

**TITLE 785. OKLAHOMA WATER RESOURCES BOARD
CHAPTER 5. FEES**

SUBCHAPTER 1. GENERAL PROVISIONS

785:5-1-6. Stream water permit application and administration fees

- (a) A filing fee based on amount requested in the application must be submitted with each application for a permit to appropriate stream water as follows:
- (1) 1 through 320 acre-feet - \$250.00
 - (2) 321 through 640 acre-feet - \$350.00
 - (3) 641 through 1,500 acre-feet - \$450.00
 - (4) More than 1,500 acre-feet - \$450.00, plus an additional \$150.00 for each increment of 500 acre-feet above 1,500 acre-feet requested, provided that no person shall be charged a total amount in excess of Four Thousand Dollars (\$4,000.00) per application.
 - (5) If the applicant proposes to divert or use stream water from a scenic river or an area designated as an outstanding water resource by the State, the applicant must submit an additional fee of \$250.00 (see also Chapter 45 of this Title).
- (b) Applications for provisional temporary permits to appropriate stream water except expedited applications require a fee of \$200.00.
- (c) Expedited applications for provisional temporary permits to appropriate stream water require a fee of \$250.00.
- (d) Annual water right administration fee for the submittal of water use reports shall be ~~\$50.00~~ \$75.00 for each permit or vested right, provided that the cumulative maximum water right administration fees imposed on any one permit or vested right holder shall not be more than \$500.00 per year.
- (e) If the annual water use report is filed later than 30 days after the due date as set forth in the report form mailed to the water right holder, an additional amount of \$50.00 for each permit shall be due (see also 785:20-9-5).

785:5-1-10. Groundwater application and administration fees

- (a) A filing and application fee based on amount requested must be submitted with each application for a permit for the withdrawal of groundwater as follows:
- (1) 1 through 320 acre-feet - \$250.00
 - (2) 321 through 640 acre-feet - \$350.00
 - (3) 641 through 1,500 acre-feet - \$450.00
 - (4) More than 1,500 acre-feet - \$450.00, plus an additional \$150.00 for each increment of 500 acre-feet above 1,500 acre-feet requested, provided that no person shall be charged a total amount in excess of Four Thousand Dollars (\$4,000.00) per application.
- (b) Applications for provisional temporary permits except expedited applications require a fee of 200.00.
- (c) Expedited applications for provisional temporary permits require a fee of \$250.00.
- (d) Annual water right administration fee for the submittal of water use reports shall be \$50.00 for each permit or prior right, provided that the cumulative maximum water right administration fees imposed on any one permit or prior right holder shall not be more than \$500.00 per year.

(e) If the annual water use report is filed later than thirty (30) days after the due date as set forth in the report form mailed to the water right holder, an additional amount of \$50.00 for each permit shall be due.

(f) Applications for groundwater use that overlies a sensitive sole-source basin shall require an additional \$250.00 fee.

785:5-1-11. Well driller and pump installer licensing fees

(a) The filing application and license fee for issuance of individual, partnership, or corporation well driller licenses for one activity to be certified under 785:35-3-1 which shall include the operator certification for the individual license or, in the case of a partnership or corporation, one operator certification for such activity shall be ~~\$300.00~~ \$400.00 for two years.

(b) The license application fee for each additional activity shall be \$40.00 for two years. The license fee for a nonresident shall be the amount charged in the state of the nonresident but in no case less than \$1,000.00 for two years.

(c) The application fee for each additional operator certificate which includes certification to conduct one activity shall be \$60.00 ~~\$100.00~~ for two years. The initial fee for the Indemnity Fund for one activity certified under 785:35-3-1 shall be \$250.00 for residents and \$400.00 for nonresidents.

(d) The license application and indemnity fund fee for each additional activity shall be \$200.00. The application fee for each additional activity under an operator certificate shall be \$30.00 ~~\$50.00~~.

(e) The renewal fee for each license for one certified activity, which shall include the operator certification shall be \$250.00 if the application to renew is filed by May 31; provided that a late fee of \$150.00 shall be due for the completed license renewal application if received by the Board after May 31 of the year to be renewed, but before the end of the applicable grace period. The application fee for each additional operator certificate shall be \$100.00 for a two (2) year period.

(f) The license renewal fee for each additional activity shall be \$40.00 for a two (2) year period. The renewal fee, which shall include the operator certification shall be \$350.00 if the application to renew is filed by May 31; provided that a late fee of \$250.00 shall be due for the completed license renewal application if received by the Board after May 31 of the year to be renewed, but before the end of the applicable grace period.

(g) The fee for each additional operator certification renewal which includes certification to conduct the authorized activities shall be \$40.00 ~~\$100.00~~ for a two (2) year period.

(h) The fee for examination of any operator shall be \$50.00. The renewal fee for the Indemnity Fund for each operator shall be \$100.00 for residents of Oklahoma and \$200.00 for nonresidents for a two (2) year period.

(i) The fee for transfer of individual licensee designation to partnership, corporation or other entity or certified operator from one firm or corporation to another shall be \$50.00. The fee for examination of any operator shall be \$50.00.

(j) The license fee for a nonresident shall be the amount charged in the state of the nonresident but in no case less than \$500.00 for two years. The fee for transfer of individual licensee designation to partnership, corporation or other entity or certified operator from one firm or corporation to another shall be \$50.00.

