



OKLAHOMA

water news

MONTHLY NEWSLETTER OF THE OKLAHOMA
WATER RESOURCES BOARD

Gerald E. Borelli, Chairman

Earl Walker • Ervin Mitchell • Bill Secrest • Ralph G. McPherson • Gary W. Smith • Ernest R. Tucker • Robert S. Kerr, Jr. • R.G. Johnson

Open Door at the Board, Help from OWWA Made Sound Laws

Anyone who has a good friend knows that trust and respect are hard-won; earned, not given, and of an enduring nature. Such a choice of words is unusual, perhaps, in describing the relationship between two organizations, and unique indeed when it describes an industry and its regulator.

However unusual, the description is accurate in comparing the mutual respect held by the Oklahoma Water Well Association, the industry, and the Oklahoma Water Resources Board, the regulator. Months and years of working together to develop a practical set of laws to govern the water well drilling industry and to protect the state's ground water basins fostered a relationship rare in the United States, according to J. A. Wood of the OWRB who helped pull it all together. Wood recalls that in 1972 the newly formed Oklahoma Water Well Association asked the Board's assistance in refining their ideas into the state's first laws for licensing drillers and setting minimum standards for construction of water wells.

In a dozen meetings over two years or more, Wood, Hydrologist Dannie Spiser, OWRB Director Forrest Nelson, Glenn Sullivan and OWWA members Wallace (Doe) McRay, Jim Winnek, C. L. Yost, the late Herschel Bules, David Poindexter, Bud Moats, Elmer Hemphill, Wade Ewbanks, Dave Harris, John Stull and others pooled their ideas to create lasting and important parts of Oklahoma Ground Water Law.

"One of the first steps was to write to other states for copies of their laws to use as guidelines," said Wood. "Then with those patterns in hand, information gleaned from the drillers regarding their industry and the Board's knowledge of the state's ground water basins, we wrote the rules for the examination and licensing of water well drillers."

Wallace (Doe) McRay, an early president of OWWA, recalls that among the first proposals to the Legislature was the licensing of all drillers — those drilling wells for both commercial and domestic purposes. (A well is considered domestic if it is drilled for the purpose of providing water to a home, household garden or orchard,

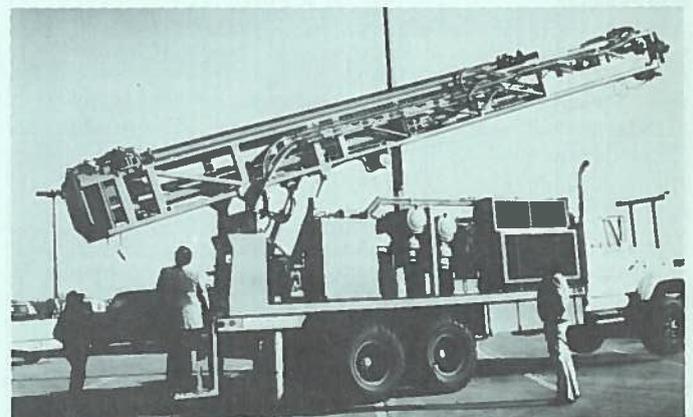
or to domestic or farm animals up to the normal grazing capacity of the land.) "Our package of legislation got stalled right away in the House of Representatives," said McRay. "They balked at requiring licensing of domestic drillers because they believed it would put a lot of the small operators out of business. In order to get the rest of our package passed, we pulled out the licensing requirement for domestic drillers and turned our attention, for the time being, to licensing only the non-domestic drillers."

As a result of that legislation, Oklahoma's first water well driller's license was issued in 1973 to Raymond Soukup of Mountain Park. Today, some 250 water well drillers hold valid licenses issued by the Board. The measure favored by OWWA and the water resources board in 1972 for the licensing of domestic drillers eventually passed a decade later, and the early fears of driving the small operators from the industry were never realized.

McRay pointed out that the drillers' and Board's concern with licensing all the drillers had been born of concern for the state's ground water basins. "With about half of the drillers exempt from the laws that regulated the rest of the industry, the risk of ground water pollution was much greater," he said.

With the first licensing law in place in 1973, Wood

Continued on page 2



The Annual Meeting of the Oklahoma Water Well Association held last month in Shawnee, gives Oklahoma water well drillers an opportunity to see new equipment, learn state-of-the-art technologies and to be examined for licensing by the OWRB.

Open Door, continued from page 1

and OWRB staff collected telephone directories statewide to compile a list of all water well drillers in business at the time. Then all were mailed information on the new law and given the opportunity to be "grandfathered in" between January 1, 1973 and June 30, 1975.

