

**NOTICE OF INTENT TO MODIFY A PERMIT AUTHORIZING THE USE OF WATER FOR  
QUARRY DEWATERING IN DUBUQUE 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 Ave. Suite 200, Des Moines, IA 50321, an application as described below.

River City Stone (Weber Quarry), Iowa DNR Log Number 34,194, requests to modify an existing water use permit (No. 9834-R1), authorizing to withdraw water from an existing quarry known locally as the Weber Quarry, located on land generally described as the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 32, T89N, R02E, Dubuque County, Iowa, in the maximum quantity of 600 million gallons per year at a maximum rate of 2000 gallons per minute throughout each year for general dewatering and material production purposes at the Weber Quarry on said land and property. The current permit allows for a maximum quantity of 250 million gallons per year.

The Department has determined that this use of water conforms to the relevant criteria (Iowa Code Chapter 455B and Iowa Administrative Code 567) and recommends the permit be granted. A copy of the summary report for the application is available upon request to the Department at the address listed above. Comments on the report and on this use of water must be received by February 20, 2025, and should be addressed "ATTN: Erik Day" and should specify the applicants log number (Log Number 34,194).

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

**Applicant:** River City Stone (Weber Quarry)  
Beth Stuhr  
920 10<sup>th</sup> Ave North  
Onalaska, WI 54650

**Application Log No.:** 34,194

**Permit Request**

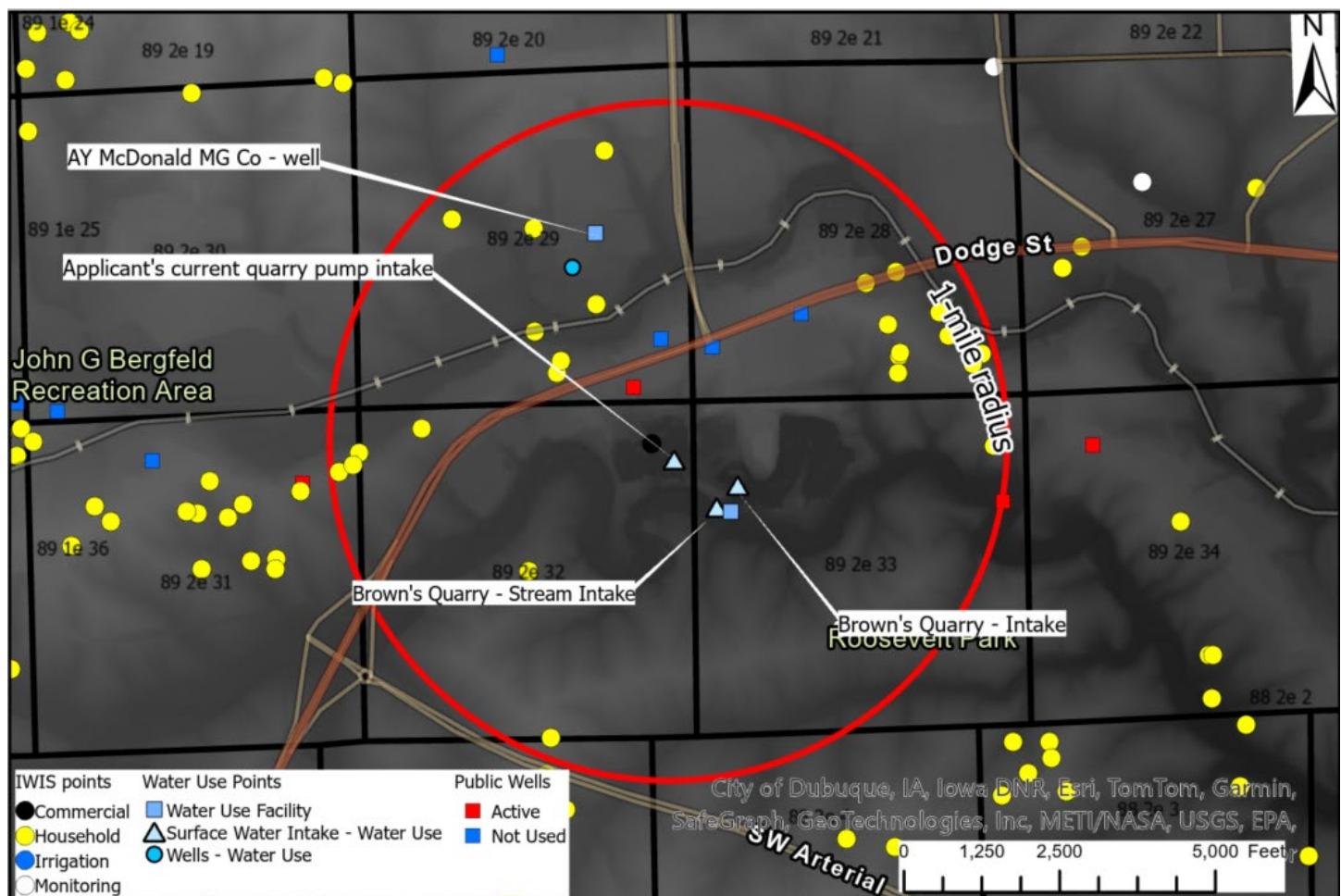
River City Stone (Weber Quarry) requests to modify their water use permit (9834-R1) to increase the maximum annual water allocation from the Weber Quarry from 250 million gallons per year (MGY) to 600 MGY.

