

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

Plan of Dam Approval

This matter comes before the Director of the Department of Natural Resources (Department) pursuant to Neb. Rev. Stat. § 46-1652 (Supp. 2005) which generally requires any owner intending to construct a dam to file an application for approval of plans and specifications of a dam prior to beginning such construction.

Plan No. P-16702 and associated specifications have been examined. The examination shows that:

1. The plan is for the construction of a livestock waste holding pond created by a dam and located in the NE¼ of Section 19, Township 13 North, Range 39 West of the 6th P.M. in Keith County.
2. The drawings and specifications were prepared by Settje Agri-Services and Engineering.
3. The owner of the dam is McGinley - Schilz Feedyard, Ltd., 675 Rd W F, Brule, Nebraska 69127.
4. The drawings were examined by a Registered Professional Engineer of the Department and were found to be consistent with current standards.
5. Following consultation with the Nebraska Game and Parks Commission, the Department finds the project will not jeopardize endangered or threatened species.

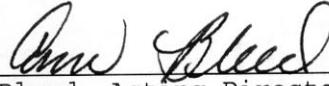
The plan is hereby APPROVED subject to the following limitations, conditions and notices:

1. This approval will remain in effect for purposes of construction until October 1, 2007.
2. The dam and holding pond are to be operated and maintained in accordance with the Nebraska Safety of Dams and Reservoirs Act, Neb. Rev. Stat. §§ 46-1601 through 46-1670 (Supp. 2005).
3. The owner of the dam has the legal duties, obligations, or liabilities incident to the ownership or operation of the dam.

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Failure to comply with the provisions of the Approval may cause cancellation of this Approval.

DEPARTMENT OF NATURAL RESOURCES



Ann Bleed, Acting Director

March 9, 2006

A copy of this Approval and Plan No. 16702, were mailed on March 10 2006, to McGinley - Schilz Feedyard, Ltd., 675 Rd W F, Brule, Nebraska 69127. A copy of this Approval and a Construction Certification Form for Dams were mailed to Settje Agri-Services and Engineering, 4700 W. Rock Creek Road, Raymond, Nebraska 68428. A copy of this Approval, a copy of the plans and a copy of the Engineering Review Report for Dams were mailed to the Department's Bridgeport Field Office. A copy of this Approval was mailed to the Twin Platte NRD and the Department of Environmental Quality, Agriculture Section.