

IN THE DISTRICT COURT OF HARLAN COUNTY, NEBRASKA

STATE OF NEBRASKA, ex rel.,)
PATRICK W. RICE, Acting Director,)
NEBRASKA DEPARTMENT OF)
ENVIRONMENTAL QUALITY,)
)
Plaintiff,)
v.)
)
REPUBLICAN VALLEY)
FEEDERS, INC.)
)
Defendant.)

Case No. ^{CI} 14-30

FILED

JUL 30 2014

CLERK DISTRICT COURT
HARLAN COUNTY, NE

CONSENT DECREE

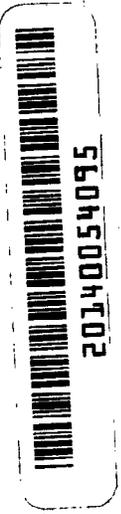
COMES NOW the parties, Plaintiff, Patrick W. Rice, Acting Director of the Nebraska Department of Environmental Quality ("NDEQ"), proceeding on its Complaint filed herein and appearing through his Counsel, Jon C. Bruning, Attorney General, and Defendant, Republican Valley Feeders, Inc. ("RV Feeders"), and each party having consented to the making and entering of this Consent Decree without trial, request the entry of this Consent Decree.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

1. The Court has jurisdiction of the parties and the subject matter of this action pursuant to the Nebraska Environmental Protection Act, Neb. Rev. Stat. § 81-1501 *et seq.* (Reissue 2008), and all rules, regulations, and orders promulgated thereunder.
2. In the Complaint, the Plaintiff alleged, in pertinent part, that on or about July and early August of 2011, RV Feeders constructed a row of pens without first obtaining the necessary permits from NDEQ. In addition, on or about January 21, 2014, RV Feeders was operating its livestock waste control facility without written approval from NDEQ.
3. The parties agree that settlement of this matter is in the public interest and that entry of this Consent Decree is the most appropriate means of resolving their dispute. The parties



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desire to conclude this case without trial or adjudication of any issues of fact or law, without this Consent Decree constituting an admission by RV Feeders, with respect to such issues.

4. This Consent Decree shall be in full satisfaction of all claims between the parties alleged in the Plaintiff's Complaint.

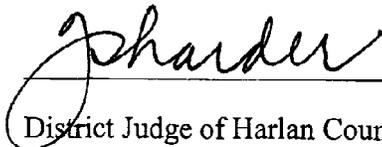
5. IT IS THEREFORE ORDERED that RV Feeders shall pay a civil penalty under Neb. Rev. Stat. § 81-1508.02 (Reissue 2008), in the amount of five thousand dollars (\$5,000.00) as well as court costs in the amount of eighty two dollars (\$82.00), to the District Court for Harlan County, Nebraska. The civil penalty will be handled as provided by Article VII, Section V, of the Constitution of the State of Nebraska. The civil penalty shall be paid within thirty (30) days of entry of this Consent Decree by the Court and is payable to the Clerk of this Court.

6. This Consent Decree will have no effect on any enforcement action brought by NDEQ against RV Feeders for future violations of any statutes or regulations.

7. The undersigned consent without further notice to the form and entry of this Consent Decree.

DATED THIS 30 day of July, 2014, in Harlan County, Nebraska.

BY THE COURT



District Judge of Harlan County, Nebraska

STATE OF NEBRASKA, ex rel.,
PATRICK W. RICE, Acting Director
NEBRASKA DEPARTMENT OF
ENVIRONMENTAL QUALITY, Plaintiff

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REPUBLICAN VALLEY FEEDERS, INC.,
Defendant

By: Troy Siebels Pres.
Troy Siebels
President, Republican Valley Feeders, Inc.
Defendant.