

**BEFORE THE ARKANSAS BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

Case #2007-17, in the matter of Robert Eggink & Hatch-Acres:

COMPLAINT

The Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board") received a complaint on June 6, 2008, charging Robert Eggink (non-registrant, hereinafter "Eggink") representing Hatch Acres Corporation (AR-COA#631, hereinafter "Hatch-Acres") with violating Article I.E of the Rules of Professional Conduct. Specifically, the complaint alleges Hatch-Acres used survey and investigation data not prepared under their control and supervision, made conclusions based on that data, and reported it to their client.

FINDINGS OF FACT

1. In the general area of Batesville, AR, there are three locks on the White River, all under the control of Independence County. Independence County (IC) decided to place hydroelectric power-generating equipment in the lock chambers, and to wholesale the resulting power.
2. IC entered into a series of contracts with North American Hydro Contracting (NAHC) to provide the design work and equipment for this project. NAHC farmed the engineering work out to Hatch- Acres, but retained management control of the project, including acquisition of the necessary equipment.
3. The project is more or less complete and the generators are turning, but it has not met its revenue generation projections due to less-than-anticipated production.
4. After a preliminary evaluation of the problem suggested intake headloss resulting from adverse currents and turbulence, NAHC made measurements and other investigations into the condition of the river channel upstream of the intake.
5. That investigation data was provided to Hatch-Acres, who relied upon the data to conclude the contract deliverable of cleaning out and grading the river channel was improperly or incompletely done, with the resulting adverse currents and turbulence the direct cause of the lower-than-anticipated generator output.

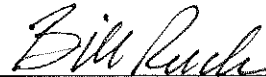
CONCLUSIONS OF LAW

Upon review of the evidence in its possession, the Board finds Hatch-Acres' actions as described in the Findings of Fact do not constitute violation of the statutes or rules governing the Arkansas Board of Registration for Professional Engineers and Land Surveyors.

ORDER

Based on these findings, the complaint against Robert Eggink and Hatch-Acres is dismissed without further action by the Board.

SO ORDERED this 9th day of June, 2009

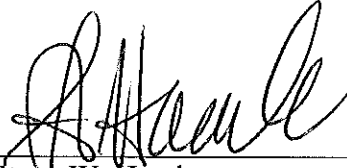


William E. Ruck, President

CERTIFICATE OF SERVICE

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Registration for Professional Engineers and Land Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of the same by first class mail with postage prepaid, on this 17th day of June, 2009, to:

Mr. Robert Eggink
Hatch Acres Corporation
100 Sylvan Parkway
Amherst, NY 14228-1146



Steve W. Haralson
Executive Director