

**NOTICE OF INTENT TO MODIFY A PERMIT AUTHORIZING THE USE OF WATER FOR SPECIALTY CROP IRRIGATION IN
CEDAR 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.

Curtis Cattle Company, Iowa DNR Log Number 34,253, requests a new water use permit (No. 10433), to withdraw water from one intake on the Cedar River, located in the NW $\frac{1}{4}$ of Section 2, T80N, R4W, Cedar County, Iowa, in the maximum quantity of 49.5 acre-feet per year, at a maximum rate of 700 gallons per minute during the period April 1 to October 31 of each year for irrigation of up to 49.5 acres of specialty crops on said land.

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: Erik Day" and should specify the applicants log number (Log Number 34,253).

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

Applicant: Curtis Cattle Company
Richard Jensen
815 16th Ave SW
Mount Vernon, IA 52314

Application Log No.: 34,253

Permit Request

The Curtis Cattle Company (Richard Jensen) requests a new water use permit to withdraw water from one intake in the Cedar River at a maximum pumping rate of 700 gallons per minute (GPM), and a maximum annual water allocation of 49.5 acre-feet per year (AFY); all from one distinct source: the Cedar River (one intake).

The public land survey system (PLSS) location of the intake and use site is generally described as:

- The NW ¼ of T80N, R4W, S2

The intake and use site are located in Cedar County, Iowa.

The total annual allocation from the Cedar River is 49.5 AFY at a maximum rate of 700 GPM. Water in this permit is to be used for irrigation of approximately 49.5 acres of specialty crops from April 1 to October 31 of each year on said land.

Beneficial Use

Water use for the permit, including the additional well, is for irrigation of specialty crops. Iowa Code 455B.266 identifies irrigation of specialty crops as a priority beneficial use.

