

Prepared by:
Moody County Zoning
101 E. Pipestone Avenue, Suite E
Flandreau, SD 57028-1750

**Letter of Assurance between
Troy Randall and John Bidart & Moody County**

Troy Randall and John Bidart, successors and assigns assures Moody County that they will comply with the following concerning the approval of a Class "A" concentrated animal feeding operation to be located in the SE ¼ Section 20, Township 105 North, Range 48 West, Moody County:

1. The site shall be limited to 6,500 head of mature dairy cattle
2. Applicant, successors and assign shall meet all requirements of Section 4.25.05 Concentrated Animal Feeding Operation Control Requirements of the Moody County Zoning Ordinance
3. That the facility shall conform to the submitted site plan with the digesters.
4. Shelterbelt planted on the north, west, and south sides of the SE 1/4. Shelterbelt to include 7 rows on the north, west, and south sides as approved by the Moody County Conservation Office and to be planted within one year of the construction being complete.
5. Applicant shall provide and at all times maintain General Liability insurance in the amount of at least \$2,000,000 with an Environmental Protection Insurance rider of at least \$200,000. Proof of such insurance must be provided annually in the month of its startup date of operation of such CAFO.
6. Permit is contingent upon applicant receiving a State General Permit from the State of South Dakota Department of Environment and Natural Resources.
7. Approved Nutrient Management Plan, Manure Management Plan, and Management Plan for Fly and Odor control to be submitted before the building can be populated.
8. Road haul agreements with Enterprise and Blinsmon Townships will be recorded in the Moody County Register of Deeds office before a building permit is issued.
9. Road haul agreement with Moody County must be filed in Moody County Register of Deeds Office before a building permit is issued.
10. Blinsmon township road 242nd St. from 481st Ave. to 480th Ave. will be constructed to LTAP's recommendation standards and utilize magnesium chloride before construction commences and maintained by the Dairy.
11. Signage shall be installed and properly maintained at the facility; with such signage clearly stating the name of the manager of the facility and the contact number of the manager before construction commences.
12. Producer must participate in an environmental training program.
13. All liquid manure must be incorporated or injected in order to minimize air & water quality impacts
14. The primary lagoons must be covered with an impermeable covering to reduce odor production.
15. Troy Randall and John Bidart, successors and assigns are responsible for all manure spills and clean-up related to spills.
16. There will be no living pods allowed on the site at any time.
17. Water Rights Permit final approval will be submitted to the Moody County Zoning Office before a building permit is issued.

Troy Randall

Date

John Bidart

Date

Carla Bruning, Zoning Administrator
Moody County Planning & Zoning

Date

STATE OF South Dakota
COUNTY OF Moody

On this _____ day of _____, 2020, before me _____, the undersigned officer, personally appeared Troy Randall personally known to me to be the persons whose names are subscribed to the above instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons or the entity upon behalf of which the persons acted, executed the instrument.

SEAL

Notary Public
My Commission Expires:

STATE OF South Dakota
COUNTY OF Moody

On this _____ day of _____, 2020, before me _____, the undersigned officer, personally appeared John Bidart personally known to me to be the persons whose names are subscribed to the above instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons or the entity upon behalf of which the persons acted, executed the instrument.

SEAL

Notary Public
My Commission Expires:

STATE OF South Dakota
COUNTY OF Moody

On this _____ day of _____, 2020, before me _____, the undersigned officer, personally appeared Carla Bruning personally known to me to be the persons whose names are subscribed to the above instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons or the entity upon behalf of which the persons acted, executed the instrument.

SEAL

Notary Public
My Commission Expires: