

GIS REGISTRY
Cover Sheet

May, 2009
(RR 5367)

Source Property Information

BRRTS #: 02-22-547206

ACTIVITY NAME: Agriliance - Hazel Green

PROPERTY ADDRESS: 520 State Road 11

MUNICIPALITY: Hazel Green

PARCEL ID #: 2260410

CLOSURE DATE: Jan 26, 2010

FID #: NONE

DATCP #: 98-420-08-05-01

COMM #:

***WTM COORDINATES:**

X: 483250 Y: 229214

** Coordinates are in
WTM83, NAD83 (1991)*

WTM COORDINATES REPRESENT:

- Approximate Center Of Contaminant Source
- Approximate Source Parcel Center

Please check as appropriate: (BRRTS Action Code)

Contaminated Media:

- Groundwater Contamination > ES (236)
- Contamination in ROW
- Off-Source Contamination
- (note: for list of off-source properties see "Impacted Off-Source Property")*
- Soil Contamination > *RCL or **SSRCL (232)
- Contamination in ROW
- Off-Source Contamination
- (note: for list of off-source properties see "Impacted Off-Source Property")*

Land Use Controls:

- N/A (Not Applicable)
- Soil: maintain industrial zoning (220)
- (note: soil contamination concentrations between non-industrial and industrial levels)*
- Structural Impediment (224)
- Site Specific Condition (228)
- Cover or Barrier (222)
- (note: maintenance plan for groundwater or direct contact)*
- Vapor Mitigation (226)
- Maintain Liability Exemption (230)
- (note: local government or economic development corporation)*

Monitoring Wells:

Are all monitoring wells properly abandoned per NR 141? (234)

- Yes No N/A

** Residual Contaminant Level*
***Site Specific Residual Contaminant Level*

This Adobe Fillable form is intended to provide a list of information that is required for evaluation for case closure. It is to be used in conjunction with Form 4400-202, Case Closure Request. The closure of a case means that the Department has determined that no further response is required at that time based on the information that has been submitted to the Department.

NOTICE: Completion of this form is mandatory for applications for case closure pursuant to ch. 292, Wis. Stats. and ch. NR 726, Wis. Adm. Code, including cases closed under ch. NR 746 and ch. NR 726. The Department will not consider, or act upon your application, unless all applicable sections are completed on this form and the closure fee and any other applicable fees, required under ch. NR 749, Wis. Adm. Code, Table 1 are included. It is not the Department's intention to use any personally identifiable information from this form for any purpose other than reviewing closure requests and determining the need for additional response action. The Department may provide this information to requesters as required by Wisconsin's Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

BRRTS #: 02-22-547206

PARCEL ID #: 2260410

ACTIVITY NAME: Agrilience - Hazel Green

WTM COORDINATES: X: 483250 Y: 229214

CLOSURE DOCUMENTS (the Department adds these items to the final GIS packet for posting on the Registry)

- Closure Letter**
- Maintenance Plan** (if activity is closed with a land use limitation or condition (land use control) under s. 292.12, Wis. Stats.)
- Conditional Closure Letter**
- Certificate of Completion (COC)** for VPLE sites

SOURCE LEGAL DOCUMENTS

Deed: The most recent deed as well as legal descriptions, for the **Source Property** (where the contamination originated). Deeds for other, off-source (off-site) properties are located in the **Notification** section.

Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.

Certified Survey Map: A copy of the certified survey map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot 2 of xyz subdivision)).

Figure #: **Title:**

Signed Statement: A statement signed by the Responsible Party (RP), which states that he or she believes that the attached legal description accurately describes the correct contaminated property.

MAPS (meeting the visual aid requirements of s. NR 716.15(2)(h))

Maps must be no larger than 8.5 x 14 inches unless the map is submitted electronically.

Location Map: A map outlining all properties within the contaminated site boundaries on a U.S.G.S. topographic map or plat map in sufficient detail to permit easy location of all parcels. If groundwater standards are exceeded, include the location of all potable wells within 1200 feet of the site.

Note: Due to security reasons municipal wells are not identified on GIS Packet maps. However, the locations of these municipal wells must be identified on Case Closure Request maps.

Figure #: 1 Title: Site Location Map

Detailed Site Map: A map that shows all relevant features (buildings, roads, individual property boundaries, contaminant sources, utility lines, monitoring wells and potable wells) within the contaminated area. This map is to show the location of all contaminated public streets, and highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding a ch. NR 140 Enforcement Standard (ES), and/or in relation to the boundaries of soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Levels (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: 2 Title: Soil Sampling Locations

Soil Contamination Contour Map: For sites closing with residual soil contamination, this map is to show the location of all contaminated soil and a single contour showing the horizontal extent of each area of contiguous residual soil contamination that exceeds a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL) as determined under s. NR 720.09, 720.11 and 720.19.

Figure #: 4,5,6 Title: [South, West, North] Excavation

BRRTS #: 02-22-547206

ACTIVITY NAME: Agriliance - Hazel Green

MAPS (continued)

Geologic Cross-Section Map: A map showing the source location and vertical extent of residual soil contamination exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL). If groundwater contamination exceeds a ch. NR 140 Enforcement Standard (ES) when closure is requested, show the source location and vertical extent, water table and piezometric elevations, and locations and elevations of geologic units, bedrock and confining units, if any.

Figure #: Title:

Figure #: Title:

Groundwater Isoconcentration Map: For sites closing with residual groundwater contamination, this map shows the horizontal extent of all groundwater contamination exceeding a ch. NR140 Preventive Action Limit (PAL) and an Enforcement Standard (ES). Indicate the direction and date of groundwater flow, based on the most recent sampling data.

Note: This is intended to show the total area of contaminated groundwater.

Figure #: 7 Title: **Sampling Locations & Extent of Groundwater Impacts**

Groundwater Flow Direction Map: A map that represents groundwater movement at the site. If the flow direction varies by more than 20° over the history of the site, submit 2 groundwater flow maps showing the maximum variation in flow direction.

Figure #: 8 Title: **Groundwater Contours - 8 Dec 2006**

Figure #: 9 Title: **Groundwater Contours - 20 Mar 2007**

TABLES (meeting the requirements of s. NR 716.15(2)(h)(3))

Tables must be no larger than 8.5 x 14 inches unless the table is submitted electronically. Tables must not contain shading and/or cross-hatching. The use of **BOLD** or *ITALICS* is acceptable.

Soil Analytical Table: A table showing remaining soil contamination with analytical results and collection dates.

Note: This is one table of results for the contaminants of concern. Contaminants of concern are those that were found during the site investigation, that remain after remediation. It may be necessary to create a new table to meet this requirement.

Table #: 4,5,6 Title: **Soil Excavation Data: [South, West, North] Excavation**

Groundwater Analytical Table: Table(s) that show the most recent analytical results and collection dates, for all monitoring wells and any potable wells for which samples have been collected.

Table #: 8 Title: **Groundwater Data**

Water Level Elevations: Table(s) that show the previous four (at minimum) water level elevation measurements/dates from all monitoring wells. If present, free product is to be noted on the table.

Table #: 7 Title: **Groundwater Elevation Data**

IMPROPERLY ABANDONED MONITORING WELLS

For each monitoring well not properly abandoned according to requirements of s. NR 141.25 include the following documents.

Note: If the site is being listed on the GIS Registry for only an improperly abandoned monitoring well you will only need to submit the documents in this section for the GIS Registry Packet.

Not Applicable

Site Location Map: A map showing all surveyed monitoring wells with specific identification of the monitoring wells which have not been properly abandoned.

Note: If the applicable monitoring wells are distinctly identified on the Detailed Site Map this Site Location Map is not needed.

Figure #: Title:

Well Construction Report: Form 4440-113A for the applicable monitoring wells.

Deed: The most recent deed as well as legal descriptions for each property where a monitoring well was not properly abandoned.

Notification Letter: Copy of the notification letter to the affected property owner(s).

BRRTS #: 02-22-547206

ACTIVITY NAME: Agrilience - Hazel Green

NOTIFICATIONS

Source Property

- Letter To Current Source Property Owner:** If the source property is owned by someone other than the person who is applying for case closure, include a copy of the letter notifying the current owner of the source property that case closure has been requested.
- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying current source property owner.

Off-Source Property

Group the following information per individual property and label each group according to alphabetic listing on the "Impacted Off-Source Property" attachment.

- Letter To "Off-Source" Property Owners:** Copies of all letters sent by the Responsible Party (RP) to owners of properties with groundwater exceeding an Enforcement Standard (ES), and to owners of properties that will be affected by a land use control under s. 292.12, Wis. Stats.
Note: Letters sent to off-source properties regarding residual contamination must contain standard provisions in Appendix A of ch. NR 726.

Number of "Off-Source" Letters:

- Return Receipt/Signature Confirmation:** Written proof of date on which confirmation was received for notifying any off-source property owner.
- Deed of "Off-Source" Property:** The most recent deed(s) as well as legal descriptions, for all affected deeded **off-source property(ies)**. This does not apply to right-of-ways.
Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract which includes the legal description shall be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.
- Letter To "Governmental Unit/Right-Of-Way" Owners:** Copies of all letters sent by the Responsible Party (RP) to a city, village, municipality, state agency or any other entity responsible for maintenance of a public street, highway, or railroad right-of-way, within or partially within the contaminated area, for contamination exceeding a groundwater Enforcement Standard (ES) and/or soil exceeding a Residual Contaminant Level (RCL) or a Site Specific Residual Contaminant Level (SSRCL).

Number of "Governmental Unit/Right-Of-Way Owner" Letters:



State of Wisconsin
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection
Rod Nilsestuen, Secretary

January 26, 2010

Mr. John Howe
Winfield Solutions, LLC
16380 Valley Road
Eden Prairie, MN 55347

Re: Final Case Closure with Land Use Limitations or Conditions
Former Agriliance LLC., 520 State Road 11, Hazel Green, Wisconsin
DATCP Case No. 98420080501, WDNR BRRTS No. 02-22-547206

Dear Mr. Howe:

On June 12, 2008, our Closure Committee reviewed the above-referenced case for closure. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On November 24, 2008, you were notified that the Closure Committee had granted conditional closure to this case.

