

03142007-P16861-DRD
Department of Natural Resources

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-16861 and associated specifications have been examined. The examination shows that:

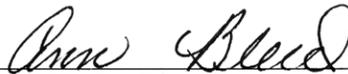
1. The plan is for the construction of a livestock waste holding pond created by a non-jurisdictional size dam and located in the NW1/4 of Section 08, Township 06 North, Range 18 West of the 6th P.M. in Phelps County.
2. The drawings and specifications were prepared by DeHaan, Grabs & Associates LLC, P.O. Box 522, Mandan, North Dakota 58554.
3. The owner of the dam is Rodney Waller Farms Inc., 11316 737 Road, Holdrege, Nebraska 68949.
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 26.8 acres.

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

DEPARTMENT OF NATURAL RESOURCES



Ann Bleed, Director

March 14, 2007

A copy of this Approval and plan number 16861 were mailed on March 14, 2007, to Rodney Waller Farms, Inc., 11316 737 Road, Holdrege, Nebraska 68949. A copy of this Approval and a Construction Certification Form for Dams were mailed to DeHaan, Grabs & Associates LLC, P.O. Box 522, Mandan, North Dakota 58554. A copy of this Approval, a copy of plan number 16861 and a copy of the Engineering Review Report for Dams were mailed to the Department's field office, Cambridge, Nebraska. A copy of this Approval was mailed to the Tri-Basin Natural Resources District. A copy of this Approval was provided to the Department of Environmental Quality, Agriculture Section.