

## Randy Anhorn

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**From:** ranhorn@ninemilecreek.org  
**Sent:** Monday, June 10, 2019 11:14 AM  
**To:** Randy Anhorn  
**Subject:** New submission from Contact

### First Name

Maureen

### Last Name

Bohmbach

### Email

[moryb@comcast.net](mailto:moryb@comcast.net)

### Inquiry Topic

Project

### Message

I am writing to thank you for making Normandale Lake a priority. My husband and I quit walking there around 15 years ago because of the unsightliness and smell, even though we live within a mile. We decided to walk there yesterday because we noticed no algae bloom and crossed our fingers for no smell. Wow! It was so beautiful and the only smell was the pleasant woods! We appreciate the nice blacktop walking surface too. The Improvement Project has enhanced the area for everyone to enjoy!

Thankful,  
John and Mory Bohmbach  
9316 Rich Rd.  
Bloomington, MN 55437

## Randy Anhorn

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**From:** Scollan, Daniel (DNR) <daniel.scollan@state.mn.us>  
**Sent:** Wednesday, May 29, 2019 3:40 PM  
**To:** Geralyn Barone; Philip Olson; Sarah Schweiger; 'Matt Blazer'; Will Manchester  
**Cc:** Richter, Joe G (DNR); Spiegel, Jason (DNR); stacey.lijewski@co.hennepin.mn.us; Randy Anhorn; karen.galles@hennepin.us; MN\_Fisheries, MetroWest (DNR); Horton, Becky (DNR); Parris, Leslie (DNR)  
**Subject:** RE: Emergency Dewatering of Shady Oak Lake  
**Attachments:** 2019-05-28-application\_27082.pdf; 2019-05-28-Shady\_Oak\_Pumping\_Option\_1.pdf

Good Afternoon,

The DNR recognizes the urgent nature of your request for a permit for temporary pumping to lower the water level of Shady Oak Lake. You've indicated that the high water level is causing property damage.

The application for temporary water appropriation associated with your request has the Reference Number 2019-1781. The application, attached to this email, indicates that you will pump at a rate up to 900 gallons per minute. The requested volume of the appropriation is 64.6 million gallons, or 198 acre-feet. Your application indicates that appropriated water will be discharged to Nine Mile Creek.

**The DNR grants you permission to immediately start the appropriation. Please be advised that:**

- The volume of your water use must be measured within 10% accuracy.
- Care must be taken to ensure that structures downstream of the discharge point are not flooded.
- The pump intake must be screened to prevent fish from being drawn in to the system.

The agencies that comment on DNR Water Appropriation Permit Applications at this location have been copied on this e-mail. We will contact you with any comments or concerns that we receive.

**Dan Scollan**

Groundwater Protection Hydrologist | Division of Ecological and Water Resources

**Minnesota Department of Natural Resources**

1200 Warner Road

St. Paul, MN 55106

Phone: 651-259-5732

Fax: 651-772-7977

Email: [daniel.scollan@state.mn.us](mailto:daniel.scollan@state.mn.us)

[mndnr.gov](http://mndnr.gov)

 **DEPARTMENT OF  
NATURAL RESOURCES**



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**From:** Will Manchester <[wmanchester@eminnetonka.com](mailto:wmanchester@eminnetonka.com)>

**Sent:** Wednesday, May 29, 2019 10:51 AM



Minnesota Department of Natural Resources  
Division of Ecological & Water Resources  
**MNDNR PERMITTING AND REPORTING SYSTEM**



## Water Appropriation Permit Application

**Reference Number: 2019-1781**

<b>Date Submitted to DNR:</b> May 28, 2019 at 3:21 PM	<b>Application Reference Name:</b> Shady Oak Lake Dewatering
<b>DNR Lead Hydrologist:</b> Joe Richter <b>Area:</b> Metro N <b>Email:</b> joe.richter@state.mn.us <b>Phone:</b> 651-259-5877	<b>DNR Region:</b> Central Region 3 <b>Address:</b> Minnesota Department of Natural Resources 1200 Warner Road St. Paul, MN 55106