On December 22, 2009 the Department confirmed that you have complied with the requirements for closure. These requirements included abandonment of monitoring wells, submittal of GIS registry documents for soil and groundwater, and payment of the GIS fees.

Based on the correspondence and data provided, it appears that your case meets the requirements of ch. NR 726, Wisconsin Administrative Code. The Department considers this case closed and no further investigation or remediation is required at this time.

GIS Registry

The conditions of case closure set out below in this letter require that your site be listed on the Remediation and Redevelopment Program's GIS Registry. The specific reasons are summarized below:

- Residual soil contamination exists that must be properly managed should it be excavated or removed
- If a structural impediment that obstructs a complete site investigation or cleanup is removed or modified, additional environmental work must be completed
- Groundwater contamination is present above Chapter NR 140 enforcement standards

Information that was submitted with your closure request will be included on the GIS Registry. To review sites on the GIS Registry web page, visit the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If your property is listed on the GIS Registry because of remaining contamination and you intend to construct or reconstruct a well, you will need prior Department approval in accordance with s. NR 812.09(4)(w), Wis. Adm. Code. To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line <http://dnr.wi.gov/org/water/dwg/3300254.pdf> or at the web address listed above for the GIS

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Registry.

Closure Conditions

Please be aware that pursuant to s. 292.12 Wisconsin Statutes, compliance with the requirements of this letter is a responsibility to which you and any subsequent property owners must adhere. If these requirements are not followed or if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment, the Department may take enforcement action under s. 292.11 Wisconsin Statutes to ensure compliance with the specified requirements, limitations or other conditions related to the property or this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code.

Remaining Residual Soil Contamination

Residual fertilizer soil contamination remains in the vicinity of the fertilizer building, in the South, West, and North Excavation Areas, which are shown on the enclosed Figure 3. Approximate locations of residual soil contamination within the excavation areas are shown on Figures 4, 5, and 6 of the GIS Registry Package. The GIS Registry Package can be viewed at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If residual contaminated soil is excavated in the future, then the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains (requirement pursuant to ch. NR 718, and ch. 289, Stats., and chs. 500 to 536 may also apply). If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable standards and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose a direct contact hazard and as a result special precautions may need to be taken to prevent a direct contact health threat to humans.

Structural Impediments

Structural impediments existing at the time of cleanup, including the fertilizer building and its appurtenances, made complete remediation of the soil contamination on this property impracticable. Pursuant to s. 292.12(2)(b), Wis. Stats., if the structural impediments on this property that are described above are removed, the property owner shall conduct an investigation of the degree and extent of fertilizer contamination. If contamination is found at that time, the Department shall be immediately notified and the contamination shall be properly remediated in accordance with applicable statutes and rules. If soil in the specific locations described above is excavated, the property owner at the time of excavation must sample and analyze the excavated soil to determine if residual contamination remains. If sampling confirms that contamination is present the property owner at the time of excavation will need to determine whether the material would be considered solid or hazardous waste and ensure that any storage, treatment or disposal is in compliance with applicable statutes and rules. In addition, all current and future owners and occupants of the property need to be aware that excavation of the contaminated soil may pose a direct contact hazard and as a result special precautions may need to be taken during excavation activities to prevent a health threat to humans.

Remaining Residual Groundwater Contamination

Groundwater impacted by nitrate contamination greater than enforcement standards set forth in ch. NR140, Wis. Adm. Code, is present on the contaminated property. For more detailed information regarding the locations where groundwater samples have been collected (i.e., monitoring well locations) and the associated contaminant concentrations, refer to the Remediation and Redevelopment Program's GIS Registry at the RR Sites Map page at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>.

ACCP Considerations

If the case is re-opened, Agricultural Chemical Cleanup Program (ACCP) reimbursement may still be available. Determination of the ACCP eligibility of any future corrective action costs incurred at this site should be made before the corrective action is performed. It is in your best interest to keep all documentation related to the cleanup project and ACCP reimbursement applications.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this closure decision or anything outlined in this letter, please call me at 608-224-4514.

Sincerely,



Trevor Bannister
Hydrogeologist

Enc: Figure 3 – Soil Excavation Locations

cc: Al MacKenzie, DATCP EES
Wendy Weihemuller, WDNR (w/GIS package)
Jim Lindemann, Hyde



State of Wisconsin
Jim Doyle, Governor

Department of Agriculture, Trade and Consumer Protection
Rod Nilsestuen, Secretary

November 24, 2008

Mr. John Howe
Winfield Solutions, LLC
16380 Valley Road
Eden Prairie, MN 55347

Re: Conditional Closure
Former Agriliance, LLC
520 State Road 11, Hazel Green, WI
DATCP Case No. 98420080501
WDNR BRRTS No. 02-22-547206

Dear Mr. Howe:

On June 12, 2008, our closure committee reviewed the closure request prepared by your consultant and based on their review, the committee determined that you are eligible to close out the above-referenced case by listing it on the Wisconsin Department of Natural Resources (WDNR) Geographic Information Systems (GIS) Registry for residual soil groundwater contamination, and after abandonment of the monitoring wells. On October 27, 2008, we received correspondence indicating that the monitoring wells were abandoned. The GIS Registry Package was completed on November 24, 2008.

In order for us to grant final closure, the WDNR will need to receive a check in the amount of \$450 for the GIS Registry. The check should reference the WDNR Bureau of Remediation and Redevelopment Tracking System (BRRTS) number 02-22-547206 and be sent to Ms. Wendy Weihemuller at the WDNR's South-Central Region. After the check is received, I will issue a final closure letter.

If you have any questions, please call me at (608) 224-4515.

Sincerely,

Jason B. Lowery, P.G.
Hydrogeologist

c: Al MacKenzie, DATCP EES
Wendy Weihemuller, WDNR
Jim Lindemann, Hyde

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Property Legal Description and Geographic Position

Attached is the most recent Deed (Document No. 554638) for the property described as Cenex/Land o Lakes – Hazel Green, 520 State Road 11, Hazel Green, WI 53811.

The geographic position for the property is **483250, 229214** in WTM91 projection. The geographic location was determined by using the GIS Registry on the WDNR website. The position was taken from near the center of the property of concern.

Document No. 554638	State Bar of Wisconsin Form 1 WARRANTY DEED	
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This Deed, made between Kenneth L. Wiederholt and Doris M. Wiederholt, husband and wife, Grantor,
and Cenex/Land O'Lakes Agronomy Company, a Minnesota Corporation, Grantee,

Witnesseth, That the said Grantor, for valuable consideration
conveys to Grantee the following described real estate in Grant County, Wisconsin.

SEE ATTACHED RIDER SHEET

This is not homestead property.
(is)(is not)

State Transfer
Fee Paid
\$225.00

Together with all and singular the hereditaments and appurtenances thereunto belonging;

4-7

And Kenneth L. Wiederholt and Doris M. Wiederholt, husband and wife, grant that the title is good, indefeasible in fee simple and free and clear of encumbrances except only municipal and zoning restrictions, recorded easements and rights of way, recorded building use restrictions, restrictive covenants, and real estate taxes levied in the year of closing, and will warrant and defend the same.

Dated this 27 day of October, 1992.

_____* (SEAL) Kenneth L. Wiederholt (SEAL)
Kenneth L. Wiederholt

_____* (SEAL) Doris M. Wiederholt (SEAL)
Doris M. Wiederholt

AUTHENTICATION

Signatures of Kenneth L. Wiederholt and Doris M. Wiederholt authenticated this 27 day of October, 1992.

John A. Kussmaul
John A. Kussmaul
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____ authorized by
Sec. 706.06, Wis. Stats.)

GRANT COUNTY, WI
RECEIVED FOR RECORD

OCT 30 1992

at 2:38 P. M. and recorded in
Vol. 701 of Records Page 401
Middletown Register

This instrument was drafted by:
John A. Kussmaul, Lancaster, WI

122922 Land O'Lakes
Box 116
MPLS 55440

551638

RIDER SHEET

VOL 701 PAGE 402

A PARCEL OF LAND LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 26, T 1 N, R 1 W OF THE 4TH P.M., GRANT COUNTY, WISCONSIN, AND BEING LOCATED IN THE SE CORNER OF THAT PROPERTY OWNED BY KEN WIEDERHOLT AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SECTION 26, T 1 N, R 1 W OF THE 4TH P.M., GRANT COUNTY, WISCONSIN; THENCE S 01° 18' 45" W 1126.22' ALONG THE EAST LINE OF SAID SECTION 26 TO THE CENTER LINE OF S.T.H. 11 (ALSO RECORDED AS S 00° 00' 00" E 1144.31' THENCE N 67° 57' 47" W 402.87' (REC. AS N 69° 47' 56" W 413.46') ALONG SAID CENTER LINE TO THE POINT OF BEGINNING;

THENCE N 19° 01' 56" E 352.71' (REC. AS S 17° 59' 59" W);

THENCE N 78° 21' 59" W 318.78';

THENCE S 76° 30' 25" W 57.65';

THENCE S 16° 52' 52" W 262.22' TO THE CENTER LINE OF SAID S.T.H. 11;

THENCE S 67° 57' 47" E 355.38' ALONG SAID CENTER LINE (REC. AS N 69° 47' 56" W) TO THE POINT OF BEGINNING, CONTAINING 2.632 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY AND ALL EASEMENTS OF RECORD, INCLUDING BUT NOT LIMITED TO A HIGHWAY R.O.W. FOR SAID S.T.H. 11, SAID R.O.W. VARYING IN WIDTH AND BEING NORTHERLY OF AND ADJACENT TO THE SOUTHERLY LINE OF THE ABOVE DESCRIBED PROPERTY, AND ALSO BEING SUBJECT TO EASEMENTS FOR INGRESS-EGRESS, STORM SEWER AND UNDER-GROUND ELECTRIC, SAID EASEMENTS BEING DESCRIBED AS FOLLOWS:

EASEMENT FOR INGRESS-EGRESS

A 30' WIDE PARCEL OF LAND, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SECTION 26, T 1 N, R 1 W OF THE 4TH P.M., GRANT COUNTY, WISCONSIN; THENCE S 01° 18' 45" W 1126.22' TO THE CENTER LINE OF S.T.H. 11; THENCE N 67° 57' 47" W 692.05' ALONG SAID CENTER LINE TO THE POINT OF BEGINNING; THENCE N 15° 00' 26" E 84.14'; THENCE N 13° 18' 58" W 92.33'; THENCE N 73° 08' 00" W 40.00' TO THE TERMINUS POINT.

