

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1341

By: Howard

AS INTRODUCED

An Act relating to water and water rights; defining terms; directing certain inspections and audits; providing for active management plan to be employed under certain circumstances; requiring metering for certain permits by certain date; directing rule promulgation; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1020.9D of Title 82, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Critical groundwater management area" or "CGMA" means all or part of a groundwater basin that does not have sufficient groundwater to provide a reasonably safe supply for municipal use, irrigation, or other uses at the current or projected rates of withdrawal. CGMAs shall be limited to basins which have had a comprehensive scientific study performed in conjunction with the

1 United States Bureau of Reclamation, the United States Geological  
2 Survey, and the Oklahoma Water Resources Board;

3 2. "Interference" means the interference that occurs when there  
4 is a prior appropriation of water rights and a new or existing  
5 user's actions negatively impact the established rights of those who  
6 have historically utilized those water rights for a beneficial  
7 purpose. Interference arises if the new or existing user's  
8 activities, such as excessive extraction or contamination, diminish  
9 the quantity or quality of water available to the prior  
10 appropriators; and

11 3. "Active management plan" means a plan to address the  
12 degradation of a basin within a CGMA.

13 B. The Oklahoma Water Resources Board shall perform spot  
14 inspections, audits, or other testing as deemed necessary by the  
15 Board to maintain adequate determinations of basin measurements,  
16 yields, and sustainability of a CGMA and establish reasonable and  
17 defensible hydrologic thresholds that could inform management of  
18 permitted groundwater in a CGMA. The Board and field agents of the  
19 Board shall take into account any interference occurring within the  
20 CGMA in their inspection and reporting.

21 C. In the event that a field agent of the Board recommends to  
22 the Board that an active management plan be implemented for a CGMA,  
23 the Board shall make a determination as to whether the CGMA shall be  
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1 placed under such plan. Such plan may include but not be limited to  
2 the following:

3 1. Assignment of an Oklahoma Water Resources Board field agent  
4 to a CGMA;

5 2. Placement of a stay or moratorium on new permits;

6 3. Active metering for existing permit holders;

7 4. Well placement and spacing for any new permits;

8 5. Specific programming to allocate resources for the  
9 modernization and remediation of impacted basins; and

10 6. Implementation of metering or monitoring with regard to  
11 senior permit holders.

12 D. Not later than November 1, 2027, all water permits for water  
13 usage that are in effect shall have metering or measuring of the  
14 water source in place to ensure sustainable use.

15 E. The Board shall promulgate any rules and regulations  
16 necessary to effectuate the provisions of this section.

17 SECTION 2. This act shall become effective November 1, 2024.

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