

Franklin County Farm for Sale

134.15 Gross Acres Prime Cropland

Tuesday, August 9th, 2022 @ 10:30 pm

@ the Hansell Community Center

1471 Timber Avenue, 50441

Live Auction with Online Bidding!

SE 1/4 S of RR 26 Mott

All in Section 26-92-20

134.15 +/- Gross Acres, ~ 130.33 Tillable Acres

Weighted Average CSR2 - 90.8

Seller: Michael & Linda Buchanan

For questions and more information, contact:

Auctioneer: Frank Fox 641-420-3243 foxauctioncompany.com

Closing Broker: Brian Carlson, EXIT Realty Mason City

METHOD OF SALE:

- 1) Real Estate sells at 10:30 A.M.

SPECIAL PROVISIONS:

- 1) Closes by September 27th, 2022.
- 2) Earnest money deposit 10% of the sale price.
- 3) The buyer will get outright possession for the 2023 growing season. The 2022 lease has been terminated.
- 4) The eventual sale price is not subject to the outcome of a formal survey.
- 5) This sale is not subject to financing.
- 6) The cropland has been enrolled in the ARC/PLC program for the 2022 growing season. It will be the buyer's responsibility to provide the FSA office in their control County a copy of the recorded deed to authorize the FSA to assign the program contract, allotted bases and existing CRP contracts to the buyers. The acreage figures used in the promotional materials was estimated by Fox Auction Company. The announced tillable acres at the auction will be based on the Farm Service Agency measurements.
- 7) Real Estate taxes will be pro-rated to the date of closing. Unpaid special assessment to be paid by the seller - if applicable. The semi-annual installments due September 30, 2022 and March 31st, 2023 will be paid by the seller. It will be the buyer's responsibility to pay the September 30, 2023 semi-annual payment.
- 8) Buyer will get possession after the tenant and owner harvest the crops and bale cornstalks. If the buyer wants to get on the property prior to that date for fencing, excavation, demolition, etc., **ANY ACTIVITY WILL BE DONE AT THE PROSPECTIVE BUYER'S OWN RISK.**
- 9) Cost share was used to construct the waterway. It will be the buyers responsibility to follow the cost share agreement with USDA/NRCS and pay any penalties if they violate the agreement.

TRACT INFORMATION

SIZE – ~ 134.15 Gross Acres - bare prime cropland

**LEGAL DESCRIPTION – SE/4 S of RR 26 Mott
All in Section 26-92-20**

REAL ESTATE TAXES - \$5,713.00 Estimated

TILLABLE ACRES – ~ 130.33 tillable; No Conservation Reserve Program (CRP) acres, Farmland is classified as "No HEL"

CSR2 ave. – 90.8

DRAINAGE – A 2009 wetland Determination says farm is classified as PC (Prior Converted Cropland), 6000' of tile installed in 2016 near waterway on west part of the farm. The seller has stated "we placed tile where it was needed on the farm"

IMPROVEMENTS – None

MINERAL RIGHTS – None of the mineral rights have been sold off.

POSSESSION - Outright possession available for the 2023 growing season.

This information has been gathered from reliable sources but, Fox Auction Company, EXIT Realty and the sellers does not guarantee the accuracy. All prospective buyers should do their own research and independently verify any information on which they are going to base their decision to buy.

This property is being sold "AS IS." The property is being sold subject to any easements including road, drainage, utility or other easements of record or pending. The sellers do not warranty or guarantee that existing fences coincide exactly with the rectangular survey lines. Any new fencing, if applicable, will be the responsibility of the purchaser pursuant to Iowa statutes.

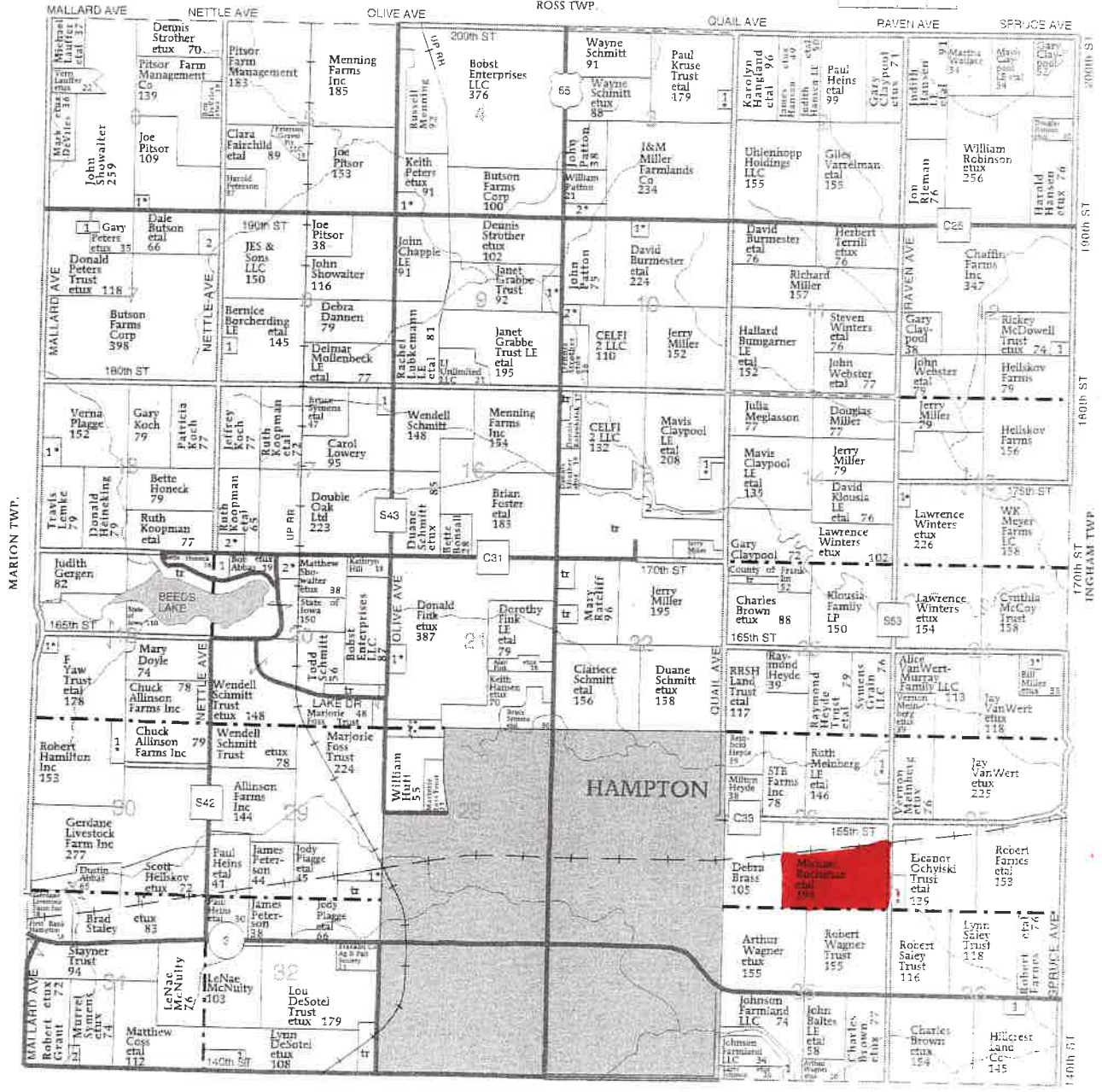
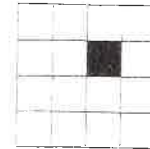
Fox Auction Company and EXIT Realty Mason City are agents for the Sellers.

