DEPARTMENT OF NATURAL RESOURCES

Department of Natural Resources

Water Appropriation General Permit for Animal Feedlots and Livestock Operations

Included is General Permit 2004-0275, which authorizes water appropriations for livestock watering and sanitation purposes. To be included under General Permit 2004-0275 animal feedlots and livestock operations must comply with all conditions and limitations of the permit and meet the following criteria:

A) Prior authorization to use General Permit 2004-0275 must be requested by submitting an application using the Minnesota Department of Natural Resources (DNR) Permitting and Reporting System (MPARS) at www.mndnr.gov/mpars/signin. Users will need to create an account the first time they access the system. Once created, users should click on the link in the **Actions** box titled '**Apply for a New Permit/Authorization**' and answer questions about their proposed use of water.

B) A $100 application fee applies per animal feedlot and livestock watering operation. No annual water use reporting fee is required for animal feedlots and livestock watering under General Permit 2004-0275.

C) Water withdrawals authorized under the General Permit 2004-0275 must have a minimal potential for impacts to the surface water or groundwater resource and must not adversely impact trout streams, calcareous fens or other significant environmental resources. This general permit does not authorize direct surface water appropriation from designated trout streams and their tributaries according to state law.

D) Water withdrawals must not exceed 5 million gallons per year and withdrawals must be measured within 10% accuracy. Records of monthly and annual water appropriation volumes must be maintained and submitted to the DNR on or before February 15 of the year following water use in MPARS at www.mndnr.gov/mpars/signin. Permit holders should click on the link in the **Actions** box titled '**Water Use Reporting**' to submit data.

E) This permit is only valid for animal feedlot and livestock operations that comply with all feedlot rules and regulations required by the Minnesota Pollution Control Agency and county feedlot programs.

F) An **Infested Water Diversion or Transportation Permit** may be required if your project will pump water from a surface water on the infested waters list. This General Permit is not valid for appropriations from surface water sources that are listed as infested waters unless accompanied by an Infested Water Diversion or Transportation Permit. For more information go to: www.dnr.state.mn.us/invasives/training_permits.html.

Please read all the conditions and limitations of General Permit 2004-0275. An individual water appropriation permit will be required if an animal feedlot or livestock operation does not meet all conditions and limitations of General Permit 2004-0275. If you have any questions, please contact the DNR Area Hydrologist for the area in which the project is located. Contact information and the geographic territory for all DNR Area Hydrologists can be reviewed here: http://files.dnr.state.mn.us/waters/area_hydros.pdf.

Attachment:
General Permit 2004-0275

DEPARTMENT OF NATURAL RESOURCES

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Amended

Water Appropriation General Permit

General Permit Number 2004-0275

Expiration Date: 01/03/2028

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. This permit supersedes the original permit and all previous amendments.

Project Name:	**County:**	**Watershed:**	**Resource:**
Animal Feedlots and Livestock Operations	All counties in Minnesota	All watersheds in Minnesota	All surface and groundwater of the state

Purpose of Permit:	**Authorized Action:**
Livestock watering and sanitation. This permit is valid for animal feedlots and other livestock operations that appropriate surface water or groundwater for use in the production of animals, poultry, or direct animal products such as milk or eggs.	Upon application to and approval by authorized DNR staff, appropriation from surface water and groundwater of the state for an amount not to exceed 5 million gallons per year for a single operation, and at a rate not to exceed 100 gallons per minute.
Permittee: Owners of animal feedlots and livestock operations.	**Authorized Agent:** N/A

To Appropriate From:

The Permittee must own, control, or have permission to access and use all lands where water is appropriated, conveyed, and used.

Authorized Issuer:	**Title:**	**Issued Date:**	**Effective Date:**	**Expiration Date:**
Tom Hovey	Water Regulations Unit Supervisor	01/06/2023	01/06/2023	01/06/2028

This permit is granted **subject to** the following **CONDITIONS**:

LIMITATIONS: (a) Any violation of the terms and provisions of this permit and any appropriation of the waters of the state in excess of that authorized hereon shall constitute a violation of Minnesota Statutes, Chapter 103G. (b) This permit shall not be construed as establishing any priority of appropriation of waters of the state. (c) This permit is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its employees, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the Permittee relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the Permittee, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the Permittee, for violation of or failure to comply with the provisions of the

CONDITIONS continued on next page…

permit or applicable provisions of law. (d) In all cases where the doing by the Permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property, rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the Permittee, before proceeding therewith, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests necessary therefore. (e) This permit shall not release the Permittee from any other permit requirements or liability or obligation imposed by Minnesota Statutes, Federal Law, or local ordinances relating thereto and shall remain in force subject to all conditions and limitations now or hereafter imposed by law. (f) Unless explicitly specified, this permit does not authorize any alterations of the beds or banks of any public (protected) waters or wetlands. A separate permit must be obtained from the Department of Natural Resources prior to any such alteration.

WATER USE REPORTING: (a) FLOW METER The Permittee shall equip each installation for appropriating or using water with a flow meter, unless another method of measuring the quantity of water appropriated to within ten (10) percent of actual amount withdrawn is approved by the Department. (b) REPORTS Monthly records of the amount of water appropriated or used shall be recorded for each installation. Such readings and the total amount of water appropriated or used shall be reported annually to the Director of DNR Ecological and Water Resources, on or before February 15 of the following year, via the MNDNR Permitting and Reporting System (MPARS) at www.mndnr.gov/mpars/signin. Any processing fee required by law or rule shall be submitted with the records whether or not any water was appropriated during the year. Failure to report shall be sufficient cause for terminating the permit 30 days following written notice. (c) TRANSFER OR ASSIGNMENT Any transfer or assignment of rights, or sale of property involved hereunder shall be reported within 90 days thereafter to the Director of DNR Ecological and Water Resources. Such notice shall be made by the transferee (i.e., new owner) and shall state the intention to continue the appropriation as stated in the permit. This permit shall not be transferred or assigned except with the written consent of the Commissioner. (d) MODIFICATION The Permittee must notify the Commissioner in writing of any proposed changes to the existing permit. This permit shall not be modified without first obtaining the written permission from the Commissioner.

