

Considered: _____

WATER PERMIT NO. 5157-3

MAP No. same 332-1441

Name of Applicant Williams Pipe Line Company

Post Office Address 705 E. 41st Sioux Falls SD 57105

Amount of Water Claimed 0.45 cfs Total Acres NA

Source of Water Supply Big Sioux - North Aquifer 8 wells (RW4 - RW11)

Water to be used for recovery ^(IND) operations County Codington

About _____ miles _____ of Watertown

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received Oct. 8, 1987 Fee _____ Remarks _____

Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

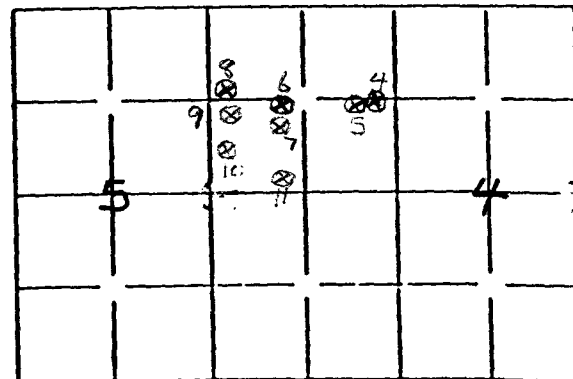
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point 8 wells: E $\frac{1}{2}$ NE $\frac{1}{4}$ section 5;

W $\frac{1}{2}$ NW $\frac{1}{4}$ section 4; all in T116N-R52W

Land to be Irrigated NA



Well Log: Driller Lacey Licensed YES _____ NO _____

Depth of Well 13 - 28 feet REMARKS _____

Type of Map plat & topo PREPARED BY Bay West Reviewed and the Number

assigned on October 26, 1987 BY Ron Duwall

Mail to: Water Rights Div.
DWNr, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. 5157-3 Hydrologic Unit 10170202
Map No. same Basin Big Sioux River
Newspaper Watertown Public Opinion, PO Box 10

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☒ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
Domestic ☐ (above 18gpm) Other ☒

Type of Application: Check one or more of the following

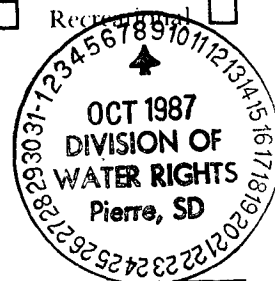
New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____



- Name of Applicant Williams Pipe Line Company Phone No. (605) 332-1441
Post Office Address 705 E. 41st Sioux Falls State SD Zip Code 57105
(Street, RR or Box) (City)
- Amount of water claimed (c.f.s) 0.45
- Source of water supply Ground water from Big Sioux - North Aquifer 8 wells
- Location of point of diversion T116N, R52W, SW 1/4, NW 1/4 E 1/2 NE 1/4 Section 5; W 1/2 NW 1/4 Section 4;
City of Watertown, SD all in T116N-R52W
County Codington
- Counties where water will be used Codington
- Annual period during which water is to be used 1 January through 31 December
- Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
Ground water recovery wells for the control and recovery of hydrocarbon contamination of the Big Sioux-North Aquifer adjacent to the Williams Pipe Line Company, Watertown terminal

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction) See Attachments

STATE OF SOUTH DAKOTA)
County of Minnehaha) ss

I, JAY H. JUBY (Williams Pipe Line Co.) the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed Jay H. Juby

Subscribed and sworn to before me this 6th day of Oct 19 87

Ag Knode
Notary Public

SOUTH

(US 212)

10th Ave South

EAST

15th Street East

12th Ave South

ACRES

13th Ave South

ADDITION

14th Ave South

CHICAGO

NORTHWESTERN

Missouri Basin Addition

RAILWAY

Watertown

Estates

O.L.

LEGEND

- SOIL BORINGS
- ▲ MONITORING WELL
- ⊕ RECOVERY WELL
- APPROXIMATE LOCATION
- X— FENCE

NOTES:

14th Street East

17th Street East

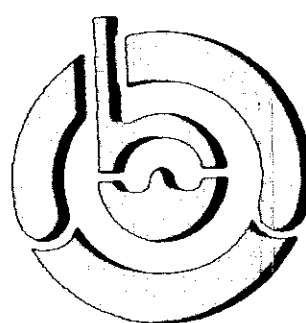
BURN POND

Williams Pipe Line -- Watertown, SD

Terminal And Surrounding Area

6/10/87 Drawn By BAY WEST DRAFT/DESIGN

100 0 100



Appl. No 5157-3

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5157-3
Williams Pipe Line Company 705 E 41st Street
(Applicant) (Street, RR or Box)
Sioux Falls SD 57105 With the following qualifications.
(City) (State) (Zip Code)

The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

Date of first receipt of application October 8, 1987.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application Nov. 3, 1987. Approved December 2, 1987.

The Water Management Board approved this Water Permit No. 5157-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is October 8, 1987.
2. The equivalent of at least one-fifth of the specified work is ~~to be~~ completed ~~on or before~~ _____, ~~19~~_____.
3. The whole of said work is ~~to be~~ completed ~~on or before~~ _____, ~~19~~_____.
4. The limit of time for proof of beneficial use of water appropriated in accordance herewith is _____, ~~19~~_____.
5. The water appropriated shall be used for the purpose of recovery and treatment of hydrocarbon contaminated ground water
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation granted shall not exceed 0.45 cubic feet per second; neither shall it exceed the amount of water needed for the beneficial uses served and to which water is actually and beneficially applied for industrial use ~~on or before~~ _____, ~~19~~_____. The water is to be used during the following described annual period: Jan 1 - Dec 31

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

FEB 9 1988, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 20 inch Depth 13 - 28 feet
- b) Casing Type black steel Diameter 8 and 10 inch Thickness schedule 40
- c) Screen Type stainless steel Diameter 8 and 10 inch Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
If Pipe, diameter _____

f) Secondary Spillway Capacity _____
Spillway width _____

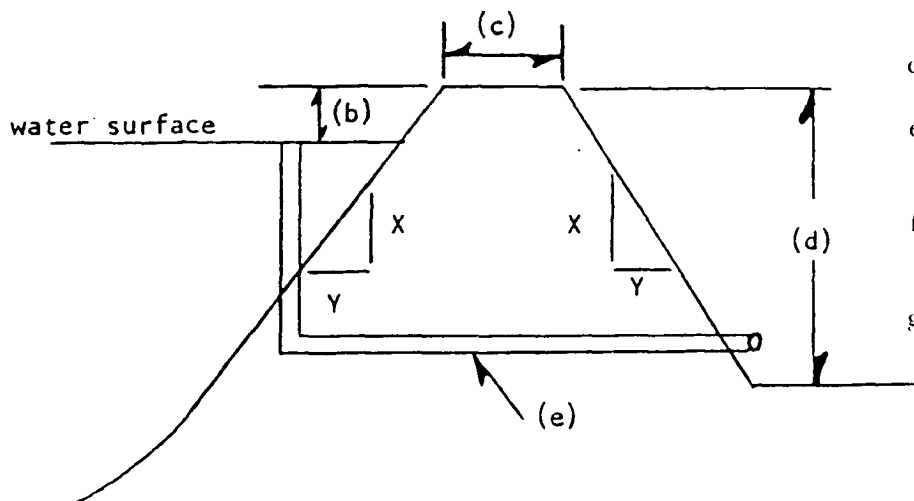
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

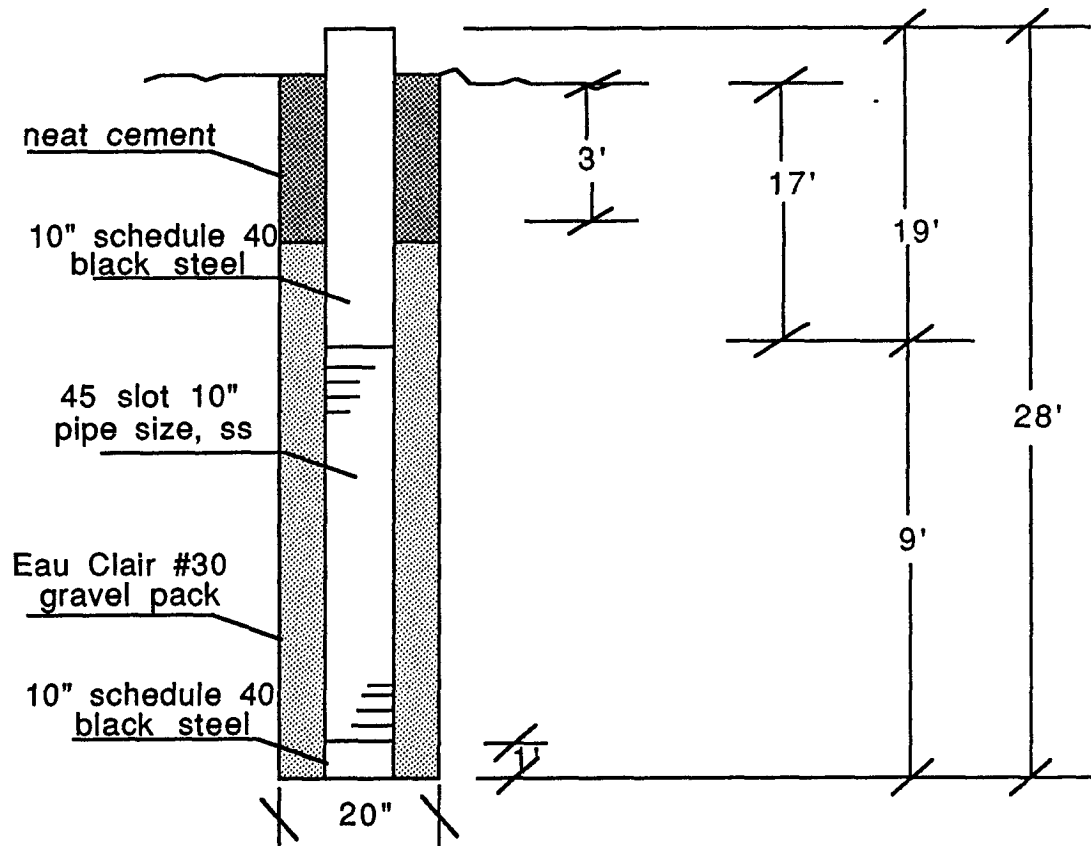


Signature of Applicant _____

Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: <u>RW-5</u> Owner: <u>Williams Pipe Line Co.</u> Address: <u>RR 4 Box 191</u> <u>Watertown, SD 57201</u> Driller: <u>Lacey Well Drilling</u> Technician: <u>G. Costanzo</u>	Soil Boring #: <u>TW-4</u> Completed: _____ County: <u>Codington</u> Variance #: _____ TOC: _____ Grade: _____ Static WL: _____ (BTC) _____ Location: <u>T116N, R52W, SW1/4, NW1/4</u> Quad: <u>Watertown East, SD</u>
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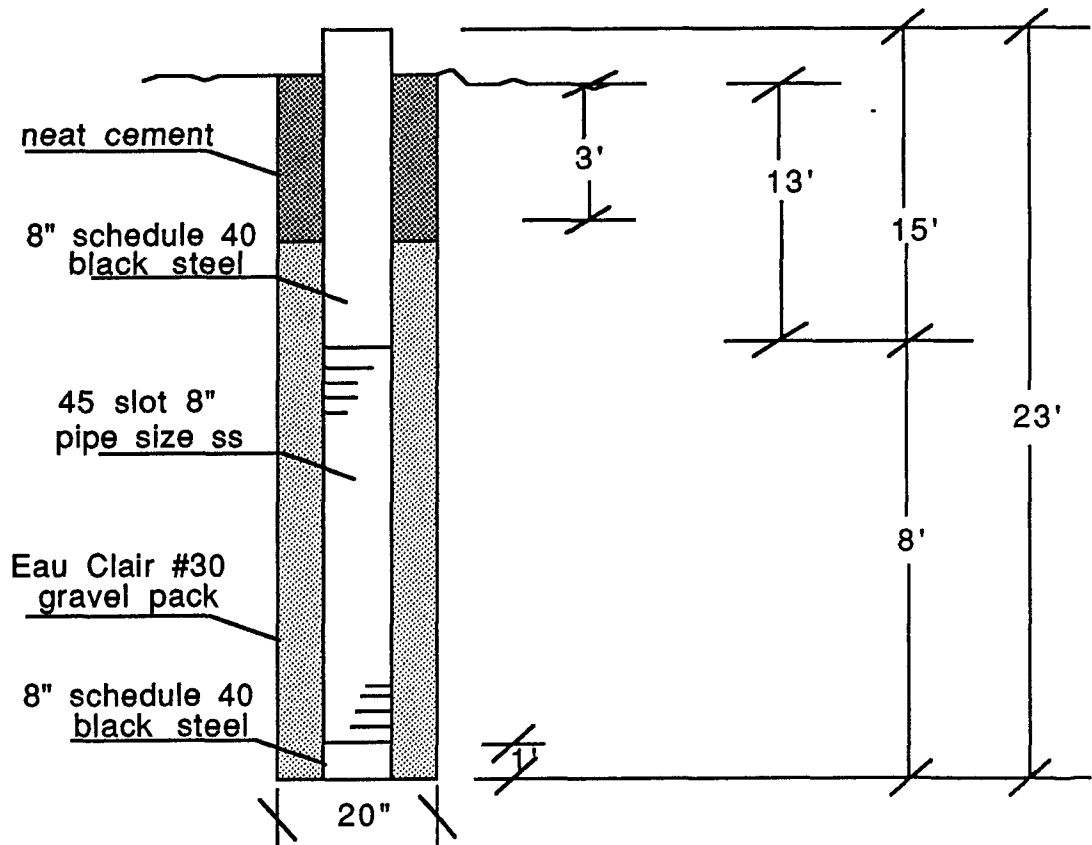
Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	28'				10"	schedule 40 black steel	-2'	17'
						10"	45 slot pipe size stainless steel	17'	25'
						10"	schedule 40 black steel	25'	26'



Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: <u>RW-6</u> Owner: <u>Williams Pipe Line Co.</u> Address: <u>RR 4 Box 191</u> <u>Watertown, SD 57201</u> Driller: <u>Lacey Well Drilling</u> Technician: <u>G. Costanzo</u>	Soil Boring #: <u>SB-52</u> Completed: _____ County: <u>Codington</u> Variance #: _____ TOC: _____ Grade: _____ Static WL: _____ (BTC) _____ Location: <u>T116N, R52W, SW1/4, NW1/4</u> Quad: <u>Watertown East, SD</u>
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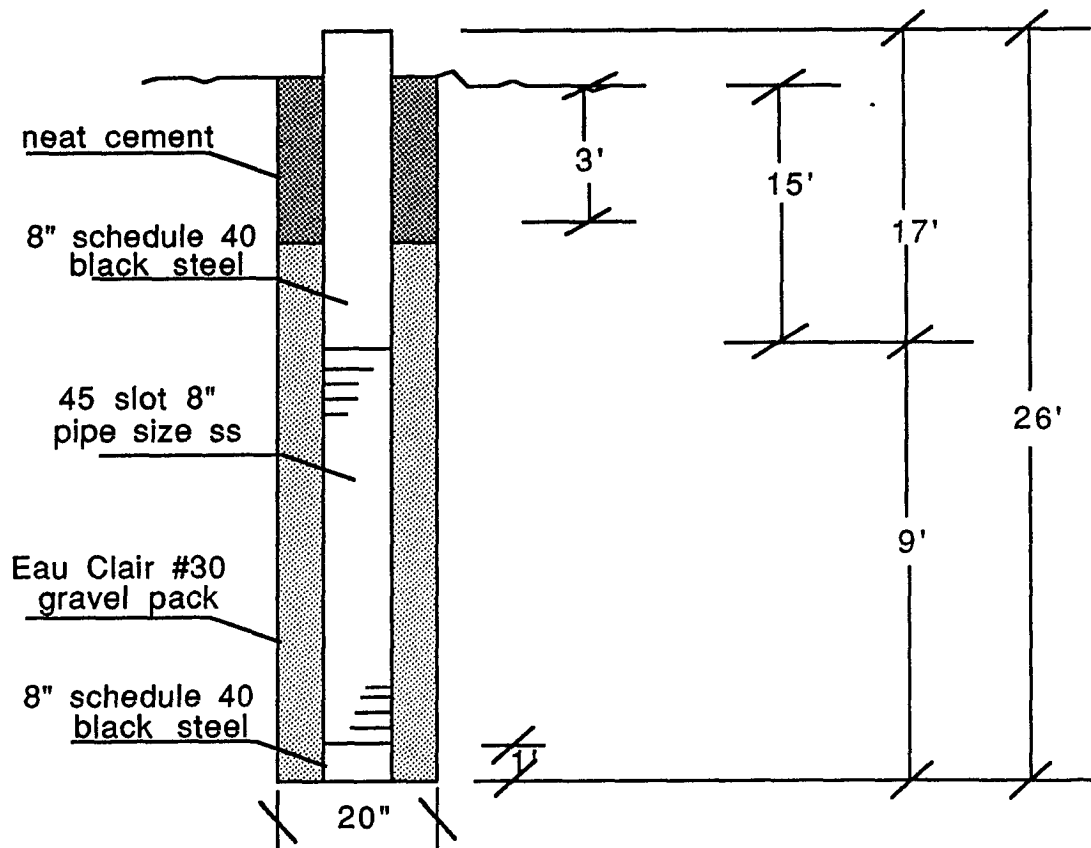
Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	22'				8"	schedule 40 black steel	- 2'	13'
						8"	45 slot pipe size stainless steel	13'	20'
						8"	schedule 40 black steel	20'	21'



Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: <u>RW-7</u> Owner: <u>Williams Pipe Line Co.</u> Address: <u>RR 4 Box 191</u> <u>Watertown, SD 57201</u> Driller: <u>Lacey Well Drilling</u> Technician: <u>G. Costanzo</u>	Soil Boring #: <u>SB-51</u> Completed: _____ County: <u>Codington</u> Variance #: _____ TOC: _____ Grade: _____ Static WL: _____ (BTC) _____ Location: <u>T116N, R52W, SW1/4, NW1/4</u> Quad: <u>Watertown East, SD</u>
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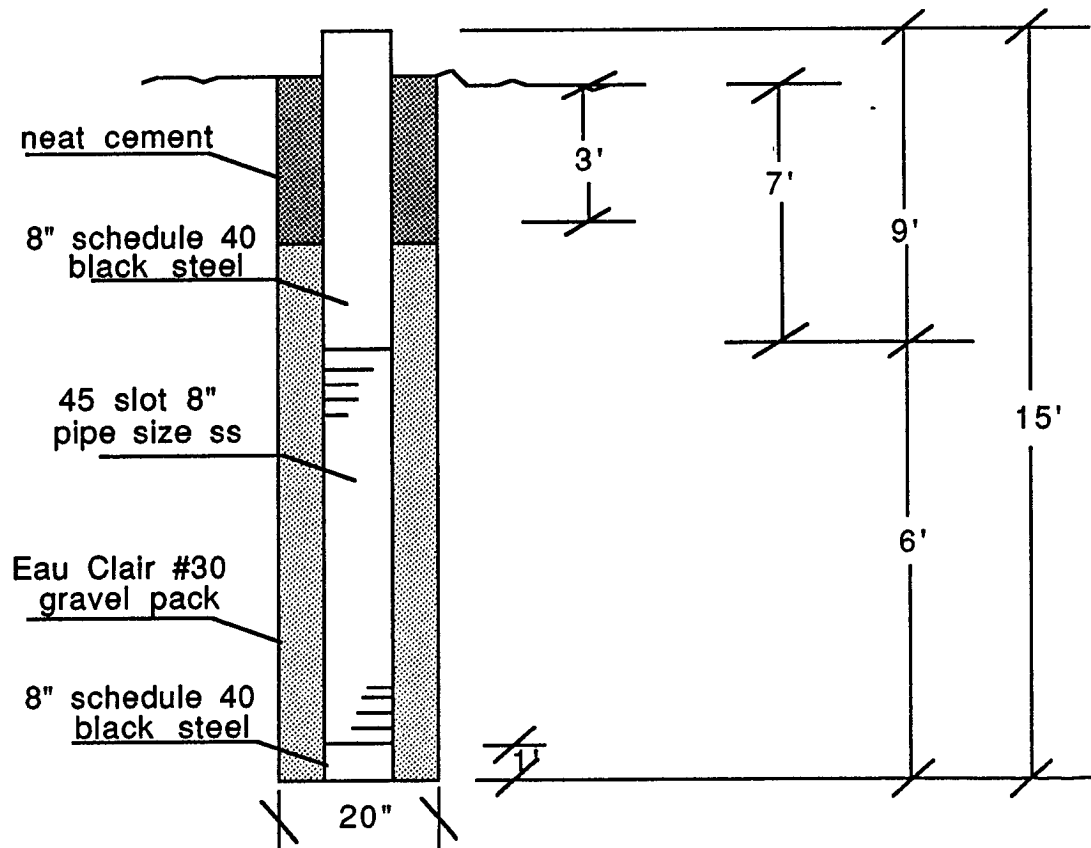
Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	24'				8"	schedule 40 black steel	- 2'	15'
						8"	45 slot pipe size stainless steel	15'	23'
						8"	schedule 40 black steel	23'	24'



Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: <u>RW-8</u> Owner: <u>Williams Pipe Line Co.</u> Address: <u>RR 4 Box 191</u> <u>Watertown, SD 57201</u> Driller: <u>Lacey Well Drilling</u> Technician: <u>G. Costanzo</u>	Soil Boring #: <u>SB-50</u> Completed: _____ County: <u>Codington</u> Variance #: _____ TOC: _____ Grade: _____ Static WL: _____ (BTC) _____ Location: <u>T116N, R52W, SW1/4, NW1/4</u> Quad: <u>Watertown East, SD</u>
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Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	13'				8"	schedule 40 black steel	- 2'	7'
						8"	45 slot pipe size stainless steel	7'	12'
						8"	schedule 40 black steel	12'	13'

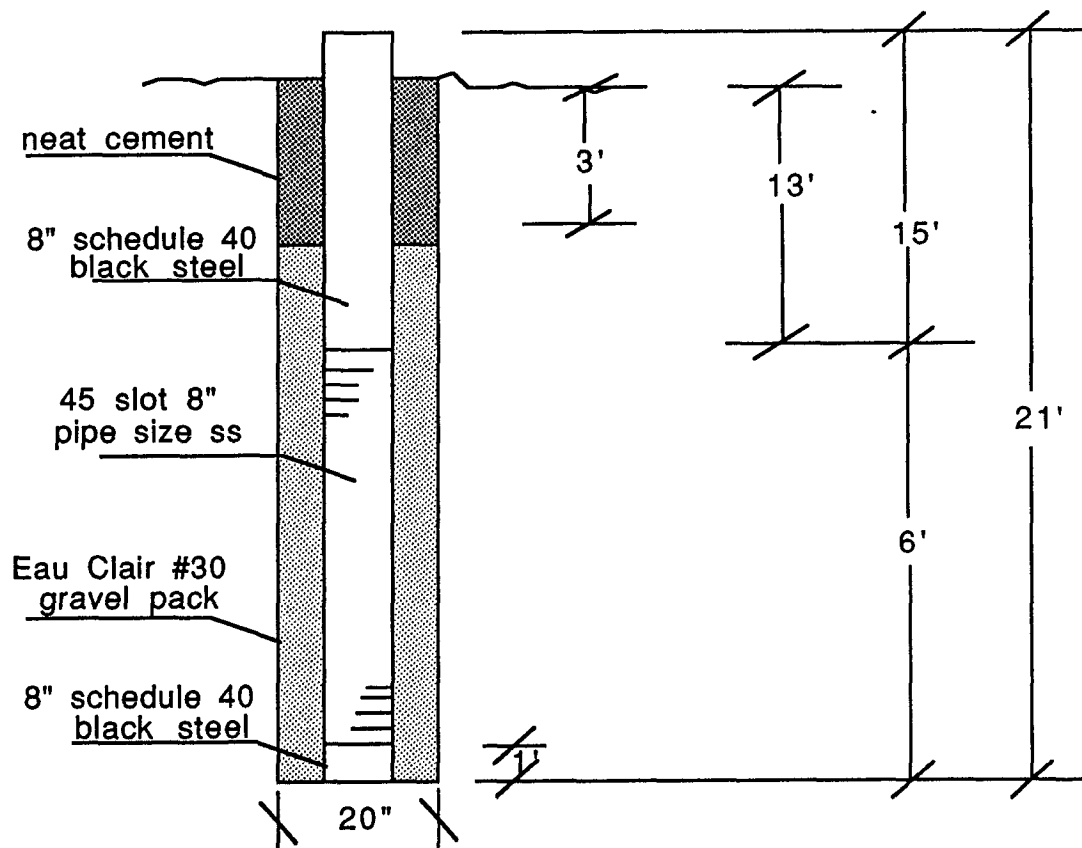


Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: RW-9
Owner: Williams Pipe Line Co.
Address: RR 4 Box 191
Watertown, SD 57201
Driller: Lacey Well Drilling
Technician: G. Costanzo

Soil Boring #: SB-49
Completed: _____
County: Codington
Variance #: _____
TOC: _____ Grade: _____
Static WL: _____ (BTC) _____
Location: T116N, R52W, SW1/4, NW1/4
Quad: Watertown East, SD

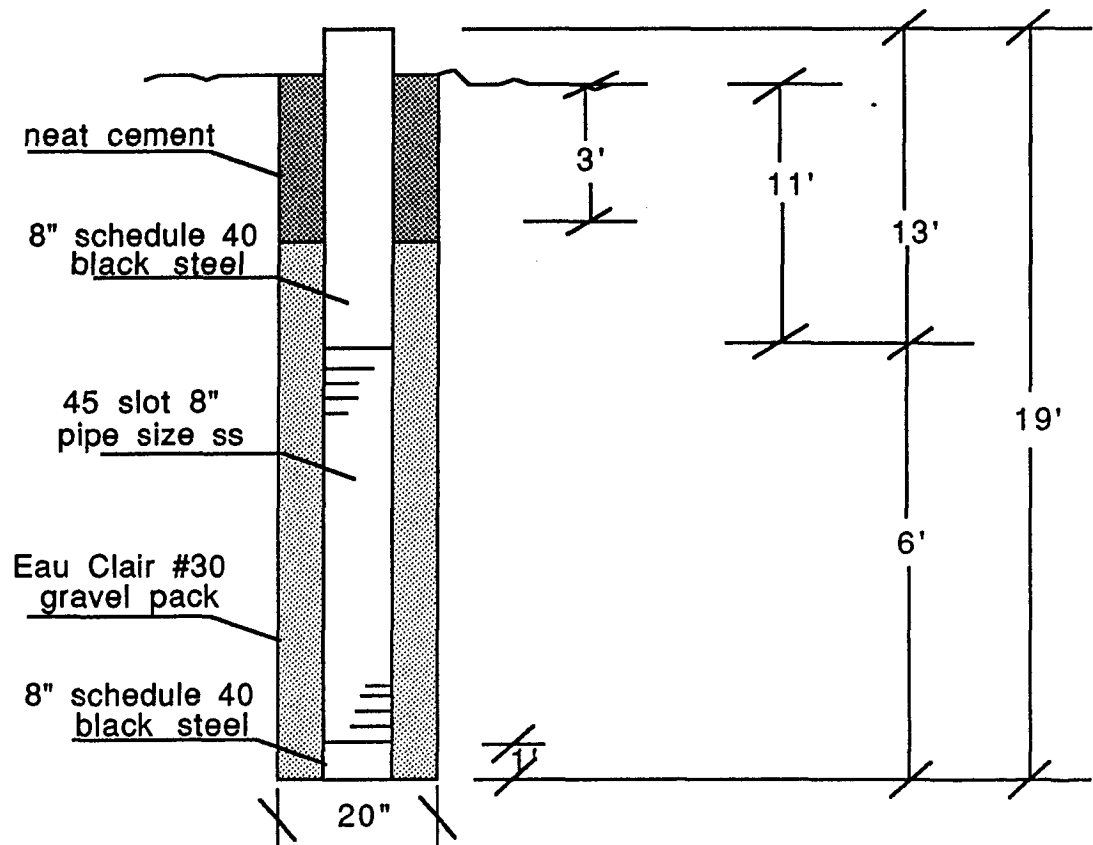
Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	19'				8"	schedule 40 black steel	-2'	13'
						8"	45 slot pipe size stainless steel	13'	18'
						8"	schedule 40 black steel	18'	19'



Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: <u>RW-10</u> Owner: <u>Williams Pipe Line Co.</u> Address: <u>RR 4 Box 191</u> <u>Watertown, SD 57201</u> Driller: <u>Lacey Well Drilling</u> Technician: <u>G. Costanzo</u>	Soil Boring #: <u>SB-48</u> Completed: _____ County: <u>Codington</u> Variance #: _____ TOC: _____ Grade: _____ Static WL: _____ (BTC) _____ Location: <u>T116N, R52W, SW1/4, NW1/4</u> Quad: <u>Watertown East, SD</u>
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Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	17'				8"	schedule 40 black steel	-2'	11'
						8"	45 slot pipe size stainless steel	11'	16'
						8"	schedule 40 black steel	16'	17'

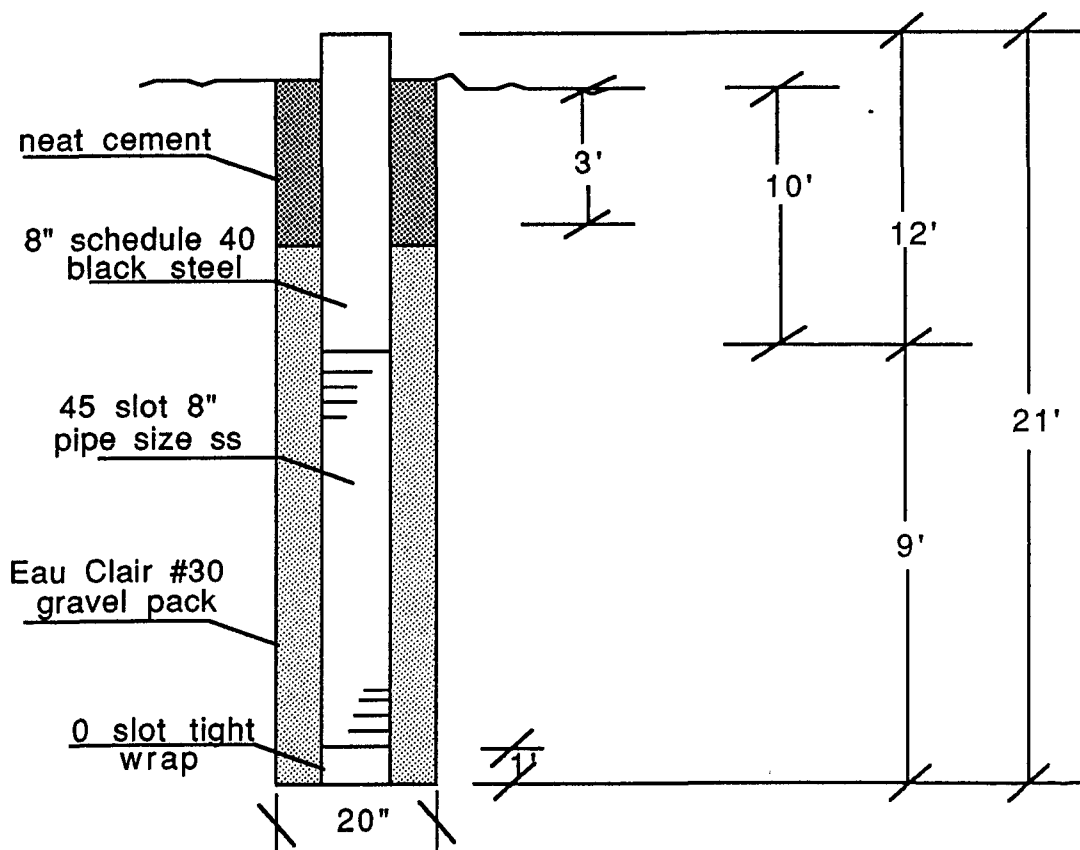


Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: RW-11
Owner: Williams Pipe Line Co.
Address: RR 4 Box 191
Watertown, SD 57201
Driller: Lacey Well Drilling
Technician: G. Costanzo

Soil Boring #: SB-2t
Completed: _____
County: Codington
Variance #: _____
TOC: _____ Grade: _____
Static WL: _____ (BTC) _____
Location: T116N,R52W,SW1/4,NW1/4
Quad: Watertown East, SD

Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	19'				8"	schedule 40 black steel	-2'	10'
						8"	45 slot pipe size stainless steel	10'	18'
						8"	schedule 40 black steel	18'	19'



