

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PLAN NUMBER P-21556

BACKGROUND

1. On January 21, 2025, Galen Wittrock, on behalf of the South Platte Natural Resources District, filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams, plan P-21556, and associated specifications.
2. The plan, P-21556, is for the modification of Oliver Dam, which is subject to the *Safety of Dams and Reservoirs Act*. The dam is located in the Southwest 1/4 of Section 36, Township 15 North, Range 57 West of the 6th P.M. in Kimball County.
3. Ethan D. Miller, P.E. of Houston Engineering, Inc., 12702 Westport Parkway, Suite 300, Omaha, Nebraska 68138, prepared the plans and specifications.
4. The South Platte Natural Resources District, 551 Parkland Drive, Sidney, Nebraska, 69162 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. The Department consulted with the Nebraska Game and Parks Commission as required by the Nebraska Nongame and Endangered Species Conservation Act. As a result of this consultation, the Nebraska Game and Parks Commission determined the project will have "No Effect" on any state-listed threatened or endangered species or their critical habitat.

ORDER

IT IS HEREBY ORDERED the Application for Approval of Plans for Dams, plan P-21556 and associated specifications are APPROVED subject to the following limitations and conditions:

1. This approval will remain in effect for purposes of construction until November 1, 2026.
2. The owner of the dam shall provide written notice to the Department at least ten days before construction at the dam is to begin. Notices must be in writing and addressed to the Chief Engineer of the Department's Dam Safety Division. Notices may be delivered to the Department by mail, facsimile, or electronic mail.
3. 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-21556.
  - 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.
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 approval.

ADDITIONAL INFORMATION

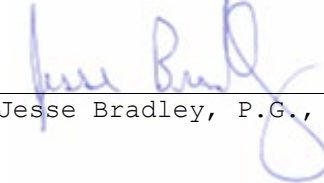
Failure to comply with all laws and regulations pertaining to any orders issued by the Director of the Department of Natural Resources may result in administrative penalty, criminal prosecution, or any combination thereof.

DEPARTMENT OF NATURAL RESOURCES



March 31, 2025

Tim Gokie, P.E., Chief Engineer, Dam Safety



March 31, 2025

Jesse Bradley, P.G., Interim Director

A copy of this approval was posted on the Department's website. Copies of this approval, plan P-21556, and a "Construction Certification Form for Dams" were mailed on March 31, 2025, to the South Platte Natural Resources District, c/o Galen Wittrock, 551 Parkland Drive, Sidney, Nebraska 69162. Copies of this approval and a "Construction Certification Form for Dams" were mailed to Ethan D. Miller, P.E., Houston Engineering, Inc., 12702 Westport Parkway, Suite 300, Omaha, Nebraska 68138. Copies of this approval and plan P-21556 were provided to the Department's field office in Bridgeport, Nebraska.