

**NOTICE OF INTENT TO MODIFY A PERMIT AUTHORIZING USE OF WATER FOR MUNICIPAL PURPOSES IN WOODBURY
COUNTY, IOWA**

Notice is hereby given that pursuant to Iowa Code Chapter 455B, there is now on file with the Iowa Department of Natural Resources, Water Supply Engineering Section, 6200 Park Avenue, Suite "200" Des Moines, Iowa 50321 an application as described below.

The City of Merville (Iowa DNR Log No. 34,214) requests a permit authorizing withdrawal of water from two existing buried channel gravel wells, approximately 137 to 174 feet deep, and one existing and two proposed Cretaceous Dakota sandstone wells, approximately 244 feet deep, located on land generally described as the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 29, T89N, R44W, Woodbury County, Iowa, in the maximum quantity of 150 million gallons per year at a maximum rate of 950 gallons per minute throughout each year for municipal purposes within and without its corporate limits consistent with its municipal distribution system and other provisions of law. This modification of Water Use Permit No. 3753-M7 authorizes an increase from the maximum rate of 750 gallons per minute and adds two Cretaceous Dakota sandstone wells.

The Department has determined that this use of water conforms to the relevant criteria (Iowa Code Chapter 455B and Iowa Administrative Code Chapter 567) and recommends the permit be granted. A copy of the summary report for this application is available upon a request to the department at the address listed above. Comments on the report and on this use of water must be received by February 06, 2026, and should be addressed "ATTN.: Michael K. Anderson, P.E." and should specify the applicant's log number.

**IOWA DEPARTMENT OF NATURAL RESOURCES
WATER USE PERMIT SUMMARY REPORT**

Applicant: City of Merville
PO Box 420
Merville, IA 51029

Application Iowa DNR Log No.: 34,214

The City of Merville (Iowa DNR Log No. 34,214) requests a permit authorizing withdrawal of water from two existing buried channel gravel wells, approximately 137 to 174 feet deep, and one existing and two proposed Cretaceous Dakota sandstone wells, approximately 244 feet deep, located on land generally described as the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 29, T89N, R44W, Woodbury County, Iowa, in the maximum quantity of 150 million gallons per year at a maximum rate of 950 gallons per minute throughout each year for municipal purposes within and without its corporate limits consistent with its municipal distribution system and other provisions of law. This modification of Water Use Permit No. 3753-M7 authorizes an increase from the maximum rate of 750 gallons per minute and adds two Cretaceous Dakota sandstone wells.

This modification authorizes an increase from the presently authorized maximum rate of 750 gallons per minute. The projected increase in water withdrawal was derived based on population projections and past per capita water use records for the city which is somewhat higher than what is used at other similar facilities. It is recommended that the city continue its efforts at water conservation including detection of leaking mains.

Applicant withdraws its water from wells tapping a sand and gravel aquifer associated with the West Fork Little Sioux River, drainage area of 274 square miles, and the Dakota sandstone also associated nearby rivers and streams and surface waters located to the west and north including the Big Sioux and Missouri Rivers. This is an area where the subsurface alluviums are characterized by large yields with little drawdown. Under normal conditions these aquifers will not be subject to significant depletion or experience an extended cone of depression as a result of water withdrawals made at the magnitude and rate proposed by the Applicant.

According to departmental records, there are no nearby neighboring water users other than the Applicant that require the diversion of water in sufficiently large proportions to require a water use permit. Therefore, no adverse impacts on other permitted water users are anticipated because of the request by the Applicant.

According to the Applicant, the nearest three privately owned wells are located between $\frac{1}{4}$ and $\frac{1}{2}$ mile north of the existing city wells. The depth of these was not reported, but it is assumed that they are of similar depth to the existing municipal wells. This distance is considered great enough to make interference with these surrounding wells from the Applicant's existing wells unlikely. In any event, the interests of individuals using water for domestic purposes, as well as those persons benefiting from permits, are amply protected, in the event of substantial injury, pursuant to Section 455B.271, Code of Iowa.