**ACTIVE CONSERVATION STORAGE IN SELECTED
OKLAHOMA LAKES AND RESERVOIRS
AS OF FEBRUARY 22, 1985**

PLANNING REGION LAKE/RESERVOIR	CONSERVATION STORAGE (AF)	PERCENT OF CAPACITY
SOUTHEAST		
Atoka	122,300	98.5
Broken Bow	918,100	100.0
Pine Creek	77,700	100.0
Hugo	156,925	99.6
CENTRAL		
Thunderbird	105,925	100.0
Hefner	73,800	97.9
Overholser	16,800	100.0
Draper	83,600	83.6
SOUTH CENTRAL		
Arbuckle	62,571	100.0
Texoma	2,543,200	96.4
Waurika	203,100	100.0
SOUTHWEST		
Altus	12,587	9.0
Fort Cobb	63,707	81.0
Foss	141,092	58.0 ²
Tom Steed	61,928	69.0
EAST CENTRAL		
Eufaula	2,329,700	100.0
Tenkiller	627,500	100.0
Wister	27,100	100.0
Sardis	302,500	100.0
NORTHEAST		
Eucha	79,567	100.0
Grand	1,412,050	95.0
Oologah	544,240	100.0
Hulah	30,594	100.0
Fort Gibson	365,200	100.0
Heyburn	6,600	100.0
Birch	19,200	100.0
Hudson	200,300	100.0
Spavinaw	30,000	100.0
Copan	43,400	100.0
Skiatook	—	— ¹
NORTH CENTRAL		
Kaw	428,600	100.0
Keystone	616,000	100.0
NORTHWEST		
Canton	51,930	53.0
Optima	3,000	— ¹
Fort Supply	13,900	100.0
Great Salt Plains	31,400	100.0
STATE TOTALS	11,662,116³	92.4¹

1. In initial filling stage
2. Temporarily lowered for maintenance
3. Conservation storage for Lake Optima not included in state total

Data courtesy of U.S. Army Corps of Engineers, Bureau of Reclamation, Oklahoma City Water Resources Department, and City of Tulsa Water Superintendent's Office.

Kathy Knott, a licensed driller in partnership with husband Dale in Terlton, recalls that the long, uphill effort came in drafting minimum standards — an effort spread over several years. Although the OWWA and OWRB had undertaken writing such guidelines as early as 1972, it was not until October 1975 that minimum standards were proposed for the construction of water wells and the plugging and capping of abandoned wells and test holes. When the minimum standards were brought before the Board for adoption on October 14, 1975, James R. Barnett, then the Board's liaison to the attorney general's office, recommended they be scheduled for public hearing to provide an opportunity for further input and comment. A hearing was held in March 1976, and the minimum standards were approved by the Board in December.

"It was hard enough," said Wood, "to write standards that would protect the ground water from contamination, insure sanitary wells and require sealing of old wells, but we found it an enormous task to do it all without putting an unreasonable financial burden on the drillers. The OWWA and the OWRB worked hard at solving one problem after another in meetings over the 3-year period. The result is a model set of laws and a friendly and respectful relationship between the two organizations."

Knott and McRay agree that the labor over the laws was not lost. It resulted in laws that are effective in protecting the state's ground water and fair in their requirements of Oklahoma's water well drillers.

Duane Smith, chief of the OWRB Ground Water Division since 1983, points out that as the regulatory agency, the water board feels comfortable in enforcing those laws because the OWWA has assured us that they are reasonable and that compliance is possible without undue financial burden. "Because we've always left our door open to the OWWA, they know that unworkable laws can be changed and that they will find support here in doing so." Smith points out that in preparation for updating the Rules and Regulations, the OWRB held four regional meetings to collect the input of OWWA members in Tulsa, Lawton, Woodward and McAlester. We have enjoyed a good dialogue with the Association, Smith said. "We listen to them."

In last year's revision of the rules and regs, all of the suggestions made by the drillers were incorporated in the law. In the new edition, we expect to use 95 percent, he said.

A feature of the law that has proven a bonanza for the Board has been that requiring water well drillers to file their well logs with the Board. According to Smith, the comprehensive information on lithology, depth to water and saturated thickness gleaned from some 15,000 well logs presently on file is invaluable to the hydrologic studies conducted by the Board.

C. L. Yost, OWWA president from Afton, points out that OWWA and the OWRB recently shared another victory by gaining a reciprocity agreement with Texas, sought for years but signed only last month. In February 1984, Ken Masters, 1984 OWWA president; Jay Jackson,

president of the OWWA Suppliers' Division; and Duane Smith, of the water resources board, traveled to Fort Worth to make their presentation to the Texas Water Well Association. The three Oklahomans tried to persuade the TWWA to waive the residency requirement that would allow Oklahoma drillers immediate licensure in Texas, the last state among Oklahoma's neighbors to enter into such an agreement. Their mission bore fruit a year later, on February 12, 1985. As a result, licensed Oklahoma drillers can now work in Texas without waiting out the old residency requirement, and Texas drillers can be licensed immediately by passing Oklahoma's exam.

