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Applying for a permit to withdraw and discharge headwater from surface waters

Heruntergeladen am 27.07.2025

<https://fimportal.de/xzufi-services/219570347/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99129065017000
Leistungsbezeichnung I	Applying for a permit to withdraw and discharge headwater from surface waters
Leistungsbezeichnung II	Applying for a permit to withdraw and discharge headwater from surface waters
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Wasser (129)
Verrichtungskennung	Bewilligung (017)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder

Modul	Sachverhalt
	Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Tier-, Pflanzen- und Naturschutz (2130200)
Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	01.12.2023
Fachlich freigegeben durch	Ministry for Climate Protection, Environment, Energy and Mobility of the State of Rhineland-Palatinate (MKUEM)
Handlungsgrundlage	https://www.gesetze-im-internet.de/whg_2009/_8.html https://www.gesetze-im-internet.de/whg_2009/_9.html https://www.gesetze-im-internet.de/whg_2009/_14.html https://www.gesetze-im-internet.de/whg_2009/_8.html https://www.gesetze-im-internet.de/whg_2009/_9.html https://www.gesetze-im-internet.de/whg_2009/_14.html
Teaser	If you want to extract water for a diversion power plant from an above-ground body of water and discharge it again, you can apply for a water permit from the competent authority.
Volltext	<p>If you want to extract water from a body of water for a diversion power plant and reintroduce it, you need a permit or authorization under water law from the competent authority. Normally, a permit is applied for. In justified exceptional cases, you can also apply for a permit instead.</p> <p>A permit grants you the right to use the water. Unlike a permit, an authorization cannot be revoked by the authorities at any time, but only to a limited extent. In addition, a permit protects you from third-party claims under civil law.</p> <p>A permit can only be granted if you cannot reasonably be expected to carry out your project economically without this stronger legal protection. In your application for a permit, you must provide the following information, among other things:</p>

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- Reasons why a secure legal status is necessary for your project
- Explanation of the purpose and plan of your project

In addition, you must submit several documents with your application, for example a needs analysis, parcel maps and site plans. Depending on the type of project, the documents can be very extensive. If in doubt, you should clarify in advance with the authority which documents are required in your case.

The permit specifies the type and extent of use and is limited in time. It may be linked to conditions and ancillary provisions.

Erforderliche Unterlagen

The documents you need for your application vary depending on the type and scope of your project. In a preliminary discussion with the responsible water authority, you can clarify which documents are required in your case.

As a rule, several or all of the following documents are required:

- Explanatory report
- Overview site plan as a topographical map showing the existing or planned extraction facility
- Current cadastral site plan showing the existing or planned extraction point
- Information on the type and construction data of the extraction facility
- schematic representation of the extraction facility in plan view
- Accompanying nature conservation planning, including entry in the compensation area register for new plants
- If applicable: Technical contribution to the Water Framework Directive

Voraussetzungen

- Your project is not reasonable without the secure legal status of a permit.
- The watercourse and the public water supply will not be endangered by your use.

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Kosten	An administrative fee must be paid to the respective federal state for the issue of the permit. The administrative fee is based on the respective state regulations on administrative fees.
Verfahrensablauf	<p>You can apply for a permit from your local water authority. The general procedure is as follows:</p> <ul style="list-style-type: none"> • Send your application for authorization with the required documents to the responsible water authority. • The responsible water authority checks whether your application and documents are complete and contacts you if any information or documents are missing, examines your application from a water management and water law perspective and involves other authorities if necessary. • If necessary, affected parties will be involved as part of a public participation process. • You will receive a notice of approval or a rejection notice. • You will also receive a notification of fees. • You pay the fee.
Bearbeitungsdauer	<p>2 Jahr(e) Authorization in connection with installations for the use of hydropower with an electricity generation capacity of 150 kilowatts or more</p> <p>1 Jahr(e) Authorization in connection with installations for the use of hydropower with an electricity generation capacity of less than 150 kilowatts</p> <p>The authority may extend the processing period by up to two years in the event of increased time expenditure or exceptional circumstances.</p>
Frist	There is no statutory deadline. Apply for approval in good time before starting your project.
weiterführende Informationen	
Hinweise	There are no indications or special features.
Rechtsbehelf	Action before the administrative court

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Kurztext

- Withdrawal and discharge of motive water from surface waters Permit
- An application must be made to the competent authority for a permit under water law for the extraction and discharge of headrace water for diversion power plants from surface waters
- Diversion power plants are hydropower plants in which the turbines are located in a separate channel next to the watercourse.
- Headwater is the water that drives the turbines of hydropower plants.
- Surface waters are rivers, lakes, canals, streams, ditches and ponds
- A permit: is only possible for discharging into bodies of water in the case of motive water provides the user of the water body with more legal certainty than a permit and is only granted in justified exceptional cases
- Prerequisites: Implementation of the project is not reasonable without secure legal status No harmful, unavoidable or uncompensable changes to the watercourse are to be expected as a result of the project
- Any necessary documents: Explanatory report
Overview site plan as a topographical map with color coding of the existing or planned extraction facility
Current cadastral site plan with color coding of the existing or planned extraction point
Information on the type and construction data of the extraction facility
schematic representation of the extraction facility in plan view
Accompanying nature conservation planning, including entry in the compensation area register for new plants
Technical contribution to the Water Framework Directive
- Application is subject to a fee
- Responsible: competent authority of the respective federal state

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal

Bewilligung für die Entnahme und das Einleiten von

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Triebwasser bei oberirdischen Gewässern beantragen,
Applying for a permit to withdraw and discharge
headwater from surface waters