EASEMENT FOR STORM SEWER

A 15' WIDE PARCEL OF LAND, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SECTION 26, T 1 N, R 1 W OF THE 4TH P.M., GRANT COUNTY, WISCONSIN; THENCE S 01° 18' 45" W 1126.22' TO THE CENTER LINE OF S.T.H. 11; THENCE N 67° 57' 47" W 638.60' ALONG SAID CENTER LINE; THENCE N 13° 37' 46" W 49.72' TO THE POINT OF BEGINNING; THENCE N 13° 37' 46" W 197.62' TO THE TERMINUS POINT.

EASEMENT FOR UNDERGROUND ELECTRIC SERVICE

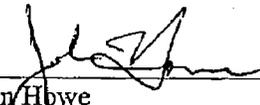
A 10' WIDE PARCEL OF LAND, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF SECTION 26, T 1 N, R 1 W OF THE 4TH P.M., GRANT COUNTY, WISCONSIN; THENCE S 01° 18' 45" W 1126.22' TO THE CENTER LINE OF S.T.H. 11; THENCE N 67° 57' 47" W 402.87' ALONG SAID CENTER LINE; THENCE N 19° 01' 56" E 352.71'; THENCE N 78° 21' 59" W 318.78'; THENCE S 76° 30' 25" W 57.65'; THENCE S 16° 52' 52" W 43.19' TO THE POINT OF BEGINNING; THENCE N 69° 17' 32" W 179.88'; THENCE N 73° 14' 49" W 37.94'; THENCE N 83° 45' 43" W 57.13'; THENCE S 58° 22' 46" W 39.60'; THENCE N 81° 59' 19" W 28.46' TO THE TERMINUS POINT.

Legal Description Statement

Cenex/Land O Lakes – Hazel Green
520 State Road 11
Hazel Green, Wisconsin

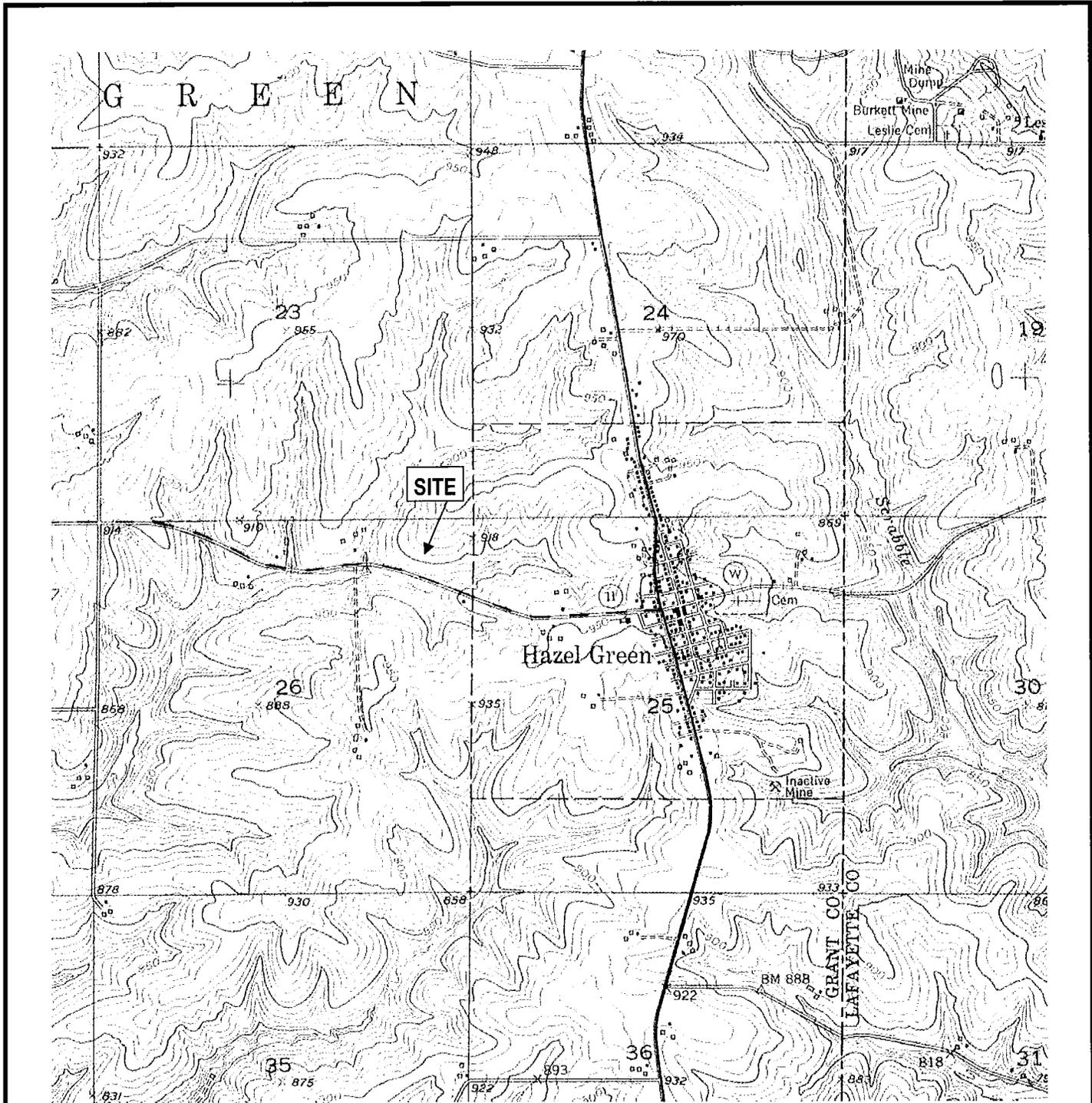
DATCP Case #98420080501
BRRS #02-22-547206

The legal description for the site specified above and as shown on the documents attached to this statement, is complete and accurate to the best of my knowledge.

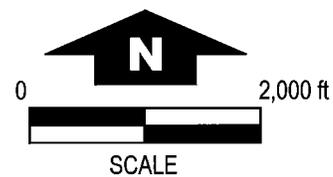
 FOR Agrilience, LLC

John Howe
Agrilience, LLC
16380 Valley Road
Eden Prairie, MN 55347

3/27/08
Date



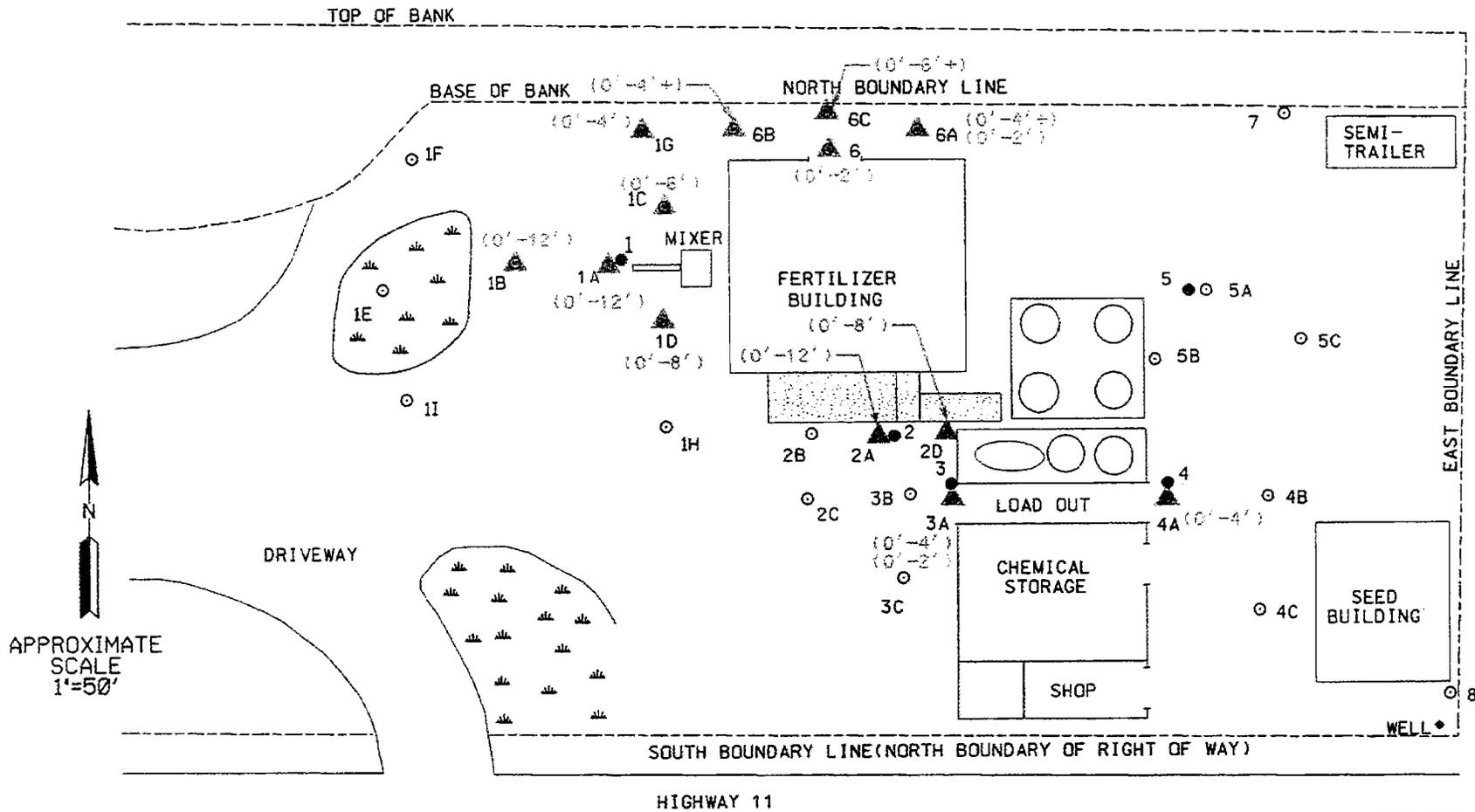
Source: USGS Topographic Map Cuba City Quadrangle (1988)

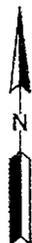


HEI
 HYDE ENVIRONMENTAL, INC.