Despite the giant strides taken jointly by the Board and the OWWA over the last dozen years, the drillers and members of the OWRB Ground Water Division agree still more work lies ahead. According to Kathy Knott, secretary-treasurer of the OWWA, the organizations need to collaborate on examining and licensing pump installers as well as rig operators. She also advocates testing on more technical aspects of water well drilling, pointing out that the present examination for licensure focuses on Oklahoma Ground Water Law. Knott favors an Oklahoma test similar to that of the National Water Well Association which also certifies drillers in nine technical areas and pump installers in four.

Doe McRay, retired from his Seminole drilling firm but extremely active in his interest of protecting the state's ground water, believes it's critical that the Board and the Association jointly draft a rule requiring the cementing or grouting of any hole that penetrates the surface as a further safeguard against pollution. Water well drillers currently are required to seal test holes and abandoned wells, but anode holes and those drilled for seismic work, core sampling and other purposes often are left open to invasion by polluted surface water, McRay pointed out.

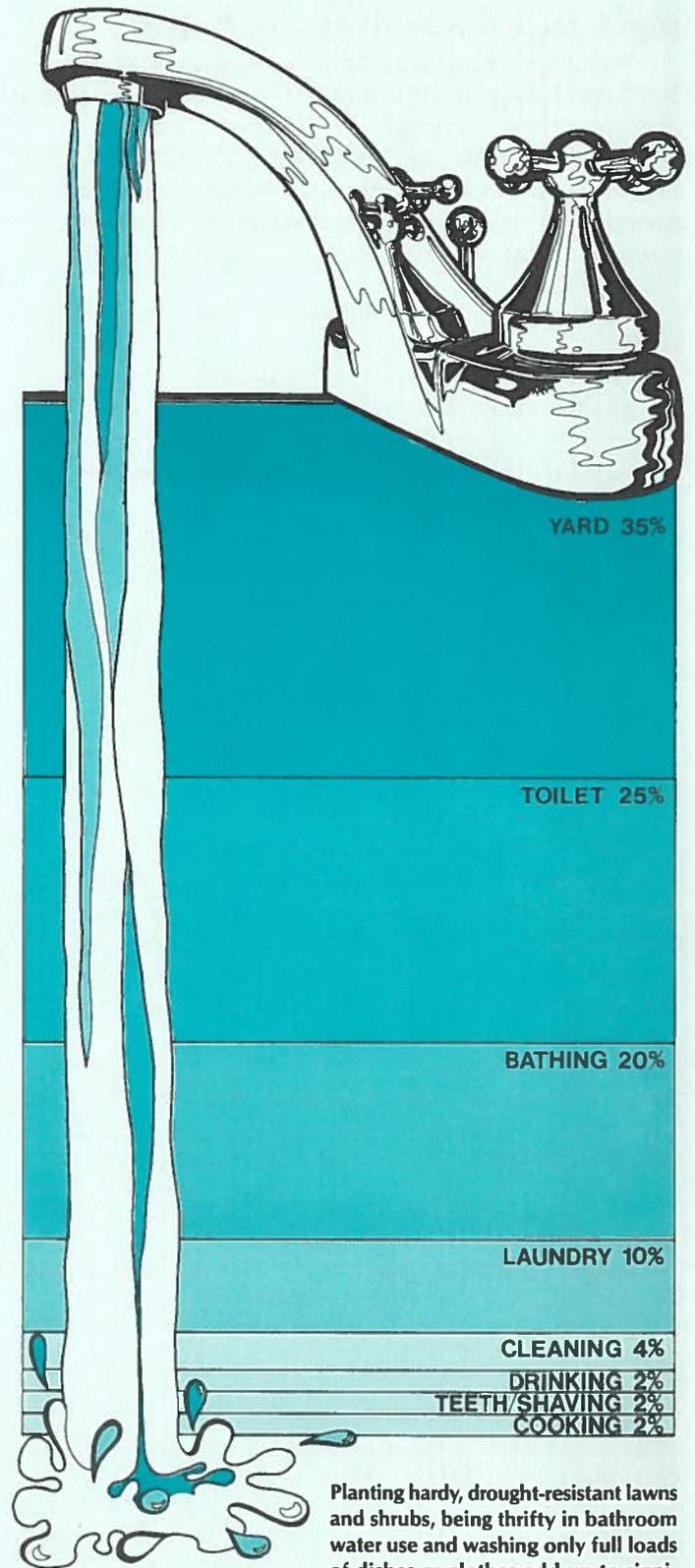
Members of the Board's Ground Water Division and members of OWWA agree that over the years, the relationship has been near ideal and the outcome is apparent in the quality and enforceability of Oklahoma's laws governing the water well drilling industry.



