

LONG-TERM APPLICATION FOR A PERMIT TO USE STREAM WATER

OKLAHOMA WATER RESOURCES BOARD
WATER RIGHTS ADMINISTRATION DIVISION
 3800 North Classen Blvd., Oklahoma City, OK 73118
 Phone: (405) 530-8800 Fax: (405) 530-8900
 Website: www.owrb.ok.gov (see website for FAQs)

<u>APPLICATION FILING FEE</u>	
<i>Application review will not begin until the proper filing fee is received. Double the filing fee if water is used before application approval.</i>	
<u>Amount of Water Requested</u>	<u>Filing Fee**</u>
1 – 320 acre-feet.....	\$500.00
321 – 640 acre-feet.....	\$700.00
641 – 1,500 acre-feet.....	\$900.00
Over 1,500 acre-feet.....	\$900.00*
*Plus \$250.00 for each increment of 500 acre-feet above 1,500 acre-feet requested (Maximum Fee \$4,000.00).	
**Plus \$250.00 if water is to be diverted from a scenic river or outstanding resource water. Applications for the purpose of enhanced recovery of oil and gas shall have a flat filing fee of \$4,500.00. If the requested amount of water is fractional, round up to the next whole number for the purposes of determining the filing fee.	

<u>OFFICE USE ONLY</u>
Application No. _____
Type of Permit _____
Stream System Code _____
Reservoir Code _____
Hydrologic Unit Code _____

1. NAME & ADDRESS *(Applicant name as written should be found, in part or whole, on the ownership documents. Fill in the contact info.)*

Applicant Name _____ Phone (____) _____ - _____

Mailing Address _____ City _____ State _____ Zip _____

Email _____ Fax (____) _____ - _____

Contact Name
(during application review) _____ Phone (____) _____ - _____

Mailing Address _____ City _____ State _____ Zip _____

Email _____ Fax (____) _____ - _____

If correspondence needs to be sent during application review, it should be sent as: Postal Mail Email Fax

Contact Name
(after permit approval) _____ Phone (____) _____ - _____

Mailing Address _____ City _____ State _____ Zip _____

Email _____ Fax (____) _____ - _____

2. TYPE OF STREAM WATER PERMIT REQUESTED *(Check one and provide the requested information if applicable.)*

Regular Permit – Priority permit that holds seniority over seasonal, term, and 90-day provisional temporary permits and which authorizes the diversion and use of water on a year-round basis.

Seasonal Permit – Permit does not vest the holder with any permanent right and authorizes the diversion and use of water for specific periods of time during a calendar year. **Attach a separate brief statement justifying the requested period of time.**

I request the permit be active each year from _____ (month/day) to _____ (month/day).

Term Permit – Permit does not vest the holder with any permanent right and authorizes the diversion and use of water for a specific term of years. **Attach a separate brief statement justifying the requested period of time.**

I request that the permit be active for _____ years from the date of Board approval.

3. QUANTITY OF WATER & PURPOSE

(List the purposes to be added and the amount of water assigned to each purpose. If additional space is needed, list on a separate sheet of paper. **Note: One acre-foot of water will cover one acre of land one foot deep and is equal to 325,851 gallons. Non-consumptive uses and consumptive uses cannot be included on the same application. The amount of water requested is limited to the owner's proportionate share when located on multi-owner ponds and NRCS ponds.**)

_____ acre-feet of water per year will be used for the purpose of _____
 + _____ acre-feet of water per year will be used for the purpose of _____
 = _____ Total acre-feet of water requested per year.

For Growing Crops: Proposed crops: _____

Approximate area of crops irrigated: _____ acres. *If the applicant will use water (or sell water to an end user) to grow marijuana or hemp attach a copy of all associated user's OMMA or ODAFF licenses.*

4. DIVERSION OF WATER (For each diversion point, state the amount of water in acre-feet to be diverted annually and give the legal description to the nearest ten (10)-acre tract. An explanation of legal descriptions can be found on the OWRB website FAQs page. **Diversion point legal descriptions must match the area drawn on the attached plat.** If additional space is needed, list on a separate sheet of paper.)

