

1 STATE OF OKLAHOMA

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

3 SENATE BILL 56

By: Ellis

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5  
6 AS INTRODUCED

7 An Act relating to waters and water rights; amending  
8 82 O.S. 2001, Section 105.1A, which relates to  
9 legislative intent; deleting reference to legislative  
10 intent; and declaring an emergency.

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

12 SECTION 1. AMENDATORY 82 O.S. 2001, Section 105.1A, is  
13 amended to read as follows:

14 Section 105.1A ~~It is the intent of the Oklahoma Legislature~~  
15 ~~that the~~ The purpose of Section 105.1 through Section 105.32 of this  
16 title is to provide for stability and certainty in water rights by  
17 replacing the incompatible dual systems of riparian and  
18 appropriative water rights which governed the use of water from  
19 definite streams in Oklahoma prior to June 10, 1963, with an  
20 appropriation system of regulation requiring the beneficial use of  
21 water and providing that priority in time shall give the better  
22 right. These sections ~~are intended to~~ provide that riparian  
23 landowners may use water for domestic uses and store water in  
24 definite streams and that appropriations shall not interfere with

1 such domestic uses, to recognize through administrative  
2 adjudications all uses, riparian and appropriative, existing prior  
3 to June 10, 1963, and to extinguish future claims to use water,  
4 except for domestic use, based only on ownership of riparian lands.

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

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10 52-1-1090 MJM 3/6/2009 5:19:02 AM

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