Their current permit allows the withdrawal of water from an existing quarry known locally as the Weber Quarry, located on land generally described as the SE ¼ of the NE ¼ of Section 32, T89N, R02E, Dubuque County, Iowa, in the maximum quantity of 250 million gallons per year at a maximum rate of 2000 gallons per minute throughout each year for general dewatering and material production purposes at the Weber Quarry on said land and property.

The public land survey system (PLSS) location of the sources are:

- Weber Quarry - The NE ¼ of the NE ¼ of Section 32, T89N, R02E

The Weber Quarry is located located approximately 1/4 mile south of the intersection of Dodge Street and NW Arterial Rd in Dubuque County, near the western boundary of the City of Dubuque (Figure 1).



**Figure 1** Map of applicant's permitted water sources and nearby permitted water users, private wells (IWIS points), and public water supply wells within a 1-mile radius (red circle). There are three other permitted water use intakes or wells in the area.

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### **Beneficial Use**

Water use for the permit is for dewatering of a quarry operation for general material production. Iowa Code 455B.266 identifies manufacturing or other industrial processes as a priority beneficial use.

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### **Source Details**

Weber Quarry lies within the driftless region of northeast Iowa, which features rolling hills and bluffs. Unconsolidated sediments are shallow, generally less than 15 feet deep, and consist of quaternary deposits such as loess, overlying Ordovician bedrock. The Weber Quarry has an approximate surface area of 45 acres and is used for general quarry operations to mine and process limestone from the Maquoketa Formation and Galena Group. The applicant withdraws water from the quarry for dewatering, and then discharges said water to Catfish Creek.

The top of the excavation is approximately 792 feet above sea level (asl) on the north end, and approximately 760 feet asl on the south edge, which lies approximately 400 feet north of Catfish Creek, which has a surface water elevation of approximately 705 feet asl. The current average depth of the quarry is approximately 60 feet (732 feet asl) with a maximum depth of approximately 100 feet (692 feet asl), similar to the reported depths in the 2013 permit application. The current surface area of the pooled water when not pumping is about 24 acres with a static water level of approximately 722 feet asl with approximately 9 acres at a maximum depth of 30 feet and approximately 15 acres at a maximum depth of 5 feet deep, for an average depth of approximately 14 feet. In 2013, the surface area of the pooled water when not pumping was reported to be 0.25 acres with a maximum depth of 10 feet and an average depth of 5 feet. Based on this reported data, the static water level in the quarry is higher than when the permit was issued in 2013, which warrants the need for increased dewatering to keep the bottom of the excavation dry. Therefore, the pumping level in the Galena Aquifer will be similar to previous years.