## Parties *(Individuals and Organizations associated with the permit application)*

<b>City of Minnetonka-Public Works</b> - Landowner or Government Unit	<b>Address:</b> 11522 Minnetonka Blvd, Minnetonka, MN 55305 <b>Phone:</b> 952-988-8400
<b>Brandon Bohks</b> - Contact <i>(representing Bolton &amp; Menk, Inc.)</i> <i>(submitted application)</i>	<b>Address:</b> 12224 Nicollet Avenue, Burnsville, MN 56001 <b>Phone:</b> 507-625-4171 x3244 <b>Email:</b> brandonbo@bolton-menk.com
<b>Phil Olson</b> - Contact <i>(representing City of Minnetonka-Public Works)</i>	<b>Address:</b> 14600 Minnetonka Blvd, Minnetonka, MN 55345 <b>Phone:</b> 952-939-8239
<b>Bolton &amp; Menk, Inc.</b> - Agent	<b>Address:</b> 12224 Nicollet Avenue, Burnsville, MN 55337 <b>Phone:</b> 952-890-0509

## Proposed Activity

Basin (Lake) Level Maintenance *(Volume requested: 64.6 mgy)*



**Counties:** Hennepin  
**Watersheds:** Lower Minnesota River  
**PLS:** T117N-R22W-S26 Meandered water body,  
T117N-R22W-S26 NWSW  
**UTM:** X:465601 Y:4973178  
**Water Resources:** Lake: Shady Oak (27008900) -  
Public Waters Basin, Lake: Shady Oak (North  
Bay) (27008901)

**Counties:** Hennepin  
**Watersheds:** Lower Minnesota River  
**PLS:** T117N-R22W-S26 SWSW  
**UTM:** X:465187 Y:4972737  
**Water Resources:** Stream/River: Ninemile Creek, South Fork (M-055-005-001) - Public Waters  
Watercourse, Wetland: Unnamed (27079000) - Public Waters Basin, Lake: Unnamed (27079000)

1	Please assign a reference/project name to this application.	Shady Oak Lake Dewatering
2	What is the main type of work you are proposing to do?	Pump water for irrigation, water supply, manufacturing, dewatering, etc.
3	What is the major category of water use?	Non-Irrigation (e.g., municipal water supply, power generation, industrial processing, construction dewatering, water level maintenance, etc.)
4	Will you use more than 10,000 gallons of water on any one day and/or 1 million gallons of water in a year?	Yes
5	Describe your proposed use of water and any relevant details of your water processing system.	Lowering lake levels in Shady Oak Lake for the purpose of flood reduction. Dewatering will be via pumping into city storm sewer discharging into Nine Mile Creek.
6	What is the initial means by which the water will be obtained (select one)? Note: subsequent questions will determine whether water will also be pumped to and from a temporary storage site.	One (1) single pump, gravity flow, or other system (e.g., water truck) at a lake, stream, wetland, etc.
7	Do you plan to use stormwater runoff from a stormwater collection site as the source of water?	No
8	Do you intend to pump the water to a temporary storage site before the intended use (e.g., to a pit, pond, wetland)? Do NOT mark yes for water trucks.	No
9	How many separate discharge points will there be, if any?	1
10	When did you or will you begin withdrawing water?	05/29/2019
11	Is this a one-time water appropriation expected to last 1 year or less (i.e., temporary but not seasonal)?	Yes

## Appropriation Overview (Continued)

12	When do you expect to stop appropriating water?	07/31/2019
13	What alternative sources of water and withdrawal methods did you consider and why was the proposed action selected?	Alternate routes of discharge were explored. However to mitigate impacts, the selected route is least disruptive and most direct.
14	What conservation practices will you employ? (check all that apply)	Other (specify)
15	If Other, please specify:	Existing storm sewer and retention ponds will be used to avoid overland flow scenarios.
16	Do you have any other comments about the proposed water withdrawal? (optional)	Downstream water levels will be monitored via GPS to ensure water levels are maintained to an appropriate level. If needed, discharge rate on pump can be manipulated to reduce downstream water levels. I
17	Please upload a <a href="#">site plan</a> . The site plan should include the location of all water sources, the distribution system, and any discharge locations.	Shady_Oak_Pumping_Option_1.pdf