Will the water be used as non-consumptive use in a pond, lake, or reservoir? If yes, then water cannot be pumped or moved from one location to another, however mark the location of the dam or spillway as the point of diversion. Yes No

_____ acre-feet of water per year at a maximum pumping rate of _____ gallons per minute will be diverted from:
 _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____ N S Rng. _____ EIM WIM in _____ County
 ECM

_____ acre-feet of water per year at a maximum pumping rate of _____ gallons per minute will be diverted from:
 _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____ N S Rng. _____ EIM WIM in _____ County
 ECM

Source of Water (Check all that apply and provide the requested information.):

Direct Diversion from a River or Creek – Name: _____

Natural Resources Conservation Service Pond (formerly Soil Conservation Service) – Name and Site Number: _____

Reservoir, Lake, or Pond – Name: _____

Name of River or Creek the Reservoir, Lake, or Pond is located on: _____

Storage: _____ acre-feet; Average Depth: _____ feet; Surface Area: _____ acres

If on a **Reservoir** (Check one): Planned Under Construction Existing (Date Completed: _____)

Method of Diversion (Check one): Gravity Pump Non-Consumptive

Do you own or lease the land on which the point of diversion will be located? Yes No
 (If existing, attach a copy of the deed, lease agreement, etc. showing the right to access the point of diversion.)

Will water lines cross public right-of-ways or another landowner's property? Yes No
 (If yes and existing, attach a copy of the easement.)

Note: If the deed, lease agreement, easement, etc. do not exist and cannot be submitted during application review the permit, if issued, will contain a condition requiring submittal of the information before water use begins.

OFFICE USE ONLY	
SIC Codes	

5. LEGAL DESCRIPTION OF AREA OF USE

(List the legal description of the area of use. Do not use city lot and block numbers or metes and bounds. If additional space is needed, list on a separate sheet of paper. Legal description must be drawn on the attached plat and must match the area of use described below. Municipal and rural water entities refer to #6 below.)

_____ acres in _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____	<input type="radio"/> N <input type="radio"/> S Rng. _____	<input type="radio"/> EIM <input type="radio"/> WIM in _____ <input type="radio"/> ECM _____ County
_____ acres in _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____	<input type="radio"/> N <input type="radio"/> S Rng. _____	<input type="radio"/> EIM <input type="radio"/> WIM in _____ <input type="radio"/> ECM _____ County
_____ acres in _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____	<input type="radio"/> N <input type="radio"/> S Rng. _____	<input type="radio"/> EIM <input type="radio"/> WIM in _____ <input type="radio"/> ECM _____ County
_____ acres in _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____	<input type="radio"/> N <input type="radio"/> S Rng. _____	<input type="radio"/> EIM <input type="radio"/> WIM in _____ <input type="radio"/> ECM _____ County

For Irrigation Only: Do you own or lease the land to be irrigated? Yes No *(Provide a copy of the deed, lease agreement, or easement for the land to be irrigated.)*

6. JUSTIFICATION OF PRESENT AND FUTURE NEED *(Check all of the purposes in which you plan to use water and separately provide the requested information.)*

- Agriculture (e.g. poultry houses, feedlots, aquaculture, greenhouses, etc.):** Submit methodology, calculations, and additional information used to determine the amount of water requested. For animal operations make sure to specify how many of each type of animal is raised per year and their water requirements. For greenhouses make sure to specify the quantity of each type of plant grown per year, their water requirements, length of growing season, and how many grows are completed per year.
- Commercial:** Submit methodology, calculations, and additional information used to determine the amount of water requested.
- Industrial (e.g. manufacturing):** Submit methodology, calculations, and additional information used to determine the amount of water requested.
- Irrigation:** Completion of Section #3 serves as your justification for irrigation of common crops grown in Oklahoma. The Board will use appropriate publications as well as take into consideration any information submitted by the applicant in determining the amount of water needed. If multi-cropping, please attach a separate rotation schedule.
- Mining (e.g. oil & gas, quarries, etc.):** Submit methodology, calculations, and additional information used to determine the amount of water requested. For oil & gas operations make sure to specify the following: 1) what the water will be used for (e.g. hydraulic fracturing), 2) how many separate wells will be provided water, and 3) how many barrels or gallons of water are needed for each well (42 gallons = 1 barrel).
- Other:** Submit methodology, calculations, and additional information used to determine the amount of water requested. Make sure to provide a statement with enough detail to clearly describe the proposed use of water.
- Power Generation (e.g. hydroelectric dams, natural gas plants, wind turbines, etc.):** Submit methodology, calculations, and additional information used to determine the amount of water requested. A schedule of use based on population growth in the specific area served may also be submitted.
- Public Water Supply (e.g. municipal or rural water systems, schools, hospitals, etc.):** Submit population projection figures and other methodologies, calculations, and additional information used to determine the amount of water requested. A map showing water lines and the service area is required of municipalities and rural water systems and must show points of reference or scale. A schedule of use based on population growth in the specific area served may also be submitted.
- Recreation Fish & Wildlife:** Submit methodology, calculations, and additional information used to determine the amount of water requested.

