

For Immediate Release  
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### BATTLE ENDS FOR MICHIGAN CITIZENS FOR WATER CONSERVATION

Big Rapids, Michigan: Michigan Citizens for Water Conservation stopped Nestlé Waters North America, Inc.'s attempt to pump more water from a stressed stream and lake for its Ice Mountain bottled water in Mecosta, Michigan on Monday, July 6.

MCWC and Nestle reached a settlement on the first day of a weeklong hearing scheduled to resolve opposing claims on whether Nestlé's pumping should be reduced or increased under the criteria of a 2006 injunction order.

"Under this modified injunction order, Nestle cannot pump more water from Dead Stream or Thompson Lake" Terry Swier, MCWC President said. "This new order completes one of MCWC's goals.. Nestle must reduce its pumping earlier in the spring and continue its low pumping rates during the summer months. This will leave more water in the system and should eliminate the more serious impacts to the stream that occur in drier years and summers."

MCWC won a major victory against Nestle Corporation in 2003 when trial judge Lawrence Root shut down Nestlé's plan to pump 210 million gallons of water for its Michigan bottled water operations.

In 2005 the Michigan Court of Appeals affirmed a 2003 trial court ruling that Nestlé's pumping violated Michigan water law and in 2006 agreed to an injunction that allowed Nestlé to pump an average of 218 gallons per minute, as opposed to the 400 gallons per minute originally permitted by the State.

The modified injunction order reached by agreement yesterday will end the 9 year dispute and become a final and permanent injunction that reduces Nestlé's original intended water removal by 50 percent.

"Nestle challenged the rule of law, but the rule of law has prevailed," Jim Olson, said, joined by former U.S. Attorney for Western Michigan Michael Dettmer and Jeff Jocks with the Olson, Bzdok & Howard, PC, a Traverse City law firm.

"This injunction ends the continuing legal battle of MCWC's struggle to protect Dead Stream, Thompson Lake and wetlands from excessive water extraction," Swier said. "Now it is time to turn to the task of assuring water remains owned by the public."

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