Figure 1
 Project No. AD10
 Date: April 30, 2007

SITE LOCATION MAP
 AGRILIANCE, LLC
 HAZEL GREEN, WISCONSIN




 APPROXIMATE
 SCALE
 1"=50'

LEGEND

-  CONCRETE/ASPHALT PAD
-  WDATCP SAMPLE
-  COMPLETED PROBE LOCATIONS
-  (DEPTH) OF CLEAN UP LIMIT FOR TOTAL NITROGEN
-  (DEPTH) OF CLEAN UP LIMIT FOR TOTAL PESTICIDES

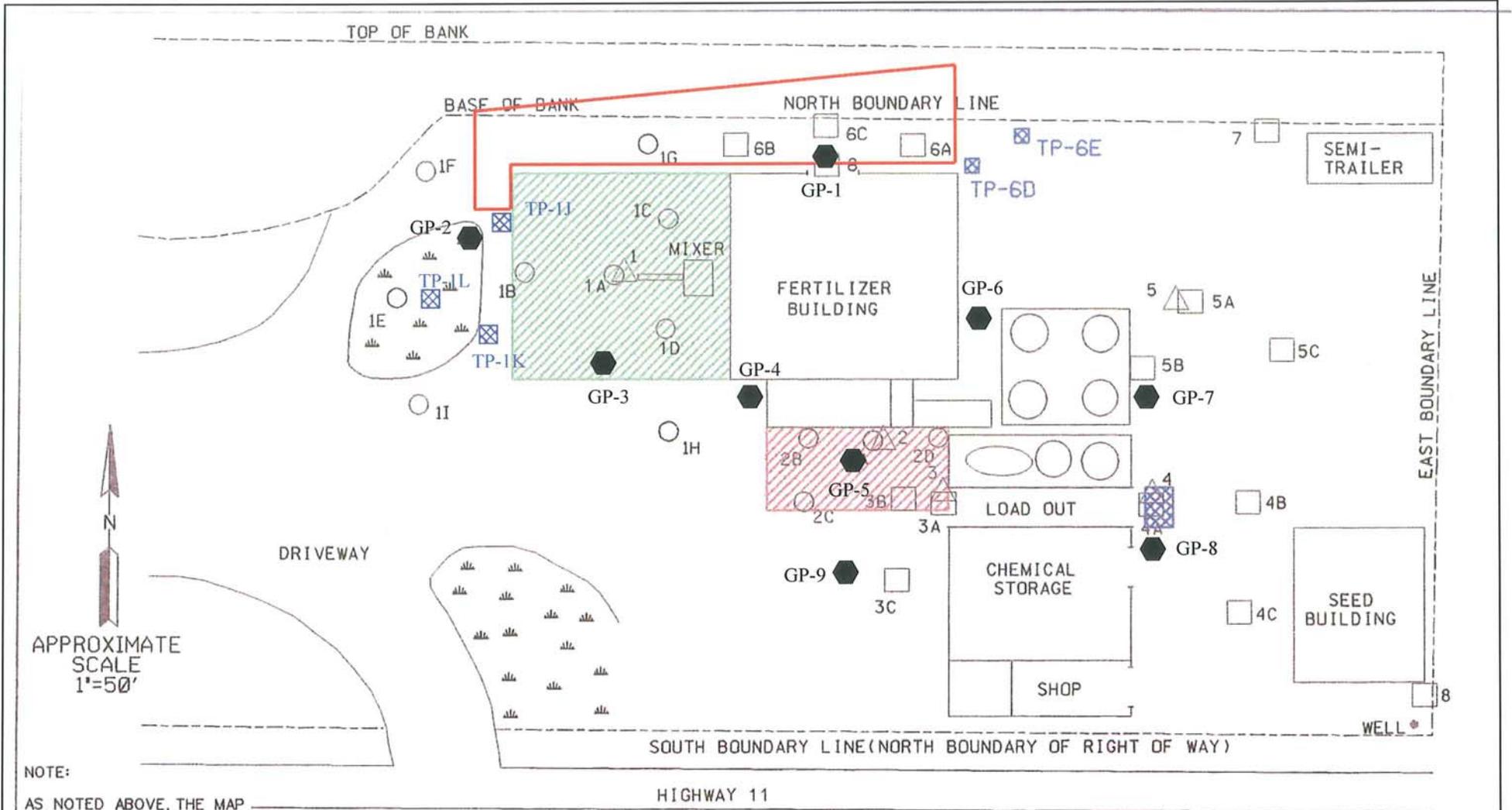
NOTE:

AS NOTED ABOVE, THE MAP SCALE IS IDENTIFIED AS "APPROXIMATE" DUE TO THE FACT THAT THE SITE HAS NOT BEEN SURVEYED. BORING LOCATIONS, BUILDINGS, AND OTHER SITE FEATURES WERE DETERMINED IN THE FIELD WITH A TAPE MEASURE.

Base map prepared by Wenck Associates, Inc., May 2000


HYDE ENVIRONMENTAL, INC.

FIGURE 2
SOIL SAMPLING LOCATIONS
 Agrilience, LLC—Hazel Green, WI.



NOTE:
 AS NOTED ABOVE, THE MAP SCALE IS IDENTIFIED AS "APPROXIMATE" DUE TO THE FACT THAT THE SITE HAS NOT BEEN SURVEYED. BORING LOCATIONS, BUILDINGS, AND OTHER SITE FEATURES WERE DETERMINED IN THE FIELD WITH A TAPE MEASURE.

FILE | HAZEL05.DGN
 DATE | 5/30/00 LSWT

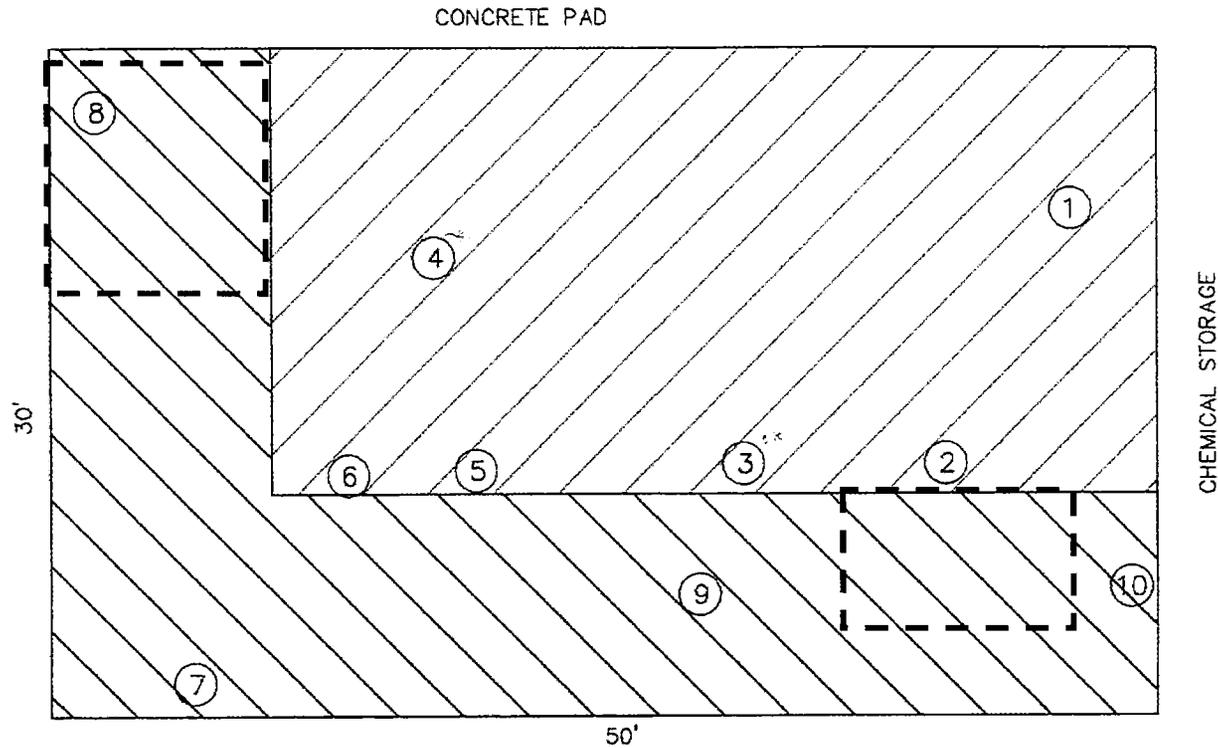
- LEGEND
- △ DATCP SAMPLE
 - SOIL PROBE: N ANALYSIS
 - SOIL PROBE: N & OP/ON ANALYSIS
 - LIQUID FERTILIZER TANKS
 - SOIL BORING (JAN 30, 2008—SAND CREEK CONSULTANTS)

- NORTH EXCAVATION (NOV. 21 & 22, 2000)
- ▣ TEST PITS
- ▤ EAST EXCAVATION AREA (JAN. 18-20, 2000)
- ▥ SOUTH EXCAVATION AREA (JAN. 18-20, 2000)
- ▧ WEST EXCAVATION AREA (MARCH 13, 2000)

NOTE: Base map prepared by Wenck Associates, Inc., May 2000
 Excavation areas and boring locations estimated from Wenck Associates and Sand Creek Consultants maps

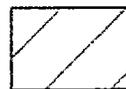
HEI
 HYDE ENVIRONMENTAL, INC.

FIGURE 3
SOIL EXCAVATION LOCATIONS
 Agrilience, LLC—Hazel Green, WI.

