

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1937

By: Kouplen

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5
6 AS INTRODUCED

7 An Act relating to waters and water rights; amending
8 82 O.S. 2001, Section 105.1, which relates to
9 definitions; clarifying language; and providing an
10 effective date.

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

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

15 Section 105.1 As used in Sections 105.2 through 105.32 of this
16 title:

17 1. "Definite stream" means a watercourse in a definite, natural
18 channel, with defined beds and banks, originating from a definite
19 source or sources of supply. The stream may flow intermittently or
20 at irregular intervals if that is characteristic of the sources of
21 supply in the area;

22 2. "Domestic use" means the use of water by a natural
23 individual or by a family or household for household purposes, for
24 farm and domestic animals up to the normal grazing capacity of the

1 land and for the irrigation of land not exceeding a total of three
2 (3) acres in area for the growing of gardens, orchards and lawns,
3 and for such other purposes, specified by the Oklahoma Water
4 Resources Board rules, for which de minimis amounts are used;

5 3. "Regular permit" means a permit granted by the ~~Oklahoma~~
6 ~~Water Resources~~ Board authorizing the holder to appropriate water on
7 a year-round basis in an amount and from a source approved by the
8 Board;

9 4. "Seasonal permit" means a permit granted by the Board
10 authorizing the holder of such permit to divert available water for
11 specified time periods during the calendar year;

12 5. "Temporary permit" means a permit granted by the Board
13 authorizing the appropriation of water in an amount and from a
14 source approved by the Board which does not exceed a time period of
15 three (3) months, which does not vest in the holder any permanent
16 right and which may be canceled by the Board in accordance with its
17 terms;

18 6. "Term permit" means a permit granted by the Board
19 authorizing the appropriation of water in an amount and from a
20 source approved by the Board for a term of years which does not vest
21 the holder with any permanent right and which expires upon
22 expiration of the term of the permit; and

23 7. "Provisional temporary permit" means a nonrenewable permit
24 which may be summarily granted upon administrative approval by the

1 Board and which authorizes an appropriation of water in an amount
2 and from a source approved by the Board. A provisional temporary
3 permit shall not authorize an appropriation for a period of time
4 exceeding ninety (90) days, shall not vest in the holder any
5 permanent water right and shall be subject to cancellation by the
6 Board at any time within its term in accordance with its provisions.

7 SECTION 2. This act shall become effective November 1, 2011.

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