

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 anyone intending to construct a dam to file an application for approval of plans and specifications of a dam prior to beginning such construction, and Neb. Rev. Stat. § 54-2430(3) (Reissue 2004), pursuant to which the Department may permit an increase in the non-divertible runoff acreage area of a livestock waste control facility.

Plan No. P-16718 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 non-jurisdictional size dam and located in the NE $\frac{1}{4}$  of Section 26, Township 14 North, Range 36 West of the 6<sup>th</sup> 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 Chuck Flaming, 1780 Rd East 120, Paxton, Nebraska 69155.
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.
6. Following a review of information submitted by the Applicant, the department finds the project satisfies the requirements of Neb. Rev. Stat. § 54-2430(3) (Reissue 2004), and that an increase in the twenty-five acre limitation on runoff area may be allowed.

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 November 1, 2008.
2. The runoff area for the project shall be limited to 57 acres.

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

DEPARTMENT OF NATURAL RESOURCES



Ann Bleed, Acting Director

May 3, 2006

A copy of this Approval and Plan No. 16718, were mailed on May 4 2006, to Chuck Flaming, 1780 Rd East 120, Paxton, Nebraska 69155. 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.