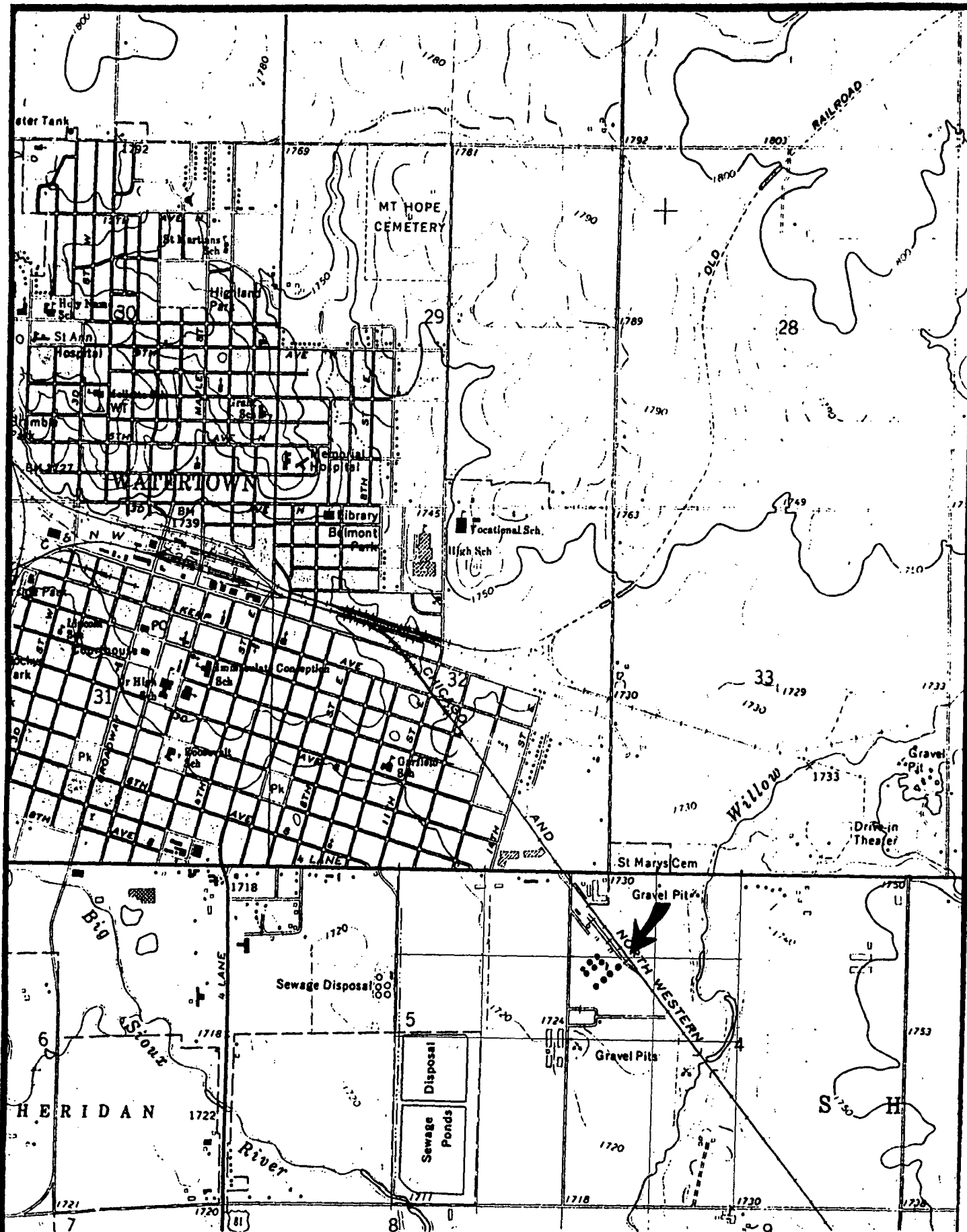


Figure 1

Location map



Bay West
Environmental Contractor

24-HOUR
SERVICE

CHICAGO
5117 South 54th Avenue West
Channahon, Illinois 61007
312 / 686-1000

ST. PAUL
550 North Grille Street
St. Paul, Minnesota 55106
612 / 400-1000

DATE:

SCALE:

DRAWN BY:

App. No. 5157-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411038

Pierre, November 3, 1987, 19

RECEIVED OF Williams Pipeline Co., 705 E. 41st Sioux Falls, SD 57105

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5157-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	250 00

By John Hatch
Chief Engineer JOHN HATCH (MS)

November 3, 1987

South Dakota Department of
Water & Natural Resources
Water Division
Joe Foss Building
523 E. Capital
Pierre, South Dakota 57501-3181



Enclosed is a check in the amount of \$250.00 for water rights application fees to start recovery operations.

Mr. Steve Ball, our Division Manager for our Sioux Falls Division Office has asked me to send this check to you.

If you have any questions, please contact Mr. Steve Ball, Mr. Jay Juby, or Mr. Bill Hocker at our Sioux Falls office 605-332-1441.

Thank you.



Jolene Spears
Secretary to the Vice-President
of Operations

Enclosure



October 6, 1987

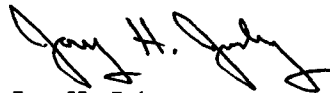
Mr. John Hatch
Water Rights Division
DWNR, Foss Building
Pierre, SD 57501

Dear Mr. Hatch:

Please find attached Williams Pipe Line Company's water right permit application for groundwater treatment operations at our terminal in Watertown, South Dakota. In addition, I have provided further documentation to support the application.

If you have any questions regarding this subject, please contact me.

Sincerely,



Jay H. Juby
Assistant to the Division Manager

JHJ/lmh

Att.

REPORT ON APPLICATION NO. 5157-3
For Williams Pipeline Company
October 27, 1987

This application proposes to appropriate 0.45 cfs from 8 recovery wells 13 to 28 feet deep located in the E 1/2 NE 1/4 of Section 5; W 1/2 NW 1/4 of Section 4; both in T116N R52W, Codington County. The wells are to be used to recover hydrocarbon contaminated ground water for clean-up purposes.

AQUIFER - Big Sioux - North (BS-N)

The Big Sioux - North (BS-N) is an alluvium mantled glacial (sand and gravel) aquifer under predominately water table conditions and is hydraulically connected to the Big Sioux River. The water table generally slopes towards the Big Sioux River in a southerly direction (Barari, 1971) in this area. The aquifer underlies 67,300 acres and contains 151,430 acre-feet of recoverable water (Hedges, 1982) in Codington County. Recharge to the aquifer exceeds 3 inches per year (Hedges, 1983). Because the aquifer will accept recharge readily, the rates of recharge are very dependent upon precipitation events and their timeliness. The Division of Water rights monitors two observation wells, CD-60C and CD-60D within 1 1/2 miles of the application (Water Rights Division, 1987). Hydrographs (water levels plotted vs. time) for these two wells mimic the climatic conditions, that is, high during the spring or wet years and lower in the fall or dry years. The measured water levels do not show any affects from existing diversions from the aquifer.

REVIEW OF EXISTING WATER PERMITS

There are 3 existing water permits approximately 1/2 mile from this application which obtain water from the BS-N.

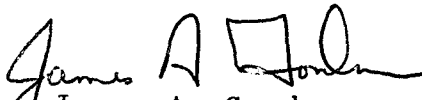
353-3	City of Watertown	.67 cfs	municipal
*668-3	Nick Kranz	2.00 cfs	irrigation
3359-3	Delaine Owen	.05 cfs	commercial

Only a portion of the 2.0 cfs (unspecified on the license) is available to irrigate the lands in section 4 and the remainder of the water is used in section 10, both in T116N-R52W.

Interference should not be problem. Drawdowns caused by pumping do not extend very far from the production well in the Big Sioux Aquifer. Two of the permits Nos. 353-3 and 3359-3 are located up gradient from the spill site. Permit No. 668-3 is located directly down gradient of the spill site. There are other water permits and water users in this area.

CONCLUSIONS

1. Water us available from the BS-N Aquifer.
2. This is a hydrocarbon spill site. The request is to allow recovery of contaminated water. The water will undergo separation and airstripping at the site and is then discharged to the City of Watertown's sanitary sewer. This is approved and will be monitored by the Division of Environmental Quality.
3. Interference is not a problem.
4. It is environmentally sound to recover contaminated water and to prevent further contamination. This is a beneficial use of water in this instance for this aquifer.


James A. Goodman
Hydrologist

BIBLIOGRAPHY

- Barari, A., 1971, Hydrology of Lake Kampeska, SDGS R.I. No. 103, DWNr, SDGS, Vermillion, SD 57069.
- Hedges, L.S., Etal., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, DWNr, SDGS, Vermillion, SD, 57069.
- Hedges, L.S. Etal., Task 7 Ground Water Recharge for US Army Corps of Engineers, DWNr, SDGS, Vermillion, SD 57069.
- Water Rights Division, 1987, Observation Well Files for CD-60C and CD-60D, DWNr, Division of Water Rights, Joe Foss Bldg., Pierre, SD 57501.

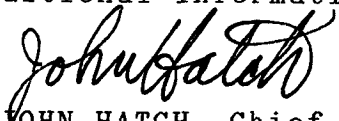
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5157-3, Williams Pipeline Company

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 5157-3, Williams Pipeline Company, 705 East 41st St, Sioux Falls SD.

The Chief Engineer is recommending APPROVAL of Application No. 5157-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

The wells approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
October 28, 1987

No. 5157-3

Instruction to Newspaper - Publish first publication of the following Notice on or before November 5, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5157-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Williams Pipeline Company whose mailing address is
705 E 41st, Sioux Falls, South Dakota has made an application for a permit

to appropriate 0.45 cubic feet of water per second from 8 recovery wells (Big Sioux-North Aquifer) 13 to 28 feet deep located in the E₁NE₄ Section 5; W₁SW₄ Section 4; both in T116N-R52W. The hydrocarbon contaminated ground water is to be removed and treated for disposal purposes.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 5157-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson, Roosevelt & Jefferson rooms, 2211 LaCrosse, Rapid City, SD, Dec. 2 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by November 20, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 20, 1987.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Codington) ss.

I, Monica K. Saathoff hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Watertown Public Opinion

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

_____ city _____ of Watertown

County of Codington and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

November 4th, 1987

November 11th, 1987

Monica K. Saathoff
(Signature)

Bookkeeper
(Title)

November 11th, 1987
(Date Signed)



Cost of Printing: 73.50

WATERTOWN

NOTICE OF HEARING
On Application No. 5157-3
To Appropriate Water

Notice is hereby given that Williams Pipeline Company whose mailing address is 705 East 41st, Sioux Falls, South Dakota has made an application for a permit to appropriate 0.45 cubic feet of water per second from 8 recovery wells (Big Sioux-North Aquifer) 13 to 28 feet deep located in the E1/2NE1/4 Section 5; W1/2NW1/4 Section 4; both in T116N-R52W. The hydrocarbon contaminated ground water is to be removed and treated for disposal purposes.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5157-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson, Roosevelt & Jefferson rooms, 2211 LaCrosse, Rapid City, SD, Dec. 2, 1987 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by November 20, 1987.

The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre, SD (605)773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 20, 1987.

(November 4, 11, 1987)

10 1/2 @ 3.50 X 2 = 73.50



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

FEB 9 1988

Williams Pipeline Company
705 E. 41st
Sioux Falls, South Dakota 57105

Dear Sir:

Enclosed is your Water Permit No. 5157-3 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH: MS

enclosure

FORM 2: Application for uses other than irrigation
(type or print)

5157-3
RECEIVED
AUG 22 2003
WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only) No. _____ Hydrologic Unit _____
	Basin _____
	Newspaper _____

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

- | | | | |
|---|---|---|--|
| ☐ Municipal | ☐ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☒ Other groundwater remediation | |

Type of Application:
(check one)

- ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 5157-3

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

This application changes the locations of some of the diversion points identified in the original application.

1. Name of Applicant Magellan Midstream Partners c/o Doug Mitchell Phone 918-573-9980
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address One Williams Center, MD 27-3, Tulsa State OK 74172
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed _____ *CFS or 174 **GPM _____ ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Big Sioux Aquifer

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____ County Codington

Three existing recovery wells in the SE NE Section 5 and four proposed recovery wells in the SW NW Section 4 T116N R52W

5. County or counties where water will be used Codington

6. Annual period during which water is to be used Jan 1 through Dec 31

7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This groundwater remediation project will recover hydrocarbon-impacted groundwater, amend the groundwater with oxygen and nutrients, and re-inject the water up-gradient of the recovery locations in the main hydrocarbon-impacted area. This project has received approval from SD DENR Groundwater Quality and EPA Region 8.

STATE OF SOUTH DAKOTA)

County of Minnehaha) SS

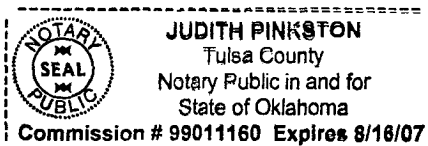
Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Doug Mitchell, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Doug Mitchell

Subscribed and sworn to before me this 24th day of August 2003

Judith Pinkston
Notary Public signature



Supplemental Information

(Complete applicable portions only)

(type or print in ink)

Construction information for existing and proposed wells is attached.

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 10 inches Depth 25 feet below grade
- b) Casing Type PVC Diameter 6 inch Thickness Sch 40
- c) Screen Type Stainless Steel Diameter 6 inch Thickness n/a
- d) Gravel Pack Red Flint Length of Gravel Pack 12 feet
- e) Depth to Top of Water Bearing Material approx 6 feet
- f) Depth to Water (ground surface to water level) approx 10 feet
- g) Distance to nearest existing domestic well:

On applicants property noneOn property owned by others approx 2,500 feet**2. Wastewater Disposal System Information**

- a) Type of System (i.e. septic tank, drain field) n/a
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

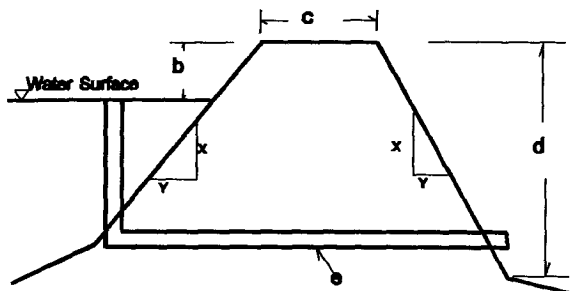
3. Dugout Information

- a) Surface Dimensions n/a Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

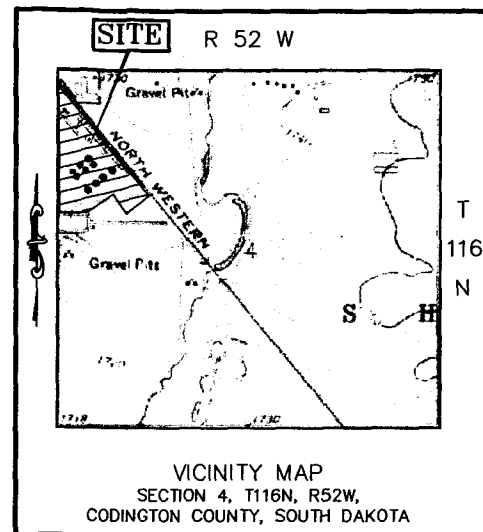
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard n/a
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

CODINGTON COUNTY, SOUTH DAKOTA

T 116 N - R 52 W



BENCHMARK:
STEEL MONUMENT IN
CONCRETE BASE
MARKED "G.L.P.L. ELEV 1726.21"
ELEVATION: 1726.21 (NGVD 1929)

