OKLAHOMA
Water News
3rd Quarter 2016

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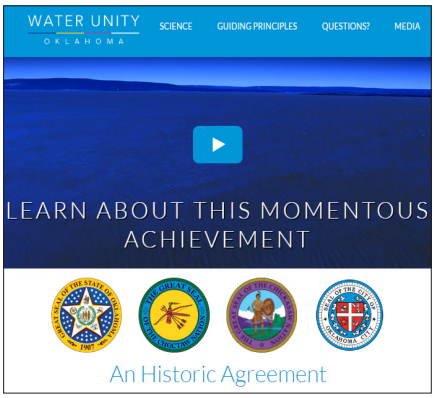
37th Annual Oklahoma Governor's Water Conference & Research Symposium
Weathering Oklahoma's Extremes
October 11-12, 2016
www.gwc.live

Historic Water Agreement Reached

On August 11, the Chickasaw and Choctaw Nations, the State of Oklahoma and the City of Oklahoma City announced that they have reached a water rights settlement, which will be presented to Congress for final approval.



For more information, visit www.waterunityok.com.

When finalized, the settlement will resolve long-standing questions over water rights ownership and regulatory authority over the waters of the Choctaw and Chickasaw Nations' historic treaty territories, an area that spans approximately 22 counties in south-central and southeastern Oklahoma. The agreement provides a framework that fosters intergovernmental collaboration on significant water resource concerns within the Settlement Area, while protecting existing water rights and affirming the State's role in water rights permitting and administration. Additionally, the agreement will implement restrictions to allow Oklahoma City's measured use of Sardis Lake for municipal supply purposes while continuing to support regionally critical recreation, fish and wildlife uses.

For decades there has been legal uncertainty in the Settlement Area regarding water rights and regulatory authority arising from unresolved questions of federal law and tribal rights. These uncertainties have contributed to long-running conflicts over Sardis Lake and the Kiamichi Basin in southeastern Oklahoma, resulting in multiple court actions. Once finalized, the settlement will end ongoing litigation including a federal lawsuit the Nations filed against the State of Oklahoma and the City of Oklahoma City with regard to Sardis Lake and other waters of the historic treaty territory and a second lawsuit the State filed to adjudicate water rights in the Kiamichi, the Muddy Boggy, and the Clear Boggy watersheds. By reaching this settlement, the parties avoid decades of litigation and associated expenses and uncertainty for the State, the Nations, Oklahoma City and property owners throughout the Settlement Area.

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From the Director

Greek philosopher Heraclitus is credited for saying, "change is the only constant in life." What a brilliantly simple, yet relentlessly true, declaration. And so it is that change comes to the Oklahoma Water Resources Board, just as it has over the 59 years of this agency's existence. In fact, change is the only thing that has allowed the OWRB to remain relevant and successful in serving the great citizens of this state.

J. D. Strong, Executive Director
Oklahoma Water Resources Board

When I joined the OWRB family as a summer "temp" in 1993, I knew this was a special place. Sure, the agency was loaded with highly educated professionals that performed top-notch work in their respective fields, but what I quickly came to realize was the sense of pride everyone took in their work, the strong passion everyone had to serve the public, and the genuine concern everyone had for their co-workers. The OWRB was,

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Historic Water Agreement Reached (continued)

Under the terms of the agreement, the Choctaw and Chickasaw Nations may participate in technical evaluations of any proposals to transfer significant amounts of water out of the basins within the Settlement Area. The agreement also formalizes protections for the current and future water needs of communities throughout the region, ensuring adequate water for south-central and southeastern Oklahoma and enhancing stewardship of water resources both for future consumptive use within the region as well as protecting lake levels and stream flows on which the vibrant tourism industry relies.

The agreement achieves the State's goals of affirming the OWRB's role in water rights administration, allowing for an orderly system of water allocation and administration. Additionally, the agreement resolves the outstanding debt associated with Sardis Lake and provides vital water supply to local water users and to Oklahoma City, while at the same time protecting recreational uses...

The agreement also establishes the legal security of Oklahoma City's water supplies and gives it access to water for its future needs. Oklahoma City's releases from Sardis Lake will be governed by a system of restrictions based on the Oklahoma Department of Wildlife Conservation's lake level management plan, which is designed to protect fishing and recreational resources. Oklahoma City will also gain access to the Kiamichi River dependent upon lake level release and minimum stream flow restrictions intended to protect the environment and recreational uses.

The agreement achieves the State's goals of affirming the OWRB's role in water rights administration, allowing for an orderly system of water allocation and administration. Additionally, the agreement resolves the outstanding debt associated with Sardis Lake and provides vital water supply to local water users and to Oklahoma City while protecting recreational uses and the reservoir's trophy bass fishery.

