

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY AND ENVIRONMENT

APPROVAL OF PLAN NUMBER P-21731

BACKGROUND

1. On March 6, 2026, Abram Babcock on behalf of Adams Land & Cattle, LLC, filed in the Department of Water, Energy and Environment (Department) an Application for Approval of Plans for Dams, plan P-21731, and associated specifications (collectively "plans").
2. The plan, P-21731, is for the modification of Adams South Lot Lagoon 2C Dam, an existing livestock waste control dam subject to the *Safety of Dams and Reservoirs Act*. The dam is located in Custer County in the Southwest 1/4 of Section 7, Township 16 North, Range 20 West of the 6<sup>th</sup> P.M.
3. Jacob John Mayer, P.E. (License No. E-15618) of Settje Agri-Services and Engineering, Inc., 15460 Northwest 48th Street, Raymond, Nebraska 68428, prepared the plans.
4. Adams Land & Cattle, LLC, 327 South 1<sup>st</sup> Avenue, Broken Bow, Nebraska 68822, owns the dam.
5. The plans were examined by a registered professional engineer of the Department and were found to be consistent with current industry 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.
7. 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 plans are APPROVED subject to the following limitations and conditions:

1. This approval will remain in effect for purposes of construction until November 1, 2027.
2. The dam owner 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, rules, and regulations. 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-21731.
  - C. Construct, 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.
  - E. Nebraska Administrative Code Title 130.
4. Upon completion of the construction, the dam 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 is determined 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 Chief Water Officer of the Department of Water, Energy and Environment may result in administrative penalty, criminal prosecution, or any combination thereof.

DEPARTMENT OF WATER, ENERGY AND ENVIRONMENT



June 15, 2026

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Matthew T. Manning, PE, JD  
Chief Water Officer

A copy of this approval was posted on the Department's website. Copies of this approval, plan P-21731, and a "Construction Certification Form for Dams" were mailed on June 15, 2026, to Adams Land & Cattle, LLC, c/o Abram Babcock, 327 South 1st Avenue, Broken Bow, Nebraska 68822. Copies of this approval and a "Construction Certification Form for Dams" were mailed to Jacob John Mayer, P.E., Settje Agri-Services and Engineering, Inc., 15460 Northwest 48th Street, Raymond, Nebraska 68428. A copy of this approval was mailed to the Lower Loup Natural Resources District, 2620 Airport Road, Ord, Nebraska 68862. A copy of this approval was provided to the Department's Livestock & Agriculture Section; Waste Permits & Engineering Section; and field office in Ord, Nebraska.