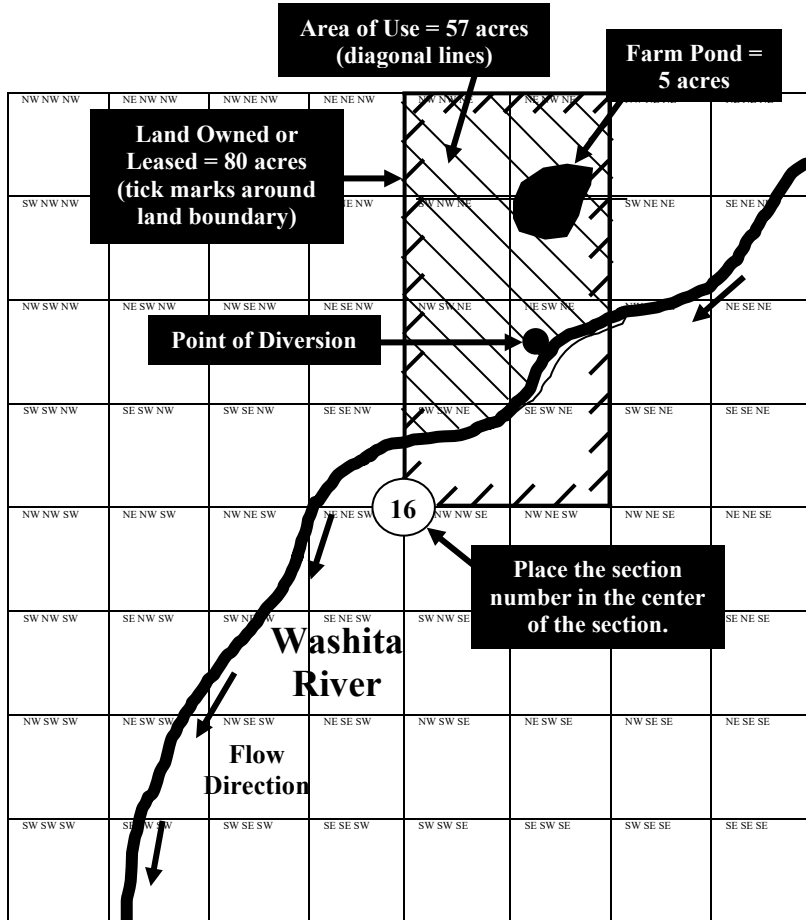
INSTRUCTIONS FOR THE NEXT PAGE

7. PLAT MAP (Sample)

Applicant Name John and Jane Doe

Office Use Only: Application No. _____

The plat below represents one full section (640 acres). Drawings must match the legal descriptions provided in questions #4 and #5 of the application. More than one plat map may be required.



