

G-060621
G-060622
G-095192

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

ORDER GRANTING PERMIT TO TRANSFER GROUND WATER TO AN ADJOINING STATE

The Director of the Department of Natural Resources (Department) approves Application TA-50, submitted by ACT Hot Oil Services, Inc. (Applicant), for a permit to withdraw and transport ground water to Colorado for industrial use.

The terms and conditions of permit TA-50 are as follows:

1. Permit TA-50 authorizes ACT Hot Oil Services, Inc. to obtain ground water from three existing public water supply wells owned and operated by the City of Kimball, Nebraska, and transport the water for oil exploration use in Logan and Weld Counties, Colorado.
2. The total amount of ground water that may be transferred to Colorado in a one-year period shall not exceed four (4) acre-feet (1,303,404 gallons).
3. The maximum rate of transfer of ground water to Colorado shall not exceed 15,000 gallons per day.
4. ACT Hot Oil Services, Inc. may transfer ground water from existing public water supply wells owned by the City of Kimball and identified as G-060621, located in the [REDACTED] of Section [REDACTED]; G-060622, located in the [REDACTED] of Section [REDACTED]; and G-095192, located in the [REDACTED] of Section [REDACTED], all in Township 15 North, Range 55 West of the 6th P.M. in Kimball County, Nebraska.
5. ACT Hot Oil Services, Inc. shall comply with all rules and regulations of the South Platte Natural Resources District, and such future allocations or other controls required to comply with the *Ground Water Management and Protection Act*, any interstate compacts or decrees, or any other formal state contract or agreement.
6. ACT Hot Oil Services, Inc. shall provide access to the property described herein at reasonable times for purposes of inspection by officials of the South Platte Natural Resources District or of the Department.
7. ACT Hot Oil Services, Inc. shall notify the Department of any changes in the place of use or nature of use.

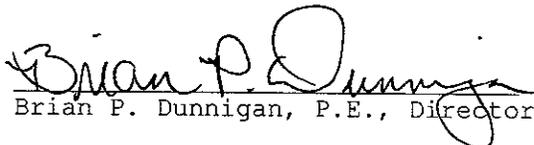
6-060621
6-060622
6-095192

8. ACT Hot Oil Services, Inc. shall track the amount of ground water transported to Colorado and, by January 31 of each year, shall file in the office of the Department a completed "Water Transfer Ground Water Well Report" on a form provided by the Department.

THIS PERMIT MAY BE REVOKED OR MODIFIED BY THE DEPARTMENT FOR FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE PERMIT.

DEPARTMENT OF NATURAL RESOURCES

July 24, 2012


Brian P. Dunnigan, P.E., Director

The applicant and any person with sufficient legal interest who has been or may be substantially affected by this Order may request a contested case hearing, in accordance with the *Neb. Admin. Procedures Act* §§ 84-901 et. seq. RRS and the Department's *Rules of Practice and Procedure Title 454 Neb. Admin. Code Chapter 7*. The request must be received by the Department at its Lincoln office (Nebraska State Office Building, 4th Floor, 301 Centennial Mall South, P.O. Box 94676, Lincoln, Nebraska 68509-4676) within 30 days of the date of the Approval and be accompanied by a filing fee of \$10.

A copy of this Order granting Permit TA-50 was mailed on July 24, 2012, to the Department's field office in Bridgeport, Nebraska, and to the following:

ACT Hot Oil Services, Inc.
501 West 2nd Street
Kimball, Nebraska 69145

Rod Horn, Manager
South Platte Natural Resources District
551 Parkland Drive
P.O. Box 294
Sidney, Nebraska 69162