

**TITLE 785. OKLAHOMA WATER RESOURCES BOARD
CHAPTER 30. TAKING AND USE OF GROUNDWATER**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Permit Application Requirements and Processing

785:30-3-1. General application requirements [AMENDED]

Subchapter 5. Groundwater Permits

785:30-5-5. Contents of permits [AMENDED]

785:30-5-7. Cancellation or suspension of permits [AMENDED]

785:30-5-9. Annual reports of water use [AMENDED]

785:30-5-10. Marginal water permits [NEW]

Appendix D. Identified Springs that Emanate From a Sensitive Sole Source Groundwater Basin [REVOKED]

Appendix D. Identified Springs that Emanate From a Sensitive Sole Source Groundwater Basin [NEW]

SUMMARY:

Staff proposes that the Oklahoma Water Resources Board ("Board") amend the following provisions of Title 785, Chapter 30 of the Oklahoma Administrative Code:

The addition of a new section in 785:30-5-10, relating to marginal water permits. This new section is necessary to conform the administrative rules to recent statutory changes authorizing the Board to monitor and regulate marginal water wells.

An amendment to 785:30-3-1 to remove a limitation to the number of wells per 100 acre feet of water requested. The proposed amendment is intended to remove language not required by statute regarding the number of wells per 100 acre feet of water requested.

A recommendation is also proposed to amend 785:30-5-5, 785:30-5-7, and 785:30-5-9 to include marginal water permits in the list of permits covered by these sections.

A recommendation is also proposed to amend Chapter 30, Appendix D to update coordinates and legal descriptions of some springs that discharge 50 gallons per minute or more and emanate from a Sensitive Sole Source Groundwater Basin. Upon staff review, it was found that a number of these springs were not listed in the correct area in the current version of Appendix D.

AUTHORITY:

Oklahoma Water Resources Board; 82 O.S. § 1085.2; 82 O.S. § 1020.7, 82 O.S. § 1021.1a

COMMENT PERIOD:

Persons wishing to present data, views, or arguments orally or in writing may do so to Chrystal Krittenbrink at 3800 North Classen, Oklahoma City, Oklahoma 73118, or by email to chrystal.krittenbrink@owrb.ok.gov. Comments must be received by the OWRB no later than the close of the public hearing on January 21, 2020.

PUBLIC HEARING:

A public hearing will be held January 21, 2020, during the monthly meeting of the Board which will begin at 9:30 A.M. in the Board Room of the OWRB's offices located at 3800 North Classen, Oklahoma City, Oklahoma, 73118.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The OWRB requests that any business entities affected by these proposed rules provide the Board, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules. Business entities may submit this information in writing to Chrystal Krittenbrink at 3800 North Classen, Oklahoma City, Oklahoma before the close of the comment period.

COPIES OF PROPOSED RULES:

Copies of the proposed amendments may be reviewed at the Board's office location at 3800 North Classen, Oklahoma City, Oklahoma 73118, or may be obtained from the "Contact Person" identified below upon prepayment of the copying charge. The proposed rules may also be viewed on the Board web site at <http://www.owrb.ok.gov>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a Rule Impact Statement is available for review at the OWRB's office, 3800 North Classen, Oklahoma City, Oklahoma. The Rule Impact Statement may also be viewed on the OWRB web site at <http://www.owrb.ok.gov>.

CONTACT PERSON:

Chrystal Krittenbrink, Legal Secretary, 405-530-8800 or chyrstal.krittenbrink@owrb.ok.gov.