cessation of rights and title to the federal government by Oregon and California for Lower Klamath and Tule Lakes; and Congressional approval. By late April of 1905, all water rights had been adjudicated and settled. By that time, the local farmers had already organized the Klamath Water Users' Association, the Oregon and California legislatures had passed all necessary legislation, and the United States Congress had approved the specific project. The project was authorized by Ethan Hitchcock for \$4.4 million in May of 1905. An allocation of \$1 million was immediately authorized by the federal government.

Construction on the dams and canals and other projects that made up the Klamath Project commenced in 1906 and continued steadily on various portions until April of 1912, when the Lost River Diversion Dam was completed. Since that time, numerous additions and modifications have been made which have increased the irrigation coverage of the Project.

Before the Project commenced, the wetlands within the Basin historically totaled nearly 360,000 acres. Many of these wetlands were separate from the Klamath River drainage and served as evaporation sinks in their respective areas, evaporating over a million-acre feet of water each year. As the Project progressed, these lands were drained and made a part of the irrigation works, and then offered for homesteads within the Project. Many of these homesteads were awarded to war veterans (World War I and II) by lottery. As a result, the Klamath Project ultimately would irrigate a total of 210,000 acres of farmland, leaving remaining wetlands totaling over 141,000 acres.

In 1957, Oregon and California formed the Klamath Compact, to which the United States government consented. This established the following hierarchical priority of use for conflicting water appropriations: (a) domestic use; (b) irrigation use; (c) recreational use, including use for fish and wildlife; (d) industrial use; and (e) generation of hydro-electric power.

In all, an agricultural economy of over \$300 million has been generated by the Klamath Project. By the 1990's, the Klamath Project involved approximately 1,400 farming families who grew a variety of crops from barley, wheat, and potatoes to oats, sugar beets, and forage. Here is their story.



The Klamath Basin as seen from Stukel Mountain.

# THE STAND AT KLAMATH FALLS

THE BUILDUP

#### THE BUILDUP

[Thanks to the Klamath Bucket Brigade and the Klamath Basin Crisis web sites for material regarding this buildup section.]

#### 1988 - April 2001

In 1988, the U.S. Fish & Wildlife Service listed both the shortnose and Lost River sucker fish as "endangered" under the Endangered Species Act (ESA).

In the drought year of 1992, the U.S. Fish and Wildlife Service recommended that Upper Klamath Lake be kept above a certain minimum elevation over 4,130 feet during summer months. For the first time in the history of the Klamath Reclamation Project, irrigation deliveries were curtailed at the end of the growing season for the so-called endangered fish, and in direct opposition to the water rights of the farmers and the basis for those rights as defined by Acts of Congress and state law.

In 1996, the Bureau of Reclamation agreed to meet certain minimum in-stream flows below Iron Gate Dam to protect habitat for Tribal Trust resources in anadromous fish (fish that ascend rivers to spawn, as salmon do).

In 1997, Southern Oregon and Northern California Coastal Coho salmon were listed as a "threatened" species under the ESA.

A 1999 biological opinion from the National Marine Fisheries Service concluded that Klamath Project operations would affect, but not likely jeopardize, Coho salmon.

In 2000, a controversial study using experimental technology was published by Dr. Thomas Hardy, a Utah State University hydrologist. The "Hardy Flow Report" called for in-stream flows far higher than those earlier set, or those agreed to by the Bureau of Reclamation in 1996 to protect the anadromous fish. A suit was filed by environmental, tribal, and fishing groups to enjoin the Bureau of Reclamation from operating the Project without a current biological opinion for the Coho salmon. Judge Sandra Armstrong subsequently ruled that the Project may not be operated without adequate flows sent downstream to protect the Coho salmon.

Following a declaration of severe drought for the Klamath Basin in 2001, a new biological opinion from the U.S. Fish & Wildlife Service called for a minimum elevation in Upper Klamath Lake to be raised to 4,140.0 feet above sea level (with no tolerance for lower elevations in drought years) for the "endangered" sucker fish.

In addition to this ruling, a new biological opinion, based on the Hardy report, called for increased flows below Iron Gate Dam to protect Coho salmon habitat.

This was devastating to the farmers who had water rights to the irrigation water as part of their property rights. In addition, anyone with any practical knowledge of the sucker fish knew that the species would not go extinct if those levels were not sustained because the sucker fish were capable of maintaining their habitat in some of the lowest water conditions possible. These same fish were typically regarded as "trash" fish throughout the West, and eradicated in many areas because of their propensity to be harmful to other species when sucker fish populations became too high.

This set in a motion a tragic chain of events because analysis of the studies underlying the opinions showed that requirements for the two species (sucker fish and Coho salmon) would appropriate all of the water available in a normal precipitation year. In fact, in a study of historic flow data taken from the previous 36 years, annual flow targets were met in only 13 of those years, and monthly targets were not ever achieved. It was obvious that operations consistent with these biological opinions would rarely, if ever, provide water for irrigation.

On April 6, 2001, the Klamath Project "water allocation decision" was announced, stating that based on the biological opinions and the requirements of the Endangered Species Act, there

would be no water available from Upper Klamath Lake to supply the farmers of the Klamath Project.

A suit by the irrigators to prevent implementation of the decision failed on the basis that requirements of the Endangered Species Act supersede all other obligations of the Project.

It was at this point, through surfing the internet and direct contact by friends in Oregon, that the author personally became aware of and involved in the situation in the Klamath Basin.

#### **May - June 2001**

The farmers in the Klamath Basin organized and petitioned their government for relief and redress to these conditions. They were literally being driven out of business and off the land to which they had property and water rights by flawed and frivolous opinion, law suits, and a judge's decision.

In May of 2001, a rally sponsored by the newly-formed Klamath Bucket Brigade was held in Klamath Falls, Oregon, where 20,000 people demonstrated their support for the farmers and asked for the decision to cut off all irrigation water to these land owners be reversed. U.S. Senators, U.S. Congressional Representatives, state representatives, federal administrators, and state and local officials were all on hand to hear what the farmers and their supporters from all over the country had to say. Individuals from all fifty states of the union formed a bucket brigade and symbolically hauled water in fifty buckets from Klamath Lake into Canal A, the principal irrigation canal for the Project. The officials - federal, state, and local - all indicated their sympathy for the farmers and a desire to work for the farmers to somehow change the situation.

Then they all went home and nothing happened. No water flowed in May or June.

Many families became desperate.

An online petition, started by the author of this book, was initiated in late June. Later, in early July, it was placed online at www.petitiononline/klamath/. It was written to petition the government for redress and reversal of these untenable decisions and conditions. Thousands of signatures began to be gathered.

At the same time, an online contest at the Klamath Basin Crisis web site was held to create a bumper sticker representing the extents of the crisis. The author's design was chosen containing the slogan...

"IF KLAMATH FALLS, THEN WE'RE ALL A BUNCH OF SUCKERS"

One night in late June, a single individual opened one headgate to Canal A. The Bureau of Reclamation immediately closed it. A July 4th rally protesting that closure resulted in the gates being opened again by several dozen farmers and their supporters. At that point, the federal government sent two U.S. Marshals to ensure that the gates stayed closed.

Later that week, a vote in the U.S. Senate to reverse conditions was defeated.

With no relief available, financial ruin at their door, and their rights being trampled by the government that should have protected them, a few courageous farmers and their supporters chose to act. What follows are eyewitness and participant accounts of the actions of those farmers and their supporters.

# THE STAND AT KLAMATH FALLS

#### THE STAND AT KLAMATH FALLS

[Eyewitness accounts by the author and others of the actions at the Canal A head-gates and their impact.]

I was an eyewitness to events in Klamath Falls at the irrigation head-gates to Canal A for the Klamath Project from Friday evening, July 13th through Sunday afternoon, July 15th. I wanted to write down my account for my own family and posterity, and for any who have an interest in reading about real Americans, full of the spirit that made this nation great as they stood up against our own modern form of the "king's tyranny."

#### Friday, July 13, 2001 Klamath Falls, Oregon, Canal A Head-Gates

I drove to Klamath from the Boise, Idaho area after being informed by email and seeing on the Internet that a group of farmers had opened one of the head-gates and was determined to hold the head-gates and keep it open. I verified this information through a local farmer that I was in contact with named Bill and his son, James, who drove over to the head-gates and called me from there informing me that one gate was indeed open.

I was determined to stand with these farmers against the unbelievably reprehensible actions of the federal government in completely shutting off the irrigation water to over 1,400 farming families - a whole basin full of farmers. The stated reasons were frivolous and an assault on the senses and reasoning of any individual with a love of liberty in their soul and a drop of loyalty to our Constitutional Republic running in their blood. Such an action by our own government could not be allowed to stand, any more than the founders of this nation allowed the actions of the increasing tyranny of their day to stand.

I arrived at the head-gates around 11:30 p.m., perhaps a little later. James met me at a nearby Safeway and guided me to the headgates where I met his father, Bill. I found about fifteen local people, mostly farmers, sitting around in front of a gate to the facility, talking and passing the time. They all introduced themselves to me and greeted me warmly, several of them recognizing my name in association with the online petition created on their behalf. Two or three of their number were women who were standing there with the farmers in complete support.

I asked where all of the other local support was. They informed me that quite a few had gone home earlier after they opened the gate and that these were staying the night to protect the gates and keep the water on.

I didn't think it was enough.

I asked them why they weren't camping out on the head-gate itself and they informed me that the sheriff had requested that they stay there outside the front gate. They also informed me that they had stood down two federal marshals only an hour or two earlier. The way they did it is a story in itself that needs to be told. It was related to me by Joey, one of those there that night, and several of his compatriots.

When the gates were opened for the third time on July 4th in defiance of the court order, the U.S. Government had dispatched two U.S. Marshals to Klamath Falls to investigate and keep it from happening again.

When news reached them that the gates were opened again on July 13th and that a group of farmers were holding the gates, they proceeded there with several other officers. Upon arrival, the two marshals immediately got out of their car and began to approach the group of fifteen or so farmers in a very serious manner intending business, while their "backup" was parked on the road on a little rise above. As they approached, the farmers and their supporters gathered together in front of the entrance and...began singing hymns to the U.S. Marshals!

The marshals were completely taken back.

They stopped cold, as if though running into a barrier, and backed up to their car. Several of those faithful farmers believe that God in Heaven took a hand on their behalf that day. Well, our own nation's founding is full of such events where many witnessed Heavenly help that allowed them to overcome vastly superior forces. Patrick Henry himself, in his famous "Give Me Liberty or Give Me Death" speech indicated that, "Beside, Sir, we shall not fight our battles alone. There is a just God who presides over the destinies of Nations, and who will raise up friends to fight our battles for us."

Who is to say it is not so?

When the Marshals reached their car, they spoke between themselves. After a moment of discussion, they talked to the sheriff who had arrived and was apparently observing, and then left the scene.

Joey and his compatriots were convinced that the U.S. Marshals would not be back and that massive numbers of supporters were coming the next day. Despite the fact that I knew more support for the farmers was coming the next day and I had already done my part by email and cell phone to help generate it, I was sure that the marshals would be back...and in numbers.

I voiced my concerns and asked if someone would take me on a recon of the area. Joey did. I found that another gate in the fence surrounding the head-gates was located in the back where no one was camping or sitting. Beyond that gate was an access gate controlling access to the head-gates on the road up by a subdivision on that side.

I suggested to those there that perhaps some vehicles should park over there and some of our numbers stay the night there. I also suggested that the cars on the front side be bunched up in front of the gate to control the access that existed. I suggested that the U.S. Marshals were very smart and no doubt had a layout of the entire area. They had to know that there were two gates and we would need more people in order to prevent them from getting in.

When the local farmers and their supporters voiced a fairly united thought that everything was okay, I asked if I could park my

Tahoe in front of that other gate for the night. They agreed and I did so. I did this, of course, because I intended to sleep in my vehicle and it was much darker over there by that gate, which would allow me to sleep more soundly (in case anyone is wondering).

We then talked through the night and reviewed the entire situation, the appalling nature of it, how none of us expected to ever live to see the day of such tyranny on our own shores at the hands of any government, let alone our own. Some singing took place, quite a bit of praying took place. One prayer asked God to consecrate that place as a place for liberty. As events will ultimately show, I believe He did.

#### Saturday, July 14, 2001 Klamath Falls, Oregon, Canal A Head-Gates

As the sky lightened in the east, I was very nervous. Every few minutes a large, government-looking SUV-type vehicle, like those the farmers had said brought some of the U.S. Marshals the day before, passed by slowly on the road. There was no doubt in my mind that we were being watched closely and that plans were being made.

Four a.m. passed without incident. Five a.m. passed without incident and now it was getting light. Six a.m. came and went...and several of those who had been sleeping in their cars were awakening. I began to think that perhaps we would be spared a visit by the authorities. Those thoughts were premature and short-lived.

At approximately 6:10 a.m., maybe a few moments later, we saw many law enforcement vehicles approaching on the main road. They all began turning in at the head-gates and headed toward the front gate where we were sitting.

Shouts of "OK boys, it's time" and "Time to stand up" rang through our midst as we gathered around the main gate in the fence...all fifteen or so of us.

Twelve to fifteen vehicles and two motorcycles disgorged twenty-five to thirty officers - all of them local. Local police and sheriff's deputies...there may have also been a couple of state police. When we saw them getting out and the local police chief urging calm...it was then that we looked over our shoulders and saw that about a dozen U.S. Marshals had entered in the back gate while our attention had been diverted to the front gate.

It was a very crisply executed flanking maneuver. The U.S. Marshals had been slowed down a bit because they had to park their vehicles at the second gate and walk in around my Tahoe, but by the time we saw them, they were already making their way across the head-gates and had taken possession of them.

The Agent in Charge, an older gentlemen, walked up to the gate we had been defending and stated the obvious; that they were taking possession of the area and securing the facility for the federal government. His agents positioned themselves between us and the head-gates, all carried weapons under their U. S. Marshal jackets. They had their arms folded, their feet apart...and a look of determination and smugness, almost arrogance, on their faces.

There was nothing left to defend, the head-gates were back in the government's control and they would soon be closed.

The Agent in Charge asked us if we had the key to lock the gates.

"Key?" one of the farmers said.

"Yes, the wrench or pry bar or whatever you used to open the gates," he said.

Everyone indicated they didn't know where it could possibly be and that maybe it had fallen in the lake. The Agent in Charge commented to everyone that he was just doing his job - and that drew comments regarding the Nuremberg trials after World War II and that others had once, "just been doing there job." Then the Agent in Charge asked who owned the black Tahoe with the Idaho plates.

I indicated that it was mine and he asked me to accompany him into the head-gate area. I thought I was going to be arrested. He asked me if I knew it was a crime to block a federal facility. I responded that it was not my intent to "block" it, but that that area was dark and provided a good place to bed down and sleep.

He responded by telling me that I must think I was really some kind of smart (explicative), didn't I?

I responded by asking him if he really knew what it was that he was doing there? He said he did.

I said that I didn't mean his spiffy little operation against a handful of farmers that morning, I meant the fact that his actions were helping destroy over 1,400 innocent American families, their livelihood, and their way of life.

He said he understood and I replied that he most certainly did not. Not until his job and livelihood were taken away frivolously by his own government and that same government sent armed men to ensure it stayed that way, could he possibly understand. He again said he was just following his orders.

I asked him if his orders had been to line us up in the ditch and shoot us, would he have followed those orders too?

At that he became agitated and indicated that I should "get out of there" and told me to move my car. He turned and left and I went and got my vehicle and drove it back to the front gate.

When arriving there, I remember talking to one of the several local police officers who were now maintaining a presence. I believe it was the local police chief. I asked him what their intent had been that morning.

He indicated that the local officers (police and sheriff's deputies) were there to ensure that we moved away from the gate and did not attempt to interfere with the federal officers' occupation of the head-gate. He said they would move us physically, if necessary, and arrest anyone that resisted under federal charges of blocking access to a federal facility.

I said, "So this means you would have arrested local people?" He said, "Yes, if they had resisted moving out of the way."

The mood was somber at the front gate. They had worked hard to open the gate manually and they had felt vindicated when they stood down the two U.S. Marshals the day before. Now they had lost it again. Their reaction? They clasped hands and prayed. I believe, as events will indicate, that those prayers were later answered.

In the meantime the Bureau of Reclamation began to close the head-gate the farmers had opened.



Local Farmers Opening the Head-Gates



U.S. Marshals take control of the head-gates



U.S. Marshals watching the protestors



Local farmers pray after losing control of the head-gates.



Official closes the head-gates.

As the morning progressed, a larger and larger crowd gathered at the main entrance. Some also began gathering at the back gate.

There was lots of speculative talk. The U.S. Marshals left about eight men to guard the gates through the day. We wondered how many of us it would take for them to back down to overwhelming numbers and not try to arrest us by force if we crossed the line. It was thought that it would take two or three hundred to cross...I wondered if we'd find that many willing.

As the day progressed, a lot more folks began arriving at the front gate. Many from the local area, but an increasing number arrived from outside the area to show their support.

J.J. Johnson, the editor of the Sierra Times online news source, arrived. Several other online conservative organizations were also represented, including FreeRepublic.com (a site where constitutionally-oriented people gather online to speak and become involved in current events), and Frontiers for Freedom. The mood was somber, with a strong undertone of frustration and anger. This can easily be understood when one contemplates the fact that these families were being destroyed. Many things occurred throughout the day. All of the American flags that people had brought and were flying around the entrance were turned upside down to indicate the extreme distress.

One lady by the name of Barbara Martin very passionately pleaded with the U.S. Marshals to consider their actions, what impact they were having on innocent men, women, and children who simply wanted to farm. She stood there asking them if they had any children and how they would feel to have no water for their plants or yards or livelihood.

As I say, she was very effective (and also became one of the principal organizers of future activities). On several occasions, the U.S. Marshals turned around and would not look at her. I believe she was getting to them.

On another occasion, a local firm had apparently been called to bring in portable potties for the Marshals. As the truck arrived and local people saw what firm it was...several of them called the owner of that business. I was standing near one prominent individual who indicated to the owner that he would lose all of his business and that of everyone he could talk to from then on if he delivered those potties. As he was talking, I watched as the driver of the truck (which had already entered the "compound") listened to either a cell phone or his radio and then turned around and drove away without unloading.

Later, a local man of large stature approached the gate. He knew the Agent in Charge personally. He stopped at the gate and yelled at the U.S. Marshals:

"You tell Agent so-and-so (I can't remember the name) that I am out here and want to whoop his ass. He'll know who I am."

Sure enough, the Agent in Charge came out and these two men had a conversation at the fence. It was obvious they knew each other fairly well. The local man asked the agent "what in the hell" he was doing there. The agent said it was the last place he wanted to be. The local man was disgusted and said he was helping ruin so many families. The agent said something about his job and the local man just gave him a look of disgust.

I can't remember all that was said...but I counted well how such events were creating dividing lines...as well they should...even between old friends and acquaintances who find themselves literally on opposite sides of the fence.

A rally was held at 2:30 p.m. and some good speeches and good singing were had. A local gospel group sang, the pledge of allegiance was said, and the national anthem was sung. The federal officers did not stand at attention, salute, or even stand still while this was going on.

Many in attendance were surprised as they expected them to show at least some respect for the national anthem or the pledge. J.J. Johnson gave a tremendous address on rights and how critically important it has been throughout our history to stand up and fight for our rights. He made it plain that it is equally important today.

I spoke regarding the travesty of this situation and appealed directly to the U.S. Marshals to consider their oath to the Constitution and recognize that their job had become to destroy innocent, patriotic, hard-working Americans. I urged them to turn away and to consider soberly their choices, to consider that a government and its officers could push good people too far...that it had happened before.

As the afternoon wore on, we had maybe three hundred people there at the height of the day.

Frustration among the farmers grew.

More and more local people from Klamath Falls joined the farmers present in recognizing that the water simply needed to be turned on. Many vowed to maintain the vigil, the "siege" of this new federal "compound" until the gate was opened. One of these was Marni Morrow. She spoke passionately about the plight of the farmers and how their rights were being abused. She is a proud member of the Klamath-Modoc-Yahooskin Tribe and was in complete solidarity with the farmers. Her words rang so true! Late in the day, I spoke to a county commissioner who had arrived. I asked him why the county had not acted more strongly. He indicated he supported "first amendment rights to free speech" like this gathering, but couldn't support anything illegal. I asked him what about the illegality being conducted by the federal government against the people of his county. He said that's what the courts are for. I indicated that such a course would only ensure that these people were pushed off the land, that such a course took too long. His answer was simply he couldn't support anything unlawful.

That evening, I somewhat discouragingly turned in at about 8:30 p.m., having gone the last 40 hours without any sleep. I planned to leave the next morning fairly early if we didn't come up with some action to take, something to answer the federal tyranny occurring around us. Talk and more talk had only led these good people to the brink of destruction. Their officials weren't listening...and apparently had no inclination to do so.

In retrospect, however, one critical factor that first day was the communication we had - at first via cell phone, and later on in the crisis via the internet. Throughout that first day, calling people who posted on the internet, and later posting directly captured the attention and imagination of first thousands, then tens of thousands, and ultimately hundreds and hundreds of thousands. Many came to the head-gates based on cell phone calls to individuals, web sites, and radio talk show coverage, as well as due to internet postings. Many people began contacting their friends and relatives...and their congressional representative regarding the crisis. What might otherwise have remained a local event...more and more percolated up into the national spotlight.

I believe that such communication played a crucial role in how the crisis ultimately turned out. It can be a model for future efforts to fight similar travesties and out-of-control activities of government or radical lobbies directed at traditional American values whenever and wherever they raise their ugly head.

#### Sunday, July 15, 2001 Klamath Falls, Oregon

The next day dawned bright and clear. About thirty people had spent the entire night there. Fairly quickly, others began to arrive. Local folks unselfishly made a great breakfast of bacon, eggs and orange juice for those of us who had stayed the night.

During the night, the guard had changed. We were now looking at U.S. Park Service Police who had been brought in from San Francisco. They had their uniforms on with their weapons and night sticks which were prominently displayed.

Very early on, a group of the farmers and local people met to discuss plans. Several good go-forward plans were discussed and agreed upon. In my mind, none of them really addressed the immediate situation, or did so forcefully and convincingly enough. Something needed to happen today. The initiative had to be reacquired some how...but how? Armed men guarded the water.



Park Service Police man the head-gates

Then, fitting for a Sunday, there was inspiration. Almost simultaneously from two of us, an idea blossomed. What did the Feds expect? Charging the head-gates to take control of them? More protesting of their actions but nothing more?

Why give them what they expected? Why not find a way to relegate their plan to guard the head-gates irrelevant?

Why not by-pass the head-gates?

Why not use what this thing is all about...water, irrigation equipment, pumps, and pipes to fight back?

This idea took hold like wild fire.

"Yes, we can do that!" they said to themselves.

