

**NOTICE OF INTENT TO
GRANT A PERMIT AUTHORIZING USE OF WATER
FOR AGRICULTURAL PURPOSES
IN MONONA COUNTY, IOWA**

Notice is hereby given that pursuant to Iowa Code Chapter 455B, there are now on file with the Iowa Department of Natural Resources, Water Supply Engineering Section, 502 E 9th Street, Des Moines, Iowa 50319-0034 applications as described below.

DENNIS O'NEAL (Iowa DNR Log No. 34,514) requests a permit authorizing withdrawal of withdraw water from one existing and one newly-drilled Missouri River alluvial well, approximately 102 feet deep, located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of truncated Section 13, T87N, R47W, Monona County, Iowa, in the maximum quantity of 300 acre-feet per year at a maximum rate of 3,850 gallons per minute during the period April 1 through September 30 of each year for irrigation of up to 300 acres of general farm crops such as corn and soybeans on land generally described as the E $\frac{3}{4}$ of the S $\frac{1}{2}$ of truncated Section 13 and NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, T84N, R47W, and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19, T84N, R46W, all in Monona County, Iowa.

The permit modification will authorize the construction of a new Missouri River alluvial well as specified above.

The Department has determined that these uses of water conform to the relevant criteria (Iowa Code Chapter 455B and Iowa Administrative Code Chapter 567) and recommends the permits 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 the use of water must be received by May 15, 2026, and should be addressed "ATTN.: Water Supply Engineering Section" and should specify the Applicant's log number.

(Michael K. Anderson, P.E.)

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

Applicant: Dennis O'Neal

Application Log No.: 34,514

DENNIS O'NEAL (Iowa DNR Log No. 34,514) requests a permit authorizing withdrawal of withdraw water from one existing and one newly-drilled Missouri River alluvial well, approximately 102 feet deep, located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of truncated Section 13, T87N, R47W, Monona County, Iowa, in the maximum quantity of 300 acre-feet per year at a maximum rate of 3,850 gallons per minute during the period April 1 through September 30 of each year for irrigation of up to 300 acres of general farm crops such as corn and soybeans on land generally described as the E $\frac{3}{4}$ of the S $\frac{1}{2}$ of truncated Section 13 and NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, T84N, R47W, and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19, T84N, R46W, all in Monona County, Iowa.

The permit modification will authorize the construction of a new Missouri River alluvial well as specified above.

This proposed permit represents the incorporation of an alluvial well in the applicant's Missouri River alluvial wellfield. This is to facilitate increased crop production.

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

1. Irrigation to these general crops (primarily corn and soybeans) is supplied by a center pivot apparatus, to be located in the vicinity of the well site.
2. Water is abundantly available in this portion of Monona County comprising the "Missouri River" bottomland area. The alluvial source of the Missouri River is quite plentiful according to Departmental records and experience with this formation.
3. According to information available to the department, the nearest water user requiring the diversion of water in sufficiently large proportions to require a water use permit is located in excess of 0.5 miles to the northwest from said applicant's proposed withdrawal site. All other nearest users are in excess of $\frac{3}{4}$ miles from the applicant's withdrawal site. Whereas the users are a significant distance apart as to prevent the likelihood of interference, the Department does not anticipate any negative impacts upon any nearby users (who currently hold an active water use permit with the Department) as a result from the proposed withdrawal from the applicant.
4. Iowa Geological Survey records, and information submitted by the applicant, indicate the nearest known neighboring non-regulated users are located in excess of $\frac{1}{4}$ mile from the applicant's proposed withdrawal site. These private wells are likely of similar depths to the applicant's, or shallower, mostly located in the Missouri River alluvial system. Whereas the users are a significant distance apart as to prevent the likelihood of interference, the Department does not anticipate any negative impacts upon any nearby users as a result from the proposed withdrawal from the applicant. In any event, the interests of individuals using water for domestic purposes, as well as those persons benefiting from existing permits, 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 use that is beneficial (general crop irrigation/corn/soybean rotation). 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 ten years.

Water Supply Engineering Section

Date:

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

Permit issued to:	Permit Number:	3927-M5
DENNIS O'NEAL	Effective:	xxx
22847 HWY E16	Expires:	xxx
HORNICK IA 51026		

The Permittee is authorized to:

withdraw water from one existing and one newly-drilled Missouri River alluvial well, approximately 102 feet deep, located in the SW ¼ of the SE ¼ of truncated Section 13, T87N, R47W, Monona County, Iowa, in the maximum quantity of 300 acre-feet per year at a maximum rate of 3,850 gallons per minute during the period April 1 through September 30 of each year for irrigation of up to 300 acres of general farm crops such as corn and soybeans on land generally described as the E ¾ of the S ½ of truncated Section 13 and NE ¼ of the NE ¼ of Section 24, T84N, R47W, and the N ½ of the NW ¼ of Section 19, T84N, R46W, all in Monona 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 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 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. 4 – Atlantic
Permit File 3927

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 source, water levels in said well and other data related to the regulation of this use of water shall be maintained and submitted as directed by the department.
2. Once each spring at a time before water is first withdrawn for use, the Permittee shall be responsible for accurately measuring the distance to water (static water level) from the access port in the permitted well. The distance to water shall be submitted to the department annually as part of the records of water use.
3. 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.
4. 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.
5. 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.
6. 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 N.R.C.S. and submitted to this department. The plan shall be accompanied by the applicant's written statement, explaining how the plan and the operation of the irrigation system are compatible.
7. 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.
8. Existing well 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 might require that this permit be modified to accommodate the changes.
9. With respect to each proposed or replacement well authorized as a source of water in this permit, withdrawals of water may be made only after the Permittee has made the following information available to the Iowa Geological Survey: well location, well log, casing and grouting schedule, results of yield tests, and cutting samples.
10. Each proposed or replacement well authorized as a source of water in this permit must be equipped with an access port having a minimum diameter of three-fourths inch. The access port must be equipped with a threaded cap or plug. The access port must be located to allow insertion of a steel tape or electric probe into the well casing for measurement of water levels. Any future well that is constructed to replace an existing well which is authorized for use by this permit must also be equipped with such an access port.
11. 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.

12. This permit supersedes Water Use Permit No. 3927-R4.

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.