The Galena Aquifer will be detailed in this summary report because it is the single source of water for the Weber Quarry, and because this aquifer is used by private wells and permitted use wells in the area. The Galena Aquifer primarily consists of limestone and dolostone with some chert, and shale at the upper and lower ends. The aquifer produces small to moderate yields of water in the area, and it is used for private household wells and commercial and industrial use wells in Dubuque. The depth of the Galena at near the Weber Quarry is approximately 30 – 330 feet deep, with a saturated thickness of approximately 200 feet based on the water elevation in the Quarry.

A well near the Weber Quarry (GeoSam 34068) that was constructed in 1993 with a surface elevation of approximately 770 feet above sea level, and total depth of 300 feet below ground surface (bgs), describes Ordovician carbonate bedrock from 15 to 300 feet below ground surface (bgs), with the Maquoketa Formation between 15 to 35 feet bgs, and the Galena Group between 35 to 300 feet deep. This well produced 300 GPM, but water level measurements were not recorded. It is unknown if this well exists or if it was plugged.

South Catfish Creek is located approximately 400 feet south of the pump intake with a stream elevation of approximately 705 feet asl. The current maximum depth of Weber Quarry is approximately 692 feet, therefore the Galena Aquifer may be connected to the surface water in South Catfish Creek. The nearest stream gage is located on Catfish Creek, approximately 3.3 miles east and downgradient of the Weber Quarry, and approximately ¼ mile west of the confluence of South Catfish Creek and Catfish Creek. As of January 27, the water stage in the creek is 606 feet asl.

According to departmental records, there are no known downstream private water users requiring the diversion of water from the Catfish Creek for livestock or other purposes. Any undocumented users and any future users of water from the river are amply protected from damage by the requirement to provide for the downstream discharge of that portion of the natural flow in the stream that is required to prevent material damage to downstream users and the

requirement to withdraw water from said stream only when there is sufficient flow in excess of the combined withdrawals of all similarly regulated permits in this reach of the Catfish Creek.

The Galena Aquifer is recharged by precipitation and infiltration from nearby rivers and streams and lateral groundwater flow. The applicant's proposed use of water should not have a significant impact on the availability of water from said aquifer.

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#### **Historic Water Use**

The applicant has only reported water use for the years 2022 through 2024, despite their permit having been issued since 2013. Water use was reported as 62.62 MGY in 2022, 59.26 MGY in 2023, and 344.70 MGY in 2024. The large increase in water use is reportedly from an increase water volume in the quarry, which triggered the need to increase their allocation.

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#### **Nearby Wells and Potential Interference**

According to the department's water use records and private well database, there is one other permitted water user within a 1-mile radius (table 1), AY McDonald Mfg. Co., who has an industrial use well 302 feet deep, and is allocated 44 AFY at a maximum rate of 312 GPM. River City Stone has two other permitted intakes on a separate water use permit for Brown's Quarry with a cumulative total allocation of 244 AFY at a maximum rate of 1000 GPM from Brown's Quarry and 987 GPM from an intake on Catfish Creek. Table 1 (below) lists all water use wells, water use facilities, and private wells within a 1-mile radius.

There are at least 26 household wells, one monitoring wells, and one commercial well documented by the Iowa Wells Information System (IWIS) database, and four public water supply wells, within a 1-mile radius. Only one of the household wells has a well log to verify depth, well 2155693, located at a house on Nightengale Ln, approximately one mile east of Weber Quarry. The top of the well is estimated to be at 690 feet above sea level (asl). That well is completed to a depth of 306 feet, with a static water level of 112 feet (577 feet asl), and a pumping water level of 140 feet when pumped at 10 gallons per minute for an unknown period of time following construction on August 10, 2011. This well was cased and grouted to 146 feet, and documented the water supply zone from 246 feet (444 feet asl) to 306 feet (384 feet asl). The elevation of the maximum quarry excavation depth (660 ft asl) is higher than the static water level and water producing zones for this well, so no interference is anticipated. The commercial well that is map located on the Weber Quarry property (Tschiggfrie Stone Inc.) is incorrect, but the actual location and status of this well is not known. The owner is not aware of a well on their property.

