



COPY

WATER APPROPRIATION PERMIT AMENDMENT, TRANSFER, OR TERMINATION

Permittee/Authorized Agent City of St. Cloud Public Utilities	Phone Number 612/255-7225
Address 400 2nd St S., St. Cloud, MN 56301	

Dear Permittee: One or more of the following changes are hereby made to your appropriation permit. Contact the "Reviewer" listed below if you have questions or concerns about these changes. Please attach this document to the original permit, as it hereby becomes a part of that permit.

Fee Status:

☒ Yes, paid \$ 75.00
☐ No, exempted because: _____

☒ AMENDMENT: The following Amendment is hereby made to the permit:

Appropriate water from the Mississippi River at an average rate of 11,110 gpm, not exceeding 5,900
mgd. Municipal water supply for a population of 50,000. Point of taking - SW1/4NW1/4NE1/4, Section 11,
T124N, R28W.

☐ TRANSFER/ASSIGNMENT: This permit is hereby Assigned to:

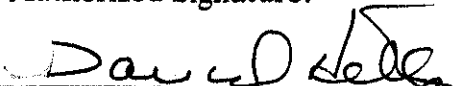
Former Permittee: _____

☐ TERMINATION: This permit is hereby Terminated in all respects. Future appropriation from this source will require a new application. Well abandonment may be required by State Law.

Special Provisions: _____

Reviewer: Joe Oschwald, Staff Hydrologist

Phone: 612/255-2984

Authorized Signature:  David L. Hills	Title Regional Hydrologist	Date 4/10/92
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cc: Area Hydrologist

SWCD Stearns County _____

Conservation Officer Dave Rodahl

DNR Waters Data Systems

☐ Other _____



Department of Natural Resources
Division of Waters

WATER APPROPRIATION PERMIT

Box 32, Centennial Office Building
St. Paul, MN 55155

AMENDED

PERMIT 80-3102

COUNTY Stearns

THIS AMENDED PERMIT SUPERSEDES THE ORIGINAL PERMIT AND ALL PREVIOUS AMENDMENTS.

IN THE MATTER OF THE APPLICATION FOR APPROPRIATION OF WATERS OF THE STATE, PERMISSION IS HEREBY GRANTED TO:

PERMITTEE City of St. Cloud Water Utility	Authorized Agent Gerald L. Mahon, Director	
Address City Hall, St. Cloud, MN 56301		
To Appropriate From: Mississippi River at an average rate of 3700 gpm. Point of Taking: Block 100 of Lowry's Addition (in SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 11, T124N, R28W		
Purpose: Municipal water supply for a population of 43,000 people on a continuous basis.		
Property Described as: Block 100 of Lowry's Addition (in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 11, T124N, R28W.		
Authorized Signature <i>Sarah P. Tufford</i>	Title Sarah P. Tufford Administrator Water Use Management Section	Date 1-12-84

This permit is granted subject to the following **CONDITIONS:**

1. QUANTITY:

The permittee is authorized to appropriate water at a rate not to exceed 6,944 gallons per minute. The total amount of water appropriated shall not exceed XXXXXX acre feet or 2,500 million gallons per year.

2. LIMITATIONS:

(a.) Any violation of the terms and provisions of this permit and any appropriation of the waters of the state in excess of that authorized hereon shall constitute a violation of Minnesota Statutes, Chapter 105.

(b.) This permit shall not be construed as establishing any priority of appropriation of waters of the state.

(c.) This permit is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its employees, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, for any damage or injury resulting from any such act or omission, or as stopping or limiting any legal claim or right of action of the state against the permittee, for violation of or failure to comply with the provisions of the permit or applicable provisions of law.

(d.) In all cases where the doing by the permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property, rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding therewith, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights and interests necessary therefore.

(e.) This permit shall not release the permittee from any other permit requirements or liability or obligation imposed by Minnesota Statutes, Federal Law, or local ordinances relating thereto and shall remain in force subject to all conditions and limitations now or hereafter imposed by law.

(f.) Unless explicitly specified, this permit does not authorize any alterations of the beds or banks of any public (protected) waters or wetlands. A separate permit must be obtained from the Department of Natural Resources prior to any such alteration.

3. PERMITTEE'S RESPONSIBILITIES:

(a.) MONITORING.

The permittee shall equip each installation for appropriating or using water with a device or employ a method to measure the quantity of water appropriated to within ten (10) percent of actual amount withdrawn unless otherwise specified by special provision.

(b.) REPORTS.

Monthly records of the amount of water appropriated or used shall be recorded for each installation. Such readings and the total amount of water appropriated or used shall be reported annually to the Director of the Division of Waters, on or before February 15 of the following year, upon forms supplied by the Division. Any processing fee required by law or rule shall be submitted with the records whether or not any water was appropriated during the year. Failure to report shall be sufficient cause for terminating the permit 30 days following written notice.

(c.) TRANSFER OR ASSIGNMENT.

Any transfer or assignment of rights, or sale of property involved hereunder shall be reported within 90 days thereafter to the Director of the Division of Waters. Such notice shall be made by the transferee (i.e. new owner) and shall state the intention to continue the appropriation as stated in the permit. This permit shall not be transferred or assigned except with the written consent of the Commissioner.

(d.) MODIFICATION.

The permittee must notify the Commissioner in writing of any proposed changes to the existing permit. This permit shall not be modified without first obtaining the written permission from the Commissioner.

4. COMMISSIONER'S AUTHORITY:

(a.) The Commissioner may inspect any installation utilized for the appropriation or use of water. The permittee shall grant access to the site at all reasonable times and shall supply such information concerning such installation as the Commissioner may require.

(b.) The Commissioner may, as he deems necessary, require the permittee to install gages and/or observation wells to monitor the impact of the permittee's appropriation on the water resource and require the permittee to pay necessary costs of installation and maintenance.

(c.) The Commissioner may restrict, suspend, amend, or cancel this permit in accordance with applicable laws and rules for any cause for the protection of public interests, or for violation of the provisions of this permit.

5. PUBLIC RECORD:

All data, facts, plans, maps, applications, annual water use reports, and any additional information submitted as part of this permit, and this permit itself are part of the public record and are available for public inspection at the offices of the Division of Waters. The information contained therein may be used by the Division as it deems necessary. The submission of false data, statements, reports, or any such additional information, at any time shall be deemed as just grounds for revocation of this permit.

cc: Dave Hills, Regional Hydrologist
Dale Homuth, Area Hydrologist
Data Systems/Young
Minnesota Department of Health