

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 HOUSE BILL NO. 1730

By: Cox

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to waters and water rights; amending Section 6, Chapter 234,  
9 O.S.L. 2005 (82 O.S. Supp. 2008, Section 874.2), which relates to licenses to  
10 encroach on Grand River Dam Authority property; clarifying language; limiting  
11 certain license; directing the Grand River Dam Authority to issue licenses to  
12 certain property owners for certain land; providing for consideration for the  
13 license; making the license subject to any federal flood control easements or  
14 covenants; and declaring an emergency.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY Section 6, Chapter 234, O.S.L. 2005 (82 O.S. Supp. 2008,  
17 Section 874.2), is amended to read as follows:

18 Section 874.2 A. The Grand River Dam Authority is hereby authorized in its discretion to issue  
19 licenses to encroach upon real property owned by the Authority to adjacent property owners for  
20 structures built upon the real property prior to June 1, 2005, and for which a license has not been  
21 issued pursuant to subsection B of this section. The Authority shall receive from the licensee for any  
22 license issued pursuant to this ~~section~~ subsection the fair market value of the unimproved land and any  
23 administrative costs, including appraisals or surveys, required by the Authority.

24 B. The Grand River Dam Authority is hereby directed to issue by December 1, 2010, a  
permanent perpetual license to all owners of any lands or structures on lands located south of the

1 confluence of the Elk River and the Neosho River which land is adjacent to the shore land or lake front  
2 of Grand Lake O' The Cherokees, or abutting thereon any property on and along the shoreline of Grand  
3 Lake O' The Cherokees owned by the Authority, and which lies above seven hundred fifty (750) feet  
4 Sea Level Datum Elevation. The only consideration the Authority shall receive from the licensee for  
5 any license issued pursuant to this subsection is the value the licensee provides for the upkeep and  
6 maintenance of the property. The license issued pursuant to this subsection shall be subject to the  
7 flowage easements and covenants therein held by the United States for flood purposes.

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

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