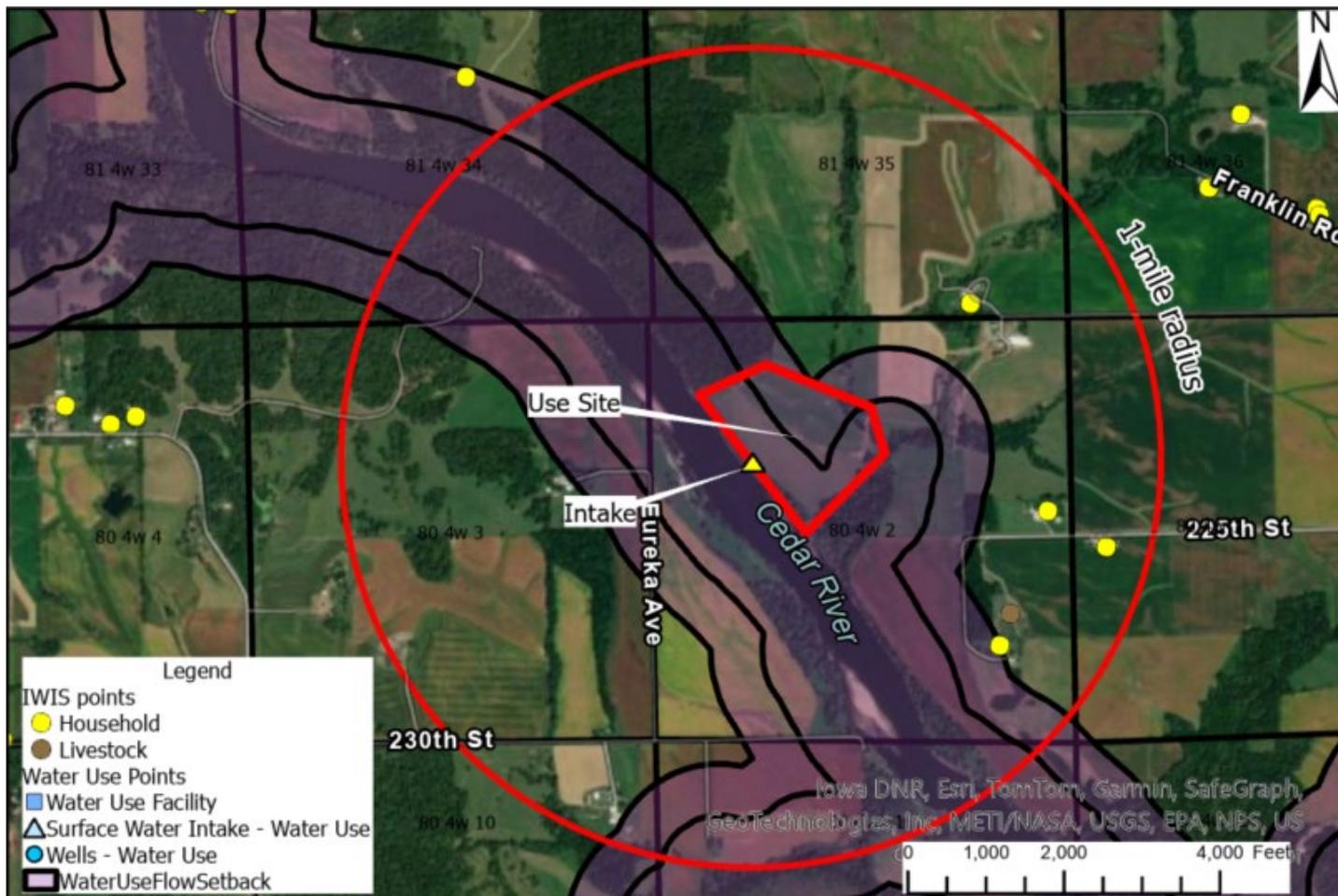
Source Details

Only the Cedar River and the Cedar River alluvial aquifer will be detailed in this summary report, because this is the only source of water for the permit.

The Cedar River is a low-gradient, meandering alluvial systems which cuts through the Southern Iowa Drift Plain, which consists of Pre-Illinoian till and loess. In the areas near the applicant's use site, some reaches of the river are incised directly into Silurian carbonate bedrock. The river has a mix of narrow cuts with bedrock or till boundaries, and broader alluvial floodplains consisting of sand, gravel, and silt deposits. The stream adjacent to the applicant's proposed intake is in the upper reach of a broader alluvial floodplain, with approximately 50 percent of the land in the 100-year floodplain.

This stream is characterized by its shallow alluvial aquifer, which is highly connected to the river channel. The land use in the area is predominately row crop agriculture, which helps contribute to the stream's flashy response to runoff or heavy precipitation events due to the combination of reduced infiltration and lack of ground cover for the majority of the year. The Cedar River is replenished by precipitation, upstream watershed drainage and groundwater flow.

The United States Geological Survey (USGS) maintains a streamgage (USGS-05464780), Cedar River at Cedar Bluff, approximately two miles upstream of the applicant's location. In addition, protected low flow has been established downstream for the USGS Cedar River at Conesville (USGS-05464500) located approximately 25 miles southeast. The department uses downstream gages to place restrictions, as necessary, when streams have reached protected low flow levels as outlined in Iowa Administrative Code 567.50.



Map 1. Map of applicant's proposed use site and Cedar River intake, and nearby wells assumed to be screened in the Silurian carbonate bedrock. Well data is derived from the Department's Iowa Well Information System (IWIS) database and Water Allocation Compliance Online Permitting (WACOP) database.

Historic Water Use

This is the first application for water withdrawal at this site, so there is no historical water use data.

Nearby Wells and Potential Interference

There are no permitted water users utilizing the Cedar River or the Cedar River alluvial aquifer within a 5-mile radius of the applicant's proposed use site, therefore no interference is anticipated with other permitted users.

There are four private household wells and one private livestock well located within a one-mile radius. Three of the wells are approximately 200 feet deep, and two wells 80-90 feet deep, according to the Iowa Wells Information System (IWIS) database, but no well logs exist to confirm these depths. These wells are assumed to be utilizing the Silurian aquifer based on their approximated depths. All of these wells are approximately $\frac{3}{4}$ mile east or south. It is unlikely that these wells will be affected by the applicant's proposed stream withdrawal.

All water users and wells that are connected to the Cedar River and its alluvial aquifer, documented or undocumented, are protected in the event of substantial injury pursuant to Iowa Code 455B.271.

Water Sustainability

The USGS streamgage at Cedar Bluff has continuous discharge data since April 3, 2012. A log graph of the streamflow discharge does not reveal any large changes in streamflow that would indicate the applicant's use is unsustainable (Figure 1). The United States Drought Monitor (Figure 2) shows that streamflow is lower during drought. The applicant's proposed use is not likely to have an impact on long-term water availability in the Cedar River or its alluvial aquifer.

