

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1043

By: Marlatt

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5  
6 AS INTRODUCED

7 An Act relating to water permits; amending 82 O.S.  
8 2011, Section 1020.9A, which relates to sensitive  
9 sole source groundwater basins; updating statutory  
10 reference; and providing an effective date.

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

12 SECTION 1. AMENDATORY 82 O.S. 2011, Section 1020.9A, is  
13 amended to read as follows:

14 Section 1020.9A. A. The Legislature finds that a moratorium is  
15 necessary on the issuance of certain temporary permits on certain  
16 sensitive sole source groundwater basins or subbasins to protect the  
17 health, safety and welfare of the people of Oklahoma.

18 B. 1. A moratorium is hereby established on the issuance of  
19 any temporary permit that would lead to any municipal or public  
20 water supply use of groundwater from a sensitive sole source  
21 groundwater basin or subbasin outside of any county that overlays in  
22 whole or in part said basin or subbasin. "Sensitive sole source  
23 groundwater basin" means a major groundwater basin or subbasin all  
24 or a portion of which has been designated as a "Sole Source Aquifer"

1 by the United States Environmental Protection Agency pursuant to the  
2 Safe Drinking Water Act as of the ~~effective date of this act~~ August  
3 29, 2003, including any portion of any contiguous aquifer located  
4 within five (5) miles of the known areal extent of the surface out-  
5 crop of the sensitive sole source groundwater basin.

6 2. Said moratorium shall be in effect until such time as the  
7 Oklahoma Water Resources Board conducts and completes a hydrological  
8 study and approves a maximum annual yield that will ensure that any  
9 permit for the removal of water from a sensitive sole source  
10 groundwater basin or subbasin will not reduce the natural flow of  
11 water from springs or streams emanating from said basin or subbasin.

12 3. The provisions of this act shall be applicable to  
13 groundwater permit applications for which no final adjudication has  
14 been made by the Oklahoma Water Resources Board before the effective  
15 date of this act.

16 4. Any revalidation of a temporary permit, in effect upon the  
17 effective date of this act, that allows for any municipal or public  
18 water supply use of groundwater from a sensitive sole source  
19 groundwater basin outside of any county that overlays in whole or in  
20 part said basin shall be considered a new permit application and  
21 subject to the provisions of this act.

22 SECTION 2. This act shall become effective January 1, 2013.  
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