

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PLAN NUMBER P-21399

BACKGROUND

1. On April 2, 2024, Gary W. Koch, on behalf of Christensen Brothers Partnership, LLP, filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams and plan P-21399.
2. The plan, P-21399, is for Christensen C23 Lagoon Dam, an existing livestock waste control dam subject to the *Safety of Dams and Reservoirs Act*. The dam is located in the NE 1/4 of Section 29, Township 31 North, Range 2 West of the 6th P.M. in Knox County.
3. Bradley S. Woerner, P.E., of Stockwell Engineers, Inc., 801 North Phillips Avenue, Suite 100, Sioux Falls, South Dakota 57104, prepared the plans.
4. Christensen Brothers Partnership, LLP, PO Box 3000, Sleepy Eye, MN 56085, owns the 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. All of the contributing drainage area into the lagoon is from the livestock facility and incidental drainage associated with the waste control facility.

ORDER

IT IS HEREBY ORDERED the Application for Approval of Plans for Dams, plan P-21399, and associated specifications are APPROVED subject to the following limitations and conditions:

1. 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 or plan P-21399.
 - 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.

DEPARTMENT OF NATURAL RESOURCES



July 12, 2024

Thomas Riley, P.E., Director

A copy of this approval was posted on the Department's website. Copies of this approval and plan P-21399 were mailed on July 12, 2024, to Christensen Brothers Partnership, LLP, c/o Gary Koch, PO Box 3000, Sleepy Eye, Minnesota 56085. Copies of this approval, engineering review report, and plan P-21399 were provided to the Department's field office in Norfolk, Nebraska. Copies of this approval were mailed to Bradley S. Woerner, P.E., Stockwell Engineers, Inc., 801 North Phillips Avenue, Suite 100, Sioux Falls, South Dakota 57104. Copies of this approval were mailed to the Lewis & Clark Natural Resources District, 608 North Robinson Avenue, PO Box 518, Hartington, Nebraska 68739; and to Patrick Ducey, Nebraska Department of Environmental and Energy, INTERAGENCY, 245 Fallbrook Boulevard, Suite 100, Lincoln, Nebraska 68521.