

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

APPROVAL OF APPLICATION A-19983 AND MAP NUMBER 21389

WATER DIVISION 1-F

BACKGROUND

1. On March 11, 2024, Linda Sheehan, on behalf of the City of Weeping Water, filed in the Department of Natural Resources (Department) application A-19983 for a permit to impound supplemental storage in Weeping Water Park Lakes for the purpose of recreation.
2. On April 15, 2024, Linda Sheehan filed in the Department map of reservoir number 21389.
3. Construction has been completed.

ORDER

IT IS HEREBY ORDERED Application A-19983, and map of reservoir 21389 are APPROVED subject to the following limitations and conditions:

1. The priority date is March 11, 2024.
2. The source of water is Weeping Water Creek.
3. The amount of water that may be diverted shall not exceed 10 acre-feet per year to be stored in Weeping Water Park Lakes located in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 02, Township 10 North, Range 11 East of the 6th P.M. in Cass County.
4. The water to be stored under this appropriation is for the purpose of providing supplemental water in Weeping Water Park Lakes (storage permit A-18241).
5. *Nebraska Revised Statutes* § 46-241(5) states in part, "The owner or possessor of a reservoir or intentional underground water storage facility does not have the right to store water in such reservoir or facility during the time that such water is required downstream in ditches for direct irrigation or for any reservoir or facility holding a senior right. Every person who owns, controls, or operates a reservoir or intentional underground water storage facility, except political subdivisions of this state, shall be required to pass ... a portion of the measured inflows to furnish water for livestock ..."
6. The owner or possessor of the reservoir storing water pursuant to A-19983 shall have structural controls in place or other mechanical means to immediately release a portion of the measured inflows in such amounts and at such times if so ordered by the Department.

7. A continuous recording device approved by the Department to monitor reservoir levels may be required if so ordered by the Department.
8. The appropriator must comply with all relevant statutes. These relevant statutory requirements include, but are not limited to, the following:
 - A. Notify the Department of any change in ownership or address.
 - B. Assume liability for all damages due to leakage, overflow or structural failure of the structure.
 - C. Release a portion of the reservoir inflows for livestock where required, unless appropriator is a political subdivision.

ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to surface water appropriations and any orders issued by the Director of the Department of Natural Resources may result in the cancellation of the appropriation, temporary closing of the appropriation, administrative penalty, criminal prosecution, or any combination thereof.

DEPARTMENT OF NATURAL RESOURCES



Thomas E. Riley, P.E., Director

April 22, 2024

A copy of this Order was posted on the Department's website. Copies of this Order and map of reservoir 21389 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order and map of reservoir 21389 were mailed to the following:

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