

STATE OF MICHIGAN  
IN THE INGHAM COUNTY CIRCUIT COURT

PLATTE LAKE IMPROVEMENT  
ASSOCIATION, a Michigan non-profit  
corporation, BIG PLATTE LAKE, a natural  
living body of water in the State of Michigan,

Plaintiffs,

Case No. 86-57122-CE  
HON. JOYCE DRAGANCHUK

v

MICHIGAN DEPARTMENT OF NATURAL  
RESOURCES, an agency of The State of  
Michigan; RODNEY STOKES, Director of the  
Michigan Department of Natural Resources;  
KELLEY D. SMITH, Chief of the Fisheries  
Division, Michigan Department of Natural  
Resources

Defendants.

---

Frederick D. Dilley (P26090)  
Rhoades McKee PC  
Attorneys for Plaintiffs  
600 Waters Building  
161 Ottawa Avenue, NW  
Grand Rapids, MI 49503-2793  
(616) 235-3500

James E. Riley (P23992)  
Darryl Paquette (P73604)  
Attorney for Defendants  
Assistant Attorney General  
Michigan Department of Natural Resources &  
Environment  
P.O. Box 30755  
525 W. Ottawa St., Fl. 6  
Lansing, MI 48909  
(517) 373-7540

---

**CONSENT ORDER REGARDING DISPOSAL OF PHOSPHORUS**  
**SUPPLEMENTAL TO CONSENT JUDGMENT DATED MARCH 10, 2000**

At a session of court held in the Ingham County Circuit  
Court, State of Michigan this 5<sup>th</sup> day of May, 2011.

PRESENT: HON. JOYCE DRAGANCHUK  
Circuit Court Judge

This matter is before the court for an amendment to the Consent Judgment dated March 10, 2000 (the "Consent Judgment"). The parties have reached an agreement to add to the Consent Judgment and now propose to the Court the following paragraph, to be added and incorporated as Paragraph (3)(C)(viii) (under OPERATION OF THE HATCHERY, Hatchery Effluent Limit):

- viii. All materials (solid and liquid) that contain phosphorus and that are removed for disposal from the Hatchery Sludge Tank, Treatment Pond, and Raceways, or are removed from the hatchery premises as a result of any other facility-related operation or activity, shall be removed, without the reasonable possibility of re-entry, from the Platte River watershed unless specifically agreed upon by both parties.

In all other respects, the Consent Judgment and Settlement Agreement for Consent Order Supplemental to Consent Judgment Dated March 10, 2000 of November 1, 2010 (the "Settlement Agreement"), remain in full force and effect.

The Court now considers, adopts, and incorporates Paragraph (3)(C)(viii) into the Consent Judgment, and the Consent Judgment, as amended according to this Consent Order, and Settlement Agreement shall remain in full force and effect, and the parties acknowledge and the Court agrees that the Court shall retain jurisdiction for the purposes of enforcing the terms and conditions of the Consent Judgment, the Settlement Agreement, and this Consent Order.

WE CONSENT TO THE ENTRY OF THIS ORDER:

Dated: May 3, 2011

RHOADES McKEE  
Attorneys for Platte Lake Improvement  
Association

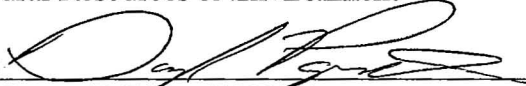
By:   
Frederick D. Dilley (P26000)

Business Address:  
161 Ottawa Avenue, NW, Suite 600  
Grand Rapids, MI 49503  
Telephone: (616) 235-3500

Dated: 4/29, 2011

MICHIGAN DEPT. OF ATTORNEY  
GENERAL ENVIRONMENT NATURAL  
RESOURCES & AGRICULTURAL  
DIVISION

Attorney for Michigan Department of  
Natural Resources & Environment

By:   
James E. Riley (P23992)  
Darryl Paquette (P73604)

Business Address:  
P.O. Box 30755  
525 W. Ottawa St., Fl. 6  
Lansing, MI 48989  
(517) 373-7540

IT IS SO ORDERED.

JOYCE DRAGANCHUK

HON. JOYCE DRAGANCHUK  
Circuit Court Judge  
P-39417

ATTESTED: A TRUE COPY

REBECCA MONTROY

Deputy Clerk