Existing water rights will not be affected by the agreement, and the agreement does not authorize out-of-state use or diversion of water, which remains unlawful absent of State legislative approval. The settlement calls for a commission to evaluate the impacts of future proposals for out-of-state water use or diversion, which would remain subject to State legislative authorization. Should the Oklahoma Legislature ever approve such a proposal, the agreement ensures that any proceeds would be devoted to meeting water and wastewater infrastructure needs, particularly in southeastern and southcentral Oklahoma.

Even though the agreement has been signed by the State, Nations, and Oklahoma City, it also must be approved by federal legislation and executed by the Secretary of the United States Department of the Interior. The parties are now working with the Oklahoma congressional delegation to secure appropriate legislation.

For additional information, visit **www.WaterUnityOK.com**.

From the Director (continued)

and still is, a special place, not just because of its amazing accomplishments, but mostly because of the goodness at its core. If it's possible for an agency to have a big heart, this is it.

Perhaps it was forged from the fire that was the Murrah Building bombing in 1995, which took the lives of two amazing OWRB employees and injured so many others. The OWRB heart could have beat strongly before that, but I definitely took note of it in my second year on the job when this horrific disaster struck. Like all Oklahomans that banded together and demonstrated to the world what became known as the "Oklahoma Standard," OWRB employees rallied around each other to lick their wounds, honor their fallen comrades, and pick each other back up in what I witnessed as a phoenix-like rebirth. It definitely was a time of significant change, yet also a catapult for monumental achievement in the ensuing years.

Fast forward to 2010 – the year this once minimum-wage-earning summer "temp" from western Oklahoma had the honor of being hired to serve as OWRB director. At that time, the agency was in the throes of wrapping up what has become a nationally-renowned comprehensive water plan and taking drastic measures to resolve a court judgment to pay debts owed to the Federal government for construction of Sardis Lake. The former ultimately resulted in the 2012 Update of the Oklahoma Comprehensive Water Plan that now serves as a blueprint for securing Oklahoma's water future through at least 2060, and the latter resulted in litigation with the Choctaw Nation, Chickasaw Nation and Oklahoma City. In just six short years, both have resulted in monumental accomplishments and major mile-markers in Oklahoma's water history.

The Water Plan led to landmark legislation and activity beginning in 2012 that not only guides the OWRB's actions today, but also serves as a launching pad for citizens with the pioneering spirit to drought-proof their communities. That year, Oklahoma citizens passed a constitutional amendment that enables the OWRB to continue providing financial assistance for critical water infrastructure for at least the next 50 years. The Legislature also passed the Water for 2060 Act, which established an ambitious goal of consuming no more fresh water in 2060 than was used in 2010, yet placed an emphasis on meeting our young state's growing demands for water through better efforts at conservation, reuse, alternative water sources, and other efficiency measures. The Water Plan also helped spawn a number of regional long-term water planning initiatives, three of which have completed plans today. The list goes on-and-on, but suffice it to say that Oklahoma's water future is on much better footing thanks to the phenomenal Water Plan developed by OWRB's scratch staff, numerous other agency partners, and hundreds of engaged Oklahomans.

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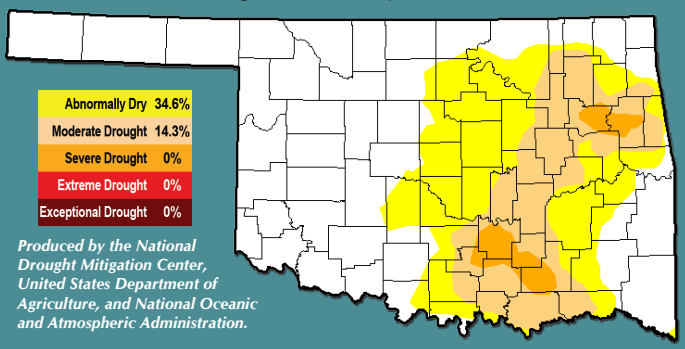
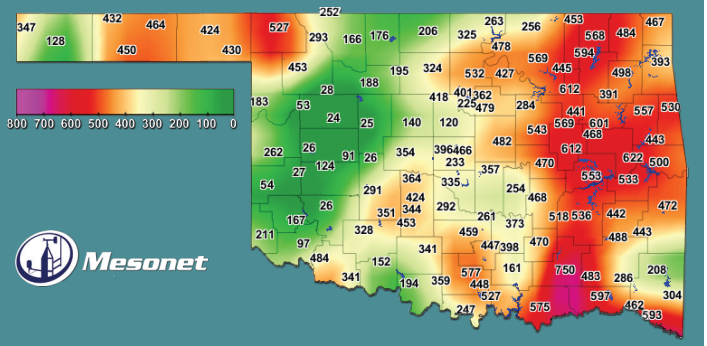
Drought Update

