

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4459

By: Newton

AS INTRODUCED

An Act relating to waters and water rights; amending 82 O.S. 2021, Section 1020.19, which relates to the metering of wells; authorizing certain groundwater measurement program; authorizing certified persons or entities to make certain application; listing requirements for applicants; allowing permit holders to exceed certain allocation; prohibiting certain excessive use of water; providing penalty for violations; and providing an effective date.

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

SECTION 1. AMENDATORY 82 O.S. 2021, Section 1020.19, is amended to read as follows:

Section 1020.19. A. Upon request of a majority of the landowners residing within a basin or subbasin, the Oklahoma Water Resource Board is authorized to require that water wells be metered and that such meters as the Board shall approve be utilized by the applicant and placed under seal, subject to reading by the agents of the Board at any time. The Board may also require that the applicant report the reading of such meters at reasonable intervals.

1 B. 1. Any groundwater irrigation district created pursuant to
2 Section 1021.1 et seq. of this title or a conservation district
3 participating in a conservation cost-share program pursuant to
4 Section 3-3-101 et seq. of Title 27A of the Oklahoma Statutes may
5 develop a groundwater measurement program that provides properly
6 maintained metering devices to allow members to utilize such devices
7 to calibrate wells and irrigation systems to ensure system
8 efficiency.

9 2. Upon certification from the groundwater irrigation district
10 or conservation district that any person or entity has participated
11 in the program, the person or entity may apply to the Oklahoma Water
12 Resources Board to participate in a five-year flexible groundwater
13 allocation. An applicant for a five-year flex allocation shall be
14 required to:

- 15 a. submit a certification from a groundwater irrigation
16 district or conservation district that each well
17 identified on the permit has been the subject of the
18 district's metering program of the prior year's usage
19 from a Board-approved water measurement system,
20 b. submit the same such measurement certification at the
21 end of the five-year flex period, and
22 c. pay the annual groundwater permit fee.

23 C. A five-year flex allocation shall allow the permit holder to
24 exceed the determined annual allocation in any year of the five-year

1 allocation; provided, that the applicant shall adhere to the
2 cumulative annually determined allocation of the basin or subbasin
3 over the five-year period. The permit holder shall not exceed the
4 permitted annual allocation by over two hundred percent (200%) in
5 any of the five (5) years.

6 D. Any permit holder that exceeds the two hundred percent
7 (200%) limitation in any one (1) year or exceeds the five-year
8 allocation shall be subject to the penalty provisions of Section
9 1020.22 of this title for the taking and use of groundwater without
10 a permit.

11 SECTION 2. This act shall become effective November 1, 2026.

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13 60-2-14592 JBH 12/30/25
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