



## Save Our Groundwater

P.O. Box 182  
Barrington, NH 03825

For More Information visit:

[www.saveourgroundwater.org](http://www.saveourgroundwater.org)

Got Water?  
Think Again.

### CALENDAR OF EVENTS

**June 21, 2011 ~ SOG ANNUAL MEETING, Tues. 7-9 p.m**  
at the Barrington Elementary School Library Room. The Barrington Elementary School is located on Route 125 just ¼ mile south of the lights at the junction of Routes 9 & 125. SOG members will vote for two Board of Directors positions. If you haven't already done so you may renew your membership at the meeting in order to vote. Updates will be given on any recent groundwater developments and the USA Springs, Inc.'s bankruptcy proceedings.

☞☞☞ **WE HOPE TO SEE YOU THERE!** ☞☞☞

### ☞☞☞ STATUS OF PERMITS ☞☞☞

Status of Permits for USA Springs, Inc.

#### Did you know...

--New Hampshire Business Review reported in August 2010 that the Town of Nottingham's attorney challenged the company's large groundwater withdrawal permit in light of the fact that in 2009, the state had changed the length of these permits from 10 years to 5. The state attorney general issued an opinion that the company's permit is in effect. This has not been tested in the courts, but if the new law were to hold, the company's permit to mine the groundwater would have expired in July 2009.

Of the eighteen plus permits issued to USA Springs, Inc. and its affiliates the following have expired:

1. Groundwater Management Permit – 6/20/09
2. Site Specific Permit – 5/11/07
3. Wetlands and non-site specific permit – 5/25/10
4. Driveway and excavation permit – 9/15/07
5. Nottingham building permit – 11/22/2007
6. New Sources of Bottled Water – never went into effect since not one bottle of water has been produced





# SAVE OUR GROUNDWATER UPDATE

[www.saveourgroundwater.org](http://www.saveourgroundwater.org)

Spring 2011

## NEW HAMPSHIRE 2011 INAUGURAL ADDRESS

A quote from Governor John Lynch's Inaugural Address, January 6, 2011:

"I believe the next great challenge facing our environment – one that could threaten our state's economic viability if left unaddressed – is ensuring clean, sustainable water supplies.

That is why I will establish by Executive Order a commission to create a 20-year Water Sustainability plan for New Hampshire, evaluating the infrastructure, investments, and other measures we must make together to ensure that our families, businesses and communities have the clean water they will need in the future. To protect New Hampshire's economy and quality of life for tomorrow, we must protect our water today."

For the full address please use the following link:

<http://www.stateline.org/live/details/speech?contentId=540470>

**Note:** This Commission has currently been formed and SOG supports the Governor's initiative to create this much needed plan for New Hampshire. SOG is pleased to announce that Denise Hart, SOG Board member, was recently appointed to the Water Sustainability Commission which was created by Executive Order on Earth Day--- April 22<sup>nd</sup>. For more information please use the following link: <http://www.governor.nh.gov/media/news/2011/042211-earth-day.htm>

## USA SPRINGS, INC. BANKRUPTCY UPDATE

USA Springs, Inc. Bankruptcy Update

The USA Springs, Inc. bankruptcy case grinds on through federal court in Manchester, New Hampshire. The company has:

- ⇒ Amended its bankruptcy plan four times;
- ⇒ Creditors charged fraud with a company loan;
- ⇒ Attorneys filed papers seeking payment for themselves.

The company has had multiple extensions since 2008 and the drama continues to unfold while the half-built building continues to rust away on the site.

In the latest hearing held on~~ no fooling April 1<sup>st</sup>, discussion of the company's fourth amended bankruptcy plan was continued to May 20, 2011 at 9 a.m.

The bankruptcy proceedings have brought new information about the company to light. For example, we learned that it is a Delaware-registered corporation as well as a New Hampshire one, something that was not previously disclosed to our state's regulatory agencies. There is a company called Lower Falls Funding LLC that appears willing to advance a five-year loan of \$55 million to the failed water bottling company.

The company has continued with its Chapter 11 bankruptcy proceeding for reorganization and so far has avoided Chapter 7 bankruptcy for dissolution. It has been explained to us that aside from creditors hoping to have their investments repaid, the bankruptcy trustee appointed by the court receives a commission if a successful sale is accomplished. It seems to be all about the money in these proceedings, not the water or the communities potentially impacted.

Bankruptcy hearings are open to the public and the court record of the case is available for review with prior notice. The U.S. Bankruptcy Court is located at 1000 Elm Street, Manchester and the office telephone number is 222-2600. You can park in the Brady Sullivan public parking lot directly behind the court. If you plan to attend a hearing, we strongly advise calling before you leave as in the past they are often rescheduled due to a last minute motion.

The case number is 08-11816 under Judge Deasey. If you do go, you can help SOG by sending a brief report of what you observed and learned to: [saveourgroundwater@gmail.com](mailto:saveourgroundwater@gmail.com).