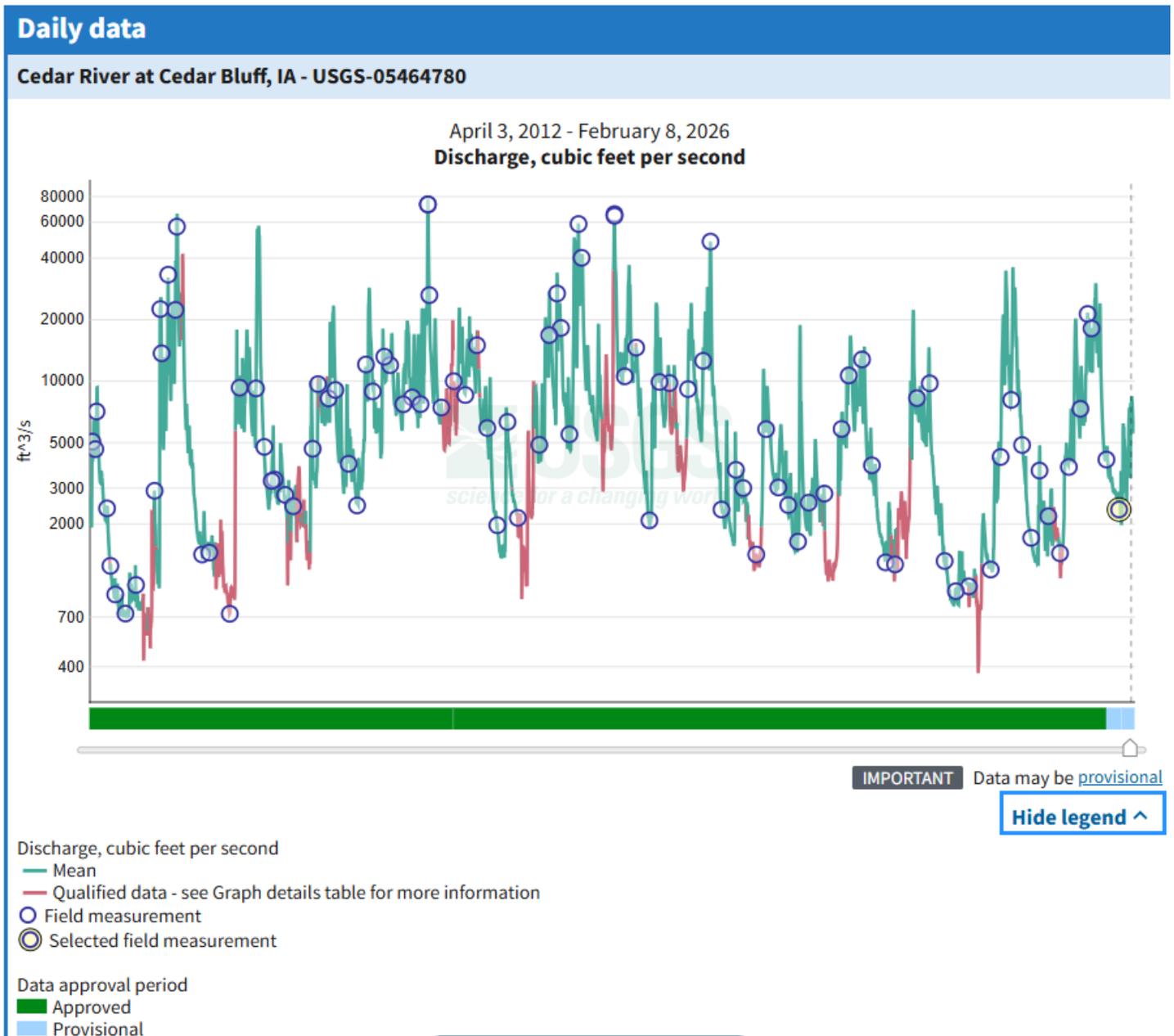


Figure 1 Daily mean discharge (log scale) in cubic feet per second from USGS stream gage 05464780 - Cedar River at Cedar Bluff, located approximately 2 miles upstream of the applicant's proposed intake.