All of the other household wells in the area do not have well logs to verify depths. It is unlikely that these wells will be affected by the applicant's increased usage, because they are not proposing to lower the static water level in the quarry by a significant amount relative to the saturated thickness of the aquifer. The private wells should not be impacted by water withdrawals at the quantity and rate proposed by the Applicant. 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.

There are four public wells documented near the area, but only one of them is listed as active - a well at 4488 Dodge Street, approximately 550 feet north of Weber Quarry under the name YMJ LLC. Map 1 lists this well as active, however, the well is listed as inactive in the Drinking Water Portal database, because the owner connected to Dubuque Water Works for a water supply in 2024. The well is still used as of 2024, but only for personal usage by the building owner. The well is estimated to be 250 feet deep, but no well log exists to verify the construction details. The other three wells are located along Dodge Street and have unverified depths ranging from 150-197 feet deep, but they are listed as not used. It's likely that these wells are inactive or plugged because Dubuque Water Works is available.

**Table 1** Water use wells, intakes, and private wells within a 1-mile radius of the Applicant's site, including the applicant's. (NA=not applicable; AFY=acre-feet/year; MGY=millions of gallons/year). Data is from the DNR's Water Allocation Compliance Online Permitting (WACOP) database and the Iowa Wells Information System (IWIS) database.

Owner	Permit #	Status	Well # or intake #	Facility	Depth (ft)	Annual Allocation (MGY) / Rate (GPM)
RIVER CITY STONE (WEBER QUARRY) (Patrick Paulino)	9834	Active	#1	Quarry	NA	250/2000
RIVER CITY STONE (BROWNS QUARRY) (Patrick Paulino)	2851	Active	#1	Stream	NA	244/987
RIVER CITY STONE (BROWNS QUARRY) (Patrick Paulino)	2851	Active	#1	Quarry	NA	244/1000
A Y MCDONALD MFG CO	5763	Active	#1	Industrial well	302	44/312
DAVE BRIMEYER	11481	Active	2002156	Household well	235	NA
TSCHIGGFRIE STONE INC.	1858	Active	2011923	Commercial well	300	NA
WALBURIN	26954	Active	2021249	Household well	325	NA
BUTCH KENNEDY	27781	Active	2022160	Household well	155	NA
SIEGERT	27787	Active	2022166	Household well	155	NA
LESLEIN	27797	Active	2022177	Household well	175	NA
GERDIMAN	27799	Active	2022179	Household well	124	NA
U.S. BUREAU OF MINES	28510	Active	2022958	Monitoring well	231	NA
WILL SIEGRET	30865	Active	2025550	Household well	200	NA
J.K. KELLY	31166	Active	2025882	Household well	425	NA
AL DORNACHER	31162	Active	2025878	Household well	190	NA
LEROY UTZIG	30040	Active	2024641	Household well	165	NA
WERNER HILLMER	30038	Active	2024638	Household well	160	NA
GERHARD DUDDACK	30023	Active	2024622	Household well	148	NA
ULNER TOOL & DIE	14671	Active	2006999	Household well	215	NA
CARL RETTENBERGER	31685	Active	2026454	Household well	163	NA
Matt Ricketts		Active	2079290	Household well	200	NA
Mark Merkes		Active Water Test	2087593	Household well	300	NA
Francis McDonald		Active Water Test	2090324	Household well	300	NA
George Saffran		Active Water Test	2226421	Household well	250	NA
Rick Dougherty		Active Water Test	2236713	Household well	250	NA

Owner	Permit #	Status	Well # or intake #	Facility	Depth (ft)	Annual Allocation (MGY) / Rate (GPM)
Sharon Bradley		Active Water Test	2233447	Household well	250	NA
Richard Dougherty		Active Water Test	2236116	Household well	200	NA
Gary McFadden		Active Water Test	2236118	Household well	200	NA
Shari Greenwood		Active Water Test	2237917	Household well	250	NA
Wayne Small	11576	Expired	2080598	Household well	150	NA
Terry Shireman	33815	Expired	2152459	Household well	NA	NA
Pat Kennedy	34930	Active Logged	2155693	Household well	306	NA

Impact on the Galena aquifer from increasing the annual allocated amount to the should be limited to the immediate vicinity of the quarry, and it should not significantly impact these neighboring water users. Other, more distant, permitted water users should not experience any impacts resulting from the use of the Applicant's well at the volume and rate proposed.

