

NOTICE OF INTENT TO GRANT
A PERMIT AUTHORIZING
USE OF WATER
FOR SPECIALTY AGRICULTURAL PURPOSES
IN LINN 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.

Blue Grass Enterprises (Iowa DNR Log No. 34,216) requests a new permit authorizing withdrawal of water from one existing Silurian/Devonian well, approximately 430 feet deep, located on land generally described as the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, T85N, R07W, Linn County, Iowa, in the maximum quantity of 150 acre-feet per year at a maximum rate of 500 gallons per minute from April 1 through October 30 of each year for specialty irrigation purposes (watering of sod) on the above-described land and property.

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 11, 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: Blue Grass Enterprises
PO BOX 335
Alburnett, IA 52202-0335

Application Iowa DNR Log No.: 34,216

Blue Grass Enterprises (Iowa DNR Log No. 34,216) requests a new permit authorizing withdrawal of water from one existing Silurian/Devonian well, approximately 430 feet deep, located on land generally described as the SW ¼ of the NE ¼ of Section 27, T85N, R07W, Linn County, Iowa, in the maximum quantity of 150 acre-feet per year at a maximum rate of 500 gallons per minute from April 1 through October 30 of each year for specialty irrigation purposes (watering of sod) on the above-described land and property, for the irrigation of about 80 acres of sod on said land, for commercial sod production.

1. Applicant's property is located about 1 ¼ mile west of the Municipal Limits of the city of Alburnett, Iowa, and about 4 ½ miles north-northeast of the Municipal Limits of the City of Robins, a suburb of the City of Cedar Rapids, Iowa. The proposed well will not be subject to flooding.
2. Applicant's water source is the limestone-dolomite rock aquifer associated with the Silurian-Devonian System. This alluvium, characterized by moderate to large yields, has been developed extensively for municipal and industrial purposes. Surface water from the Cedar River and its tributaries and water reaching the land surface in the form of precipitation recharge the Silurian-Devonian formation by moving through the overlying deposits into the fractured rock strata. Horizontal movement of groundwater from areas with surface waters and downward percolation from precipitation are thought to be the major source of recharge water in the area of the Applicant's well. The aquifer should not be subject to significant depletion as a result of water withdrawals made at the magnitude and rate requested by the Applicant. There have been no reports of well interference in the area of the Applicant's well.
3. According to departmental records, the nearest neighboring water user other than the Applicant which requires the diversion of water in sufficiently large quantities to require a water use permit is a municipal user (city of Alburnett) of water from two Silurian wells, about 400 feet deep, on land located about 1 mile east of the Applicant's proposed well. Because of the large separation distance, it is not expected that this permitted water user will experience significant impacts resulting from use of the Applicant's proposed well at the volume and rate proposed. In the event of a water shortage, Municipal use is the highest priority permitted use.
4. According to departmental records, the next nearest neighboring water user other than the Applicant which requires the diversion of water in sufficiently large quantities to require a water use permit is a user of water for irrigation of general farm crops from a surface water source located about 3 ½ miles to the northwest of the Applicant's proposed well. Because of the large separation distance and because this neighbor is withdrawing water from a surface water source, use of the Applicant's proposed well is not expected to have any impact on this neighboring permitted water user.
5. According to information provided by the Applicant, the nearest private wells are located to the northwest of the Applicant's proposed well. The nearest well may be about 75 feet deep and the depth of the other wells is not known. There is no information about these wells at the Linn County Health Department (or at the Iowa Geological Survey). The department does not have record of well interference this area, generally described as near the north municipal limits of the city of Cedar Rapids. In any event, the interests of individuals using water for domestic purposes, as well as those persons benefiting from the permits mentioned above, are amply protected, in the event of substantial injury, pursuant to Section 455B.271, Code of Iowa.

6. The applicant is devoting a reasonable amount of water to a beneficial use (the production of sod for commercial purposes). The sod production will contribute to overall commercial economic activity. There is no evidence that the use of water pursuant to a permit granted in accordance with 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 52 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 Engineering Section
Date: 01-07-2026

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

Permit issued to:

BLUE GRASS ENTERPRISES
BOX 335
ALBURNETT IA 52202-0335

Permit Number:

xxxx

Effective:

xxxx

Expires:

xxxx

The Permittee is authorized to:

withdraw water from one existing Silurian/Devonian well, approximately 430 feet deep, located on land generally described as the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, T85N, R07W, Linn County, Iowa, in the maximum quantity of 150 acre-feet per year at a maximum rate of 500 gallons per minute from April 1 through October 30 of each year for specialty irrigation purposes (watering of sod) on the above-described land and property.

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

Conditions of this permit may be appealed as provided in rule 567--50.9, Iowa Administrative Code. Appeal must be in writing and must be received at the 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: _____

cc: Field Office No. 1 – Manchester

CERTIFICATE OF MAILING

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

Certified by (initials): _____ Date: _____

GENERAL PERMIT CONDITIONS

1. Permittee shall maintain accurate and up-to-date records of water use from said sources and submit them annually to the department. Additional records on pumping rates from said sources, water levels in said wells and other data related to the regulation of this use of water shall be maintained and submitted as directed by the department.
2. Permittee shall be responsible for securing such other permits or approvals as may be required by this department, federal, or local governmental agencies for the operation of said irrigation system or the discharge of water or other materials due to this operation.
3. Permittee is responsible for compliance with all applicable provisions of state law and the rules and regulations of this department and of federal and local health and water pollution control agencies in the operation of its irrigation system and in the disposal of its wastes.
4. Permittee shall not apply fertilizers, pesticides or other materials through any irrigation system unless the system is equipped with an automatic check valve, or comparable device, to prevent such materials from entering the source of irrigation water.
5. Existing wells shall not be replaced without notifying the Iowa Department of Natural Resources. Changes to the location, depth, source aquifer, or other physical features of said wells may require that this permit be modified to accommodate the changes.
6. 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.
7. Once each spring at a time before water is first withdrawn for use, the permittee shall be responsible for accurately measuring the distance(s) to water (static water level) from the access port in all permitted wells. The distance to water shall be submitted to the department annually as part of the records of water use.
8. Permittee shall cooperate with representatives of the department to determine that the authorized withdrawals do not violate the flow restriction imposed herein.
9. Permittee shall submit to the department within 90 days of being notified by the department, or no later than the expiration date of this permit, whichever first occurs, a plan for implementing routine day-to-day water conservation measures and for implementing emergency water conservation measures during periods of water shortage. Until such a plan has been submitted to and approved by the department, permittee shall implement those emergency water conservation measures determined to be necessary by the department pursuant to Iowa Code Sections 455B.265 and 455B.266.

CAVEAT

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