"Well, we sure enough know how to do that!" they exclaimed.

"Let's make it happen! DO IT!"

Several farmers I had come to know and respect over the last two days fanned out across the community and the basin to gather supplies and equipment.

The idea continued to grow and gain momentum. Everyone who heard of it embraced it, loved it, and was willing to become actively involved in it

"That'll show 'em," I heard several people say.

From another, "Let 'em guard a gate we don't even use."

In confidence, the plan was shared with those monitoring the Internet forums and discussion boards so they would be ready to announce it the moment it occurred. A rally was planned for 2:30 p.m. so it could be turned on during the rally and to mask the laying of the pipe with the preparations and the numbers of people. The media was told to be sure and be there, but *they* were not told why.

The location for placing the pump was determined. A suitable place to discharge the water was found. It would be through a natural

drainage near the front gate...right in view of the press and the federal officers.

I and another stepped off the distance to determine the amount of pipe required...180 yards. That would be 540 feet...better get 700 feet of pipe just to be sure.

While we waited, I had an opportunity to talk to one of the Park Service Police who had walked over next to the fence. The conversation went something like this:

AUTHOR: "Excuse me officer, can I ask you something?"

- PARK SERVICE OFFICER: Sure, I can't promise I will answer though." (I was surprised he spoke at all.)
- AUTHOR: "Okay, here goes. Meaning no disrespect to you personally, but being direct...are you aware that your job here today is to assist in ruining 1,400 innocent, hard working, patriotic American farmers?"

PARK SERVICE OFFICER: [No response.]

AUTHOR: "If you weren't aware of it...you are now. Let me ask you ..how many families would be too many? When do you stop? 5,000 families...10,000...50,000? What if your job next week was to have that ditch over there filled with people and then gun them down? Would you still just be doing your job?"

PARK SERVICE OFFICER: [No Response, walked away.]

An undercurrent of excitement grew in the crowd. Many knew what was coming, others guessed something was up. I'm sure the federal officers wondered what those pesky farmers could be up to. Several of us would walk up to the chains locking the entry gate every few minutes and take their measure. Rattle them a bit, take a hard look at the hinges, just to keep the federal officers wondering....just to keep them diverted from our intentions. More speeches were given. More appeals to the federal officials, more direct appeals to the new officers guarding the facility. The rally began as we waited for the irrigation equipment.

The pump arrived and some farmers started setting it up to feed from the lake a hundred yards above the demonstrations site.

Pipe was offloaded from a trailer that one of the farmers had towed to the site and we began to lay it towards the canal.

Then, a crisis developed.

As I watched while two of the farmers were preparing to prime the pump, a state trooper saw what we were doing and raced up to see exactly what was going on. When he saw the pump and the pipe, he began to speak.

STATE TROOPER: "You really don't want to do this."

1ST FARMER: "Oh yes we do." (As he continues working.)

STATE TROOPER: "No, you REALLY don't want to."

1ST FARMER: "I'm not in charge here, I'm just a worker bee." [As he continues working.]

2ND FARMER: "Sir, why can't you just drive along. This is not hurting anything."

STATE TROOPER: "We're not going to escalate this. Are you prepared to go to jail...to be arrested?"

1ST FARMER: "Yep" [He interrupted his work for a moment and reflected before answering.]

STATE TROOPER: "I can't let you do this."

1ST FARMER: "Well, we're doing it." [Continued working and reached to turn engine on.]

STATE TROOPER: "Now don't do that! DON'T turn that on."

1ST FARMER: "Too late." [As engine turned over briefly to prime pump.]

STATE TROOPER: [Approached trailer and pump.]

AUTHOR: "Sir, I believe there's a jurisdictional issue here. This is city property." [As I stepped in front of OSP.]

STATE TROOPER: "You're that guy from Idaho. You aren't from around here. You don't belong here. You get the hell back."

AUTHOR: "I'm an American citizen and last time I checked, Oregon is a part of America. I have every right to be here and you'll have to arrest me first."

The officer went to his car and began driving towards the city police cars over near the demonstrations.

I told the guys to "keep on keepin' on" and ran to the demonstration. Barbara helped me gather about fifty people and we started back to the pump, about 100 yards away.

Along the way, I told the folks...senior citizens, grandmothers, local men, women, teenagers, and children..."We're going up here to form a human shield around these farmers so they can get this pump going. You may be arrested. If you're not in for that, you'd best leave." Not one turned back.

We got to the bridge and formed up, linking arms. Here came the local police. He passed us and turned around. He pulled up to the end of our line and talked for a moment to a grandma he appeared to know. He pulled up next to us and indicated he needed to talk to those farmers. A teenager in front of me said, "You'll have to arrest us all to do that."

The local police officer looked down, shook his head and indicated that we should just make sure we stayed out of the road... and then he drove away!

I was SO proud of those folks. They knew what was right and they were willing to stand for it.

I was also so proud of those two farmers on the pump. They stood resolutely. They had made their decision and would not be deterred. Threats of arrest or violence had no bearing. That rolled off of them like water off a duck's back. I was humbled beyond words. God bless them all!

The last pipe was laid and hooked up. Now it was time. The Feds were watching and had figured out what was coming. The last segment was attached. The pump was turned on. A few moments later, out of an 8" pipe...THE WATER FLOWED!

Cheers went up. A great chant was started, "LET THE WATER FLOW... LET THE WATER FLOW!"

It was heard live over the Internet. Pictures were taken. The headline we desired?

#### **FARMERS OUTFOX FEDS!**

Looking over the top of the discharge pipe as that water poured out, you could see the federal officers who had moved over directly across from the discharge. They had their arms folded, their feet apart and a look of incredulity on their faces!

As if to say, "Uh, what are we supposed to do now?"

A few moments later a local police officer announced that the local federal Agent in Charge was willing to make a concession. To avoid erosion, he would allow two of our number to enter the "compound" and lay pipe from our discharge to the canal so the water poured directly into the canal.

A local individual removed gum from the key hole in the lock on the gate so the federal officers could open it, and another cheer went up as two farmers entered the area and assembled the pipe.

When that water was turned on and began pouring directly into the canal, another great cheer went up, and once again the chant:

"LET THE WATER FLOW! LET THE WATER FLOW!"

The local police officer indicated to me personally that the federal people would not contest this development. It was not on the property they were instructed to protect. He also indicated that the federal agents just had one question, "Why didn't the farmers use a larger pipe?"

That can be fixed.

I can't begin to thank all of the people there, or list them all. There were the local supporters, the folks from FreeRepublic.com (Aunt B, including her hubby), J.J. Johnson from Sierra Times, and the folks from Frontiers of Freedom. Most importantly, I thank those farmers, the relatively small number of them who had seen that they must act in order to address this. While it is certainly preferable, it does not take a majority to stand for fundamental moral principle and liberty, it does take commitment, courage, unwavering dedication, and a willingness to sacrifice. These people knew they had been led along, they have been lied to...but they had also been underestimated. They just wanted their water back so they could farm.

Later that day, glowing from the events, filled with pride for the ingenuity and determination of these farmers, I prepared to leave.

Several of these good gracious people came up to me and thanked me for coming. They offered their homes and their sustenance. They said if I was ever in need to call. They said to be careful. It is I who should thank them...and I do.

So, I drove back to my home in Idaho, to a valley that was green and water still flowed...I drove with a commitment to return to Klamath Falls if conditions did not improve, and especially when those gates were again opened so the water that those folks owned and depended on for life was returned in full measure to them.

#### Tuesday, July 17, 2001 Klamath Falls, Oregon

This evening, at approximately 7 p.m. Mountain Time, the first 10,000 signatures on the Petition had been gathered.



Farmers set up irrigation pump into Klamath Lake




Farmers laying irrigation pipe past the head-gates.

Demonstrators start lining up to shield farmers



Farmers connecting irrigation pipe past the head-gates.



Water flows into Canal A from irrigation pipe.





Gate is opened to allow farmers to lay more pipe.



Water flowing directly into the canal.

## Friday, July 20, 2001 Klamath Falls, Oregon, Canal A Head-Gates

I arrived back at the head-gate on Friday, July 20, 2001 with my eleven-year-old son, Jared. We were well received as many of the same folks from the week before were present in the growing crowds. The encampment had grown significantly larger in the few days I had been gone, and there were a couple of large pieces of construction equipment parked there...right in front of the gate, sending a silent but clear message to the federal personnel guarding the head-gates.

I introduced my son and displayed one of the reasons why I had returned on that day...our petition had gathered its initial 10,000 signatures two days before and true to the commitment on the petition, I was going to present those 10,000 signatures to the local government officials.

We had been trying to get there in time to ride in the Horse Brigade that would be coming over the hill behind the head-gate. Our friend Bill and his son James were holding two horses for us. Unfortunately, we got there just as the first riders were assembling at the top of the hill...too late to ride, but not too late to swell with pride!

The riders formed up and came from behind the hill which was in back of the head-gates. They then gathered on the ridge and then snaked their way down the hillside to gather in front of the rear gates where the federal marshals had made their entry just under a week earlier. Sadly, during their transit there was a mishap.

Marni Morrow, who as a native American had spoken so courageously on behalf of the farmers, was kicked by another horse while riding her own. Her leg was shattered and she had to be taken to the hospital. But the ride had to continue and about 150 horseback riders participated, most of them carrying American flags turned upside down to signal the great distress to liberty represented by these reprehensible events.

The site brought tears to my eyes as I contemplated the work, the vision, the promise of dry parched land irrigated by water which the farmers owned...and those tears turned bitter by a betrayal of the highest order by the very government many of these people themselves had fought to defend.

My son, Jared, took the camera and became the cameraman for the next three days. He took most of the pictures in this installment of the eyewitness accounts of the stand at Klamath Falls.

The entire area had changed since the momentous events of the Sunday before. The crowd had grown. The accommodations for that crowd in terms of tents and sound systems and food had grown as well. All of it provided was free of charge by the farmers, caring citizens of Klamath Falls, and supporters who had come to stand with them. But the spirit remained the same...strong and determined...as evidenced by the Horse Brigade and its ride down the hill behind the head-gates.

Large-diameter PCV pipe and heavy equipment bore unmistakable testimony of those farmers intent to have their water rights, to irrigate their land, to grow food for the nation just as their fathers and their fathers before them. Pitted against all of this was the continued presence of armed federal guards standing between these loyal American farmers and their water. They were U.S. Park Service Police from the Department of the Interior, federal police whose jobs it was to be the point end of the sword to enforce a decision which was destroying 1,400 American families and their livelihood...their very way of life.

We continued to talk to these men. We continued to try and impress upon them the need to mark well their presence...their job there. Tyrannical governments do not start with the rounding up and shooting of citizens. They start with the marginalizing of different classes of people...the driving them off the land into poverty, the dictate of livelihood and career. These officers needed to understand the path they were on and the key role they played. If the "policy makers" had no one who would execute their increasingly reprehensible "decisions," they could not advance their agendas.

I spoke of all this a few moments later when I was given the chance to speak to those gathered and announced the fact that the next day at 5:30 p.m. the petition would be delivered to the local sheriff. I

was then asked to lead several of these fine folks in a prayer for their efforts, their water and their liberties. There was some talk by those newly-arrived who had not been a part of the momentous events of the prior weekend to "step back," "calming down," and so forth. I spoke against this. What was occurring here was the result of the brave and committed actions of a few...a few who would not compromise their fundamental rights. I indicated that it was my impression that such an attitude must continue. Pump more water around the federal police guarding the farmers' water...keep driving home the point that fundamental rights are not up for arbitration or compromise. When you compromise fundamental rights, you lose them. The entire history of this event was a testament to that fact.

After speaking, I spent the day talking with Bill, James (Bill's son), Barron, Grant, Bob, Danny, Joey, Gavin, Barbara, John, and the many others I had come to know and respect from the last week's experiences. In addition, throughout the day several individuals from the FreeRepublic.com web site came up and introduced themselves. It was good to see so many folks I'd conversed with - a few of whom I had been involved with in other activities - including Washington\_Minuteman, Phil V., Jolly Rogers, Socks, B4Ranch, AuntB, and several more.

A wonderful meal was served to everyone supporting the farmers. It was free and very tasty. The local folks were so good about feeding us and should be credited and honored for their service. Good food, and good company...too bad it was in such trying circumstances.

After we ate, a good friend, Tom Farenkopf, showed up from Montana. Tom is the owner of OughtSixWear.com, an online t-shirt shop that caters to Second Amendment buyers. We sat and talked and I introduced him to some friends from Freerepublic.com.

My son and I were asked to take a turn guarding the pump that was sending water down the 8" irrigation line we had helped install the week before. We sat right at the location of the tense and memorable events of the prior week where fifty local people stood courageously in defense of two farmers who were preparing that very pump. We, of course, accepted.



Equipment parked in front of the main gate.



Horse Brigade gathers on hill behind head-gates.



Farmer Horse Brigade riders approach the back gate.



The author addresses the crowd at the head-gates.



Bill Oetting, a farmer in the Basin, surveys the situation.



Volunteers prepare meals for the farmers and their supporters.



The author sitting in the shade with Tom from Montana.



Pump for the bypass.

Our shift was from 10 p.m. until midnight. We were designated as Fox-2 and our base was Fox-1. I manned the hand-held radio. Jared and our friend, Mike (aka Washington\_Minuteman from the Freerepublic.com web site), were to be on the lookout for any problems with the pump or the approach of anyone who might otherwise cause mischief. Outside of any emergency, we were to check in every 30 minutes and would be relieved at midnight. At 10:30 p.m., our first call went out:

Sentry: "Fox-1 Base, this is Fox-2 Pump House...come in."

Base: "This is Fox-1 Base. Go ahead."

Sentry: "Fox-1 Base, there are no foxes in the hen house. I repeat, no foxes in the hen house...over."

Base: "Read you loud and clear. Fox-1 Base over and out."

Realizing that our communications may well have been monitored, we made sure a couple of our communications were, in fact, miscommunications to keep whatever other listeners there might have been out there on their toes. The next call at 11 p.m. was:

Sentry: "Fox-1 Base, this is Fox-2 Pump House...come in."

Base: "Fox-2 Pump House, this is Fox-1 Base. Go ahead."

Sentry: "Fox-1 Base, the torpedoes are in the water. I repeat, the torpedoes are in the water."

At approximately 11:15 p.m., a few teenagers walked by on their way to the lake. We greeted them as they passed and they were congenial and interested in how things were going. A few minutes later, it was time for another call-in and some more miscommunication:

Sentry: "Fox-1 Base, this is Fox-2 Pump House. Come in."

Base: "This is Fox-1 Base ... go ahead."

Sentry: "Fox-1 Base, the target is designated and the pickle is hot. I repeat, the pickle is hot."

We were relieved by the next watch just before 12 midnight. That night we slept by the head-gates, just as a smaller number of us had done the week before, only this time we were not allowed in, and the soothing sound of water flowing in the canal was missing.

### Saturday, July 21, 2001 Klamath Falls, Oregon, Canal A Head-Gates

The next day dawned bright and clear. It was another beautiful day, which belied the serious and dark nature of the situation faced by the farmers of Klamath Basin.

A truly great breakfast of eggs, bacon, orange juice, and biscuits was served by the wonderful ladies who volunteered to provide those services for the farmers and those supporting them. Things got off to a relatively quick start.

The Mayor of Klamath Falls came to the site and talked with a number of individuals. I introduced myself and gave him a copy of the 10,000 signatures. Although he wasn't officially on the list, I felt this man's support would be critical and wanted to ensure that he knew what type of "outside influence" existed at the camp. I informed him of the petition, its history, and that there were probably 9,000 of the 10,000 signatures of people who were an "outside influence" expressing their support for the farmers near and in his community...and at the same time exercising their first amendment rights under the Constitution to seek change from their government on these issues. He accepted the petition and indicated he would present it to the city council. I asked him to please read the comments that had come from all over the nation...from every state.

In an effort to continue to show the resolve and determination to get more water to the farmers, we began unloading a trailer of 18" PVC pipe. We placed it along the fence line right next to the 8" pipe which we set up the week before, and which continued to transport water around the head-gates (and the federal personnel) down to the canal. Soon, more water must flow, and in quantities that could help all the farmers water to their livestock and, if so inclined, to put in late hay.

We had no large pump for this pipe and no material to put it together. No water was intended to flow through it...we did it in an effort to make a statement. At the same time, our efforts served as an effectual diversion.

All of a sudden, about a hundred and fifty feet up the way, the padlock on one of the larger gates providing access into the "compound" somehow fell apart (must have been old and rusted through), and a number of sheep and a jack-ass ran into the "compound" to join the federal personnel.

The federal police (U.S. Park Service Police) had to dispatch a couple of their numbers to "herd" the animals. This was not a job they were trained for, disposed towards, or very good at. Nonetheless, within a few minutes the sheep and jack-ass had been herded down the canal away from the head-gates.

About this time, two rowboats approached the gates from the lakeside of the gates. There is a walkway across the inlet that leads to the gates and as the rowers pulled the rowboats across this walkway the U.S. Park Service Police informed them that they were entering the "Federal Area" and they would be subject to arrest. They pulled the boats over and rowed right up to the head-gates anyway. When they could touch the head-gates, they did so while they waved to one of the U.S. Park Service Police who was busy video taping them.

Later, the same individual jumped the fence again. This time, he was cornered on the lake side of the gates and two officers approached him nearer to the gates. When they approached and indicated he was under arrest, this person simply said, "No, I'm not." He then turned around and jumped into the lake.

After the fence jumper exchanged a few pleasantries with the U.S. Park Service Police, one of the police indicated that the water was very slimy and he should swim to them so they could take him out and take him to a clinic for some shots. The individual simply swam away and the Park Police chose not to pursue him.



Farmers moving larger irrigation pipe into place.





Sheep and a jack-ass invade the federal compound.

U.S. Park Service Police video demonstrators rowing to the head-gates.

### **Conversation with the Bureau of Reclamation Official**

All of this activity was clearly "tweaking" the federal officers. Whether it was a result of the fence jumper or whether it just occurred on its own, what happened next became a critical event in the entire affair.

A large white government-issue sedan arrived through the back gate bringing a middle-aged lady in a purple pantsuit and a man with what I would call "made up" hair and wearing a casual safari outfit.

I and several others standing at the fence watched their arrival. The man went behind the pump house with the Park Police Lieutenant (the Agent in Charge) and began talking. The lady stood there and we waved to her. She waved back. We beckoned for her to come to the fence and talk to us. To our surprise, she went behind the pump house and in a few seconds, the Lieutenant, this woman, and the man came walking towards us. As they did so, some of the folks in the crowd indicated that they believed the man was the head of the entire Northwest Region for the Bureau of Reclamation (which turned out not to be the case). The entire crowd moved to the fence and a feeling of expectation spread over all of us.

"Maybe this is it," some said.

"I wonder what concession he's going to give us," others commented.

Then someone recognized him and said, "Hey, I believe that is Jeff McCracken!"

Apparently, Mr. McCracken is some kind of official spokesman for either the Bureau of Reclamation or the Department of the Interior. Everyone became very hopeful that he was bringing some good news and would announce it to us all right there.

When Mr. McCracken arrived at the fence, he started by telling us all that he was there to improve relations and open a dialog with those present. He spoke clearly, but softly.

He indicated that the Bureau of Reclamation (BOR) had worked for over 90 years with and for the farmers. He then said that the BOR had always regulated the flow of "its water" to the farmers and that it had always provided "BOR water" to the farmers.

Everyone heard it. What did he mean "BOR water?" The irrigators had deeded rights to that water which passed to them with the land. It was *their* water, not the BOR's water. The crowd was incredulous.

He turned to the woman and asked for some papers or documents in envelopes that they were carrying. As she gave them to him, he indicated that he wanted to share these with us as an indication of his desire to "open the dialog and improve understanding."

He then began opening the envelopes and offering "Official" 2001 BOR calendars to those of us at the fence!

The impact on the crowd was immediate. The idea that they would offer calendars - what some immediately began calling "trinkets" - moved them from disbelief, to frustration, and then to anger.

In his frustration, a large farmer standing right next to me shouted an oath directed at Mr. McCracken. This evoked a response from the Lieutenant, who stepped between the farmer and Mr. McCracken. He pointed at the farmer and said, "You! Shut Up!"

But the farmer was having nothing of it. He stepped right up to the fence and pointed his own finger at the Lieutenant's chest and said, "No, <u>YOU</u> shut up!"

The farmer then indicated that he was right there and not going anywhere, and that the Lieutenant could cross the fence and continue their "conversation" anytime he wanted to. I thought there was going to be an altercation right there next to me. The rest of their discussion, however, was drowned out in the multitude of questions, yells, and exclamation being made by the crowd in general.

I watched Mr. McCracken while this was going on.

He was clearly taken back, almost with that "deer in the headlights" look. It was patently obvious that he was unprepared for the emotion of the crowd which was driven by the impact of administrative decisions regarding these people's water and livelihood. It was like he was from a different world...and he was.

He was from the world of corporate boardrooms and plush conference rooms. He was from a world where things like "official" BOR calendars spoke volumes to lobbyists and those wanting contracts with the governments and/or wanting to make political deals. In the world at Klamath Falls, where the rubber met the pavement...where the labor met the land...such sentiments counted for exactly nothing.

One of the farmers got the crowd somewhat settled down. Mr. McCracken was standing no more than five feet from me and I asked him if the water rights didn't, in fact, belong to these farmers who had deeds to the land within the Klamath Project. He admitted that they did.

He continued talking about the "unfortunate" decision and its impact on these people. He said that the law "had no conscience" and could not distinguish "between a fish and a human."

This only made the people more frustrated and angry. The idea that such an excuse would be used when they all knew that the "unfortunate decision" was administered by real live, flesh-and-blood people with consciences and who could distinguish the difference was incredulous.

At one point, while many different questions were being asked, I had the owner and editor of Sierra Times, J.J. Johnson, on the cell phone. On his behalf, I spoke to Mr. McCracken:

"Sir, I have the editor of Sierra Times here on the line (holding up my cell phone). Folks around here say that yesterday FBI, BATF, and other federal law enforcement officers were here in the crowd and in town. Can you confirm or deny their presence here?"

Mr. McCracken responded, "The only federal law enforcement officers here at the head-gates are the Park Police you see behind me, and they are here only at the request of your sheriff."

This comment later proved be a pivotal statement. Many of the local farmers and citizens began to make comments and shout their feelings at this statement. The mood was charged. Frustrations and emotions were high.

I believe Mr. McCracken recognized that his visit had not eased tensions in the least. In fact, it had heightened them markedly. He began preparing to leave the area.

He said, "I hear you folks have a petition. That's good. Get as many signatures on it as you can."

One of the ladies standing near me made a comment that perhaps Mr. McCracken should sign it himself. I thought that was a good idea.

