

Conjunctive Use, In-Stream Flows

As another step in the Statewide Water Plan process, OWRB has issued a Draft OWRB Programmatic Work Plan to direct the technical study on water availability within the state for the next 50 years. The elements in this study are of vital importance since it will determine how much water is available for future use of both groundwater and streamwater.

The OWRB Draft includes water allocation modeling to measure water availability after taking into account non-consumptive water use, conjunctive use, in-stream flows and tribal rights. None of these are in current water law except for conjunctive use in the Arbuckle-Simpson Aquifer.

As you recall, the conjunctive use requirements in the Arbuckle-Simpson have reportedly resulted in preliminary data indicating a drop in available groundwater from 2 acre-feet to as little as .2 acre-feet, a decrease of 90%. Although the final numbers may allow greater water use than .2 acre-feet, it will likely be significantly less than the current allocation. As you can see by this real life example, the introduction of new concepts into our water law can greatly affect water availability going forward.