

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE JOINT
4 RESOLUTION 1105

By: Piatt and Johnson (Dennis)

5
6 AS INTRODUCED

7 A Joint Resolution recommending and directing certain
8 fee schedule in permanent rules of the Oklahoma Water
9 Resources Board; and directing distribution.

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11 WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the
12 Oklahoma Statutes, the Legislature reserves the right to designate
13 the method for rule promulgation, establish policy, approve, delay,
14 suspend, veto, or amend the implementation of any rule or proposed
15 rule while under review by the Legislature, determine that a rule is
16 not consistent with legislative intent, and suspend any rule or any
17 portion thereof at any time; and

18 WHEREAS, pursuant to Sections 1085.2 and 1085.4 of Title 82 of
19 the Oklahoma Statutes, the Oklahoma Water Resources Board shall be
20 responsible for adopting and promulgating rules as necessary and
21 appropriate to carry out the duties and responsibilities of the
22 Oklahoma Water Resources Board; and

23 WHEREAS, the Legislature recognizes that OAC 785:5-1-6 and OAC
24 785:5-1-10, which were adopted by the Oklahoma Water Resources Board

1 on February 12, 2008, in their current form, may not be entirely
2 consistent with legislative intent and the public policy of this
3 state.

4 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
5 AND THE SENATE OF THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

6 SECTION 1. The Legislature hereby recommends and directs the
7 Oklahoma Water Resources Board to adopt the following fee schedule
8 for stream water permit application and administration fees:
9 \$190.00 for 1 through 320 acre-feet; \$300.00 for 321 through 640
10 acre-feet; \$375.00 for 641 through 1,500 acre-feet; and \$375.00 for
11 more than 1,500 acre-feet, plus an additional \$150.00 for each
12 increment of 500 acre-feet above 1,500 acre-feet requested.

13 SECTION 2. The Legislature hereby further recommends and
14 directs the Oklahoma Water Resources Board to set a flat annual
15 water right administration fee of \$50.00 for each permit or vested
16 right, provided that the cumulative maximum water right
17 administration fees imposed on any one permit or vested right holder
18 shall not be more than \$500.00 per year.

19 SECTION 3. The Legislature hereby further recommends and
20 directs the Oklahoma Water Resources Board to adopt the following
21 fee schedule for groundwater application fees: \$190.00 for 1
22 through 320 acre-feet; \$300.00 for 321 through 640 acre-feet;
23 \$375.00 for 641 through 1,500 acre-feet; and \$375.00 for more than
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1 1,500 acre-feet, plus an additional \$150.00 for each increment of
2 500 acre-feet above 1,500 acre-feet requested.

3 SECTION 4. The Secretary of State is directed to distribute
4 copies of this resolution to the Governor, the Chairman of the
5 Oklahoma Water Resources Board, and the editor of "The Oklahoma
6 Register".

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8 51-2-11023 ALA 04/09/08

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