The department has received no allegations of public or private damage resulting from the use of water authorized under the predecessors to this permit since the original permit was granted on May 13, 1975. No harmful effects of this permit modification are foreseen.

All other information is the same as contained in the water use permit file for Water Use Permit No. 3753, available for inspection during normal business hours at the Iowa Department of Natural Resources, Water Supply Section offices, located at 6200 Park Avenue, Suite '200', Des Moines, Iowa 50321.

The ability and intent of the applicant to devote a reasonable amount of water to a beneficial use seem evident. There is no evidence that the use of water pursuant to a permit granted in accordance this request will constitute a waste of the water resources of the State, will be incompatible with the state comprehensive plan for water resources, will impair the

effect of pollution control laws of this State or the navigability of and navigable watercourse, or will be detrimental to the public interest or to the interests of property owners with prior or superior rights who might be affected.

THEREFORE:

The requested use of water conforms to the relevant criteria in Division III, Part 4, Chapter 455B, Code of Iowa and Chapter 50 of Part 567, Iowa Administrative Code. No adverse effect upon other water users is foreseen at this time. Following publication of notice and subject to revisions in response to comments that may be submitted, the attached draft permit should be issued for a period of ten years.

Water Supply Section

Date: January 2, 2026

**IOWA DEPARTMENT OF NATURAL RESOURCES
WATER USE PERMIT**

Permit issued to:	Permit Number:	3753-M7
CITY OF MOVILLE	Effective:	XXXX
PO BOX 420	Expires:	XXXX
MOVILLE IA 51039-0420		

The Permittee is authorized to:

Withdraw water from two existing buried channel gravel wells, approximately 137 to 174 feet deep, and one existing and two proposed Cretaceous Dakota sandstone wells, approximately 244 feet deep, located on land generally described as the S ½ of the SW ¼ of Section 29, T89N, R44W, Woodbury County, Iowa, in the maximum quantity of 150 million gallons per year at a maximum rate of 950 gallons per minute throughout each year for municipal purposes within and without its corporate limits consistent with its municipal distribution system and other provisions of law.

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 Chapter 50 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 Iowa Department of Natural Resources, Water Supply Engineering Section, 6200 Park Avenue, Suite '200", Des Moines, Iowa 50321 within thirty days of the date of the certification of the mailing of the permit.

FOR THE DIRECTOR:

By: _____ Date Executed: _____ XXXX
cc: Permit File

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 monthly water use from each authorized source and submit them annually to the Department.
2. Permittee may be required to submit other information related to the regulation of this use of water as directed by the Department.
3. Permittee shall be responsible for securing and complying with all applicable provisions of state law, the rules and regulations of this Department, and of all federal and local health and water pollution control agencies in the operation of this facility.
4. Permittee shall be responsible for notifying the Department when there are changes to any conditions and authorizations given in this permit, including additional water source(s), well(s), intake(s), an expansion of the facility, or any other listed condition.
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. Each well authorized as a source of water in this permit must be constructed to allow for accurate measurement of water levels.
7. Withdrawals from permitted wells may be made only after the Permittee has made the following information available to the Department: well location(s), well log(s), and results of yield tests. Required chip samples shall be submitted to the Iowa Geological Survey.
8. Permittee shall be responsible for accurately measuring depth to water under non-pumping (static) conditions, depth to water under pumping conditions, and pumping rate(s) for all active wells listed in this permit, at a minimum of one measurement per year. These records shall be submitted annually to the Department.
9. If the Department determines that withdrawals from the Dakota Formation of the Cretaceous System within a designated geographical area are causing water level declines which constitute a significant threat to the public interest in the availability of water for sustained beneficial use of the aquifer, renewal of this permit shall be denied, and the permit shall be modified or canceled in accordance with the procedures specified in Iowa Code Section 455B.271, as necessary to protect the aquifer for sustained use.
10. 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.
11. This permit supersedes Water Use Permit No. 3753-R6.

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.