T-92-N

MOTT PLAT

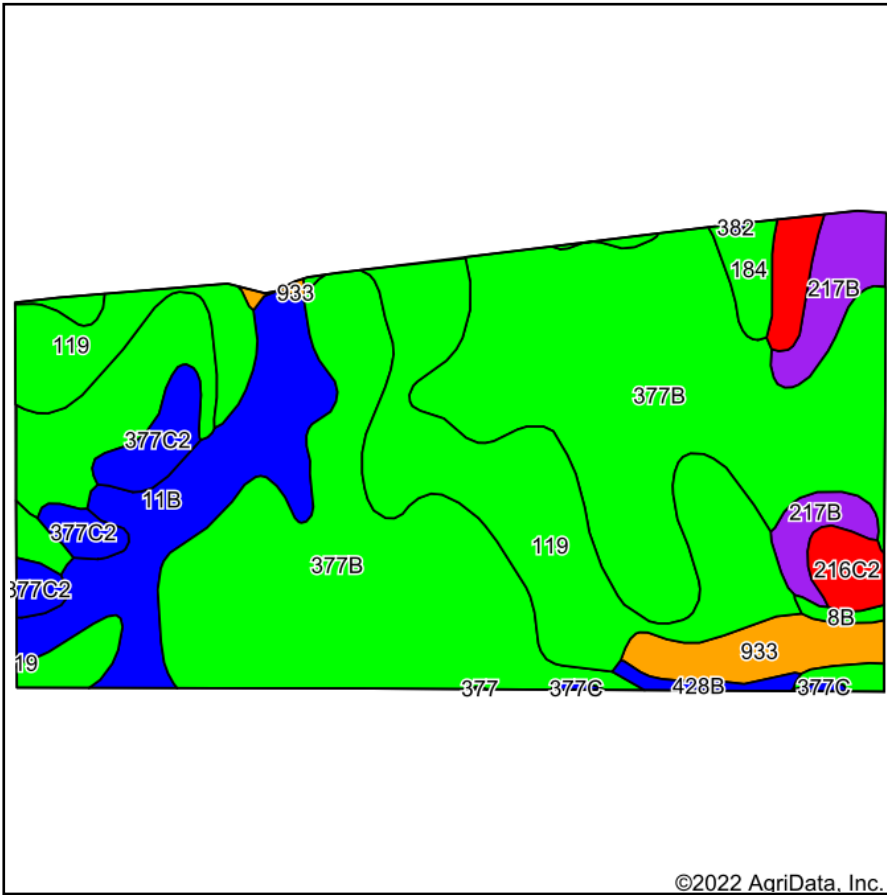
(Landowners)

R-20-W

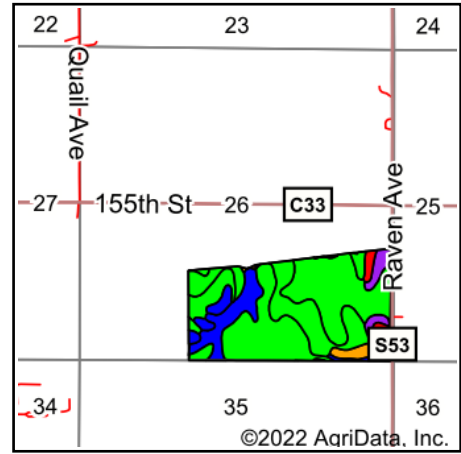


REEVE TWP.

Buchanan Soils Map



Soils data provided by USDA and NRCS.



State: **Iowa**
 County: **Franklin**
 Location: **26-92N-20W**
 Township: **Mott**
 Acres: **130.33**
 Date: **7/5/2022**



Area Symbol: IA069, Soil Area Version: 28

Code	Soil Description	Acres	Percent of field	CSR2 Legend	Non-Irr Class *c	CSR2**	CSR	*n NCCPI Soybeans	
377B	Dinsdale silty clay loam, 2 to 5 percent slopes	71.22	54.6%		Ile	94	90	74	
119	Muscatine silty clay loam, 0 to 2 percent slopes	25.16	19.3%		Iw	100	100	91	
11B	Colo-Ely complex, 0 to 5 percent slopes	12.55	9.6%		IIw	86	68	76	
217B	Ripon silt loam, 30 to 40 inches to limestone, 2 to 5 percent slopes	5.26	4.0%		Ile	57	79	52	
933	Sawmill silty clay loam, shallow loess, 0 to 2 percent slopes, occasionally flooded	4.38	3.4%		IIw	78	80	75	
377C2	Dinsdale silty clay loam, 5 to 9 percent slopes, eroded	4.18	3.2%		IIIle	85	73	63	
216C2	Ripon silt loam, 20 to 30 inches to limestone, 5 to 9 percent slopes, moderately eroded	3.55	2.7%		IIIle	48	47	47	
184	Klinger silty clay loam, 1 to 4 percent slopes	1.90	1.5%		Iw	95	95	82	
8B	Judson silty clay loam, 2 to 5 percent slopes	1.16	0.9%		Ile	94	90	82	
428B	Ely silty clay loam, 2 to 5 percent slopes	0.74	0.6%		Ile	88	88	82	
377C	Dinsdale silty clay loam, 5 to 9 percent slopes	0.23	0.2%		IIIle	90	75	72	
Weighted Average						1.85	90.8	87.4	*n 75.8