COMMISSIONER'S AUTHORITY: (a) The Commissioner may inspect any installation utilized for the appropriation or use of water. The Permittee shall grant access to the site at all reasonable times and shall supply such information concerning such installation as the Commissioner may require. (b) The Commissioner may, as he/she deems necessary, require the Permittee to install gages and/or observation wells to monitor the impact of the Permittee's appropriation on the water resource and require the Permittee to pay necessary costs of installation and maintenance. (c) The Commissioner may restrict, suspend, amend, or cancel this permit in accordance with applicable laws and rules for any cause for the protection of public interests, or for violation of the provisions of this permit.

PUBLIC RECORD: All data, facts, plans, maps, applications, annual water use reports, and any additional information submitted as part of this permit, and this permit itself are part of the public record and are available for public inspection at the offices of DNR Ecological and Water Resources. The information contained therein may be used by the Division as it deems necessary. The submission of false data, statements, reports, or any such additional information, at any time shall be deemed as just grounds for revocation of this permit.

MONITORING REQUIREMENTS: Minnesota Statutes 103G.282 authorizes the Department of Natural Resources to require permittees to install and maintain monitoring equipment to evaluate water resource impacts from permitted appropriations. You may be required to modify or install automated measuring devices and keep records for each installation. The frequency of measurements and other requirements will be based on quantity of water appropriated, source of water, potential connections to other water resources, nature of concern, and other relevant factors.

DROUGHT PLANNING: In accordance with M.S. 103G.293, all permits must be consistent with the drought response plan detailed in the Statewide Drought Plan at:
http://files.dnr.state.mn.us/natural_resources/climate/drought/drought_plan_matrix.pdf.

CONDITIONS continued on next page…

GENERAL PERMIT CONDITIONS (*Continued from previous page*)

WATER USE CONFLICT: If notified by the DNR that a water use conflict is suspected and probable from your appropriation, based on confirmation of a formal well interference complaint or a preliminary hydrologic assessment, all appropriation authorized by this permit must cease immediately until the interference is resolved. The permittee may be required to obtain additional data to support the technical analysis, such as domestic well information within a radius of one and one-half miles of the production well. The permittee and impacted party may engage in a negotiated settlement process and there may be modifications made to this permit in support of conflict resolution.

WATER CONSERVATION: All practical and feasible water conservation methods and practices must be employed to promote sound water management and use the least amount of water necessary, such as reuse and recycling water, water-saving devices, and water storage.

WELL SEALING: The permittee shall notify the Minnesota Department of Health (MDH) prior to sealing, removing, covering, plugging or filling the well(s) from which the authorized appropriation was made. The well(s) must be sealed by a licensed well driller and in accordance with the procedures required under Minnesota Statutes 103I.301 and Minnesota Rules 4725 as administered by MDH.

WELL INTERFERENCE: If notified by the DNR that a well interference is suspected and probable from your appropriation, based on confirmation of a formal well interference complaint, all appropriation authorized by this permit must cease immediately until the interference is resolved. The permittee may be required to obtain domestic well information within a radius of one and one-half miles of the production well should well interference problems develop.

MPCA FEEDLOT PROGRAMS: This permit is only valid for operations that comply with all feedlot rules and regulations required by the Minnesota Pollution Control Agency and delegated Minnesota county feedlot programs.

ENVIRONMENTAL IMPACTS: This permit is not valid in areas or locations where trout streams, calcareous fens, or other significant environmental resources may be adversely impacted by the water use authorized under this general permit. In such areas or locations, a separate water appropriation permit application and permit may be required. The Area Hydrologist must be contacted for permit application requirements.

SURFACE WATER SOURCES: DNR Ecological and Water Resources may require the suspension of appropriations during periods of low flows and low water levels in order to maintain minimum flows and water levels within the watershed. This permit is not valid for direct surface water appropriation from designated trout streams and their tributaries (Minn. Stat. 103G.285, Subd. 5). This permit is not valid for appropriations from surface water sources that are infested with invasive species (Minn. Rules 6216.0500). All pump intakes must be screened to prevent fish from being drawn in to the system.

INVASIVE SPECIES PREVENTION - EQUIPMENT DECONTAMINATION: All equipment used at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. The Permittee or their authorized agent must inspect all equipment to ensure that no aquatic plants or prohibited invasive species are on the equipment prior to being transported to or from the worksite. The DNR is available to train inspectors and/or assist in these inspections. Contact your local Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. You may need additional permits to work in infested waters; the infested waters list is available at www.dnr.state.mn.us/invasives/ais/infested.html. A list of prohibited invasive species is available at www.dnr.state.mn.us/invasives/laws.html#prohibited.

APPLY USING MPARS: Prior authorization to use General Permit 2004-0275 must be requested by submitting an application using the MN DNR Permitting and Reporting System (MPARS) at www.mndnr.gov/mpars/signin. Users will need to create an account the first time they access the system. Once created, users should click on the link in the **Actions** box called '**Apply for a New Permit/Authorization**' and complete the application questions.