

**TOWN OF LYME
BOARD OF SELECTMEN
1 HIGH STREET
P.O. BOX 126
LYME, NEW HAMPSHIRE 03768
603-795-4639**

Charles J. Smith
Susan J. MacKenzie
Bradford E. Keith

ORIGINAL

November 1, 2017

Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

FILED
SECRETARY OF THE
COMMISSION
2017 NOV 14 P 3:07
FEDERAL ENERGY
REGULATORY COMMISSION

Re: Great River Hydro, LLC, FERC Project No. 1892

The Town of Lyme has incurred significant expenses repairing and reconstructing slopes along the Connecticut River Bank. The slopes were damaged by erosion and slope failures, which have threatened and continue to threaten the River Road and other adjacent properties located within the Town. The operation of the Wilder Hydro-Electric Facility has resulted in most, if not all, of the slope failures and erosion that the Town has had to repair. We have three requests, within your authority to grant, related to the continual operation of the Wilder Hydro-Electric Facility.

The Town of Lyme hereby requests that the Federal Energy Regulatory Commission:

1. Provide the Town with a copy of the original license to construct and operate the Wilder Project issued April 22, 1944.
2. Require the current owner of this facility to honor their responsibility to the preservation of the River Road reservation in the Town of Lyme and reimburse the Town for expenses incurred on their behalf.
3. Include as an alternative condition for the issuance of a re-licensing of this facility, the requirement that the River Road reservation be preserved and protected from interference due to the existence and management of the Wilder facility at owner's expense.

The Town of Lyme is on record joining resident O. Ross McIntyre, M.D. in voicing grave concern for the impact of river bank erosion resulting from the operation of the Wilder Hydro-Electric facility on the Connecticut River. As a result of the property tax abatement filings by TransCanada and now Great River Hydro, LLC, the Lyme Select Board began researching and

analyzing the history of the licensing of this facility and the protections afforded the town by the Federal Powers Act.

Olcott Falls Company and Bellows Falls Hydro-Electric Corporation filed an application for a license to construct and operate the Wilder Project before the Federal Power Commission August 20, 1942 (copy attached as exhibit A). A license was granted April 22, 1944 (copy of which could not be located at the Public Reference Room - SRA International Inc., A CSRA Company in support of: Federal Energy Regulatory Commission). The license was transferred to New England Power Co. in March of 1949.

At the Town of Lyme's 1949 Annual Meeting, the legislative body proposed the following resolution:

Article 10 – To see if the Town will vote to authorize the Selectmen to execute and deliver to New England Power Co. such agreements, contracts or other instruments which they in their judgement may deem necessary and proper in relation to close portions of the town highways, roads, bridges, culverts, sewers, drains, and other property which will be affected by the construction and operation of the so called Wilder project by the New England Power Co.

After discussion, the warrant passed and a certified copy of the vote was sent to New England Power Co.'s legal representative on March 10, 1949

The 1920 Federal Powers Act requires:

~~SEC. 4. The Commission is hereby authorized and empowered—~~

(e) ~~To issue licenses~~ to citizens of the United States, or to any association of such citizens, or to any corporation organized under the laws of the United States or any State thereof, or to any State or municipality for the purpose of constructing, operating, and maintaining dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation and for the development, transmission, and utilization of power across, along, from or in any of the streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, or upon any part of the public lands and reservations of the United States (including the Territories), or for the purpose of utilizing the surplus water or water power from any Government dam, except as herein provided:

~~Provided,~~

~~That licenses shall be issued within any reservation only after a finding by the Commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired, and shall be subject to and contain such conditions as the Secretary of the department under whose supervision such reservation falls shall deem necessary for the adequate protection and utilization of such reservation:~~

Presumably (per sec.33) as an Alternative Condition and Prescription of the license granted in 1944, New England Power Co. petitioned the Town of Lyme for Relocation and Alteration of Highways in the Town of Lyme. River Road, as its name suggests had run along the river for nearly 200 years. The construction of the proposed dam would raise the water level of the Connecticut River and flood portions of it. The Selectmen held a hearing on the petition for the raising and relocation of certain portions of River Road, March 16, 1950 (copies attached as

Exhibit B). Construction drawings referred to in the petition have been located in the archives of the Town and are available.

