

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER GRANTING EXTENSION OF TIME TO COMPLETE CONSTRUCTION OF  
PLAN NUMBER P-21138

BACKGROUND

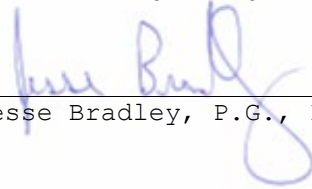
1. On January 19, 2023, Kyle Schwarting filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams and plan P-21138.
2. The plan, P-21138, is for the construction of Schwarting Holding Lagoon 1 Dam, a proposed livestock waste control dam. The dam will be located in the Southeast 1/4 of Section 31, Township 33 North, Range 41 West of the 6th P.M. in Sheridan County.
3. Kyle Schwarting, 6272 Agnew Road, Ceresco, Nebraska 68017, owns the proposed dam.
4. On March 30, 2023, plan P-21138 was approved with the condition that construction be completed by November 1, 2024.
5. On October 10, 2024, Tony Zach of Settje Agri-Services and Engineering Inc. filed on behalf of Kyle Schwarting a request to extend the construction deadline for plan P-21138 to November 1, 2025.

ORDER

It is therefore ORDERED:

1. The request for extension of time to complete construction of plan P-21138 is hereby APPROVED.
2. The date by which construction of plan P-21138 shall be completed is extended to November 1, 2025.
3. All limitations and other conditions in the March 30, 2023, order approving plan P-21138 remain in effect.
4. Upon completion of construction, the owner shall file with the Department the enclosed "Construction Certification Form for Dams".

DEPARTMENT OF NATURAL RESOURCES

  
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Jesse Bradley, P.G., Interim Director

November 7, 2024

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 7, 2024, to Kyle Schwarting, 6272 Agnew Road, Ceresco, Nebraska 68017; and to Tony Zach, Settje Agri-Services and Engineering, 15460 Northwest 48th Street, Raymond, Nebraska 68428. Copies of this order were provided to the Department's field office in Bridgeport, Nebraska; the Upper Niobrara-White Natural Resources District, 430 East 2<sup>nd</sup> Street, Chadron, Nebraska 69337; and to Patrick Ducey, Nebraska Department of Environment and Energy, INTERAGENCY, 245 Fallbrook Boulevard, Suite 100, Lincoln, Nebraska 68521.