

FILED

JUL 8 2008

IN THE CIRCUIT COURT OF RALLS COUNTY, MISSOURI
RECEIVED Missouri Public Service Commission
2007 MAR 30 PM 1:35

STATE OF MISSOURI ex rel.)
JEREMIAH W. (JAY) NIXON, the)
MISSOURI CLEAN WATER)
COMMISSION and the)
MISSOURI DEPARTMENT OF)
NATURAL RESOURCES)

Plaintiff,)

v.)

KEN JAEGER,)

Defendant.)

Case No. CV805-12CC

RECEIVED

MAR 28 2007

MO. ATTORNEY GENERAL

ORDER

This matter was called on March 6, 2007, at 11:00 a.m. Defendant Jaeger appeared with his counsel, James Lemon, and Joe Maxwell. The State was represented by Harry D. Bozoian, Assistant Attorney General. Arguments were heard and presented to the Court. The Court hereby finds and orders that defendant Jaeger must complete the following by no later than May 1, 2007:

1. Defendant Jaeger shall relocate the control panels serving the lift stations located in the motel owned by Howard Burditt and the control panels located in the building owned by Sue Moses. The control panels shall be relocated so that they ^{will} ~~may~~ be accessible by the operator of the wastewater treatment system. In the alternative, defendant Jaeger ^{MAY} ~~shall~~ seek ^{AND SECURE LICENSE} an agreement with Mr. Burditt and Ms. Moses to allow access to the control panels so as to allow the operator of the wastewater treatment system access to these panels, WHICH SHALL BE IN WRITING AND PERPETUAL IN DURATION.

OPC-8

OPC Exhibit No. 8
Case No(s). SO-2008-0358
Date 6-23-08 Rptr. XF

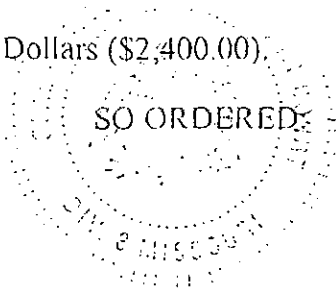
2. Defendant Jaeger is ordered to obtain a construction permit from the Missouri Department of Natural Resources to construct the emergency spillway for the wastewater treatment lagoon serving the Lost Valley Subdivision. The spillway shall be constructed in accordance with the Engineering Report submitted and accepted by the Department in August of 2006.

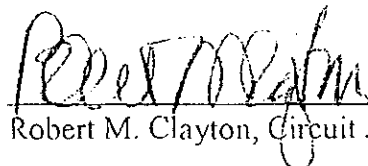
3. Defendant Jaeger is ordered to contact the Canon Water Supply District #1 in order to determine whether said water supply district will accept a pump, haul and spread method of disposal of the wastewater produced at the Lost Valley Subdivision and whether said water supply district would agree to accept the system as the lawful continuing authority.

4. Defendant Jaeger is ordered to fix or compensate resident Roy Howard's damaged driveway. Defendant Jaeger is also ordered to level, seed and straw the Kelly's yard in the Lost Valley Subdivision.

5. Defendant Jaeger is ordered to continue road maintenance on all roads serving the Lost Valley Subdivision including, but not limited to, placing more gravel on said roads.

The Court continues to take under advisement the request of the citizens for reimbursement for repairs to the road in the amount of Two Thousand Four Hundred Dollars (\$2,400.00).




Robert M. Clayton, Circuit Judge

MAR 21 2007