

**NOTICE OF INTENT TO MODIFY A PERMIT AUTHORIZING THE USE OF WATER FOR
RECREATIONAL AND MUNICIPAL-TYPE PURPOSES IN ALLAMAKEE 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.

The Upper Iowa Resort, LLC (Iowa DNR Log No. 34,272) requests a permit modification to increase the annual withdrawal of water from one flowing artesian Cambrian (below St. Lawrence) well, approximately 450 feet deep, located on land described as the SE ¼ of the NE ¼ of Section 02, T99N, R06W, Allamakee County, Iowa, in the maximum quantity of 26.0 million gallons per year at a maximum rate of 50 gallons per minute throughout each year for recreational, drinking-water, and other resort campground-related purposes for Upper Iowa Resort, located on the south side of the Upper Iowa River, in the NE ¼ of Section 02, T99N, R06W, Allamakee County, Iowa.

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 March 4, 2026, and should be addressed "ATTN: Chad Fields" and should specify the applicants log number (Log Number 34,272).

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

Applicant: Upper Iowa Resort, LLC
Application Log No.: 34,272

Upper Iowa Resort, LLC (Iowa DNR Log No. 34,272) requests a permit modification to increase the annual withdrawal of water from one flowing artesian Cambrian (below St. Lawrence) well, approximately 450 feet deep, located on land described as the SE ¼ of the NE ¼ of Section 02, T99N, R06W, Allamakee County, Iowa, in the maximum quantity of 26.0 million gallons per year at a maximum rate of 50 gallons per minute throughout each year for recreational, drinking-water, and other resort campground-related purposes for the Upper Iowa Resort, located on the south side of the Upper Iowa River, in the NE ¼ of Section 02, T99N, R06W, Allamakee County, Iowa.

1. The increased water usage request is to account for the year-long flowing water from the well at the facility. The original allocation was for 13 million gallons per year and did not account for the year-long flowing of water (approximately 40 gallons per minute) from the well.
2. The water source consists of a well pumping from the Cambrian (below St. Lawrence) aquifer. Under normal conditions the aquifer will not be subject to depletion or experience an extended cone of depression as a result of water withdrawals made at this magnitude and rate.
3. There is one active public well approximately 2.76 miles to the northwest that also utilizes the Cambrian aquifer in the area. The well is for "Joe's Campground", and is approximately 438 feet deep, pumping water at 30 gallons per minute. No water level declines have been noted in the well. The well is not flowing artesian, the static water level is noted to be 32 feet deep in the driller's log.
4. Based on the relatively low maximum annual water allowance and pumping rate requested by the permittee, it is unlikely that persons utilizing private (non-regulated) water wells in the vicinity of the applicant and utilizing a similar aquifer would experience any significant impacts from the proposed withdrawal increases 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.
5. The applicant is devoting a reasonable amount of water to a beneficial use (recreational and municipal-type use, which is including human consumption and waste disposal). There is no evidence that the use of water pursuant to a permit granted in accordance with the conclusions contained herein 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. No well interference has been noted. 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: February 4, 2026

IOWA DEPARTMENT OF NATURAL RESOURCES

WATER USE PERMIT

Permit issued to:

UPPER IOWA RESORT, LLC
TESSA WILLIE
578 LONNINGS LN
DORCHESTER, IA 52140

Permit Number: 10594-M1

Effective: xx/xx/2026

Expires: xx/xx/2036

The Permittee is authorized to:

withdraw water from one flowing artesian Cambrian (below St. Lawrence) well, approximately 450 feet deep, located on land described as the SE ¼ of the NE ¼ of Section 02, T99N, R06W, Allamakee County, Iowa, in the maximum quantity of 26.0 million gallons per year at a maximum rate of 50 gallons per minute throughout each year for recreational, drinking-water, and other resort campground-related purposes for Upper Iowa Resort, located on the south side of the Upper Iowa River, in the NE ¼ of Section 02, T99N, R06W, Allamakee County, Iowa.

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. 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. Permittee must apply to renew this water use permit using the appropriate DNR form prior to the expiration date of the current permit version.
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. 10,594.

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.