

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3405

By: Watson of the House

and

Fields of the Senate

7 An Act relating to water; amending 82 O.S. 2011,
8 Section 1020.1, which relates to groundwater;
9 modifying and expanding definitions; and providing an
10 effective date.

11 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
12 entire bill and insert

13 "An Act relating to water; amending 82 O.S. 2011,
14 Section 1020.1, which relates to groundwater;
15 modifying and expanding definitions; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 82 O.S. 2011, Section 1020.1, is
19 amended to read as follows:

20 Section 1020.1. As used in ~~this act~~ Section 1020.1 et seq. of
21 this title:

22 1. "Groundwater" means fresh water and marginal water under the
23 surface of the earth regardless of the geologic structure in which
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1 it is standing or moving outside the cut bank of any definite
2 stream;

3 2. "Domestic use" means the use of water by a natural
4 individual or by a family or household for household purposes, for
5 farm and domestic animals up to the normal grazing capacity of the
6 land and for the irrigation of land not exceeding a total of three
7 (3) acres in area for the growing of gardens, orchards and lawns,
8 and for such other purposes, specified by Board rules, for which de
9 minimis amounts are used;

10 3. "Major groundwater basin" shall mean a distinct underground
11 body of water overlain by contiguous land and having substantially
12 the same geological and hydrological characteristics and from which
13 groundwater wells yield at least fifty (50) gallons per minute on
14 the average basinwide if from a bedrock aquifer and at least one
15 hundred fifty (150) gallons per minute on the average basinwide if
16 from an alluvium or alluvium and terrace aquifer, or as otherwise
17 designated by the Board;

18 4. "Subbasin" means a subdivision of a major or minor
19 groundwater basin overlain by contiguous land and having
20 substantially the same geological and hydrological characteristics
21 and yield capabilities;

22 5. "Board" means the Oklahoma Water Resources Board;

23 6. "Person" means any individual, firm, partnership,
24 association, corporation, business trust, federal agency, state

1 agency, the state or any political subdivision thereof,
2 municipalities, and any other legal entities;

3 7. "Fresh water" means water which has less than five thousand
4 (5,000) parts per million total dissolved solids. For the purpose
5 of ~~this act~~ Section 1020.1 et seq. of this title all other water is
6 salt water;

7 8. "Commercial drilling", "commercial plugging" and "commercial
8 installation" mean drilling or plugging and installation as a
9 business, trade or occupation for compensation; ~~and~~

10 9. "Minor groundwater basin" means a distinct underground body
11 of water overlain by contiguous land and having substantially the
12 same geological and hydrological characteristics and which is not a
13 major groundwater basin; and

14 10. "Marginal water" means water which has at least five
15 thousand (5,000) and less than ten thousand (10,000) parts per
16 million total dissolved solids.

17 SECTION 2. This act shall become effective November 1, 2018."
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1 ENGROSSED HOUSE
2 BILL NO. 3405

By: Watson of the House

and

Fields of the Senate

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7 An Act relating to water; amending 82 O.S. 2011,
8 Section 1020.1, which relates to groundwater;
9 modifying and expanding definitions; and providing an
10 effective date.

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

12 SECTION 3. AMENDATORY 82 O.S. 2011, Section 1020.1, is
13 amended to read as follows:

14 Section 1020.1 As used in this section through Section 1020.22
15 of this act title:

16 1. "Groundwater" means fresh water and marginal water under the
17 surface of the earth regardless of the geologic structure in which
18 it is standing or moving outside the cut bank of any definite
19 stream;

20 2. "Domestic use" means the use of water by a natural
21 individual or by a family or household for household purposes, for
22 farm and domestic animals up to the normal grazing capacity of the
23 land and for the irrigation of land not exceeding a total of three
24 (3) acres in area for the growing of gardens, orchards and lawns,

1 and for such other purposes, specified by Board rules, for which de
2 minimis amounts are used;

3 3. "Major groundwater basin" shall mean a distinct underground
4 body of water overlain by contiguous land and having substantially
5 the same geological and hydrological characteristics and from which
6 groundwater wells yield at least fifty (50) gallons per minute on
7 the average basinwide if from a bedrock aquifer and at least one
8 hundred fifty (150) gallons per minute on the average basinwide if
9 from an alluvium or alluvium and terrace aquifer, or as otherwise
10 designated by the Board;

11 4. "Subbasin" means a subdivision of a major or minor
12 groundwater basin overlain by contiguous land and having
13 substantially the same geological and hydrological characteristics
14 and yield capabilities;

15 5. "Board" means the Oklahoma Water Resources Board;

16 6. "Person" means any individual, firm, partnership,
17 association, corporation, business trust, federal agency, state
18 agency, the state or any political subdivision thereof,
19 municipalities, and any other legal entities;

20 7. "Fresh water" means water which has less than five thousand
21 (5,000) parts per million total dissolved solids. For the purpose
22 of this act all other water is salt water;

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1 8. "Commercial drilling", "commercial plugging" and "commercial
2 installation" mean drilling or plugging and installation as a
3 business, trade or occupation for compensation; ~~and~~

4 9. "Minor groundwater basin" means a distinct underground body
5 of water overlain by contiguous land and having substantially the
6 same geological and hydrological characteristics and which is not a
7 major groundwater basin; and

8 10. "Marginal water" means water which has less than twenty
9 thousand (20,000) parts per million total dissolved solids.

10 SECTION 4. This act shall become effective November 1, 2018.

11 Passed the House of Representatives the 12th day of March, 2018.

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14 Presiding Officer of the House
of Representatives

15 Passed the Senate the ___ day of _____, 2018.

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18 Presiding Officer of the Senate

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