

NOTICE OF INTENT TO MODIFY A PERMIT
AUTHORIZING THE USE OF WATER
FOR MUNICIPAL PURPOSES
IN CHEROKEE 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, 502 E 9th Street; Des Moines, Iowa 50319-00346, an application as described below.

The City of Marcus, Iowa DNR Log Number 34,686, requests a newly-modified water use permit authorizing withdrawals of water from one Cambrian_Ordovician (Jordan Sandstone) aquifer well, approximately 1,301 feet deep, and two Upper Ordovician aquifer wells, approximately 880 feet deep, located in the SW ¼ of the SW ¼ of Section 34, T93N, R42W, Cherokee County, Iowa, in the maximum quantity of 56 million gallons per year at a maximum pumping rate of 610 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.

The proposed permit modification represents the construction of the new Upper Ordovician well as described above. The instantaneous pumping capacity is being increased from 410 gallons per minute to 610 gallons per minute to facilitate operational flexibility.

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 for the application is available upon request to the Department at the address listed above. Comments on the report and this use of water must be received by JULY 29, 2026, and should specify the Iowa DNR log number.

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

IOWA DEPARTMENT OF NATURAL RESOURCES
WATER USE PERMIT SUMMARY REPORT

Applicant: CITY OF MARCUS

Iowa DNR Application Log No.: 34,686

The City of Marcus, Iowa DNR Log Number 34,686, requests a newly-modified water use permit authorizing withdrawals of water from one Cambrian-Ordovician (Jordan Sandstone) aquifer well, approximately 1,301 feet deep, and two Upper Ordovician aquifer wells, approximately 880 feet deep, located in the SW ¼ of the SW ¼ of Section 34, T93N, R42W, Cherokee County, Iowa, in the maximum quantity of 56 million gallons per year at a maximum pumping rate of 610 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.

The proposed permit modification represents the construction of the new Upper Ordovician well as described above. The instantaneous pumping capacity is being increased from 410 gallons per minute to 610 gallons per minute to facilitate operational flexibility.

1. This permit modification represents an increase of one active well for the permit, increasing the total number of active aquifer wells from two to three. The proposed well is permitted in the same quarter section as the other active wells.
2. This permit modification has a small increase in instantaneous withdrawal allocation; to 610 gallons per minute (gpm).
3. The modification requests an annual increase, from 55 to 56 million gallons per year (mgy). The additional well will be used to supply water and as an additional source of supply to the current wells.
4. There is one nearby water use permit that also utilizes the aquifer as a source of water. The well is located over 3,500 feet to the southwest of the applicant's most western well.
5. Available data indicates that there should be no negative impacts created by the instantaneous increase on neighboring water users with a properly constructed well.
6. As there is only a slight increase in annual allocation, available records indicate the Dakota aquifer should be able to accommodate the additional well, with limited water level declines.
7. No information was supplied by the applicant concerning nearby private wells. No interference is expected from the Applicant's increased water use. There are no definitive reports in the area indicating a significant decline in aquifer water levels.
8. The interests of individuals using water for domestic purposes, as well as those persons benefiting from the permit mentioned above, are amply protected in, the event of substantial injury, pursuant to Section 455B.271, Code of Iowa.
9. The applicant is devoting a reasonable amount of water to a beneficial use (Municipal usage including human consumption and human sanitation). 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 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. 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: July 02, 2026

IOWA DEPARTMENT OF NATURAL RESOURCES

WATER USE PERMIT

Permit issued to:

CITY OF MARCUS
WATER SUPERINTENDANT
PO BOX 542
MARCUS IA 51035-0542

Permit Number: 6113-M7

Effective: xxx

Expires: xxx

The Permittee is authorized to:

withdraw water from one Cambrian-Ordovician (Jordan Sandstone) aquifer well, approximately 1,301 feet deep, and two Upper Ordovician aquifer wells, approximately 880 feet deep, located in the SW ¼ of the SW ¼ of Section 34, T93N, R42W, Cherokee County, Iowa, in the maximum quantity of 56 million gallons per year at a maximum pumping rate of 610 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 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. 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 50.11(2), 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: Marcus (6113) Jordan Well Water Levels

Local Name	Well#1
Drill Date	1/1/1914
Well Elevation (ft)	1,461
1978 Jordan Water Level Elevation (ft)	1160
Total Well Depth (ft)	1,301
Total Casing Depth (ft)	unk.
2025 Static Water Level Depth (ft)	unk.†
2025 Pumping Water Level Depth (ft)	unk.†
1978 Jordan Baseline Level Depth (ft)	301
Jordan Tier 2 Depth (1978 level -300 ft.)	601
Jordan Tier 3 Depth (1978 level -400 ft.)	701
Feet Above Tier 2 (Tier 2 – pumping)	<u>unk.†</u>
Feet Above Tier 3 (Tier 3 – pumping)	<u>unk.†</u>

† No water levels were submitted in 2025 annual report.

10. Permittee must apply to renew this water use permit using the appropriate DNR form prior to the expiration date of the current permit version.
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. 6113-R6.

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.