U.S. Drought Monitor
September 27, 2016

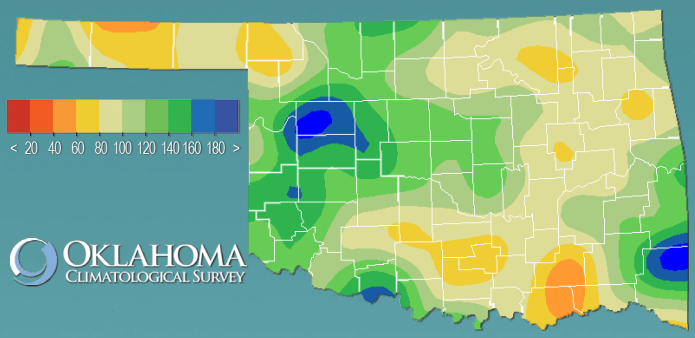


Produced by the National Drought Mitigation Center, United States Department of Agriculture, and National Oceanic and Atmospheric Administration.

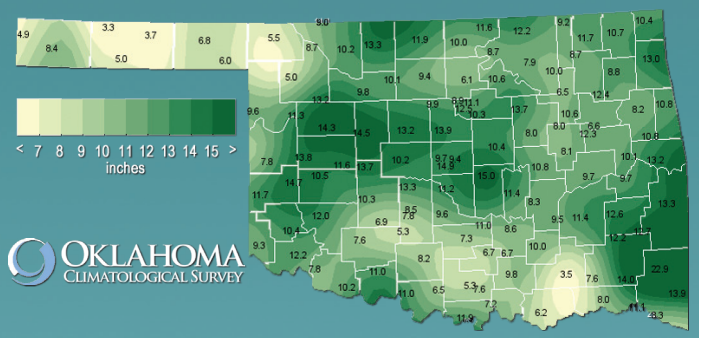
Keetch-Byram Drought Index
September 30, 2016



Percent of Normal* Precipitation
Last 90 Days (Jul. 2, 2016 - Sep. 29, 2016)

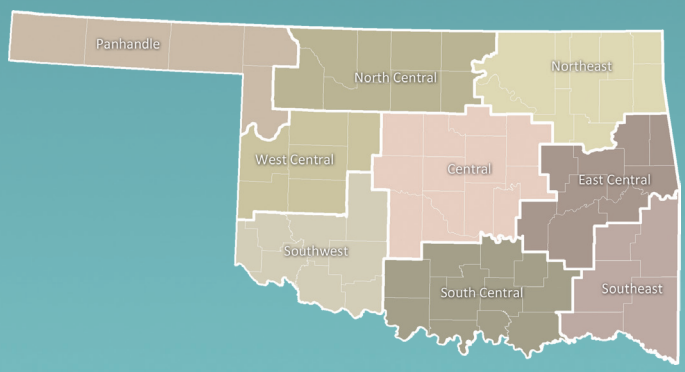


Total Precipitation
Last 90 Days (Jul. 2, 2016 - Sep. 29, 2016)



Rainfall Summaries by Climate Division
Last 90 Days (Jul. 2, 2016 - Sep. 29, 2016)

Climate Division	Total Rainfall	Departure from Normal	Driest on Record	Wettest on Record
Panhandle	5.91"	-0.97"	2.74" (2000)	16.20" (1950)
N. Central	9.87"	+1.17"	2.19" (1984)	17.79" (1996)
Northeast	9.87"	-1.08"	3.85" (1956)	21.35" (1961)
W. Central	12.25"	+4.50"	1.52" (2000)	17.46" (1996)
Central	10.83"	+1.30"	2.86" (1954)	18.66" (1996)
E. Central	10.01"	-0.83"	2.43" (1954)	19.85" (1950)
Southwest	10.13"	+2.24"	1.33" (1954)	18.13" (1996)
S. Central	7.97"	-1.15"	1.90" (1954)	19.35" (1950)
Southeast	12.42"	+1.98"	4.01" (1943)	26.02" (1950)
Statewide	9.80"	+0.65"	2.97" (1954)	17.75" (1996)



Developed by the OWRB. Data provided by the US Army Corps of Engineers and US Bureau of Reclamation.

For more drought information visit **drought.ok.gov**.