April 12, 1950, the Town of Lyme Selectmen executed a perpetual Flowage Easement in favor of New England Power Company for all roads and highways together with the slopes and embankments thereof, culverts, piers, abutments, bridges and approaches thereto, and other lands and rights presently owned by the said Town of Lyme and situated in said Town on or near the Connecticut River and which will be affected by the impounding of water by the dam with flashboards and gates to an elevation not to exceed 385 feet (copy attached as Exhibit C).

September 21, 1950, a certificate of completion and declaration that "said highways or roads are now open for use of the public and are hereby accepted as public highways by said Town of Lyme" was signed by the Board of Selectmen of the Town of Lyme, NH (copy attached as Exhibit D).

Acquiring Flowage Easements was undoubtedly a requirement of the 1944 license, without Lyme's easement on the River Road, New England Power Co. could not satisfy the requirements of the 1944 license. The Select board's decision to grant a flowage easement was with the understanding:

1. That the license was not perpetual and that its renewal depended upon satisfactory operation under the license.
2. That Lyme's "reservation"—its road—would not be jeopardized by the operation of the dam.
3. That, should the future prove the engineering and/or the management practices insufficient to preserve this public reservation, new engineering and alternative conditions would be required before any new license would be issued by the Federal Power Commission or its successors.

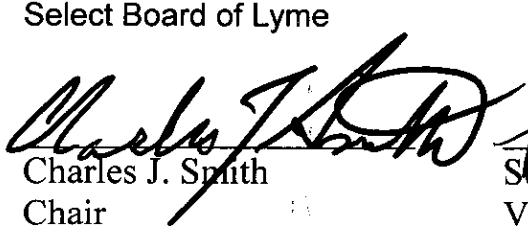
Thus, the responsibility for the preservation of this public reservation was transferred to the owner of the license to operate this hydro-electric facility for the term of that license or any subsequent license issued by the commission. No new license should be considered unless it includes provisions for the preservation of this public reservation.

Unfortunately, with the passage of time, this transfer of responsibility has not been recognized and clarified as licenses have been extended, re-issued and considered. In reading the license issued to New England Power Co. December 10, 1979, there is no mention of an alternative condition to preserve the River Road reservation. This license was transferred first to TransCanada and most recently to Great River Hydro, LLC.

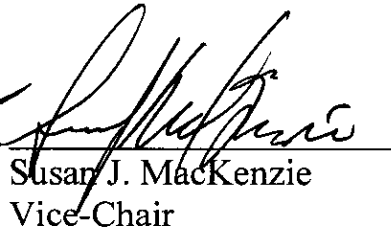
Understandably, as erosion issues have undermined the stability of this reservation for the safe travel of the public, the Lyme Select Board, recognizing its responsibility to their residents and the traveling public, have engaged engineers, lawyers and contractors in addition to the Town Highway department, to perform necessary analysis and repairs, including the relocation of a portion of the highway, at great taxpayer expense, as a direct result of subsoil erosion caused by the existence and management of the Wilder hydro-electric facility. A request for reimbursement of these expenses (copy attached) was acknowledged by TransCanada but remains outstanding and now should be assumed by Great River Hydro, LLC.

The Town of Lyme looks forward to your understanding, support and action to restore and protect our historic public resource.

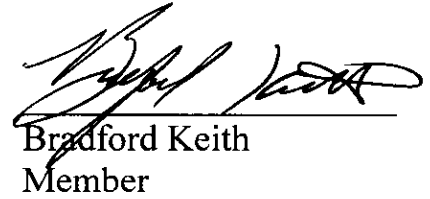
Sincerely,
Select Board of Lyme



Charles J. Smith
Chair



Susan J. MacKenzie
Vice-Chair



Bradford Keith
Member

NOTICE OF HEARING

Feb. 28, 1950

To: Town Clerk
Lyme, New Hampshire

You are hereby notified that a hearing will be held by the Board of Selectmen of the Town of Lyme in the Church Hall at 8 o'clock, P M on the 16th day of March, 1950 on the Petition of New England Power Company for the raising and relocation of certain portions of River Road, so-called, in said Town. A copy of said Petition is attached hereto.