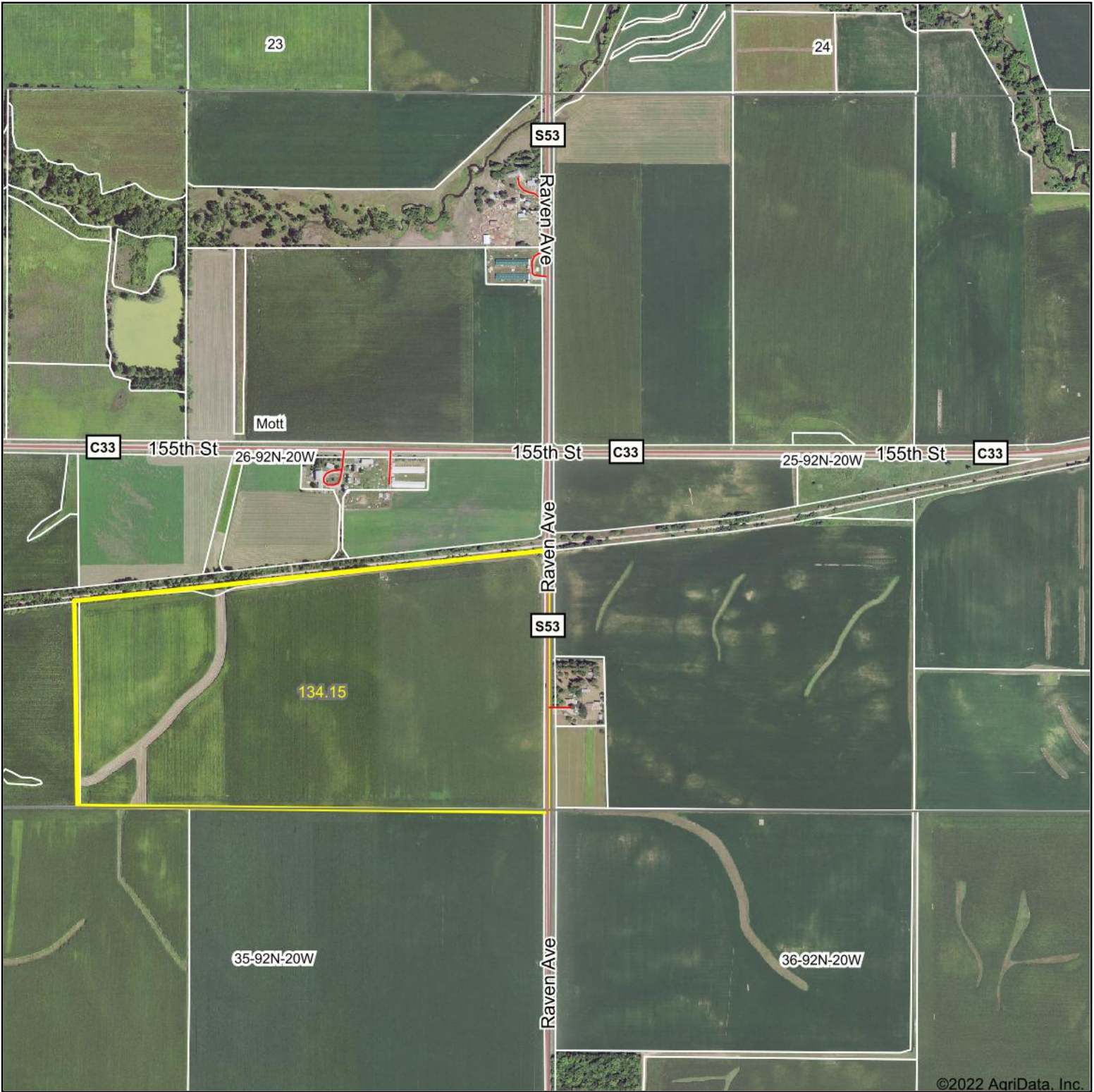
**IA has updated the CSR values for each county to CSR2.

*n: The aggregation method is "Weighted Average using all components"

*c: Using Capabilities Class Dominant Condition Aggregation Method

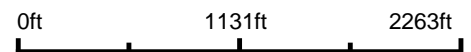
Soils data provided by USDA and NRCS.

Buchanan Farm Gross Acres



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Map Center: 42° 45' 2.32, -93° 9' 47.87



26-92N-20W
Franklin County
Iowa



7/5/2022

Maps Provided By:
**surety**[®]
CUSTOMIZED ONLINE MAPPING
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Field borders provided by Farm Service Agency as of 5/21/2008.

Abbreviated 156 Farm Record

See Page 2 for non-discriminatory Statements.