A pumping test will not be required as part of this permit.

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#### Aquifer Sustainability

There are no water use wells with continuous reported water level measurements within a one-mile radius. There have been no well interference complaints or known aquifer shortages reported in the Galena Aquifer near this location. The applicant's proposed use of water should not have a significant impact on the availability of water from said aquifer.

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#### Findings

The applicant has demonstrated the ability and intent to use a reasonable quantity of water for beneficial purposes from the proposed well. The applicant proposed to increase the total cumulative maximum allocated amount from 250 MGY to 600 MGY at the unchanged current maximum withdrawal rate of 2,000 GPM.

No evidence suggests the proposed use would:

- Waste water resources.
- Conflict with Iowa's comprehensive water resource plan.
- Interfere with pollution control laws.
- Directly harm public interests or property owners with prior or superior water use rights.

The applicant is requesting the increase in water allocation because the volume of water in the quarry has significantly increased, so dewatering larger volumes of water is required to maintain quarry operations. There is little likelihood of well interference with private wells screened in the same aquifer because the aquifer has no documented history of decline, there are few permitted users, and because no historical well interference claims have been made near this location.

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**THEREFORE:**

The requested water use conforms to Division III, Part 4, Chapter 455B of the Iowa Code and Chapter 50 of Part 567 of the Iowa Administrative Code. No adverse impacts on other water users are anticipated at this time. Subject to public notice and potential revisions based on comments received, a draft permit should be issued for a term of ten years.

**Water Supply Engineering**  
Date: 1/27/2026

IOWA DEPARTMENT OF NATURAL RESOURCES

WATER USE PERMIT

Permit issued to:

RIVER CITY STONE (WEBER QUARRY)  
BETH STUHR  
920 10<sup>th</sup> AVE NORTH  
ONALASKA WI 54650

Permit Number: 9834-M2

Effective: \_\_\_\_\_

Expires: \_\_\_\_\_

**The Permittee is authorized to:**

withdraw water from an existing quarry known locally as the Weber Quarry, located on land generally described as the NE ¼ of the NE ¼ of Section 32, T89N, R02E, Dubuque County, Iowa, in the maximum quantity of 600 million gallons per year at a maximum rate of 2000 gallons per minute throughout each year for general dewatering and material production purposes at the Weber Quarry on said 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 Chapter 50, 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--50.8(3), 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 Ave. Suite 200, Des Moines, Iowa 50321-1371 within thirty days of the date of the certification of the mailing of the permit.

FOR THE DIRECTOR:

By: \_\_\_\_\_ Date Executed: \_\_\_\_\_  
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. This Permit is issued pursuant to Iowa Code chapter 455B.265(1) to authorize the withdrawal and use of water by the permittee, subject to the terms contained herein and to the laws and rules of the Department that regulate the withdrawal and use of water. Issuance of this permit does not relieve the permittee of the responsibility to comply with applicable local, state and federal laws, ordinances, regulations or other legal requirements.
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. Water withdrawn pursuant to this permit shall be discharged to South Catfish Creek in accordance with all applicable rules and regulations, shall be of suitable quality, and shall be so discharged as to preclude flooding, erosion, or other adverse effects.
7. Permittee must apply to renew this water use permit using the appropriate DNR form prior to the expiration date of the current permit version.
8. 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.
9. This permit supersedes Water Use Permit No. 9834-R1.

### 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.

### SUMMARY REPORT

Permittee has applied to modify an existing permit that presently authorizes the requested withdrawals of water. The requested use of water conforms to the relevant criteria in Part 4 of Division III of Chapter 455B, Code of Iowa, and the relevant criteria and conditions in Chapter 50 of Part 567, Iowa Administrative Code.