X 2722979.83
Y 398156.76
Z 1726.21

LEGEND

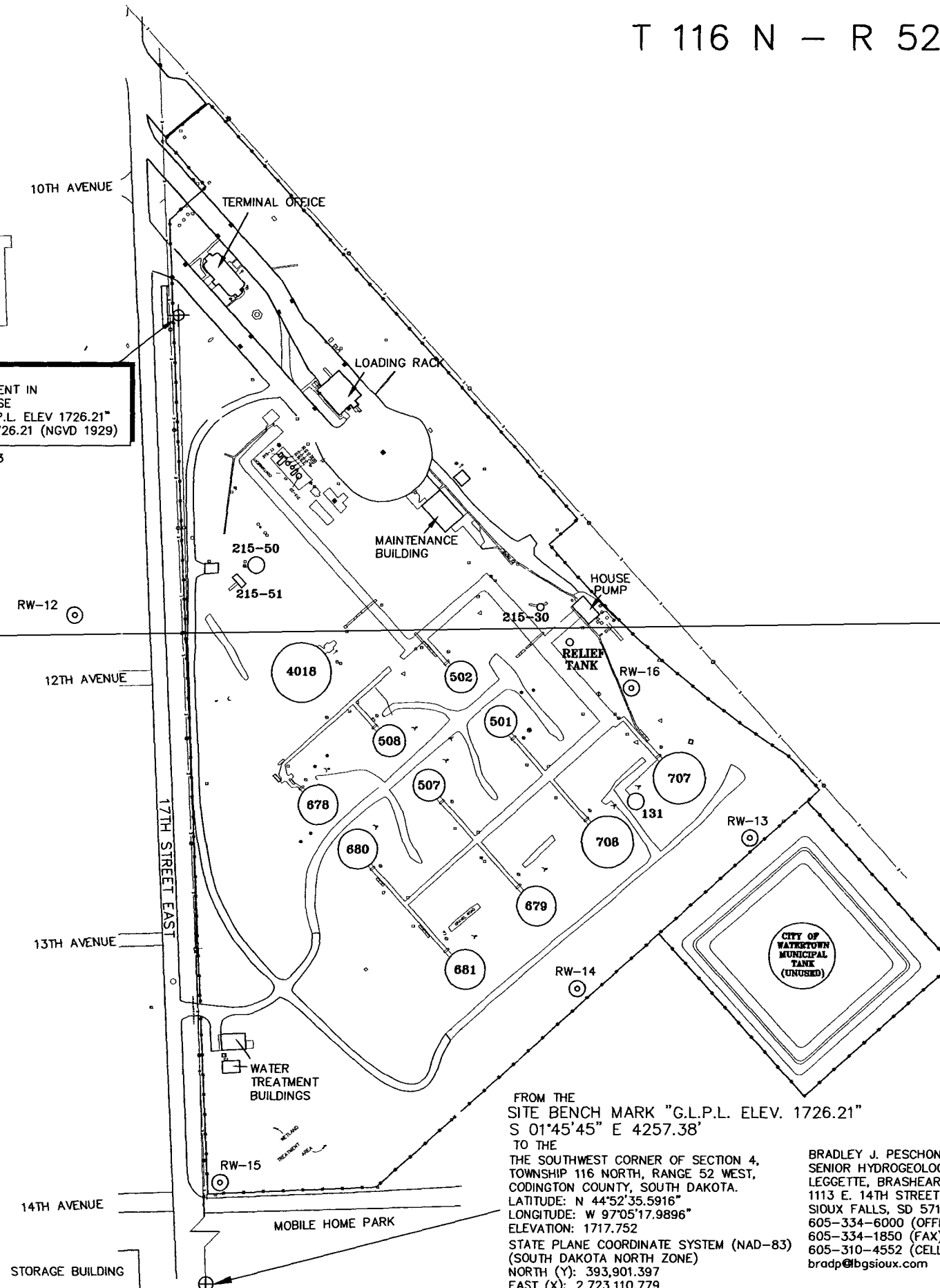
RW-15 (O) PROPOSED RECOVERY WELL FOR
OXYGENATION SYSTEM WATER SOURCE

RW-12 (O)

TABLE OF PROPOSED RECOVERY WELL POSITIONS
STATE PLANE COORDINATES
SOUTH DAKOTA NORTH ZONE (NAD 83)

	NORTHING (Y)	EASTING (X)
RW-6	397386	2722633
RW-7	396987	2722688
RW-12	397702	2722822
RW-13	397365	2723848
RW-14	397137	2723588
RW-15	396843	2723046
RW-16	397592	2723668

RW-7 (O)



FROM THE
SITE BENCH MARK "G.L.P.L. ELEV. 1726.21"
S 01°45'45" E 4257.38'
TO THE
THE SOUTHWEST CORNER OF SECTION 4,
TOWNSHIP 116 NORTH, RANGE 52 WEST,
CODINGTON COUNTY, SOUTH DAKOTA.
LATITUDE: N 44°52'35.5916"
LONGITUDE: W 97°05'17.9896"
ELEVATION: 1717.752
STATE PLANE COORDINATE SYSTEM (NAD-83)
(SOUTH DAKOTA NORTH ZONE)
NORTH (Y): 393,901.397
EAST (X): 2,723,110.779

BRADLEY J. PESCHONG, CPG
SENIOR HYDROGEOLOGIST
LEGGETTE, BRASHEARS & GRAHAM, INC.
1113 E. 14TH STREET
SIOUX FALLS, SD 57104
605-334-6000 (OFFICE)
605-334-1850 (FAX)
605-310-4552 (CELL)
bradp@bgsioux.com

0 100 200
SCALE IN FEET

BASIS FOR BEARINGS:
SOUTH DAKOTA STATE PLANE COORDINATE
SYSTEM BASED ON GPS OBSERVATION OF
THE SOUTHWEST CORNER OF SECTION 4,
TOWNSHIP 116 NORTH, RANGE 52 WEST,
CODINGTON COUNTY, SOUTH DAKOTA.
LATITUDE: N 44°52'35.5916"
LONGITUDE: W 97°05'17.9896"
ELEVATION: 1717.752

STATE PLANE COORDINATE SYSTEM (NAD-83)
(SOUTH DAKOTA NORTH ZONE)
NORTH (Y): 393,901.397
EAST (X): 2,723,110.779

BASIS FOR ELEVATIONS:
GREAT LAKES PIPE LINE BENCHMARK
LOCATED ± 70.00 FEET SOUTHWESTERLY
OF THE SOUTHWESTERLY ENTRANCE TO
THE TERMINAL OFFICE BUILDING.
BENCHMARK IS A STEEL MONUMENT IN
A CONCRETE BASE MARKED
"G.L.P.L. 1726.21" ELEVATION: 1726.21

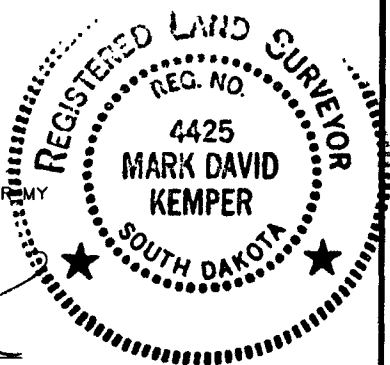
NOTE:
PROPOSED LOCATION
OF INJECTION AND RECOVERY WELLS
AS PER
LEGGETTE, BRASHEARS & GRAHAM, INC.
SIOUX FALLS, SOUTH DAKOTA 57104

CERTIFICATION

I HEREBY CERTIFY THAT THIS
SURVEY, PLAN OR REPORT
WAS PREPARED BY ME OR UNDER MY
DIRECT SUPERVISION AND THAT
I AM A DULY LICENSED
PROFESSIONAL LAND SURVEYOR
UNDER THE LAWS OF THE
STATE OF SOUTH DAKOTA.

MARK D. KEMPER, PLS 4425

DATED THIS 19 DAY OF Aug 2003



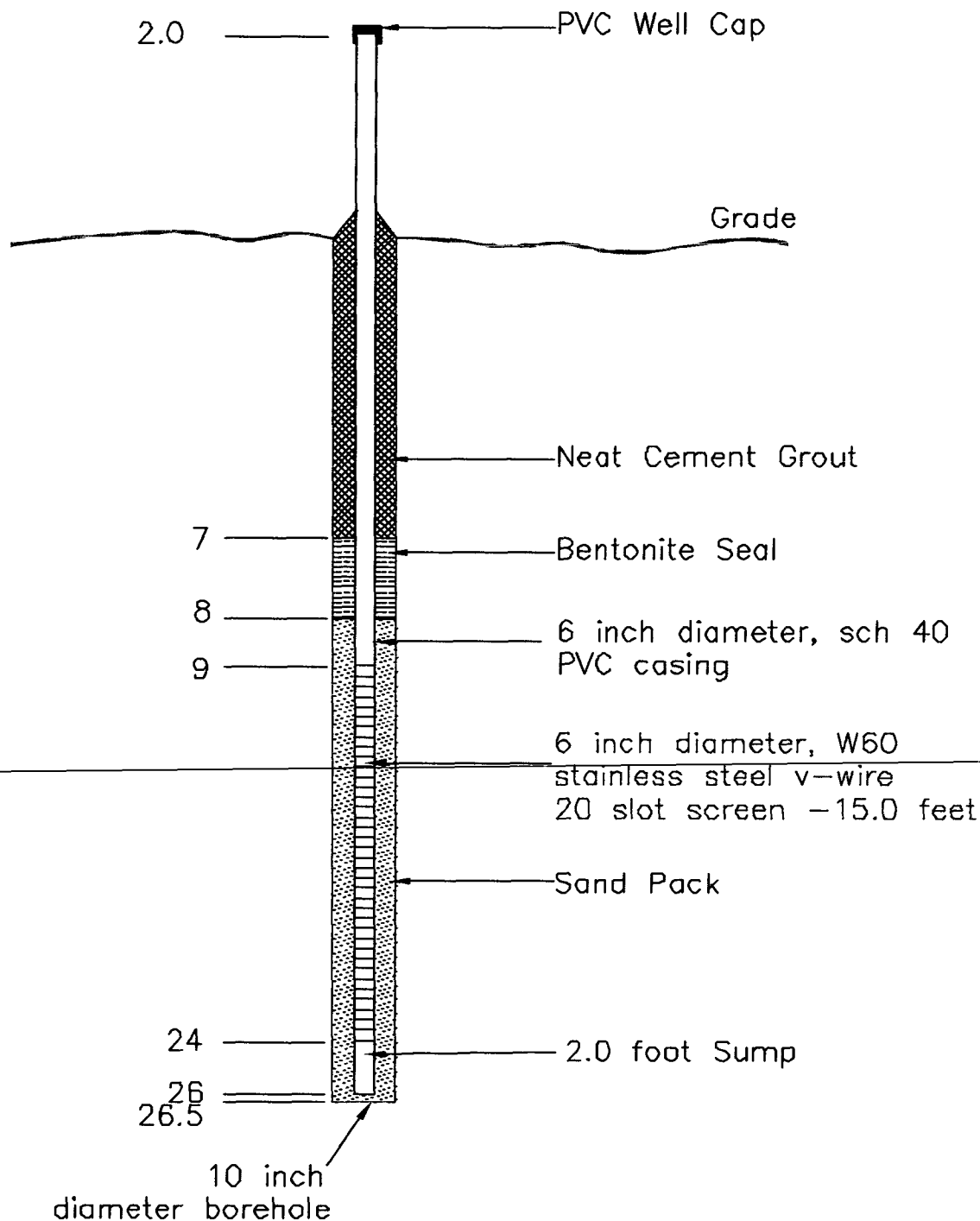
WATERTOWN TERMINAL
PROPOSED RECOVERY WELL LOCATIONS
CITY OF WATERTOWN
CODINGTON COUNTY, SOUTH DAKOTA



FILE NAME: 03019S

DATE: AUG. 2003

Not to Scale



Surveyed Elevations in feet AMSL

Top of riser: -----

Ground surface: -----

Installation Date: -----

DATE	REVISED	LEGGETTE, BRASHEARS & GRAHAM, INC. Professional Ground-Water and Environmental Services 140 East Hinks Lane, Suite 126 Sioux Falls, South Dakota 57104 (605) 334-6000	WILLIAMS PIPE LINE COMPANY, LLC. WATERTOWN TERMINAL WATERTOWN, SOUTH DAKOTA		
			RECOVERY WELL CONSTRUCTION DIAGRAM		
			FILE: RW schematic2	DATE: MAR 2000	FIGURE: 1

Page # 1 of 1
Log No. 6079-Sb-52
Well Name: 6079 RW-6

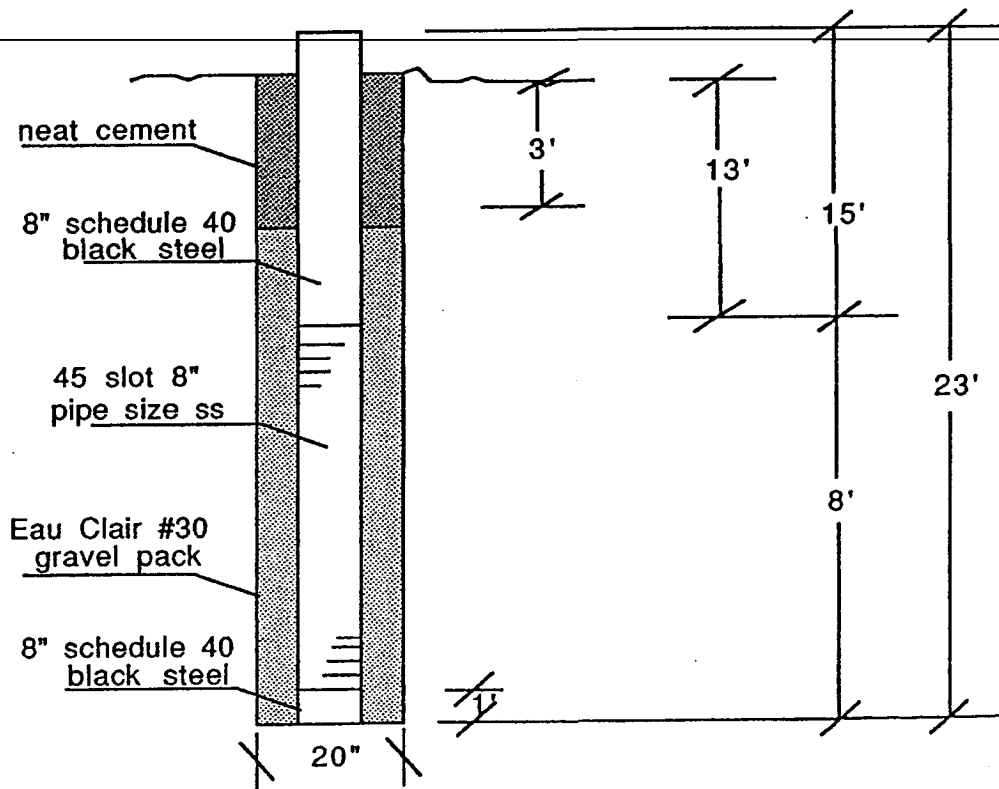
Project Name: WPL-Watertown
Address: Watertown S.D.
Driller: D. Phipps
Geologist: M. Wangenstein
Completed: 6/11/87
Grade Elevation: _____
Total Depth: 19'
Sampling Method: FA,SS

depth	color	sorting	Graphic Section	Grain Size										% spoon	samp #	N count	Remarks
				c & b	gravel	sand	cs	ms	fs	vs	silt	clay					
			Topsoil														FA to 5'
																	Topsoil to 1.5'
2																	Rocks at 2'
4																	Silty sand to med. sand to 5'
																	~15% gravel
6	Br M											80	1	8			Brown fine to coarse grained sand w/ trace of gravel. Moderately
														17			well sorted. Small silt lens <2" at ~5.5'-6'
8	Br P											80	2	22			Very coarse-grained sand and gravel
														7			Poorly sorted, slight product odor
10	Br											75		11			Gray discoloration at ~ 10.5'. Strong
	Gy													17			product odor in saturated zone.
2												60	3	21			
														16			
4												80		19			
														14			
6	BT													14			
														6			
8														7			
														10			
10														8			
12														9			
14														10			
16														3			Brown color returns at ~ 15'
18														7			Product odor not as strong
20														8			
														7			
22														12			
														21			
24														17			
26														4			
28														4			
30														6			Brown sandy clay
32														9			EOB - 19'
34																	
36																	
38																	
40																	
42																	
44																	
46																	
48																	
50																	
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92																	
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96																	
98																	
100																	

Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: <u>RW-6</u>	Soil Boring #: <u>SB-52</u>
Owner: <u>Williams Pipe Line Co.</u>	Completed: _____
Address: <u>RR 4 Box 191</u>	County: <u>Codington</u>
<u>Watertown, SD 57201</u>	Variance #: _____
Driller: <u>Lacey Well Drilling</u>	TOC: _____ Grade: _____
Technician: <u>G. Costanzo</u>	Static WL: _____ (BTC) _____
	Location: <u>T116N, R52W, SW1/4, NW1/4</u>
	Quad: <u>Watertown East, SD</u>

Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	22'				8"	schedule 40 black steel	-2'	13'
						8"	45 slot pipe size stainless steel	13'	20'
						8"	schedule 40 black steel	20'	21'