Arthur A. Hobbs
Sergeant Goodhue
Henry S. Pushee
Selectmen of the Town of Lyme,
New Hampshire

STATE OF NEW HAMPSHIRE

TOWN OF LYME

PETITION FOR RELOCATION AND ALTERATION OF HIGHWAYS IN
THE TOWN OF LYME

TO THE SELECTMEN OF THE TOWN OF LYME:

New England Power Company respectfully represents that it is a corporation duly organized and existing under and by virtue of the laws of the Commonwealth of Massachusetts and is duly authorized to engage in the business which is now carried on by it in the State of New Hampshire, and that it desires and the public good, necessity and convenience require the relocation and alteration of certain portions of the so-called River Road in the Town of Lyme.

WHEREFORE your Petitioner prays that after due notice, examination and hearing, as provided by law, your Board will order:

1. - The raising and relocation of that portion of the so-called River Road immediately north of the Hanover-Lyme Town Line, in accordance with plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 STATION 8+00 to 24+27 LYME, N.H. SCALE AS NOTED DATE NOV. 1949 H-11899-0", "SHEET 2 of 6 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 STATION 8+00 to STATION 24+27 LYME, NEW HAMPSHIRE SCALE 1"=10'0" NOV. 1949 H-11900-0", "SHEET 3 of 6 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOP-

MENT RIVER ROAD RAISE AT MILE 9.6 STATION 8+00 to STATION 24+27 LYME, NEW HAMPSHIRE SCALE 1"=10'0" Nov. 1949 H-11901-0", "SHEET 4 of 6 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 STATION 8+00 to STATION 24+27 LYME, NEW HAMPSHIRE SCALE 1"=10'0" NOV. 1949 H-11902-0" and "SHEET 5 of 6 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 LYME, N.H. SCALE 1"=10'0" DEC. 1949 H-11912-0" which plans and specifications and drawings are incorporated herein and made a part hereof by reference.

2. - The raising and relocation of that portion of the so-called River Road just north of the road to Hidden Valley Farm in accordance with plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 10.1 LYME, NEW HAMPSHIRE SCALE AS NOTED DATE DEC. 1949 H-11910-0" and "SHEET 2 of 3 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 10.1 LYME, NEW HAMPSHIRE SCALE 1"=10' DEC. 1949 H-11911-0", which plans and specifications and drawings are incorporated herein and made a part hereof by reference; and also the construction of a new corrugated iron culvert having a diameter of four feet, said culvert to take the place of the present three-foot culvert which is to be abandoned; said new culvert to be located and constructed in accordance with plans and specifications shown on drawings numbered "H-11910-0" and "H-11911-0", hereinabove referred to.

Poor Quality Original

3. - The raising of approximately 550 feet of the so-called River Road extending southerly from Hewes Brook, all in accordance with plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 11.0 LYME, NEW HAMPSHIRE SCALE 1"=50'0" UNLESS NOTED DATE OCT. 1949 H-12103-0" and "SHEET 2 of 2 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 11.0 LYME, NEW HAMPSHIRE SCALE 1"=10'0" OCT. 1949 H-11895-0", which plans and specifications and drawings are incorporated herein and made a part hereof by reference.
4. - The raising of the bridge over Grant Brook, so-called, together with the abutments and wing walls thereof, all in accordance with plans and specifications shown on drawing entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT GRANT BROOK BRIDGE RAISING LYME TOWNSHIP - 12.4 RIVER MI. ABUTMENT DETAIL SCALE AS NOTED DATE DEC. 1949 H-12170-0", which plans and specifications and drawings are incorporated herein and made a part hereof by reference.
5. - The raising of about 860 feet of the so-called River Road at Grant Brook, all in accordance with plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 12.4 LYME, NEW HAMPSHIRE SCALE AS NOTED DATE

NOV. 1949 H-11907-0", "SHEET 2 of 4 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 12.4 LYME, NEW HAMPSHIRE SCALE 1"=10' NOV. 1949 H-11908-0" and "SHEET 3 of 4 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 12.4 LYME, NEW HAMPSHIRE SCALE 1"=10'0" NOV. 1949 H-11909-0", which plans and specifications and drawings are incorporated herein and made a part hereof by reference.

