

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF PLAN NUMBER 19319

BACKGROUND

1. On July 13, 2015, Scott Weeth, on behalf of Weeth Feedlot, Ltd., filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams and plan P-19319.
2. The plan, P-19319, is for Weeth Lagoon #2 Dam, an existing livestock waste control dam, subject to the *Safety of Dams and Reservoirs Act*. The dam is located in the SW 1/4 of Section 17, Township 08 North, Range 27 West of the 6th P.M. in Frontier County.
3. Matthew D. Goeller, P.E., of Settje Agri-Services & Engineering, Inc., 4700 W. Rock Creek Road, Raymond, Nebraska 68428, prepared the plans.
4. Weeth Feedlot, Ltd., 74698 Road 397, Curtis, Nebraska 69025, owns the dam.
5. The plans 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 will be 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 and plan P-19319 are 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:

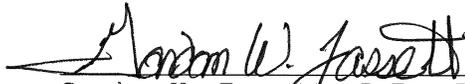
- A. Notify the Department of any change in ownership or address.
- B. Receive approval prior to taking any action that changes the storage capacity of the reservoir or plan P-19319.
- C. Operate and maintain the structure in accordance with Neb. Rev. Stat. § 46-241 and the *Safety of Dams and Reservoirs 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

September 14, 2015



Gordon W. Fassett, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this approval may request a contested case hearing in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure* 454 *Neb. Admin. Code* Chapter 7. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the Approval and be accompanied by a filing fee of \$10.

A copy of this approval was posted on the Department's website. Copies of this approval and plan P-19319 were mailed on September 14, 2015, to Weeth Feedlot, Ltd., c/o Scott Weeth, 74698 Road 397, Curtis, Nebraska 69025. Copies of this approval, engineering review report, and plan P-19319 were provided to the Department's field office in Cambridge, Nebraska. Copies of this approval were mailed to Matthew D. Goeller, P.E. of Settje Agri-Services & Engineering, Inc., 4700 W. Rock Creek Road, Raymond, Nebraska 68428; Middle Republican NRD, 220 Center Avenue, P.O. Box 81, Curtis, Nebraska 69025; and Tom Trewhitt, Nebraska Department of Environmental Quality, INTERAGENCY, 1200 N. Street, Suite 400, P.O. Box 98922, Lincoln, Nebraska 68509-8922.