

APPLICATION FOR AN AMENDMENT TO A STREAM WATER PERMIT OR VESTED RIGHT

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: <https://oklahoma.gov/owrb.html>
 (See website for FAQs)

<u>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>	
Filing Fee.....	\$400.00*
* 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	

<u>OFFICE USE ONLY</u>	
Purposes: _____	_____ ac. ft.
_____	_____ ac. ft.
Acres Irrigated: _____	
Number of Diversion Points: _____	
Rate of Withdrawal: _____	_____ g.p.m.

<u>OFFICE USE ONLY</u>	
Permit No. _____	
Permit Type _____	
Stream System No. _____	
Reservoir Name _____	
HUC No. _____	

1. NAME & CONTACT INFORMATION *Print the applicant's name to exactly match what is listed on the ownership document. Consultants and legal counsel should provide a cover letter with contact information and state if they will remain the contact after permit approval.*

Applicant Name _____ Phone (____) _____ - _____

Mailing Address _____ City _____ State _____ Zip _____

Email _____ Fax (____) _____ - _____

Contact Name
(if different than applicant) _____ Phone (____) _____ - _____

Mailing Address _____ City _____ State _____ Zip _____

Email _____ Fax (____) _____ - _____

How should correspondence be sent during application review? Check all that apply: Postal Mail Email Fax

2. TYPE OF AMENDMENT *Write the permit number and check each type of change to be made to the permit. If land ownership has changed since the permit was originally approved, then a Petition to Transfer Ownership will be required before an amendment can proceed. Forms are found on the OWRB's website. Use of water in southeastern Oklahoma must follow the Water Settlement Agreement viewable at <https://www.waterunityok.com/>.*

Stream Water Permit or Vested Right # _____

Identify the parts of the permit to be changed:

- Purposes (complete Sections 3, 6, 9, 10, and 11)
- Diversion Points (complete Sections 4, 8, 9, 10, and 11)
- Area of Use (complete Sections 5, 8, 9, 10, and 11)
- Rate of Withdrawal (complete Sections 7, 9, 10, and 11)

<u>OFFICE USE ONLY</u>	
<u>SIC Codes</u>	

3. QUANTITY OF WATER & PURPOSE Identify the purpose to be added and the quantity of water assigned to it. Choose purposes (i.e. beneficial use) from the following list: Irrigation, Agriculture, Mining, Public Water Supply, Commercial, Industrial, Power Generation, Recreation Fish & Wildlife, and Other. A description can be helpful and may be required to complete application review. Non-consumptive uses and consumptive uses cannot be included on the same application. Answer the questions and provide the requested information for each. Conversion factor: one acre-foot of water will cover one acre of land one foot deep and is equal to 325,851 gallons. If additional space is needed, list on a separate sheet of paper.

Purpose of _____ allocate _____ acre-feet per year.
(e.g. Irrigation; Mining – Oil & Gas; Recreation – Flood a Wetland for Hunting)

Identify the purpose and an equivalent amount of water you are decreasing. If removing purposes, write as 0 acre-feet per year.

Purpose of _____ decreases to _____ acre-feet per year.
(e.g. Irrigation; Mining – Oil & Gas; Recreation – Flood a Wetland for Hunting)

Have you already used the water for which you are applying? Yes No *If yes, double the filing fee will be required.*

Will water be sold? Yes No If yes, list the purchaser: _____
(not required for public water suppliers)

Will animals be raised? Yes No If yes, list: _____
(not required for domestic use of stock water)

Will crops be grown? Yes No If yes, approximate area of watered crops: _____ and;
(use units of acres for fields or square feet for indoor)

List of crops: _____
Specify both primary and cover crops if applicable (e.g. Primary crops – corn, soybeans, sorghum; Cover crops – winter wheat)

4. DIVERSION OF WATER List legal description down to a ten acre tract for all diversion points to be added or removed. Provide the requested information for method of diversion and source of water. If additional space is needed, list on a separate sheet of paper. An explanation of legal descriptions can be found on the OWRB website FAQs page. All diversion points must be drawn on the application plat map.