6. - The construction of a corrugated iron culvert having a diameter of five feet in place of the present box culvert across or through said River Road at a point about 2500 feet southerly of the easterly approach to the Lyme-North Thetford bridge, all in accordance with plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD WIDENING AND NEW CULVERT AT MILE 14.8 LYME, N.H. SCALE AS NOTED DATE DEC. 1949 H-11905-0" and "NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD WIDENING AND NEW CULVERT AT MILE 14.8 SCALE 1"=10'0" (NATURAL) DEC. 1949 CROSS SECTIONS SHEET 2 of 3 H-11906-0", which plans and specifications and drawings are incorporated herein and made a part hereof by reference; and also the widening of the present traveled way of said so-called River Road at this point - all in accordance with plans and specifications shown on drawing "H-11905-0" hereinabove referred to.

7. - (a) The construction of concrete supports under each end of the covered bridge over Clay Brook;

(b) The construction of cable guy anchorages on the upstream and

downstream sides of the bridge -

both in accordance with the plans and specifications shown on drawing entitled; "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER RE-DEVELOPMENT CLAY BROOK BRIDGE, LYME, N.H. REINFORCED CONCRETE SUPPORT BENTS SCALE AS NOTED DATE DEC. 1949 H-12226-0", which plans and specifications and drawings are incorporated herein and made a part hereof by reference.

NEW ENGLAND POWER COMPANY

By _____

_____, 1950

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KNOW ALL MEN BY THESE PRESENTS

That the TOWN OF LYME, Grafton County, New Hampshire, a municipal corporation, acting herein by its Selectmen, therunto duly authorized under and by virtue of the provisions of a Vote passed at the Annual Town Meeting held in March, 1949, in consideration of One Dollar and other valuable considerations to it paid before the delivery hereof by NEW ENGLAND POWER COMPANY, a corporation chartered by the laws of the Commonwealth of Massachusetts, the receipt whereof is hereby acknowledged, has given, granted, bargained, sold, and by these presents does give, grant, bargain, sell and convey unto said NEW ENGLAND POWER COMPANY, its successors and assigns forever, the perpetual right and easement to flow and otherwise damage so much of the hereinafter described land with the buildings and personal property thereon as may be flowed and damaged by reason of the construction, maintenance and operation of the dam of the Grantee across the Connecticut River between the towns of Hartford, Windsor County, Vermont and Lebanon, Grafton County, New Hampshire, or by any other dam or dams that may be built from time to time hereafter across said Connecticut River, in the same or in a new location, between said towns of Hartford and Lebanon, together with such flashboards and gates as may from time to time be used; the elevation of the spillway section of such dam or dams with flashboards and gates not to exceed an assumed elevation of 385 feet, with is 45.449 feet below United States Geological Survey bench-mark designated as "ADJ 430" with an elevation of 430.449 feet in United States Geological Survey Bulletin No. 437, and being an aluminum tablet stamped "ADJ 430", located in the top of the stone door-sill at the side entrance to the Public Library in the Village of Wilder, Hartford, Vermont.

All claims and demands against the Grantee, its successors and assigns, for past and future damages resulting therefrom and referable thereto, are waived, released and discharged.

The lands above referred to are all roads and highways together with the slopes and embankments thereof, culverts, piers, abutments, bridges and approaches thereto, and other lands and rights presently owned by the said Town of Lyme and situated in said Town on or near the Connecticut River and which will be affected by the impounding of water by the dam hereinabove referred to.

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Also the right and easement, without further payment therefor, to clear the area which will be flowed of trees and underbrush.

TO HAVE AND TO HOLD the above granted premises, with all the privileges and appurtenances thereto belonging, to said NEW ENGLAND POWER COMPANY, its successors and assigns, to its and their own use, benefit and behoof forever.

