



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

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

This temporary permit to use public waters for construction purposes is issued to TransCanada Keystone Pipeline LP (Keystone), 700 Louisiana St. Suite 700, Houston TX 77002 authorizing a total withdrawal under this temporary permit of no more than 2,500,000 gallons of water (7.67 acre feet) at a maximum rate of 300 gallons per minute from the Smith Cattle LLC dam located in the NW ¼ NW ¼ Section 5, T5N, R19E, Haakon County, South Dakota.

This permit authorizes use of water for horizontal directional drilling (HDD) and hydrostatic testing in addition to use for dust suppression along the project right of way and public and private access roads under the existing temporary permit. Water may be used for HDD and hydrostatic testing purposes in Meade, Pennington, and Haakon Counties and for dust suppression in Pennington, Haakon, Meade and Stanley Counties.

Qualifications:

- The dam's spillway must not be obstructed or blocked as a result of or during access to diverting water from the dam.
- This permit does not provide necessary right-of-way. Such arrangements should be made with the landowner.
- The volume of water pumped from the dam under this temporary permit must be reported to the DENR, Water Rights Program on a weekly basis. The report must be submitted electronically to Blaise Hansen at blaise.hansen@state.sd.us and include the volume of water pumped for the week and a running total volume pumped from the water source.

This temporary permit becomes effective July 28, 2020 and expires on December 31, 2020. A temporary permit for this project was issued on February 28, 2020 and reissued on July 14, 2020 to add uses. This temporary permit is being reissued to add Stanley and Meade Counties as additional places of use. **The temporary permits issued on February 28th and July 14th are superseded by this temporary permit.**

Issuance of this temporary permit deals with the withdrawal of water only. It does not address other concerns or permitting issues from other State or Federal entities.

Issued: July 28, 2020


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



c: Denisha Cummings, TransCanada Keystone Pipeline LP at Denisha_cummings@tcenergy.com
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Ann Mines Bailey, Assistant Attorney General (email)
John Taylor, Taylor Law Firm at john.taylor@taylorlawsd.com



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TEMPORARY PERMIT TO USE PUBLIC WATERS

FOR CONSTRUCTION, DRILLING AND TESTING PURPOSES

This temporary permit to use public waters is issued to TransCanada Keystone Pipeline LP (Keystone), 700 Louisiana St., Suite 700, Houston TX 77002 authorizing withdrawal of 3,600,000 gallons of water (11.05 acre feet) at a maximum rate of 70 gallons per minute from ground water (privately owned well) located in the NE ¼ NE ¼ Section 28, T8N, R17E in Meade County.

The project involves horizontal directional drilling, hydrostatic testing and dust control within the project area located in Meade, Pennington and Haakon Counties in South Dakota.

The volume of water pumped from the well under this temporary permit must be reported to DENR, Water Rights Program on a weekly basis. The report must be submitted electronically to Blaise Hansen at blaise.hansen@state.sd.us and should include the volume of water pumped for the week and a running total volume pumped from the water source.

This temporary permit becomes effective July 20, 2020 and expires on December 31, 2020.

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

Issuance of this temporary permit deals with the withdrawal of water only. It does not address other concerns or permitting issues from other State or Federal entities.

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

Issued: July 20, 2020



c: Gayle Konik with TC Energy at Gayle_Konik@TCEnergy.com
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Ann Mines Bailey, Assistant Attorney General (email)
Dean Wink, Wink Cattle Company, PO Box 137, Howes SD 57748



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**TEMPORARY PERMIT TO USE PUBLIC WATERS
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This temporary permit to use public waters for construction, testing and drilling purposes is issued to TransCanada Keystone Pipeline LP (Keystone), 700 Louisiana St, Suite 700, Houston TX 77002 authorizing withdrawal of 3,500,000 gallons of water (10.7 acre feet) at a maximum rate of 300 gallons per minute from the Shultes Family LP dam located in the SW ¼ SE¼ Section 29, T9N, R15E, Meade County, South Dakota.

The project involves use of water for horizontal directional drilling, hydrostatic testing, and dust suppression along the project right of way and public and private access roads. Water may be used for these purposes in Meade, Pennington, and Haakon Counties.

Qualifications:

- The dam's spillway must not be obstructed or blocked as a result of or during access to diverting water from the dam. This permit does not provide necessary right-of-way. Such arrangements should be made with the landowner.
- The volume of water pumped from the dam under this temporary permit must be reported to the DENR, Water Rights Program on a weekly basis. The report must be submitted electronically to Blaise Hansen at blaise.hansen@state.sd.us and include the volume of water pumped for the week and a running total volume pumped from the water source.

This temporary permit becomes effective July 17, 2020 and expires on December 31, 2020.

Issuance of this temporary permit deals with the withdrawal of water only. It does not address other concerns or permitting issues from other State or Federal entities.

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

Issued: July 14, 2020

c: Gayle Konik w/TransCanada at gayle_konik@tcenergy.com
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John Taylor, Taylor Law Firm at john.taylor@taylorlawsd.com



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This temporary permit to use public waters for construction, testing and drilling purposes is issued to TransCanada Keystone Pipeline LP (Keystone), 700 Louisiana St, Suite 700, Houston TX 77002 authorizing a total combined withdrawal under this temporary permit and a temporary permit issued February 28, 2020, of no more than 2,500,000 gallons of water (7.67 acre feet) at a maximum rate of 300 gallons per minute from the Donald F King Dam located in the NE ¼ NE ¼ Section 13, T4N, R20E, Haakon County, South Dakota.

This permit authorizes use of water for horizontal directional drilling and hydrostatic testing in addition to use for dust suppression along the project right of way and public and private access roads under the existing temporary permit. Water may be used for these purposes in Meade, Pennington, and Haakon Counties.

Qualifications:

- The dam's spillway must not be obstructed or blocked as a result of or during access to diverting water from the dam. The King Dam is a Category 1, High Hazard dam due to the downstream residence. Care should be taken not to negatively impact the condition of the dam structure if there is to be vehicle traffic across the top of or near the dam.
- This permit does not provide necessary right-of-way. Such arrangements should be made with the landowner.
- The volume of water pumped from the dam under this temporary permit must be reported to the DENR, Water Rights Program on a weekly basis. The report must be submitted electronically to Blaise Hansen at blaise.hansen@state.sd.us and include the volume of water pumped for the week and a running total volume pumped from the water source.

This temporary permit becomes effective July 17, 2020 and expires on December 31, 2020.

Issuance of this temporary permit deals with the withdrawal of water only. It does not address other concerns or permitting issues from other State or Federal entities.

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

Issued: July 14, 2020

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