

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 16

By: Fields

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5  
6 AS INTRODUCED

7 An Act relating to ownership of impounded water;  
8 stating impounded water shall be considered private  
9 right of landowner; stating exceptions; providing for  
10 codification; and declaring an emergency.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 60.1 of Title 60, unless there  
14 is created a duplication in numbering, reads as follows:

15 Notwithstanding the provisions of Section 60 of Title 60 of the  
16 Oklahoma Statutes and Section 105.2 of Title 82 of the Oklahoma  
17 Statutes, any impounded water originating from any natural source  
18 shall be considered the private property right of the landowner and  
19 not subject to eminent domain, provided such impoundment does not  
20 impair the water rights or property of an adjacent landowner.

21 SECTION 2. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 105.2A of Title 82, unless there  
23 is created a duplication in numbering, reads as follows:

1       Notwithstanding the provisions of Section 60 of Title 60 of the  
2 Oklahoma Statutes and Section 105.2 of Title 82 of the Oklahoma  
3 Statutes, any impounded water originating from any natural source  
4 shall be considered the private property right of the landowner and  
5 not subject to eminent domain, provided such impoundment does not  
6 impair the water rights or property of an adjacent landowner.

7       SECTION 3. It being immediately necessary for the preservation  
8 of the public peace, health and safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.

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