

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER GRANTING EXTENSION OF TIME TO COMPLETE CONSTRUCTION P-20385

BACKGROUND

1. On April 15, 2019, Donald B. Cox filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams, plan P-20385, and associated specifications.
2. The plan, P-20385, is for the reconstruction of the Cox Dam 1-A, which is subject to the *Safety of Dams and Reservoirs Act*. The dam is located in the NE $\frac{1}{4}$ of Section 18, Township 26 North, Range 34 West of the 6th P.M. in Cherry County.
3. Robert L. Atkeson, P.E., of United States Department of Agriculture, Natural Resource Conservation Service, 107-A East Highway 20, O'Neill, Nebraska 68763, prepared the plans and specifications.
4. Donald B. Cox, 35181 Calf Creek Road, Mullen, Nebraska, 69512, owns the dam.
5. On July 9, 2019, plan P-20385 was approved with the condition that construction be completed before November 1, 2020.
6. On September 29, 2020, Robert Atkeson, on behalf of Donald B. Cox, submitted a request to extend the construction deadline for P-20385 to November 1, 2021.
7. On September 13, 2021, Robert Atkeson, on behalf of Donald B. Cox, submitted a request to extend the construction deadline for P-20385 to November 1, 2022.

ORDER

It is therefore ORDERED:

1. The request for extension of time to complete construction of P-20385 is hereby APPROVED.
2. The date by which construction of P-20385 shall be completed is extended to November 1, 2022.
3. All limitations and other conditions in the July 9, 2019, Order approving Plan P-20385 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.

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



November 4, 2021

Thomas E. Riley, P.E., Director

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 November 4, 2021, to Donald B. Cox, 35181 Calf Creek Road, Mullen, Nebraska, 69512; and to Robert L. Atkeson, P.E., United States Department of Agriculture, Natural Resources Conservation Service, 107-A East Highway 20, O'Neill, Nebraska 68763. A copy of this Order was also provided to the Department's field office in Ord, Nebraska.