 **Attachment(s):** Shady\_Oak\_Pumping\_Option\_1.pdf

## Activity Detail

### Activity: Basin (Lake) Level Maintenance

How much water are you requesting to use annually for this purpose in millions of gallons per year? (For example, enter 2,500,000 gallons as 2.5) 64.6 million gallons per year

I don't know how much water I need N/A

## Installation

**Installation Name:** Installation #1 (Pump)

1	What is the means of water withdrawal at this site?	Portable pump
2	What is the maximum pumping or flow rate for this system (in gallons per minute)? Leave blank for container systems.	2,250 gallons per minute
3	If applicable, what is the requested pumping rate (in gallons per minute)?	900 gallons per minute
4	Is the lake or wetland you are proposing to appropriate from less than 500 acres in size?	Yes
5	Are you the only landowner with property adjacent to the lake/wetland?	No
6	How many signatures of support from the other adjacent landowners have you obtained?	N/A
7	How many adjacent landowner signatures were you unable to obtain? Enter N/A if not applicable.	N/A
8	Select the resource(s) below that best describe the type of water bodies that will have water withdrawn from them.	lake
9	Is an alternative water source available if your water withdrawal is restricted due to low flow conditions?	No



## Installation (Continued)

10	In order to obtain a permit, you must agree to cease withdrawal per the following condition. I agree to withstand the results of no appropriation if notified by the DNR that water appropriations within the watershed are being suspended in order to protect instream flows and/or basin water levels	I agree
11	Counties	Hennepin
12	Watersheds	Lower Minnesota River
13	PLS	T117N-R22W-S26 Meandered water body, T117N-R22W-S26 NWSW
14	UTMXY	X:465601 Y:4973178
15	Water resources	Lake: Shady Oak (27008900) - Public Waters Basin, Lake: Shady Oak (North Bay) (27008901)

## Discharge Site

Discharge Site Name: Discharge Point #1

1	Where are you planning to discharge the water (select all that apply)?	Stream, ditch, or river, Sewer system
2	What is the quantity of water to be discharged at this site (in million gallons per year)?	64.6 million gallons per year
3	What is the means of discharge (select all that apply)?	Pipe
4	What is the cumulative maximum discharge rate at this site (in gallons per minute), if known?	2,250 gallons per minute
5	Counties	Hennepin
6	Watersheds	Lower Minnesota River
7	PLS	T117N-R22W-S26 SWSW
8	UTMXY	X:465187 Y:4972737
9	Water resources	Stream/River: Ninemile Creek, South Fork (M-055-005-001) - Public Waters Watercourse, Wetland: Unnamed (27079000) - Public Waters Basin, Lake: Unnamed (27079000)

## Acknowledgment (By the party who submitted the permit application)



I attest that:

- I own or control (by lease, license, or other permission) the land from which groundwater or surface water will be appropriated, AND
- There are no easements or other restrictions on the land that would prohibit the proposed activities from being authorized under a permit, AND
- I possess the authority to undertake the work described, or I am acting as a duly authorized agent, AND
- The information submitted and the statements made concerning this application are true and correct to the best of my knowledge.

## Warning - Missing Documents



### Missing Documents - May Be Required

You may be required to provide the following document(s) before your application can be processed. For faster processing, upload the document(s) before completing your application (click on the link below to navigate to the appropriate page to upload). If this is not possible, please mail the documents upon finalizing your application. Be advised that no action will be taken on your application until all required documents are received by the DNR.

## Warning - Missing Documents *(Continued)*

·Riparian landowner information for Installation #1

Be sure to write your name and application reference number on all mailed documents and send to:

Joe Richter, District Appropriations Hydrologist  
Minnesota Department of Natural Resources  
1200 Warner Road  
St. Paul, MN 55106