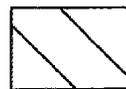


SAMPLE LEGEND

- #1 FLOOR AT 12.5'
- #2 SOUTH WALL AT 6'-8"
- #3 SOUTH WALL AT 2'-4"
- #4 FLOOR AT 12'
- #5 SOUTH WALL AT 6'-8"
- #6 SOUTH WALL AT 2'-4"
- #7 SOUTH WALL AT 2'
- #8 FLOOR AT 3'
- #9 FLOOR AT 3'
- #10 EAST WALL AT 2'



12 FEET DEEP



3 FEET DEEP



Extent of Remaining Soil impacts—nitrogen

SAMPLE LEGEND

- #1 WEST FLOOR AT 12'
- #2 SOUTH WALL AT 8' - 12'
- #3 FLOOR AT 2'
- #4 FLOOR AT 5'
- #5 FLOOR AT 2.5'
- #6 FLOOR AT 4.5'
- #7 FLOOR AT 8'
- #8 FLOOR AT 8'
- #9 SOUTH WALL AT 6' - 8'
- #10 EAST WALL AT 6' - 8'

EXCAVATION DEPTHS

2.5 FT DEPTH



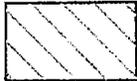
8 FT DEPTH



8 FT DEPTH



4.5 FT DEPTH



8 FT DEPTH



5 FT DEPTH



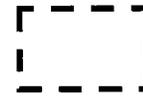
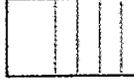
12 FT DEPTH



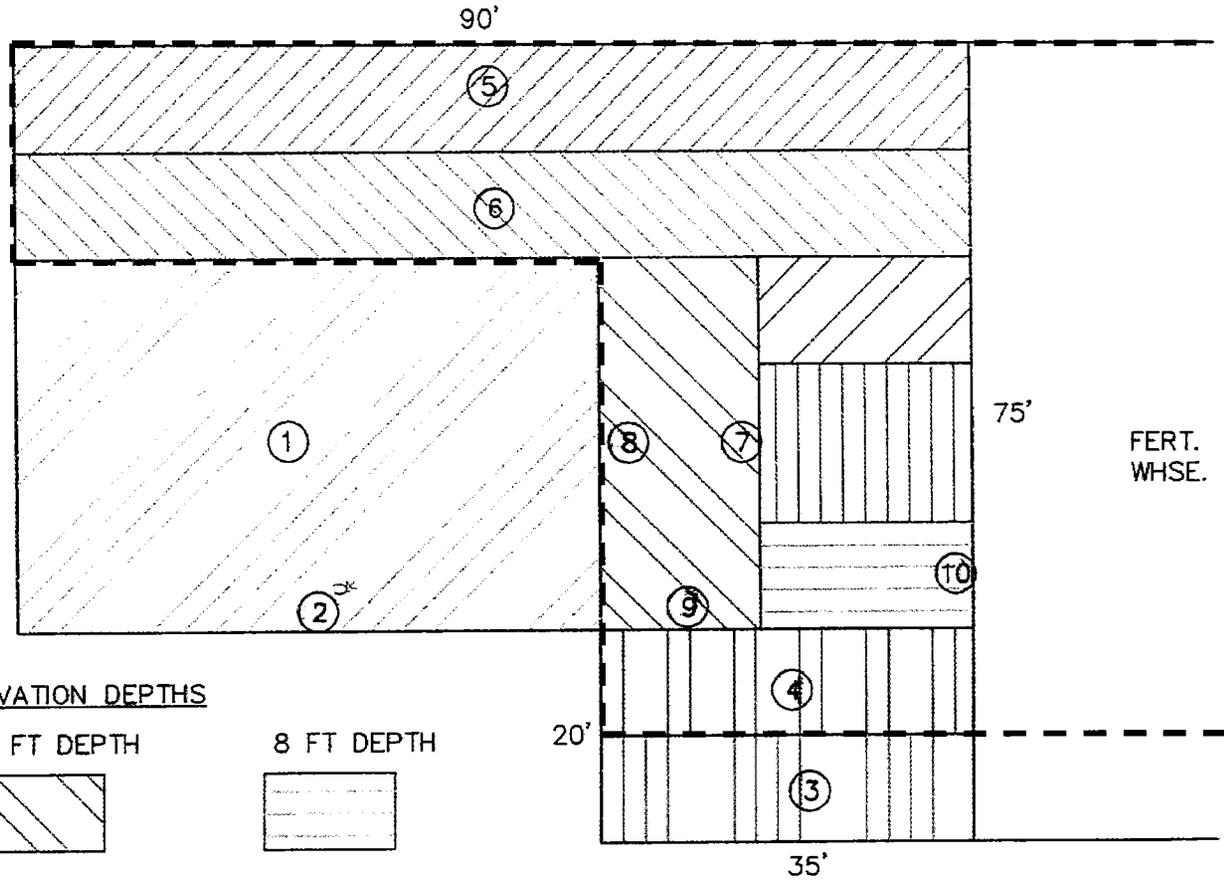
4 FT DEPTH

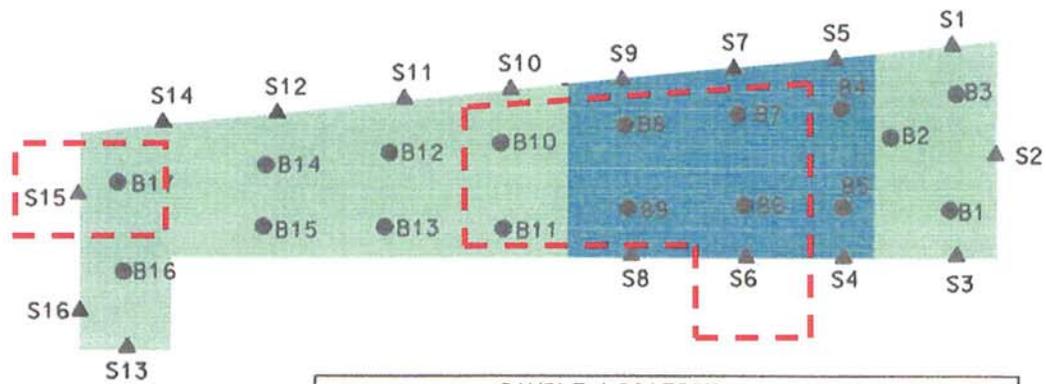


2 FT DEPTH



Extent of Remaining Soil impacts—nitrogen





APPROX. SCALE: 1"=30'

LEGEND

▲S1 SIDEWALL SAMPLE LOCATION

●B1 BOTTOM SAMPLE LOCATION

PROPOSED EXCAVATION DEPTH

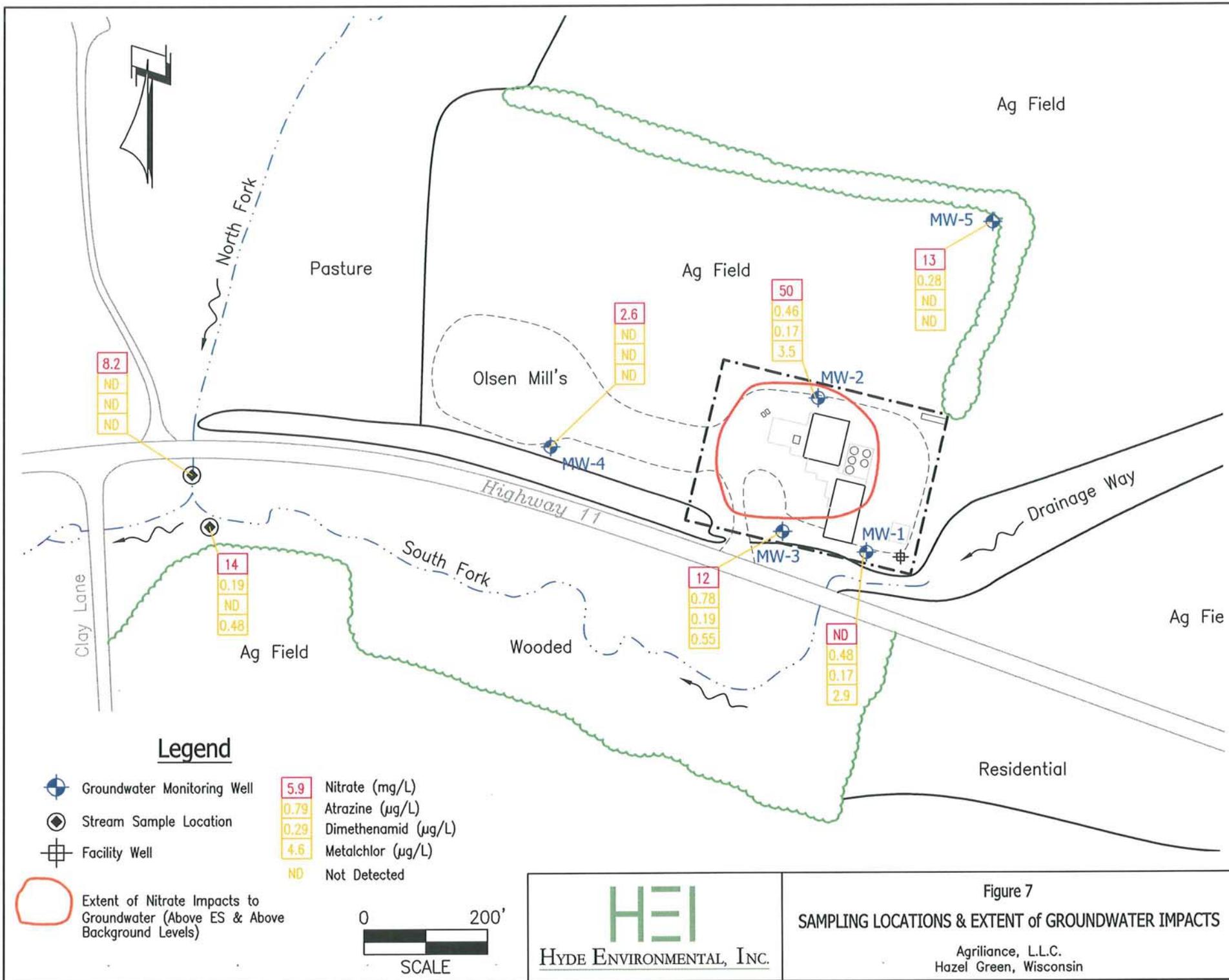
■ 4' DEEP

■ 3' DEEP



Extent of Remaining Soil impacts—nitrogen

SAMPLE LOCATION			
S1	Side wall @ 2-3 feet	B1	Bottom @ 4 feet
S2	Side wall @ 2-3 feet	B2	Bottom @ 4 feet
S3	Side wall @ 2-3 feet	B3	Bottom @ 4 feet
S4	Side wall @ 2 feet	B4	Bottom @ 3 feet
S5	Side wall @ 2 feet	B5	Bottom @ 3 feet
S6	Side wall @ 2 feet	B6	Bottom @ 3 feet
S7	Side wall @ 2 feet	B7	Bottom @ 3 feet
S8	Side wall @ 2 feet	B8	Bottom @ 3 feet
S9	Side wall @ 2 feet	B9	Bottom @ 3 feet
S10	Side wall @ 2-3 feet	B10	Bottom @ 4 feet
S11	Side wall @ 2-3 feet	B11	Bottom @ 4 feet
S12	Side wall @ 2-3 feet	B12	Bottom @ 4 feet
S13	Side wall @ 2-3 feet	B13	Bottom @ 4 feet
S14	Side wall @ 2-3 feet	B14	Bottom @ 4 feet
S15	Side wall @ 2-3 feet	B15	Bottom @ 4 feet
S16	Side wall @ 2-3 feet	B16	Bottom @ 4 feet
		B17	Bottom @ 4 feet