Diversion points to be added:

_____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____ N E S W Rng. _____ EIM WIM in _____ County
 ECM

Diversion points to be deleted:

_____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____ N E S W Rng. _____ EIM WIM in _____ County
 ECM

Method of Diversion Check one: Gas/Electric Pump Gravity Non-Consumptive (water is not pumped or moved)

Source of Water Check all that apply. Provide the name of the source of water with a description. Provide dam information (if applicable).

- River or Creek
- Reservoir, Lake, or Pond
- NRCS Flood Control Structure (formerly SCS)

Name & Description: _____
(e.g. Panther Creek; Farm Pond on Unnamed Tributary of Washita River; Oologah Reservoir; SCS East Winter Site #16)

For all dams/impoundments: Planned Under Construction Existing (Date Completed: _____)

Surface Area: _____ acres Storage: _____ acre-feet

For dams/impoundments where water is stored above natural grade:

Dam Height (natural grade to top of dam): _____ feet

Normal Storage (at principal spillway): _____ acre-feet

Maximum Storage (at top of dam): _____ acre-feet

5. AREA OF USE List the legal description of the area in which the water will be used or no longer used. Municipalities and rural water districts should provide a map of service area and water lines. Do not use city lot and block numbers or metes and bounds. If additional space is needed, list on a separate sheet of paper. An explanation of legal descriptions can be found on the OWRB website FAQs page. Area of use must be drawn on the application plat map.

Area of use to be added:

_____ acres in _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____ N EIM
 S Rng. _____ WIM in _____
 ECM _____ County

_____ acres in _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____ N EIM
 S Rng. _____ WIM in _____
 ECM _____ County

Area of use to be deleted:

_____ acres in _____ 1/4 of _____ 1/4 of _____ 1/4 of Section _____ Twp. _____ N EIM
 S Rng. _____ WIM in _____
 ECM _____ County

6. JUSTIFICATION OF PRESENT AND FUTURE NEED If adding purposes (i.e. beneficial uses) or water to a purpose from Section 3, check all that apply and read the description next to each. Attach a separate justification as necessary.

- 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 (e.g. crops in a field):** 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. For flooding a wetland, provide the wetland dimensions and the amount and frequency of flooding.

7. MAXIMUM RATE OF WITHDRAWAL

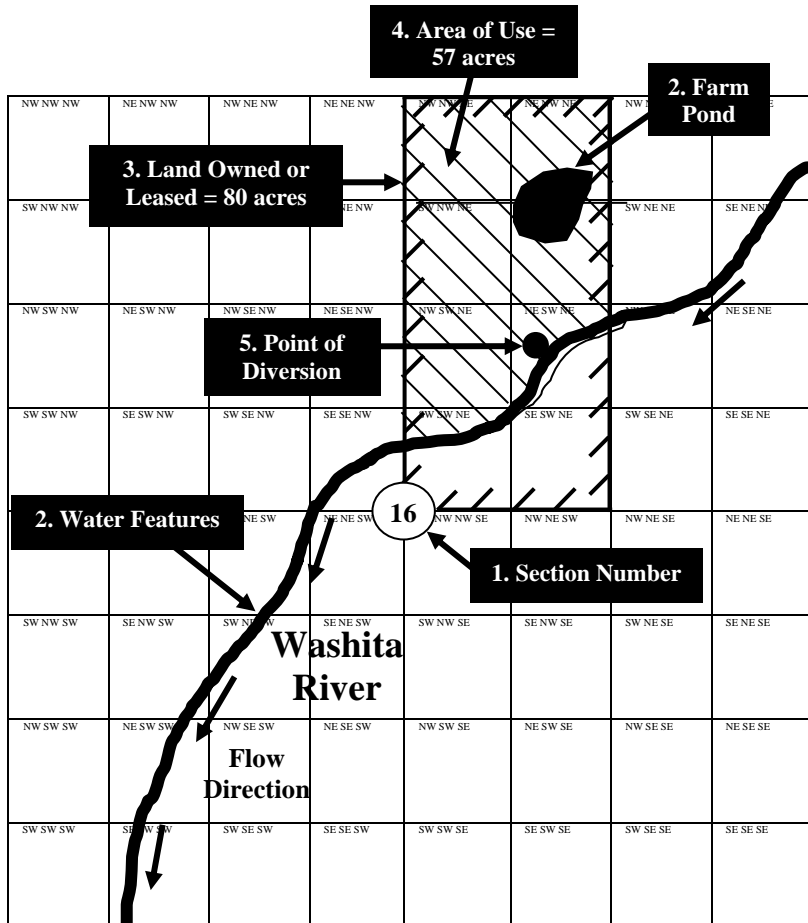
The maximum pumping rate is requested to be changed to _____ gallons per minute.

