

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 4433

By: Patzkowsky

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6 AS INTRODUCED

7 An Act relating to waters and water rights; requiring  
8 Oklahoma Water Resources Board make determination  
9 before allowing certain permits; requiring permit  
10 applicants to furnish certain information; requiring  
11 permit applicants to furnish certain information upon  
12 request; providing for codification; and providing an  
13 effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1021.1b of Title 82, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. Prior to approval of a permit to use fresh groundwater for  
19 the enhanced recovery of oil and gas, the Oklahoma Water Resources  
20 Board shall determine that the applicant has reviewed all other  
21 economically viable alternatives to the use of fresh groundwater.

22 B. To aid the Board in making its determinations, applicants  
23 filing for the use of fresh water for enhanced recovery of oil and  
24 gas, in addition to all other requirements, shall furnish the  
following as part of and at the time of filing the application:

- 1        1. A copy of the easements or leases from the surface right  
2 owners giving the applicant the right to develop and use the fresh  
3 groundwater for the recovery process;
- 4        2. An estimated schedule of use showing the amount of fresh  
5 water used each year in the recovery process;
- 6        3. An economic study containing the following information:
  - 7            a. a detailed analysis of the relative cost of obtaining  
8                salt water and any other feasible alternative versus  
9                the relative cost of obtaining fresh water,
  - 10           b. total project costs and the amount of oil and gas  
11                expected to be recovered and the value expected to be  
12                realized,
  - 13           c. the estimated value of fresh water with consideration  
14                given for other purposes or uses of fresh water common  
15                to the area or vicinity near the subject property of  
16                the application, as measured against the overall  
17                estimated value of the oil or gas to be recovered,
  - 18           d. the additional expense per barrel recovered if the  
19                applicant is required to use or treat salt water  
20                instead of fresh water in the recovery process, and  
21           e. an evaluation of other recovery methods or  
22                alternatives considered and why recovery requiring the  
23                use of fresh water was deemed to be necessary or the  
24                most feasible.

1 4. An inventory of all wells, fresh water, salt water, oil,  
2 gas, disposal, injection, both active and abandoned, within the  
3 boundaries of the proposed unitization and within two (2) miles of  
4 the outside boundaries of the proposed unitization;

5 5. The permeability, thickness, and estimated porosity of the  
6 injection zone; and

7 6. Information about reuse and recycling the fresh groundwater.

8 C. The applicant may also be required to furnish other relevant  
9 material upon request which may include the following:

10 1. A copy of the unitization plan on file with the Corporation  
11 Commission;

12 2. A copy of each injection well application and the approval  
13 of such application by the Corporation Commission;

14 3. A copy of all logs of each injection well showing the name  
15 of each zone containing salt water; and

16 4. The name and chemical composition of any material or  
17 substance, other than fresh water, proposed to be injected  
18 underground in connection with the proposed enhanced recovery  
19 operation.

20 SECTION 2. This act shall become effective November 1, 2022.

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