STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

APPROVAL OF APPLICATION A-20154 AND MAP OF RESERVOIR NUMBER 21824

WATER DIVISION 1-F

BACKGROUND

On August 6, 2026, Jeremy K. and Laura D. Stone filed in the Department of Water, Energy, and Environment (Department) application A-20154 for a permit to impound water.

ORDER

IT IS HEREBY ORDERED Application A-20154 and map of reservoir 21824 are APPROVED subject to the following limitations and conditions:

1. **Plan of Reservoir**
   A plan of reservoir according to Department Rules of Practice and Procedure, Title 457 Neb. Admin. Code Chapter 10 **must be filed within six months** of the signing date of this application approval **or appropriation A-20154 will be CANCELLED.**

2. **Source of Water**
   The source of water is a tributary to Weeping Water Creek located in the SE¼NE¼ of Section 17, Township 10 North, Range 13 East of the 6th P.M. in Cass County for the purpose of irrigation.

3. **Priority Date**
   Appropriation A-20154 has a priority date of August 6, 2026.

4. **Purpose of Use**
   The water to be stored under this appropriation is for the purpose of providing water for an irrigation project authorized under natural flow appropriation A-20155.

5. **Amount of Water Impounded**
   The amount of water that may be impounded shall not exceed **44 acre-feet** per year to be stored in Stone Farms Irrigation Reservoir. Such amount may be further limited by the Department upon approval of the required plan of reservoir. Stone Farms Irrigation Dam is located in the **SE¼NE¼ of Section 17, Township 10 North, Range 13 East of the 6th P.M. in Cass County.**

6. **Condition**
   Water may not be withdrawn from Stone Farms Irrigation Reservoir for irrigation until an appropriation to do so is obtained.

7. **Required to Pass Inflows for Livestock**
   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 ..."

8. **Structural Controls**
The owner or possessor of the reservoir storing water pursuant to A-20154 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.

9. **Measuring Device**
A measuring device, approved by the Department and at the Applicant's expense, **may be required** if so ordered by the Department.

10. **Ongoing Compliance Requirements**
The appropriator must:

A. Notify the Department of any change in ownership or address.

B. Receive approval prior to taking any action that changes the storage capacity of this reservoir, map of reservoir number 21824 or the type of appropriation.

C. Assume liability for all damages due to leakage, overflow or structural failure of the structure.

D. Release a portion of the reservoir inflows for livestock where required, unless appropriator is a political subdivision.

11. **Additional Permits and Approvals**
The approval granted by this Order is limited to the authority expressly provided herein. The appropriator is solely responsible for obtaining any additional permits, approvals, licenses, or authorizations that may be required by applicable federal, state, or local law, including those required by other governmental agencies or political subdivisions. Nothing in this Order shall be construed as authorizing any activity that requires a separate permit, approval, license, or authorization, or as relieving the appropriator of any obligation to comply with applicable federal, state, or local laws, rules, regulations, ordinances, or permitting requirements.

DEADLINE
A reservoir plan must be **submitted within six months** of the application's approval date, in accordance with Title 457, Neb. Admin. Code, Chapter 10. The plan must be prepared by a professional engineer and include the dam's hazard classification and whether it falls under the Safety of Dams and Reservoirs Act. If the stage-storage table shows a normal pool capacity of **less than 44 acre-feet**, the **approved diversion amount will be reduced.** No water rights are granted until all requirements of this paragraph are met. Failure to comply will result in forfeiture of the appropriation and all associated rights.

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

DEPARTMENT OF WATER, ENERGY AND ENVIRONMENT

November 5, 2026

Matthew T. Manning, PE, JD
Chief Water Officer

A copy of this Order was posted on the Department's website. Copies of this Order and map of reservoir 21824 were provided to the Department's field office in Lincoln, Nebraska. Copies of this Order, map of reservoir and the Department's *Rules of Practice and Procedure Title 457 Admin. Code* Chapter 10 were mailed to the following:

Jeremy K. and Laura D. Stone
3705 Adams Street
Nehawka, Nebraska 68413

Travis Hazard
Hazard Engineering, LLC
Valparaiso, Nebraska 68065