

CONSTRUCTION AND FLOWAGE PERMIT

The Norris Public Power District with headquarters in Beatrice, Nebraska, and the Clatonia Creek Watershed Conservancy District of Gage and Lancaster Counties, Nebraska agree as follows:

The Clatonia Creek Watershed Conservancy District of Gage and Lancaster Counties, Nebraska is considering the construction of a flood retarding dam which has been designated as Structure 7A in the plan of said Watershed Conservancy District.

The Norris Public Power District has a 12,500 volt, three-phase line in the north of Section 13, Township 6 North, Range 5, east of the 6th P. M., Gage County, Nebraska. Some of the poles in said line will have to be moved and relocated on said flood retarding dam. A detailed location of said poles is shown on the Exhibit "A" which is attached to and made a part hereof.

The Norris Public Power District agrees to permit the Clatonia Creek Watershed District to construct said detention-type dam, and Norris Public Power District agrees to move and relocate its poles, and the Clatonia Creek Watershed District agrees to pay the Norris Public Power District for any and all non-betterment costs which it may incur in moving and relocating its poles as caused by the construction of Structure 7-A.

The Norris Public Power District has a 7,200 volt, single-phase line in the East of Section 11 and in the South of Section 2, all in Township 6 North, Range 5 East of the 6th P. M., Gage County, Nebraska. Some of the poles in said line may be temporarily inundated during flood conditions by the aforementioned flood retarding dam. A detailed location of said poles is shown on Exhibit "B" which is attached to and made a part hereof.

The Norris Public Power District agrees to permit Clatonia Creek Watershed Conservancy District to cause temporary flooding around the aforementioned poles.

NORRIS PUBLIC POWER DISTRICT

Attest: Ray H. Dell
Date: June 18, 1969

By Phil E. Buel
President of Board

CLATONIA CREEK WATERSHED CONSERVANCY DISTRICT OF GAGE AND LANCASTER COUNTIES, NEBRASKA

Attest: Charles W. Schuenn
Date: 6-20-69

By Maurice Bergmeier
Title Chairman

STATE OF NEBRASKA, COUNTY OF GAGE, SS.

On this 18th day of June, 1969, before me, the undersigned, a notary public commissioned and qualified for and in said county, personally came PHIL E. BUEL, President of the Board of Norris Public Power District, a corporation, known to me to be the president and identical person who signed the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation, and that its corporate seal was thereto affixed by its authority.

Witness my hand and notarial seal the day and year last above written.

E. Lee Kehler
Notary Public

My commission expires Sept. 20, 1971



EXHIBIT "A"

