



Department of Environmental Quality, Water Bureau
LARGE QUANTITY WATER WITHDRAWAL PERMIT

Issued under Part 327
 Great Lakes Preservation, Natural Resources and Environmental Protection Act
 1994 PA 451, as amended

In accordance with Part 327, Great Lakes Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), authority is hereby given, to withdraw water from the waters of the State of Michigan as described herein. This permit is issued in reliance on information supplied in the corresponding application and other information as may have been supplied by the permit applicant in support of that application.

PERMIT NUMBER: **2008-002**

DATE ISSUED: **July 28, 2008**

Permittee Name and Address: **Battle Creek Public Schools
 315 West Goodale Avenue
 Battle Creek, Michigan 49037**

Location Information

County where Water Withdrawal is Located: **Calhoun**
Township Name, Town, Range and Section: **Battle Creek Township, 02S08W, Section 1**

The activity authorized by this permit is subject to the following conditions and limitations:

Section A. Authorizations and Coverage Provisions

1. Water Withdrawal is restricted to the following sources, locations and rates:

Water Withdrawal Source	Latitude and Longitude (degrees)	Withdrawal Rate (GPM)
Geothermal Heating & Cooling - Groundwater	42.32522, -85.18575	1,900

2. Approval Conditions (if applicable)

The permittee is herein advised that the issuance of this large quantity water withdrawal permit does not absolve Battle Creek Public Schools of any present or future liability under Part 317, Aquifer Protection and Dispute Resolution, of the NREPA.

The issuance of this permit is based in part on a determination by the department that the proposed withdrawal is not likely to cause an adverse resource impact (ARI) as defined in section 32701 of the NREPA. There is a rebuttal presumption that the withdrawal, under the conditions that were the basis of the department's decision, will not cause an ARI. The rebuttal presumption provides the permittee a certain level of protection against false accusations that the withdrawal has caused an ARI. Be advised that presumption is no longer valid if the capacity to make the withdrawal is not developed within 18 months from the date of permit issuance, January 28, 2010.

Section B. Reporting and Record Keeping

1. Environmental Impacts

The permittee is required to immediately contact the DEQ, Water Bureau, at 517-241-1415 if an Adverse Resource Impact (ARI) occurs in association with the water withdrawal authorized by this permit. An ARI is defined by section 32701 of the NREPA as 1) decreasing the flow of a stream by part of the index flow such that the streams ability to support characteristic fish populations is functionally impaired, or 2) decreasing the level of a body of surface water such that the body of surface water's ability to support characteristic fish populations is functionally impaired.

2. Water Use Report

All registered large quantity water users will receive a Water Use Reporting form and/or invoice from the State of Michigan each year. The Water Use Report, reporting fee (if applicable), and invoice must be returned to the DEQ no later than April 1st of each year.

Section C. Liability

1. Noncompliance

Commencing with the water withdrawal authorized herein confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit. Noncompliance with these terms and conditions, and/or the initiation of other regulated activities not specifically authorized by this permit, shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the DEQ may initiate criminal and/or civil proceedings to correct deficiencies, protect natural resource values, and secure compliance with law.

2. Limitations

This permit does not convey property rights in water, or other real or personal property, authorize any injury to private property or invasion of public or private rights, or waive the necessity of obtaining any other applicable federal, state or local permit or approval.

3. Indemnification

The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representatives of the permittee, undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.

Steven E. Chester, Director
Department of Environmental Quality

By: _____
Wm. Elgar Brown