Canadian River Compact to Meet April 2

Bob Johnson of Guymon, who is Oklahoma's commissioner to the Canadian River Compact, and three representatives of the Oklahoma Water Resources Board will attend the meeting of the Canadian River Compact Commission in Amarillo, Texas, on April 2. Executive Director James R. Barnett, will attend, along with General Counsel R. Thomas Lay who serves on the Legal Advisory Committee and Stream Water Division Chief J. A. Wood, who is a member of the Engineering Advisory Committee.

Johnson serves on the compact with New Mexico Commissioner Steve Reynolds, Texas Commissioner John



Planting hardy, drought-resistant lawns and shrubs, being thrifty in bathroom water use and washing only full loads of dishes or clothes add up to significant savings in water and money. Use water as if it cost a dollar a

gallon instead of the one-tenth of a cent a gallon it costs in most American cities!

Sims and Joe Hershey, who is the federal commissioner and chairman appointed by President Reagan. Oklahoma participates in four such stream compacts, which apportion the waters and provide forums for the solution of interstate water problems.

New Injection Well Siting Rule Proposed

A change proposed to Corporation Commission Rule 3-301 regulating injection and disposal wells, to be heard at Corporation Commission Offices in Oklahoma City on March 26 at 10 a.m., could be a matter of concern to municipalities and rural water districts drawing on the state's aquifers for their water supplies, said James R. Barnett, executive director of the Oklahoma Water Resources Board.

Barnett points out that the rule was originally proposed as follows:

"No newly drilled or newly converted injection or disposal well shall, after the effective date of this rule, be approved within one-half mile of any active or reserve municipal water supply well or water treatment facility."

"However, an alteration to the original language could change its interpretation significantly," he said. The altered proposal reads as follows:

"Any newly drilled or newly converted injection or disposal well which is within one-half mile of any active or reserve municipal water supply well or water treatment facility shall not be approved *until after notice and hearing and the applicant proves by substantial evidence that said well shall not pollute said water supply or treatment facility.*"

Barnett said that the rule as originally proposed would have afforded the state's ground water supplies some protection from possible pollution by brines and other deleterious by-products of certain oil and gas operations. However, he warns, the present version would open the way for rather routine approval of injection wells within the half-mile limit.

Barnett advised officials of cities, towns and rural water districts who are concerned about possible contamination of drinking water supplies by injection or disposal wells to request further information on the hear-

ings by calling Cheri M. Wheeler, OCC Deputy General Counsel, at (405) 521-4124. He said written comments will be accepted by the OCC until March 15 at 4:30 p.m.

EPA Funds Up, Construction Money Down

President Reagan's budget proposal for FY 1986 brutally cut soil and water conservation programs, sliced 20 percent or more from Corps and Bureau budgets, but proved to be a bonanza for EPA's Superfund. However, while EPA's cleanup program got a 45 percent boost, other agency programs such as sewage treatment construction grants failed to fare so well with zero increases, in spite of a recent assessment indicating widespread needs.

The Corps of Engineers and Bureau of Reclamation took almost equal percentage cuts in overall budgets — 20 percent for the Corps and 22 percent for the Bureau. In terms of construction funds, the Bureau took a hefty 28 percent cut, compared to the Corps' five percent. In terms of total dollars, the Corps would receive \$2,338 million and the Bureau, \$821 million.

Oklahoma's share will be about \$8 million in Corps spending and \$7.6 million in Bureau spending.

Devastating slashes to the Soil Conservation Service budget cut 24 percent of its 1985 funding in the 1986 budget and a further 76 percent by 1987.

Corps Schedules Navigation Conference

The Fifteenth Annual Navigation Conference for the McClellan-Kerr Arkansas River Navigation System will be held at the Riverfront Hilton Inn, North Little Rock, Arkansas, on March 27, from 8:15 a.m. to 4:30 p.m.

The conference will provide a forum for the discussion of navigation operations, improvements and problems. Cost of registration is two dollars. For further information, please contact the Corps Little Rock District Office by calling (501) 378-5737.

This monthly newsletter, printed by the Central Printing Division of the Office of Public Affairs, Oklahoma City, Oklahoma, is published by the Oklahoma Water Resources Board as authorized by James R. Barnett, executive director. Ten thousand copies are printed and distributed monthly at an approximate cost of 20 cents each.

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OKLAHOMA WATER NEWS

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Oklahoma City, Okla. 73152

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