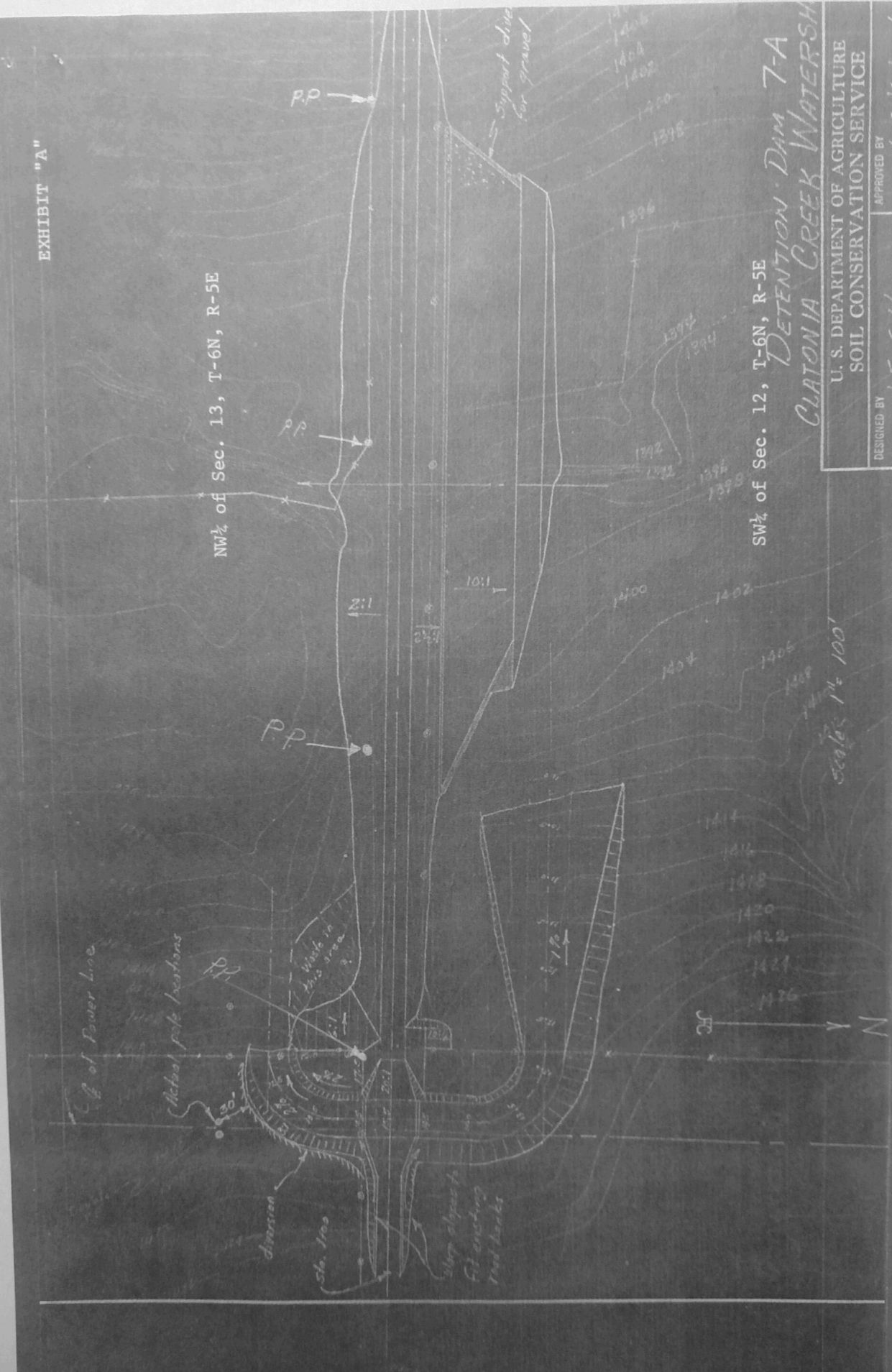
NW 1/4 of Sec. 13, T-6N, R-5E

SW 1/4 of Sec. 12, T-6N, R-5E

DETENTION DAM 7-A
CLATONIA CREEK WATERSHED

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

DESIGNED BY [Signature] APPROVED BY [Signature]

