

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER GRANTING EXTENSION OF TIME TO COMPLETE CONSTRUCTION P-20235

BACKGROUND

1. On May 2, 2018, Pat Baker on behalf of Baker Ag LLC Inc., filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams, plan P-20235, and associated specifications.
2. The plan, P-20235, is for the construction of Baker Holding Lagoon 2 Dam, a proposed waste control dam subject to the *Safety of Dams and Reservoirs Act*. The dam will be located in the NE ¼ of Section 14, Township 15 North, Range 13 West of the 6<sup>th</sup> P.M. in Sherman County.
3. The Baker Ag LLC Inc., 79033 485 Road, Ashton, Nebraska 68817, owns the proposed dam.
4. On June 7, 2018, plan P-20235 was approved with the condition that construction be completed before November 1, 2019.
5. On August 21, 2019, Garrett Brossart of Settje Agri-Services and Engineering, Inc. filed on behalf of Baker Ag LLC Inc., a request to extend the construction deadline for P-20235 to November 1, 2021.
6. On September 14, 2021, Jacob Mayer of Settje Agri-Services and Engineering, Inc. filed on Behalf of Baker Ag LLC Inc., a request to extend the construction deadline for P-20235 to November 1, 2022.
7. On October 6, 2022, Jacob Mayer of Settje Agri-Services and Engineering, Inc. filed on behalf of Baker Ag LLC Inc., a request to extend the construction deadline for P-20235 to November 1, 2023.

ORDER

It is therefore ORDERED:

1. The request for extension of time to complete construction of P-20235 is hereby APPROVED.
2. The date by which construction of P-20235 shall be completed is extended to November 1, 2023.
3. All limitations and other conditions in the June 7, 2018, Order approving Plan P-20235 remain in effect.
4. Upon completion of the construction, the owner shall file with the Department the enclosed "Construction Certification Form for Dams".

DEPARTMENT OF NATURAL RESOURCES

*Thomas E. Riley*

Thomas E. Riley, P.E., Director

October 14, 2022

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 October 14, 2022, to Pat Baker, Baker Ag LLC Inc., 79033 485 Road, Ashton, Nebraska 68817; and to Jacob Mayer, P.E., of Settje Agri-Services and Engineering, Inc., 15460 Northwest 48<sup>th</sup> Street, Raymond, NE 68428. Copies of this Order were provided to the Department's field office in Ord, Nebraska; the Lower Loup Natural Resources District, 2620 Airport Drive, Ord, Nebraska 68862; and to Ben Miller, Nebraska Department of Environment and Energy, INTERAGENCY, 245 Fallbrook Boulevard, P.O. Box 98922, Lincoln, Nebraska 68509.