

EXHIBIT 2  
DATE 3/14/11  
HB 240

Mr. Chairman, members of the committee, my name is Clint McRae. My family and I ranch on Rosebud Creek and Tongue River south and east of Colstrip. I am testifying today in favor of HB 240.

Since I live in an area of active natural resource extraction, we are no strangers to eminent domain. We have experienced this process twice, one that ended in an agreement that we truly negotiated, the other we did not.

The first experience was with a 500 Kilovolt power line that ran from the 4 coal fired power plants in Colstrip to Ashland. This line crossed just over 6 miles of our place. We did negotiate an agreement that both the utility and us could agree on.

The second experience was a nightmare. This is the permitted but yet to be constructed Tongue River Railroad (TRR). The first letter we received from the TRR was a notice that they wanted an access agreement to cross our land to do geo tech work on a bridge site across Tongue River. This would have entailed constructing a road, taking a fence down and a site preparation that we were concerned about. They were quick to mention that they had the right and would use federal eminent domain to do this work. We viewed this as a threat, and it became clear that they were not interested in negotiating anything more than \$1000 damages. This was not a negotiation, but an ultimatum. We had valid concerns and questions with this activity, and it was quickly dismissed as a take it or leave it scenario. The TRR is using federal eminent domain as a club, a weapon to scare landowners to sign something that would not fairly compensate for damages.

HN 240 makes many strides forward to solve these kinds of abuses. Federal or state eminent domain should not be used as a club or fear tactic against landowners. It should be used as a last resort, and abuses by these companies

needs to be exposed and stopped. I ask you to support HB 240. It levels the playing field to landowners who have paid taxes on the land they operate and face to lose. The least we can do is to ensure they are treated fairly.

Please vote for HB 240.

Clint McRae

A handwritten signature in black ink that reads "Clint McRae". The signature is written in a cursive style and is followed by a horizontal line.

Rocker Six Cattle Co.

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