Clearly, the OWRB's action in 2010 to transfer water supply in Sardis Lake to Oklahoma City in exchange for them paying off the debt owed and ordered due by a Federal judge launched a conflict with two of our important tribal neighbors, but what ultimately resulted was a prime example of what can be accomplished when we focus on our common interest in a more prosperous Oklahoma. The recently announced Water Settlement between the State, Choctaw Nation, Chickasaw Nation and Oklahoma City is a crown jewel in Oklahoma water achievement, and there is no doubt it will serve our collective citizens well into the future. Balancing the water needs of a bustling Oklahoma City metropolitan area with the future needs of a thriving southeastern Oklahoma, including the water so critical to its unprecedented recreation and fishing opportunities, was not easy. But all parties ultimately realized it was necessary. It was in all of our best interests to strike that delicate balance. The Water Settlement is truly historic, and it will ensure that no region of Oklahoma has to sacrifice its well being for the prosperity of another region. Instead, we will help each other prosper and succeed—a goal to which every Oklahoman should aspire.

It's an understatement to say that there are a lot of amazing OWRB accomplishments left out in the interest of time. Again, what's more important than the accomplishments is the security of knowing that the OWRB passion for serving Oklahoma's citizens and helping them to accomplish their dreams continues to burn strong. It permeates the agency and each of its employees, and no amount of controversy, litigation, budget cuts, or change in leadership can extinguish it. Even though I am jumping to the Oklahoma Department of Wildlife Conservation, I am at peace knowing the OWRB's success was never about me. It has never been about one person. Our fellow Oklahomans are extremely fortunate to have nearly 100 OWRB employees that work fanatically to improve our collective standing and quality of life through sound stewardship of the public's water resources. For this, we can all be thankful and content.

The Water Settlement is truly historic, and it will ensure that no region of Oklahoma has to sacrifice its well being for the prosperity of another region. Instead, we will help each other prosper and succeed—a goal to which every Oklahoman should aspire.

Financial Assistance Program Update

Loans & Grants Approved as of September 30, 2016

FA Loans—368 totaling $958,885,000
The OWRB's Financial Assistance Program (FAP), created by the State Legislature in 1979, provides loans for water and wastewater system improvements in Oklahoma. The tremendous popularity of the bond loan program is due, in part, to extended payoff periods of up to 30 years at very competitive interest rates.

CWSRF Loans—295 totaling $1,346,077,392
The Clean Water State Revolving Fund (CWSRF) loan program was created in 1988 to provide a renewable financing source for communities to use for their wastewater infrastructure needs. The CWSRF program is Oklahoma's largest self-supporting wastewater financing effort, providing low-interest loans to communities in need.

DWSRF Loans—181 totaling $1,046,028,300
The Drinking Water State Revolving Fund (DWSRF) loan program is an initiative of the OWRB and ODEQ to assist municipalities and rural water districts in the construction and improvement of drinking water systems. These projects are often mandated for communities to obtain compliance with increasingly stringent federal standards related to the treatment of drinking water.

REAP Grants—657 totaling $58,128,834
The Rural Economic Action Plan (REAP) Program was created by the State Legislature in 1996. REAP grants, used for water/wastewater system improvements, primarily target rural communities with populations of 7,000 or less, but priority is afforded to those with fewer than 1,750 inhabitants.

Emergency Grants—572 totaling $33,990,132
Emergency grants, limited to $100,000, are awarded to correct situations constituting a threat to life, health, or property and are an indispensable component of the agency's financial assistance strategy.

Drought Relief Program Grants—10 totaling $1,543,848
Through the OWRB's Drought Response Program, funding is available for communities in most dire need during state drought emergencies declared by the Governor. A maximum of $300,000 is diverted from existing OWRB Emergency Grant proceeds to fund the Program.

Water for 2060 Grants—4 totaling $1,500,000
Through the Water for 2060 Grant Program, funding is available for municipalities, counties, water/sewer districts and other public entities for projects that highlight the responsible use of water.

Total Loans/Grants Approved: 2,087 totaling $3,446,153,506 Estimated Savings: $1,173,890,273
Applicants eligible for water/wastewater project financial assistance vary according to the specific program's purpose and requirements, but include towns and other municipalities with proper legal authority, various districts established under Title 82 of Oklahoma Statutes (rural water, master/water conservancy, rural sewage, and irrigation districts), counties, public works authorities, and/or school districts. Applications for agency financial assistance programs are evaluated individually by agency staff. Those meeting specific program requirements are recommended by staff for approval at monthly meetings of the nine-member Water Board. ***For more information, call (405) 530-8800 or go to www.owrb.ok.gov/financing.***

OKLAHOMA Water News

3rd Quarter, 2016

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Protecting and enhancing the quality of life for Oklahomans by managing and improving the state's water resources to ensure clean and reliable water supplies, a strong economy, and a safe and healthy environment.