INSTRUCTIONS FOR THE NEXT PAGE

8. PLAT MAP (*Sample*)

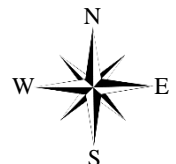
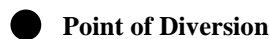
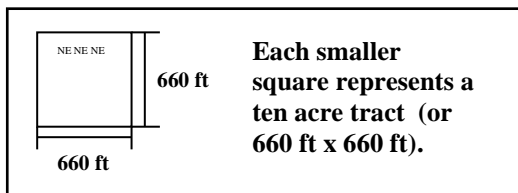
Permit No. _____

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



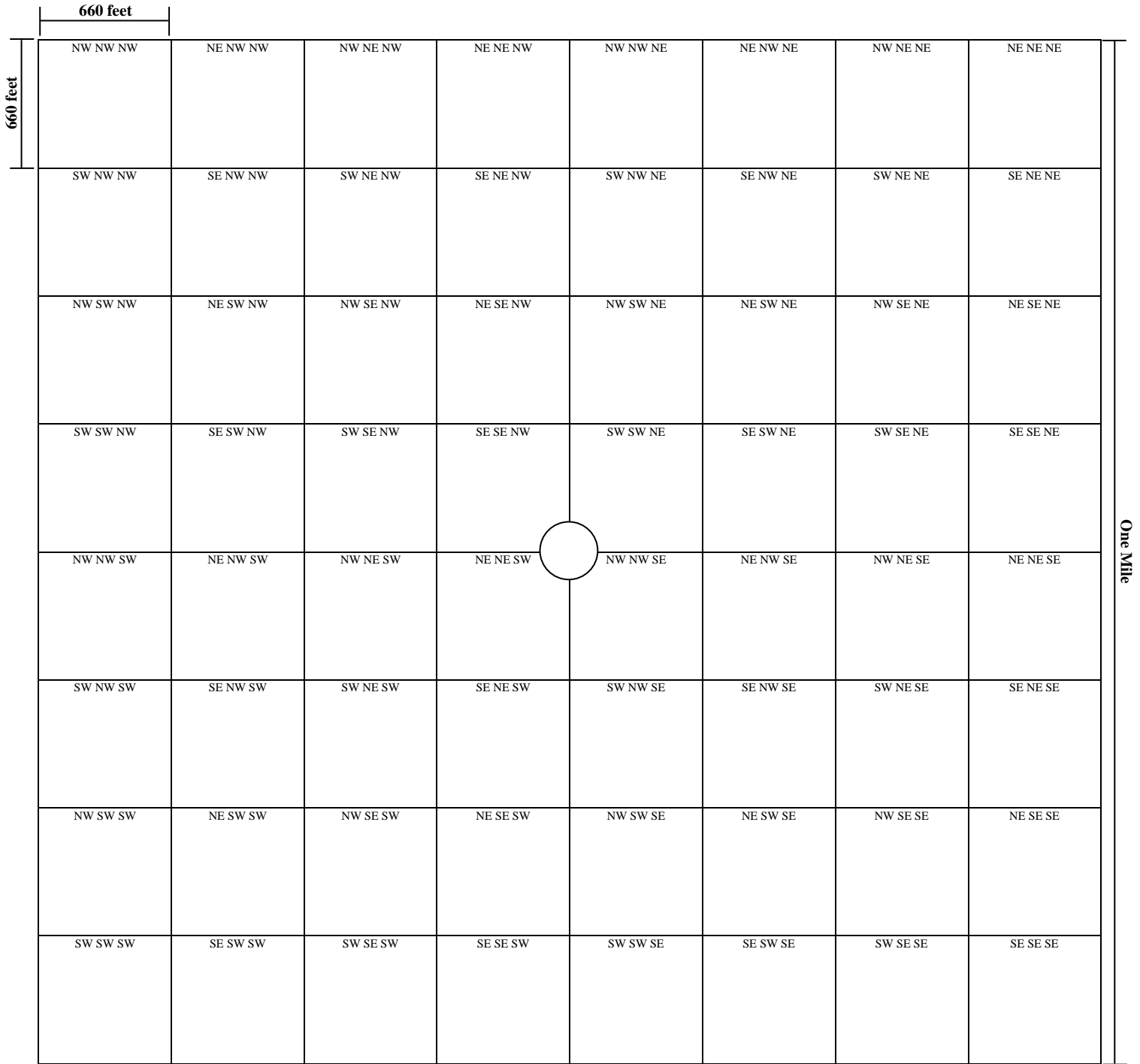
1. **Section Number** - Write the section number in the circle in the middle of the plat. The legal description of your property (including section numbers) should be found on your ownership document.
2. **Water Features** - Draw water features including rivers, creeks, ponds, lakes, and reservoirs and write their names if known.
3. **Land Owned or Leased** - Draw the land you own or lease. Denote this with tick marks around the land boundary.
4. **Area of Use** - Draw the area you plan to use the water with parallel diagonal lines.
5. **Diversion Point** - Spot the location of each diversion point. Diversion points should be placed at the source of the water you want to use.

