

# HOUSE . . . . . No. 7004

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 23, 1981.

The committee on Natural Resources and Agriculture, to whom was referred the petition (accompanied by bill, House, No. 6960) of James R. Miceli that the town of Tewksbury be authorized to take water from the Merrimack River, reports recommending that the accompanying bill (House, No. 7004) ought to pass [Representative Nagle of Northampton dissenting].

For the committee,

RICHARD R. SILVA.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-One.

### AN ACT AUTHORIZING THE TOWN OF TEWKSBURY TO TAKE WATER FROM THE MERRIMACK RIVER.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 The town of Tewksbury, in accordance with such conditions as  
2 may be set forth by the department of environmental quality  
3 engineering and the water resources commission is hereby author-  
4 ized to take, hold and convey into and throughout said municipal-  
5 ity, from the Merrimack river at an approved point with said  
6 municipality, and the inhabitants therefor for the extinguishment  
7 of fires, domestic use, human consumption, irrigation, industrial,  
8 commercial and other purposes not to exceed six million gallons  
9 per day; and to also take and hold, by purchase or otherwise, land  
10 in said municipality for sinking wells or making excavations in  
11 order to obtain water by filtration or percolation, or from subter-  
12 ranean streams, and to construct such works as may be necessary  
13 therefor; and to lay and maintain reservoirs or canals and such  
14 other work as may be deemed necessary or proper for conveying,  
15 raising, forcing, retaining, distributing, or disposing of said water  
16 in such a manner as may be deemed in the public interest.

17 The rights of the Essex Company, as granted by chapter one  
18 hundred and sixty-three of the acts of eighteen hundred and forty-  
19 five, and the rights of any successor to such company are preserved  
20 insofar as these rights may be exercised in a manner reasonable and  
21 consistent with the public interest and the proper utilization of the  
22 Merrimack river as determined by the department of environmen-  
23 tal quality engineering and the water resources commission pro-  
24 vided that there shall be an adequate flowage of the river to supply  
25 the city of Lawrence and the city known as the town of Methuen  
26 and the town of Tewksbury.