Page # 1 of 1
Log No. 6079-Sb-51
Well Name: 6079 RW-7

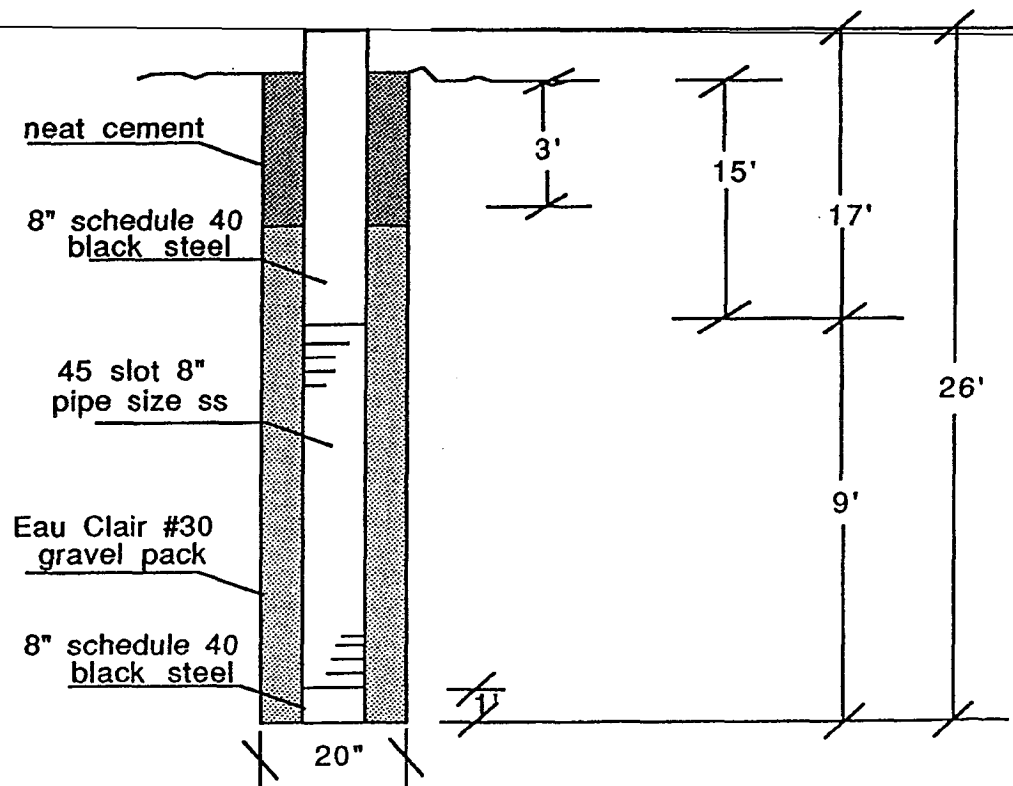
Project Name: WPL-Watertown
Address: Watertown S.D.
Completed: 6/11/87
Grade Elevation: 1722.4
Driller: D. Phipps
Total Depth: 23'
Geologist: M. Wangenstein
Sampling Method: FA,SS

[illegible]

Bay West, Environmental Services
5 Empire Drive, St. Paul, MN 55103

Well Name: <u>RW-7</u> Owner: <u>Williams Pipe Line Co.</u> Address: <u>RR 4 Box 191</u> <u>Watertown, SD 57201</u> Driller: <u>Lacey Well Drilling</u> Technician: <u>G. Costanzo</u>	Soil Boring #: <u>SB-51</u> Completed: _____ County: <u>Codington</u> Variance #: _____ TOC: _____ Grade: _____ Static WL: _____ (BTC) _____ Location: <u>T116N, R52W, SW1/4, NW1/4</u> Quad: <u>Watertown East, SD</u>
---	--

Drill Hole						Casing and Screening			
Diam.	From	To	Diam.	From	To	Diam.	Wght & Kind	From	To
20"	grade	24'				8"	schedule 40 black steel	-2'	15'
						8"	45 slot pipe size stainless steel	15'	23'
						8"	schedule 40 black steel	23'	24'





FIELD BORING LOG

Sheet 1 of 1

FOR Delta

Job No. 440-1672

LOCATION Watertown, S.D.

Elev.

Boring No. RH-12

GROUND While drilling

Time after drilling

Start 7-27-93

WATER Before casing removal

Depth to water

Unit Cable Tool

After casing removal

Depth to c.c.-in

Chief TA

Sample No.	Moisture	Blows on Sampler		Sample Recovered	Total Blows	VISUAL FIELD CLASSIFICATION AND REMARKS	Casing/Probe		Uncased Strength	Boulders	Blows on		Drilling Method
		0/4	4/12				Weight	Drop			Casing Size	Probe Size	
						CLAY, brown	140#	30"			18"		
						4.0'							
						Sandy GRAVEL, Med. Brown							
						8.4'							
						10.0' SAND w/Gravel & Rock, Med. Brown							
						17.0'							
						Sandy CLAY, Med. Brown							
						E.O.B. 21.6'							
						Well Set @ 17.5'							

STATE OF SOUTH DAKOTA

THIS IS TO CERTIFY THAT THE MICROFILM IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SECTION 1-27.4 OF THE SOUTH DAKOTA CODIFIED LAWS. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF ADMINISTRATIVE RULES OF SOUTH DAKOTA 16:04:01 AND 16:04:02 FOR MICROFILMIC REPRODUCTIONS.

25:1

REDUCTION RATIO

TOTAL NUMBER

U-9

DATE MICROFILMED

3-18-94

CAMERA OPERATOR SIGNATURE

Chas. M. S. C.

WELL DETAIL INFORMATION SHEET



JOB NO. 440-1672

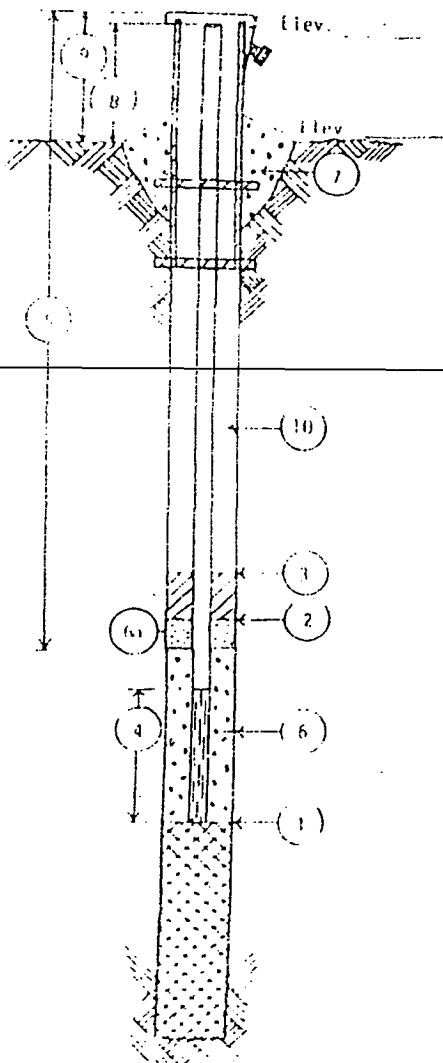
BOPING NO. RW-12

DATE 7-27-93

CHIEF TA

LOCATION Watertown, S.D.

All depth measurements of well detail assumed to be from ground surface unless otherwise indicated.



- (1) DEPTH TO BOTTOM OF WELL POINT OR SLOTTED PIPE 17.5 FEET.
- (2) DEPTH OF BOTTOM OF SEAL (if installed) N/A FEET.
- (3) DEPTH TO TOP OF SEAL (if installed) N/A FEET.
- (4) DEPTH OF WELL SCREEN IVC WELL SCREEN (SCH 40/40 80), OR STAINLESS STEEL 10.0 FEET. (Circle One)
- (5) TOTAL LENGTH OF PIPE 9.5 FEET
12 IN. DIAMETER.
- (6) TYPE OF FILTER MATERIAL ABOVE WELL POINT OR SLOTTED PIPE #30 Red Flintsand
- (7) LENGTH OF FINE SAND N/A FEET.
- (8) CONCRETE CAP, YES NO (Circle One)
- (9) HEIGHT OF WELL CASING ABOVE GROUND 2.0 FEET.
- (10) PROTECTIVE CASING? YES NO (Circle One)
HEIGHT ABOVE GROUND FEET.
LOCKING CAP? YES NO (Circle One)
NUMBER FEET? YES NO (Circle One)
- (11) TYPE OF WATERFILL: Native

WATER LEVEL CHECKS

*From top of casing, if protective casing higher, take measurement from top of protective casing.

BOPING #	DATE	TIME	DEPTH TO WATER	REMARKS

STATE OF SOUTH DAKOTA

THIS IS TO CERTIFY THAT THE MICROFILM IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SECTION 1-27.4 OF THE SOUTH DAKOTA CODIFIED LAWS. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF ADMINISTRATIVE RULES OF SOUTH DAKOTA 10:04:01 AND 10:04:02 FOR MICROGRAPHIC REPRODUCTIONS.

25:1

REDUCTION RATIO

ROLL NUMBER

DATE MICROFILMED

CAMERA OPERATOR SIGNATURE

MICROFILM CERTIFICATE OF AUTHENTICITY

Handwritten signature

Change of Diversion Points

NAME: Williams Pipe Line Company

ADDRESS: One Williams Center, MD 27-3, Tulsa OK 74172-0172

DATE: September 10, 2003 **COUNTY:** Codington County

BACKGROUND:

Williams Pipe Line Company holds Water Permit No. 5157-3 which appropriates 0.45 cfs from 8 wells (Big Sioux:North Aquifer) located in the E ½ NE ¼ of Section 5 and the W ½ NW ¼ of Section 4, T116N, R52W. The water is used for ground water remediation.

Magellan Midstream Partners, LP has filed a request to change the location of four recovery wells authorized under Permit No. 5157-3. The request indicates wells that will now be used are three existing recovery wells in the SE ¼ NE ¼ of Section 5 and four proposed recovery wells in the SW ¼ NW ¼ of Section 4; all in T116N, R52W. These wells are all within the area described in the original water permit.

Brad Peschong, consultant with Leggette, Brashears & Graham, provided supporting documentation of the historical water use conducted under Water Permit No. 5157-3. This ground water remediation project was developed and Mr. Peschong provided the information he had available on the number of wells and the maximum pumping rate based on the limited records available. This information indicates that the maximum pumping rate was 88 gpm (0.2 cfs) and corresponds to a period of high groundwater elevations. Based on SDCL 46-5-37, the difference between the permitted rate of 0.45 cfs and the developed rate of 0.2 cfs is subject to forfeiture for nonuse.

There was also some question whether there has been a period of nonuse of water that would subject the water permit to cancellation for nonuse. Mr. Peschong confirmed that in November of 1997 the groundwater recovery system was shut down to evaluate another remedial option for the aquifer. This alternative was undertaken with the concurrence of the Ground Water Quality Program of DENR. However, this option proved unsuccessful and recovery wells will again be implemented for remediation. Board rule 74:02:01:37.01 provides for legal excuse for the nonuse of water. Although the nonuse of water in this case is not specifically cited in this rule, the rule provides for other reasons to be considered for legal excuse. It is the author's belief that legal excuse exists since the permit holder undertook an alternate recovery method with concurrence with DENR.

The request also serves to notify the Water Rights Program that Williams Pipe Line Company will become Magellan Midstream Partners LP on September 1st. The proper transfer of ownership forms will need to be completed to update water rights records.

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

The water permit holder will need to file a notice of transfer of ownership to reflect the change in name of Williams Pipe Line Company to Magellan Midstream Partners, LP.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the replacement diversion points and additional diversion points is authorized by Water Right No. 5157-3.



Eric Gronlund
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This seven recovery wells will not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

- **Developed water source same as permitted source and no additional water appropriated**

The recovery wells authorized by Water Permit No. 5157-3 are constructed into the Big Sioux:North Aquifer at a depth of 13 – 28 feet. The proposed replacement wells will be constructed into the same aquifer to a depth of approximately 25 feet.

No additional appropriation of water is requested. As stated in the background section of this report, the diversion rate for remediation purposes is related to the ground water level and the maximum pump rate for the project has been 88 gpm (0.2 cfs). The request states the diversion rate will be 174 gpm, however, Mr. Peschong states this rate is based on pump capacity when in fact the actual diversion from the source will be much less and will not exceed 88 gpm. The ability to divert water is dependent on groundwater levels.

The request indicated that this project will recover hydrocarbon-impacted ground water, amend the ground water with oxygen and nutrients, and re-inject the water up-gradient of the recovery locations. The use of water is non-consumptive.

- **Review of Existing Diversions**

This is a request solely for changing well locations within the same legally described area as the original water permit. In addition, after the water is treated it is re-injected. A review of the Water Rights well log database found three domestic well logs in these sections. They were drilled in 1978, 1985 and 1998. The current status of these wells is unknown. There are also a few water rights in the general vicinity. A detailed review of other wells in the area is not warranted because these are ~~replacement wells located in very close proximity to the original well sites and the use is non-~~consumptive. In addition, there is a public interest issue in which is to the public's benefit to continue the remediation project to recover impacted groundwater.

CONCLUSION

- This proposed change of the location of the diversion points does not appropriate additional water above the 88 gpm originally developed.
- Water is reinjected to the aquifer after treatment making the use non-consumptive.
- There will be a total of 7 recovery wells as part of this remediation.
- The replacement wells will be constructed into the Big Sioux:NorthAquifer which is the same water source as the original wells authorized by Water Permit No. 5157-3.
- Existing domestic wells will not be adversely impacted by authorizing this replacement well.
- There has been no record of any complaint of the Williams Pipeline Company's diversion of water adversely impacting neighboring wells.
- It is in the public interest to recover contaminated water by this groundwater remediation project.

LEGGETTE, BRASHEARS & GRAHAM, INC.

PROFESSIONAL GROUND-WATER AND ENVIRONMENTAL ENGINEERING SERVICES

140 EAST HINKS LANE
SUITE 126
SIOUX FALLS, SD 57104
605-334-6000
FAX 605-334-1850
www.lbgweb.com

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SEP 11 2003
WATER RIGHTS
PROGRAM

September 9, 2003

Mr. Eric Grondlund
Water Rights Division
SD Department of Environment & Natural Resources
523 E. Capitol
Pierre, SD 57501-3181

RE: Recovery Well Pumping Volume Summary
Permit # 5157-3
Magellan Pipeline Company, LLC
(Formerly Williams Pipe Line Company, LLC)
Watertown Terminal
Watertown, SD

Dear Mr. Grondlund:

On behalf of Magellan Pipeline Company, LLC (Magellan), we are forwarding information regarding the history of the recovery system pumping rates and volumes as requested in our August 26, 2003 telephone conversation with you.

The groundwater recovery system associated with the referenced permit has had a varied history relative to consultant oversight, and as such, has data gaps throughout the system operational history. Because of these data gaps, we are not able to offer a complete operational history at this time. LBG will continue our attempts to locate the data to fill the data gaps, but in the interest of time, we are forwarding the available data to you. Our review of the data and data gaps does, however, suggest that the submitted data is representative of the system operation and any new data is unlikely to change conclusions reached by this data review.

System Operational History

The initial recovery wells on the site, RW-1, RW-2, and RW-3 were installed in November 1986. There is no record of RW-3 ever being utilized. In January 1987, following performance tests

that determined that pumping RW-2 was not sufficient to recover and control the spread of hydrocarbons, pumping from RW-2 was discontinued and a large diameter recovery well, RW-4, was installed. A second recovery well, RW-5, was added to supplement the recovery efforts; however, the well was never used due to low product thicknesses and low sustainable pumping rates. In the summer of 1987, RW-6 through RW-11 were being installed in the western plume area. Pumping was initiated from RW-6 and RW-9 in November 1988. RW-7 and RW-8 were brought online in October 1991. By October 1991, wells RW-4, RW-6, RW-7, RW-8 and RW-9 were operating at the site. RW-10 and RW-11 have never been utilized. RW-12 was installed in July 1993. The following table summarizes the operational history of the site wells.

Well Operational Summary Table

Recovery Well	Installation Date	First Recorded Pumping Date	Recovery Well Shutdown Date
RW-1	November 1986	never pumped	--
RW-2	November 1986	never pumped	--
RW-3	November 1986	never pumped	--
RW-4	January 1987	February 1987	November 1997
RW-5	December 1986	never pumped	--
RW-6	June 1987	November 1988	November 1997
RW-7	June 1987	October 1991	November 1997
RW-8	June 1987	October 1991	November 1997
RW-9	June 1987	November 1988	November 1997
RW-10	June 1987	never pumped	--
RW-11	July 1987	never pumped	--
RW-12	July 1993	August 1993?	November 1997

Table 1(attached) summarizes the reported pumping rates from the recovery wells. The rates reported are generally the instantaneous flow rate at the time the measurements were made. In most

wells, the well pumping rate sometimes exceeded the recharge rate to the well and the pumping ceased while the well recovered. This recovery period is denoted as "cycle" on the Table. Thus, the observed flow rate may not be the sustainable pumping rate. Table 2 presents the flow rates along with cumulative volumes of water pumped from January 1, 1995 through November 1997, after which the groundwater recovery system was temporarily shut down. Cumulative recovery data prior to 1995 is sparse and incomplete.

The pumping rates are directly dependent on groundwater elevations (Figure 1). Figure 1 illustrates the relationship of water levels in the aquifer to the pumping rates. At the beginning of the project when water levels were among the historic low levels, reported pumping rates were correspondingly low. Increased water availability in subsequent years allowed increased pumping rates and it follows that further increases in water levels would make more water available for recovery. The maximum overall pumping rate is 88 gallons per minute (gpm) in March 1995, corresponding to a time when groundwater elevations were among the highest observed.

In November 1997, after concurrence of the SDDENR Groundwater Quality division, the groundwater recovery system was shut down to evaluate another remedial option for the aquifer: air sparging (AS). The recovery wells were not removed in order that they would be available in the event that AS was not successful. With the approval of the SDDENR, the AS program was considered to be a large scale pilot test, with future expansion possibilities contingent on the effectiveness of the AS system. After several years of evaluation, it was determined that air sparging would not successfully remediate the aquifer in a reasonable time frame. With the concurrence of the SDDENR, the remedial options at the site were re-evaluated and it has been determined that the recovery wells will again be necessary for the implementation of a new remedial system.

