



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

July 1, 2020

Nos. 1986-1, 2792-2 & 2793-2

John Taylor
Taylor Law Firm, PC
4820 E 57th Street
Sioux Falls SD 57108

SUBJECT: Approval of TransCanada Keystone Pipeline LP's Water Withdrawal Monitoring Plan

Dear Mr. Taylor:

TransCanada has submitted a Water Withdrawal Monitoring Plan for approval to comply with qualifications on Water Permit Nos. 1986-1, 2792-2 and 2793-2. The plan sets forth the design for real time instantaneous metering of water withdrawals at the sites authorized by the permits. The plan also provides engineering plans and specifications, the operation plan and the proposed location of real time instantaneous instream flow measuring of the Cheyenne, White and Bad Rivers immediately downstream of the withdrawal sites.

There is an error in the legal description for the White River site in Sections 2.2.1 and 3.4 of the plan. The correct legal description is SW 1/4 SW 1/4 Section 21, Township 103 North, Range 78 West.

As Chief Engineer, I hereby approve the Water Withdrawal Monitoring Plan submitted on June 29, 2020. TransCanada may proceed with implementing the plan by installing the pump meters and constructing and putting into operation the instream flow measure devices on the three rivers. TransCanada may begin the diversion of water authorized by each individual permit once:

- the water withdrawal meter with real time instantaneous communication technology for monitoring is in place.
- a real time instantaneous instream flow measuring device is operational with appropriate technology to permit monitoring by DENR.
- Appropriate credentials are in place for data access.

DENR requests notification by TransCanada prior to commencing with the diversion of water at any of the three withdrawal sites.

For the purpose of reporting set forth in Section 2.3 of the submitted plan, Ron Duvall and Mark Rath are designated to be sent by email the weekly reports required by the permit qualifications. Their email addresses are ron.duvall@state.sd.us and mark.rath@state.sd.us.

If you have any questions on the content of this letter and what is expected, please contact me or Mark Rath of the Water Rights Program at (605) 773-3352.

Sincerely,

A handwritten signature in blue ink that reads "Eric Gronlund". The signature is written in a cursive style with a large initial "E".

Eric Gronlund, Chief Engineer
Water Rights Program