8.2
ND
ND
ND

14
0.19
ND
0.48

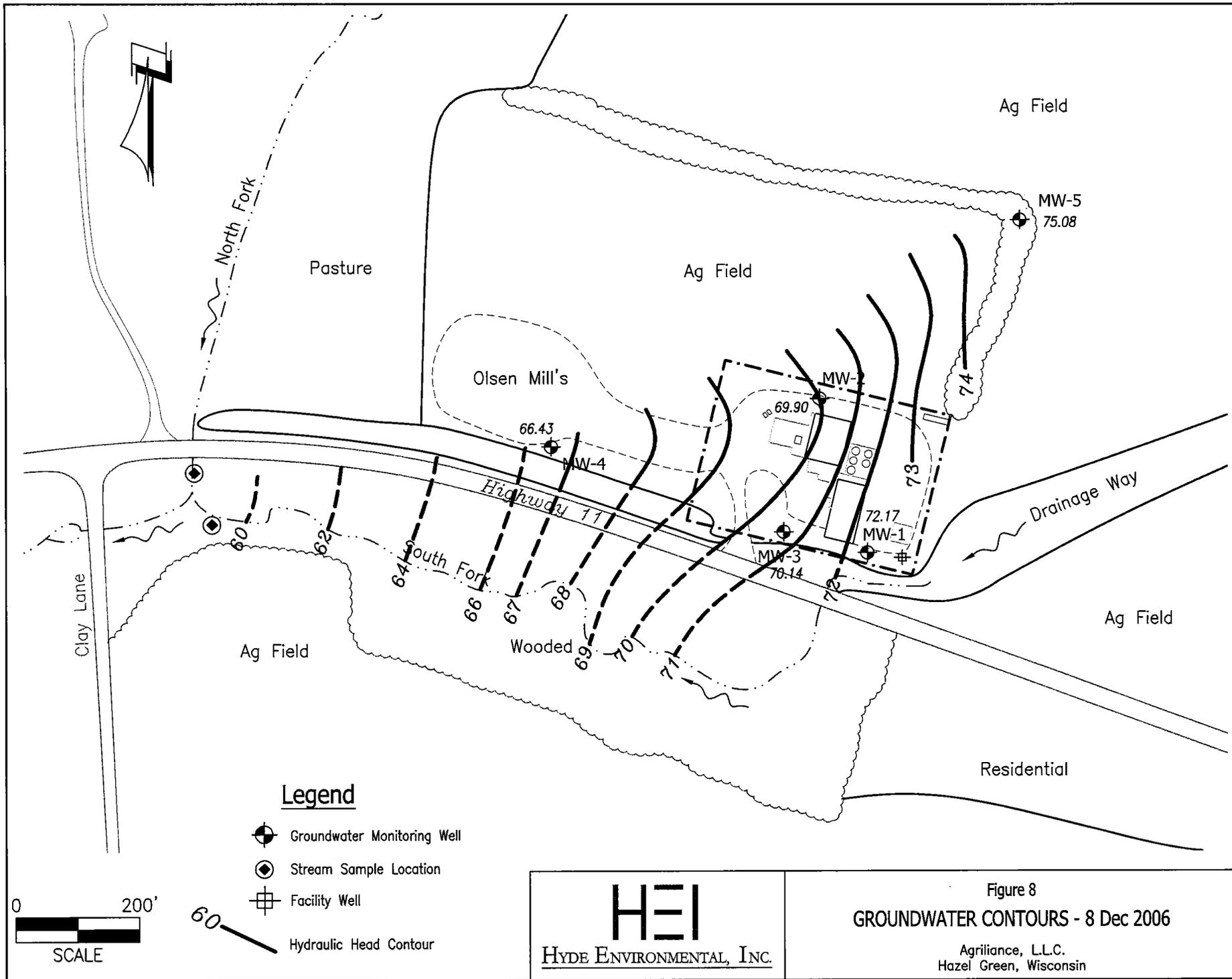
2.6
ND
ND
ND

12
0.78
0.19
0.55

50
0.46
0.17
3.5

13
0.28
ND
ND

ND
0.48
0.17
2.9



Legend

-  Groundwater Monitoring Well
-  Stream Sample Location
-  Facility Well
-  Hydraulic Head Contour



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HYDE ENVIRONMENTAL, INC.

Figure 8
GROUNDWATER CONTOURS - 8 Dec 2006

Agrilience, L.L.C.
Hazel Green, Wisconsin

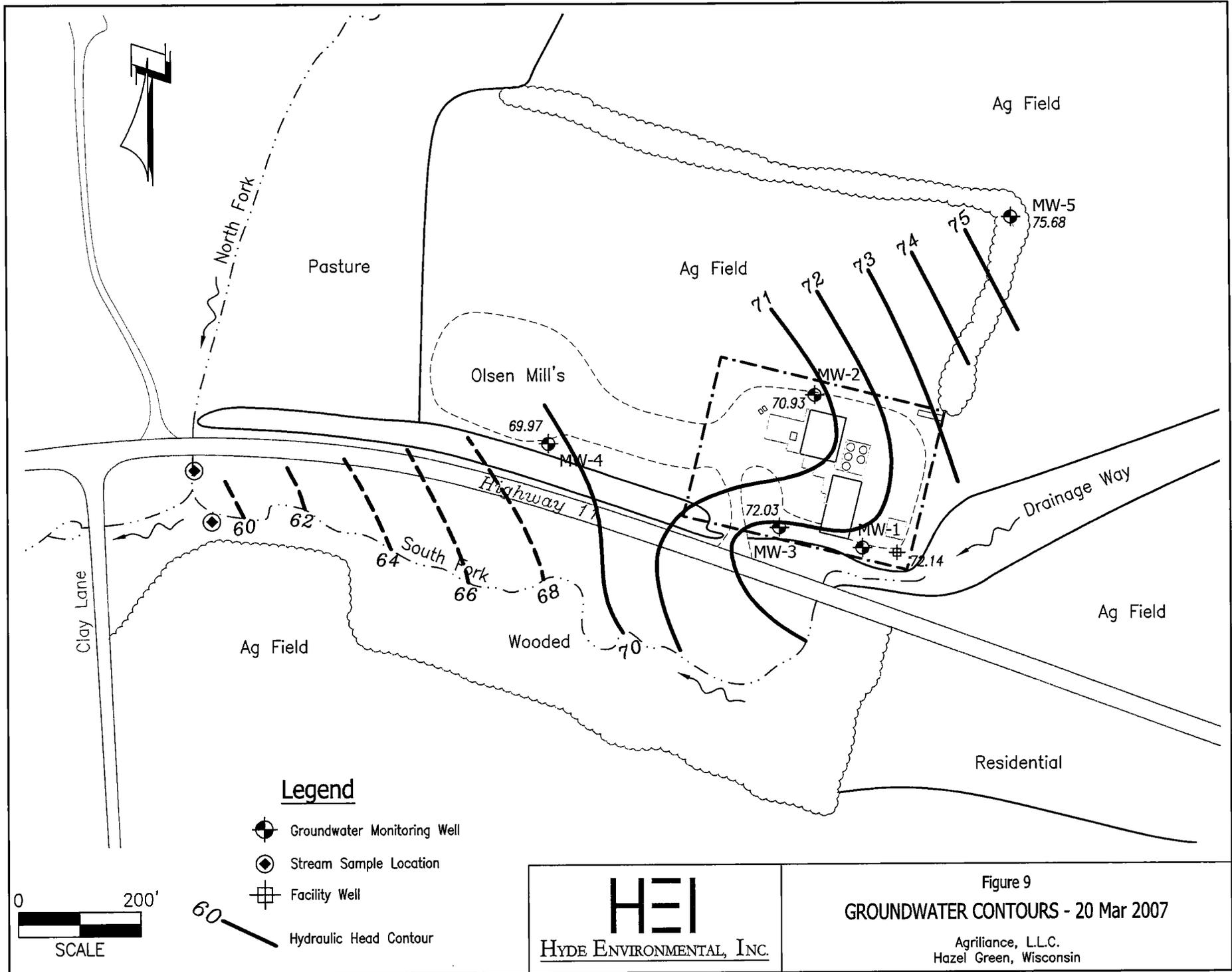


Figure 10
Private Water Supply Well Locations
Agrilience Agronomy Facility, Hazel Green, Wisconsin

