

Obtained from the Supreme Court, Judicial Records Center - July 13, 2006
Order granting Preliminary Injunction
Date stamp on document
ref. judicial-020.jpg, judicial-0.jpg and judicial-0.jpg

STATE OF RHODE ISLAND PROVIDENCE SC

SUPERIOR COURT

ANDREW MCLEOD, in his capacity as Director, RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT and JEFFREY B. PINE. ATTORNEY GENERAL OF THE STATE OF RHODE ISLAND
Plaintiff

V.

A. No. 98-1946

PASCOAG RESERVOIR & DAM, LLC
Defendant

ORDER

This matter came on for hearing before Judge Michael Silverstein on October 28, 1998 on plaintiffs' motion to enforce an order granting their motion for a preliminary injunction issued by this Court on July 8, 1998. After hearing thereon and in consideration thereof it is hereby:

Ordered, Adjudged and Decreed

1. The Court hereby finds that defendant has failed to comply with this Court's preliminary injunction order of July 8, 1998 (the "Order").
2. Accordingly, the Court now orders defendant or its agents to manipulate , on a reasonable basis, the gates of the Pascoag Reservoir Upper Dam, Dam, Dam #16 so as to reduce the water level in the Pascoag Reservoir to achieve and maintain a water level between four feet, six inches as measured by the water marks at the gate house structure on or adjacent to the Pascoag Reservoir Upper Dam.

And, found on a separate page the following: (note the numbers removed and hand written text added)

The Court hereby finds that defendant has failed to comply with this Court's preliminary injunction order of July 8, 1998 (the "Order").

Accordingly, the Court now orders defendant or its agents to manipulate , on a reasonable basis,

the gates of the Pascoag Reservoir Upper Dam, Dam, Dam #16 so as to reduce the water level in the Pascoag Reservoir to achieve and maintain a water level between four feet, six inches as measured by the water marks at the gate house structure on or adjacent to the Pascoag Reservoir Upper Dam.

and hand written is the following: *"The President of the Pascoag Reservoir Upper Dam Association is hereby authorized to undertake the manipulations described in this paragraph."*