

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER GRANTING EXTENSION OF TIME TO COMPLETE CONSTRUCTION P-20517

BACKGROUND

1. On April 15, 2020, Ernie Eilers filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams, plan P-20517, and associated specifications and a Petition for a Waiver of Outlet Works.
2. The plan, P-20517, is for the reconstruction of the Eilers Multi-purpose Dam, which is subject to the *Safety of Dams and Reservoirs Act*. The dam is located in the SW $\frac{1}{4}$ of Section 23, Township 34 North, Range 12 West of the 6th P.M. in Boyd 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. Ernie Eilers, 90249 US Highway 281, Spencer, Nebraska, 68777, owns the dam.
5. On May 21, 2020, plan P-20517 was approved with the condition that construction be completed before November 1, 2021.
6. On October 27, 2021, Robert Atkeson, on behalf of Ernie Eilers, submitted a request to extend the construction deadline for P-20517 to November 1, 2022.

ORDER

It is therefore ORDERED:

1. The request for extension of time to complete construction of P-20517 is hereby APPROVED.
2. The date by which construction of P-20517 shall be completed is extended to November 1, 2022.
3. All limitations and other conditions in the May 21, 2020, Order approving Plan P-20517 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 8, 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 8, 2021, to Ernie Eilers, 90249 US Highway 281, Spencer, Nebraska, 68777; and to Rebert L. Atkeson, P.E., United States of Department of Agriculture, Natural Resources Conservation Service, 107-A East Highway 20, O'Neill, Nebraska 68763. Copies of this approval were provided to the Department's field office in Ord, Nebraska.