

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1030

6 By: Justice

7 COMMITTEE SUBSTITUTE

8 An Act relating to water; amending 82 O.S. 2011,  
9 Section 1020.5, which relates to determination of  
10 maximum annual yield; prohibiting Oklahoma Water  
11 Resources Board from using certain conjunctive  
12 management in certain determination; and declaring an  
13 emergency.

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

15 SECTION 1. AMENDATORY 82 O.S. 2011, Section 1020.5, is  
16 amended to read as follows:

17 Section 1020.5. A. After completing the hydrologic survey, the  
18 Oklahoma Water Resources Board shall make a tentative determination  
19 of the maximum annual yield of groundwater to be produced from each  
20 ground water basin or subbasin therein. ~~Such~~ The determination must  
21 be based upon the following:

- 22 1. The total land area overlying the basin or subbasin;
- 23 2. The amount of water in storage in the basin or subbasin;
- 24 3. The rate of recharge to the basin or subbasin and total  
discharge from the basin or subbasin;

1 4. Transmissibility of the basin or subbasin; and

2 5. The possibility of pollution of the basin or subbasin from  
3 natural sources.

4 B. The maximum annual yield of each major ground water basin or  
5 subbasin shall be based upon a minimum basin or subbasin life of  
6 twenty (20) years from the effective date of the order establishing  
7 the final determination of the maximum annual yield.

8 C. For minor groundwater basins or subbasins therein, the  
9 tentative determination of the maximum annual yield shall be based  
10 upon present and reasonably foreseeable future use of groundwater  
11 from ~~such~~ the basin or subbasin, recharge and total discharge, the  
12 geographical region in which the basin or subbasin is located and  
13 other relevant factors.

14 D. In determining maximum annual yield as outlined in  
15 subsection A of this section, the Board shall not take into  
16 consideration conjunctive management, which is the coordinated use  
17 of surface and groundwater.

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

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