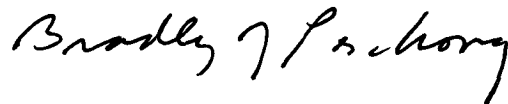
It is our understanding that you may utilize the data submitted in this document to set a withdrawal limit for the continuation of the permit. LBG would like to suggest that this application may be unlike other more-common permits for water appropriation. As we have discussed in previous conversations, the water in the aquifer is unuseable in its present condition because of hydrocarbon impacts. The sole use of the water in the 1987 permit and in the 2003 re-permit application is to restore the aquifer to a useable condition. The main difference between the original application and the 2003 re-application is that the current application removes the currently unuseable, impacted groundwater from the aquifer, amends the water with dissolved oxygen and

nutrients, and *re-injects* the groundwater at up gradient locations. The original application removed water from the aquifer for discharge at a location outside the area of influence of the system. The new system is designed so that there is no net loss of water from the aquifer. Thus, the water usage in the new remediation scenario is a non-consumptive appropriation of water, and additionally, is a non-perpetual appropriation, in that the system will be operated only for a finite period of time. It is anticipated that the system will only operate for four to seven years, and then be shut down and the water rights relinquished. Because of these extenuating issues, we believe that this appropriation of water is not a typical water appropriation request and should be viewed in the context of an aquifer remediation project of finite duration, and not of a perpetual, consumptive use of the water as would be typical of an industrial, commercial or drinking water usage.

If you need any additional data or if we can provide any assistance, please contact Mr. Doug Mitchell of Magellan Midstream Partners, L.P. at (918) 573-9980 or me at (605) 334-6000.

Sincerely,

LEGGETTE, BRASHEARS & GRAHAM, INC.



Bradley J. Peschong, CPG
Senior Hydrogeologist

BJP:kak

J:\Data\WP\WPL\NDWTWN\DENR RW data xmit.wpd

Attachments

cc: Doug Mitchell, Magellan
Brian Walsh, DENR

Recovery Well Operational Summary

	10/1/77	10/2/77	10/3/77	10/4/77	10/5/77	10/6/77	10/7/77	10/8/77	10/9/77	10/10/77	10/11/77	10/12/77	10/13/77	10/14/77	10/15/77	10/16/77	10/17/77	10/18/77	10/19/77	10/20/77	10/21/77	10/22/77	10/23/77	10/24/77	10/25/77	10/26/77	10/27/77	10/28/77	10/29/77	10/30/77	10/31/77	11/1/77	11/2/77	11/3/77	11/4/77	11/5/77	11/6/77	11/7/77	11/8/77	11/9/77	11/10/77	11/11/77	11/12/77	11/13/77	11/14/77	11/15/77	11/16/77	11/17/77	11/18/77	11/19/77	11/20/77	11/21/77	11/22/77	11/23/77	11/24/77	11/25/77	11/26/77	11/27/77	11/28/77	11/29/77	11/30/77	12/1/77	12/2/77	12/3/77	12/4/77	12/5/77	12/6/77	12/7/77	12/8/77	12/9/77	12/10/77	12/11/77	12/12/77	12/13/77	12/14/77	12/15/77	12/16/77	12/17/77	12/18/77	12/19/77	12/20/77	12/21/77	12/22/77	12/23/77	12/24/77	12/25/77	12/26/77	12/27/77	12/28/77	12/29/77	12/30/77	12/31/77	1/1/78	1/2/78	1/3/78	1/4/78	1/5/78	1/6/78	1/7/78	1/8/78	1/9/78	1/10/78	1/11/78	1/12/78	1/13/78	1/14/78	1/15/78	1/16/78	1/17/78	1/18/78	1/19/78	1/20/78	1/21/78	1/22/78	1/23/78	1/24/78	1/25/78	1/26/78	1/27/78	1/28/78	1/29/78	1/30/78	1/31/78	2/1/78	2/2/78	2/3/78	2/4/78	2/5/78	2/6/78	2/7/78	2/8/78	2/9/78	2/10/78	2/11/78	2/12/78	2/13/78	2/14/78	2/15/78	2/16/78	2/17/78	2/18/78	2/19/78	2/20/78	2/21/78	2/22/78	2/23/78	2/24/78	2/25/78	2/26/78	2/27/78	2/28/78	2/29/78	3/1/78	3/2/78	3/3/78	3/4/78	3/5/78	3/6/78	3/7/78	3/8/78	3/9/78	3/10/78	3/11/78	3/12/78	3/13/78	3/14/78	3/15/78	3/16/78	3/17/78	3/18/78	3/19/78	3/20/78	3/21/78	3/22/78	3/23/78	3/24/78	3/25/78	3/26/78	3/27/78	3/28/78	3/29/78	3/30/78	3/31/78	4/1/78	4/2/78	4/3/78	4/4/78	4/5/78	4/6/78	4/7/78	4/8/78	4/9/78	4/10/78	4/11/78	4/12/78	4/13/78	4/14/78	4/15/78	4/16/78	4/17/78	4/18/78	4/19/78	4/20/78	4/21/78	4/22/78	4/23/78	4/24/78	4/25/78	4/26/78	4/27/78	4/28/78	4/29/78	4/30/78	5/1/78	5/2/78	5/3/78	5/4/78	5/5/78	5/6/78	5/7/78	5/8/78	5/9/78	5/10/78	5/11/78	5/12/78	5/13/78	5/14/78	5/15/78	5/16/78	5/17/78	5/18/78	5/19/78	5/20/78	5/21/78	5/22/78	5/23/78	5/24/78	5/25/78	5/26/78	5/27/78	5/28/78	5/29/78	5/30/78	5/31/78	6/1/78	6/2/78	6/3/78	6/4/78	6/5/78	6/6/78	6/7/78	6/8/78	6/9/78	6/10/78	6/11/78	6/12/78	6/13/78	6/14/78	6/15/78	6/16/78	6/17/78	6/18/78	6/19/78	6/20/78	6/21/78	6/22/78	6/23/78	6/24/78	6/25/78	6/26/78	6/27/78	6/28/78	6/29/78	6/30/78	7/1/78	7/2/78	7/3/78	7/4/78	7/5/78	7/6/78	7/7/78	7/8/78	7/9/78	7/10/78	7/11/78	7/12/78	7/13/78	7/14/78	7/15/78	7/16/78	7/17/78	7/18/78	7/19/78	7/20/78	7/21/78	7/22/78	7/23/78	7/24/78	7/25/78	7/26/78	7/27/78	7/28/78	7/29/78	7/30/78	7/31/78	8/1/78	8/2/78	8/3/78	8/4/78	8/5/78	8/6/78	8/7/78	8/8/78	8/9/78	8/10/78	8/11/78	8/12/78	8/13/78	8/14/78	8/15/78	8/16/78	8/17/78	8/18/78	8/19/78	8/20/78	8/21/78	8/22/78	8/23/78	8/24/78	8/25/78	8/26/78	8/27/78	8/28/78	8/29/78	8/30/78	8/31/78	9/1/78	9/2/78	9/3/78	9/4/78	9/5/78	9/6/78	9/7/78	9/8/78	9/9/78	9/10/78	9/11/78	9/12/78	9/13/78	9/14/78	9/15/78	9/16/78	9/17/78	9/18/78	9/19/78	9/20/78	9/21/78	9/22/78	9/23/78	9/24/78	9/25/78	9/26/78	9/27/78	9/28/78	9/29/78	9/30/78	10/1/78	10/2/78	10/3/78	10/4/78	10/5/78	10/6/78	10/7/78	10/8/78	10/9/78	10/10/78	10/11/78	10/12/78	10/13/78	10/14/78	10/15/78	10/16/78	10/17/78	10/18/78	10/19/78	10/20/78	10/21/78	10/22/78	10/23/78	10/24/78	10/25/78	10/26/78	10/27/78	10/28/78	10/29/78	10/30/78	10/31/78	11/1/78	11/2/78	11/3/78	11/4/78	11/5/78	11/6/78	11/7/78	11/8/78	11/9/78	11/10/78	11/11/78	11/12/78	11/13/78	11/14/78	11/15/78	11/16/78	11/17/78	11/18/78	11/19/78	11/20/78	11/21/78	11/22/78	11/23/78	11/24/78	11/25/78	11/26/78	11/27/78	11/28/78	11/29/78	11/30/78	12/1/78	12/2/78	12/3/78	12/4/78	12/5/78	12/6/78	12/7/78	12/8/78	12/9/78	12/10/78	12/11/78	12/12/78	12/13/78	12/14/78	12/15/78	12/16/78	12/17/78	12/18/78	12/19/78	12/20/78	12/21/78	12/22/78	12/23/78	12/24/78	12/25/78	12/26/78	12/27/78	12/28/78	12/29/78	12/30/78	12/31/78																																																																																				
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**MAGELLAN PIPE LINE COMPANY, LLC
WATERTOWN TERMINAL
WATERTOWN, SOUTH DAKOTA**

Groundwater Recovery System Pumping Data

WELL NUMBER	METER READING DATE	WATER METER READING (GALLONS)	OBSERVED GPM READING	WATER PUMPED SINCE LAST READING	CUMULATIVE GALLONS SINCE 1-Jan-95	AVERAGE GALLONS/DAY SINCE LAST READING	AVERAGE GPM SINCE LAST READING	APPROXIMATE % TIME PUMP IS ON
RW-4	01-Jan-95	3474279	4					
RW-4	31-Jan-95	3627540	7	153261	153261	5109	4	51%
RW-4	20-Feb-95	3716722	6	89182	242443	4459	3	52%
RW-4	31-Mar-95	3884583	12	167861	410304	4304	3	25%
RW-4	30-Apr-95	4065435	9	180852	591156	6028	4	47%
RW-4	29-May-95	4276050	10	210615	801771	7263	5	50%
RW-4	30-Jun-95	4551840	9	275790	1077561	8618	6	67%
RW-4	31-Jul-95	4790986	5	239146	1316707	7714	5	107%
RW-4	31-Aug-95	4978356	7	187370	1504077	6044	4	60%
RW-4	30-Sep-95	5125175	14	146819	1650896	4894	3	24%
RW-4	29-Oct-95	5265359	10	140184	1791080	4834	3	34%
RW-4	30-Nov-95	3721158	10	149981	1941061	4687	3	33%
RW-4	31-Dec-95	3851643	7	130485	2071546	4209	3	42%
RW-4	31-Jan-96	3956290	8	104647	2176193	3376	2	29%
RW-4	29-Feb-96	4033774	7	77484	2253677	2672	2	27%
RW-4	31-Mar-96	4120181	5	86407	2340084	2787	2	39%
RW-4	30-Apr-96	4202238	5	82057	2422141	2735	2	38%
RW-4	31-May-96	4294343	6	92105	2514246	2971	2	34%
RW-4	30-Jun-96	4435640	6	141297	2655543	4710	3	55%
RW-4	31-Jul-96	4581309	3	145669	2801212	4699	3	109%
RW-4	31-Aug-96	4708974	6	127665	2928877	4118	3	48%
RW-4	30-Sep-96	4820036	7	111062	3039939	3702	3	37%
RW-4	31-Oct-96	4898933	4	78897	3118836	2545	2	44%
RW-4	30-Nov-96	4996294	4	97361	3216197	3245	2	56%
RW-4	31-Dec-96	5066212	7	69918	3286115	2255	2	22%
RW-4	31-Jan-97	5132611	6	66399	3352514	2142	1	25%
RW-4	28-Feb-97	5179371	5	46760	3399274	1670	1	23%
RW-4	31-Mar-97	5224154	5	44783	3444057	1445	1	20%
RW-4	30-Apr-97	5382910	4	158756	3602813	5292	4	92%
RW-4	31-May-97	5491774	5	108864	3711677	3512	2	49%
RW-4	30-Jun-97	5690010	5	198236	3909913	6608	5	92%
RW-4	31-Jul-97	5855808	6	165798	4075711	5348	4	62%
RW-4	31-Aug-97	6011307	6	155499	4231210	5016	3	58%
RW-4	30-Sep-97	6150972	5	139665	4370875	4656	3	65%
RW-4	31-Oct-97	6274155	7	123183	4494058	3974	3	39%
RW-4	24-Nov-97	6363045	6	88890	4582948	3704	3	43%
RW-6	01-Jan-95	5795498	7					
RW-6	31-Jan-95	6004370	7	208872	208872	6962	5	69%
RW-6	20-Feb-95	6121794	7	117424	326296	5871	4	58%
RW-6	31-Mar-95	6350027	7	228233	554529	5852	4	58%
RW-6	30-Apr-95	6569275	5	219248	773777	7308	5	102%
RW-6	29-May-95	6928774	9	359499	1133276	12397	9	96%
RW-6	30-Jun-95	7328597	10	399823	1533099	12494	9	87%
RW-6	31-Jul-95	7635783	10	307186	1840285	9909	7	69%
RW-6	31-Aug-95	7874918	10	239135	2079420	7714	5	54%
RW-6	30-Sep-95	8252632	8	377714	2457134	12590	9	109%
RW-6	29-Oct-95	8549426	8	296794	2753928	10234	7	89%
RW-6	30-Nov-95	6146053	8	217234	2971162	6789	5	59%
RW-6	31-Dec-95	6420338	11	274285	3245447	8848	6	56%
RW-6	31-Jan-96	6605158	11	184820	3430267	5962	4	38%
RW-6	29-Feb-96	6727502	11	122344	3552611	4219	3	27%
RW-6	31-Mar-96	6819742	9	92240	3644851	2975	2	23%
RW-6	30-Apr-96	6970833	9	151091	3795942	5036	3	39%

**MAGELLAN PIPE LINE COMPANY, LLC
WATERTOWN TERMINAL
WATERTOWN, SOUTH DAKOTA**

Groundwater Recovery System Pumping Data

WELL NUMBER	METER READING DATE	WATER METER READING (GALLONS)	OBSERVED GPM READING	WATER PUMPED SINCE LAST READING	CUMULATIVE GALLONS SINCE 1-Jan-95	AVERAGE GALLONS/DAY SINCE LAST READING	AVERAGE GPM SINCE LAST READING	APPROXIMATE % TIME PUMP IS ON
RW-6	31-May-96	7133404	9	162571	3958513	5244	4	40%
RW-6	30-Jun-96	7307412	8	174008	4132521	5800	4	50%
RW-6	31-Jul-96	7467463	4	160051	4292572	5163	4	90%
RW-6	31-Aug-96	7630504	4	163041	4455613	5259	4	91%
RW-6	30-Sep-96	7783105	4	152601	4608214	5087	4	88%
RW-6	31-Oct-96	7865782	3	82677	4690891	2667	2	62%
RW-6	30-Nov-96	7938598	3	72816	4763707	2427	2	56%
RW-6	31-Dec-96	8072837	3	134239	4897946	4330	3	100%
RW-6	31-Jan-97	8161337	2	88500	4986446	2855	2	99%
RW-6	28-Feb-97	8164735	2	3398	4989844	121	0	4%
RW-6	31-Mar-97	8174442	3	9707	4999551	313	0	7%
RW-6	30-Apr-97	8448359	8	273917	5273468	9131	6	79%
RW-6	31-May-97	8688619	7	240260	5513728	7750	5	77%
RW-6	30-Jun-97	8984462	7	295843	5809571	9861	7	98%
RW-6	31-Jul-97	9258739	6	274277	6083848	8848	6	102%
RW-6	31-Aug-97	9620423	10	361684	6445532	11667	8	81%
RW-6	30-Sep-97	10005852	9	385429	6830961	12848	9	99%
RW-6	31-Oct-97	10376965	9	371113	7202074	11971	8	92%
RW-6	24-Nov-97	10673011	8	296046	7498120	12335	9	107%
RW-7	01-Jan-95	10566569	22					
RW-7	31-Jan-95	11007340	16	440771	440771	14692	10	64%
RW-7	20-Feb-95	11244370	22	237030	677801	11852	8	37%
RW-7	31-Mar-95	11817930	21	573560	1251361	14707	10	49%
RW-7	30-Apr-95	12590555	19	772625	2023986	25754	18	94%
RW-7	29-May-95	13055097	12	464542	2488528	16019	11	93%
RW-7	30-Jun-95	13558167	11	503070	2991598	15721	11	99%
RW-7	31-Jul-95	14094500	15	536333	3527931	17301	12	80%
RW-7	31-Aug-95	14708317	14	613817	4141748	19801	14	98%
RW-7	30-Sep-95	15289513	20	581196	4722944	19373	13	67%
RW-7	29-Oct-95	15954477	18	664964	5387908	22930	16	88%
RW-7	30-Nov-95	11353690	19	524306	5912214	16385	11	60%
RW-7	31-Dec-95	11723428	14	369738	6281952	11927	8	59%
RW-7	31-Jan-96	11837557	8	114129	6396081	3682	3	32%
RW-7	29-Feb-96	12009626	7	172069	6568150	5933	4	59%
RW-7	31-Mar-96	12167980	7	158354	6726504	5108	4	51%
RW-7	30-Apr-96	12394371	7	226391	6952895	7546	5	75%
RW-7	31-May-96	12719450	14	325079	7277974	10486	7	52%
RW-7	30-Jun-96	13275164	13	555714	7833688	18524	13	99%
RW-7	31-Jul-96	13871421	13	596257	8429945	19234	13	103%
RW-7	31-Aug-96	14392849	12	521428	8951373	16820	12	97%
RW-7	30-Sep-96	14645978	4	253129	9204502	8438	6	146%
RW-7	31-Oct-96	14758392	13	112414	9316916	3626	3	19%
RW-7	30-Nov-96	15053400	6	295008	9611924	9834	7	114%
RW-7	31-Dec-96	15263910	3	210510	9822434	6791	5	157%
RW-7	31-Jan-97	15348125	2	84215	9906649	2717	2	94%
RW-7	28-Feb-97	15350824	2	2699	9909348	96	0	3%
RW-7	31-Mar-97	15366114	4	15290	9924638	493	0	9%
RW-7	30-Apr-97	15713668	11	347554	10272192	11585	8	73%
RW-7	31-May-97	16209061	13	495393	10767585	15980	11	85%
RW-7	30-Jun-97	16723840	10	514779	11282364	17159	12	119%
RW-7	31-Jul-97	17115574	9	391734	11674098	12637	9	98%
RW-7	31-Aug-97	17540723	10	425149	12099247	13714	10	95%
RW-7	30-Sep-97	17946997	8	406274	12505521	13542	9	118%