Instructions and Use of Symbols on the Application Plat

1. Write the applicant name on the top of the page (should match your ownership document).
2. Write the section number in the circle in the middle of the section and the legal description and county on the bottom of the page.
3. Draw water features including rivers, creeks, ponds, lakes, and reservoirs and write their names if known.
3. Draw the land you own or lease. Denote this with tick marks around the land boundary.
4. Draw the area you plan to use the water. Denote this with parallel diagonal lines.
5. Spot the location of each diversion point. Diversion points should be placed at the source of the water you want to use. *For example, if you irrigate a field with water from a farm pond, but you filled the farm pond with water pumped from a nearby creek, then your diversion point should be placed on the creek. The pond would be considered part of your area of use.*

Section 16 – Township 10N – Range 10WIM Caddo
Section – Township - Range County



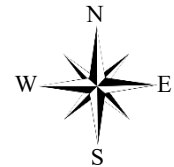
Land Owned or Leased



Area of Use



Point of Diversion



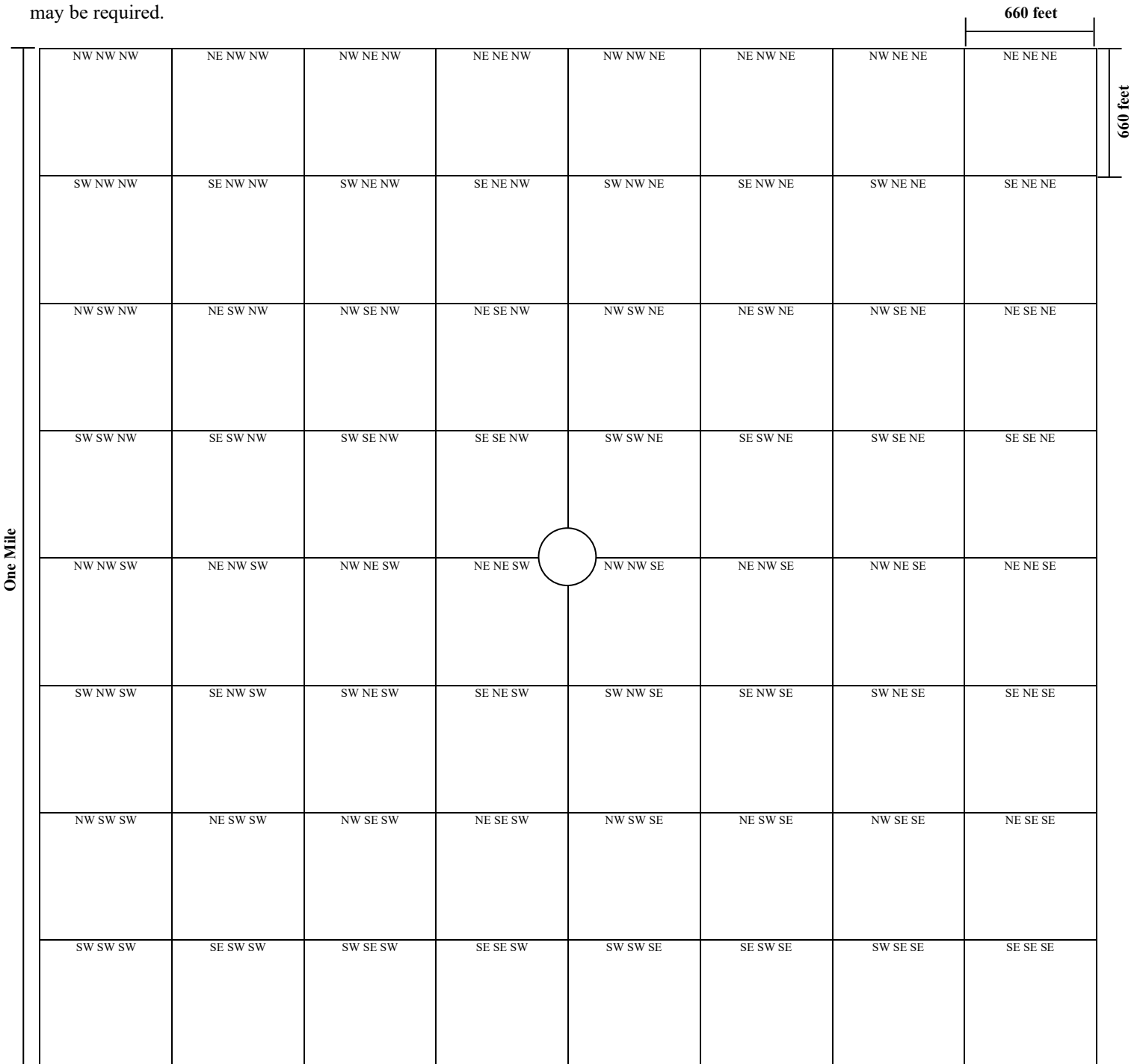
Each smaller square represents a ten (10) acre tract (or 660 ft x 660 ft).

