

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES

ORDER GRANTING EXTENSION OF TIME TO COMPLETE CONSTRUCTION OF P-18467

BACKGROUND

1. The plan, P-18467, is for Harlan Feeders Holding Pond 4, a proposed dam subject to the *Safety of Dams and Reservoirs Act*. The dam will be located in the NW1/4 of Section 19, Township 2 North, Range 18 West of the 6th P.M. in Harlan County.
2. Harlan Feeders Inc., 71049 L Road, Orleans, Nebraska 68966, is the owner of the proposed dam.
3. On June 14, 2013, Plan P-18467 was approved with the condition that construction be completed by November 1, 2014.
4. On August 20, 2014, Jacob Mayer of Settje Agri-Services and Engineering Inc., on behalf of Harlan Feeders Inc., filed a request to extend the construction deadline for P-18467 to November 1, 2016.

ORDER

It is therefore ORDERED:

1. The request for extension of time to complete construction of P-18467 is hereby APPROVED.
2. The date by which construction of P-18467 shall be completed is extended to November 1, 2016.
3. All limitations and other conditions in the June 14, 2013, Order approving Plan P-18467 remain in effect.
4. Upon completion of the construction, the owner shall file with the Department the enclosed "Construction Certification Form for Dams." Following receipt of this form, an approval to operate will be issued by the Department if it determines that the dam is safe to impound within the limitations outlined in this ORDER.

DEPARTMENT OF NATURAL RESOURCES

October 28, 2014


Brian P. Dunnigan, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this ORDER may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure* 454 *Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln

office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the ORDER and be accompanied by a filing fee of \$10.

A copy of this Order was posted on the Department's website. Copies of this Order and a "Construction Certification Form for Dams" were mailed on October 28, 2014, to Harlan Feeders Inc., 71049 L Road, Orleans, Nebraska 68966; and Steve K. Westerbuhr, P.E., Settje Agri-Services and Engineering Inc., 4700 W. Rock Creek Road, Raymond, Nebraska 68428. A copy of this Order was provided to the Department's field office in Cambridge, Nebraska. A copy of this Order was mailed to the Lower Republican Natural Resources District, 30 North John Street, P.O. Box 618, Alma, Nebraska 68920; and Tom Trewhitt, Nebraska Department of Environmental Quality, INTERAGENCY, 1200 N Street, Suite 400, P.O. Box 98922, Lincoln, Nebraska 68509-8922.