I yelled to get McCracken's attention, "Excuse me, Sir? Just one more question before you leave"

He replied, "Yes...uh, who are you?"

I responded, "Sir, my name is Jeff Head. I wrote the petition you just mentioned. Would you sign it?"

This question was not expected. He thought for a moment, I am sure, trying to decide how to respond.

"Well," he said, "I am on work hours. I cannot make a personal statement while I am working."

I wasn't going to let it go.

"Well, how about coming over at 7 or 8 o'clock tonight? We're going to be eating over here and would love to have you join us. Would you come over, read the petition, and sign it then?"

At this point he was turning away, but he turned back and said, "I'll find out what time I get off and then come over."

Then he turned and began walking away. As he did so, I shouted out loud enough so he was sure to hear, "Sir, remember this is the West. Your word must mean something here...please don't go back on your word."

McCracken, the woman in purple, and the Lieutenant then left. Most believed he would not show up for dinner. They were right.

#### Presenting the Petition to Sheriff Evinger

Sheriff Evinger arrived at the head-gates somewhere around 6 p.m. He had come to accept a copy of the petition from me, which had gathered over 10,000 signatures and was still going strong. Signatures were coming in from all over the nation in support of the farmers of the Klamath Basin. I had brought a copy of the petition with the 10,000 signatures specifically for Sheriff Evinger.

Before I presented it, I again indicated what a reprehensible travesty the government action represented, one that could not be

allowed to stand. I then presented him with the petition, indicating that I would be back as more signatures were gathered. The sheriff graciously accepted the petition. He praised those involved and then held the petition high as cheers came from the crowd.

Afterward, several prominent farmers got with the sheriff and told him what McCracken had said about the Park Police being there at the express request of the sheriff. Evinger was visibly upset about this. He indicated he would go over and request that they leave.

This brought on a huge cheer from the crowd as he stepped to the gate and called for the Park Police to let him in. He spoke with the Lieutenant and Mr. McCracken for a good twenty minutes and then returned. He informed the crowd that he had officially requested that the federal officers leave.

The resulting cheers from the crowd could probably be heard in Washington, D.C. (and via the internet, they were). Sheriff Evinger indicated that he would go back to his office and put the request in writing, get it sent off to Washington, and then bring it back to read to the crowd and present to Mr. McCracken and the Lieutenant.

Not long after the sheriff left, a small disturbance occurred on the back side of the compound by the back gate. What appeared to be six U.S. Marshals stepped up to the gate. Yes, they appeared to be U.S. Marshals...they were requesting entry to relieve the U.S. Park Service, but the U.S. Park Service was denying them entry ... what was this?

Then, the "Marshals" turned around. Written across the back of their blue coats were these words "U.S. FARMER."

Again, there was wild cheering from the crowd. An expectant atmosphere settled over the entire encampment. Almost everyone waited for the sheriff to return.

When Sheriff Evinger returned, he said a few words before reading the letter. I held my cell phone up like a microphone and recorded it all for Sierra Times, who then placed the entire speech and reading of the letter on the internet for everyone to hear.



Farmers with "U.S. FARMER" jackets pose at the back gate.



Sheriff Evinger accepts 10,000 signatures from the author.



Sheriff Evinger asks the federal officers to leave.

Basically, the sheriff indicated that his original request had been for the federal officers to come and ensure the gates were protected, that it was not his intent to support the enforcement of the ESA. He indicated that, that request had been misinterpreted. He also indicated that the federal officers had overstepped their bounds and that the safety of the people of Klamath County was now more threatened by these officers' presence than without them. He again indicated his direct request for them to leave and indicated it would be a couple of days before an answer could be expected.

With more cheering, the sheriff went over to the gate and delivered the written request to the Park Service officers.

While this was occurring, we got word from the "compound" that Mr. McCracken had called his superiors and would not be visiting us that evening. Apparently he was "on duty" twenty-four hours per day until the situation was resolved. This served to further lessen the regard in which he was held by the farmers and their supporters at the head-gates who believed a man's word was his bond.

Conversations and recounts of the day's activities continued late into the night. An expectant and hopeful attitude increased. About midnight, Jared and I retired for the night.

### Klamath Falls, Oregon, Canal A Head-Gates Sunday, July 22, 2001

With the dawn, we saw another beautiful day and were treated to another wonderful breakfast by the gracious ladies of Klamath Falls. This time it was biscuits and gravy! Such a breakfast just warms the soul of a boy like myself who was raised in Texas, and I told them so.

There was lots of talk and planning that morning. Plans for what to do when the federal officers leave and what to do if they didn't leave. My recommendation was to put in a large bypass, in either case, to get more and more water flowing! In that way, it would ensure the ability of the farmers to be self-sufficient in the even any future crisis developed. After saying this, my son and I took a walk across the lake and down to one of the release dams. It was a pleasant walk of about 2-1/2 miles each way. We saw many types of water fowl and a doe.

We talked about the significance of what was occurring here. I let him know that this was a bad example of how our government was supposed to work...that the government had been meant to be small and unobtrusive, but over the years had developed into an overgrown system of overwhelming proportions...one that could reach out and destroy an entire valley full of people.

I also told him of my pride in the folks here and how humbled I was to be among them. I told him how what was happening here represented the spirit that made this nation great and that this was how citizens were supposed to be involved. That citizens willing to stand firm and resolute against a creeping tyranny could make a difference. I told him that I felt we may yet win this fight and set a pattern and an example for other fights sure to come in the future.

My son, in all of his eleven years, summed it up completely by saying, "Dad, the farmers need the water. It's theirs and they should be allowed to use what's theirs as they see fit to grow their crops."

This evoked more pride...this time, pride of a different sort.

When we returned from our walk, Jim (Bill's son) wanted me to get a picture of a particular field where a farmer had been able to get a little water to a small area. He indicated that the contrast was extreme. We went with him to take some pictures.

That pasture did make for an excellent contrast. But, while traveling there, we had the opportunity to take a picture of the local cemetery where many veterans lay buried - veterans who sacrificed and fought for the simple freedom to farm and use their water rights in their chosen livelihood. That cemetery was supposed to be watered by irrigation water...water that had been turned off. The picture of that dried up cemetery speaks volumes to the betrayal of the very government these individuals fought to protect. What should have been green and vibrant at this time of year was brown and withered. After returning from this small expedition, Jared and I had to return to Idaho. We were out of time. Jared had a scout camp starting at five a.m. the next morning and we were already late getting away.

I walked up to the Park Police sergeant and the lieutenant who were standing by the gate. I shook their hands and indicated that it was my sincere hope that they would not be there the next time I was able to come to Klamath, that the farmers here would again have what was rightfully theirs, and that there would be no armed government guards to keep them from it. To their credit, the lieutenant and the sergeant indicated that this was their hope also.

We said our goodbyes to the farmers and others we had been involved with. I was sad to leave them and their ongoing struggle. I indicated my desire to return as soon as that bypass work was started and when we got many more signatures on the petition.

At this point, the farmers had determined to put off any action on the bypass until after a decision regarding the disposition of things by Secretary Gale Norton of the U.S. Department of Interior that was expected later in the week. They hoped a positive decision would relieve them of the necessity of having to build such a bypass.

Secretary Norton is the same individual who indicated how she had agonized so hard, back in April, over the decision to turn off the water in the first place. But you just have to wonder how agonizing it really was to shut someone else's water off from 3,000 miles away when the individual making the decision still had plenty of their own water available to them.

Nonetheless, the efforts by these courageous folks will always rest strongly in my soul whenever I contemplate our liberty and what is required to maintain it.

# Wednesday, July 25, 2001 Klamath Falls, Oregon - The Water is Flowing

Late that morning, in keeping with Gale Norton's announcement, the BOR opened the gates to Canal A. Water was

flowing! However, only one gate was open and it would take a good while to charge the irrigation system.

Although it was late...although it would not undo what had been done and only allowed a partial mitigation of the damages...although it was done in an attempt to avoid political baggage by the very people whose decision had hurt these families in the first place...yet the very fact that water was flowing at all brought tears to my eyes and caused me to praise God in Heaven!

The risks, the sacrifice, the commitment, the bravery and courage of a relative few...suffering the scorn of their own officials, the betrayal of their government, and the potential loss of their liberty as a result...those few were the ones who brought this about by their actions, their willingness to stand for liberty and what was right - no matter the cost.

I prayed that they would not let up, that they would make themselves independent of the federal behemoth for their water. That they would:

## **BUILD THE BYPASS! DO IT NOW!**

In my estimation, if the people of the West and the people of the nation, would make the experiences at Klamath Falls their rallying cry and would emulate those actions...they would fend off assaults on liberty whenever and wherever they would arise.



Dried up local cemetery, where many veterans are buried.



Farmers and supporters protesting on July 22, 2001.



Park Police Sergeant standing by the fence.



Secretary Gale Norton announces more water for Klamath farmers.

# Saturday, July 28, 2001 Klamath Falls, Oregon, Canal A Head-Gates

[A respected and long-time Klamath Falls police officer, Jack Redfield, read a letter to the crowd at the head-gates regarding the continuing crisis. What follows is the full text of his speech.]

#### The Water is Flowing by Officer Jack Redfield

Many residents of Klamath County reading this letter will identify my name with law enforcement as I have been a member of the Klamath Falls Police Department for over 39 years. The content of this letter is not necessarily the opinion of the City of Klamath Falls or the Klamath Falls Police Department. It is my opinion as a private citizen of Oregon and the United States, and as a small ranch operator. I am not affected financially to the degree of other Klamath Basin ranchers due to non-ranch related income. I am also one of the fortunate few who irrigates from a well (for the time being); but there is no doubt that the so-called environmentalists will be initiating an effort to control or stop irrigation from ground water in the near future.

My considered opinion of the recent water crisis in the Klamath Basin. which has been initiated by the so-called environmentalists and our federal agencies, is that it is nothing more than an act of thinly-disguised domestic terrorism directed at the economy of the U.S. I believe that the people who are orchestrating this atrocity are not environmentalists at all (although they may be being manipulated into believing they are doing the right thing), but that they are actually acting in the capacity of environmental and/or economic terrorists (or at least extremists) who are launching a severe and effective attack upon the economy of the United States. The same environmentalist extremists enjoyed a good deal of success in recent years with the spotted owl, which was also nothing more than an excuse to destroy the logging industry. There is no doubt that had the spotted owl not been considered an endangered species, they would have easily found another creature, be it a reptile, fish, other bird, rodent, etc. that needed to be protected to further their cause. So be it with the suckers. In other parts of the nation where such starting, I am hearing reports of endangered nonsense is gnatcatchers, shrimp, turtles, other fish, etc.

Recently the terrorists/extremists have enjoyed a tremendous success in shutting down our local agriculture with no regards at all to the misery and destruction of thousands of local ranchers, farmers, local business people, etc. They have also found a great amount of support through the liberal federal court system within the Ninth District. I don't see that changing until the case makes it to the U.S. Supreme Court. But that takes time, and I am afraid that it will be too late for many of our local people by then. Our only hope is that Congress will recognize where this is going within the entire nation and take action to modify the Endangered Species Act to achieve a reasonable balance between the needs of endangered species and the livelihood of American citizens.

This is NOT a local issue. I would suggest that the Klamath Basin attack is nothing more than a test case. With the success that the environmental extremists and some out-of-control federal agents (so called public servants, HAH) have recently enjoyed, they will not stop in the Klamath Basin. They are already up to their devious evil in other parts of Oregon and other states. Considering that there is a good deal of agriculture in nearly every state in the nation, this thing will spread like wildfire and before long I believe that our way of life as we now know it will be very different.

We have seen a great deal of restraint among our local agriculture community and our local business people who are threatened, despite the extreme emotional trauma that they are experiencing and their understandable anger. Their professionalism and restraint during the recent bucket brigade demonstration was remarkable. This will not last.

As the extremists and out-of-control federal agents continue to push, and as the agricultural people see their fields turn brown and their entire lives destroyed, their frustration will undoubtedly escalate to the point of boiling over. It won't take much from Andy Kerr or Wendell Wood or their like to spark an extremely violent response. I am talking about rioting, homicides, and destruction of property like dams that hold the precious water from the agricultural community.

When you expand the crisis to our fifty states over the next year or two as this madness progresses, you are looking at the destruction of the livelihood of millions of people and businesses. Will that strike a violent response? I think so!

As the economy of the entire nation is threatened and crumbles, I think that the leaders of other nations who are not necessarily friends of the United States will be smiling broadly. Will our national security be threatened? I certainly think so! (Is it possible that there are foreign governments who would enjoy a severe economic crisis in the United States, and is it possible that these foreign governments who are not friendly to the United States might be rendering substantial financial support to this economic attack? What better way to bring a nation to its knees than to attack their agricultural water supply?) Is there a possibility that this could lead to civil war within the United States? I think the potential for extreme violence, even to the extent of civil war is possible if action is not taken in the very near future to remedy this tragedy. Compare this to the economic collapse of the Soviet Union. Is it possible that a foreign power was instrumental in their economic collapse? Is the U.S. next? Are other nations, such as Australia, who depend heavily on agriculture experiencing an attack of the same nature?

I am seriously afraid that if our United States Congress and the federal court system do not wake up and stop this madness, this nation is about to experience an era that has the potential to severely damage or completely destroy our nation's economy. Should this happen, all the efforts of our political leaders, military forces, and loyal U.S. citizens in the history of our nation will have gone for naught. The promises of the United States government to all those veterans of foreign wars and other United States citizens will become as worthless as their dry fields. God help us if our federal government doesn't come to their senses and recognize the extreme danger of this fiasco before it is too late!

Officer Redfield was suspended by the Klamath Falls City Manager after this speech. Jack is a rancher in addition to his police duties. The City had no problem with him going down to the head-gates on City time (dressed as an officer) and donating some beef to the ranchers and farmers there, which was the purpose of his visit. However, the City took issue with what he had to say (as a private citizen) when he was asked to address the crowd after making his donation.



Jack Redfield addressing the crowd at the head-gates.



Sheriff Evinger still waits for word on the departure of federal police.



The federal government opens the gates.



Water flowing in the Klamath Basin down canal A.

# Thursday, August 16, 2001, Nampa, Idaho - Idaho Center Parking Lot

Over a two week period, since the report of officer Hatfield's speech at the head-gates, a massive organizational effort had been underway to provide relief to the farming families in the Klamath Basin. Their water shut off and then only a trickle restored, these families were in serious financial distress. Their major cash crops not possible, many faced an uncertain future through the winter because they lacked funds for food, clothes, and other necessities.

Organizers throughout the West had worked with independent truckers to put in motion a plan to have several trucking convoys in several locations throughout the West in California, Utah, Nevada, Montana, and Washington, travel toward Klamath Falls and gather food, clothes, supplies, toys, and money en route and then deliver it all to those families at a "Freedom Rally," in Klamath on August 21, 2001.

The following report is a narrative of a stop made in the Boise, Idaho area by one of those convoys:

#### The Shovel Brigade Convoy

Jared and I started the day early, leaving the house about 6 a.m. to get everything set up for the convoy stop at the Idaho Center parking lot in Nampa, Idaho. We had the signs all set up for those approaching the Idaho Center by 8 a.m. (eight of them). We set up tables and chairs and unloaded our own donations for the farmers in Klamath. Just as we finished, a pickup truck from a local plumbing company arrived and unloaded quite a bit more. Over the next hour and half, a number of individual contributors also came by which increased the size of the donated material significantly before the convoy arrived.

Around 10 a.m., the convoy arrived with a semi-tractor trailer and a couple of large pickups. One of the pickup trucks was driven by Bob St. Louis, the head of the Shovel Brigade out of Elko, Nevada. The Shovel Brigade was the name of the organization that had been organized to fight the closure of a county road in Nevada in the 1990's by federal officials, which led to the large demonstration of support by citizens in the summer of 2000 at Jarbidge, Nevada. Bob was pulling the large bucket that had been created for the Bucket Brigade in Klamath to show solidarity with their fight against the federal government.

Along with the convoy, which arrived on schedule, the TV crews began to arrive. We had coverage by all three major network affiliates in the Boise area and they interviewed us heavily.

KIZN 92.3 FM radio was one of the principal media organizations that helped advertise the event. The Idaho Farm Bureau and Gem Supply Co-Op of Emmett also helped. Around 11 p.m., Kevin and Brenda Me arrived. Kevin and Brenda were a husbandwife team that hosted a morning show for KIZN and who had really advertised the event locally. They came with an entire van full of clothes from several local department stores and donated them to the Klamath farmers!

Soon the items were loaded into the trucks and it was time for the convoy to leave. We had several hundred pounds of clothing, food, toys, back-to-school items, and much more. A local farming family posed for a picture by the bucket before it left.

We never had more than 20-25 people there at one time, but we collected a lot of things for the families in Klamath Falls. In addition, the Gem Supply Co-op over in Emmett donated several tons of hay to be auctioned off with the proceeds going to the Klamath Relief Fund. We also had some cash donations that day.

Later that evening, we had some very good coverage by the local news stations. Both at 5 p.m. and 10 p.m., there were 3- to 5-minute segments which were very sympathetic towards the plight of the Klamath farmers and the warning that it could soon come to Idaho too.

The next day, Jared and I planned to drive over to Klamath after work (about 400 miles). We hoped to arrive at the head-gates around midnight and be there as the Elko convoy and three others converged on Klamath Falls the following Tuesday to complete the generous relief efforts given on behalf of those beleaguered farmers.



First donations for Klamath Falls.



The "Bucket" pulled by Bob St Louis.



Rick Rogers being interviewed by Channel 7



Jeff Head being interviewed by Channel 7


Bill Oetting interviewed by Channel 12.



Bill Oetting and Bob St Louis.



Kevin Me (KIZN 92.3 FM) being interviewed.



Clothing from the KIZN 92.3 FM van is unloaded.



Donated food fills the trucks.



Food loaded and a local farming family poses with the bucket.

## Saturday, August 18, 2001 Klamath Falls, Oregon, Canal A Head-Gates

After driving all night from Emmett, Idaho, Jared and I arrived back at the head-gates in Klamath Falls, Oregon, at 3:50 a.m. on Saturday morning. We caught about four hours sleep and then woke up as the camp came alive.

Around 8:30 a.m., I took a walk over to the head-gates and noticed that the area was set up in preparation for activities scheduled the next few days. Activities that included church services, rallies, receptions for the relief convoys, and distribution of the donations. There was still a lot of work to be done. I also noticed that the federal officers had raised their own flag over the "compound." It was flying right side up, which contrasted the distress signal that continued to be broadcast by the local farmers whose flag was displayed upside down.

As usual, and in keeping with the graciousness of the folks there, we were served a great breakfast. Those who did the cooking were some of the unsung heroes. They unselfishly provided meals morning, noon and night for all those who were helping them.

After our meal, Bill Ransom and I walked to the fence. Bill was a local rancher and one of the organizers of the Klamath Relief Fund. We talked to the Fish and Wildlife representative and one of the senior Bureau of Land Management (BLM) law enforcement officers on the other side. The BLM had taken over for the Park Service Police during the time we were in Idaho organizing the Nampa stop for the relief convoy.

Bill presented a great argument about the science of the "sucker fish" and how the environmental and federal opinions were flawed. The Fish and Wildlife individual stated that although they were concerned about the reports of "extremists" converging with the convoys, the government was being more influenced by the peaceful efforts of the farmers. He indicated he was sympathetic to the farmers and hoped the BLM could go home soon. Bill responded that the reports regarding extremists were most probably the work of those opposed to the farmers and then he completed his explanation regarding the sucker fish.



Contrasting the two American flags.



Some of the fine people cooking for the rest of us.

When Bill was finished, I introduced myself to the Fish and Wildlife man and said the following,

"Sir, with all due respect, the very fact that we are sitting here talking about the "science" of the sucker fish when there are 1,400 honest and patriotic American families, many of them veterans, being destroyed by this decision is a travesty.

"Where is common sense? Where is decency? This is not about the sucker fish, and anyone who lives in this part of the country knows it. Those fish would survive fine if the lake was drained to mud. This is about regulatory madness and we are not about to forget it. In the end, our ability to retain our property rights hinges on decisions such as this and how we react to them." We then parted and nothing more was said.

A little later, Jared and I were shown a magnificent quilt that two of the women had created commemorating the entire event. They were raffling it off on Tuesday at the large gathering and it would surely bring a lot of money for the relief of the farmers. Anyone wanting to buy tickets could do so at the Klamath Fair grounds for a dollar per ticket, or twelve tickets for ten dollars. It was suggested that whoever won the quilt should consider donating it to the Klamath museum since it was truly an historical item.

We were hoping that there will be tens of thousands of people there on Tuesday, August 21<sup>st</sup>...Freedom Day. They wanted anyone within driving distance to be there Tuesday morning at 10 a.m. when the events took place. The city had issued a permit for the event when the convoys arrived...but they were only allowing eight vehicles in the official parade. They didn't want to congest traffic on a workday. The result would be that the many other vehicles would come anyway and would just obey the traffic laws and congest traffic all the more.

Late in the afternoon on Saturday, August 18th, several of us went to an air show that was going on at the local national guard airbase to gather signatures for the petition. Soon after starting to gather signatures, we had a line of six or eight people lined up to sign. Within a few minutes, however, Jared and I were surrounded by Air Force Military Security. There were six or eight armed men who stopped those giving signatures and wanted to see what we were having people sign.

After reading for a moment, one young man said, "Heck, this is nothing. I'd sign this." But he had to wait for his Chief, and in a few minutes the deputy commander for the base and the Chief showed up. The Chief simply told us that they could not allow the solicitation of a petition on the base. So we stopped. But another group of people from the head-gates didn't get stopped and when we met at the appointed time, they had gathered another 70 signatures.

A number of us at the head-gates stayed up late into the night talking and watching films. It was just another great evening of discourse that led more and more to a clearer understanding of the current circumstances and what was at stake. Late that night, an individual came by and told us he had been at a bar in town where a half dozen people had been drinking and indicated they were going to come over and break up the camp. I immediately sent Jared to bed and we waited, but nothing ever materialized. Rumor flies on a thousand tongues.

## Sunday, August 19, 2001 Klamath Falls, Oregon, Canal A Head-Gates

Early Sunday morning, August 19<sup>th</sup>, a truck arrived from Montana. It was a couple who were driving down to move the mother-in-law from California to Montana. They were driving a one ton flatbed with 3,300 lbs. of feed for the farmers, which we helped unload. God bless them!

After the truck was unloaded, we called the Kalispell radio station where the idea for the convoys had first germinated over four weeks earlier. It developed after I had been on their talk show direct from the head-gates. A local farmer had called in and suggested the idea to the talk show host and it took off from there. The good people in Kalispell made it happen; and then the folks in Klamath organized the Klamath Relief Fund and spread the word to create other convoys. When we got the radio station on the phone, they immediately put "Big Jim" on the air to announce to his audience the news from the head-gates in Klamath. That day we also took a trip up Stukel Mountain with the Palmers (local ranchers) to get a view of a good part of the Klamath Basin. It's a decent climb not too far from Klamath Falls, and the view was wonderful. I took several pictures and created a panoramic view of much of the Klamath Basin as seen from there.

