

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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Big Sioux River- Updated Volume  
7/11/16

AMENDED TEMPORARY PERMIT TO USE PUBLIC WATERS  
FOR CONSTRUCTION PURPOSES

This amended temporary permit to use public waters for construction purposes is issued to Dakota Access LLC, 1300 Main St., Houston TX 77002 authorizing withdrawal of 3,500,000 gallons of water at a maximum rate of 1,500 gallons per minute from the Big Sioux River located in the S ½ Section 33, T99N, R48W, Lincoln County. The project involves construction of the Dakota Access Pipeline including use of water for horizontal directional drill construction and testing and mainline testing of the pipe prior to operation.

The Big Sioux River is within an area inhabited by Topeka Shiners. Issuance of this temporary permit deals with the withdrawal of water only. It does not address other concerns or permitting issues, such as the Topeka Shiner, from other State or Federal entities.

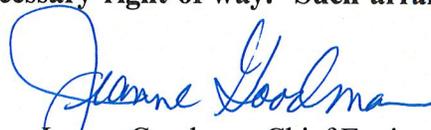
Low flows as needed for downstream domestic use, including livestock water and prior water rights must be bypassed.

If current conditions continue, it is likely that water availability will be a problem. An alternate source of water will need to be secured in the event flows in the river diminish. If flows decrease to a level that impact domestic use and prior water rights, this temporary water permit will be rescinded.

A temporary permit for this project was issued February 18, 2016. Due to an extension of the horizontal directional drilling into Iowa, additional water is required. The initial temporary permit is being amended to increase the amount of water authorized. Issuance of the amended permit supersedes the temporary permit issued February 18<sup>th</sup>. This temporary permit expires on December 31, 2016.

**This permit does not provide necessary right-of-way. Such arrangements should be made with the proper land owner.**

Issued: July 11, 2016

  
Jeanne Goodman, Chief Engineer  
Water Rights Program  
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