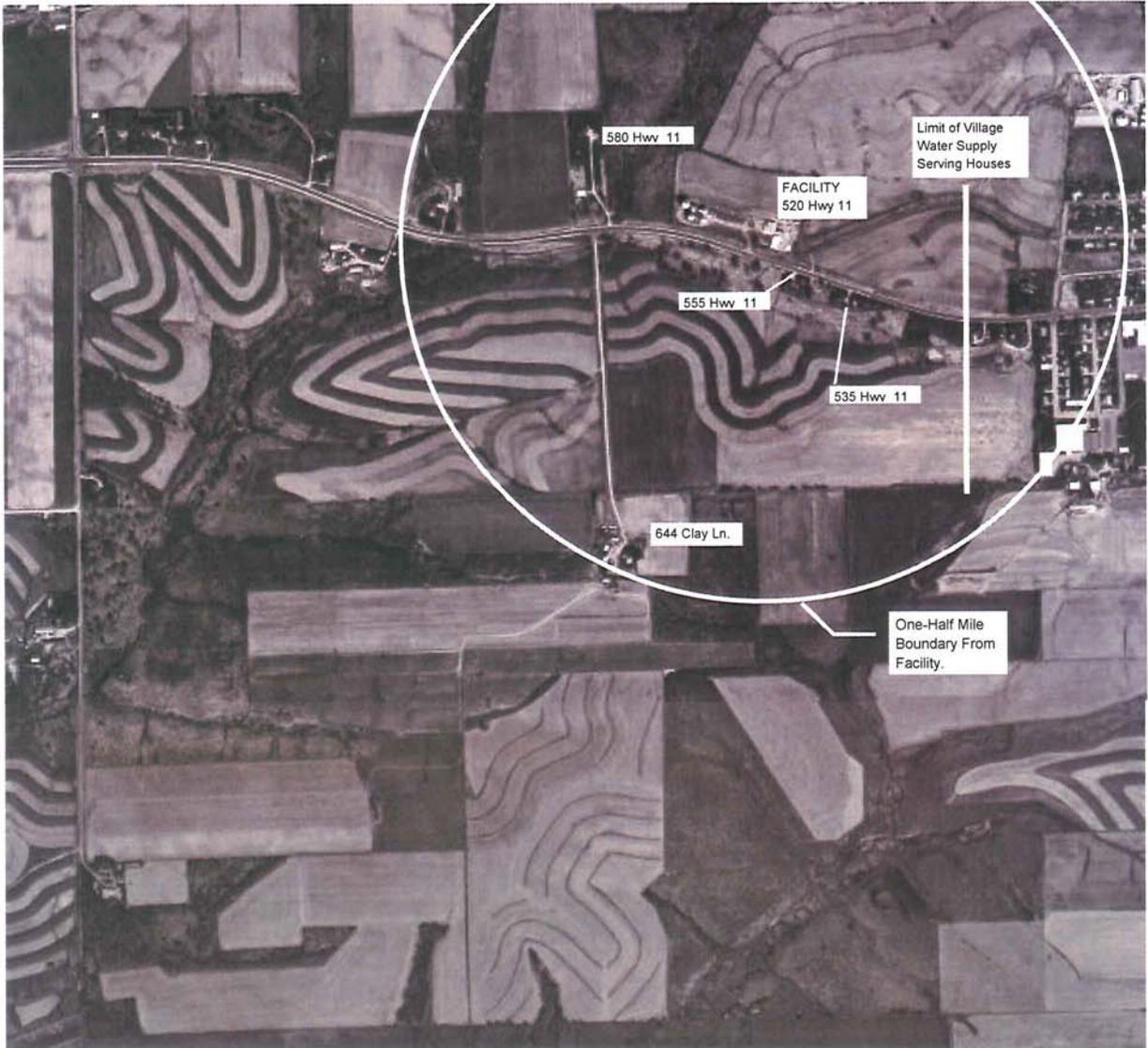


TABLE 11
POST-EXCAVATION SOIL DATA
Agriliance, LLC - Hazel Green, WI Facility

Samples collected January 2008

Sample Number	Depth (ft.)	Ammonium-N (mg/kg)	Nitrate/Nitrite-N (mg/kg)	Total N	Total PESTS
GP-1	3-4	--	--	--	na
	7-8	--	--	--	na
GP-2	3-4	--	130	130	na
	7-8	--	210	210	na
GP-3	3-4	--	140	140	na
	7-8	--	35	35	na
GP-4	3-4	32	180	212	na
	7-8	31	180	211	na
GP-5	3-4	--	--	--	na
	7-8	--	--	--	na
GP-6	3-4	--	21	21	na
	7-8	--	21	21	na
GP-7	3-4	--	73	73	na
	7-8	--	160	160	na
GP-8	0-1	na	na	na	0.5
	3-4	--	51	51	0.045
	7-8	--	56	56	na
GP-9	0-1	na	na	na	--
	3-4	--	27	27	--
	7-8	--	47	47	na

Bold/Italicized: Exceeds soil cleanup goal of 100 mg/kg total N or 1mg/kg Total P.

--: Not detected

na: Not Analyzed

NOTE: Sampling conducted by Sand Creek Consultants, Inc.

TABLE 8: GROUNDWATER DATA

Agrilience, LLC - Hazel Green, WI Facility

Well No:	MW-1								NR 140 GW Standards		
	Data Sampled:	6/25/03	2/26/04	6/7/04	8/20/04	2/28/05	9/2/05	12/8/06	3/20/07	ES	PAL
NITROGEN (mg/l)											
Ammonia-N	<1.0		NA	NA	NA	NA	NA	<1.0	<1.0	NS	NS
Nitrate/Nitrite-N	57	Hydra-Sleeve Sample Depth (ft.) 1	100	72	19	33	97	22	<1.0	10	2
		8	100								
		14	110								
Average:		8	103								
PESTICIDES (ug/l)											
Acetochlor	0.13	0.55	0.65	0.2	NA	0.48	0.16	--	NS	NS	
Alachlor	--	--	0.64	0.01	NA	3.0	--	--	2	0.2	
Butylate	--	--	--	--	NA	--	--	--	67	6.7	
Chlorpyrifos	--	--	--	--	NA	--	--	--	NS	NS	
Cyanazine	0.11	--	--	--	NA	--	--	--	1	0.1	
Atrazine	2.0	1.3	4.9	1.6	NA	0.39	0.25	0.21	NS	NS	
DEA	0.51	1.1	0.58	0.32	NA	1.00	0.19	0.19	NS	NS	
DIA	0.26	0.57	0.35	0.18	NA	0.28	0.11	0.081	NS	NS	
Total Atrazine	2.77	2.97	5.83	1.92		1.67	0.55	0.48	3	0.3	
Dimethenamid	2.4	7.4	2.6	0.78	NA	3.6	0.22	0.17	NS	NS	
EPTC	--	--	--	--	NA	--	--	--	250	50	
Metolachlor	4.1	15	20	5.7	NA	84	5.9	2.9	15	1.5	
Metribuzin	--	--	--	--	NA	--	--	--	250	50	
Pendimethalin	--	--	--	--	NA	--	--	--	NS	NS	
Prometon	--	--	--	--	NA	--	--	--	90	18	
Propazine	--	--	--	0.059	NA	--	--	--	NS	NS	
Simazine	--	--	--	--	NA	--	--	--	4	0.4	
Trifluralin	--	--	--	--	NA	--	--	--	7.5	0.75	

Bold/Italicized: Exceeds NR 140 Enforcement Standard (ES)

Italicized: Exceeds NR 140 Preventive Action Limit (PAL)

-- : Less Than Reporting or Practical Quantitation (PQ) Limit

NS: No standard

NA: Not analyzed

TABLE 8 (Continued): GROUNDWATER DATA
Agrilience, LLC - Hazel Green, WI Facility

Well No:	MW-2									NR 140 GW Standards		
	Data Sampled:	6/25/03	2/26/04		6/7/04	8/20/04	2/28/05	9/2/05	12/8/06	3/20/07	ES	PAL
NITROGEN (mg/l) Ammonia-N Nitrate/Nitrite-N Average:		<1.0	Hydra-Sleeve Sample Depth (ft.)	NA	NA	NA	NA	NA	<1.0	<1.0	NS	NS
		28	2	60	42	58	41	55	65	50	10	2
			9	59								
			15	64								
			9	61								
PESTICIDES (ug/l)												
Acetochlor	--	--	--	--	NA	--	--	--	NS	NS		
Alachlor	--	--	--	--	NA	1.3	--	--	2	0.2		
Butylate	--	--	--	--	NA	--	--	--	67	6.7		
Chlorpyrifos	--	--	--	--	NA	--	--	--	NS	NS		
Cyanazine	--	--	--	--	NA	--	--	--	1	0.1		
Atrazine	0.14	0.21	0.49	0.28	NA	0.17	0.19	--	NS	NS		
DEA	0.22	0.28	0.59	0.47	NA	0.36	0.43	0.46	NS	NS		
DIA	0.083	--	0.22	0.092	NA	0.11	0.10	--	NS	NS		
Total Atrazine	0.44	0.49	1.3	0.78		0.64	0.72	0.46	3	0.3		
Dimethenamid	0.24	0.34	0.37	0.30	NA	0.22	0.31	0.17	NS	NS		
EPTC	--	--	--	--	NA	--	--	--	250	50		
Metolachlor	0.91	2.5	4.4	5.8	NA	3.8	8.1	3.5	15	1.5		
Metribuzin	--	--	--	--	NA	--	--	--	250	50		
Pendimethalin	--	--	--	--	NA	--	--	--	NS	NS		
Prometon	--	--	--	--	NA	--	--	--	90	18		
Propazine	--	--	--	0.047	NA	--	--	--	NS	NS		
Simazine	--	--	--	--	NA	--	--	--	4	0.4		
Trifluralin	--	--	--	--	NA	--	--	--	7.5	0.75		

Bold/Italicized: Exceeds NR 140 Enforcement Standard (ES)
 Italicized: Exceeds NR 140 Preventive Action Limit (PAL)
 -- : Less Than Reporting or Practical Quantitation (PQ) Limit
 NS: No standard
 NA: Not analyzed