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



8. PLAT MAP Follow the instructions on the preceding page unless otherwise directed by the Board. Drawings must match the legal description of diversion points and area of use described in Section 4 and 5 of the application. More than one plat map may be required.

Permit No. _____



Section – Township – Range

County



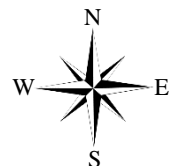
Land Owned or Leased



Area of Use



Point of Diversion



9. AFFECTED LANDOWNERS *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. Leaving this Section blank will be considered insufficient and cause a delay in the processing of the application.*

Permit No. _____

Name

Address

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

Attach a separate sheet if more space is needed.

10. 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 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_____.

PRINTED NAME

Notary Public Signature

TITLE (e.g. owner, manager, trustee, legal counsel, etc.)

My commission expires: _____

OKLAHOMA BAR ASSOCIATION NUMBER
(IF APPLICABLE)

(SEAL)

11. SUBMISSION AND PROCESSING

The submitted application packet must include the following:

a. Original completed application (*Typed or printed in ink, with legible markings, signed and notarized.*);

b. Filing fee payment (*Review of the application will not begin until the filing fee is received. Filing fees are refunded at the discretion of the OWRB. Preferred payment method is a check payable to the OWRB. Other payment methods include cash, money order, or credit card via the OWRB Website Pay Portal – please provide a copy of the Pay Portal receipt. If water is used before application approval, double the filing fee will be required.*);

c. Ownership documents (*Copies of deeds, leases, easements, rights-of-access, and/or other letters of consent for all the land owned/controlled by the applicant associated with the application. Tax documents are not accepted. Social security numbers are not required and should be marked out on documents that contain them.*)

d. Any other documentation requested by OWRB staff as necessary (*Articles of organization or incorporation, memorandum of trust, license or registration from OMMA or ODAFF, contract for water sales, etc.*).

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

All stream water permits issued by the Board contain a condition and limitation that the use of stream water shall not interfere with domestic uses or existing appropriative rights. If the full amount of water is not able to be used within the first seven (7) years after permit approval, please contact Board staff to discuss possible options, such as submitting a schedule of use. 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."