

DESCRIPTION: Under general supervision, develops plans and programs leading to enforcement of federal and State laws, rules, regulations and standards for surface water appropriation or groundwater transfer permitting within a region of the state and conducts administrative hearings to adjudicate water appropriations; performs related work as assigned.

EXAMPLES OF WORK: (A position may not be assigned all the duties listed, nor do these examples include all the duties that may be assigned.)

Monitors compliance with conditions of surface water or groundwater transfer permits by correspondence with permit holders, requesting field investigations, and reviewing documents generated in this process.

Investigates conflicting data in applications for permits or concerning existing permits including geological, hydrological and structural data, and legal descriptions of land.

Researches historical, administrative and legal documents to establish or substantiate existing water appropriations and conditions of water appropriations.

Writes orders to cancel water appropriations based on statutory requirements or conditions of the permit.

Evaluates geological, hydrological, economic, social, environmental, legal and structural data to make recommendations for approval or denial of permits.

Reviews technical data and reports, models, construction specifications, hearing transcripts, project maps and other information concerning applications to recommend approval or denial of surface water or groundwater transfer permits.

Conducts administrative hearings or functions as the State's examiner in water appropriation adjudication and application hearings including: researching Agency records and maps, legal documents and arguments filed by attorneys and parties; writing notice of hearings; compiling agency exhibits; holding pre-hearing conferences with parties, making procedural rulings throughout the pre-hearing and hearing process regarding motions and objections by parties; pose questions in the hearing process to elicit information required for a decision; review testimony and exhibits to draft an administrative order approving, denying or modifying a water appropriation or groundwater transfer permit.

Writes, reviews and revises regulations, procedures, technical guidelines and proposed legislation to establish state standards in response to new legislation, changes in standards or case law.

Represents the Agency and the State at technical meetings with other states and federal agencies.

Researches and compiles information for the agency Biennial Report and other publications.

Releases information or meets with the local, state and federal government representatives, the public and the media to explain Agency policies and programs.

KNOWLEDGE, SKILLS AND ABILITIES REQUIRED: (These are needed to perform the work assigned.)

Knowledge of: federal and State laws, administrative regulations and case laws that govern surface water appropriations and municipal or industrial transfer of groundwater; procedures for administrative hearings; surface water laws; groundwater transfer laws; water administration standards and adjudication process; permit writing processes; geology and hydrology as it pertains to water appropriations management; irrigation practices, municipal and industrial water use; computer data systems; interstate compacts.

Ability to: learn, interpret and apply agency rules, regulations, policies and procedures pertinent to the adjudication of surface water appropriations or rules, policies and procedures related to the transfer of groundwater; learn and interpret Nebraska water laws and applicable statutes and administrative rules; communicate effectively and persuasively on controversial issues; prepare and communicate the facts and arguments of a case; negotiate; evaluate technical data; summarize and communicate findings of fact; represent the State at technical meetings with other State and federal agencies; plan, organize and complete work.

MINIMUM QUALIFICATIONS: (Applicants will be screened for possession of these qualifications. Applicants who need accommodation in the selection process should request this in advance.)

Bachelor's degree in natural science, geology, hydrogeology, hydrology or engineering plus two years of experience in surface water or groundwater regulations.

SPECIAL NOTES:

Specific positions in this class may require an employee to possess a valid driver's license or the ability to provide independent authorized transportation in order to perform work-related travel.

State agencies are responsible to evaluate each of their positions to determine their individual overtime eligibility status as required by the Fair Labor Standards Act (FLSA).