That night, Mary Starrett, a radio talk show host for KPDQ 800 AM in Portland, Oregon, arrived to set up for some live interviews to be held the next day. She and her crew were very conservative and patriotic. She particularly wanted to speak to the lead BLM Ranger on the other side of the fence to arrange an on-air interview for the next day.



The beautiful hand-sewn historical quilt commemorating the events.



The couple from Montana bringing feed for the farmers.



Unloading and covering the feed from Montana

Finally, I simply must share with you the closing of a speech that was delivered by Bill Ransom, a local rancher, businessman, and one of the individuals who helped organize the Klamath Relief Fund. He spoke in California at one of the convoy stops. This speech was also delivered on Tuesday at the main rally in Klamath Falls. Please listen to these passionate and heartfelt words:

In closing, I would like to address President Gorge Bush.

I would ask you, Mr. President, as you ride around your ranch, admiring and enjoying the land you own and love, to think of the pioneer families that helped shape this great nation, whose children's children and their children are in jeopardy of losing their farms and ranches.

To think of the war veterans, who fought for our freedom, who are now in jeopardy of losing their farms and ranches. Mr. President, think of the loggers and miners, who worked hard to build this great nation, who have already lost their livelihood and way of life. Mr. President, these people from rural America helped elect you as president.

Don't let us down!

Stop this horrible onslaught on rural America. Let us return to the jobs and way of life that were promised and guaranteed by the Constitution of the United States.

And finally, here is a compilation of quotes from farming families and others there in the Klamath Basin. This was compiled by Cindy Smith.

"For generations my family has owned this land. We have a deed of sale signed by President Herbert Hoover himself, promising we'd always have water to our fields."

"I am a cattle rancher that for years has taken pride in building the best herd of cows I could afford, prime breeding stock. I had to sell them all off, at a lower price than what I would normally get because I could not afford to feed them. Yes, I got money for the sale, but it took me, my wife and kids ten years to develop that herd. What do we do next year?"

"We are a family that will have our home foreclosed on. Without our crop money, we can't afford to live here anymore."

"We are migrant workers that love the Klamath Basin. We had to move on as soon as we heard that there was no work this year."

"I am a land owner. Last year my land was valued at over\$2,000 an acre. Now they say it is worth \$28 an acre."

"I am a business owner. My business has lost at least 25% of usual sales over this time last year."

"I am the wife of a crop farmer. For the first time in our lives, I am going to the food bank for help in feeding my family. We have no money for food."

"My wife and I are senior citizens. We have lived here all of our married lives. Now we are too old to farm our land, so we rent it to others. The rented land supplements our social security. This summer we could not rent out any of our land, and our social security does not cover all of our needs."

"The people of Klamath Basin are not complainers, whiners, or used to looking for hand outs. We are hard-working, patriotic Americans that love our land, our jobs and way of life."

I just hoped many other Americans would hear these voices and carefully consider the ramification to our liberties and way of life if we let this reprehensible travesty continue to stand. I urged every American to please, take action to support these folks and end this assault on liberty and our rights.

### Monday, August 20, 2001 Klamath Falls, Oregon - Hagelstein Mountain / Head-Gates

Monday, August 20th, dawned bright and clear. Sean Finnegan (aka nunya bidness on FreeRepubilc.com) and I had agreed to go to the top of Hagelstein Mountain to take a panoramic view of Klamath Lake similar to the one I had taken from the top of Stukel Mountain the day before; but to my dismay, this morning I found that my digital camera was missing. Never fear, Sean had a better camera than mine and with it, we were able to take the pictures for the day's report.

Sean went to the top of Hagelstein and took the pictures which showed Klamath Lake being maintained at full condition. In addition, the rivers feeding the lake were running full. Fed by large springs, they ran fairly well all year. Sean took a picture of the Williamson River. As made this trip, Jared (who turned twelve years old that day) and I helped around the camp. Jared was put to work watering down the dusty roadway and standing areas, while I helped move tables and set up for the day's activities.

Mary Starrett was ready to begin her interviews. I went with her to the fence and called the rangers over to talk with them. They indicated that they couldn't speak with us, but that their lead officer, apparently the head over all BLM rangers in the nation, would be there within twenty minutes. Mary asked if the lead officer would speak to her and the rangers indicated that they would ask.

A few minutes later, Felecia Probert arrived and came to the fence. Mary asked her how things were going, and Ms. Probert explained how they had such "good relations" with the folks at the head-gates and were working closely with them. A few of the bystanders took issue with this and indicated to her that talking mildly across the fence didn't equal "good relations" or a "close working relationship."



Klamath Lake as seen from atop Hagelstein Mountain.



The Williamson River



Jared watering down gathering areas to reduce dust

Just the same, Ms. Probert agreed to go on air. At the appointed time, and unlike Mr. Jeff McCracken of a few weeks earlier, she was true to her word and crossed the fence to await the interview.

Mary first interviewed a local man, Gaylord Brown, regarding his opinion of the events. He was very astute and explained the position of the farming community and the drastic impact of the government's actions. He talked eloquently about the betrayal and ridiculous nature of the sucker fish issue for anyone in this part of the country who had any experience with them.

Gaylord was followed by Rick, one of the Klamath Relief Fund organizers. He talked about the history of the Klamath Project and the water rights owned by the farmers.

Mary then interviewed Sheriff Tim Evinger, and asked him directly about rescinding the request for federal presence. Tim explained the circumstances during the tense and momentous occasion four weeks earlier.

After this interview, Mary interviewed Ms. Probert from the BLM. She again repeated her feeling that they had good relations and felt the entire situation could and would be resolved peacefully. Mary asked her about her feelings regarding the affect of upholding a decision that so severely impacted 1,400 families. Her answer to this was, "No comment." She indicated she was just doing her job of protecting those head-gates for "all" Americans."

This created quite a stir among the farmers and their families and supporters...comments rang out that the farmers had paid for the head-gates and that the farmers raise food for "all" Americans.

The author of this book, Jeff Head, was interviewed next. What follows is a transcript of that interview:

#### Interview of Jeff Head On Radio KPDQ 800 AM, Portland, OR

Mary Starrett: What can one man do? Well here's one man whose going to tell us just what kind of change he affected. His name is Jeff Head. He's here from Emmett, Idaho. And if you go to KlamthBasinCrisis.org you will see a link to a petition that is circulating around the web...around the country...to get people...I believe 20,000 signatures at this point. The petition is making some headway and some news. Jeff, thanks for being with us.

*Jeff Head: Glad to be here.* 

MS: Earlier there was a gentleman who came up when we were talking with Chief Ranger, Felicia Probert, who had a few things to say; and he was impassioned about the federal presence here and very impassioned about what she was saying. Tell me why that struck a nerve with you?

JH: Well, it struck a nerve with me because those folks are wearing guns...and they're here. I never thought that in my life I would see armed federal agents guarding a head-gate keeping farmers away from the water that they own. My gosh, it's something you'd expect to see in the Soviet Union or in Red China. It does not make sense! It's absolutely wrong! You know, I understand they talk about their job. But it's just like you folks have been saying - when is it not their job? When is it not their job? Right now, there are 1,400 families that are being destroyed because they are doing their job.

Make no mistake. The policy makers, and what not, they have to have people like this that'll do their job. If those people wouldn't do their job, this wouldn't happen. That's the way it is. My question to these folks, with all due respect because I respect law enforcement and we need people who will help protect the American people. But you know what? This is not protecting American people! This is destroying American people! It's totally upside down.

So my question for them is, when is it too much? Is 5,000 families too many? Would 10,000 families be too many? What if they were asked tomorrow to round us all up and put us in that ditch and shoot us? Would that be their job? You know, these other tyrants didn't start out by shooting people. They started out by disenfranchising people. And we've got 1,400 families, farming families, who are God-fearing, who have never committed a crime. Who are being destroyed by these acts. I hope they'll think about that because they are on the wrong side of this. They are not protecting the American people. They took an oath to uphold, bear true of faith and allegiance to the Constitution. And the Constitution is about our rights. They're trampling on these folks' rights. That's what's happening here.

*MS: Jeff, do you think that the majority of the people in this area agree with that?* 

JH: I think that the majority of the people, when they hear the whole truth about what's happened here, would agree with that. I've been out with this petition to county fairs and all over. When you explain to people, and they hear that farmers are being denied water rights that they own, they are against that. And I believe any American with an ounce of patriotism or love of liberty flowing in their blood would be against it. That's why I wanted to get it out.

MS: What about those who say that the farmers really don't have a right to this because this is an area that should have never been irrigated to begin with?

JH: I'd say to those people to go back and live a hundred years ago, but don't force us to do it.

*MS:* Tell me what you expect to happen between today and tomorrow with this influx of support and encouragement - the convoys, the thousands of people coming to the area?

JH: I can tell you. Like I said, I'm from Emmett, Idaho. I helped organize one of the stops over in Boise. And to see those people bring of their substance, and give to these folks – that's the spirit of America. Citizens, people helping other people. They're doing it without government aid, not with some grant from the government. They're doing it because they have recognized that these people are in need. They're in need because their government's hurt them. And they're willing to do it. So, what I expect to see is a whole lot of help come to these people. And I'm hoping it will help them get through to next season. And in the meantime, we've got to turn this around. It can't stand. Because if it does stand, some day I'll be seeing it over in Emmett, where I live. We don't need that. It leads to a very bad place. We've got to stop it now.

MS: What about the reports, misinformation perhaps, as reported in the Oregonian that the Klamath convoy may bring trouble? And let's see the other headline: Death Threats Reported In Klamath Conflict. And according to the sheriff, who was just here, that's the first he's heard of it. Do you think this is deliberate misinformation?

JH: I believe it possibly could be. But I'll tell you this, I've been here since the first night and there were farmers that I know who took the head-gates. I have never been among more dedicated and peace-loving people in my life. I doubt that if this happened in my valley that I could be a patient as these folks have been. So no, I don't believe it's coming from these folks at all.

MS: I felt the same thing. You know, for weeks I've been talking to the folks down here, many of you have been my guest by phone on the program. And I can remember thinking, these are not the kinds of people I'm terribly afraid of. Now that I've met you I know that that's not true. And this morning as I was flying around, I was looking at this peaceful area - however it's been buffeted - and I noticed the number of churches astounded me. The fact that they started their meetings with prayers. And the fact that they have a prayer and fasting before this whole thing begins. And the fact that they pledge allegiance. And the fact that they stand up. But I understand that not everybody stood up for the pledge of allegiance? Is that right? There were some people on the other side of the fence who weren't standing.

JH: The first night after those head-gates had been taken, there was a lot of talk and concern about the federal agents coming the next morning...and they did come. Let me tell you, this ground was consecrated and dedicated in prayer by the people who were there. And a man, Joe Bair, led that prayer; and I'm going to tell you right now, like Patrick Henry said, "...there is a God in heaven and He watches over the affairs of man. He will raise up friends to fight these battles for us. This battle's going to be won. It's got to be won." Having said all that, I'm going to join with Officer Redfield when he said you can't push good people too far. One of these days they're going to push too hard. We need to stop it now before that time comes.

But if it ever comes, the good Lord is going to be on the side of the right. Because we're going to be free in this land. And this - this is not freedom. That's not what this is. This is tyranny. And I'm sorry if to some people that assaults your senses, but by golly, they need to be assaulted. And for the love of God, you people over there [pointing at the federal agents]...you need to be thinking hard about this because you're destroying American citizens. And that's not your job. And if that is your job, you're on the wrong side of the equation.

MS: Let's talk about...my understanding is, and I would just hazard a guess, that just about everybody in this basin voted for George W. Bush. Now George W. Bush...[applause] no, don't clap your hands 'cause he ain't done nothing. Am I right? You all voted for him and he has done nothing. What's your comment on that, Jeff?

JH: Well, my comment is this. Gale Norton made this decision. Understand, there was a federal judge who bought into a bogus biological opinion. You know, the very fact that we have to talk about that is an assault on the senses. This is just ridiculous to claim that a sucker fish is the reason we turn water off. Everybody in this part of the country knows that if you drain that lake to mud, next year the sucker fish will be back. They're not endangered.

Once this federal judge made this decision, Gale Norton had to decide how to implement that. Her decision, for whatever reason, was to turn the water off to the farmers. That has now been reduced and I have one comment on her decision to turn the water back on. In this part of the country they now call it "Norton's Trickle."

That's all it was. And her decision to turn it back on told me one of two things. Either those folks didn't do their homework very well to begin with because they turned off water to destroy 1,400 families without all the information in, because they found an extra foot magically. Either they were incompetent in that initial decision or they haven't been forthcoming. I don't see another reason.

MS: Do you think this battle is going to be won in the courts or the arena of public opinion? In other words enough people, enough TV cameras, enough radio stations come to town and show this support. Do you think that's what's going to win this?

JH: I think public opinion is going to be very important. And I think the courts and the legislatures are going to be influenced by that because they fear for their political hides...which is very unfortunate because they ought to just do what is right. But I'm going to tell you where it's going to make a difference. We're sitting here today because about 15 or 20 men and women, helped by a hundred townspeople, opened those gates in an act of civil disobedience.

Make no mistake, that's why we're here. And I'm going to tell you this right now. In the end, there's a fella upstairs and His opinion is the one that's going to matter in this. And I believe with all my heart, I know where that opinion resides. He's for these farmers being free to farm their land. To farm the land they have deeds to. With the water they have rights to. And that's where it's going to happen. He will make the difference.

Let me tell you one quick story on this petition, and folks can go to www.petitiononline.com/klamath. That's where it's at. We had folks from the website freerepublic.com that went to the White House a couple of weeks ago and they got over a hundred signatures right out in front of the White House. We have another website, SierraTimes.com, that has been publishing this for weeks and getting the word out. And thank God you folks are publishing it. We need the word to get out. I believe the good Lord in heaven is going to get that word out and any honest, God-fearing American is going to stand up. They're going to talk to their legislatures, they're going to sign the petition, and it's going to make a difference. And until then, we need to keep these farmers going.

MS: And everyone said? [Crowd yells, "Amen!"]

After this interview, Mary interviewed Stan Thompson, another local farmer/citizen. Stan was very impassioned about the situation and the fact that decent, law-abiding citizens' rights were being trampled upon. He indicated that the water needed to be kept on, and that if the government turned it off, the local people would turn it back on.

After the interviews, Sean went to the fairgrounds where the Montana convoy was arriving. The crowd at the head-gates was maintaining a number of between one hundred and two hundred, and more and more folks were gathering over at the fairgrounds.

Upon his arrival, Sean found many vehicles of all sorts arriving, a total of thirty or more. All of the vehicles were very patriotic, all adorned with strong messages regarding the travesty occurring there in Klamath.

Sean got a great picture of the "Grim Reaper," the semi-truck that traveled around the country displaying the many, many sawmills closed over the last several years. It joined the Klamath convoy and displayed a message on the back of the truck regarding its intent for Klamath. The entire truck was completely full of feed, food, and all types of material for the farmers in Klamath, donated by the growing number of generous people who were coming to the aid of the farmers in the Klamath Basin.

The next day would be Freedom Day there in Klamath. People would be arriving from all over...thousands of people. Convoys would bring food and relief to a beleaguered group of farmers. There would be events at the Courthouse and speeches at the fairgrounds. More and more Americans were awakening to the encroaching tyranny and peril, and were banding together to stop it. A richer legacy cannot be passed on to the next generation than that, the need to stand together against tyranny and with faith in the Creator.

Sean, who traveled to Klamath from Maryland to support the people there was himself a perfect example and living testament of that legacy, as were so many others.



Felicia Probert at the fence with the Portland talk show host



Mary Starrett interviews Sheriff, Tim Evinger.



Mary Starrett interviews BLM Officer, Felicia Probert.



Mary Starrett interviews the author, Jeff Head



Mary Starrett interviews a local farmer, Stan Thompson



"No Farms, No Food. Save Klamath Falls."



The Grim Reaper filled with food and feed for Klamath farmers.

# Tuesday, August 21, 2001 Klamath Falls, Oregon - FREEDOM DAY

Tuesday, August 21st, was another beautiful day; a day everyone who was gathered with us in Klamath was excited about. And a day we felt sure that thousands of travelers was excited about. We were not to be disappointed.

As we were completing our report from the day before, Jared and I spoke briefly with Bill Jasper of the New American magazine who had arrived late the night before Then we ate another great breakfast provided by those wonderful cooks who were feeding any one who came to help the farmers.

Then it was time to go to downtown Klamath Falls and be a part of the parade/procession of convoys going to the courthouse to deliver the large bucket and all of the food and supplies. We determined we would meet up with the horse riders who would be leading the parade.

As stated earlier in this account, in an effort to reduce congestion, and perhaps to hold down the numbers of people coming into downtown on a work day, the city had agreed to a permit for only a few vehicles. We knew hundreds and hundreds would be coming in with donations who would want to be a part of the activities.

These fine folks, in the same manner that they had worked with varying conditions and hardships throughout this crisis, figured out how to get more people in the parade...nothing was said by the city about how many horses could be in the parade!

So, Jared and I met the cavalry detachment of the Bucket Brigade over in Veteran's Park right near downtown. We then walked with them to meet the convoys coming up 6th Street. As we met and the parade formed, I was impressed. There were close to, if not over 100 riders. Jared and I were placed near the middle.

One of the trucks in the convoy was carrying the large Shovel from the Shovel Brigade in Jarbidge, Nevada. On July 4th, 2000, Jared and I had attended that demonstration in Jarbidge where we helped opened the road that had been closed by the federal government.

As we proceeded the first several blocks up 6th Street, the number of people lining the road was in the hundreds. But as we turned onto Main Street and for the five or six block run down to the courthouse, this changed dramatically. To our left and right were now literally hundreds and hundreds of people in each block, thousands all together, lining the road to the courthouse.

In addition, I snapped a picture of the "Politicians Vehicle" which was trailing the horse riders. This respected and aptly named vehicle was being used for a special political purpose. It was the cart in which all of the horse excrement that fell on the road was being piled.

The people were cheering and waving. News reporters became more and more evident. I started trying to get the chant "Keep the Water On!" going and as I did so, a reporter with a video camera came up and asked me if I had a message for the administration and the government. I replied,

"Yes, I hope President Bush is watching this from the comfort of his ranch in Texas. I hope he will remember the people of the Klamath Basin, these farmers and ranchers who helped put him in office. I hope he will help them by resolving this crisis."

I didn't know it at the time, but that clip was later aired several times on CNN.

When we arrived at the courthouse, the crowd was very large. The courthouse and the courthouse annex sit right across Main Street from each other. They have fairly large common areas in front of each building, which makes for a large open area. In this area, upon the steps of each building and all long the road there were now perhaps 3,000-4,000 people. They cheered loudly as the convoy came up behind the riders, particularly as the bucket came up. The chants of "Turn the water on!," and "Keep the water on!" began in earnest.

As the large Klamath Bucket Brigade bucket was pulled in front of the courthouse annex, a large crane picked it up and moved it.

It was lifted carefully and slowly off its trailer and positioned in front of the courthouse steps. Then it was lowered in its heavy metal carrier frame onto the sidewalk where it will stay as a remembrance of the fight being waging for rights and liberty in the Klamath Basin.

Once this token of the struggle was in place, speakers made their way to the podium. Bill Branson, one of the organizers of the relief effort, Bill Oetting, and Joe Bair gave great speeches. They made it clear that the battle was going to be waged relentlessly until a successful conclusion was achieved. They thanked the many people who had helped. The press was out in force.

The county commissioners and several local businessmen also spoke. Clearly, this event had caused some of the commissioners, who had not been very supportive of the head-gate activities and who had distanced themselves somewhat from it in the past, to recognize the fruit of those dedicated efforts. Now they spoke highly of those efforts and dedicated themselves to this fight in a more forthright way. This was absolutely necessary for ultimate success.

After these speeches, events moved over to the fairgrounds. Jared and I prepared to follow; but before we did, we had our picture taken in front of the great bucket.

At the fairgrounds, approximately five thousand people were present. Many outstanding speeches were given. A young girl sang a song she wrote about the anonymous individual who first opened the head-gates in late June and started events rolling that led to that day. Such commitment, such willingness to spit in the tyrant's eye and disobey unconstitutional and immoral laws are required to maintain liberty. That song was a great, heartfelt utterance to that principle and sentiment. The girl sang beautifully and delivered a message through song that penetrated to the heart. The good Lord is at work in this and no unhallowed hand can thwart it. That action and its impact on that girl's heart which produced that song were the types of things that no think tank, no spin meister, no power monger could account for.



Riders in the parade through Klamath



More riders in the parade through Klamath



The Shovel from the Jarbidge Shovel Brigade



The "Political" cart, following the horseback riders.



The crowd grew large as we approached the courthouse.



The area between the courthouse and annex was filled with people



The bucket arrives at the courthouse.



The bucket is moved into place in front of the courthouse. The author and his son, Jared, in front of the bucket.



Bill Ransom speaking to the crowd.



Ample press coverage.

Helen Chenoweth-Hage gave the closing speech. It was a fiery, hard hitting speech that revealed the real agenda of control and

Marxist ideology behind the efforts to take the farmer's water. Here is the transcript of Helen Chenoweth-Hage's speech:

### HELEN CHENOWETH-HAGE SPEECH

Thank you so much.

God it's great to be back here. A few of you know I was raised in Grant's Pass Oregon, so I have webbed feet and I can identify. About two years ago, I married my hero. And he's here and I'd like to introduce him, Wayne Hage.

Well, we're in a war, aren't we folks?

You know, back at the turn of the century, a hundred years ago, the government said, "Go west young man, go west." And we believed our government. After all, it was that same government that brought us through the War of Independence. Where just a few gathered initially in Samuel Adams cabin to plan the revolution, thirteen people, that was all. And they won the War of Independence.

#### Freedom.

Freedom is still the issue. Then we went through the Civil War. Although some of my friends from the South say that it wasn't at all civil. But the fact is, we went through some bloody wars in this country. After the turn of the century, the government promised to our veterans who were victorious, after World War I, "Come west young man, come west. Come to the Klamath Basin. Come to settle the West. We will work out a system where we will loan you the ability to have water and land. You pay back on the note (which our farmers and ranchers have done, Bureau of Reclamation projects.) We will give you every opportunity to settle the West because we as a country need to have our country settled from shining sea to shining sea." And so, to the veterans went the prize. And veterans, after they fought for us and came to victories in World War I and World War II, came in to the Klamath Basin and continued to settle after the Czechs and the Irish and the Indians had settled here first. This beautiful land became known as the Klamath Basin.