**MAGELLAN PIPE LINE COMPANY, LLC
WATERTOWN TERMINAL
WATERTOWN, SOUTH DAKOTA**

Groundwater Recovery System Pumping Data

WELL NUMBER	METER READING DATE	WATER METER READING (GALLONS)	OBSERVED GPM READING	WATER PUMPED SINCE LAST READING	CUMULATIVE GALLONS SINCE 1-Jan-95	AVERAGE GALLONS/DAY SINCE LAST READING	AVERAGE GPM SINCE LAST READING	APPROXIMATE % TIME PUMP IS ON
RW-7	31-Oct-97	18286878	8	339881	12845402	10964	8	95%
RW-7	24-Nov-97	18530773	6	243895	13089297	10162	7	118%
RW-8	01-Jan-95	2972024	7					
RW-8	31-Jan-95	3023240	7	51216	51216	1707	1	17%
RW-8	20-Feb-95	3023240	0	0	51216	0	0	
RW-8	31-Mar-95	3038437	7	15197	66413	390	0	4%
RW-8	30-Apr-95	3038437	0	0	66413	0	0	
RW-8	29-May-95	3292596	6	254159	320572	8764	6	101%
RW-8	30-Jun-95	3507057	4	214461	535033	6702	5	116%
RW-8	31-Jul-95	3616848	2	109791	644824	3542	2	123%
RW-8	31-Aug-95	3862500	10	245652	890476	7924	6	55%
RW-8	30-Sep-95	4149972	4	287472	1177948	9582	7	166%
RW-8	29-Oct-95	4331330	7	181358	1359306	6254	4	62%
RW-8	30-Nov-95	3252111		225985	1585291	7062	5	
RW-8	31-Dec-95	3255065		2954	1588245	95	0	
RW-8	31-Jan-96	3281403	15	26338	1614583	850	1	4%
RW-8	29-Feb-96	3373643	15	92240	1706823	3181	2	15%
RW-8	31-Mar-96	3514683	15	141040	1847863	4550	3	21%
RW-8	30-Apr-96	3814121	13	299438	2147301	9981	7	53%
RW-8	31-May-96	4332573	11	518452	2665753	16724	12	106%
RW-8	30-Jun-96	4664661	6	332088	2997841	11070	8	128%
RW-8	31-Jul-96	4719369	6	54708	3052549	1765	1	20%
RW-8	31-Aug-96	4890433	3	171064	3223613	5518	4	128%
RW-8	30-Sep-96	4962542	2	72109	3295722	2404	2	83%
RW-8	31-Oct-96	4962901	1	359	3296081	12	0	1%
RW-8	30-Nov-96	4974370	13	11469	3307550	382	0	2%
RW-8	31-Dec-96	5003486	1	29116	3336666	939	1	65%
RW-8	31-Jan-97	5089523	14	86037	3422703	2775	2	14%
RW-8	28-Feb-97	5137309	13	47786	3470489	1707	1	9%
RW-8	31-Mar-97	5224053	14	86744	3557233	2798	2	14%
RW-8	30-Apr-97	5682172	13	458119	4015352	15271	11	82%
RW-8	31-May-97	6209503	12	527331	4542683	17011	12	98%
RW-8	30-Jun-97	6710456	11	500953	5043636	16698	12	105%
RW-8	31-Jul-97	7136490	10	426034	5469670	13743	10	95%
RW-8	31-Aug-97	7399525	3	263035	5732705	8485	6	196%
RW-8	30-Sep-97	7429981	1	30456	5763161	1015	1	71%
RW-8	31-Oct-97	7596859	8	166878	5930039	5383	4	47%
RW-8	24-Nov-97	7755539	4	158680	6088719	6612	5	115%
RW-9	01-Jan-95	17451660	24					
RW-9	31-Jan-95	18516195	38	1064535	1064535	35485	25	65%
RW-9	20-Feb-95	19523414	36	1007219	2071754	50361	35	97%
RW-9	31-Mar-95	21362436	33	1839022	3910776	47154	33	99%
RW-9	30-Apr-95	22637393	28	1274957	5185733	42499	30	105%
RW-9	29-May-95	23601526	26	964133	6149866	33246	23	89%
RW-9	30-Jun-95	24475445	18	873919	7023785	27310	19	105%
RW-9	31-Jul-95	24957335	24	481890	7505675	15545	11	45%
RW-9	31-Aug-95	25863388	28	906053	8411728	29228	20	72%
RW-9	30-Sep-95	26939320	30	1075932	9487660	35864	25	83%
RW-9	29-Oct-95	27877195	28	937875	10425535	32341	22	80%
RW-9	30-Nov-95	17992827		0	10425535	0	0	
RW-9	31-Dec-95	19366221	31	1373394	11798929	44303	31	99%
RW-9	31-Jan-96	20682046	32	1315825	13114754	42446	29	92%
RW-9	29-Feb-96	21927449	29	1245403	14360157	42945	30	103%

**MAGELLAN PIPE LINE COMPANY, LLC
WATERTOWN TERMINAL
WATERTOWN, SOUTH DAKOTA**

Groundwater Recovery System Pumping Data

WELL NUMBER	METER READING DATE	WATER METER READING (GALLONS)	OBSERVED GPM READING	WATER PUMPED SINCE LAST READING	CUMULATIVE GALLONS SINCE 1-Jan-95	AVERAGE GALLONS/DAY SINCE LAST READING	AVERAGE GPM SINCE LAST READING	APPROXIMATE % TIME PUMP IS ON
RW-9	31-Mar-96	22902758		975309	15335466	31462	22	
RW-9	30-Apr-96	23194866	32	292108	15627574	9737	7	21%
RW-9	31-May-96	24457934	27	1263068	16890642	40744	28	105%
RW-9	30-Jun-96	25606498	30	1148564	18039206	38285	27	89%
RW-9	31-Jul-96	26805515	28	1199017	19238223	38678	27	96%
RW-9	31-Aug-96	27997217	27	1191702	20429925	38442	27	99%
RW-9	30-Sep-96	29071917	24	1074700	21504625	35823	25	104%
RW-9	31-Oct-96	29990435	31	918518	22423143	29630	21	66%
RW-9	30-Nov-96	31200093	27	1209658	23632801	40322	28	104%
RW-9	31-Dec-96	32299119	24	1099026	24731827	35452	25	103%
RW-9	31-Jan-97	32833090	29	533971	25265798	17225	12	41%
RW-9	28-Feb-97	33928621	31	1095531	26361329	39126	27	88%
RW-9	31-Mar-97	34893352	30	964731	27326060	31120	22	72%
RW-9	30-Apr-97	35277431	17	384079	27710139	12803	9	52%
RW-9	31-May-97	36070315	24	792884	28503023	25577	18	74%
RW-9	30-Jun-97	37101658	27	1031343	29534366	34378	24	88%
RW-9	31-Jul-97	38037295	28	935637	30470003	30182	21	75%
RW-9	31-Aug-97	38401573	24	364278	30834281	11751	8	34%
RW-9	30-Sep-97	39331152	19	929579	31763860	30986	22	113%
RW-9	31-Oct-97	40129322	24	798170	32562030	25747	18	75%
RW-9	24-Nov-97	40879979	22	750657	33312687	31277	22	99%
RW-12	01-Jan-95	3145620	9					
RW-12	31-Jan-95	3304401	9	158781	158781	5293	4	41%
RW-12	20-Feb-95	3365427	9	61026	219807	3051	2	24%
RW-12	31-Mar-95	3491032	8	125605	345412	3221	2	28%
RW-12	30-Apr-95	3656275	8	165243	510655	5508	4	48%
RW-12	29-May-95	3851154	6	194879	705534	6720	5	78%
RW-12	30-Jun-95	4025198	4	174044	879578	5439	4	94%
RW-12	31-Jul-95	4210581	8	185383	1064961	5980	4	52%
RW-12	31-Aug-95	4509725	10	299144	1364105	9650	7	67%
RW-12	30-Sep-95	4877750	9	368025	1732130	12268	9	95%
RW-12	29-Oct-95	5004765	11	127015	1859145	4380	3	28%
RW-12	30-Nov-95	3587020	6	329642	2188787	10301	7	119%
RW-12	31-Dec-95	3850291		263271	2452058	8493	6	
RW-12	31-Jan-96	3988720	4	138429	2590487	4465	3	78%
RW-12	29-Feb-96	4010005	4	21285	2611772	734	1	13%
RW-12	31-Mar-96	4019402		9397	2621169	303	0	
RW-12	30-Apr-96	4021238		1836	2623005	61	0	
RW-12	31-May-96	4124267	11	103029	2726034	3324	2	21%
RW-12	30-Jun-96	4265728	11	141461	2867495	4715	3	30%
RW-12	31-Jul-96	4314361	10	48633	2916128	1569	1	11%
RW-12	31-Aug-96	4390909		76548	2992676	2469	2	
RW-12	30-Sep-96	4574949	5	184040	3176716	6135	4	85%
RW-12	31-Oct-96	4599550	0	24601	3201317	794	1	
RW-12	30-Nov-96	4619115	5	19565	3220882	652	0	9%
RW-12	31-Dec-96	4802029	3	182914	3403796	5900	4	137%
RW-12	31-Jan-97	4892979	3	90950	3494746	2934	2	68%
RW-12	28-Feb-97	4894338	3	1359	3496105	49	0	1%
RW-12	31-Mar-97	4915723	5	21385	3517490	690	0	10%
RW-12	30-Apr-97	5185219	8	269496	3786986	8983	6	78%
RW-12	31-May-97	5464768	5	279549	4066535	9018	6	125%
RW-12	30-Jun-97	5670850	4	206082	4272617	6869	5	119%
RW-12	31-Jul-97	5866032	5	195182	4467799	6296	4	87%
RW-12	31-Aug-97	6054483	4	188451	4656250	6079	4	106%

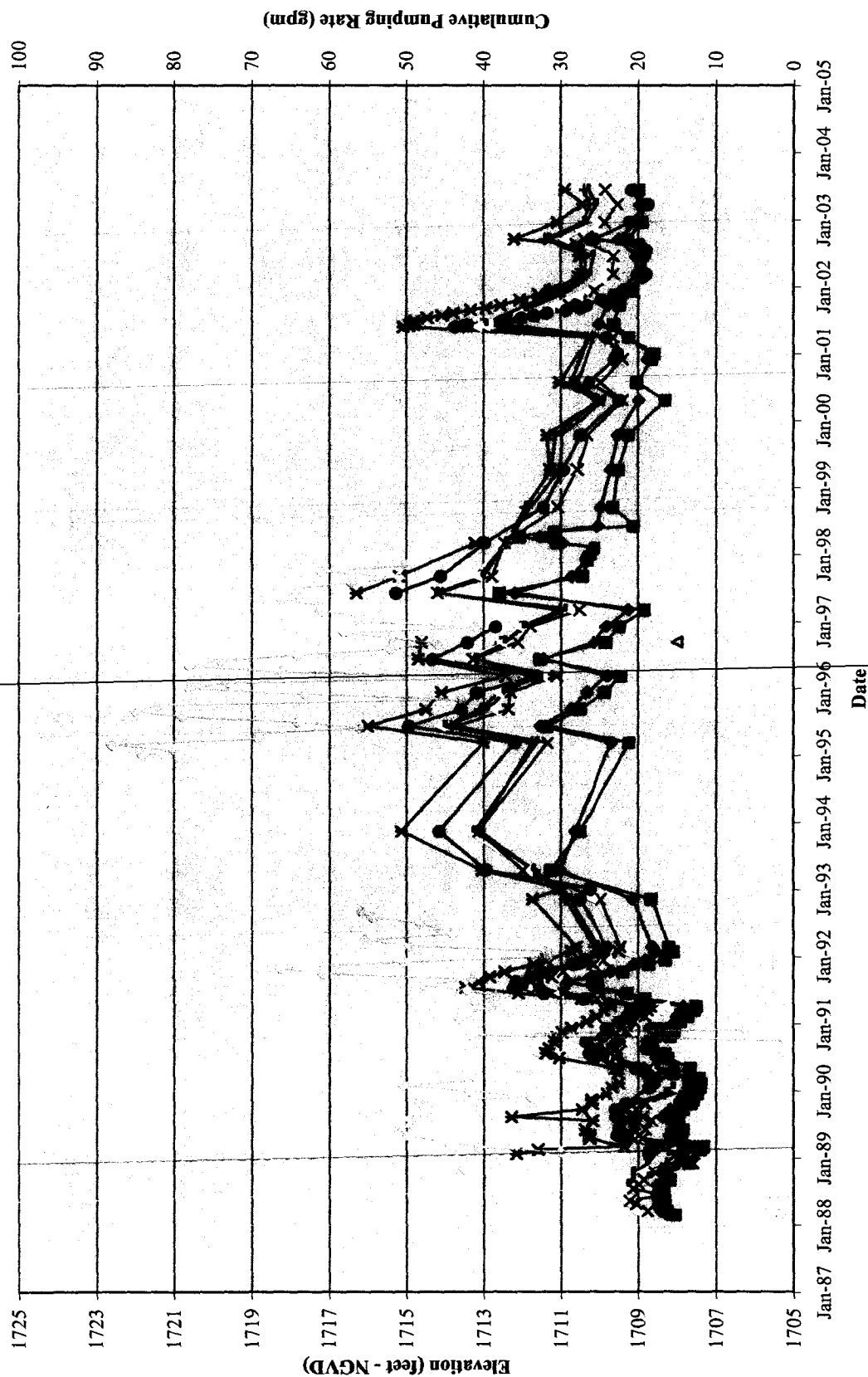
**MAGELLAN PIPE LINE COMPANY, LLC
WATERTOWN TERMINAL
WATERTOWN, SOUTH DAKOTA**

Groundwater Recovery System Pumping Data

WELL NUMBER	METER READING DATE	WATER METER READING (GALLONS)	OBSERVED GPM READING	WATER PUMPED SINCE LAST READING	CUMULATIVE GALLONS SINCE 1-Jan-95	AVERAGE GALLONS/DAY SINCE LAST READING	AVERAGE GPM SINCE LAST READING	APPROXIMATE % TIME PUMP IS ON
RW-12	30-Sep-97	6213942	9	159459	4815709	5315	4	41%
RW-12	31-Oct-97	6562323	5	348381	5164090	11238	8	156%
RW-12	24-Nov-97	6738411	4	176088	5340178	7337	5	127%
NPDES	01-Jan-95	4714659	128					
NPDES	31-Jan-95	6437079	128	1722420	1722420	57414	40	31%
NPDES	20-Feb-95	7734284	127	1297205	3019625	64860	45	35%
NPDES	31-Mar-95	10373902	127	2639618	5659243	67683	47	37%
NPDES	30-Apr-95	11224549	126	850647	6509890	28355	20	16%
NPDES	29-May-95	12532960	128	1308411	7818301	45118	31	24%
NPDES	30-Jun-95	14517001	126	1984041	9802342	62001	43	34%
NPDES	31-Jul-95	16321927	126	1804926	11607268	58223	40	32%
NPDES	31-Aug-95	18516423	126	2194496	13801764	70790	49	39%
NPDES	30-Sep-95	20879589	125	2363166	16164930	78772	55	44%
NPDES	29-Oct-95	22838859	126	1959270	18124200	67561	47	37%
NPDES	30-Nov-95	6805923	125	1119144	19243344	34973	24	19%
NPDES	31-Dec-95	8925987	126	2120064	21363408	68389	47	38%
NPDES	31-Jan-96	10667948	124	1741961	23105369	56192	39	31%
NPDES	29-Feb-96	12254044	121	1586096	24691465	54693	38	31%
NPDES	31-Mar-96	13574767	122	1320723	26012188	42604	30	24%
NPDES	30-Apr-96	14533973	126	959206	26971394	31974	22	18%
NPDES	31-May-96	16648533	123	2114560	29085954	68212	47	39%
NPDES	30-Jun-96	18761002	124	2112469	31198423	70416	49	39%
NPDES	31-Jul-96	20601330	123	1840328	33038751	59365	41	34%
NPDES	31-Aug-96	22465813	124	1864483	34903234	60145	42	34%
NPDES	30-Sep-96	24185253	124	1719440	36622674	57315	40	32%
NPDES	31-Oct-96	25374908	125	1189655	37812329	38376	27	21%
NPDES	30-Nov-96	26831254	122	1456346	39268675	48545	34	28%
NPDES	31-Dec-96	28324696	123	1493442	40762117	48176	33	27%
NPDES	31-Jan-97	29197816	121	873120	41635237	28165	20	16%
NPDES	28-Feb-97	30449433	119	1251617	42886854	44701	31	26%
NPDES	31-Mar-97	31774726	120	1325293	44212147	42751	30	25%
NPDES	30-Apr-97	33545137	125	1770411	45982558	59014	41	33%
NPDES	31-May-97	35571081	119	2025944	48008502	65353	45	38%
NPDES	30-Jun-97	37949846	114	2378765	50387267	79292	55	48%