Operator Name : ██████████
Farms Associated with Operator : 19-069-734, 19-069-748, 19-069-5457, 19-069-6529, 19-069-7981, 19-069-8161, 19-069-9361, 19-069-9431, 19-069-9455
CRP Contract Number(s) : None
Recon ID : 19-069-2019-73
Transferred From : None
ARCPLC G//F Eligibility : Eligible

Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number Of Tracts
130.33	130.33	130.33	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped		MPL	Acre Election	EWP	DCP Ag.Rel. Activity	Broken From Native Sod
0.00	0.00	130.33	0.00		0.00		0.00	0.00	0.00

Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	CORN, SOYBN	None

DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield	HIP
Corn	64.81	0.00	161	
Soybeans	51.53	0.00	45	
TOTAL	116.34	0.00		

NOTES

Tract Number : **8804**
Description : SE/4 S of RR 26 Mott
FSA Physical Location : IOWA/FRANKLIN
ANSI Physical Location : IOWA/FRANKLIN
BIA Unit Range Number :
HEL Status : NHEL: No agricultural commodity planted on undetermined fields
Wetland Status : Wetland determinations not complete
WL Violations : None
Owners : MICHAEL J BUCHANAN
Other Producers : None
Recon ID : 19-069-2019-72

Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
130.33	130.33	130.33	0.00	0.00	0.00	0.00	0.00
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Rel Activity	Broken From Native Sod
0.00	0.00	130.33	0.00	0.00	0.00	0.00	0.00

Abbreviated 156 Farm Record

DCP Crop Data

Tract 8804 Continued ...

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield
Corn	64.81	0.00	161
Soybeans	51.53	0.00	45
TOTAL	116.34	0.00	

NOTES

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) e-mail: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.



Legend

- Non-Cropland
- CRP
- Iowa PLSS
- Cropland
- Tract Boundary
- Iowa Roads

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Tract Cropland Total: 130.33 acres

2022 Program Year

Map Created March 22, 2022

Farm **9361**

Tract **8804**

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

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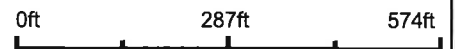
Aerial Map



©2022 AgriData, Inc.



Map Center: 42° 44' 52.01, -93° 10' 28.34



26-92N-20W
Franklin County
Iowa



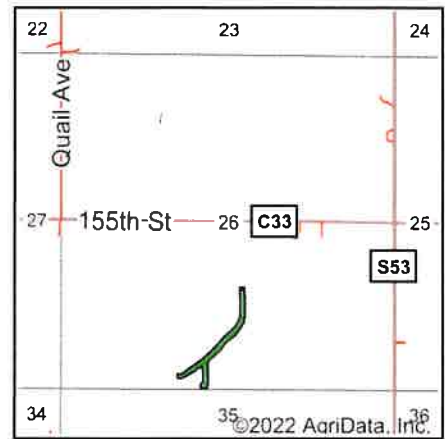
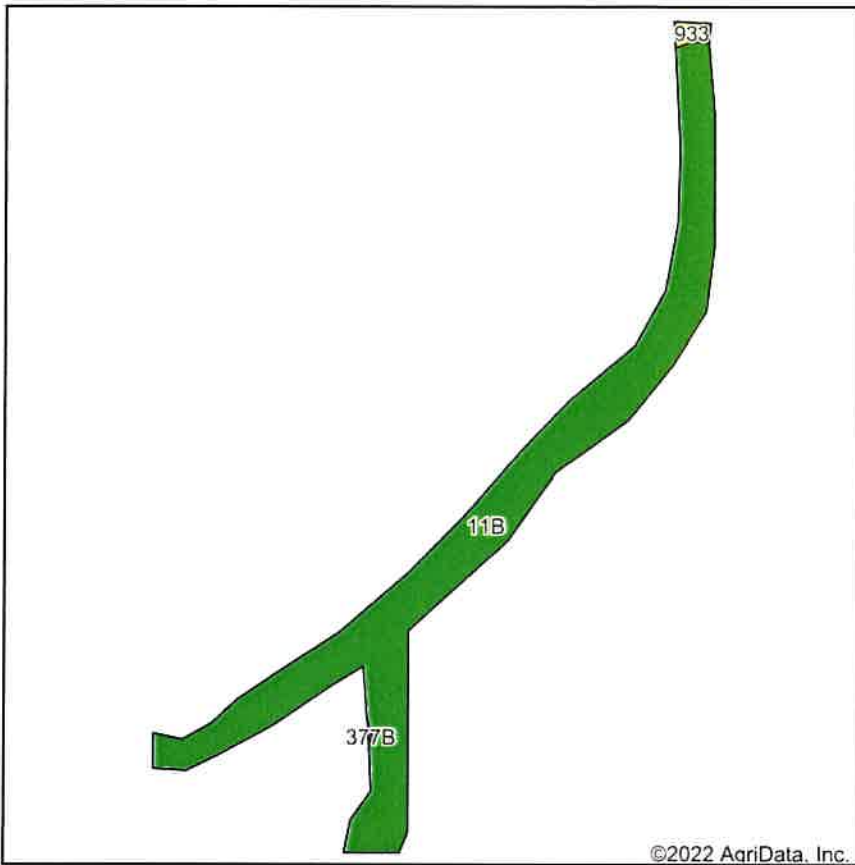
7/5/2022



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Field borders provided by Farm Service Agency as of 5/21/2008.

Soils Map



State: **Iowa**
 County: **Franklin**
 Location: **26-92N-20W**
 Township: **Mott**
 Acres: **4.07**
 Date: **7/5/2022**



Maps Provided By



Soils data provided by USDA and NRCS.

Area Symbol: IA069, Soil Area Version: 28

Code	Soil Description	Acres	Percent of field	CSR2 Legend	Non-Irr Class *c	*i Corn Bu	*i Soybeans Bu	CSR2**	CSR	
11B	Colo-Ely complex, 0 to 5 percent slopes	4.01	98.5%		Ilw	204.8	59.4	86	68	
933	Sawmill silty clay loam, shallow loess, 0 to 2 percent slopes, occasionally flooded	0.06	1.5%		Ilw	204.8	59.4	78	80	
Weighted Average						2.00	204.8	59.4	85.9	68.2

**IA has updated the CSR values for each county to CSR2.



*i Yield data provided by the ISPAID Database version 8.1.1 developed by IA State University.

*c: Using Capabilities Class Dominant Condition Aggregation Method

Soils data provided by USDA and NRCS.



MOTT 26
SPRING 2016

	4 inch tile	5952.14 ft
	5	228.85 ft





1 inch = 660 feet

Landowner is responsible for securing written permission for construction completed in the road right of way.



I have reviewed and agree with the content of the attached plan prepared by the NRCS.

Landowner: _____ Date: _____

I certify that this practice has been constructed in accordance with the plans and specifications.