The Klamath Basin flows about 1.2 million acre feet of water a year and only 30% or 400,000 acre feet goes to the farmers, the ranchers, the wildlife refuge and to the homeowners who irrigate off of this system. But you know what? They want it all don't they?

They want it all.

And as the Wall Street Journal says, this is a rural cleansing. And I can tell you, ladies and gentlemen, that it is not just happening here in the Klamath Basin. It's happening all over the West.

My husband was the first rancher in the West to have his cattle taken by the federal government. And sold illegally and they kept the money, by the way. Just last week, two weeks ago, our neighbor had his cattle taken off his private property. And we were able to stop the BLM and the sale of those cattle.

So we are beginning to win. Step by step - together. And I was so intrigued by Holly Swanson's comments; I've been intrigued by all the comments by all the speakers today. But I was intrigued by her comments because she described what's really behind this.

But in addition to Holly's comments, I want to say this. I remember Watergate. And I remember Deep Throat saying to Woodward that "what's really behind this is you just follow the money." And let me tell you it, hasn't changed from what those famous words of Theodore Roosevelt were that it really is the monopolists that are really behind this.

I'm not inclined to be a conspiracy theorist person, but the fact is, once we're removed from the land, who will have the land? The fact is, when you read Raul Arnold's book, "Undue Influence," you find out who is giving to Nature Conservancy and the Sierra Club and the Oregon Environmental Council. You find out who these people are. You follow the money and you will be able to identify the problem. The fact is, that we're at war with a group of individuals who really are using government and the environmental movement to further their ends. And the fact is, we need to begin to recognize what we're up against.

You know, Thomas Sowell is one of my favorite authors. And it was Thomas Sowell who wrote in the Wall Street Journal with regards to the environmentalists who are carrying the water in these issues and happily doing so. They are very well funded. He wrote of those people, "Too often we find the notion that the shrill and selfrighteous people who push this stuff are some kind of noble crusaders. Thinking only of higher things." Sowell went on to write, "Instead of as the selfish and arrogant bigots and bullies that they really are. The essence of bigotry is claiming for yourself the rights that you would deny to others."

And the green bigots who call themselves environmentalists do this all the time. And that is the case...but the fact is, what is so neat about what is happening here today and what has happened in the Klamath Basin is, finally in the West we're beginning to come together.

As I look out across this audience, I see my friends like Jack Streeter, and a lot of my friends from even northern Idaho who have come in from Idaho. Julie Smithson who came all the way from Darby, Ohio for this fight. She's a real hero. That's the fight back there where the federal government is trying to push a group of farmers, who are Amish by the way, whose farms are beautifully manicured all the way to the pavement on the road. Beautiful. Trying to push them off their land.

Finally America is waking up and saying, "No!" They are drawing a line in the sand and like the farmers at Concord, who said, "We knew when they came to take our guns we knew they aimed to take our freedom. So we stood up and fought." And now when Americans are saying across this nation, even as far back as Darby, Ohio, "When they came to take our water, when they came to take away our land we knew they aimed to take away our freedom that it's time to fight." And that's what's happening.

You know that we may not always be politically correct. In fact, I am totally amazed. When I lived in Grant's Pass, we had these sucker fish that were in our irrigation ditches. They were constantly bothersome. And the fact is, we're having to release water not only for the sucker fish but the Coho salmon. And I still find it amazing even after having been in Congress, and even going through this debate for six to eight years on the front lines; I still find it amazing that a species, the salmon, that is declared endangered we can buy off the shelf in a can in Albertson's. It doesn't make sense.

And so those who would be politically correct can't debate us on the issue; no, they want to throw rocks. They want to denigrate us personally. Which, you know it was Charlton Heston who said about political correctness, "It's just tyranny with manners." You know, Heston went on to say, "I wish for you the courage to be unpopular. Popularity is history's pocket change. And courage is history's true currency." And you have the courage of your convictions. I am so proud of you and so proud to be a part of this program today.

I just want to sum up my comments with this story of...first of all, how many of you saw the movie The Patriot? Isn't that great? I'm so glad you saw it. You know, when I was in Congress I wanted to reproduce that movie 435 times and sent it to every single one of my colleagues and say, "This is the reason that we are here." What's in The Patriot? It's a fight for freedom.

Freedom is the issue.

And we've got to be willing to lay down everything we have, as he did, for freedom. But you remember when he went to the first meeting in the town hall and they wanted him to join up and fight for independence, do you remember that? He stood up and he said, "Would you rather be ruled by one tyrant 3,000 miles away or 3,000 tyrants one mile away?" And at that time everybody thought, "3,000 tyrants one mile away isn't possible." Well, you drive through Klamath Falls and you look at the businesses that have closed down and look at the site of the old Klamath Mill. Look what 3,000 tyrants one mile away have done. Then look at the great buildings of the U.S. Forest Service and Bureau of Land Management. It's happened. There's been a huge transfer of wealth and power. And we need to take it back.

Do remember in The Patriot towards the very end, the very last battle? His son who was ultimately killed. Gabriel had picked up an American flag that was in the dirt, and that's the last thing we want to see is the American flag in the dirt. He picked it up and when he could, he sewed it back together again. Gabriel ultimately died. But in the last battle his father, the patriot, was carrying the flag. During the last battle he was busy fighting. And someone else took the flag and the flag fell. Again. And our troops began to retreat. Do you remember when the patriot picked up that flag and he said, "No retreat! No retreat! Hold the line! Hold the line!" and finally the troops came in behind him. We won the battle. Ultimately we won the war.

So understand that's what you're saying if you're in Klamath Falls. No retreat. Hold the line.

And I just want to close with a story General Joshua Lawrence Chamberlain who was a general for the Union Army during the Civil War. And if you remember your history of the battle of Gettysburg, there was a group of dissidents from Maine who didn't like war. Who didn't want to take command. They wanted to go home. And they absolutely wanted no part of this war. And Joshua Lawrence Chamberlain was a colonel at the time and his superiors came to him and said, "We need to have you to do something about this group of dissidents from Maine. No one else can handle them. But it's your responsibility to organize them and get them moving in to a fighting force." So Joshua Lawrence Chamberlain went over to where these mean dissidents were lounging around under a tree. He walked over and even at the approach of a colonel they didn't stand. That's what their attitude was.

But Colonel Joshua Lawrence Chamberlain, who later became general, said this, "Well, I don't want to preach to you. You know who we are and what we're doing here. But if you're going to fight along side us there's a few things I want you to know. Freedom is not just a word. This is a different kind of army. If you look at history you'll see many fights for pay or women or some other kind of loot. They fight for land or because a king makes them fight or just because they like killing. But we're here for something new. This is free ground. No man has to bow. No man is born to royalty. Here we judge you by what you do, not by who your father was. Here you can be something. Here's a place to build a home. It isn't the land. There's always more land. It's the idea that we all have value. You and me. And we're worth something more than just the dirt. I never
saw dirt I'd die for, but I'm not asking you to come and join us and fight for the dirt. What we're all fighting for, in the end, is each other."

That was true then when that group from Maine were the heroes in the fight at Gettysburg. And it's true today. 'Cause we're not just fighting for dirt. Yes, the love of the land courses in our veins. Yes, the love of freedom courses in our veins. But we're here, finally, to fight for each other. Let's keep up the fight! God bless you. And thank you Klamath Falls for what you're doing for America.

Sadly, Jared and I had to leave and start our 7-8 hour drive back home. Our hearts and our minds were with these people and we wanted to help them see ultimate victory in this struggle and tried to help make that victory a template for similar victories all across our nation in the future.

When you consider all the people in the procession, all of those lining the streets, all of those at the courthouse, the courthouse annex, and all of those at the fairgrounds, there must have been fifteen to twenty thousand people in Klamath that day. It was a wondrous thing to see and be a part of.

As Helen Chenoweth-Hage said, "Americans are beginning to wake up and get involved in this fight." They were certainly out in force that day.

#### Thursday, August 23, 2001 Klamath Falls, Oregon

#### [The pictures and some narrative in this section are by Sean Finnegan]

The author was informed early Thursday morning, August 23<sup>rd</sup> that federal personnel had closed the head-gates in Klamath around 6:30 a.m. mountain standard time. This was expected as they had announced that they would do this very thing sometime between Thursday and Friday. I had returned to Emmett, Idaho, after the Freedom Day activities and had just arrived at my place of employment in Boise that morning.

I immediately exited the building and began using my cell phone to contact people. I talked to several farmers and organizers regarding the situation. I talked to Sean Finnegan (aka "nunyabidness" of FreeRepublic.com). It was clear that the farmers in Klamath intended to have their rights and would not sit back and allow the water to be turned off without a response.

Some were for "going in" and taking the head-gates, others were for petitioning the sheriff to take more direct action against the federal personnel at the head-gates. That effort would be an effort to get those landowners with water rights in Klamath County to sign a petition and then a complaint regarding the infringement of their rights. Apparently Sheriff Evinger had indicated he would take some action if 770 signatures could be gathered. By the time the head-gates were once again closed, they already had over 600 signatures and the number would grow to over 1,300...virtually all of the Klamath County citizens with water rights in the basin. Other farmers, organizers, and supporters wanted to get a larger bypass going around the head-gates, similar to what we had done five weeks earlier, but much larger.

I believed the petition idea was great, but also believed that some direct action was necessary. I advised them to see if they could get buy-in with the people that wanted to "go in" and then use their activities and "threats" to go in as a ruse or diversion to hold the press in place while material was gathered for the bypass. We had used similar tactics to good effect five weeks earlier when we created the first bypass. I also advised them that, from my perspective, the bypass put exactly the right kind of direct pressure on the government which was needed for ultimate success, and that they should get the material together and make that happen.

Since I could not personally be in Klamath at that time, I coordinated efforts online in several places to not only help the farmers, but to get the word out. My major point of contact was Sean Finnegan, who had driven out to Klamath from Maryland for the Freedom Day rally. Sean was really stepping up to the plate to be a true friend of the farmers and a source of ongoing information from Klamath. Thank God he was there and that the Spirit moved him to stay and help. That every American could have sensed the urgency of this cause in the same way and respond accordingly.

Information filtered in throughout the day, both by phone and by email. The gates were completely closed by 8 a.m. mountain standard time (7 a.m. in Klamath) and folks were gathering at the head-gates. The press presence had gotten much larger as they felt, and perhaps hoped, that a significant and direct confrontation would take place.

It was discretely leaked to the press that at 10 a.m. that morning Stan Thompson, a local man who was extremely upset over the situation and a fire breather who wanted to storm the head-gates, would show up at the head-gates. Stan showed up. He had been interviewed by KPDQ out of Portland the previous Saturday along with the author. He backed his pickup truck up near the entry gate, got out and began verbally challenging the federal personnel. He pulled a ladder out of his truck and sat it next to the entry gate, as if preparing to climb over.

Several of the local farmers and the organizers of the Klamath Relief Fund efforts appeared and had direct, seemingly heated words with Stan Thompson. They told him he was verging on hurting their efforts and convinced him to not "go in," but to wait. The press was eating it up as it appeared that the farmers were now arguing among themselves. The press still needed to be held in place longer because the material for the bypass had not arrived yet. Two individuals got in a row boat and rowed over to the head-gates. They were filmed by the BLM Rangers and when they got there, they did two things.

First, they handed the Rangers a "Pink Slip," symbolically firing them.

Then, they requested that the BLM Rangers hand over the American flag that was flying right side up on the government side of the fence. To everyone's great surprise, and to the cheers from the assembled crowd, the BLM actually did so, taking the flag down and handing it to the farmers in the row boat. They then brought the flag back to the farmers/citizen side of the head-gates amidst a lot of cheering, clapping, and fan-fair.

Many farmers and supporters were now gathered at the headgates. The mood was somber, but expectant. I could just imagine their feelings, the anxious moments as I remembered the events of five weeks earlier when we had put in the first bypass.

I wondered from 400 miles distant, as the reports came in, if they, like me, were sitting on pins and needles waiting for that pipe and equipment to come in and for the water to be flow again.

Then, the equipment arrived. This time the bypass would be 12" pipe, handling more than twice the volume of the earlier 8" pipe. Once again, the pipe was laid out from the pump up near the bridge over the Link River arm of the lake, down past the gate that accesses the head-gate compound.

Felicia Probert, the BLM Ranger in Charge, decided to let the pipe be placed across the "compound" again to avoid erosion and farmers went "in" to make this happen.

I could sense the work, the effort to hurriedly put it in place as I read the reports. I knew the feeling must have been the same as five weeks earlier. I longed to be there with these compatriots. Once completed, as the pump was primed, there was a problem. No, it wasn't that State Police were trying to arrest the farmers involved as had occurred with the first bypass. It was an equipment difficulty. The material used for the intake for the pump had worked well for the 8" pipe. But for the 12" pipe, it needed to be a stronger, steel intake. The pressure on the existing one had collapsed it. A delay was required to retrieve the proper material. While this was going on, a great thing happened, and one that clearly indicated the feeling of the BLM personnel in all of this. They attached an American flag to the bypass pipe which was running across the compound and which would carry water to Canal A. These BLM officers recognized the all-American nature of what the farmers were trying to accomplish, and the struggle they were involved in. They did what they felt they could to show solidarity. A cheer went up from the crowd.

Too bad the BLM Rangers did not step aside to let the farmers turn their water back on and begin protecting them, the rightful and legal owners of that water. But their symbolism spoke volumes. The government employees themselves did not support their own position.

Finally, the equipment was in place. We heard over the internet and the phone lines that the "turn on" was imminent. Then, just after 6 p.m., twelve hours after the federal government had turned the water off, the pump was turned on and water began to flow into Canal A again!

I am not ashamed to say that I shed tears when I heard this. The spirit of liberty reached across the intervening miles and touched my heart. The emotions from a few weeks ago were rekindled.

"LET THE WATER FLOW!" The crowd cheered wildly. Even the federal personnel were smiling, and the water was flowing again!

Before the irrigation pipe for this new bypass was completed and the water turned on, Sean Finnegan took a walk to the Link River Dam. The Link River connects the Klamath Lake with the basin and ultimately forms the Klamath River. What he found was telling. Not only was water flowing like crazy through the gates of the dam, but further downstream at the first power station, the input line was leaking like a sieve. All that water flowing down the river, a veritable torrent. All of that water leaking onto the ground...but none for farmers? The following are Sean Finnegan's own words regarding what he experienced while making this field trip:

I proceeded to make my way to the Link River Dam. This leads to the PacifiCorp turbines that generate power for Pacific Power and Light. The flow from the dam was impressive.

The pipe that feeds the turbines from the lake was spouting water at an alarming rate. The riverbed was full of all sorts of birds and it looked like a jungle grown over with vegetation green as an emerald. It was there where I ran into an individual working for Pacific Power and asked him a few questions.

The power generation using the river is done only in the daytime because the sucker fish are active at night. Pacific Power has its own biologists and they found that the water temperature is around 74 degrees and that the water is not holding oxygen well. In addition the company has installed ladders for the salmon to migrate but the salmon aren't making the trip because of the temperature and lack of oxygen. The worker also stated that that the power company workers routinely drain the river and round up the sucker fish using electric prods and put them into buckets to return them to the lake and when they do the numbers are in the hundreds.

The electrical power being generated by the river is sent to the power grid. The border to California is just a few miles away. You have to wonder where all the water is going if it's not going to the farmers. Sean Finnegan

So, yet another day passed in the struggle between patriotic, hard-working, law abiding farmers and a federal government caught up in regulatory madness and tyranny that was trampling the rights of its citizens and destroying their livelihood and way of life. I was so proud of these people and their direct, principled and yet civil stand against such encroachment. I am humbled to know them, to be involved with them and to witness their steadfastness and courage. God bless them, God bless all who struggle for liberty and not waiver.

We Americans cannot let this stand. What's done to them, can be done to all. We sit back, and avoid involvement at our own peril.

To my friends and compatriots in Klamath I say, LET MORE WATER FLOW! Put in another pipe every day or two, put in bigger pipes! Get those 36" siphons going and make plain your intent to have your rights. The politicians, the policy makers, the administrators, and the people used to enforce this MUST know of your resolve to not back down, to not give up, but, rather to claim your rights.



Head-gates a Canal A are closed once again ..



Waiting for the water to flow once again.



Stan Thompson arrives at the head-gates.



Farmers "argue" with Stan as he prepares to "go over" the fence.



Farmers in row boat hand the BLM Rangers their "pink" slips.



Proudly displaying the flag they "won" from the BLM Rangers.



Irrigation pipe once again laid out for the "bypass."



Irrigation pipe being place across the "compound" to avoid erosion.



BLM Rangers affix an American flag to the farmers bypass pipe.





Water flowing through the Link River Dam.



...and leaking all over the ground in torrents at the power station inlet.

### Sunday, August 26, 2001, Klamath Falls, Oregon Interview with suspended Klamath Officer Redfield

[On August 26<sup>th</sup>, 2001, Sean Finnegan talked to Jack Redfield, who had given a speech supporting the farmers, and was suspended by the Klamath Falls City Manager. What follows are Sean's own words of the interview.]

I rode out to Jack Redfield's ranch in Klamath with rancher Jim Palmer and his wife Mary today to see if Jack had anything to say. He did.

You may recall that Lieutenant Redfield of the Klamath Falls police department spoke out at the head-gates in support of the farmers. His letter provoked his suspension in July by City Manager, Jeff Ball, who said, "The statement read contained a number of extreme and potentially inflammatory passages. The city of Klamath Falls does not endorse those views."

"Mr. Redfield was acting in his private capacity when delivering the statement, and was outside the scope of his official duties with the city. He should not have been in uniform, and it was inappropriate to have other uniformed city officers on the podium with him."

Ball went on to say that Lieutenant Jack Redfield, a 39-year veteran, would continue to receive pay and benefits until an internal investigation is complete.

That's not what I heard.

I heard Jack Redfield was suspended without pay and that if he set foot on city property he would be arrested for trespassing. His brother officers or city officials have not visited him at his ranch, and he could use the support. He's got many head of cattle and little help. When I was there, he only had three people with him putting out feed and cutting his bulls. In an emotional exchange, he related his feelings since his suspension. When asked to comment on his present situation, he said that he was currently prevented by counsel from making any statements. However, he did have this to say to the farmers at the head-gates.

"I can say that I am extremely proud of the local community, the ranchers, the farmers, the local businessmen that have been devastated by this mess. People are losing their livelihoods. I'm very proud of their professionalism, their restraint, and the fact that there's been no violence. It's frightening, the fact that many families are losing their livelihood. They are a hell of a neat bunch of people and I'm proud of them. And I'm with them. I'm somewhat limited in what I can say publicly, but I can say that, by God. I'm very proud of them."

When asked about what he said in his letter that he read at the head-gates, he responded, "I stand by every fricken' word of it."

When I asked a Klamath Falls cop about the suspension without pay, he indicated that he had heard that Redfield was suspended with pay. And when I asked if he would support his lieutenant, he said he would...but not in public.

After all, if the city can suspend a 39-year veteran for speaking out, what would happen to a beat cop backing him up? And while the Klamath police department did strike in 1974, they no longer have that option today.

I tried to call the city police and the county offices, but as it was Saturday there was no answer. So, while the city has the weekend off, former Lt. Jack Redfield, advocate for the farmers and ranchers is working shorthanded, isolated, and alone in a small town in Oregon without water.

Sean Finnegan

# Wednesday, August 29, 2001 Klamath Falls, Oregon Farmers breach the federal perimeter of the head-gates

Early on the morning of August 29<sup>th</sup>, 2001, I wrote a speech to be delivered at the head-gates in Klamath Falls at a 4 p.m. meeting. I was concerned about my many friends there and for their welfare as they continued to fight for their rights, their livelihood and their way of life.

That meeting would be pivotal. A number of the local people had done extensive research and had proof regarding something all of us who were involved already knew in our hearts to be true. Due to the provisions of the Reclamation Act that built the Klamath Project, the irrigation gates now being guarded by armed federal officers belonged to the farmers. That information would be presented to a large gathering of farmers at the head-gates, to as many people on the web as could be reached (and it would be tens of thousands), and if God was willing (and it later proved He was), they were also planning to present it to the federal officers on that side of the fence.

The meeting would also be critical in other ways. Through my discussions with the organizers, it was apparent that Sheriff Tim Evinger and the local commissioners would be watching the event. So far, a relative handful of farmers had actually taken direct action themselves. They probably numbered in the dozens. Despite the fact that 1,300 had recently (within the last week) signed a petition requesting that the sheriff protect their rights to the water and take action...the sheriff and others were waiting to see what kind of commitment those farmers had before they took the steps to directly confront the federal government. Were the farmers themselves willing to stand up and do something more for their own water? Were more than just a few willing to do this?

We found out later that afternoon that they were.

I could not attend the meeting personally, though I longed with all my heart to be there. I had exhausted all of my possible leave and excuses for missing work and was in danger of losing my own job and livelihood. (Later, it would prove that I did) Short of an actual physical confrontation (which was certainly possible) I had promised that I would vouchsafe our own means of support for our family of seven. I had already put significant stress on that livelihood and could only afford to risk more if things turned much worse. I knew that the folks there had plenty of help, and I prayed that the farmers themselves would show up in numbers this day.

So, I continued on the phone throughout the day whenever I could get a moment. I sent my speech by email and asked that one of the local people like Bill Oetting, Jim Palmer, Barron, or Gaylord read it on my behalf. I was told that someone would.

As the reports began coming in on FreeRepublic.com from people who were able to attend and who either called by cell phone or typed in their accounts on the internet itself, and as I talked to J.J. Johnson at SierraTimes.com, my heart began to swell. The speeches that were given were full of patriotism and a direct challenge to the reprehensible and tyrannical actions that had been perpetrated on these good people. The numbers were growing...first a couple of hundred...then close to a thousand came to the head-gates that day.

When the first reports came of people crossing the fence late in the day, my wife and I knelt next to our bed and offered up a sincere and heartfelt prayer to God in Heaven on their behalf that they would be watched over, that they would make progress in retaining their right, and that if it was God's will, peace might be maintained; but not at the cost of essential liberty. I will once again let the eyewitness account of Sean Finnegan, from Maryland tell the tale of what happened that day:

#### ACCOUNT BY SEAN FINNEGAN

The meeting began promptly at 4 p.m. and estimates of the crowd range from 500 to 700 irrigators (farmers and ranchers) assembled to hear the proof organizers said they had of ownership. Barbara Martin went through extensive research and legal material she and others had gathered, and presented a compelling case. She passed the information to each one of them and when she was done, she asked them if they thought it was their water. And the crowd answered, "Yes!" And when she asked them what they wanted to do with their water, they answered, "Take it back!"