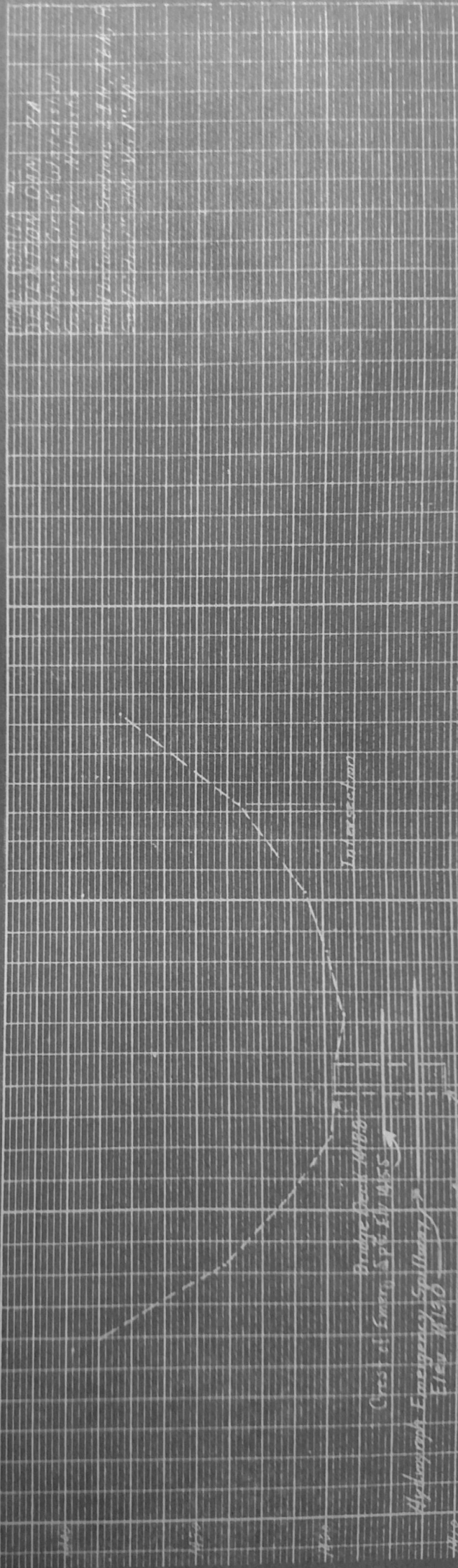
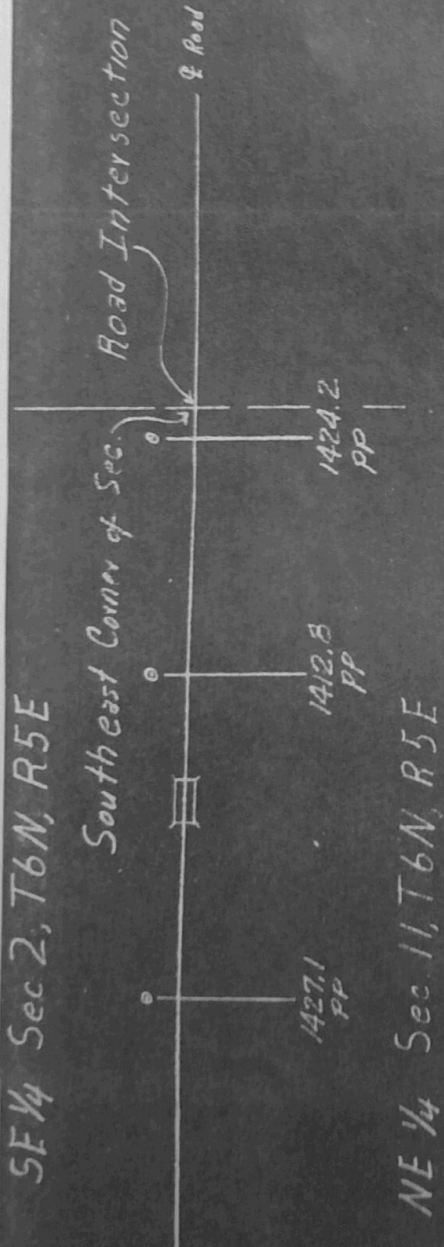


Scale 1" = 100'

Scale 1" = 100'

Copied at 85%

EXHIBIT "B"



STATE OF ILLINOIS
 DEPARTMENT OF CONSERVATION
 State Survey - Nebraska
 Field Station Sections 11, 12, 13, 14
 State Hwy. 110 N. W. 1/4

U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

DESIGNED BY
 CHECKED BY *F. J. G. C. R. S. J.*
 DATE: *2-10-69*

APPROVED BY *J. H. C.*
 DRAWING NO.
 SHEET *2* OF *2*

EXHIBIT "B-1"

N.W. 1/4 Sec 18, T6N, R5E

Power pole El. 1413.9

Pole El. 1413.9

Pole El. 1415.9

Pole El. 1411.1

Pole El. 1411.4

Pole El. 1412.0

Pole El. 1412.0

E. of Road

Pole El. 1414.8

power line

pole El. 1413.3

Tel. pole El. 1411.0

Pole El. 1413.2

Pole El. 1411.1

Scale 1" = 200'

NE 1/4 Sec 11, T6N, R5E

PLAN VIEW OF ROAD & Pole Lines

ROAD BEGINS ABOVE STRUCTURE 7

CANTONIA CREEK WATERSHED

Gage County, Nebraska

Edge of Road

Hydrophoratory system 1412.0

1410

Limit of Energy 1415.5

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

DESIGNED BY: GDM Revised JAC
CHECKED BY: JAC
DRAWING NO. 1415.5

APPROVED BY: JAC
DATE: 2 12 68
SHEET 1 OF 2

STATE OF NEBRASKA, COUNTY OF GAGE SS: Filed for record and entered in Numerical Index June 23, 19 69 at 4:45 o'clock P. M., and duly recorded in book 45 of Miscellaneous, at Page 434.

By Oliver L. Moore REGISTER OF DEEDS DEPUTY

BOOK 45 PAGE 437