



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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**RESCISSION OF TEMPORARY PERMIT TO USE PUBLIC WATERS FOR
CONSTRUCTION, TESTING, AND DRILLING PURPOSES**

On July 20, 2020, a temporary permit to use public waters for construction, testing, and drilling purposes was issued to TransCanada Keystone Pipeline LP (Keystone), 700 Louisiana St. Suite 700, Houston, TX 77002. This temporary permit authorized withdrawal of no more than 3,600,000 gallons of water (11.05 acre feet) at a maximum diversion rate of 70 gallons per minute from a privately owned well located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T8N, R17E, Meade County, South Dakota. This temporary permit expires by operation of law on December 31, 2020. See SDCL § 46-5-40.1. However, on December 17, 2020, counsel for Keystone reported that no water had been withdrawn to date nor were there plans to make any withdrawals for the remainder of 2020. Accordingly, I hereby rescind this temporary permit pursuant to ARSD § 74:02:01:34.01 due to abandonment prior to the date of expiration.

In accordance with SDCL § 1-26-29 and ARSD §§ 74:02:01:34.01 and 34.02, Keystone has ten days from receipt of this notice to appeal the rescission of these temporary permits by filing a written request for review of the Chief Engineer's rescission. Such a request may be submitted to Ron Duvall, DENR, Water Rights Program, 523 East Capitol, Pierre, SD 57501.

A handwritten signature in blue ink that reads "Eric Gronlund".

Eric Gronlund
Chief Engineer
DENR, Water Rights Program
(605)773-3352