Contractor: _____ Date: _____

NRCS Rep.: _____ Date: _____

Contractor is required to follow Iowa One Call law. IowaOneCall.com or Call 811 Ticket # _____

If a cultural resource is identified during construction, stop immediately and notify the local Natural Resources Conservation Service office.



Owner: Mike Buchanan T-2443
 Location: Sec 26, T 92 N, R 20
Mott Township
Franklin County, Iowa

Designed J. Straskowski 11/18
 Drawn J. Straskowski 11/18
 Checked M. Loebber
 Approved _____

Date _____ Eng. Job Clas: II
 Revision Date November 2018
 Sheet 1 of 7

Prepared by Jacob Larson, Ass't Att'y Gen., Iowa Dep't of Justice, State Capitol Complex,
Des Moines, Iowa 50319, 515-281-5351; Return to: FRANKLIN SWCD, 1019 4TH ST SE, HAMPTON, IA 50441.

Iowa Financial Incentive Program Maintenance/Performance Agreement
Iowa Department of Agriculture & Land Stewardship - Division of Soil Conservation and Water Quality

This agreement is made and entered into by and between the FRANKLIN SWCD Soil and Water Conservation District, herein called district, and Michael Buchanan, herein called landowner.

Witnesseth:

District and landowner are executing this agreement to satisfy the requirements of Iowa Code Section 161A.7(3). Iowa Code Section 161A.7(3) requires this agreement as a condition for receiving financial assistance and provides that the landowner(s), present or future, of the property described in this agreement is responsible if the soil and water conservation practice is not maintained or is removed, altered or modified while this agreement is in effect.

For a period of 10 years, beginning upon final inspection of the practice by the certifying technician on 09/19/19, the landowner or landowner's successors:

1. Acknowledge financial assistance as part of FARMS Agreement Number #74820 has been used to fund soil and water conservation practice(s) on land legally described as follows: Quarter SE1/4 Section 26 Township Mott Tier T92N Range R20W County Franklin, in the State of Iowa.
2. Agree not to remove, alter or modify the practice as built. As built practice(s): Grassed Waterway, 1.2 Acre(s).
3. Agree to maintain the practice(s). Maintenance includes, but is not limited to:
 - a. Maintaining seeding associated with the practice and ensuring sufficient cover or stand;
 - b. Removal of invasive plants/vegetation that could interfere with the performance of the practice;
 - c. Repairing damage caused by wind, water or burrowing animals;
 - d. Ensuring intakes and outlets are free of debris or sediment and function properly, including emergency spillways and outlets;
 - e. Avoiding tillage, chemical drift or any other action that could threaten the integrity of a practice; and
 - f. Cover crops shall not be mechanically or chemically terminated prior to the spring of the following planting season.
4. Agree that if the practice is removed, altered or modified, they will repair or reconstruct the practice at their own expense. In lieu of repairing or reconstructing the practices, the district, at its sole discretion, may allow landowner or landowner's successors to refund to the Division of Soil Conservation and Water Quality the entire amount of the financial incentive payment made to implement the conservation practice.
5. Agree to notify any prospective purchaser of the property of the landowner's obligations created by this agreement before legal or equitable title to any portion of this property is transferred.

Signature of Landowner(s), Agent or POA

Michael J. Buchanan
Michael Buchanan

Signature of SWCD Chairperson

Samuel Showalter
Samuel Showalter

Acknowledgement

State of _____

County of _____

This instrument was acknowledged before me on _____ by _____
(Date) (Name of Landowner(s), Agent or POA)

(Signature of notary public) (Seal or Stamp)

102v 170v

Anna Buchanan, Owner

#180

U.S.D.A.
Soil Conservation Service

SCS-CPA-026
(1-88)

1. Name and Address of Person
Mike Buchanan RP
R.R. 4 Box 71
Hampden PA 17041

2. Date of Request
3-1-91
3. County
Franklin

HIGHLY ERODIBLE LAND AND WETLAND
CONSERVATION DETERMINATION

4. Name of USDA Agency or Person Requesting Determination
ASCS

5. Farm No. and Tract No.
794 E2443

SECTION I - HIGHLY ERODIBLE LAND

6. Is soil survey now available for making a highly erodible land determination?	Yes	No	Field No.(s)	Total Acres
	X			
7. Are there highly erodible soil map units on this farm?		X		
8. List highly erodible fields that, according to ASCS records, were used to produce an agricultural commodity in any crop year during 1981-1985.			None	
9. List highly erodible fields that have been or will be converted for the production of agricultural commodities and, according to ASCS records, were not used for this purpose in any crop year during 1981-1985; and were not enrolled in a USDA set-aside or diversion program.				
10. This Highly Erodible Land determination was completed in the: Office <input type="checkbox"/> Field <input type="checkbox"/>				

NOTE: If you have highly erodible cropland fields, you may need to have a conservation plan developed for these fields. For further information, contact the local office of the Soil Conservation Service.

SECTION II - WETLAND

11. Are there hydric soils on this farm?	Yes	No	Field No.(s)	Total Wetland Acres
	X			
List field numbers and acres, where appropriate, for the following EXEMPTED WETLANDS:				
12. Wetlands (W), including abandoned wetlands, or Farmed Wetlands (FW). Wetlands may be farmed under natural conditions. Farmed Wetlands may be farmed and maintained in the same manner as they were prior to December 23, 1985, as long as they are not abandoned.			None	
13. Prior Converted Wetlands (PC) - The use, management, drainage, and alteration of prior converted wetlands (PC) are not subject to FSA unless the area reverts to wetland as a result of abandonment. You should inform SCS of any area to be used to produce an agricultural commodity that has not been cropped, managed, or maintained for 5 years or more.				
14. Artificial Wetlands (AW) - Artificial Wetlands Includes Irrigation induced wetlands. These Wetlands are not subject to FSA.				
15. Minimal Effect Wetlands (MW) - These wetlands are to be farmed according to the minimal effect agreement signed at the time the minimal effect determination was made.				

