

Minnesota Department of Natural Resources (Owen Baird)

MN DNR comments provided in the uploaded document.

**Ecological and Water Resources
2115 Birchmont Beach Rd NE
Bemidji, MN 56601**

March 17, 2026

Charles Peterson
Resource Management and Assistance Division
Minnesota Pollution Control Agency
520 Lafayette Road North
Saint Paul, Minnesota 55155
charles.peterson@state.mn.us

Re: West River Dairy Expansion EAW

Dear Charles Peterson,

Thank you for the opportunity to review the West River Dairy Expansion Environmental Assessment Worksheet (EAW). The Minnesota Department of Natural Resources (MN DNR) has reviewed the EAW and offers the following comments related to water appropriation and permitting.

Water appropriation permitting

MN DNR is currently reviewing groundwater appropriation permit application 2025-1502 for 226 million gallons per year (MGY) at a proposed maximum pumping rate of 1000 gallons per minute (gpm) for the West River Dairy Expansion. Please note permit 2025-1502, using well unique well number (UN#) 740629, would (if approved) replace and modify permit 2008-0230.

Water has never been appropriated from the UN# 740629 associated with permit 2008-0230 (proposed to be used for permit 2025-1502). Groundwater availability is moderate to limited in this area. As identified in permit 2008-0230, the groundwater appropriation from this well can directly impact the river and is subject to existing permit conditions based on the river flow.

MN DNR is completing a re-evaluation of stream flow in the Pomme de Terre River. We expect to include permit conditions based on stream flow. Conditions will be modified from those currently included with 2008-0230, which may include restrictions on the ability to appropriate water during summer months. Additionally, we will evaluate the impacts of water appropriation on rare features in the Pomme de Terre River downstream of the appropriation site.

The EAW did not consider impacts from the potential groundwater appropriation at UN#740629 on the Pomme de Terre River in section 12.B.4. Surface Waters. Our review of the aquifer test completed on UN# 740629 suggests that the water table aquifer is strongly connected to the Pomme

de Terre River. The long-term average flow in the Pomme de Terre River is likely to be reduced by the average pumping rate of UN #740629. If water appropriation permit 2025-1502 is authorized, permit conditions, including restrictions on pumping when streamflow is below 10% of the median monthly base flow, are anticipated. Conditions to maintain baseflow will be considered to protect ecology, public health, and the needs of downstream users of higher priority.

The current West River Dairy operation relies on two groundwater appropriation permits associated with the operation:

- Permit 2004-1023: 95 MGY for livestock watering from four wells located near the current dairy operation. This permit includes groundwater-level monitoring conditions.
- Permit 2009-0492: 21.3 MGY for livestock watering and 64.4 MGY for agricultural irrigation from one well located in the proposed expansion project area. This permit may need to be amended to reflect changes in land use.

The EAW does not describe how the existing permitted wells, particularly the one located on the proposed expansion site (2009-0492), will be integrated with the new facility. If the permit holder requests to increase the volume of permits 2004-1023 or 2009-0492, aquifer testing may be required to ensure sustainable water use.

The EAW indicates in section 12.B.3.d that the wells for the existing facility and the off-site well are located in separate aquifers. The shallow and deep aquifers in this area are part of one connected system, and water availability from these aquifers is limited. The proposed water sources do not constitute a diversified groundwater source approach. Due to the aquifer connections, cumulative existing and proposed water appropriation will be considered during water appropriation permitting.

MN DNR has also received and is reviewing a Dam Safety Permit application, 2026-0133, associated with the water storage ponds identified in item 9 of the EAW. This permit application was received on January 29, 2026.

Thank you for considering these comments. Please contact Statewide Water Planner, Brent Beste (brent.beste@state.mn.us), with any concerns or questions.

Sincerely,



Nathan Kestner
Regional Manager, Ecological and Water Resources

CC: Owen Baird, MN DNR Ecological and Water Resources
Brent Beste, MN DNR Ecological and Water Resources

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West River Dairy Expansion EAW