

FILED

JUL 8 2008

IN THE CIRCUIT COURT OF RALLS COUNTY, MISSOURI Missouri Public
Service CommissionSTATE OF MISSOURI ex rel.
JEREMIAH W. (JAY) NIXON, the
MISSOURI CLEAN WATER
COMMISSION and the
MISSOURI DEPARTMENT OF
NATURAL RESOURCES

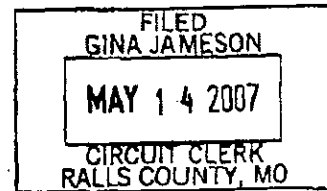
Plaintiff,

v.

KEN JAEGER,

Defendant:

Case No. CV805-12CC

**RECEIVED**

MAY 18 2007

MO. ATTORNEY GENERAL

ORDER

This matter was called on May 1, 2007, at 11:00 a.m. Defendant Jaeger appeared with his counsel, James Lemon. 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 Ken Jaeger must complete the following items within the time-frames specified below:

1. By no later than June 1, 2007, Defendant Jaeger shall relocate the control panels serving the lift station located in the building owned by Sue Moses. The control panel shall be relocated so that it will be assessable by the operator of the wastewater treatment system.
2. By no later than May 15, 2007, Defendant Jaeger shall construct the emergency spillway for the wastewater treatment lagoon serving the Lost Valley Subdivision in accordance with the Engineering Report submitted and accepted by the Department of Natural Resources (the "Department") in August of 2006.

OPC Exhibit No. 9
Case No(s) SO-2008-0358
Date 6-23-08 Rptr ~~XX~~

3. Defendant Jaeger has submitted to the Department an estimate from Schmitt Irrigation and Pump Service for a Water-Reel irrigation system, a bid from Thompson Contracting for operating a Water-Reel irrigation system, a bid from Thompson Contracting for operating a fixed irrigation system, and an estimate to pump and haul wastewater produced at the Lost Valley Subdivision to the City of Hannibal's wastewater treatment plant. The Department will provide Defendant Jaeger comments with regard to the above bids and estimates by no later than May 15, 2007. Defendant Jaeger is to respond to the Department comments by no later than May 29, 2007. On June 4, 2007, Defendant Jaeger is ordered to appear before the Cannon Water Supply District #1 in order to determine whether said water supply district will accept a Water-Reel irrigation system, a fixed irrigation system, or a pump and haul 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 continue road maintenance on all roads serving the Lost Valley Subdivision including, but not limited to, grading and placing more gravel on the road at or near the entrance of the Lost Valley Subdivision.

5. Defendant Jaeger is ordered to remove all rocks, dirt piles, construction debris and any other debris on the lots owned by John Noonan and Roy Barks by no later than June 1, 2007. In addition, Defendant Jaeger shall have these two lots graded and seeded by no later than June 1, 2007.

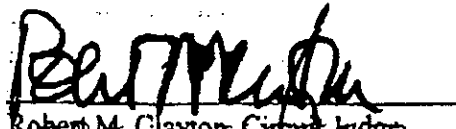
6. By no later than June 4, 2007, Defendant Jaeger is ordered to obtain all easements necessary for the operation and maintenance of the sewer collection system serving the Lost Valley Subdivision, including, but not limited to the easements for the

collection lines and lift stations located at the Salt River Motel and the Opry House. Said easements shall be assignable to the ultimate continuing authority identified in this matter.

7. Defendant Ken Jaeger is ordered to appear before this Court on June 26, 2007, at 11:00 a.m. to report on his compliance with this Order.

8. All previous Judgments and Orders of this Court are to remain in full force and affect.

SO ORDERED:


Robert M. Clayton, Circuit Judge

Date: MAY 07 2007

