

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4433

By: Patzkowsky

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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