NON-EXEMPTED WETLANDS:

16. Converted Wetlands (CW) - In any year that an agricultural commodity is planted on these Converted Wetlands, you will be ineligible for USDA benefits. If you believe that the conversion was commenced before December 23, 1985, or that the conversion was caused by a third party, contact the ASCS office to request a commenced or third party determination.				
--	--	--	--	--

17. The planned alteration measures on wetlands in fields _____ are considered maintenance and are in compliance with FSA.

18. The planned alteration measures on wetlands in fields _____ are not considered to be maintenance and if installed will cause the area to become a Converted Wetland (CW). See item 16 for information on CW.

19. This wetland determination was completed in the: Office Field

20. This determination was: Delivered Mailed To the Person on Date: _____

NOTE: If you do not agree with this determination, you may request a reconsideration from the person that signed this form in Block 22 below. The reconsideration is a prerequisite for any further appeal. The request for the reconsideration must be in writing and must state your reasons for the request. The request must be mailed or delivered within 15 days after this determination is mailed to or otherwise made available to you. Please see reverse side of the producer's copy of this form for more information on appeals procedure.

NOTE: If you intend to convert additional land to cropland or alter any wetlands, you must initiate another Form AD-1026 at the local office of ASCS. Abandonment is where land has not been cropped, managed, or maintained for 5 years or more. You should inform SCS if you plan to produce an agricultural commodity on abandoned wetlands.

21. Remarks

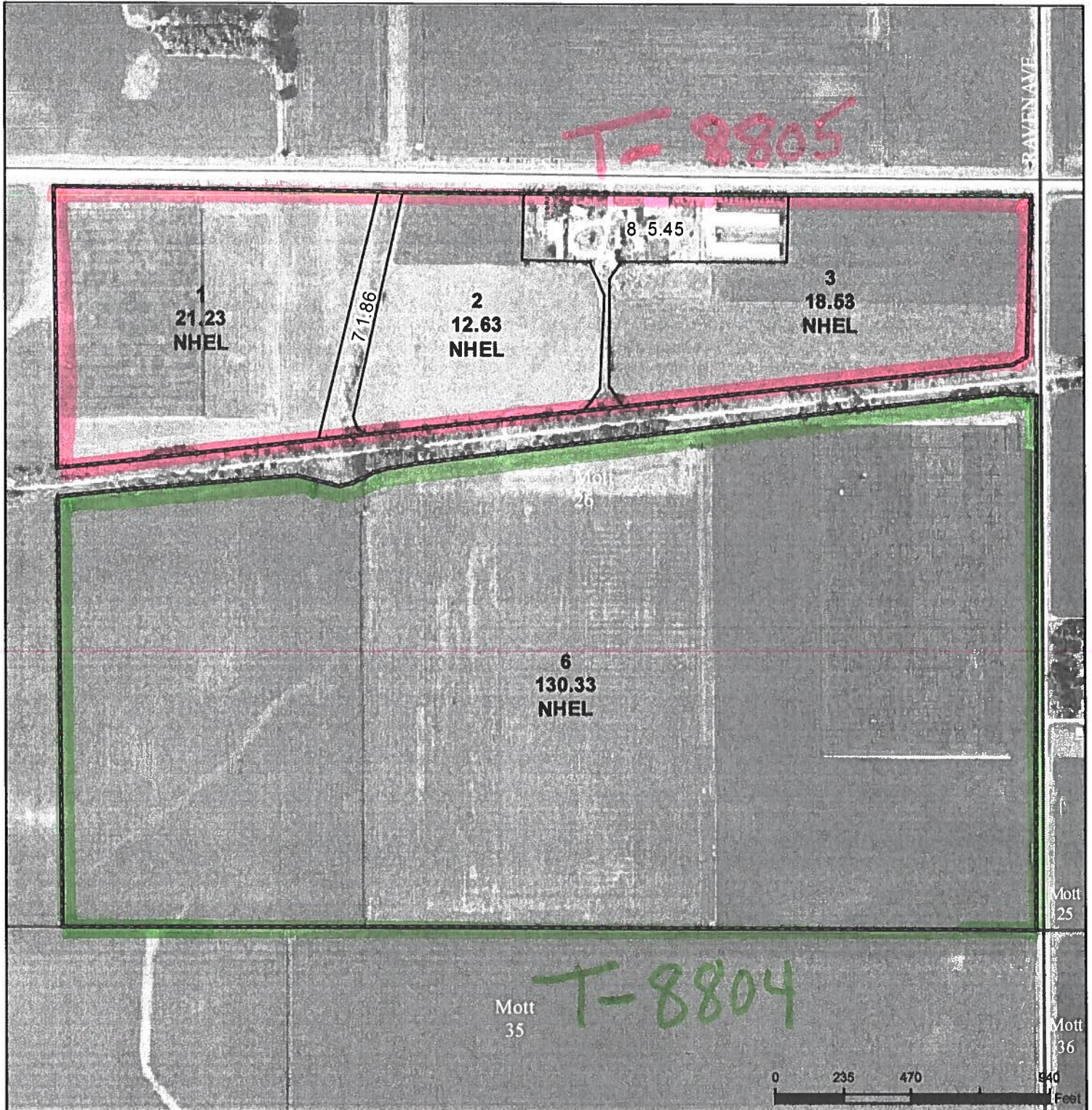
22. Signature of SCS District Conservationist
Charles [Signature]

23. Date
4-15-91



United States
Department of
Agriculture

Franklin County, Iowa



Legend

- Non-Cropland
- CRP
- Iowa PLSS
- Cropland
- Tract Boundary
- Iowa Roads

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 182.72 acres

AFTER

2019 Program Year
Map Created October 30, 2018

Farm 6320
Tract 2443

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

USDA is an equal opportunity provider, employer, and lender.

