

STATE OF NEBRASKA

DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT

**APPROVAL OF APPLICATION A-20103 AND MAP OF RESERVOIR 21658**

WATER DIVISION 2-B

**BACKGROUND**

On August 11, 2025, Chris Kreikemeier, PE, on behalf of Lismar Farms, Inc. and Heimann Family M & P Limited Partnership, filed in the Department of Water, Energy, and Environment (Department) application A-20103 for a permit to impound water.

**ORDER**

**IT IS HEREBY ORDERED** Application A-20103 and map of reservoir 21658 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 11 **must be filed within six months** of filing the Application for a Permit to Impound Water, **February 7, 2026**, application approval **or appropriation A-20103 will be CANCELLED**.

**2. Source of Water**

The source of water is a tributary to Humbug Creek.

**3. Priority Date**

Appropriation A-20103 has a priority date of **August 11, 2025**.

**4. Purpose of Use**

The water to be stored under this appropriation is for the purpose of **irrigation and erosion control**.

**5. Amount of Water Impounded**

The amount of water that may be impounded shall not exceed **480 acre-feet** per year to be stored in Heimann Reservoir 711. Such amount may be further limited by the Department upon approval of the required plan of reservoir. Heimann Dam 711 Dam is located in the **S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 08, Township 24 North, Range 03 East of the 6<sup>th</sup> P.M. in Stanton County**.

**6. Condition**

Water may not be withdrawn from Heimann Reservoir 711 for irrigation until an appropriation to do so is obtained.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-20103 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 Appropriator'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 21658 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.

**DEADLINE**

An Application for Approval of Plans for Dams, Plans and Specifications must be **submitted within six months** of filing date of the Application for a Permit to Impound, **February 7, 2026**. The plans must be prepared by a professional engineer and include the dam's hazard classification and whether it is subject to the Safety of Dams and Reservoirs Act in accordance with Title 458, Neb. Admin. Code, Chapter 11.

If the stage-storage table shows a normal pool capacity of **less than 480 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



October 2, 2025

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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 21658 were provided to the Department's field office in Norfolk, Nebraska. Copies of this Order and map of reservoir 21658 were mailed to the following:

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