After Barbara spoke, Robert Herd, former sheriff for Tehama County, California, got up and spoke on his experience as a county sheriff who had thrown out federal agents of the ATF, IRS, and EPA who had come into his county to shake down and otherwise harass his constituency. None of the agencies mentioned had bothered to sign a "Memorandum of Understanding" (MOU) with him when they entered his county. An MOU is a document which is supported by a federal law (written by Helen Chenoweth) which says that federal agents must state their purpose with the sheriff before conducting business in the sheriff's county. In the case of the IRS agents, sheriff Herd arrested them and confiscated their weapons. Eventually the Attorney General had them released. They decided to donate their weapons to him rather than face ridicule in the press.

Richard Mack, former sheriff in Arizona, spoke next and he made an emotional plea for freedom to the crowd. He led them through the history of "peace officers" and their roles in their communities to the present state where "law enforcement officers" enforce laws while trampling on the rights of the citizens they are paid to protect. He read from the Constitution and even spoke from the Preamble of the Declaration of Independence in the form of a prayer.

As he spoke, he punctuated his words with gestures at the federal officers across the fence and repeatedly referred to them as redcoats. By the end of his speech the crowd was on its feet.

Following Sheriff Mack, local rancher Jim Palmer read a speech by Jeff Head, a real American I know and admire from Emmett, Idaho, who spent considerable time at the head-gates. Jeff's words, spoken by Jim, reinforced the support of the people of this country who have been drawn to the basin to see freedom preserved at any cost. The words rang true, not only for Klamath, but also for the country. It was time to wake up and make a stand.

The last man to speak was Joe Bair, one of the original men to take the head-gates, and a man who stood at the head-gates for over 51 days. Having spent time with him, I know him to be a man of commitment and integrity, and I know that he wanted the irrigators to make a decision for themselves for once. So when he spoke his message was simple,

"It's up to you to decide what to do today. Make your peace in your hearts and make your decision. I can't do it for you anymore."

After Joe spoke, a few more people tried to talk the crowd out of doing anything foolish; but they were heckled and eventually they left the stage.

Barbara Martin told them to decide what they wanted to do and if they felt it was time to take back their water that they could get in line at a gate in the fence and follow a young man who was about to deliver the proof of ownership documents and demand the Feds vacate the property. In a unanimous display of strength and community, the farmers and ranchers stood and gathered at the fence that kept them from their water.

[Author's Note: At this point, Barron Knoll walked to the fence and calmly crossed over it. Barron was one of the younger farmers who had been very involved with all of the confrontations at the head-gates. He was someone I had grown to respect greatly, and one of the individuals deeply involved with the creation of the first bypass to the head-gates on July 15<sup>th</sup>.

I cannot tell you how proud I am of Barron. While Barron confronted the officers, his friend Danny, another farmer who had been involved from the beginning (both of whom are pictured in the

July 13th photo of farmers opening the head-gates) crossed over right behind him. These men showed the way...and hundreds followed!]

Barron Knoll crossed the fence. Not moments after that, others came behind him. Slowly but steadily, they went over the fence. Old, young, Indian, farmer, rancher, townspeople, and even the press faced the awesome power of the federal government and took back their ground. Federal agents retreated to the narrow walkway of the head-gates and formed a line to prevent people from entering the gate area directly to attempt to make another "unauthorized release" of water into the canal.

The numbers began to swell and as they did, songs were sung and tears were shed as people embraced and shared a moment they had wanted for many months. They were on the brink of taking back their water and the stewardship for their land that they had shared for over a century with all the fish and wildlife they cared for as much as their crops.

It was a joyous celebration of freedom seldom seen and felt in a country where people who call themselves environmentalists hide behind laws which deprive the animals they seek to protect of the resources needed for life and steal the land from the people who know more about living in harmony with nature than any pencil pusher from Eugene or Portland ever would living in a condo and breathing manufactured air.

I waited patiently to climb the ladder and, as the number grew, some started to make camp as they knew they would be in for another long haul. Meanwhile the gauntlet of federal officers tightened their ranks and were peppered with comments and questions. No one was disrespectful to them and they were invited several times to go home. They never spoke and stood fast guarding a smaller area than they had occupied moments before.

A line was created between the rangers and the people by police barricades and some penetrated it and continued to ask questions. One woman even took down every one of their names and badge numbers. They never once said a word. They just stood there stone-faced and emotionless. Finally after some time, Sheriff Tim Evinger arrived amid cheers and fanfare and entered the head-gate area, thus violating federal law, and began to make his way through the crowd. He ended up face to face with the federal officers and exchanged words with them. He was asked repeatedly by the people if he was going to throw the feds out and he responded by saying the he would need a court order to do so and when he received it he would act. He was surrounded by his supporters and questioned and embraced by the farmers and ranchers who had asked him to make the stand with them. Moments after he requested the court order, cell phones were buzzing to judges in the area. Time would tell if the court order would arrive.

A table and chairs were brought over the fence and eventually dinner was served as it always was at the head-gates; albeit this time a little closer to the water. Hotdogs and beans. While the meal was being served, signs of a shifting of "Camp Head-gate" from the parking lot to the area beyond the fence could be seen. And one bit of irony was observed as I noticed that the farmers had taken the gate. The gate in the fence was gone from off its hinges and in it's place was an empty space that the people of Klamath Falls passed through from their community to their land and their water.

And as I watched the sunset at the head-gates, I was reminded of the words of Charlton Heston as said by Helen Chenoweth-Hage on Freedom Day, "I wish for you the courage to be unpopular. Popularity is history's pocket change. And courage is history's true currency." I saw a lot of courage in Klamath Falls that day. And I'm proud that I was there to see it expressed by farmers and ranchers in a small town in Oregon without water. For now, Sean Finnegan.

I spoke with Danny and others that evening. Sheriff Evinger requested that the BLM officers leave. They indicated to him that it would take a court order for that to occur. As Sean indicated above, the people requested repeatedly that he get the court order.

Apparently, Sheriff Evinger has indicated he would seek to obtain such an order from a local judge. It was based on the claims of ownership by the people, it was based on the denial of water rights by the government, it was based on the threat to body and livelihood the federal agents represent as long as they are there...and it was based on what is right and what the constitutional duty of the sheriff and any other law enforcement officer is...to bear true faith and allegiance to the Constitution, to defend the Constitution from all enemies foreign and domestic and to protect the life and liberty of the citizens of this nation....and IT WAS ABOUT TIME!

God bless the people there. God bless their efforts to retain and vouchsafe their God-given liberties as American citizens. I am proud and humbled to have been involved with and associated with such patriots.

What follows is the full text of the speech I sent to Klamath which was read by Jim Palmer on August  $29^{th}$ , 2001.

#### Jeff Head's Speech - August 29, 2001

#### LET THE WATER FLOW

I am grateful for the opportunity to have this speech read to you here at the head-gates today. I only wish to God that I could be there amongst you, a group of people I am proud to be acquainted with, and I have been humbled to be involved with in an epic and critical struggle for liberty and the traditional American way of life.

...and make no mistake, this is EXACTLY what this struggle is all about. It is about whether free, independent, law-abiding American citizens will be able to enjoy their rights as citizens of this great Republic...their right to choose their own livelihood, to have their property and other legal, contractual rights honored, and to enjoy the fruits of the work of their own hands. That's the fight on the one hand...the hand you good folks represent.

The other hand is whether or not agenda-driven socialists and, yes, Marxist, ideologs will be able to continue their influence over our governmental agencies and destroy those rights at their discretion...about whether in the name of some "collective" good of their choosing and definition, frivolous and insulting reasons can be forwarded to destroy the free rights and liberties of the citizens of this basin...and by extension of any other basin or valley in this nation. That, my friends, is the true nature of this struggle.

I will try and be as brief as I possibly can.

Many of you here know me. I was raised on a small ranch in North Central Texas and have been close to agriculture throughout my life by choice, preferring with my wife to raise our five children in the smaller towns where the people are still connected to the land and where the simple truths of reaping what you sow is a way of life.

I came here to the head-gates on July 13th when I heard that the water had been turned on by a relative handful of committed and courageous individuals who intended to claim their rights in spite of a reprehensible court ruling and its implementation by the current Administration. I arrived late in the night to join those folks and I was here the next morning when armed federal officers, supported by your own local law enforcement, took the gates back. I was here the following day when an inspirational plan was developed to pump water around the head-gates to the astonishment of those same federal officers and to the unbelievably proud and patriotic feelings of the people assembled here at the time, and by extension over the internet, to the patriotic feelings of literally tens of thousands around the nation.

I was here when we delivered the first 10,000 signatures on a petition to the sheriff and when we confronted Mr. Jeff McCracken here at the head-gates, when your sheriff rescinded his request for the federal agents to be here...a request that to date has not been honored by the federal government.

I helped organize the Boise, Idaho, convoy stop and was here for your great "Freedom Day" which was put together by those same courageous people who initially turned the water on and faced the federal personnel here at the head-gates during all of the events I described. What a day it was! Despite the attempts by the press to play it down...to under report the numbers. The thousands of people who were here know what they felt and experienced, and the outpouring of help from all over the West by private citizens was apparent. The former Idaho congressional representative, and a very popular figure in the fights we are involved here in the West, Helen Chenoweth-Hage spoke plainly on what we face in this struggle, who is funding the fight against us, and what their ultimate aims are. We dare not forget the aims of those who oppose our traditional American liberty as we continue this fight.

I wrote that same petition that many of you have signed and which continues to gather signatures all over this land. If you want an uplifting experience, if you want to bolster your spirits in this fight, go online and read the comments from your fellow citizens all over this nation regarding your circumstances here.

My point in stating all of this to you is simple. The word of what is happening here in Klamath is spreading. The fight can be won...indeed it MUST be won. The word is spreading because of the courageous direct actions of a relative few of you which have touched the hearts of many others, including myself, and caused us to become involved and to help.

Our foes fear this. They are trying and relegate it to nothing by not reporting it...or by castigating it with false claims of what they call "fringe" elements and agitators. I have been called and labeled an "outside agitator" simply because I came here to help. We cannot allow such false claims to deter us. The truth will win out if we simply stay the course and not play on the playing field these folks would like to force us onto. That is their game, that is their way...to set up a playing field highly slanted in their favor, and then to force their opponent onto it. We cannot go there.

You are gathered here today to make the clear claim as to your rights and your property. There can be no doubt, to any sincere-hearted person who cherishes our American liberty as to what is happening here. There can be no doubt as to who owns the water rights to the irrigation water sitting behind those gates. There can be no doubt as to who really owns those very gates...all legalese and wrangling aside. You folks have every legal and moral right to take possession of those gates...but you also have an obligation to ensure that it is done in a manner so as to best ensure your ultimate victory and the retention of those very rights.

I must speak plainly on this and give you the best advise I can.

Until and unless you have the support of your elected county commissioners and your sheriff, you should not "take" the gates and force that confrontation...at least not until you're left with absolutely no other option. I believe you still have another option...one that can work for you and get you off the playing field and the trap that has been set for you. You have the option to take a course that forces the federal agencies and their personnel who are trampling your rights to be the ones to move overtly.

There is water in the lake. There is a canal here below the gates. You have proven that water can be moved from the lake to the canal right around those gates. This move has captured the imagination and the support of literally tens of thousands of your fellow citizens on two separate occasions now.

My best advise to you is to continue to pump or siphon more and more water right around these armed federal guards until you fill that canal and render their current efforts meaningless. It will place great pressure on the federal government to either back down and find some sort of "exemption" to the Endangered Species Act in this case, like they recently did in Washington, D.C. for themselves, or it will force them to make a much more overt move to come across here to local ground in an attempt to shut the water down. Such a move would carry far too much political liability for them...such a move would outrage even more Americans and draw them to your side.

This course, of moving water around the head gates, has a much better chance of garnering your local officials support...of continuing to move those officials towards your efforts to retain your rights. Such a move sends the clear, unmistakable message to the government that you remain determined and resolute in retaining your rights...and just as important, that you intend to do it YOUR way and not play into the hands of these self-styled and self-proclaimed federal overseers. What's more, such a move is something you are uniquely qualified to make. It is, after all, what you do every year in your own fields all over this basin.

So, I urge you to please consider this course. It will help nurture and garner the continued support of people all over this nation. It will be difficult, if not impossible, for the press to "spin" because you will not be doing what they expect or what they can so easily mischaracterize to the nation. It will also put the pressure on the government to resolve this properly and once and for all as the public pressure continues to build. Finally, it is something you can much more easily sustain.

God bless you in this decision. God sustain you in your efforts, and either way, if God be willing...

## LET THE WATER FLOW!



Preparations for the big meeting of August 29th.



The growing throng confronts the BLM Rangers.



Barbara Martin documents proof of farmer ownership of the head-gates.



Sheriff Richard Mack speaks to the crowd.



Joe Bair addresses the crowd.



Barron crosses the fence to surrounding the head-gates.



...and then confronts the federal officers there.



Citizens cross the fence by the hundreds and reclaim their ground.



Sheriff Evinger arrives and crosses the fence to stand with the people.

## Thursday, August 30, 2001 Klamath Falls, Oregon Federal Officials increase their numbers at the head-gates

I was asked by the media in Boise, Idaho, why the Klamath Basin water crisis was not receiving more major media coverage. Why it was not a leading story on the national news. In answer to the questions of why the major media was ignoring this, I said the following:

This word will spread. With or without the major media...as surely as word of Lexington and Concord spread up and down the original colonies.

The fact that the major media was being very selective in their coverage of the event tells you where their loyalties and agendas lie. If this had been a bunch of Marxists/anarchists being assailed by federal officers while trying to present their cause...the media would have been all over it. But this threatened the "status quo." The Endangered Species Act and the environmental groups surrounding it represented big money and very effective tools for the agendas of the power mongers. This action threatened that...so be it.

When they presume to trample and destroy the rights of whole classes and groups of American citizens, particularly those who are the epitome of what made this nation great, they were taking on more than they knew.

Truth is independent in its sphere. It would spread abroad with or without the help of any whores in the media. The honest in heart and the sincere would pass it along by internet, by email, on talk shows, through the mail, with copy and fax machines...BY WORD OF MOUTH if necessary! And there would be those few in the media who picked up on it and passed it along as well.

The others underestimate the Spirit of Truth at their peril...but that is the classic failing of true tyrants and institutional criminals.

What occurred on Wednesday was an act of courage, heroism and patriotism by a group of people who would not stand for the abridgement of their rights any more.

What happened there in Klamath should be a message to the overgrown, over-burdensome, bureaucracy that our government had become about what awaits it if it continued down this path of encroachment and infringement on unalienable rights.

It was also a message to liberty-loving people everywhere on how to confront this beast. The bell was being tolled, and tolled loudly in a small town in southern Oregon...let all who had ears hear and know the meaning of that ringing.

As a side note, as of that morning, August 30, 2001, the federal officials had increased their BLM Ranger numbers at the head-gates significantly. I guess they felt they needed more numbers to keep those courageous people away from their own water.

It would be a vain effort on their part...these people would have their rights...they would have their water.



More and more government SUVs arrive at the head-gates.



Farmers express their views with signs next to Canal A.



Federal officers backed right up to the head-gates.

#### Sunday, September 2, 2001 Klamath Falls, Oregon - Farmers Install First Siphon Bypass

I called the head-gates Sunday afternoon, to talk to Barbara Martin about her upcoming court appearance in Eugene, Oregon. It seems that the federal government had served her with a restraining order to keep away from the head-gates because she was supposedly "inciting."

Barbara had been very involved with the protests at the headgates from the beginning. She was the woman who so effectively communicated with the U.S. Marshals that first day after the Feds took the gates back on July 14<sup>th</sup>. She had continued ever since, being one of the principal individuals doing the research regarding the original project provisions for the farmers to own the irrigation works, including the head-gates, once the construction costs were paid off.

Apparently, the federal government took issue with her presenting this material to the farmers on August 30<sup>th</sup> when they decided to go across the fence and enter the fenced in area.

While we were talking, a truck drove into the area. It was a welding truck. I asked Barbara what that was about and she had me talk to Baron, an individual I knew well from those events and the first person across the fence on the 30<sup>th</sup>. He was also a farmer who was being severally impacted by the lack of irrigation water.

Baron let me know that they were going to be putting in the first siphon pipe right along the side of the head-gates. I encouraged him to put in several and to not stop until they filled up that ditch. He indicated they were headed that way, and hoped to have several pipes siphoning water soon.

Christie, a member of the FreeRepublic.com web site, had come to help the farmers and took the set of photographs as the farmers constructed the siphon bypass pipe and then turned it on.

Here's a description of the construction and how the siphon was actuated by Gaylord Brown, an individual who had been involved at the head-gates from the beginning:

After the pipe was put together and placed into position with the discharge end just above the water and the suction end of the pipe placed in 5 feet of water on the lake side, a hole was cut in the 10 inch pipe about 7 feet from the suction end. A fitting, that would except a garden hose, was welded into this hole.

That was the way it was filled after they closed the valve on the discharge end. I think it took just over 40 minutes to fill the pipe. Then a primer pump was installed in the place where the garden hose was and someone began to pump the primer until it tightened up and the valve on the discharge side was opened and the flow began.

Wonderful volume and burning no fuel at all. G. Brown

So, for the third time, the ingenuity of the farmers had started water flowing again in Canal A. All of this happened between 4 p.m. and 6 p.m. on Sunday, September 2nd, 2001. By 6 p.m. that water was flowing!

Place more pipe. Let more water flow. Fill that ditch! Relegate the head-gate guards to nothing. God bless these fine people as they continue to battle for their rights and liberty.

...and let's not forget Barbara Martin, as courageous and brave a soul as there was in this same fight. I encouraged all who could to support her at the courthouse in Eugene on Tuesday, September 4th, 2001!



Farmers fabricating the siphon line from 10" steel pipe.



More fabrication of the siphon line from 10" steel pipe.





Moving the pipe into place.




Routing the siphon right past the federal officers.





Finishing the intake which extended into the just lake above the head-gates.





Finishing the outlet and watching it siphon water.

#### Tuesday, September 4, 2001 Eugene, Oregon - Barbara Martin and Stan Thompson Hearing

On Tuesday, September 4<sup>th</sup>, at 1:30 p.m., Barbara Martin and Stan Thompson, both of whom had been served restraining orders regarding the head-gates, were to appear in Eugene, OR, before Federal Judge Ann Aiken for a "show cause hearing." Aiken is the same federal judge who found in favor of the environmental biological opinion earlier that year on April 7th that set the lake level at such high levels in order to "protect" the sucker fish.

In my estimation, due to her involvement in that decision, she should have recused herself from these proceedings...but she did not.

A number of people from Klamath went over. I thought I would include the words of Jim Palmer, a local rancher who went over with his wife, Mary, and several others. It is very comprehensive and I also am including the photos by Christie (from the Freerebublic.com web site) who was also there.

#### Narrative by Jim Palmer

Mary and I left the house at 6:30 a.m. so that we could get there with enough time to be able to deal with any last minute changes. While in route, we also decided to stop by Lonnie's home to see if he too would be interested in going. When we got there at Lonnie's, we found that he very much wanted to go! It took a few minutes for him to get his things together and we were again off and running.

We arrived at the head-gates at 6:50 a.m. and saw two gray minivans parked near the dance floor that had been constructed earlier in August. Gaylord Brown was there along with Stan, Mike, Gary Jenkins, and some others. Al King arrived just after we did and was wearing a suit that was fitting for the occasion. In fact we were all well-dressed. No Levi's nor work clothes.

We(Mary, Lonnie, Mike, Gary, and I) took my van and we went on our own way. We also learned that Stan was waiting for additional people to arrive who would ride with him. So, we loaded up my van and left at 7:15 a.m. Mike needed to make a short stop to pick up additional funds, and when we completed that task we went back to the head-gates to see if there was anyone else that that would like to go and was left behind. When we got there, Bill Ransom and Bill Oetting were at the head-gates talking with the Fish and Wildlife people. Lonnie called down to them asking if they would like to come with us, at which time both declined. So we finally left for Eugene at 7:31 a.m. Stan and his groups had already left.

The morning was great and the weather...well, you couldn't ask for better. Lonnie and I had discussed some of the material I brought along regarding the Federal Rules of Civil Procedure, along with the Federal Criminal Code and Rules so that we would all have some degree of understanding when the time came for us to be in court.

Most of our discussion centered around jurisdictional issues, as well as possible pleadings if Stan and Barbra were to open that door for the court to take jurisdiction or at least supplemental jurisdiction under Title 28. We arrived in Eugene around 11:55 p.m., parked the van and walked to the federal courthouse only to discover that the time for appearance was at 1:30 p.m. We looked around for their party/group and only found Gaylord standing near a plaza coffee shop. We offered him a spot to join us for coffee, but he respectfully declined. We told him that we would catch up with him later at the courthouse.

We all ordered coffee, with the exception of Mike. He wanted something that was sweet. During that time, we discussed the importance of the court not treating both cases as one, but to deal with both separately concerning Stan and Barbra. I knew from past experience that the government would try to treat them as one in order to consolidate the cases. The other important issue was whether the court had lawful jurisdiction or would attempt to argue that they had supplemental jurisdiction, which I believed they did not!

We would all have some surprises later in the courtroom.

We finished the coffee and headed for the courthouse. When we got there, there was a large number of U.S. Marshals there to greet us. They appeared nervous at first, but lightened up after they saw that we were just really friendly folk that were there for business. Other than that, it was just routine in running items through the x-ray machine and the metal detector. By this time, everyone was arriving.

Bill Ransom was there too. It was apparent that he either flew over or came on his own. Barbra and her husband were there along with her sister and some faces that we did not recognize.

We all went to the second floor of the courthouse, to the courtroom there, where we found a fair amount of people and two other familiar faces. One was the Fish and Wildlife officer that was at the Head-gates. The other was one of the BLM officers that had been there earlier. U.S. Attorney Sutherland was there as was one court clerk and a stenographer.

At 1:38 p.m., Judge Ann Aikins entered the courtroom. All were asked to rise, after which time the court was brought to order. Barbara was addressed by the clerk first, followed by Stan. After that, the judge addressed Stan Thompson asking if he was represented by legal counsel. Stan stated no, and that he requested a continuance until such time he was able to acquire counsel. Judge Aikins asked if that were granted, would he honor the TRO (temp. restraining order) specifically regarding that he would stay away from and off the headgates. Stan indicated that through prior discussion with the U.S. Attorney, he would honor that TRO. At that time the Judge granted the continuance of 30 days.

Then it was Barbra's turn and it was much the same except she had been in contact with her attorney. However, he needed to contact the court and verify that, in fact, he was to represent her in this matter before the court. The judge at this time stated that Barbara would need to do likewise and not visit the head-gates. However, it was also noted that the section around the head-gates belonging to PP&L was moot. The only concern was the head-gates themselves!

Judge Aikins then granted Barbara the same 30-day continuance and indicated that both were to appear October 4, 2001 at 1:30 p.m. Stan requested that the cases before the court be tried separately.

