

ENROLLED HOUSE
JOINT
RESOLUTION NO. 1105

By: Piatt and Johnson (Dennis)
of the House

and

Justice of the Senate

A Joint Resolution limiting fees for certain stream water and groundwater permits; authorizing the Oklahoma Water Resources Board to promulgate certain rules; specifying effect of rules; providing for noncodification; and declaring an emergency.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

- A. The Oklahoma Water Resources Board shall not charge any fee for the following services in excess of the amounts listed in subsections B and C of this section and no person shall be charged a total amount in excess of Three Thousand Dollars (\$3,000.00) per application for stream water or groundwater permits.
- B. The filing fee for stream water permit applications shall be submitted with each application for a permit to appropriate stream water as follows:
 - 1. 1 through 320 acre-feet - One Hundred Ninety Dollars (\$190.00);

2. 321 through 640 acre-feet - Three Hundred Dollars (\$300.00);
 3. 641 through 1,500 acre-feet - Three Hundred Seventy-Five Dollars (\$375.00);
 4. More than 1,500 acre-feet - Three Hundred Seventy-Five Dollars (\$375.00), plus an additional One Hundred Fifty Dollars (\$150.00) for each increment of 500 acre-feet requested;
 5. If the applicant proposes to divert or use stream water from a scenic river or an area designated as an outstanding water resource by this state, the applicant must submit an additional fee of Two Hundred Dollars (\$200.00);
 6. Applications for provisional temporary permits to appropriate stream water shall require a fee of One Hundred Fifty Dollars (\$150.00);
 7. Expedited applications for provisional temporary permits to appropriate stream water shall require a fee of Two Hundred Dollars (\$200.00);
 8. Annual water right administration fee for the submittal of water use reports shall be Fifty Dollars (\$50.00) for each permit or vested right, provided that the cumulative maximum water right administration fees imposed on any one permit or vested right holder shall not be more than Five Hundred Dollars (\$500.00) per year; and
 9. If the annual water use report is filed later than thirty (30) days after the due date as set forth in the report form mailed to the water right holder, an additional amount of Thirty Dollars (\$30.00) for each permit shall be due.
- C. The filing and application fee for a permit for the withdrawal of groundwater shall be as follows:
1. 1 through 320 acre-feet - One Hundred Ninety Dollars (\$190.00);

2. 321 through 640 acre-feet - Three Hundred Dollars (\$300.00);
3. 641 through 1,500 acre-feet - Three Hundred Seventy-five Dollars (\$375.00);
4. More than 1,500 acre-feet - Three Hundred Seventy-five Dollars (\$375.00), plus an additional One Hundred Fifty Dollars (\$150.00) for each increment of 500 acre-feet above 1,500 acre-feet requested;
5. Applications for provisional temporary permits to withdraw groundwater shall require a fee of One Hundred Fifty Dollars (\$150.00); and
6. Expedited applications for provisional temporary permits shall require a fee of Two Hundred Dollars (\$200.00).

D. The provisions of this section shall remain in full force and effect until rules implementing a new fee schedule are promulgated by the Oklahoma Water Resources Board following the effective date of this act.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 1st day of May, 2008.

Presiding Officer of the House of
Representatives

Passed the Senate the 23rd day of April, 2008.

Presiding Officer of the Senate