Certified Wetland Determination

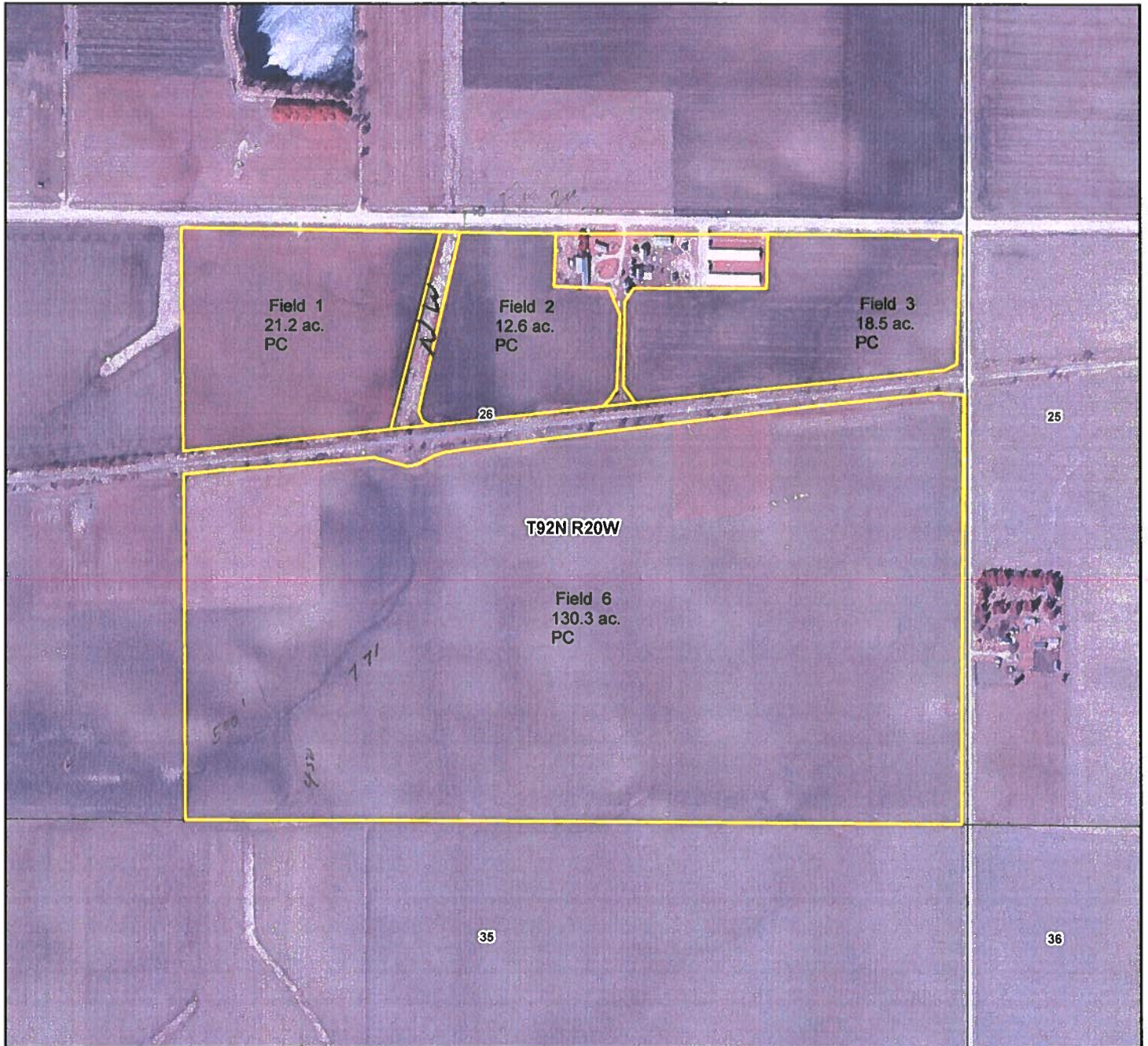
Date: 11/5/2009

Customer(s): MICHAEL J BUCHANAN,
SILVER CREST INC




Field Office: HAMPTON SERVICE CENTER
Agency: USDA NRCS
Assisted By: Green, Lawrence J
State and County: IA, FRANKLIN

District: FRANKLIN SOIL & WATER CONSERVATION DISTRICT

Legal Description: Mott 26 T-2443



Legend

-  Consplan
-  Franklin Co - Section Lines
-  Franklin Co - Townships





HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Form with fields: Name Address, Request Date, County, Agency or Person Requesting Determination, Tract No, FSA Farm No.

Section I - Highly Erodible Land

Is a soil survey now available for making a highly erodible land determination? Yes
Are there highly erodible soil map units on this farm? Yes

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Table with 5 columns: Field(s), HEL(Y/N), Sodbust(Y/N), Acres, Determination Date

The Highly Erodible Land determination was completed in the

Section II - Wetlands

Are there hydric soils on this farm? Y

Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Table with 6 columns: Field(s), Wetland Label*, Occurrence Year (CW)**, Acres, Determination Date, Certification Date

The wetland determination was completed in the office. It was mailed to the person on

Remarks: Certified Wetland Determination

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

Signature Designated Conservationist, Date fields with handwritten signatures and dates

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

Name & Label	Criteria for Determination	Authorized Uses	Authorized Maintenance	NFSAM Citation
(MWM) Mitigation Site	Site of wetland restoration, enhancement, or creation serving as mitigation for MIW site.	As stipulated in Mitigation Plan/Agreement.	As stipulated in Mitigation Plan/Agreement	Part 515.10
(NW) Nonwetland	Does not meet wetland criteria. Also includes wetlands converted before December 23, 1985, but a commodity crop was not produced and the area does not meet wetland criteria. The area has not been abandoned.	No restrictions.	No restrictions unless manipulation would convert Adjacent wetlands.	Part 514.20
(PC) Prior Converted Cropland	Wetland converted to cropland before December 23, 1985, and as of December 23, 1985, was capable of being cropped and did not meet farmed wetland hydrology criteria.	No restrictions.	No restrictions unless manipulation would convert Adjacent wetlands.	Part 514.30
(TP) Third Party Exemption	A wetland converted after December 23, 1985, by a third party who is not associated with the participant, and without the participant's collusion, fraud, scheme or device. A third party does not include predecessors in interest on the tract or drainage districts or other local government entities.	May be used for production of agricultural commodities or forage.	Further drainage improvement will cause ineligibility.	Part 514.42
(W) Wetland	Meets wetland criteria. Not converted after December 23, 1985. Also, includes areas previously identified as FW or FWP, which have been abandoned.	May be farmed under natural conditions without removal of woody vegetation.	At level needed to maintain original system on FW, FWP, and PC. Must not convert Additional wetlands or exceed original scope and effect of drainage system.	Part 514.10
(WX) Wetlands that have been manipulated	Wetlands that have been manipulated but not for the purpose of or making possible production of an agricultural commodity.	Would cause ineligibility if production was later made possible.	No restrictions as long as production not made possible including on an adjacent wetland.	Part 514.11

Current Labels: The above are the ONLY labels that are authorized for use when making a certified wetland determination in accordance with the National Food Security Act Manual, 4th edition.