Apparently the judge granted both the continuance and separation requests and set Stan's court date as October 10th at 1:30 p.m. in Eugene.

At this point, we were all released from the courtroom and proceeded outside where Herald & News reporters were present for some interviews.

As you can see, the fight for the rights, livelihood, and liberty of the farmers in Klamath continued. The hearings represented part of the court action associated with that fight. There were other court fights, there were also legislative and congressional fights. There was also the fight for public opinion. But the most important fight and the most direct action that could be taken, in my estimation, continued to be at the head-gates. That was where the most influence over the others had occurred...and would continue to occur. Put more bypass pipes in. Make them bigger. Fill the ditch with water and just...LET THE WATER FLOW!



Barbara and Stan outside the courthouse.



Rocky from the head-gates.



Media interviews the Federal Attorney.

#### Wednesday, September 5, 2001 Klamath Falls, Oregon - Barbara Martin Interview

On Wednesday, Barbara Martin was interviewed by Roger Fredinburg. The interview transcript was posted on the Freereoublic.com forum by AuntB on Thursday, September 6. AuntB had been very active in the stand at Klamath Falls as a supporter, having visited the area many times and being very involved with activities at the head-gates, the Klamath Petition drive, convoy relief, and more.

Barbara Martin was a principal supporter of the farmers in the Klamath Basin and their rights, and had been served a temporary restraining order regarding her activities at the head-gates. Fredinburg interviewed Barbara regarding these issues.

Fredinburg: Agents of the U.S. Fish and Wildlife Services served a leader at the Klamath head-gates, Barbara Martin, with legal papers including a complaint, motion for temporary restraining order, and a motion to show cause and a temporary restraining order barring her from occupying, entering upon the area within the fence surrounding the head gates or interfering with, impeding, damaging, or obstructing the operations of the Bureau of Reclamation water control head-gate...and on and on it goes. We have Barbara Martin and Carmen Bair with us now. What is this? What is going on over there now?

Barbara Martin: That's kind of what I wanted to ask the judge yesterday. WHAT is this?? They came to my house Saturday morning while I was in bed and threw the document on my back porch and told my husband that I had been served. I had to be in court at 1:30 on Tuesday. Monday was a holiday so I had no way of getting an attorney or any kind of legal representation.

Fredinburg: Plus, that's like a 4 or 5 hour drive!

Barbara Martin: It's about a 4 <sup>1</sup>/<sub>2</sub> hour drive, yes. I even had to take the day off work to get that done. Well, I had to show. I was able to get hold of an attorney. He worked for [what I guess] is a couple days getting some documents together. I also had to appear in front of the judge, because if I didn't they may not have accepted the documents that he might not have been able to get there on time, then I would still be held in contempt. Now, the restraining order is still not real clear about where I can go and where I can't.

And something that I want to let everybody know, the reason why I feel they've given me this restraining order is because I'm giving facts of ownership of that project. And they don't own that project, clearly. And I have the documentation.

Fredinburg: What do your documents say? Describe them.

Barbara Martin: This is the Klamath Project, is what it is. It's a reclamation act. The reclamation act started in 1902. And this project started in 1906 and the government gave the irrigators ten years to pay back the project. And if you DIDN'T pay back the project...? Well, in my research I found... I stopped at 33 homes and property that the government took, because if you didn't pay it back, they just took your property and your house and they sold it. So the project was completely paid in 1955. Every district on the project was paid and now we own it.

*Fredinburg:* And they don't want people to know...they (the federal government) don't have any reason to be there, do they?

Barbara Martin: I have seven documents that state that the project reverts back to the owners of the property. I automatically reverted back once it was paid.

*Fredinburg:* Now, these are legal, registered documents, right?

Barbara Martin: They are.

Fredinburg: You're disseminating this information - that worries them because they don't want people to know. They want people to believe that the feds own that land when the truth is, it belongs to the farmers in the Project.

Barbara Martin: And, I might add, if they do own it, why aren't they arresting people that are over there on it right now? And why aren't they citing people for trespassing? Why aren't they doing that...once the farmers went across the fence?

Fredinburg: So, why are they STILL there?

Barbara Martin: We'd like to ask them the same question. In some of my documentation I got from their attorney against my restraining order.... Carmen, tell them how much money they've used so far in tax dollars as of August 31st.

Carmen: The total is \$506,288.11. Taxpayer dollars.

Fredinburg: That's how much they spent having people standing around looking stupid at the gates?? Five hundred thousand dollars and all they've got is an outhouse down there! Okay, so the American taxpayers have paid half a million dollars...and all that they got for that was some security guards standing around at the head gates. Carmen: \$88,880 of that went to the Olympic Inn for their lodging. I haven't seen any documentation that the Olympic Inn, which is on one of our main streets of Klamath Falls, has donated or done anything for a farm family, but they have almost a hundred thousand dollars in their hands for lodging the federal government.

*Fredinburg:* Wow. I'm sure everybody in town appreciates their fine effort. So, Barbara, what happened when you got to court?

Barbara Martin: We got up in front of the judge and. . .the attorney for the United States stated that he wasn't going to object to me getting more time. I said to the judge. . .well, I would hope not...since I just got served Saturday.

We're not going to give up this fight. What we want to tell the American people is we need them to help us stand up. If we all stand together we will win this battle.

Fredinburg: This is an important fight, not just the farmers in the Klamath Basin, but for people who have water rights everywhere. Either you have lawful, deeded rights to water, which is property, or you DON'T! But you can't have it one way or the other whenever the government decides which way you can have it. It's gotta be in cement somewhere that you have those rights and the water is yours.

Barbara Martin: We have all the documentation that the water is ours. They choose not to look at those documents. They have contracts with us to deliver that water and they are just not fulfilling those contracts.

The water rights are to the land, not to the system that delivers the water. And there's a way to sever it if it must be severed and it involves payment. And none of that was done, it was just TAKEN.

Fredinburg: What I think the audience doesn't completely understand...you have 1,400 farm families, many of whom make a living from their farm. This year they have NO crops, they have no WATER, they have no ability to borrow money...the value of their property is in question because of the water taken by the government. They have no other jobs...no other jobs exist in the basin for them and they are essentially living as paupers - complete impoverished citizen. They have no money.

Barbara Martin: I think what people who don't farm don't understand is these are not "jobs." These are businesses. So money is borrowed the year before that they have to pay back. The crops that came out of the ground last year are being paid for this year. They not only have zero income, they have a lot of debt...(and they can't draw unemployment!)

Fredinburg: Where's the money that our gallant white knights in shining armor, Gordon Smith and Greg Walden were gonna bring? Where's all that money??

Carmen: Somewhere hidden in all their rhetoric.

Fredinburg: You see, I happen to know that hard-working decent families are scraping by eating bread and water. Did you know that?? They don't even have food! When we tried to put on a big shindig over there to bring people in and food and aid and assistance, they (the government, etc) treated everybody like they were a bunch of extremist whacks because they wanted to help their fellow man in need. I am so incredibly angry at the way the politicians handled this.

Carmen: The infamous \$20 million that's supposed to be coming into this area is allotted by acreage. In other words, I may get somewhere between \$90 and \$100 per acre of ground I own. What that has done, though, is let all the people out of that equation that rent ground or custom farm. So if they don't own any ground, yet rent it or custom farm work, they'll get NO money. None.

Barbara Martin: Don't forge, there is the Oregon Natural Resources Council waiting to buy the "willing sellers" land. Let's not forget about them!

I had spoken with, participated with, despaired with, rejoiced with, and worked with Barbara and her husband (who is a taxidermist in Klamath Falls) on many occasions there at the head-gates. Barbara had been unrelenting in her efforts to get the water turned back on for these 1,400 farming families who had been so devastated by the

frivolous, ludicrous and tyrannical ruling that shut all their irrigation water off.

Barbara has been untiring in her efforts at the head-gates since the water was turned off in April. She was involved regarding the Klamath Petition, regarding Freedom Day, regarding the documentation about the ownership of the head-gates (which led to the farmers deciding to breech the head-gate facility on August 29<sup>th</sup>), and in every other facet of the confrontation. Would that we had millions more individuals like Barbara Martin and the other patriotic and courageous people stand up for their rights and their liberty in the Klamath Basin. If we did, the plans, policies, and designs of those who were destroying our liberties would be sent back to the dark recesses of those conspiring minds, never to see the light of day again!

LET THE WATER FLOW IN THE KLAMATH BASIN!

#### Thursday, September 13, 2001 Klamath Falls, Oregon – 911 and The Deal

After the horrific 9-11 terror attacks on The World Trade Center in New York City and the Pentagon, and with the threat of more such attacks, the patriotic Klamath farmers offered the federal government a deal. Basically, it was this:

If the federal government would agree to vacate the head-gate area so they could apply their resource to protecting the country against its real enemies, the farmers would back away from those same head-gates and not try and occupy them or manually turn them back on. This would free up the federal officers for more important duties in light of the 9-11 terror attacks. This "truce" would remain in effect until January 1, 2002.

This agreement was reached in a meeting at the head-gates. It was decided, in accordance with this offer by the farmers, that the federal officers on the scene would phase themselves out and the Klamath farmers would pull back behind the fence away from the head-gates.

"We made an agreement with them that in light of our national emergency, we'd call a truce for right now. There are still issues, but they will have to wait," said Bill Ransom, a local businessman and member of the protest group known as the Klamath Relief Fund.

"Since we're all Americans, this battle is now on hold at least until January 1, 2002," commented Bill Oetting, a local farmer and another member of the Klamath Relief Fund.

"It certainly is a very favorable turn of events. Something that Reclamation really welcomes," said U.S. Bureau of Reclamation spokesman David Jones.

"What is not on hold is the effort of the Interior department to continue to evaluate this," said Larry Farrington, a federal official on the scene.

*"There are still issues that need to be resolved. There was no damage to the head-gates."* Farrington said he was satisfied.

It had been agreed that Sheriff Tim Evinger would enforce a county level no-trespass jurisdiction at the head-gates as the federal authorities vacated the area. Within about a week, there would be no federal officers on the scene.

Stranded federal officers due to lack of commercial aircraft, would work to find their way back to their families. Some of the federal officials were searching for ways to get back to where they were needed.

Interior Secretary Gail Norton, in a special press release, made special note of the farmers' gesture:

"My heartfelt appreciation goes out to the Klamath Relief Fund group and Klamath County officials for their cooperation and consideration in vacating the head-gate area. Please be assured that diligent discussions and work to address the pressing water needs in the Klamath Basin continue."

Pete Nylander, the state supervisor for the U.S. Fish and Wildlife Service's law enforcement agents in Oregon, echoed Norton's appreciation.

"Their cooperative gesture has enabled service officers to respond to other issues, in some cases immediately on Sept. 13," Nylander said.

The agreement by the farmers not to trespass into the headgate area would expire on January 1, 2001. It was hoped by that time that a resolution to the water issues would be found so that the farmers could once again farm their fields with the irrigation water to which they had rights.

Asked if he would be back in January, Nylander said he hoped a solution would be in place well before then. He said:

"We have compassion; but farmers don't want sympathy, they want a solution. It will take a concerted effort by all the stakeholders to find solutions, and it can be done." The "War Room" trailer for the Klamath Relief Fund would be relocated, and all head-gate phone lines would be moved to an office location to be named later.

"If we must go to war and our supply lines get cut, we'll all need each other to keep the food supply going and make it through the winter," said Oetting.

The Klamath Organizers passed word to the officials that they required 500,000 cubic feet per second of water from the gates in order to recharge the wells in the area - in case of an emergency.

Both sides confirmed that federal officials on several levels took Oetting's request very favorably.

Once again these fine people, the salt of the earth and as fine a group of Americans as you could ever hope to meet, stepped up to the plate and showed their true mettle and patriotism. The issues were not resolved, but in a time of national crisis and war...they were willing to give the government more time, while not stepping back from their own position.

We waited to see what the intervening months would bring. We would see what efforts the government made after this good faith offer by the farmers.

We would see what fruit was born from the patriotic and courageous stand these farmers made, when they had attracted the attention and support of Americans from all over the country, and had captured the imagination of hundreds and hundreds of thousands.

# THE STAND AT KLAMATH FALLS

THE AFTERMATH

### THE AFTERMATH

#### Monday, January 28, 2002 Klamath Falls, Oregon - Prelim Water Management Strategy Favors Farmers

As spring drew near in the Klamath Basin, it was almost time for planting in preparation for the year's growing season. It was also the time for getting loans so that could all be accomplished. At this time, the agricultural families in the Klamath Basin were in need of good news, news that would solidify their water rights and supply and hopefully begin to erase the memory and impact of the previous year's economic disaster.

Those families got that good news on January 28th in the 2002 Bureau of Reclamation Preliminary Water Management Strategy. A Klamath newspaper article by Todd Kepple and Anita Burke reported the following:

**Preliminary Strategy Gives Higher Priority To Farmers -** A preliminary water management strategy released by the U.S. Bureau of Reclamation today would grant significantly greater priority to farmers in the battle for water in the Upper Klamath Basin.

A draft biological assessment for the Klamath Reclamation Project's 2002 operations states anyone who wants to use water for purposes other than irrigation, including protection of endangered fish, should buy the water from farmers. The move by the Bureau of Reclamation, likely to draw determined opposition, represents a complete turnabout from government policy in recent years, when the highest priority for use of water was given to protecting endangered fish and meeting trust obligations for Indian tribes.

The shift in priorities more closely matches earlier water management schemes, including the 1957 Klamath River Compact, which established domestic and agricultural uses as the highest priorities.

Details of the biological assessment are closely guarded by federal officials, but a source familiar with the assessment said it will

establish "a water bank for the purchase of water for environmental purposes."

John Keyes, commissioner of the U.S. Bureau of Reclamation, and Bennett Raley, assistant secretary of the Department of Interior, are scheduled to release information to the media at 4:30 this afternoon at the bureau's area office in Klamath Falls.

Various parties interested in water issues are being briefed on the announcement today.

Jeff McCracken, spokesman for the bureau's Mid-Pacific Region office in Sacramento, confirmed a draft biological assessment for the Klamath Project was to be released today. The assessment is a critical step in the process of developing an operations plan that includes allocations of water for agriculture, wildlife refuges and river flows.

"This particular document will tell what we think we can do, but it doesn't give a basic allocation at this point," McCracken said this morning.

A biological assessment evaluates the needs for water and the requirements to protect endangered species that may be affected by operation of the Klamath Project. The list of species includes bald eagles, short-nose suckers, Lost River suckers and Coho salmon.

The bureau will take comments on the draft assessment, and produce a final assessment. That document, in turn, will be the subject of consultation with the Fish and Wildlife Service and the National Marine Fisheries Service, which are responsible for protecting endangered species.

Farmers are hoping the draft biological assessment will offer them some hope of receiving irrigation water this year, after most of them received a small fraction of their normal supply last year.

"All I've heard is that it is coming out today and we will be pleasantly surprised," said Donnie Boyd of Floyd A. Boyd Co., a farm implement dealership in Merrill. "I'm a skeptic, but we'll see." Although the biological assessment had been delayed by several weeks while undergoing review in Washington, D.C., McCracken said the bureau should be able to complete consultation on endangered species and produce a final operations plan before the beginning of the irrigation season in April.

"We're comfortable that we're going to be able to finalize this in time for the growers' season this year," McCracken said. McCracken acknowledged that snow-pack conditions are favorable this winter.

"I think the weather conditions certainly are much, much better than they were at this time last year," McCracken said. "We're happy that there's a lot more snow in the mountains than there was last year.

My thoughts on this very surprising and very hopeful development are as follows:

I have a friend in BOR management who knows John Keyes, the new commissioner of the U.S. Bureau of Reclamation., who indicated that Keyes is also a supporter of the farmers and would do what he could to help them. This preliminary management strategy seemed to support that opinion 100% and was a direct answer to prayer.

Now, whether it would hold up or not was the issue. I met McCracken at the head-gates the previous year and did not trust him completely. He was a pure PR/Administrator and would say what his superiors felt needed to be said. Apparently now, he was saying what Keyes wanted him to say and that was good news for the farmers.

Another key would be what Gale Norton did and how involved President Bush and his closest advisors would get in making things better for these farmers and honoring their rights. That step was very hopeful and we would just have to see how involved they got in the fight against the enviro's and liberal/socialists. That level of intensity in defending the assessment would tell us if it was for real or just a straw-man. Having said that, I believed the announcement was real reason for hope.

Many continued to work and pray out here in the West for a peaceful resolution. I knew many were doing the same all over the nation. Those two recent events, both the President's statement a few weeks prior and the 2002 assessment, tended to indicate that Bush and his administration did, in fact, mean what they said on this issue and would resolve the situation properly and favorably for the farmers.

We were all hoping and praying that it would come about that way...but given the previous year, we were also preparing in case it did not

#### Sunday, February 3, 2002 Klamath Falls, Oregon - 2001 Biological Opinions Flawed

The good news just kept coming in. Apparently the Bush administration was very serious about reversing the last year's conditions that so nearly destroyed the farmers in the Klamath Basin. In the Associated Press, it was reported that the government had done an extensive review of last year's biological opinions and the data that backed it up. They found that it was flawed - something the farmers in this area and their supporters knew from the moment it was announced last year.

Here is what the announcement said:

#### Finding of the National Academy of Sciences

Klamath Water Cutoff Scrutinized - Review Finds Flaws in Federal Biological Opinions That Allowed Klamath Water Cutoff

A National Academy of Sciences report found that government scientists did not have enough evidence to issue biological opinions that led authorities to cut off irrigation water to farmers last summer to protect endangered and threatened fish.

The academy reviewed biological opinions by the U.S. Fish and Wildlife Service on endangered suckers in the Upper Klamath Lake and the National Marine Fisheries Service on threatened Coho salmon in the Klamath River. A copy of the review was obtained by The Associated Press.

The interim report, a final version is due out next year, appeared a small victory for farmers who for months have angrily questioned the findings that led to the water cutoff. The review will be officially released Wednesday.

In 2001, federal agencies increased the minimum water level requirement for Upper Klamath Lake and the Klamath River. The new levels forced government agencies to choose between fish and farmers on the 220,000-acre Klamath Reclamation Project spanning southern Oregon and northern California. The Upper Klamath Lake is the project's main water source. The academy report found there was not enough specific evidence to justify the decision by the National Marine Fisheries Service and the Fish and Wildlife Service to raise the water levels for Coho salmon and sucker fish.

"Based on our evaluation, if this was another drought year the farmers would get more water," said Peter Moyle, a committee member and professor of fish biology at University of California-Davis. "The basic idea was that the information just wasn't there to justify the kinds of conclusions that were there."

Moyle said detailed studies that compare sucker fish populations with water levels in Upper Klamath Lake weren't available and those types of studies take years to accomplish.

As for the Klamath River Coho salmon, the data available doesn't prove that increased summer stream flows benefit the fish, Moyle said. Also, water used to increase Klamath River flows would come from reservoirs, where the water is too warm for the fragile Coho, he said.

Moyle said the committee agreed with many recommendations by the National Marine Fisheries Service and the Fish and Wildlife Service. Those proposals include inserting screens over irrigation pipes so sucker fish don't get shunted into fields and adding gravel beds upstream so the fish can lay their eggs there. Interior Secretary Gale Norton called for the review last year after farmers expressed doubt over the validity of the government's science.

A full report from the academy, taking a broader view of the situation, is due next year. That report will be presented to Norton.

"... government scientists did not have enough evidence to issue biological opinions that led authorities to cut off irrigation water to farmers last summer," says it all right there doesn't it?

Apparently, the Bush administration had finally gotten off the dime completely and was taking clear and definitive steps to correct the conditions that led to last year's disaster. This represented a long overdue turn by the Bush administration to correct the circumstances which developed at Klamath.

Let there be no mistake. The prior Clinton administration would probably not have responded in this way, even in an overdue fashion. It would probably have led to a worsening conditions and an ultimate physical and potentially violent confrontation.

This administration was responding, thank God, albeit in a very delinquent fashion and based seemingly on political motivations, rather than simply for the reason that they would do what was right to protect the God-given rights of their citizens. A constitutional crisis pitting the executive branch against the judicial branch and possibly involving the legislative branch should have been forced last year to resolve this issue. That it wasn't just means that the ultimate resolution, the ending of the Endangered Species Act and the restoration of the rights of these farmers to their water, had just been put off.

Also, make no mistake, without the courageous actions of a few of these fine, God-fearing and patriotic farmers last summer, the current actions which was returning things to a status quo, would not have occurred at this time, in my opinion.

Despite all of this we all looked forward to the time in April when the real truth of the matter would be revealed,. That was when the head-gates would be reopened and...

#### THE WATER FLOWS AGAIN IN THE KLAMATH BASIN.

Until that time, although these developments are very hopeful, they were still nothing but words.

#### Friday, March 29, 2002 Klamath Falls, Oregon - Head-Gates Open...Water Flows

With the January 28<sup>th</sup> BOR preliminary water management strategy and the February 3<sup>rd</sup> finding of the National Academy of Sciences, it appeared that the federal government made a complete reversal from the last year's cut off of irrigation water to the farmers of the Klamath Basin. That reversal became reality when the Secretaries of Interior and Agriculture personally opened the head-gates for the growing season in Klamath Falls.



Secretaries of Interior Agriculture Speak at the head-gates in Klamath



The head-gates are open. Once again they "Let the Water Flow."

This was a much anticipated event that had been agonized over, prayed for, hoped for, and worked for. Great risks had been taken to bring it about. Although I am personally happy and thankful for this occurrence, let there be no mistake. The water being turned on was not a result of the good nature or good heart of these officials. It was a result of the commitment, valor, courage, and faith of a group of all-American farmers who risked everything to protest a frivolous and tyrannical action by their own government. This book attests to that.

When the heat was applied, when it was clear that confrontation and ultimate conflict was going to be the outcome of a continued denial of water rights, the government finally turned around.

I thank those men and women whom I came to know so well in the Klamath Basin. I thank all of those from all over the nation and all over the West in particular who pitched in to help. I thank the talk show hosts and folks at Sierra Times, Freerepublic.com, and the Frontiers of Freedom. Most of all, I thank God for hearing and answering our prayers and allowing us to avoid open conflict. The best I can say for this administration is this...they didn't push it to open conflict and they didn't initiate it.

A news report from the Elko Daily Free Press, assisted by the Associated Press, detailed the events of that day...the day the water flowed once again.

#### FARMERS GET THEIR WATER

#### Tide turns in Basin water fight (Klamath)

KLAMATH FALLS, Ore. -- Marni Morrow says she barely managed to survive last year after the federal government cut off irrigation water to her family's Klamath Basin potato farm.

A year without water, court fights with the government and environmentalists, and the fear of losing their livelihood caused stress that claimed the lives of several close friends, she says.

