

**NOTICE OF INTENT TO MODIFY A PERMIT  
AUTHORIZING THE USE OF WATER  
FOR MUNICIPAL-TYPE PURPOSES  
IN MUSCATINE 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 West Liberty, Iowa DNR Log Number 34,408, requests one modified municipal-type water use permit authorizing withdrawals of water from three Cambrian-Ordovician (Jordan Sandstone) aquifer wells, each about 1700 to 1750 feet deep, located on land generally described as the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 12 and the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 13, all in T78N, R4W, Muscatine County, Iowa, in the maximum quantity of 238.0 million gallons per year at a maximum total rate of 1400 gallons per minute throughout each year for municipal purposes within and without the Permittee's corporate limits consistent with its municipal distribution system and other provisions of law.

This permit modification represents the increase in yearly allocation from 142 million gallons per year to 238 million gallons per year, to accommodate increased growth, as detailed above.

The analysis indicates that the requested amount of water is available, and can be used in a beneficial way.

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 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 May 14, 2026, and should be addressed "ATTN.: Water Supply Engineering Section" and should specify the applicant's log number.

(By Michael K. Anderson, P.E.)

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

Applicant: City of West Liberty

Application Iowa DNR Log No.: 34,408

The City of West Liberty, Iowa DNR Log Number 34,408, requests one modified municipal-type water use permit authorizing withdrawals of water from three Cambrian-Ordovician (Jordan Sandstone) aquifer wells, each about 1700 to 1750 feet deep, located on land generally described as the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 12 and the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 13, all in T78N, R4W, Muscatine County, Iowa, in the maximum quantity of 238.0 million gallons per year at a maximum total rate of 1400 gallons per minute throughout each year for municipal purposes within and without the Permittee's corporate limits consistent with its municipal distribution system and other provisions of law.

This permit modification represents the increase in yearly allocation from 142 million gallons per year to 238 million gallons per year, to accommodate increased growth, as detailed above.

The analysis indicates that the requested amount of water is available, and can be used in a beneficial way.

1. The increased water usage is to alleviate current and future needs in the water supply system. This increase in water usage is also intended to provide reliable fire protection for residential and commercial areas. With the Jordan wells, the system has a capacity of 1400 gpm, the plant would be capable of treating the maximum day flow in approximately 16 hours with 8 hours down time.
2. The Jordan aquifer is also called the Cambrian-Ordovician aquifer. The Jordan Sandstone is the bottom portion of three separate geologic formations of the Cambrian-Ordovician aquifer. This aquifer is a dependable source of water for high-capacity wells, and is estimated to contain 80 trillion gallons of water.
3. The nearest neighboring water use requiring the diversion of water in sufficiently large proportions (> 25,000 gallons per day), which requires a water use permit, lies approximately 7 miles west of the applicant's proposed withdrawal site. This permit involves the use of water, from a well drilled into the Silurian aquifer at approximately 363 feet deep, for a mobile home village. The next nearest water permit is in excess of 9 miles east and involves the usage of water from a quarry. Whereas, there is a significant distance between the two users, there should be no negative impacts created by said increased annual allowance on these distant neighboring users.
4. The nearest water user having private (non-regulated) wells in a similar Silurian or Jordan aquifer, is a golf course, having a well approximately 408 feet deep, located approximately  $\frac{1}{2}$  mile from the applicant's withdrawal site. It is normally unlikely that persons living in the vicinity of the Applicant's withdrawal site and having wells in similar aquifers will experience any significant impacts of the withdrawals 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. Whereas 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 in September, 1986, the increased amount is justified by law, barring compelling circumstances that mitigate to the contrary.
  - As outlined in rule 567 50.4(3)., the Permittee may withdraw from the Jordan aquifer only when well pumping levels are above three hundred (300) feet from the baseline, or 50% of the 1978 water level, as determined from

available Department records. The following table expresses specific conditions for Jordan aquifer wells listed in this permit.

**Table 1: West Liberty [3265] Jordan Well Water Levels**

Local Name	Well #2	Well #3	Well #4
Drill Date	2/1/1900	2/13/1959	9/24/1964
Well Elevation (ft)	668	663	659
1978 Jordan Water Level Elevation (ft)	517	517	517
Total Well Depth (ft)	1596	1627	1625
Total Casing Depth (ft)	1058	1080	1088
2025 Static Water Level Depth (ft)*	unk.	259	309
2025 Pumping Water Level Depth (ft)*	unk.	327	343
1978 Jordan Baseline Level Depth (ft)	151	146	142
Depth to Top of Jordan Aquifer (ft)	1130	1130	1130
Jordan Tier 2 Depth (1978 level -300 ft.)	451	446	442
Jordan Tier 3 Depth (1978 level -400 ft.)	551	546	542
Feet Above Tier 2 (Tier 2 – pumping)	unk.	+119	+99
Feet Above Tier 3 (Tier 3 – pumping)	unk.	+219	+199

\*Water levels from 2025 annual report.

The water system is maintaining compliance with the well pumping level requirements.

- The applicant is devoting a reasonable amount of water to a beneficial use (municipal use, drinking, and human sanitation). The amount and rate requested by the Applicant thus appear to be justified by law, barring compelling circumstances that mitigate to the contrary. 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 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 50 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 five years.

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Water Supply Engineering Section

Date: April 20, 2026

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

<b>Permit issued to:</b>	<b>Permit Number:</b>	3265-M6
CITY OF WEST LIBERTY	<b>Effective:</b>	xxx
409 N CALHOUN ST		
WEST LIBERTY IA 52776-1494	<b>Expires:</b>	xxx

**The Permittee is authorized to:**

withdraw water from three Cambrian-Ordovician (Jordan Sandstone) aquifer wells, each about 1700 to 1750 feet deep, located on land generally described as the SW ¼ of the SW ¼ of Section 12 and the NE ¼ of the NW ¼ of Section 13, all in T78N, R4W, Muscatine County, Iowa, in the maximum quantity of 238.0 million gallons per year at a maximum total rate of 1400 gallons per minute throughout each year for municipal purposes within and without the Permittee's 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 Chapters 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 Ave, 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: 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. As outlined in rule 567 50.4(3)., the Permittee may withdraw from the Jordan aquifer only when well pumping levels are above three hundred (300) feet from the baseline, or 50% of the 1978 water level, as determined from available Department records. The following table expresses specific conditions for Jordan aquifer wells listed in this permit.

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\*Water levels from 2025 annual report.

The water system is maintaining compliance with the well pumping level requirements.

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. 3265-R5.

**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.