

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PLAN NUMBER P-21016

BACKGROUND

1. The 9th Avenue Road Dam is an existing dam subject to the *Safety of Dams and Reservoirs Act*, located in the SE¼ of Section 23, Township 14 North, Range 11 West of the 6th P.M. in Howard County.
2. Howard County, 408 Elm Street, Saint Paul, Nebraska 68873, owns the dam.
3. On June 3, 2021, David R. Boehle, Chairman, on behalf of Howard County, Nebraska, filed in the Department of Natural Resources (Department) as-built plan P-21016 for the 9th Avenue Road Dam.
4. The United States Department of Agriculture - Natural Resources Conservation Service, prepared the plan.
5. The plans and specifications were examined by a registered professional engineer of the Department and were found to be consistent with current standards.

ORDER

IT IS HEREBY ORDERED the Application for Approval of Plans for Dams, plan P-21016 is APPROVED subject to the following limitations and conditions:

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-21016.
- C. Operate and maintain the structure in accordance with Neb. Rev. Stat. § 46-241 and 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.

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.

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Thomas E. Riley, P.E., Director

October 17, 2022

A copy of this approval was posted on the Department's website. Copies of this approval, plan P-21016, and a "Construction Certification Form for Dams" were mailed on October 17, 2022, to Howard County, David R. Boehle, Chairman, 408 Elm Street, Saint Paul, Nebraska 68873. Copies of this approval, engineering review report, and plan P-21016 were provided to the Department's field office in Ord, Nebraska.