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Water Rights Resolution: Two Indian Tribes, Oklahoma City and the State of Oklahoma Enter into a Settlement

Arkansas Environmental, Energy, and Water Law Blog

08/15/2016

Available water exists in two forms: surface water and groundwater. Though a limited resource, water is needed by many. Economies are dependent on it, as industry and agriculture cannot survive without it. Cities and individuals demand it for drinking and other domestic purposes. Water is also in demand for its recreational and aesthetic value.

Therefore, disputes over ownership and/or the right to its use are common.

A dispute over water in Oklahoma has apparently been resolved.

The State of Oklahoma ("State"), Choctaw Nation of Oklahoma, Chickasaw Nation and Oklahoma City ("City") have entered into a water settlement ("settlement") that the Oklahoma Attorney General states will:

... resolve long-standing questions over water rights ownership and regulatory authority over the waters of the Choctaw and Chickasaw Nations' historic treaty territories, an area that spans approximately 22 counties in south-central and southeastern Oklahoma.

The Attorney General states that the agreement provides:

... a framework that fosters intergovernmental collaboration on significant water resource concerns within the Settlement Area, while at the same time protecting existing water rights and affirming the State's role in water rights permitting administration. Additionally, the agreement will implement a robust system of lake level release restrictions to allow Oklahoma City's measured use of Sardis Lake for municipal supply purposes while continuing to support regionally critical recreation, fish and wildlife uses.

The agreement must be approved by the United States Congress.

The settlement is described as resolving legal uncertainty in these Oklahoma counties regarding water rights, regulatory authority, federal law, and tribal rights that have been pending. Pending litigation that it is expected to end includes:

- A federal lawsuit that the Choctaw and Chickasaw Nations filed against the State and City with regard to Sardis Lake and other waters of the historic treaty area
- A lawsuit filed by the State to adjudicate water rights in the Kiamichi, the Muddy Boggy, and the Clear Boggy watersheds

[A link to the settlement and other materials that describe it can be found here.](#)