PRINTED: 05/28/2019 at 3:21 PM

## Randy Anhorn

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**From:** Richter, Joe G (DNR) <joe.richter@state.mn.us>  
**Sent:** Friday, May 24, 2019 3:06 PM  
**To:** mail@EdinaMN.gov; Spiegel, Jason (DNR); usace\_requests\_mn@usace.army.mil; Randy Anhorn; karen.galles@hennepin.us; MN\_Fisheries, MetroWest (DNR); Horton, Becky (DNR); Parris, Leslie (DNR); Carlson, Ben (BWSR)  
**Subject:** Request for Comments, DNR Application for Temporary Appropriation No. 2019-1710, City of Edina  
**Attachments:** 2019-05-23-application\_26973.pdf; 2019-05-23-1505144535\_mail\_5384.pdf; 2019-05-23-1505144535\_\_ags\_d1597a8b8ab74f9d8b9513a08e62f65d.pdf  
**Follow Up Flag:** Flag for follow up  
**Flag Status:** Completed

This is a request for comments on DNR Water Appropriation Application No. 2019-1710.

Applicant: City of Edina.

Water Source: Indianhead Lake – surface water

Location: Indianhead Lake

Purpose: Temporary dewatering to protect property from high water levels in the lake.

Timeframe: Intermittently between May 28, 2019 and July 31, 2019

Installation: One 1,000 gallon per minute pump taking water from the lake.

Volume of Appropriation: 9 million gallons

Rate of Appropriation: 1,000 gallons per minute

Discharge: To storm sewer

This application is being considered for authorization under the **General Permit for Temporary Appropriation**. Therefore, comments should be returned by e-mail by **May 20, 2019**.

Thank you for your input.

**Joe Richter**

District Appropriations Hydrologist | Division of Ecological and Water Resources

**Minnesota Department of Natural Resources**

1200 Warner Road

St. Paul, MN 55106

Phone: 651-259-5877

Fax: 651-772-7977

Email: [joe.richter@state.mn.us](mailto:joe.richter@state.mn.us)

[mndnr.gov](http://mndnr.gov)





Minnesota Department of Natural Resources  
Division of Ecological & Water Resources  
**MNDNR PERMITTING AND REPORTING SYSTEM**



## Water Appropriation Permit Application

Reference Number: 2019-1710

Date Submitted to DNR: May 23, 2019 at 6:35 PM

Application Reference Name: Lake Level Management, IH\_1  
Indianhead Lake 2019

DNR Lead Hydrologist: Joe Richter  
Area: Metro N  
Email: joe.richter@state.mn.us  
Phone: 651-259-5877

DNR Region: Central Region 3  
Address: Minnesota Department of Natural Resources  
1200 Warner Road  
St. Paul, MN 55106

## Parties (Individuals and Organizations associated with the permit application)

City of Edina - Landowner or Government Unit

Address: 7450 Metro Blvd, 7450 Metro Blvd, Edina, MN 55439  
Phone: 952-826-0445

Jessica Wilson - Contact (representing City of Edina)  
(submitted application)

Address: 4801 W 50th St, EDINA, MN 55424  
Phone: 952-826-0445  
Email: jwilson@edinamn.gov

## Proposed Activity

Basin (Lake) Level Maintenance (Volume requested: 9 mgy)

## Location and Water Resources



Installation Name: Installation #1

Counties: Hennepin  
Watersheds: Lower Minnesota River  
PLS: T116N-R21W-S6 SESW, T116N-R21W-S6 SWSE  
UTM: X:469312 Y:4969460  
Water Resources: Lake: Indianhead (27004400) -  
Public Waters Basin

Discharge Site Name: Discharge Point #1

Counties: Hennepin  
Watersheds: Lower Minnesota River  
PLS: T116N-R21W-S6 SESW, T116N-R21W-S6 SWSE,  
T116N-R21W-S7 NWNE, T116N-R21W-S7 NENW  
UTM: X:469273 Y:4969308  
Water Resources: (N/A)