TABLE 8 (Continued): GROUNDWATER DATA
Agrilience, LLC - Hazel Green, WI Facility

Well No:	MW-3									NR 140 GW Standards	
	Data Sampled:	6/25/03	2/26/04		6/7/04	8/20/04	2/28/05	9/2/05	12/8/06	3/20/07	ES
NITROGEN (mg/l) Ammonia-N Nitrate/Nitrite-N Average:	<1.0		NA	NA	NA	NA	NA	<1.0	<1.0	NS	NS
	20	Hydra-Sleeve Sample Depth (ft.) 1	30	15	15	28	32	14	12	10	2
		7	30								
		13	30								
		7	30								
PESTICIDES (ug/l)											
Acetochlor	--	--	--	0.060	NA	--	--	--	--	NS	NS
Alachlor	0.17	--	--	0.070	NA	--	--	--	--	2	0.2
Butylate	--	--	--	--	NA	--	--	--	--	67	6.7
Chlorpyrifos	--	--	--	--	NA	--	--	--	--	NS	NS
Cyanazine	--	--	--	--	NA	--	--	--	--	1	0.1
Atrazine	--	0.19	--	0.13	NA	0.14	0.16	0.19	0.19	NS	NS
DEA	--	0.33	0.84	0.35	NA	0.31	0.43	0.50	0.50	NS	NS
DIA	--	--	--	0.11	NA	0.11	0.096	0.086	0.086	NS	NS
Total Atrazine	--	0.52	0.84	0.59	NA	0.56	0.69	0.78	0.78	3	0.3
Dimethenamid	--	0.38	0.57	0.31	NA	0.45	0.16	0.19	0.19	NS	NS
EPTC	0.083	--	--	--	NA	--	--	--	--	250	50
Metolachlor	0.71	1.2	4.6	0.6	NA	1.5	0.72	0.55	0.55	15	1.5
Metribuzin	--	--	--	--	NA	--	--	--	--	250	50
Pendimethalin	--	--	--	--	NA	--	--	--	--	NS	NS
Prometon	--	--	--	--	NA	--	--	--	--	90	18
Propazine	--	--	--	--	NA	--	--	--	--	NS	NS
Simazine	--	--	--	--	NA	--	--	--	--	4	0.4
Trifluralin	--	--	--	--	NA	--	--	--	--	7.5	0.75

Bold/Italicized: Exceeds NR 140 Enforcement Standard (ES)
 Italicized: Exceeds NR 140 Preventive Action Limit (PAL)
 -- : Less Than Reporting or Practical Quantitation (PQ) Limit
 NS: No standard
 NA: Not analyzed

TABLE 8 (Continued): GROUNDWATER DATA
Agrilance, LLC - Hazel Green, WI Facility

Well No: Data Sampled:	MW-4		MW-5		NR 140 GW Standards	
	12/8/06	3/20/07	12/8/06	3/20/07	ES	PAL
NITROGEN (mg/l)						
Ammonia-N	<1.0	<1.0	<1.0	<1.0	NS	NS
Nitrate/Nitrite-N	4.5	2.6	12	13	10	2
Average:						
PESTICIDES (ug/l)						
Acetochlor	--	--	--	--	NS	NS
Alachlor	--	--	--	--	2	0.2
Butylate	--	--	--	--	67	6.7
Chlorpyrifos	--	--	--	--	NS	NS
Cyanazine	--	--	--	--	1	0.1
Atrazine	--	--	--	--	NS	NS
DEA	0.087	--	0.24	0.28	NS	NS
DIA	0.075	--	0.12	--	NS	NS
Total Atrazine	0.16	--	0.36	0.28	3	0.3
Dimethenamid	--	--	--	--	NS	NS
EPTC	--	--	--	--	250	50
Metolachlor	0.15	--	--	--	15	1.5
Metribuzin	--	--	--	--	250	50
Pendimethalin	--	--	--	--	NS	NS
Prometon	--	--	--	--	90	18
Propazine	--	--	--	--	NS	NS
Simazine	--	--	--	--	4	0.4
Trifluralin	--	--	--	--	7.5	0.75

Bold/Italicized: Exceeds NR 140 Enforcement Standard (ES)

Italicized: Exceeds NR 140 Preventive Action Limit (PAL)

-- : Less Than Reporting or Practical Quantitation (PQ) Limit

NS: No standard

NA: Not analyzed

TABLE 9: SURFACE WATER DATA
Agrilience, LLC - Hazel Green, WI Facility

Sample Location: Data Sampled:	North Creek				South Creek			
	2/28/05	9/2/05	12/8/06	3/20/07	2/28/05	9/2/05	12/8/06	3/20/07
NITROGEN (mg/l)								
Ammonia-N	NA	NA	--	--	NA	NA	--	--
Nitrate/Nitrite-N	7.3	5.2	8.5	8.2	13	18	14	14
PESTICIDES (ug/l)								
Acetochlor	NA	NA	--	--	NA	NA	--	--
Alachlor	NA	NA	--	--	NA	NA	--	--
Butylate	NA	NA	--	--	NA	NA	--	--
Chlorpyrifos	NA	NA	--	--	NA	NA	--	--
Cyanazine	NA	NA	--	--	NA	NA	--	--
Atrazine	NA	NA	--	--	NA	NA	0.10	--
DEA	NA	NA	0.13	--	NA	NA	0.11	0.19
DIA	NA	NA	0.078	--	NA	NA	0.21	--
Total Atrazine			0.21	--			0.42	0.19
Dimethenamid	NA	NA	--	--	NA	NA	--	--
EPTC	NA	NA	--	--	NA	NA	--	--
Metolachlor	NA	NA	--	--	NA	NA	0.48	0.48
Metribuzin	NA	NA	--	--	NA	NA	--	--
Pendimethalin	NA	NA	--	--	NA	NA	--	--
Prometon	NA	NA	--	--	NA	NA	--	--
Propazine	NA	NA	--	--	NA	NA	--	--
Simazine	NA	NA	--	--	NA	NA	--	--
Trifluralin	NA	NA	--	--	NA	NA	--	--

-- : Less Than Reporting or Practical Quantitation (PQ) Limit

NA: Not analyzed

TABLE 10: PRIVATE WELL LABORATORY DATA
Agriliance, LLC - Hazel Green, WI Facility

No.	Name	Sample Date	Nitrate - N (mg/l)	Ammonia - N (mg/l)	Atrazine + Metabolites (ug/l)	Cyanazine (ug/l)	Metolachlor (ug/l)	Metolachlor ESA	Metolachlor OA	Alachlor ESA
1	Agriliance Facility	11/16/00	--	--	--	--	--	NA	NA	NA
		11/10/01	--	--	--	--	--	NA	NA	NA
2	535 Hwy 11	11/10/01	10	--	0.11	--	--	NA	NA	NA
		6/7/04	12	NA	0.52	--	0.12 B	NA	NA	NA
3	555 Hwy 11	11/10/01	6.0	--	0.13	--	--	NA	NA	NA
		6/7/04	7.0	NA	0.50	--	0.11 B	NA	NA	NA
4	580 Hwy 11	11/10/01	7.3	--	0.21	--	--	NA	NA	NA
		6/7/04	8.2	NA	0.32	--	0.10 B	NA	NA	NA
5	644 Clay Lane	11/10/01	6.0	--	0.72	0.25	0.25	NA	NA	NA
		6/25/03	NA	NA	NA	NA	NA	0.253	0.212	0.201

NR 140 Groundwater Standards

Nitrate - N (mg/l)
 Atrazine + metabolites (ug/l)
 Cyanazine (ug/l)
 Metolachlor (ug/l)

Enforcement Standard

10
 3.0
 1.0
 15

Preventive Action Limit

2.0
 0.3
 0.1
 1.5

NA: Not analyzed

-- : Less Than Reporting or Practical Quantitation (PQ) Limit

Bold/Italicized: Exceeds NR 140 Enforcement Standard (ES)

Italicized: Exceeds NR 140 Preventive Action Limit (PAL)

B = Metolachlor detected in associated method blank at 0.12 ug/l.

TABLE 7: GROUNDWATER ELEVATION DATA
AgriIiance, LLC - Hazel Green, WI Facility

Monitoring Well	Ground Elevation	Well Casing Elevation	Well Depth (ft)	26-Jun-03		26-Feb-04		7-Jun-04		9-Jul-04	
				Depth to Water (ft)	Groundwater Elevation						
MW-1	98.49	99.66	51.2	31.41	68.25	32.46	67.20	24.80	74.86	25.20	74.46
MW-2	98.47	98.18	50.0	30.02	68.16	31.18	67.00	24.36	73.82	24.50	73.68
MW-3	97.49	98.87	51.4	30.09	68.78	31.93	66.94	23.76	75.11	24.26	74.61

Monitoring Well	Ground Elevation	Well Casing Elevation*	Well Depth (ft)	20-Aug-04		17-Feb-05		28-Feb-05		13-Jul-05	
				Depth to Water (ft)	Groundwater Elevation						
MW-1	98.49	99.66	51.2	27.33	72.33	29.41	70.25	30.92	68.74	32.32	67.34
MW-2	98.47	98.18	50.0	26.37	71.81	28.95	69.23	29.81	68.37	30.91	67.27
MW-3	97.49	98.87	51.4	26.49	72.38	28.17	70.70	28.71	70.16	31.62	67.25

Monitoring Well	Ground Elevation	Well Casing Elevation*	Well Depth (ft)	2-Sep-05		20-Oct-05		8-Dec-06		20-Mar-07	
				Depth to Water (ft)	Groundwater Elevation						
MW-1	98.49	99.66	51.2	32.16	67.50	33.36	66.30	27.49	72.17	27.52	72.14
MW-2	98.47	98.18	50.0	30.05	68.13	31.82	66.36	28.28	69.90	27.25	70.93
MW-3	97.49	98.87	51.4	31.75	67.12	32.81	66.06	28.73	70.14	26.84	72.03
MW-4	96.37	98.38	51.7	NM	--	NM	--	31.95	66.43	31.41	66.97
MW-5	122.65	124.49	77.1	NM	--	NM	--	49.41	75.08	48.81	75.68

Stream Bottom Elevations	Elevation	Notes
South Stream (Begining of Stream Channel)	85.0	Surveyed to within 0.1 feet.
South Stream (south of facility)	71.0	Surveyed to within 0.1 feet.
North and South Stream Confluence	58.5	Surveyed to within 0.1 feet. Surveyed on 9/2/05

Note: Elevations from on-site benchmark at 100.00 feet.
 * Well casing elevation resurveyed on February 28, 2005.
 NM = Not Measured
 Wells MW-4 and MW-5 installed in December 2006