W. S. F.
W. S. F.
W. S. F.
W. S. F.
W. S. F.
~~AND SAID GRANTOR does hereby, for itself and its successors and assigns, covenant with the said Grantee, its successors and assigns, that it will warrant and defend the said premises to the said Grantee, its successors and assigns, against the lawful claims and demands of any person or persons claiming by, from or under it.~~

IN WITNESS WHEREOF, said TOWN OF LYME has caused these presents to be executed in its name and behalf this 12th day of April 1950.

TOWN OF LYME

By Sargent Goodhue
By Henry S. Parker
By Robert A. Hobbs
Selectman



STATE OF NEW HAMPSHIRE }

Grafton County, ss. }

Personally appeared, this 12th day of April

1950 Sargent Goodhue, Henry S. Parker & Robert A. Hobbs

signers and sealers of the above written instrument and acknowledged the same to be the free act and deed of the TOWN OF LYME. Before me,



Sheldon B. Stinson
Notary Public.
My Commission Expires February 28, 1954

Received June 22, 1950 10:00 A. M.

Recorded and examined. Attest

F. J. Rhoads Register

D

TOWN OF LYME, NEW HAMPSHIRE

Sept 21., 1950

Certificate of completion of Raising and Relocation
of portions of certain Highways or Roads in the Town
of Lyme, Grafton County, New Hampshire and accept-
ance and opening of said Highways or Roads for the
use of the Public.

We, the undersigned Board of Selectmen of the Town of Lyme, Grafton County, New Hampshire, hereby certify that the raising and relocating of portions of certain highways or roads in said Lyme, in accordance with the following plans and specifications:

- 1 - Plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 STATION 8+00 to 24+27 LYME, N.H. SCALES AS NOTED DATE NOV. 1949 H-11899-0", "SHEET 2 of 6 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 STATION 8+00 to STATION 24+27 LYME, NEW HAMPSHIRE SCALE 1"=10'0" NOV. 1949 H-11900-0", "SHEET 3 of 6 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 STATION 8+00 to STATION 24+27 LYME, NEW HAMPSHIRE SCALE 1"=10'0" NOV. 1949 H-11901-0", "SHEET 4 of 6 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 STATION 8+00 to STATION 24+27 LYME, NEW HAMPSHIRE SCALE 1"=10'0" NOV. 1949 H-11902-0" and "SHEET 5 of 6 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 9.6 LYME, N.H. SCALE 1"=10'0" DEC. 1949 H-11912-0"; said plans and specifications having to do with the raising and relocation of that portion of the so-called River Road immediately north of the Hanover-Lyme Town Line.
- 2 - Plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 10.1 LYME, NEW HAMPSHIRE SCALE AS NOTED DATE DEC. 1949 H-11910-0" and "SHEET 2 of 3 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 10.1 LYME, NEW HAMPSHIRE SCALE 1"=10' DEC. 1949 H-11911-0"; said plans and specifications having to do with the raising and relocation of that portion of the so-called River Road just north of the road to Hidden Valley Farm.

3 - Plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 11.0 LYME, NEW HAMPSHIRE SCALE 1"=50'0" UNLESS NOTED DATE OCT. 1949 H-12103-0" and "SHEET 2 of 2 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 11.0 LYME, NEW HAMPSHIRE SCALE 1"=10'0" OCT. 1949 H-11895-0"; said plans and specifications having to do with the raising of a portion of the so-called River Road extending southerly from Hewes Brook.

4 - Plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 12.4 LYME, NEW HAMPSHIRE SCALE AS NOTED DATE NOV. 1949 H-11907-0", "SHEET 2 of 4 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 12.4 LYME, NEW HAMPSHIRE SCALE 1"=10' NOV. 1949 H-11908-0" and "SHEET 3 of 4 CROSS-SECTIONS NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD RAISE AT MILE 12.4 LYME, NEW HAMPSHIRE SCALE 1"=10'0" NOV. 1949 H-11909-0"; said plans and specifications having to do with the raising of a portion of the so-called River Road at Grant Brook -

which plans and specifications are on file in the Town Clerk's Office in said Lyme, and are incorporated herein and made a part hereof by reference, has been fully and satisfactorily completed by the New England Power Company, and that said highways or roads are now open for use of the public and are hereby accepted as public highways by said Town of Lyme.

