



State of Iowa Courts

Case Title: IOWA DNR VS. HAVERHALS FARMS INC AND PETER HAVERHALS
Case Number: CVCV023324
Type: DECREE OR FINAL SUPPORT ORDER

So Ordered

/S/ Edward A. Jacobson

STATE OF IOWA, ex rel., IOWA)
DEPARTMENT OF NATURAL)
RESOURCES (99AG23542),)

Plaintiff,)

vs.)

HAVERHALS FARMS, INC., and)
PETER HAVERHALS,)

Defendants.)

LAW NO. CVCV023324

**CONSENT ORDER,
JUDGMENT AND DECREE**

NOW on this 3rd day of August, 2011, the Court is presented with the Plaintiff's
Petition at Law seeking civil penalties and injunctive relief pursuant to Iowa Code sections
455B.191(2), 455B.191 (5), 459A.501, and 459A.502. The Court having read the Petition and
being otherwise advised by the parties FINDS:

1. The Court has jurisdiction of the parties and the subject matter of this action and
the parties consent to the entry of this Consent Order, Judgment and Decree.

2. The Defendant admits, for purposes of settlement and this action only, the
following violations:

- a. On March 26 and 27, 2010, the Defendant discharged a pollutant into a water of the state in violation of Iowa Code section 455B.186(1), 567 Iowa Admin. Code 62.1(1), 64.3(1), and 65.101(3), and National Pollutant Discharge Elimination System ("NPDES") Permit No. 2-84-00-0-42, section I(A)(1); and
- b. On March 26, 2010, the Defendant land-applied manure in a manner which caused surface or groundwater pollution in violation of 567 Iowa Admin. Code 65.101(6)(a) and NPDES Permit No. 2-84-00-0-42, section IV(4).

3. The Defendants deny the allegations contained in paragraphs 38, 42, and 50 of the
State's Petition At Law.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

4. Defendant Haverhals Farms, Inc., and Peter Haverhals shall pay a civil penalty of Fifteen Thousand and no/100 dollars (\$15,000.00) for the violations admitted herein within ten (10) days of the entry of this Consent Order, Judgment and Decree. The Defendant shall also pay interest pursuant to Iowa Code section 535.3(1) on any unpaid balance. Payment of the civil penalty and any interest shall be made payable to the State of Iowa and forwarded to Assistant Attorney General Jacob Larson at the address below.

5. Defendant Haverhals Farms, Inc., and Peter Haverhals are permanently enjoined from further violations of Iowa Code section 455B.186(1); 567 Iowa Admin. Code 62.1(1), 64.3(1), 65.101(3), and 65.101(6)(a); and NPDES Permit No. 2-84-00-0-42.

6. The Court retains jurisdiction of this matter to ensure compliance with the terms of this Order.

7. The costs of this action are taxed to the Defendant in the amount of \$_____.
(Clerk to enter).

JUDGE, Third Judicial District of Iowa

Approved as to form:

IOWA DEPARTMENT OF
NATURAL RESOURCES

/s/ Roger Lande
ROGER LANDE
Director

HAVERHALS FARMS, INC., AND
PETER HAVERHALS

/s/ Peter Haverhals
PETER HAVERHALS
President of Haverhals Farms, Inc.

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