## Appropriation Overview



## Appropriation Overview (Continued)

1	Please assign a reference/project name to this application.	Lake Level Management, IH_1 Indianhead Lake 2019
2	What is the main type of work you are proposing to do?	Pump water for irrigation, water supply, manufacturing, dewatering, etc.
3	What is the major category of water use?	Non-Irrigation (e.g., municipal water supply, power generation, industrial processing, construction dewatering, water level maintenance, etc.)
4	Will you use more than 10,000 gallons of water on any one day and/or 1 million gallons of water in a year?	Yes
5	Describe your proposed use of water and any relevant details of your water processing system.	Pumping landlocked basin to downstream waterbody, Nine Mile Creek
6	What is the initial means by which the water will be obtained (select one)? Note: subsequent questions will determine whether water will also be pumped to and from a temporary storage site.	One (1) single pump, gravity flow, or other system (e.g., water truck) at a lake, stream, wetland, etc.
7	Do you plan to use stormwater runoff from a stormwater collection site as the source of water?	No
8	Do you intend to pump the water to a temporary storage site before the intended use (e.g., to a pit, pond, wetland)? Do NOT mark yes for water trucks.	No
9	How many separate discharge points will there be, if any?	1
10	When did you or will you begin withdrawing water?	05/28/2019
11	Is this a one-time water appropriation expected to last 1 year or less (i.e., temporary but not seasonal)?	Yes
12	When do you expect to stop appropriating water?	07/31/2019
13	If the proposed water withdrawal is associated with a project that has gone through formal environmental review (EAW, EIS), provide the DNR tracking number, if known. (optional)	No
14	If the proposed water withdrawal is associated with a project that has gone through a Natural Heritage (e.g., endangered species) review, provide the DNR tracking number, if known. (optional)	No
15	What alternative sources of water and withdrawal methods did you consider and why was the proposed action selected?	landlocked basin in a wetter than average year; resetting the lake level to just below the ordinary high water level
16	What conservation practices will you employ? (check all that apply)	Other (specify)
17	If Other, please specify:	None
18	Please upload a <a href="#">site plan</a> . The site plan should include the location of all water sources, the distribution system, and any discharge locations.	1505144535__ags_d1597a8b8ab74f9d8b9513a08e62f65d.pdf

 Attachment(s): 1505144535\_\_ags\_d1597a8b8ab74f9d8b9513a08e62f65d.pdf

## Activity Detail

### Activity: Basin (Lake) Level Maintenance

How much water are you requesting to use annually for this purpose in millions of gallons per year? (For example, enter 2,500,000 gallons as 2.5) 9 million gallons per year

I don't know how much water I need N/A

## Installation

**Installation Name:** Installation #1 (Pump)

1	What is the means of water withdrawal at this site?	Portable pump
2	What is the maximum pumping or flow rate for this system (in gallons per minute)? Leave blank for container systems.	1,000 gallons per minute
3	If applicable, what is the requested pumping rate (in gallons per minute)?	1,000 gallons per minute
4	A method to measure water use within 10% accuracy is required for every pump/system. What method will be used to measure water use at this pump or system? For more details on this requirement, refer to <a href="http://files.dnr.state.mn.us/waters/watermgmt_section/appropriations/flowmeter.pdf">http://files.dnr.state.mn.us/waters/watermgmt_section/appropriations/flowmeter.pdf</a> .	Other (specify)
5	If Other, provide a detailed description of the method you propose to use, including the degree of accuracy.	lake stage data pre/post or timing device
6	Is the lake or wetland you are proposing to appropriate from less than 500 acres in size?	Yes
7	Are you the only landowner with property adjacent to the lake/wetland?	No
8	How many signatures of support from the other adjacent landowners have you obtained?	0, request came from The Indianhead Lake Association
9	How many adjacent landowner signatures were you unable to obtain? Enter N/A if not applicable.	N/A
10	Please upload <u>riparian landowner information</u> including the list of names of all landowners with property adjacent to the lake/wetland; an indication of which of the landowners were notified of your proposed water withdrawal; and a statement of support for your proposed water withdrawal from as many adjacent landowners as possible.	1505144535_mail_5384.pdf
11	Select the resource(s) below that best describe the type of water bodies that will have water withdrawn from them.	lake
12	Is an alternative water source available if your water withdrawal is restricted due to low flow conditions?	No
13	In order to obtain a permit, you must agree to cease withdrawal per the following condition. I agree to withstand the results of no appropriation if notified by the DNR that water appropriations within the watershed are being suspended in order to protect instream flows and/or basin water levels	I agree
14	Counties	Hennepin
15	Watersheds	Lower Minnesota River
16	PLS	T116N-R21W-S6 SESW, T116N-R21W-S6 SWSE
17	UTMX	X:469312 Y:4969460
18	Water resources	Lake: Indianhead (27004400) - Public Waters Basin



