

STATE OF NEBRASKA  
DEPARTMENT OF NATURAL RESOURCES  
APPROVAL OF PLAN NUMBER P-21540

BACKGROUND

1. On October 30, 2024, Gerry E. Maucher filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams, plan P-21540, and associated specifications.
2. The plan, P-21540, is for Maucher Grade Stabilization Dam, a proposed dam subject to the *Safety of Dams and Reservoirs Act*. The dam will be located in the Southwest 1/4 of Section 28, Township 8 North, Range 34 West of the 6<sup>th</sup> P.M. in Hayes County.
3. Robert L. Atkeson, P.E. of United States Department of Agriculture, Natural Resources Conservation Service, 107 East Highway 20, Suite A, O'Neill, Nebraska 68763-2111 prepared the plans and specifications.
4. Gerry E. Maucher, 74496 Avenue 355, Hayes Center, Nebraska 69032, will own the proposed dam.
5. The plans and specifications were examined by a registered professional engineer of the Department and were found to be consistent with current standards.
6. The Department consulted with the Nebraska Game and Parks Commission as required by the Nebraska Nongame and Endangered Species Conservation Act. As a result of this consultation, the Nebraska Game and Parks Commission determined the project will have "No Effect" on any state-listed threatened or endangered species or their critical habitat.

ORDER

IT IS HEREBY ORDERED the Application for Approval of Plans for Dams, plan P-21540 and associated specifications are APPROVED subject to the following limitations and conditions:

1. This approval will remain in effect for purposes of construction until November 1, 2026.
2. The owner of the dam shall provide written notice to the Department at least ten days before construction of the dam is to begin. Notices must be in writing and addressed to the Chief Engineer of the Department's Dam Safety Division. Notices may be delivered to the Department by mail, facsimile, or electronic mail.
3. The dam owner must comply with all relevant statutes. This includes, but is not limited to, the following:
  - A. Notify the Department of any change in ownership or address.

- B. Receive written approval prior to taking any action that changes the storage capacity of the reservoir, the specifications, or plan P-21540.
  - C. Operate and maintain the structure in accordance with the *Safety of Dams and Reservoirs Act*, §§ 46-1601 to 46-1670.
  - D. Assume liability for all damages due to leakage, overflow or structural failure of the dam.
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 approval.

#### ADDITIONAL INFORMATION

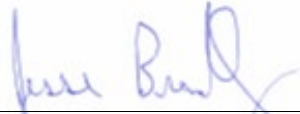
Failure to comply with all laws and regulations pertaining to any orders issued by the Director of the Department of Natural Resources may result in administrative penalty, criminal prosecution, or any combination thereof.

#### DEPARTMENT OF NATURAL RESOURCES



June 12, 2025

Tim Gokie, P.E., Chief Engineer, Dam Safety



June 12, 2025

Jesse Bradley, P.G., Interim Director

A copy of this approval was posted on the Department's website. Copies of this approval, plan P-21540, and a "Construction Certification Form for Dams" were mailed on June 12, 2025, to Gerry E. Maucher, 74496 Avenue 355, Hayes Center, Nebraska 69032. Copies of this approval and a "Construction Certification Form for Dams" were mailed to Robert L. Atkeson, P.E., United States Department of Agriculture, Natural Resources Conservation Service, 107 East Highway 20, Suite A, O'Neill, Nebraska 68763-2111. Copies of this approval, engineering review report, and plan P-21540 were provided to the Department's field office in Cambridge, Nebraska.