

IOWA DEPARTMENT OF NATURAL RESOURCES

WATER USE PERMIT

Permit issued to: Lawler Scs Capture LLC
2321 North Loop Drive Ste 221
AMES IA 50010

Permit Number: 10476

Effective: 05.29.2023
Expires: 05.28.2033

The permittee is authorized to:

withdraw water from one new Devonian Limestone well, about 380 feet deep, located on land generally described as the NW ¼ of the SE ¼ of Section 01, T95N, R12W, Chickasaw County, Iowa, in the maximum quantity of 55.9 million gallons per year at a maximum rate of 100 gallons per minute throughout each year for carbon capture-related purposes on said land.

This authorization to withdraw water has been granted pursuant to the provisions of Part 4 of Division III of Chapter 455B, Code of Iowa, and Chapters 50, 51, and 52 of Part 567, Iowa Administrative Code, and is further subject to the general permit conditions within this permit.

Conditions of this permit may be appealed as provided in rule 567--50.9, Iowa Administrative Code. Appeal must be in writing and must be received at the Department of Natural Resources; Water Supply Engineering Section; 502 E 9th Street; Des Moines, Iowa 50319-0034 within thirty days of the date of the certification of the mailing of the permit.

FOR THE DIRECTOR:

By: _____ Date Executed: May 29, 2023
(mka)

cc: File CON 3-9, # xxxx
Field Office No. 1 Manchester

CERTIFICATE OF MAILING

On the date shown below, a copy of the foregoing permit was mailed to the Permittee and to each person entitled to receive a copy as provided by rule 567--50.8(2), Iowa Administrative Code.

Certified by (initials): _____ Date: _____

GENERAL PERMIT CONDITIONS

1. Permittee shall maintain accurate and up-to-date records of water use from said sources and submit them annually to the department. Additional records on pumping rates from said sources and other data related to the regulation of this use of water shall be maintained and submitted as directed by the department.
2. Permittee shall be responsible for securing such other permits or approvals as may be required by this department, federal, or local governmental agencies for the operation of said quarry or the discharge of water or other materials due to this operation.
3. Permittee is responsible for compliance with all applicable provisions of State law and the rules and regulations of this department and of federal and local health and water pollution control agencies in the operation of the ethanol production process, and in the disposal of its wastes.
4. Water withdrawn pursuant to this permit shall be discharged so as to prevent flooding erosion, or other adverse effects and shall be of suitable quality.
5. Permittee shall construct, maintain, and monitor observation wells, as directed by the department, to define the effects of permittee's water withdrawals on groundwater resources or on other water users who might be affected by the withdrawals authorized herein.
6. Once each spring prior to March 31, the permittee shall be responsible for accurately measuring the distance(s) to water (static water level) from the access port in all permitted wells. The distance to water shall be submitted to the department annually as part of the records of water use.
7. Existing wells shall not be replaced without notifying the Iowa Department of Natural Resources. Changes to the location, depth, source aquifer, or other physical features of said wells may require that this permit be modified to accommodate the changes.
8. With respect to each proposed or replacement well authorized as a source of water in this permit, withdrawals of water may be made only after the permittee has made the following information available to the Iowa Geological Survey: well location, well log, casing and grouting schedule, results of yield tests, and cutting samples.
9. Permittee shall submit to the department within 90 days of being notified by the department, or no later than the expiration date of this permit, whichever first occurs, a plan for implementing routine day-to-day water conservation measures and for

implementing emergency water conservation measures during periods of water shortage. Until such a plan has been submitted to and approved by the department, permittee shall implement those emergency water conservation measures determined to be necessary by the department pursuant to Iowa Code Sections 455B.265 and 455B.266.

CAVEAT

Permittee is advised that pursuant to Section 455B.271, Code of Iowa, the authority to withdraw water provided by this permit may be modified, canceled or suspended in case of any breach of the terms or conditions herein, in case of any violation of state law pertaining to the permit, or if found necessary to prevent substantial injury to private or public interests.