

**STATEMENT OF MARJORIE WEST
ON BEHALF OF THE POWDER RIVER BASIN RESOURCE COUNCIL
and
WESTERN ORGANIZATION OF RESOURCE COUNCILS
LEGISLATIVE HEARING ON NATURAL GAS DEVELOPMENT
SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS US
SENATE**

MARCH 24, 2004

Mr. Chairman and members of the committee, my name is Marjorie West. Thank you for the opportunity to address this committee regarding the environmental impacts of natural gas production. My husband and I own a ranch on Spotted Horse Creek in the Powder River Basin of Wyoming, where we grow dry land wheat and raise cattle. We have lived on this land for 50 years. The ranch was homesteaded by my husband's father and expanded by the family over the generations. As a landowner, farmer and rancher, I want to share with you what is happening on the ground in Wyoming and in other parts of the West, and talk about what it will take for the oil and gas industry to develop natural gas responsibly.

Mr. Chairman, I want you to know that the organizations I represent here today and landowners support responsible natural gas development. But our ability to protect the environment, be good stewards of the land and earn a living is threatened by irresponsible gas development practices. For several years now, we have been asking industry, state and federal agencies and Congress to develop natural gas responsibly. I wish I could say they are listening.

The experiences my husband and I have had with coalbed methane development are not isolated. There are many landowners who have lost water wells or had companies come on their land without an agreement, building roads and well pads or discharging water that has killed soil and vegetation. These problems are becoming more widespread.

The last five years have been the most difficult and destructive years my husband and I have ever experienced. We've been through droughts, grasshopper invasions and bad wheat and cattle prices but nothing holds a candle to the stress and the damages brought upon us by irresponsible coalbed methane gas development. We've suffered the deceit of over a dozen "landmen." Each one was able to look us in the eye and shake our hand while he lied like a trooper. We believed them, but now I realize we were naïve. Out of six companies, Devon, Marathon-Pennaco, Yates, Williams, Lance and Redstone, not one has lived up to their word.

The so-called "regulators" have not only allowed the damages to occur, but they continue to permit activities that are in violation of their own regulations. My husband, Bill, now takes high blood pressure medication and I take a prescription medication for severe headaches.

Because of CBM development we have lost all three of our artesian wells and our domestic water well due to groundwater dewatering. This is presently and will continue to be a long term problem for us. For now, we are using some of the coalbed methane water that is being pumped out to water our livestock, but that will be gone in a few years and then what? Where will we get our water and at what expense? The company, Marathon-Pennaco, has told us outright that they do not intend to leave us with an operating livestock well when they are finished developing the gas.

After six or seven months of hauling our household water, the coalbed methane company finally drilled us a 1400-foot domestic water well. We could not drink this water without getting diarrhea, and I could not wash clothes without having them turn orange from the high iron content. This is not the good water we had before coalbed methane dewatering destroyed our well.

We now have two water treatment systems: Reverse osmosis for drinking water, and an iron treatment system for the rest of our household needs. Our electrical costs for pumping the deep well have doubled, and the first time we had the treatment system serviced we were charged three hundred dollars. Why should we have to bear these additional costs?

For the past four years, another company, Devon Energy, has been discharging coalbed methane water upstream of us into Spotted Horse Creek, which is an ephemeral creek that formerly ran only during spring melt or heavy summer rains. This CBM water has a high "sodium adsorption ratio" (a ratio of sodium to calcium and magnesium) which destroys soils and native grass. This water flooded Spotted Horse Creek the entire winter of 2000/2001, icing over and flowing out on either side of our hay meadow, and destroying all the native vegetation that it reached. So much salt was deposited on the soil that nothing but weeds will grow. This past year we had an impressive crop of fireweed which is very salt tolerant, but which cattle will not eat. These were our best hay meadows. The worst tragedy for us was that CBM water drowned and killed over two hundred of our beautiful hundred-year-old cottonwood trees that lined that creek.

We've spent thousands of dollars on legal fees trying to get these and all the other problems associated with CBM development addressed. We've made agreements with these companies only to have the companies fail to live up to their agreements, thus forcing us to spend more money and time on lawyers. Industry has been given license to destroy our property, our soil, our grass, our land, our creek and our solitude.

While we may be luckier than some landowners because we do own a percentage of our minerals, our lives have been turned upside down, our health has deteriorated, and we spend our days fighting with companies trying to force them to develop CBM in a responsible manner. Although one company, CMS, installed a successful reinjection site for CBM water on our ranch, other companies say reinjection is not feasible because it is too costly. Another company, Marathon/Pennaco, has come on our land without an agreement for development, after making many false promises. There are also federal minerals to be developed under our property. This is known as the split estate issue which is demanding even more of our time and more expenses on legal fees. We no longer have time for the ranching and farming that was our way of life.

I am here to ask you not to further weaken environmental laws, nor to further assist industry in rushing carelessly forward to develop natural gas in the West. I am asking you to take some decisive leadership and require oil and gas companies to develop this gas responsibly. We need laws that require companies to negotiate agreements with landowners; and then they must be required to live up to those agreements. Instead of tax credits to speed development, we need increased bonding to ensure that our land will not be left a scarred battlefield. Landowners and taxpayers should not be left with the burden of cleaning up after oil and gas companies.

I invite each and every one of you to visit my ranch and see for yourselves the damages that have occurred. We are willing to make the sacrifice of living with responsible CBM development in order for this country to have natural gas. However, we are not willing to make a complete and total sacrifice of our land, our water, our property rights, and our children's future. Nor should we have to. These companies are making very good profits; they can well afford to be environmentally responsible.

My hope is that lawmakers such as you, the honorable members of this committee, will realize what is happening to us at the hands of the powerful oil and gas industry, and change it, to make the system fair. We require our coal mining industry to live up to very high standards for permitting, planning, bonding, landowner consent and water well replacement – we should expect nothing less of the oil and gas industry. They must be required to "Do it Right". Thank you very much for your time and concern.