Cedar County (IA) Percent Area in U.S. Drought Monitor Categories

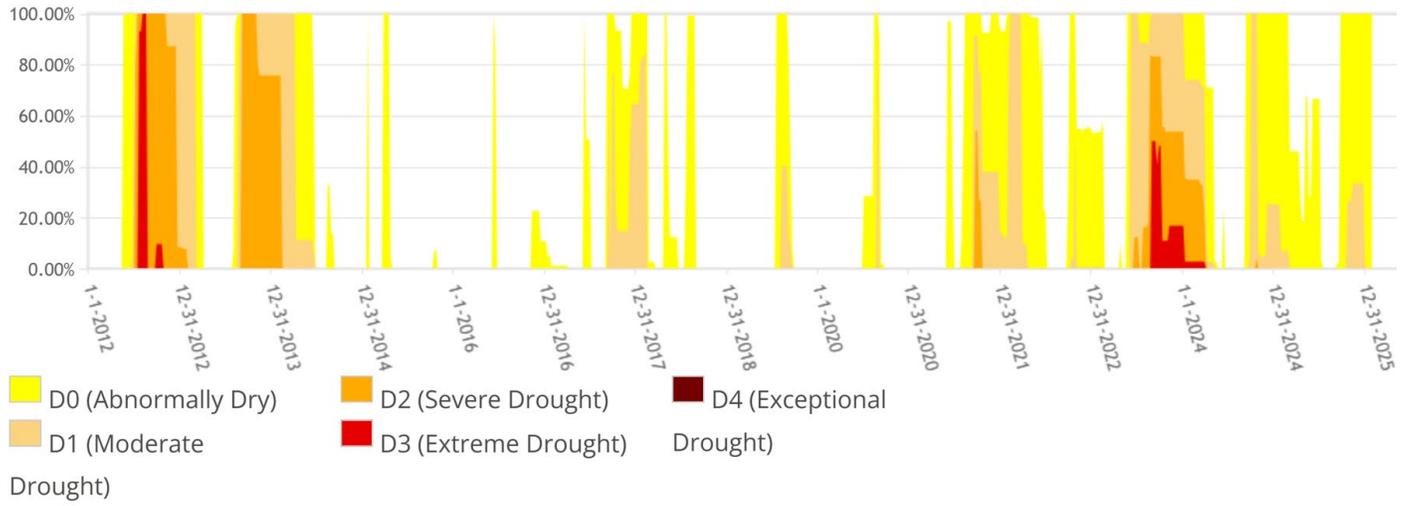


Figure 2 United States Drought Monitor Time Series from 2012 to 2026. Periods of drought appear to correspond with lower streamflow.

Findings

The applicant has demonstrated the ability and intent to use a reasonable quantity of water for beneficial purposes from the proposed well. 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 Cedar River is protected by low flow restrictions as outlined in IAC 567.50.

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 are anticipated for nearby permitted use wells or nearby private wells. Subject to a public comment period, comments received, and modifications based on comments received, a permit shall be issued for a period of ten years.

Water Supply Engineering
 Date: February 9, 2026

IOWA DEPARTMENT OF NATURAL RESOURCES

WATER USE PERMIT

Permit issued to:

Curtis Cattle Company
Richard Jensen
815 16th Ave SW
Mount Vernon, IA 52314

Permit Number: _____ XXXX

Effective: _____ XXXX

Expires: _____ XXXX

The Permittee is authorized to:

withdraw water from one intake on the Cedar River, located in the NW ¼ of Section 2, T80N, R4W, Cedar County, Iowa, in the maximum quantity of 49.5 acre-feet per year, at a maximum rate of 700 gallons per minute during the period April 1 to October 31 of each year for irrigation of up to 49.5 acres of specialty crops on said land.

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: _____ 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. 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. 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. Permittee shall conduct frequent inspections for the proper functioning of the check valve to prevent back siphoning of contaminants into the water source as required in Chapter 50.9(1)"e" of Part 567, Iowa Administrative Code.
7. Irrigation shall not be allowed on those areas with slopes greater than six (6) percent until a soil-conservation plan is prepared with the assistance of the Natural Resource Conservation Service. The plan shall be accompanied by the applicant's written statement, explaining how the plan and the operation of the irrigation system are compatible. After its submission, irrigation under this permit is contingent upon Permittee's compliance with the soil conservation plan.
8. Permittee shall cease withdrawals of water from all authorized intakes in the Cedar River when stream flow is below the protected flow designation of 937 cubic feet per second at the official gage at Cedar Rapids, Iowa. [USGS 05464500]
9. Permittee shall limit intake to provide for the downstream discharge of that portion of the natural flow in said Cedar River that is required to prevent material damage to downstream users.
10. Permittee shall provide screening on water intakes as required in Section 481A.14, Code of Iowa, to protect fish and other aquatic life.
11. Permittee must apply to renew this water use permit using the appropriate DNR form prior to the expiration date of the current permit version.
12. 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.