**Installation Attachment(s):** 1505144535\_mail\_5384.pdf

## Discharge Site

**Discharge Site Name:** Discharge Point #1



## Discharge Site (Continued)

1	Where are you planning to discharge the water (select all that apply)?	Other (specify)
2	If Other, please specify:	storm system that drains to wetland
3	What is the quantity of water to be discharged at this site (in million gallons per year)?	9 million gallons per year
4	What is the means of discharge (select all that apply)?	Overland Flow,Pipe
5	What is the cumulative maximum discharge rate at this site (in gallons per minute), if known?	1,000 gallons per minute
6	Counties	Hennepin
7	Watersheds	Lower Minnesota River
8	PLS	T116N-R21W-S6 SESW, T116N-R21W-S6 SWSE, T116N-R21W-S7 NWNE, T116N-R21W-S7 NENW
9	UTMXY	X:469273 Y:4969308

## Acknowledgment (By the party who submitted the permit application)



I attest that:

- I own or control (by lease, license, or other permission) the land from which groundwater or surface water will be appropriated, AND
- There are no easements or other restrictions on the land that would prohibit the proposed activities from being authorized under a permit, AND
- I possess the authority to undertake the work described, or I am acting as a duly authorized agent, AND
- The information submitted and the statements made concerning this application are true and correct to the best of my knowledge.

PRINTED: 05/23/2019 at 6:35 PM

**Temporary**
**Authorization Number**  
2019-1710

**General Permit Number**  
1997-0005

## Water Appropriation General Permit Authorization

**Expiration Date: 07/01/2019**

On the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below. Applicant must comply with all conditions listed in the above referenced General Permit.

<b>Project Name:</b> Lake Level Management, IH_1 Indianhead Lake 2019	<b>County:</b> Hennepin	<b>Watershed:</b> Lower Minnesota River	<b>Resource:</b> Lake: Indianhead (27004400)
<b>Purpose of Permit:</b> Basin (Lake) Level Maintenance		<b>Authorized Action:</b> Withdrawal of up to 9.0 million gallons of water subject to the expiration date of this permit for basin (lake) level maintenance.  Reduce the water levels of Indianhead Lake (27-0044-00P) to protect the basements of neighboring properties from high groundwater levels.	
<b>Permittee:</b> CITY OF EDINA CONTACT: WILSON, JESSICA VANDERWERFF 7450 METRO BLVD 7450 METRO BLVD EDINA, MN 55439 (952) 826-0445		<b>Authorized Agent:</b> N/A	
<b>To Appropriate From:</b> Lake: Indianhead (27004400) : by means of a portable pump at a rate not to exceed 1000 gpm Point(s) of Taking UTM zone 15N, 469312m east, 4969460m north SWSE of Section 6, T116N, R21W  The lakebed near the intake of the pump shall be protected from erosion. All discharged water must be clear of sediments			
<b>Issued Date:</b> 05/30/2019	<b>Effective Date:</b> 05/30/2019	<b>Expiration Date:</b> 07/01/2019	
<b>Authorized Issuer:</b> Joe Richter	<b>Title:</b> District Appropriations Hydrologist	<b>Email Address:</b> joe.richter@state.mn.us	<b>Phone Number:</b> 651-259-5877

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

**Applicant must comply with all conditions listed in General Permit 1997-0005.**

cc: Jeanne Daniels, EWR District Manager  
Jason Spiegel, DNR Area Hydrologist  
Michael Lerchen, Conservation Officers, Bloomington  
Ben Carlson, BWSR Wetland Specialists, Hennepin  
Leslie Parris, DNR Regional Environmental Assessment Ecologist, Region 3  
Becky Horton, DNR Regional Environmental Assessment Ecologist, Region 3  
Daryl Ellison, DNR Fisheries, West Metro Area  
Karen Galles, County, Hennepin  
Randy Anhorn, Watershed District, NINE MILE CREEK WD  
Corps of Engineers, Corps of Engineers, Hennepin  
Stacey Lijewski, SWCD, Hennepin Conservation District  
Scott Neal, City, Edina