ADDITIONAL INFORMATION

PAST LABELS: Previous editions of the National Food Security Act Manual contained labels that will not be used for certified determinations completed after the effective date of this manual (January 2008). These labels may be shown for previous determinations and maintained in the Customer Service Toolkit.

(CC) Commenced Conversion: Conversion began before December 23, 1985, and was approved by FSA; conversion activity was completed by January 1, 1995. Authorized Uses: No restrictions provided activities were completed per conditions. Authorized Maintenance: As stipulated in the agreement.

(CMW) Categorical Minimal Effect: Activity or practice is conducted per the approved list identified in the Federal Register. Authorized Uses: Per conditions of the approved state specific list. Authorized Maintenance: Per conditions of the approved list.

(CWNA) Converted Wetland for Nonagricultural Purposes: Authorized Uses: Production of agricultural commodities will cause ineligibility. Authorized Maintenance: No restrictions.

Easement site + label: Area that has been created, restored, or enhanced under an agreement to allow conversion and cropping of another wetland. Authorized Uses: As specified in agreement. Authorized Maintenance: As specified in agreement.

(NI) Not Inventoried: Used when a wetland determination is not conducted. Authorized Uses: Can determine only after a certified wetland determination is completed for the area labeled NI. Authorized Maintenance: Can determine only after a certified wetland determination is completed for the area labeled NI.

(OW) other waters of the United States: Areas that the COE have taken jurisdiction of under the Clean Water Act. Only use with COE decision/guidance. Authorized Uses: As per COE permit. Authorized Maintenance: As per COE permit.

Obvious Wetlands (514.41C.): CWTE does not apply to obvious wetlands. An obvious wetland is an area that is continuously inundated or saturated for long periods of time during the growing season to such an extent that access by foot to make a determination of predominance of hydric soils or prevalence of hydrophytic vegetation is not feasible. [7 CFR 12.6 (c)(8)] Additionally, wetland sites that are cropped or have had forage harvested by mechanical means less than 5 out of 10 years because of ponding, flooding, or saturation are obvious wetlands.



Natural Resources Conservation Service

1019 4th Street SE

Hampton IA 50441

Phone: 641-456-2157

FAX: 641-456-3762

November 10, 2009

Silver Crest Inc.

1156 140th ST

Hampton IA 50441

Dear Mr. Brown:

Based upon your recent request for a Certified Wetland Determination, this letter is to notify you that a preliminary wetland determination has been completed for your Farm #6320, Tract #2443; Franklin County, Iowa, as per 7 of the Code of Federal Regulations, Part 12.

See the enclosed NRCS-CPA-026 "*Highly Erodible Land and Wetland Conservation Determination*" form for definitions and aerial photo for location(s).

If you did not request a wetland determination for your entire farm, wetlands may exist in other locations. In order to maintain your eligibility for United States Department of Agriculture (USDA) program benefits, contact the Hampton Natural Resources Conservation Service (NRCS) office prior to performing any land altering activities (tiling, land clearing, ditching, drainage maintenance, filling, leveling, removal of woody vegetation, or dredging.)

The Preliminary Technical Determination is: There are **NO** wetland(s) in locations as indicated on the enclosed aerial photo for which you requested a wetland determination. This preliminary determination will become final **30** days after receipt of this letter unless you request one of the following options in writing:

- 1) A reconsideration and field visit. During the field visit we will review the basis for our determination, answer any questions you have regarding this preliminary determination, and offer an opportunity for you to provide additional information regarding this determination.
- 2) Request mediation by contacting the Iowa Mediation Service at the address below. Mediation may be used in an attempt to settle your concerns with the preliminary wetland determination.

Iowa Mediation Service
1025 Ashworth Road, Suite 504
West Des Moines, IA 50265
515-332-8081

If you choose to use mediation, the NRCS will pay up to one-half of the costs that are appropriate and reasonable which are associated with securing the services of a trained mediator when the services are provided on other than a voluntary basis. The NRCS will have final discretion over what is considered appropriate and reasonable.

If you do not consider the results of this determination adverse to you, no further action is required by you. If you choose to take no action, the Preliminary Technical Determination will become the **Final Technical Determination** 30 days after receiving this notice. Once this determination becomes **Final**, you may appeal to the FSA County Committee, or to the National Appeals Division (NAD), at the addresses listed below within **60** calendar days from the date of receipt of this notice.

Franklin FSA County Committee
1019 4th Street SE
Hampton IA 50441
641-456-2561

or

National Appeals Division
Post Office Box 68806
Indianapolis, IN 46268-0806
800-541-0457

Your appeal must be in writing and should state clearly what you are appealing and why you believe the Final Technical Determination is not correct. If you do not appeal within 30 days to the FSA County Committee or the National Appeals Division (NAD), no further consideration on the matter will be given.

This certified wetland determination/delineation has been conducted for the purpose of implementing the Food Security Act of 1985 as amended. This determination/delineation may not be valid for identifying the extent of the United States Army Corps of Engineers (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters of the United States including lakes, rivers, intermittent or perennial streams, you should request a jurisdictional determination from the Rock Island District COE office prior to starting your work.

If you have any questions about this procedure or determination, please contact me at 641-456-2157. Also, if anyone else is associated with this farm (tenant, landlord, partner), I encourage you to discuss this determination with them.

Sincerely,


Lawrence Green
District Conservationist

Enclosures

cc: Franklin County FSA
Michael Buchanan