

STATE OF NEW HAMPSHIRE

SULLIVAN, SS.

SUPERIOR COURT

Case No. 220-2020-CV-00112

Town of Lempster

v.

Kevin Onnela

Debra Onnela

Avangrid Renewables, LLC

and

Lempster Wind, LLC

**AFFIDAVIT OF RYAN HALEY**

NOW COMES Ryan Haley, upon oath, being duly sworn, and states as follows:

1. I have been employed by Lempster Wind, LLC since 2010 and hold the position of Plant Manager.
2. Avangrid Renewables, LLC holds a 100% ownership interest in Lempster Wind, LLC, and is the member-manager of Lempster Wind, LLC.
3. My responsibilities as Plant Manager at the Lempster Wind Facility include: ensuring strict management and compliance with all company and project environmental, health and safety programs; conducting periodic safety assessments; ensuring that Lempster Wind employees receive periodic safety training; negotiating and administering third party contracts; managing crews that perform operations, maintenance and warranty activities of all Facility equipment; ensuring compliance with manufacturers'

requirements; managing implementation of capital improvement programs and retrofits; and ensuring that all relevant internal controls are followed, and that new controls are developed as needed.

4. Lempster Wind, LLC owns and operates a 24 megawatt wind-powered electricity generating facility located on the ridge line of Lempster Mountain in Lempster, New Hampshire (“Lempster Wind Facility”).
5. The Lempster Wind Facility is comprised of twelve wind turbines whose towers are approximately 256 feet high.
6. I am familiar with the location of the wind turbines, access roads, gates, signs and other facilities, buildings and equipment comprising the Lempster Wind Facility.
7. The Lempster Wind Facility is located on the following parcels of land: Town of Lempster Tax Map/Parcel: 6-132,000; 9-175,111; 8-530-094; 6-218,115; and 6-034,044.
8. Lempster Wind leases property shown on Lempster Tax Map/Parcels 6-132,000, 9-175,111 and 8-530-094 from Defendants Kevin Onnela and Debra Onnela.
9. Attached to this Affidavit as Exhibit A-1 is a map depicting the locations of the above-referenced parcels, the Lempster Wind turbines/towers, Bean Mountain Road, and two gates.
10. Bean Mountain Road is an unpaved road that runs through the site of the Lempster Wind Facility and provides access to the Facility.
11. The Onnelas’ house is the only year-round, permanent residence on the Lempster Wind Facility site.

12. In November, 2008, Lempster Wind installed a gate (Gate 1 shown on Exhibit A-1) and a sign thereon near the intersection of Nichols Road and Bean Mountain Road to prevent the public from using Bean Mountain Road to access the Lempster Wind Facility.
13. In June, 2010, Defendant Kevin Onnela, with Lempster Wind's permission and approval, installed a gate (Gate 2 shown on Exhibit A-1) at the border of the Lempster Wind Facility site at the east end of Bean Mountain Road which restricts the public from using Bean Mountain Road to access the Lempster Wind Facility.

DATED this *4<sup>th</sup>* day of August, 2021.

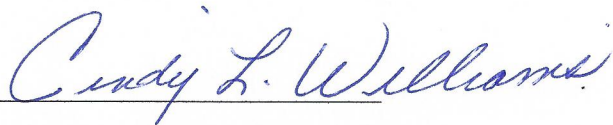
  
\_\_\_\_\_  
Ryan Haley

STATE OF NEW HAMPSHIRE

COUNTY OF *Sullivan*

On this *4<sup>th</sup>* day of August, 2021, the above-named Ryan Haley personally appeared before me and subscribed and swore to the foregoing.



  
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Justice of the Peace/Notary Public  
My Commission Expires: *July 19, 2022*