

Summary of Mono County Superior Court ruling in favor of the Great Basin Unified Air Pollution Control District and Ormat in its decision against the Mammoth Community Water District and two union groups

On June 25, 2015, the Mono County Superior Court ruled in favor of the Great Basin Unified Air Pollution Control District and ORNI 50 LLC in its decision against the Mammoth Community Water District and two union groups. Following an extensive review of the Environmental Impact Report and Administrative Record for ORNI 50 LLC's proposed 33-megawatt Casa Diablo IV plant, Judge Stan Eller's decision states:

The science-based conclusions within the FEIR, the experts' opinions, the opinions of the consultant's retained by the agencies, and the conclusions of the agencies themselves are consistent in establishing substantial evidence that there is no connectivity between the deep geothermal reservoir and MCWD's groundwater aquifer.

False claims made by the MCWD include the idea that the geothermal project poses a risk on the community's groundwater supply and that it is located directly below the cold aquifer. Fact is, there is 1.75 miles lateral distance between the geothermal wells in Basalt Canyon and the MCWD's closest groundwater well and 1500 feet of impermeable rock vertically between the aquifers. Ormat has been producing geothermal fluid from two wells in the Basalt Canyon well field adjacent to Shady Rest Park with no impact on the MCWD groundwater. The Long Valley Hydrologic Advisory Committee made up of federal, state and local agencies and the USGS has been monitoring surface and groundwater in the Long Valley Caldera for almost 30 years with no known impact to these water sources. Numerous tests and models have been completed showing no adverse effects to the geothermal reservoir and absolutely no interaction between the two bodies of water.

CD IV will be the fourth geothermal power plant to be developed in the area. Throughout the development of the earlier projects, Ormat collected 30 years of monitoring data that was rigorously analyzed and studied by experts.

The proposed area for the CD IV project was developed in 2006. Two production wells we will use have already been connected to the existing plants. Data from these two wells has continually been collected for over eight years, which led to this new project. By using the geothermal fluid pumped from existing wells, Ormat will simply increase production ultimately providing even more renewable energy to the citizens of Mono County and beyond.

Ormat is working with the MCWD and agencies to come up with a cooperative groundwater monitoring and response plan. There is much support for the project by local officials and many have expressed concern with the lawsuit including Ted Shade, former Great Basin Unified Air Pollution Control District Officer, in a recent story published by The Sheet:

"I thought the Water District would behave more reasonably, and I'm disappointed that they didn't," he said.

Schade also alluded to the expense of MCWD's lawsuit as an unnecessary use of ratepayers' money. He contended that MCWD not only retained a \$125,000 public relations firm, Fiona-Hutton, during the lawsuit, but also spent perhaps hundreds of thousands of ratepayers' money on the lawsuit itself.

We remain confident in the decision made by the courts and the existing data that there will be no effect in the future and the CD IV project will provide many benefits to Mono County and the Town of Mammoth Lakes.