7. PLAT MAP

Applicant Name _____

Office Use Only: Application No. _____

The plat below represents one full section (640 acres). Drawings must match the legal descriptions provided in questions #4 and #5 of the application. More than one plat map may be required.



Section – Township – Range

County



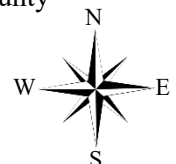
Land Owned or Leased



Area of Use



Point of Diversion



8. REQUIRMENT TO IDENTIFY AFFECTED LANDOWNERS

Applicant Name _____

Office Use Only: Application No. _____

The Oklahoma Supreme Court case of *Purcell v. Parker*, 2020 OK 83, 475 P.3d 834, requires that you identify all “known or easily discoverable” landowner[s] whose legally protected interests may be directly and adversely affected by your application to use stream water. Please list the names and addresses of all these individuals and entities below.

Name	Address
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____

Attach a separate sheet if more space is needed.

Note: Leaving the above section blank or incomplete may be considered insufficient and delay the permitting process.

9. SIGNATURES

Upon my oath or affirmation, I swear or affirm (1) that all information submitted to the Oklahoma Water Resources Board in connection with this application is true and accurate to the best of my knowledge; and (2) that I or the person or entity I represent will comply with all applicable laws and regulations contained in Chapter 20 of the Oklahoma Water Resources Board rules and all other applicable regulations of the State of Oklahoma or its agencies, and any lawful conditions imposed by the Oklahoma Water Resources Board, which apply or pertain to the use of fresh stream water.

NOTARY

STATE OF _____)
) ss.
COUNTY OF _____)

SIGNATURE OF APPLICANT

The foregoing instrument was acknowledged before
me this _____ day of _____, 20_____.

PRINT NAME

Notary Public Signature

TITLE (IF APPLICABLE)

My commission expires: _____

OKLAHOMA BAR ASSOCIATION NUMBER
(IF APPLICABLE)

(SEAL)

10. APPLICATION SUBMISSION AND PROCESSING

The submitted application packet must include the following:

- a. The original completed application, typed or printed in ink, signed and notarized (*All markings must be legible.*);
- b. The appropriate filing fee (*Application review will not begin until the proper filing fees are received. If water is used before application approval, double the filing fee will be required. Filing fees will not be refunded unless an overpayment was made by the applicant.*);
- c. Copies of warranty deeds, leases, and/or letters of consent as required (*Tax documents are not accepted. Social security numbers are not required. If any documentation contains social security numbers, please obscure them before submittal.*).
- d. Other documentation may be requested as needed to complete the application review.

If you believe that within the first seven (7) years after issuance of your permit you will not be able to use the full amount of water applied for, please contact Board staff to discuss possible options such as submitting a schedule of use.

Please note: Any incomplete or unresponsive answers may cause a delay in the processing of your application.

In addition, Oklahoma Administrative Code (OAC) 785:20-3-9 states: (a) "Upon filing of an application that is defective as to form or unsatisfactory as to feasibility or safety of the plan or as to the showing of the ability of the applicant to carry the construction to completion, the Board shall advise applicant of the correction, amendments, or changes required, and sixty (60) days from the date the Board so advises shall be allowed for the filing thereof. [82:105.10]" (b) "Any corrected application filed after the time allowed in (a) of this Section shall be treated in all respects as a new application on the date of its refiling [82:105.10] and the original priority date of filing shall be lost." (c) "If an applicant does not correct an application or publish notice as instructed by the Board, and no further proceedings are initiated by the applicant for six months or more after last contact with the Board, the application shall be deemed withdrawn. The Board shall provide notice to the applicant that the application has been deemed withdrawn."