Herein is also included the approval and acceptance of:

- I - The construction of a new corrugated iron culvert located and constructed in accordance with plans and specifications shown on drawings H-11910-0 and H-11911-0, hereinabove referred to.
- II - The raising of the bridge over Grant Brook, so-called, together with the abutments and wing walls thereof, all in accordance with plans and specifications shown on drawing entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT GRANT BROOK BRIDGE RAISING LYME TOWNSHIP - 12.4 RIVER MI. ABUTMENT DETAIL SCALE AS NOTED DATE DEC. 1949 H-12170-0".
- III - The construction of a corrugated iron culvert across or through said

said River Road at a point about 2500 feet southerly of the easterly approach to the Lyme-North Thetford Bridge, in accordance with plans and specifications shown on drawings entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD WIDENING AND NEW CULVERT AT MILE 14.8 LYME, N.H. SCALE AS NOTED DATE DEC. 1949 N-11905-0" and "NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT RIVER ROAD WIDENING AND NEW CULVERT AT MILE 14.8 SCALE 1"=10'0" (NATURAL) DEC. 1949 CROSS SECTIONS SHEET 2 of 3 N-11906-0".

- IV - The widening of the present travelled way of that portion of the so-called River Road about 2500 feet southerly of the easterly approach to the Lyme-North Thetford Bridge, in accordance with plans and specifications shown on drawing N-11905-0, hereinabove referred to.
- V - The construction of concrete supports under each end of the covered bridge over Clay Brook and the construction of cable guy anchorages on the upstream and downstream sides of the bridge, in accordance with plans and specifications shown on drawing entitled: "NEW ENGLAND POWER SERVICE COMPANY PART OF NEW ENGLAND ELECTRIC SYSTEM BOSTON, MASS. NEW ENGLAND POWER COMPANY WILDER REDEVELOPMENT CLAY BROOK BRIDGE, LYME, N.H. REINFORCED CONCRETE SUPPORT BENTS SCALE AS NOTED DATE DEC. 1949 N-12226-0".

All of the foregoing plans and specifications hereinabove referred to are on file in the Town Clerk's Office in said Town of Lyme and are incorporated herein and made a part hereof by reference.

Sargent Goodhue
Henry S. Rushee
Chester A. Hobbs
Board of Selectmen of the Town of Lyme, N.H.

I, the undersigned, Town Clerk of Lyme, New Hampshire, hereby
certify that the foregoing Certificate is duly recorded in the Town Clerk's
Office of the Town of Lyme in Book 1. Page 381.

Pearl M. Denick
Town Clerk of Lyme, N. H.

**TOWN OF LYME
BOARD OF SELECTMEN
1 HIGH STREET
P.O. BOX 126
LYME, NEW HAMPSHIRE 03768
603-795-4639**

Susan J. MacKenzie
Patricia G. Jenks
Charles J. Smith

October 5, 2016

Transcanada Hydro Northeast
Attn: Mark Cleverdon
110 Turnpike Road
Suite 300
Westborough MA 01581

Invoice for River Road repairs:

Included in the invoiced amount are engineering, equipment, permitting and material costs. See attached list:

1200' section on River Road-

Total cost =	\$617,190.72
FEMA grant reimbursement	<u>\$287,247.61</u>
Cost to Town =	\$329,943.11

River Road Slump-

Total spent to date =	\$120,371.74
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Berway Farm erosion-

Total spent to date =	\$19,058.34
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Hidden Valley erosion-

Total spent to date =	\$19,064.53
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River Road south section-

Total spent to date =	\$18,952.54
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Total invoiced amount = \$507,390.26

Make check payable to Town of Lyme and send to:

Town of Lyme
PO Box 126
Lyme NH 03768

Respectfully,

Susan J. MacKenzie, Chair
Select Board Town of Lyme

Patricia G. Jenks

Charles J. Smith