(k) The initial fee for the Indemnity Fund for one activity certified under 785:35-3-1 shall be \$200.00 for a two (2) year period. The fee to file a request for a variance or exception from any

construction, completion, plugging or other requirement set forth for groundwater wells, fresh water observation wells, heat exchange wells or test holes in Chapter 35 in this Title shall be \$75.00.

~~(l) The initial fee for the Indemnity Fund for each additional activity certified under 785:35-3-1 shall be \$75.00 for a two (2) year period \$100.00. The fee to file a request for a variance or exception from any construction, completion, plugging or other requirement set forth for monitoring wells or geotechnical borings in Chapter 35 shall be \$200.00.~~

~~(m) The renewal fee for the Indemnity Fund for each activity certified under 785:35-3-1 shall be \$75.00 for a two (2) year period. The fee to file an intent to drill for marginal water well construction shall be \$500.00.~~

~~(n) The fee to file a request for a variance or exception from any construction, completion, plugging or other requirement set forth for groundwater wells, fresh water observation wells, heat exchange wells or test holes in Chapter 35 in this Title shall be \$50.00 \$75.00. Upon presentation of satisfactory evidence that an applicant for licensure or certification is a low-income individual, shall grant a one-time one-year waiver of any fees associated with such licensure or certification. For purposes of the section, "low-income individual" means an individual who is enrolled in a state or federal public assistance program, including, but not limited to, the Temporary Assistance for Needy Families, Medicaid or the Supplemental Nutrition Assistance Program, or whose household adjusted gross income is below one hundred forty percent (140%) of the federal poverty line or a higher threshold to be set by the executive branch department that oversees business regulation.~~

~~(o) The fee to file a request for a variance or exception from any construction, completion, plugging or other requirement set forth for monitoring wells or geotechnical borings in Chapter 35 shall be \$150.00 \$200.00.~~

~~(p) The fee to file an intent to drill for marginal water well construction shall be \$500.00.~~

785:5-1-16. Fees required in other matters

~~(a) The fee for making and certifying a measurement of the flow in any stream shall be \$50.00 per measurement.~~

~~(b)~~(a) The fee for computer services shall be as follows:

(1) Copying documents to electronic media - \$1.00 per document or file plus actual cost of Board provided electronic media.

(2) Direct labor cost to convert raw data in data bases to machine-readable format, including but not limited to preparation of table and field descriptions.

(3) Actual cost of medium supplied by Board used in copying data from data base.

~~(c)~~(b) The fee for a document search shall be \$10.00 per hour.

~~(d)~~(c) The filing fee for Information Sheets regarding domestic use of stream water from federal reservoirs shall be \$50.00.

~~(e)~~(d) For transcripts prepared by certified court reporter, stenographer or Board staff under the provisions of 785:4-3-6, the fee shall be the actual cost of the transcription. Prior to such transcription being made, the person requesting the transcription (or appealing the Board's order) shall pre-pay to the Board the estimated cost of the transcribing the audio, with such estimate to be prepared by the Board. Upon completion of the transcription, the person requesting the same shall deposit the balance, if any, necessary for full payment of the transcription. The Board shall refund or credit any excess amount previously deposited.

~~(f)~~(e) If unavailable from local floodplain administrators, flood zone and flood map information on file with the Board for each tract or description of land requested will be provided for a fee of \$25.00.

~~(g)~~(f) The fee for preparation and compilation of the administrative record for transmittal to a court pursuant to the Administrative Procedures Act shall be \$1.00 per page for written documents, plus the cost of copying the audio recording and the electronic media as provided in this Chapter, plus actual cost of duplication of other exhibits, all payable prior to the transmittal of the record in the court. If the party appealing an order of the Board requests a written transcription of the hearing, or if the district court orders a written transcription as authorized by 75 O.S. § 309, the provisions in subsection (f) above, including prepayment of the cost of transcribing cassette tapes of the hearing, shall apply to the party appealing the Board's order. The full cost of transcribing the tapes must be paid before the Board shall transmit the transcription to the court. The Board shall review any such transcription for accuracy before transmitting the same to court.

~~(j)~~(g) In addition to any other applicable fee, and subject to review by the State Governmental Internet Applications Review Board and approval by the Office of Management and Enterprise Services ("OMES"), unless otherwise waived by the Board a person who undertakes an electronic/on-line transaction with the Board shall pay a convenience fee approved by OMES which includes, but is not necessarily limited to, the transaction fee levied by OMES, the credit card or other financial institution charge, and a prorated share of the reasonable costs of development and implementation of, sustaining and upgrading, and future expansion of, the electronic/on-line application. Such transactions may include, but shall not be limited to, filing applications for permits or loans, filing reports of well drilling activities, and renewing licenses or certifications.

785:5-1-21. Documentation Reviews Related Water Trapped in Producing Mines

(a) Submittal of documentation requesting the Board's determination of whether a mine meets the requirements of OAC 785:30-15-3(b) (request for de minimis determination) shall be accompanied with a \$2,000.00 application fee. Thereafter, any of the Board's required submittals of de minimis documentation for the mine shall be accompanied with a \$250.00 application fee.

(b) A review fee of \$500.00 shall accompany all annual mine reports submitted to the Board as required by 785:30-15-3(2) and 785:30-15-4(2) & (3).

(c) Augmentation and Management Plans submitted to the Board in accordance with 785:30-15-6 shall be accompanied with a \$3,000.00 review fee.