FIGURE 1
MAGELLAN PIPELINE COMPANY, LLC
WATERTOWN TERMINAL
WATERTOWN, SD

Hydrograph of Select Off-site Wells



—+— MW-7 MW-9 —◆— MW-16 —■— MW-18 —x— MW-29 —*— MW-33 —●— MW-37 —▲— MW-8 Clay Ref Cumulative Pumping Rates

FL-ALL
 Offsite Hydrograph chart

LEGGETTE, BRASHEARS & GRAHAM, INC.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

September 17, 2003

Doug Mitchell
Magellan Midstream Partners, LP
One Williams Center, MD 27-3
Tulsa OK 74172-0172

Dear Mr. Mitchell:

I am writing in regard to Magellan Midstream Partners request to authorize the change in location of four recovery wells authorized by Water Permit No. 5157-3, currently held in the name of Williams Pipe Line Company. Water Permit No. 5157-3 originally appropriated 0.45 cubic feet of water per second (cfs) from 8 wells (Big Sioux:North Aquifer) located in the E ½ NE ¼ of Section 5 and the W ½ NW ¼ of Section 4, T116N, R52W. The water is used for ground water remediation.

Upon review of the request and pursuant to SDCL 46-5-13.1, Williams Pipe Line Company is authorized to change the location of four recovery wells in the Big Sioux:North Aquifer to work in conjunction with three of the original recovery wells authorized by Water Permit No. 5157-3. This request is granted without requiring application or publication of a notice of hearing pursuant to SDCL 46-2A-4. This authorization does not grant an increase in the 0.2 cfs (88 gpm) developed diversion rate from the original recovery wells as developed by Water Permit No. 5157-3. A new water right permit will need to be obtained if the diversion rate exceeds 88 gallons per minute

This request has been authorized under SDCL 46-5-13.1 for which there is no application filing fee.

A transfer of ownership form will need to be completed to change the name from Williams Pipeline Company to Magellan Midstream Partners. Enclosed is a partially completed transfer form. After review and making any necessary changes to the transfer form, please have the appropriate representative sign it and return with the \$2.50 filing fee. I have also enclosed transfer of ownership forms for two other water rights (copies enclosed) held in the name of Williams Pipe Line Company. If these water permits are also to be held in the name of Magellan, these transfer of ownership forms should also be completed and submitted along with the appropriate filing fee.

If you have any questions, please feel free to contact Eric Gronlund at (605) 773-3352.

Sincerely,


Garland Erbele, Chief Engineer
Water Rights Program

C: Bradley Peschong, Leggette, Brashears & Graham, 140 East Hinks Lane, Suite 126,
Sioux Falls SD 57104

5157-3



October 7, 2003

ONE WILLIAMS CENTER
PO BOX 22186
TULSA, OK 74121-2186
(918) 574-7000

Mr. Eric Gronlund
South Dakota Department of Environment and Natural Resources
Water Rights Program
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

RECEIVED

OCT 10 2003

WATER RIGHTS
PROGRAM

Re: Notice of Transfer of Ownership
Permit Numbers 5157-3, 5142-3, 5346-3

Dear Mr. Gronlund:

Magellan Pipe Line Company, LLC (Magellan) is the new owner of the former Williams Pipe Line Company assets in South Dakota. As a result, Magellan would like to transfer existing water rights out of the name of Williams Pipe Line Company and into Magellan's name. Enclosed are the following items to facilitate this change.

- Notice of Transfer of Ownership, Permit No. 5157-3
- Notice of Transfer of Ownership, Permit No. 5142-3
- Notice of Transfer of Ownership, Permit No. 5346-3
- Check No. 2800023198 for \$7.50 to cover the filing fee for all three requests.

Please contact me at (918) 573-9980 if you need anything else.

Sincerely,

A handwritten signature in black ink that reads "Doug Mitchell". The signature is written in a cursive, flowing style.

Doug Mitchell
Project Manager
Environmental Remediation

Enclosures

Cc: Brad Peschong, LBG-Sioux Falls Office

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

OCT 10 2003

WATER RIGHTS
PROGRAM

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 5157-3

Date: October 2, 2003

I/We request that Water Right/Permit No. 5157-3

formerly owned by: Williams Pipe Line Company, LLC

be transferred to: (name & address) Magellan Pipe Line Company, LLC

One Williams Center, Tulsa OK 74172

Telephone No. 918.573.9980

Title to the following described land(s)/property has been transferred as described above:

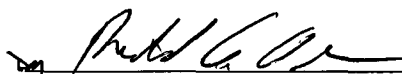
Recovery wells located in Codrington County, NE 1/4 Section 5 and NW 1/4 Section 4, T116N, R52W

I/We understand that the validity of Water Right/Permit No. 5157-3 has not been determined by this transfer action. ~~If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).~~

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Rick A. Olson, the new owner, certify that the above information is true and correct.



(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 10, 2003

RECEIVED OF Magellan Pipeline Company LLC, PO Box 22186, Tulsa OK 74121-2866

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>5157-3</u>	2	50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law).	TOTAL	2.50

No.

000890

By

Darland Erbe
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 15, 2003

5142-3

5157-3

5346-3

Doug Mitchell, Project Engineer
Magellan Pipe Line Company, LLC
One Williams Center
PO Box 22186
Tulsa OK 74172

Dear Mr. Mitchell:

We have received the transfer of ownership forms and fees from you for filing ownership changes with Water Right Nos. 5142-3, 5157-3 and 5346-3. The transfers have been completed. The water rights formerly listed in the name of Williams Pipe Line Company LLC are now listed in the name of "Magellan Pipe Line Company, LLC."

Enclosed are your Receipt Nos. 000890, 000891 and 000892 in the amounts of \$2.50 each. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

Permit No. 5157-3
Big Sioux River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, October 26, 2005, made a thorough examination of the water use system constructed by Magellan Pipe Line Co. of One Williams Center, P.O. Box 22186, Tulsa, OK 74121-2186 holder of Permit No. 5157-3, bearing the priority of October 8, 1987 authorizing the diversion of 0.45 cu. ft. per second of the waters of Big Sioux:North Aquifer for recovery of hydrocarbon contamination purposes, in Codington County.

Inspection contact & relationship to permit holder, if applicable: **Brad Peshong**
Senior Hydrologist: Leggette, Brashears & Graham, Inc.
140 E. Hinks Lane, Suite 126
Sioux Falls, SD 57104

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Bay West Environmental Services, WDT and Their Well Company
- 2) No. of Wells 7
- 3) Depth(s) 17 to 26 feet
- 4) Well log (s) is available Y

Casing:

- 1) Diameter 6 and 8 inches
- 2) Length 21 to 26 feet
- 3) Type Stainless Steel

Screen:

- 1) Type Stainless Steel
- 2) Length 7 to 24 feet
- 3) Static water level 10 feet

Pump:

- 1) Make (7) Grundfos Submersible Pumps
- 2) Model 25S07-5
- 3) Size 3/4 hp
- 4) Capacity 12 GPM

B. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: None

The system is in good condition with the point(s) of diversion located as follows:

Authorized Wells:

RW-13: Is located approximately 1500 feet south and 780 feet east of the NW corner of Section 4 (N 44.8859, W -97.085283).

RW-14: Is located approximately 1700 feet south and 500 feet east of the NW corner of Section 4 (N 44.88525, W -97.086366).

RW-15: Is located approximately 1900 feet south and 30 feet east of the NW corner of Section 4 (N 44.884683, W -97.088216).

RW-16: Is located approximately 1150 feet south and 675 feet east of the NW corner of Section 4 (N 44.886833, W -97.085716); all in T116N-R52W.

RW-6: Is located approximately 1370 feet south and 300 feet west of the NE corner of Section 5 (N 44.88625, W -97.08965).

RW-7: Is located approximately 1780 feet south and 200 feet west of the NE corner of Section 5 (N 44.885116, W -97.089283).

RW-12: Is located approximately 1100 feet south and 135 feet west of the NE corner of Section 5 (N 44.886966, W -97.088983); all in T116N-R52W.

The works are capable of diverting and conveying to the place of use 0.19 cu. ft. per second of water which is to be used for recovery of hydrocarbon contamination. Water has been put to beneficial use to the maximum extent as follows:

This project recovers hydrocarbon-impacted ground water, amends the ground water with oxygen and nutrients, and re-injects the water up-gradient of the recovery locations.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:

Magellan Pipe Line Co. also has four other recovery wells constructed into the Big Sioux:North Aquifer. Wells RW-8, RW-9, RW-10 and RW11 are located within the same described area as the original water permit but are not authorized to appropriate water for this project. Wells RW-8 and RW-9 were

operational by October 1991 and still have pumps installed, while RW-10 and RW-11 have never been utilized. These recovery wells are in place in the event they are needed for remediation of the site in the future. Pursuant to SDCL 46-5-13.1, upon request by Magellan Pipe Line Co., these wells may become operational if the new or additional point of diversion is from the same source of water and no additional water is appropriated. The change in location of diversion points may be allowed without application or publication pursuant to SDCL 46-2A-4, if the chief engineer is contacted and makes finding that the change does not increase the potential for interference with existing diversions. In the event additional water is needed for remediation purposes, the applicant will need to obtain a new water right permit.

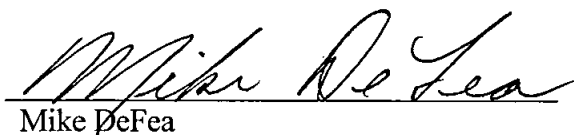
Additional wells not covered under Water Permit No. 5157-3

RW-8: Is located approximately 1200 feet south and 950 feet west of the NE corner of Section 5 (N 44.88675, W -97.092116)

RW-9: Is located approximately 1600 feet south and 985 feet west of the NE corner of Section 5 (N 44.8856, W -97.09225)

RW-10: Is located approximately 2020 feet south and 880 feet west of the NE corner of Section 5 (N 44.884483, W -97.09185)

RW-11: Is located approximately 2440 feet north and 350 feet west of the SE corner of Section 5 (N 44.883266, W -97.089733)



Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: January 31, 2006



Mike DeFea
Natural Resources Engineer
DENR Water Rights Program
January 31, 2006



0 500 1,000 2,000 Feet



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 24, 2005

5157-3

Magellan Pipe Line Co.
c/o Doug Mitchell, Environmental Remediation
PO Box 22186
Tulsa OK 74121-2186

Dear Mr. Mitchell:

On October 26, 2005 the investigation of the water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 5157-3, was completed by Mike DeFea, a staff engineer with our program. Water Permit No. 5157-3 is located in Watertown SD and is for a hydrocarbon contamination recovery project. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee, we will complete processing the water license. The check or money order for the fee should be made payable to the "Water Rights Program".

A licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of the water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352
karen.schlaak@state.sd.us



P.O. Box 22186
Tulsa, OK 74121-2186
918-574-7400

March 7, 2006

Ms. Karen Schlaak
South Dakota Department of Environment and Natural Resources
Water Rights Program
PMB 2020
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

RECEIVED
MAR 10 2006
WATER RIGHTS
PROGRAM

RE: Watertown Water Permit No. 5157-3

Dear Ms. Schlaak:

Enclosed is check number 2800081937 for \$50.00 for the subject document for a hydrocarbon contamination recovery project. I understand that upon receipt of this fee you will complete the processing of the water license.

In the future please direct correspondence to the attention of Alan Johns, Project Manager. All other aspects of the address will remain the same.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Holly Warner".

Holly Warner
Project Analyst

Attachments

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

RECEIVED OF Magellan Pipeline Co LP, PO Box 22186, Tulsa OK 74121-2186 Date MARCH 10, 20 06B

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50.00	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>5157-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50.00	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

02840

By

Garland Erbe

Chief Engineer

(RS)



APR 07 2008

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

5157-3

Alan Johns, Project Mgr
Magellan Midstream Partners LP
PO Box 22186
Tulsa OK 74121-2186

RE: Water License No. 5157-3 – Magellan Pipe Line Company LLC

Dear Mr. Johns:

Enclosed is Water License No. 5157-3 and a map prepared by the staff engineer who conducted the field investigation. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is Receipt No. 02348 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

An additional four recovery wells (8, 9, 10 & 11) were found during the investigation but were not operational and not included on the water license. If those wells are needed in the future, you will need to contact the Water Rights Program for a determination on whether or not additional permitting is necessary. A change in location of diversion points may be allowed without application or publication pursuant to SDCL 46-2A-4 if the chief engineer is contacted and a finding is made that the change does not increase the potential for interference with existing diversions. In the event additional water is needed for remediation purposes, a new water permit will be required.

As long as you use the water beneficially, as stated in the enclosed Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 5157-3**

(1) Williams Pipeline Company, Sioux Falls SD made Application No. 5157-3, October 8, 1987 for a water permit to divert 0.45 cubic feet of water per second from ground water (eight wells – Big Sioux North Aquifer), Codington County, South Dakota for industrial purposes in the recovery and treatment of hydrocarbon contaminated ground water. Permit No. 5157-3, with a priority date of October 8, 1987 was approved December 2, 1987 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application of water to beneficial use completed.

In September, 2003, pursuant to SDCL 46-5-13.1 authorization was given to change the location of four recovery wells in the Big Sioux:North Aquifer to work in conjunction with three of the original wells authorized under Water Permit No. 5157-3. A total of seven recovery wells were developed as part of the remediation project.

On October 10, 2003, Water Permit No. 5157-3 was transferred to Magellan Pipe Line Company, LLC.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.19 cubic feet of water per second for beneficial use. The location of the diversion points are:

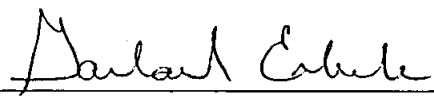
- RW-6: 1,370 feet south and 300 feet west of the NE corner of Section 5, T116N, R52W (SE ¼ NE ¼)
- RW-7: 1,780 feet south and 200 feet west of the NE corner of Section 5, T116N, R52W (SE ¼ NE ¼)
- RW-12: 1,100 feet south and 135 feet west of the NE corner of Section 5, T116N, R52W (NE ¼ NE ¼)
- RW-13: 1,500 feet south and 780 feet east of the NW corner of Section 4, T116N, R52W (SW ¼ NW ¼)
- RW-14: 1,700 feet south and 500 feet east of the NW corner of Section 4, T116N, R52W (SW ¼ NW ¼)
- RW-15: 1,900 feet south and 30 feet east of the NW corner of Section 4, T116N, R52W (SW ¼ NW ¼)
- RW-16: 1,150 feet south and 675 feet east of the NW corner of Section 4, T116N, R52W (SW ¼ NW ¼)

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for industrial purposes in the recovery and treatment of hydrocarbon contaminated ground water.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Magellan Pipe Line Company LLC, PO Box 22186, Tulsa OK 74121-2186 the holder and/or owner of Water Right No. 5157-3 is issued a license to appropriate water, the right to use 0.19 cubic feet of water per second from ground water (seven wells) with a priority date of October 8, 1987 from the locations specified in (2) of this license.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 5157-3 and subject to the following qualification:

- The wells approved under this Water Right will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this water right shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 07 2006

date