Morrow was unable to hold back tears this morning as two Cabinet secretaries opened the main water diversion canal in the Klamath Basin in a show of Bush administration support for farmers who lost crops during last year's drought. "This lake is the heart of this community and when they closed this head-gate down, they cut off the flow to this community's main artery," an overjoyed Morrow said, clutching her young daughter.

Water began to gush through the head-gates and toward farmers' fields today for the first time since last summer, when federal biologists said continued water draw-down in a time of drought would harm endangered sucker fish in Upper Klamath Lake and threatened Coho salmon in the Klamath River. Environmentalists cheered last year's decision, while many farms along the Oregon-California border were pushed to the brink of bankruptcy. Today's beginning of a new irrigation season brought new hope to the struggling farmers.

Standing beside environmentalists who held a sign reading "Potatoes aren't everything," Morrow questioned how the green activists would feed themselves without the nation's family farms.

"We farmers aren't millionaires, but we are feeding this country," Morrow said. "Do they really think there is another nation that is going to feed us? They better take a look at the Twin Towers if they think there is. What they did here last year, closing these gates, was an act of terrorism."

She calls the opening of the head-gates the beginning of victory for farmers and others who question the Endangered Species Act and its impact on people in the West.

"We've come to understand and know the needs of agriculture in this valley," said Interior Secretary Gale Norton. "We have to find ways to balance the needs of the ecosystem and of people."

As farmers cheered "let the water flow, let the water flow," Norton and Agriculture Secretary Ann Veneman cranked open the irrigation head-gates.

During an earlier meeting with 32 farmers, ranchers, and politicians from Klamath Falls, as well as Assemblyman John Carpenter, R-Elko, and Elko attorney Grant Gerber, Veneman ensured sound science would be used before more species are given protection through the Endangered Species Act. The Bush administration also pledged support for a bill introduced by western lawmakers that would amend the species act.

"I think it's great," Carpenter said, standing beside the irrigation canal. "That's just what we want. For top politicians to support the amendment that makes the Endangered Species Act more people friendly."

Gerber offered similar thoughts.

"It's an absolute victory," Gerber said. "The water is flowing. There is 8 to 10 feet of water in the A Canal flowing to the farmers. Last year at this time the farmers had no water."

Farmers and their supporters also prepared to make sure the water keeps flowing.

"We understand the radical environmentalist bureaucrats will try to stop it, but Bush is in support of the farmers," Gerber said.

Supporters of the Klamath farmers were critical of Nevada Senator Harry Reid.

"The farmers would have had water last year if the Senate Democrats wouldn't have voted against them," Gerber said. "Harry Reid dried up the farmers in the Klamath Basin. He was Senate majority whip and he held all of the Democratic senators in line and voted against the farmers."

Gerber and Carpenter said today's water release was also important for people in northeastern Nevada.

"Whenever people in rural areas of the nation win a fight, it's helping the people of Elko County because the people in Elko County are in these battles," Gerber said. "We've lost thousands of cattle to environmental regulations.

"This is a victory here in Klamath. Bush is recognizing these are the people who voted for him."

President Bush had formed a federal task force to come up with short- and long-term solutions. Work is also under way to develop a 10-year management plan for the basin.

Again, let there be no mistake. Today's actions, while boding well for this administration and its future course as regards the farmers in the Klamath Basin, were brought about because of the commitment, determination, ingenuity, courage, and faith of a relative few all-American farmers and their supporters. They dared stand and claim their rights, and their example led many others to stand, and ultimately to a government doing what was right all along.

That is a key point to remember in all of this. God bless those who stood and those who then followed their lead.

#### Tuesday, April 9, 2002 Eugene, Oregon - U.S. Government Drops Barbara Martin Case

The case of United States vs. Barbara Martin, brought in August of 2001, where the United States attempted to silence Barbara Martin's protests at the Klamath head-gates in 2001, ended quietly, and without media fanfare on April 9, 2001.

After two trips to a settlement judge, the United States finally acknowledged "the United States recognizes Ms. Martin's right under the First Amendment to protest at a reasonable time, in a reasonable place, and in a reasonable manner," and dismissed the claim

The letter from the United States Attorney sounded more like an apology than anything else except for the fact that these particular federal officials remain unrepentant. The text of that letter follows:

#### RE: UNITED STATES vs. MARTIN CASE NO. 01-6273-AA

I am writing this letter to complete the settlement in the aboveentitled matter. The parties agree to dismiss the complaint and counterclaims with prejudice. The United States recognizes Ms. Martin's rights under the First Amendment to protest at a reasonable time, in a reasonable place, and in a reasonable manner. MICHAEL W. MOSAN United States Attorney District of Oregon By: James L. Sutherland Assistant United States Attorney

I do not know this for a fact, but in my opinion this U.S. attorney's office, in addition to the directions and comments by the judge which indicated that the government's position was flawed (which it was from the beginning to its core), got similar advise from the U.S. Attorney General's office via the President and his advisors.



New head-gates for Canal A.

#### Tuesday, April 1, 2003 Klamath Falls, Oregon - Head-Gates Open Again...Water Flows

For the second year in a row, the federal government released on schedule the farmer's irrigation water in the Klamath Basin. This was accomplished despite continuing environmental and liberal efforts to either vastly reduce it or keep it off and the continued listing of the sucker fish in the lake as endangered.

On the one hand, the farmer's trust in this administration continued to grow. On the other hand, they continued to be justifiably very leery and skeptical because the same conditions of 2001 could be repeated at almost any time. They were also leery because the government continued to balk at the proper settlement, which was the privatization of the Project according to the original terms of the Reclamation Act that created it.

The following is an article regarding the 2003 opening of the head-gates:

#### Head-Gates Open On Schedule April 1, 2003

Water flows through one of the six new head-gates on the A Canal this morning. Contractors opened the head-gates today, meeting a deadline set by the Bureau of Reclamation in order to allow irrigation to begin on schedule in the Klamath Project.

Water began pouring through a new set of head-gates on the A Canal today, marking a milestone in a complex construction project and the beginning of an uncertain irrigation season.

Also entering service today is a high-tech fish screen to keep endangered suckers and other fish from being diverted into the series of canals that feeds the Klamath Reclamation Project.

The head-gates were cracked open by a worker for Slayden Construction of Stayton, the general contractor for the project.

With the push of a button on a computer keyboard, the headgates opened on the day the Bureau set as a deadline for completion of the new head-gates.

"They have been busy until the last minute, but it is up and ready to go this morning," said Jim Bryant, operations manager for the Bureau's Klamath Basin Area Office.

On hand to watch the opening of the head-gates was a group of reporters, Bureau officials, and contractors who gathered to see the first flow of the summer. The old head-gates, built in 1907 and demolished last October, had been the site of protests of the Bureau's cutting the supply of irrigation water in 2001. The opening of the head-gates comes as the Bureau is expected to announce within a few days how much water will be available for irrigation and protection of endangered fish.

In recent weeks, Slayden Construction had been testing the head-gate system, including the fish screens and trash rack, while also teaming with the Bureau in training staff from the Klamath Irrigation District on how to operate them. Brushes will automatically cover the screens each day to keep them clear of debris.

Bryant said the contractors will continue to run the system until mid-summer, when it will let the irrigation district take over the controls.

"It's a very complex system and the district has made their people available for training while we have the experts here," Bryant said.

David Solem, manager of the Klamath Irrigation District, said that functionally the head-gates are the same as the old ones, but there are a lot more things to learn.

"There's a lot more things going on here than before," he said.

The new head-gates, with all of its computers, automated rakes, and fish pumps, had a price tag of about \$15 million dollars.

About 70 cubic feet of water per second (cfs) squirted through the head-gates today as the system will be first primed before more flow is slowly added in the coming weeks, said Dave Sabo, manager of the Bureau's Klamath Area Office.

"You want to gradually fill up the system," Sabo said. When full, the canal flows at about 1,000 cfs.

Although the head-gates are ready and water is flowing, construction will continue for several months at the site. Work should be finished next October, with the last piece being a secondary bypass pipe that will lead screened fish to below the Link River Dam if needed. Dan Keppen, executive director of the Klamath Water Users Association, said it was a tremendous feat for the contractors and the Bureau to complete such a major project in six months.

"Can you imagine if they didn't get that done in time and we didn't have water for two weeks?" he said. "I salute those guys."

#### Wednesday, June 25, 2003 Klamath Falls, Oregon - Water Shutdown Threatened And Avoided

An event occurred June 25, 2003, that punctuates the continued threat and instability of the situation that the farmers in the Klamath Basin face. On this day, the farmers in the Klamath Basin were informed of an imminent, unilateral decision by the Department of Interior and the Bureau of Reclamation, that the irrigation water would be shut off.

It was a shocking announcement.

Farmers' crops were in the ground and growing. The investment had been made and the farmers would be ruined if this were to stand. Flashbacks to two years prior occurred.

Immediate calls went out to Congressmen and a huge effort began to spin up on the internet. I was personally involved with starting to get all of the lines of communication we had developed in 2001 back in operation. We intended to show up immediately at the head-gates and, if necessary, repeat what had occurred in 2001. But this time with vastly larger numbers and in a much quicker time frame. The gears were well-greased and the emotions were still fresh and high from what had occurred in 2001.

Then a call came late in the day...the order was rescinded.

The local congressional representative, Greg Waldon, had called the White House and that call had produced immediate action. We believed that our massive mobilization efforts, which congressional representatives and the White House were immediately aware of via their web site and phone operators, played a large role as well. Tens of thousands of phone calls and emails went out not only to those willing to go to Klamath Falls, but also to the congress and the White House as well

All of us were grateful that another crisis had been averted and we prayed that this would continue to be the case. The situation not only punctuated the continued threat, but I believe it also punctuated the Bush administration's commitment to the farmers at the highest levels. Perhaps a commitment born out of what they perceived as political necessity...and perhaps for more honorable and true reasons...but a commitment, nonetheless.

For now, the radical environmentalists, their NGO handlers and abettors, and those politicians, administrators, political appointees, and judges they have supporting the sham of a sucker fish and other environmental crisis in the Klamath Basin will remain on notice.

THE WATER WILL FLOW in the Klamath Basin.

Farmers will retain their rights...so help us God.

In late July of 2003, there appeared a press article regarding the behind the scenes activity going on in the Bush administration during the entire set of events. It read:

# Oregon Water Saga Illuminates Rove's Methods July 30, 2003.

WASHINGTON -- In a darkened conference room, White House political strategist Karl Rove was making an unusual address to 50 top managers at the U.S. Interior Department. Flashing color slides, he spoke of poll results, critical constituencies -- and water levels in the Klamath River basin.

At the time of the meeting, in January 2002, Mr. Rove had just returned from accompanying President Bush on a trip to Oregon where they visited with a Republican senator facing re-election. Republican leaders there wanted to support their agricultural base by diverting water from the river basin to nearby farms, and Mr. Rove signaled that the administration did, too.

Three months later, Interior Secretary Gale Norton stood with Senator Gordon Smith in Klamath Falls and opened the irrigation system head-gates that increased the water supply to 220,000 acres of farmland -- a policy shift that continues to stir bitter criticism from environmentalists and Indian tribes.

Though Mr. Rove's clout within the administration often is celebrated, this episode offers a rare window into how he works behind the scenes to get things done. One of them is with periodic visits to cabinet departments. Over the past two years, Mr. Rove or his top aide, Kenneth Mehlman -- now manager of Mr. Bush's reelection campaign -- have visited nearly every agency to outline White House campaign priorities, review polling data, and, on occasion, call attention to tight House, Senate and gubernatorial races that could be affected by regulatory action.

Every administration had used cabinet resources to promote its election interests. But some presidential scholars and former federal and White House officials say the systematic presentation of polling data and campaign strategy goes beyond what Mr. Rove's predecessors have done.

"We met together and talked a lot about issues of the day, but never in relation to polling results, specific campaigns or the president's popularity," says Lisa Guide, a political appointee at Interior during the Clinton administration. Frank Donatelli, political director in the Reagan White House, says "we were circumspect about discussing specific administration rulings that had yet to be made."

Mr. Rove declined to comment. White House spokeswoman Ashley Snee says the agency visits simply were designed to keep political appointees apprised of the president's accomplishments and priorities. Klamath River water levels were an issue at least as far back as the 2000 presidential campaign. During the unusually dry summer of 2001, angry farmers stormed the head-gates to forcibly release water, but the Bush administration generally resisted their demands. In 2002, the issue continued to loom large as Mr. Smith faced a potentially difficult re-election challenge.

On January 5, 2002, Mr. Rove accompanied the president to an appearance in Portland with Mr. Smith. The president signaled his desire to accommodate agricultural interests, saying "We'll do everything we can to make sure water is available for those who farm."

The next day, Mr. Rove made sure that commitment didn't fall through the cracks. He visited the 50 Interior managers attending a department retreat at a Fish and Wildlife Service conference center in Shepherdstown, West Virginia. In a PowerPoint presentation Mr. Rove also uses when soliciting Republican donors, he brought up the Klamath and made clear that the administration was siding with agricultural interests.

His remarks weren't entirely welcome -- especially by officials grappling with the competing arguments made by environmentalists, who wanted river levels high to protect endangered salmon, and Indian tribes, who depend on the salmon for their livelihoods. Neil McCaleb, then an assistant Interior secretary, recalls the "chilling effect" of Mr. Rove's remarks. Wayne Smith, then with the department's Bureau of Indian Affairs, says Mr. Rove reminded the managers of the need to "support our base." Both men have since left the department.

An Interior spokesman, Mark Pfeifle, says Mr. Rove spoke in general terms about the Klamath conflict in the course of a broader discussion. Without directing a policy outcome, Mr. Pfeifle says, Mr. Rove simply "indicated the need to help the basin's farmers." In the end, that is what happened when the Interior reversed its previous stance and released more water. Mr. Rove's intervention wasn't the only reason. Mr. McCaleb himself says the biggest factor was a report from the independent National Research Council, which questioned the basis on which Interior scientists had made earlier Klamath flow decisions.

But Mr. Rove didn't let the matter drop after the Shepherdstown meeting. Weeks later, he returned to Oregon and met

with a half-dozen or so farmers and ranchers. Thereafter, the White House formed a cabinet-level task force on Klamath issues. The results became clear on March 29, when the water was released to parched farms.

That hadn't ended the controversy. Environmentalists blame the change in water levels for the subsequent death of more than 30,000 salmon, calling it the largest fish kill in the history of the West.

A National Marine Fisheries Service biologist, Michael Kelly, had asked for protection under federal "whistle-blower" laws, saying he was subjected to political pressure to go along with the low-water plan and ordered to ignore scientific evidence casting doubt on the plan. This month, a federal judge ruled the administration violated the Endangered Species Act in the way it justified the water diversion.

Administration officials note that the judge found fault only with a narrow portion of the biological opinion and didn't order changes in water flow. Interior is investigating the cause of the fish kill, Mr. Pfeifle says.

Oregon farmers point to other factors in the salmon kill, including water temperature and the presence of an infectious disease during salmon-spawning season. And they haven't stopped pressing to keep the irrigation water coming.

A few weeks ago, the federal Bureau of Reclamation in Klamath Falls warned farmers that the department would curtail the irrigation flow. Irate, Republican Representative Greg Walden began making calls to protest. His first one went to Mr. Rove's office.

Within hours, the idea was dropped. Interior officials say managers from two cabinet departments agreed on a way to avoid it

Principal advisors to the Bush administration, and the President himself, have been actively involved with the crisis since late 2001 when the water crisis had not yet been resolved and the "deal" made with the farmers was about to run out. As winter was coming on, to be followed by the Spring of 2002 when the farmers absolutely needed their irrigation water to survive, the chronology of the Bush administration's involvement had been as follows: January 5, 2002: Karl Rove accompanies Bush, who lost Oregon by less than 1% in 2000, to Portland, Oregon. Bush voices direct support for Klamath Basin farmers by saying, "We'll do everything we can to make sure water is available for those who farm."

January 6, 2002: Karl Rove gives presentation to Interior Department officials connecting regulatory actions in key states, including Oregon's Klamath issue, to Republican prospects in the coming elections.

February 2, 2002: Karl Rove meets with farmers in Oregon.

March 29, 2002: Bush administration sides with farmers. The Bureau of Reclamation opens irrigation head-gates and water flows for full irrigation use by the farmers.

September 21, 2002: Thousands of salmon die in the Klamath River. Environmentalists blame agricultural use of water. Farmers point to water temperature and disease issues that led to the kill.

April1, 2003: Department of Interior agencies under President Bush again open irrigation head-gates and water flows again for full irrigation use by the farmers.

June 25, 2003: Regional governmental officials tell Klamath farmers that the flow of irrigation water will be curtailed. Worried congressmen immediately call Karl Rove's office for help. A massive internet-based campaign immediately begins to get thousands of people to the head-gates. The Bush administration becomes directly involved and the decision is reversed later that same day.

# THE STAND AT KLAMATH FALLS

**EPILOGUE** 

## Epilogue

The crisis in the Klamath Basin has abated and the farmers have prevailed...but it is not over.

Water flowed again in the Spring of 2004 and again in 2005. As of this writing, record precipitation throughout the Northwest makes it clear that the 2006 growing season will be another one where the water flows and the irrigation and farming in the Klamath Basin continues as intended.

For the last four years - and now going into the fifth - since those fateful events in 2001, the farmers have not had to resort to protest and civil disobedience to get water that they have the rights to in the first place. Such an occurrence was narrowly averted in 2003, but it could be repeated again at any time.

The 2003 event punctuated that the danger and instability to the farming way of life in the Klamath Basin remains in place, and are only averted under the status quo by the political leanings and activities of elected and appointed officials. Under a different administration, like the Clinton administration of the 1990's or even a more liberal Republican one, it is likely that the original crisis would not have been addressed as it was, and equally likely that it would have long since raised its head again even if it had been.

For the liberty-loving, patriotic, and God-fearing farmers, there are some very critical lessons that have been learned.

 The Endangered Species Act (ESA) must either be wholly done away with or completely amended to its core. It has been wrought far beyond its original purpose. It has also become the root of a powerful and rabid environmental lobby with tendrils that reach to every state house in this nation, to both halls of congress, and to the White House itself. Billions of dollars have become wrapped up in an industry that has become over-burdensome, corrupt, and far too powerful. Those tendrils now boast numerous non-governmental organizations that attempt to use provisions of the ESA to implement United Nations-based and other socialistic initiatives that are the source of endless infringement and encroachment on American citizen's property and water rights. Such a condition is un-American to its core and cannot be allowed to continue. Until this key issue is addressed, the threat of another Klamath Crisis - either in the Klamath Basin or elsewhere - will loom ever present.

- 2) The water rights and the very irrigation works themselves in the Klamath Project were meant to and ought to belong to the farmers themselves, to be administered by them. Addressing this key, long-standing issue would make it much more difficult for the provisions of the ESA to be applied to the private irrigation works of the farmers, and make them much more independent and robust in their ability to administer and control their own destiny.
- 3) Irrespective of the leanings of the major media and their bias, there exists a powerful communication medium in America through the internet, talk radio, cell phones, and word of mouth that can bring significant physical support and political pressure when the ugly specter of judicial or administrative tyranny rears its head. Such communication lines must remain in place, ready for instant use, as long as the threat of another crisis like the one that occurred in 2001 remains in place.
- 4) The willingness of a few dedicated people, using their Godgiven rights, their faith, their ingenuity, their dedication to principle, their courage, and their determination can spark a virtual revolution if those traits are applied wisely and with no intent or will to be the initiators of violence. If such violence is ever to be, and God forbid that it ever go that far, let it be the other side who initiates it. This faith, this determination, this dedication to principle, and this virtue can be the underlying foundation...indeed, it *must* be the underlying foundation upon which all the other lessons are built. If it is, then a popular saying of the day can come into play whenever the crisis looms, whenever those opposed to this traditional American way of life come out of their dark shadows. That saying is, "if you build it, they will come."

...and they did come to the Klamath Basin.

The vast majority of those who became aware of the horrible conditions that developed there could see and they could *feel* the power of the commitment of these farmers to their liberty, their rights, and their way of life.

So, they came. First by the dozens, then by the hundreds, and ultimately they came by the tens of thousands. By extension, out across the nation, they came by the millions and their collective influence was exerted and has made a difference.

THE WATER FLOWS....and may it continue to flow in the Klamath Basin and all across this nation.

May the lessons learned be fully applied so we in this nation never again have to witness the specter of armed federal officers standing on an irrigation dam to keep law-abiding farmers away from the water that they have the rights to. So that farmers can spend their time farming their fields and providing food and resource to a hungry nation, rather than having to resort to civil disobedience and protests against bureaucracy and regulation gone mad to the point of totalitarian conditions. That bureaucracy foisted ridiculous, frivolous, and junk science on the rights of citizens in order to enforce such conditions in the land of the free and the home of the brave.

God grant that the experiences of the farmers in the Klamath Basin will spread as an example across the face of this nation so that others can overcome similar conditions whenever they arise. Especially, God grant that this example, that these events, will give rise to true statesmen and patriots in our state houses, in our halls of congress, in our federal agencies, and in the very White House, as opposed to mere politicians who are manipulated by polls or the blathering and screeching of those willingly perverting our American system. It is up to us as citizens to put such statesmen there, so that the conditions that created this crisis do not materialize in the first place.

#### THE END

### **About the Author**

Jeff Head and his wife of 28 years are the proud parents of five children and four grandchildren

Mr. Head worked for twenty-five years in the defense, nuclear power, and computer industries where he was involved with many projects in various engineering, support, and management capacities.

While working as a director at Structural Dynamics Research Corporation, Mr. Head was involved with Thiokol Corporation's Strategic Operations division in the wake of the shuttle Challenger disaster. As a result, in 1992, Mr. Head was presented a Vice President's award from Thiokol Strategic Operations for his team's efforts in the Computer-Aided-Engineering (CAE) area.

As a senior manager at Micron Electronics, Mr. Head oversaw the development of the Trek2 line of portable computers which became the most successful line of portable computers in Micron Electronics' history. In his consulting endeavors since, Mr. Head has traveled extensively overseas to the Far East, India, and portions of Eastern Europe on behalf of U.S. firms helping establish off-shore manufacturing and product development operations. Mr. Head currently works for the federal government helping maintain and protect regional infrastructure

In August, 2002, Mr. Head was awarded an Eagle Award from the Freerepublic.com web site as their "Person of the Year" for 2001. In 2003, he was presented a National Leadership Award from the National Republican Congressional Committee and named as the Honorary Idaho Chairman to their Business Advisory Council. In 2004, the National Republican Congressional Committee awarded Mr. Head a Ronald Reagan Gold Medal Award.

Mr. Head is also the author of the *Dragon's Fury* series of techno-thriller novels about a fictional world war arising from current events. The novels sell at Amazon and Barnes & Noble online.

Finally, Mr. Head is very active in his Church and with the Boy Scouts of America having helped with rafting trips, winter camps, and wilderness activities.