

Exhibit "E"

the area of the Nelson Feedlot and the Hofer property. The visual inspections were to gauge the effectiveness of the new system and general air quality at the Hofer property. A scale of 1 to 5 was used: 1 was no dust; 2 was light dust, does not obstruct visibility or breathing; 3 was less than 50% visibility obstructed and breathing ok; 4 was greater than 50% but less than 75% visibility obstructed and breathing difficult; and 5 was visibility is very limited and breathing very uncomfortable. The NRCB never went on the Hofer property to do a visual observation of dust.

In response to questions from Mr. Hotton, the NRCB submitted that the creation, development and implementation of a dust control plan is constantly developing and adapting to that feedlot and its circumstances. A lot of the feedlots that are controlling dust are taking the same measures as the Nelsons. Since the dust control plan has changed so much and the Nelson Feedlot infrastructure has changed so significantly, it is difficult to say at this point whether the dust control plan should not be carried through because the impacts of it have not yet to be realized. The NRCB hopes it has a positive effect, but they will have to continue to evaluate going forward.

Richard Hofer was not talked to about the implementation or creation of the 2017 Dust Control Plan because it is specific to the Nelson Feedlot operation and because the operator is responsible for the implementation and management of the plan. Richard Hofer would be part of determining whether or not the plan is working.

In response to questions from Mr. Kennedy, Kevin Seward stated the NRCB was surprised to hear that there were more than 7000 animals on the feedlot. The NRCB had not received any information about this before the hearing. Kevin noted there is research that states that if there are more animals, there is less room for them to run and therefore the pens are wetter and that can reduce the dust. However, that has not affected the NRCB's regulatory approach to the Nelson Feedlot operation. The infrastructure at the Nelson Feedlot and Highway 52 Beef Producers feedlot is virtually the same now. Approximately 55% to 60% of the pens at the Nelson Feedlot have permanent watering systems, which Nelson Family Ranches Ltd. plans to increase next year.