

(Published March 29 and April 5, 2012)

NOTICE OF PREHEARING CONFERENCE AND HEARING

IN THE MATTER OF DETERMINING THE MAXIMUM ANNUAL YIELD FOR THE ARBUCKLE-SIMPSON GROUNDWATER BASIN

1. Background Legal Authority and Jurisdiction; Matters asserted

The Oklahoma Groundwater Law (Oklahoma Statutes Title 82, Sections 1020.1 and following) authorizes the Oklahoma Water Resources Board (OWRB) to complete an administrative proceeding to determine the maximum annual yield (MAY) of fresh groundwater which may be used from, and allocated to each acre of land over, a groundwater basin.

The OWRB has issued a tentative determination of the MAY of fresh groundwater that may be used from the Arbuckle-Simpson Groundwater Basin (Arbuckle-Simpson) underlying portions of Murray, Pontotoc, Johnston, Garvin, Coal and Carter Counties. This Tentative MAY Order is based upon factors prescribed in Oklahoma Statutes Title 82, Sections 1020.5, 1020.9A and 1020.9B. The Tentative MAY Order sets the total amount of groundwater that may be withdrawn annually from the entire Arbuckle-Simpson at 78,404 acre-feet. The equal proportionate part of the yield to be allocated to each acre of land overlying the Arbuckle-Simpson has tentatively been set at 0.20 acre-feet per acre per year (equivalent to 2.4 inches of groundwater per acre per year). The Tentative MAY Order also provides that existing valid temporary permits to withdraw groundwater from the Arbuckle-Simpson shall remain in effect, subject to annual revalidation, for a

period of five (5) years after the effective date of the final order determining the MAY of the Arbuckle-Simpson, unless an extension of time is granted for good cause shown.

The Oklahoma Groundwater Law provides that once the OWRB has set a tentative MAY determination for a major groundwater basin such as the Arbuckle-Simpson, the OWRB shall call, give notice of, and hold a public hearing at a centrally located place within the area of the basin.

Prior to the Prehearing Conference and Hearing (described below), copies of the pertinent hydrologic survey and investigation upon which the Tentative MAY Order is based shall be available for inspection

and examination at the Oklahoma Water Resources Board, 3800 N. Classen Blvd., Oklahoma City, Oklahoma; on the OWRB website at http://www.owrb.ok.gov/studies/groundwater/arbuckle_simpson/arbuckle_study.php; and at the following locations:

- Hugh Warren Memorial Library, 124 S. Rennie, Ada, Oklahoma;
- Chickasaw Regional Library System, 601 Railway Express, Ardmore, Oklahoma;
- Ardmore Public Library, 320 E ST NW, Ardmore, Oklahoma;
- Coal County Public Library, 115 W. Ohio, Coalgate, Oklahoma;
- Nora Sparks Warren Memorial Library, 210 N. Willow, Paus Valley, Oklahoma;
- Mary E. Parker Memorial Library, 500 W. Broadway, Sulphur, Oklahoma; and
- Johnston County Library, 116 W. Main, Tishomingo, Oklahoma.

Materials available for inspection include but are not limited to:

- United States Geological Survey report entitled Hydrogeology and Simulation of Groundwater Flow in the Arbuckle-Simpson Aquifer, South-Central Oklahoma, Scientific Investigations Report 2011-5022; and
- Tentative MAY Order (Oklahoma Water Resources Board Order entitled "Tentative Determination of Maximum Annual Yield

of Groundwater From the Arbuckle-Simpson Groundwater Basin" approved on March 13, 2012).

2. Prehearing Conference

In anticipation of substantial public interest and participation in the Hearing to be held later, the OWRB will first hold a PREHEARING CONFERENCE on May 8, 2012 beginning at 8:00 A.M. in the Pontotoc Technology Center, Seminar Center Auditorium, 601 West 3rd, Ada, Oklahoma. The Prehearing Conference will be conducted for the purposes of identifying the interested parties, organizing and expediting the presentations to be made during the Hearing to be held later, establishing fact stipulations if any, and addressing any other matters deemed appropriate by the Hearing Examiner. Formal presentations of evidence will not be considered at the Prehearing Conference, but interested parties may raise any evidentiary issues they wish to be considered at the Hearing. Each person that desires to be recognized and participate in the Hearing and remainder of the proceeding as a "party" must attend the Prehearing Conference in person or through an authorized representative. Only recognized "parties" will be allowed to participate in the Hearing by presenting formal evidence and legal argument.

3. Hearing

The OWRB will hold the HEARING on May 15, 2012 beginning at 9:00 A.M. in the Murray County Exposition Center, 4008 West Highway 7, Sulphur, Oklahoma. At the Hearing, the OWRB will present evidence of the hydrologic survey, findings and determinations upon which the Tentative MAY Order is based, and any party who was recognized during the Prehearing Conference shall have the right to present evidence in support or opposition thereto. Interested parties will also be invited to provide input on: (1) criteria or standards that could be considered good cause for approval of an extension of time of the five-year implementation period before regular permits are issued to replace existing temporary permits; (2) potential modification of the well spacing provisions in current rules relating to distances of proposed wells to other wells; (3) a proposal to adopt an established spacing distance between new proposed wells and springs and streams in the Arbuckle-Simpson; and (4) a methodology for assessing and determining the effects of proposed pump-

ing of specifically proposed wells on specific springs and streams, as set forth in Appendix 2 to the Tentative MAY Order. There will also be an opportunity for those not recognized as parties to submit other oral or written comments for the record.

After the Hearing is completed, the OWRB will proceed to make its final determination of the MAY of groundwater which shall be allocated to each acre of land overlying the Arbuckle-Simpson, including any and all special provisions and conditions relating thereto.

4. Particular sections of statutes and rules involved:

Statutes: Oklahoma Statutes Title 82, Sections 1020.1 through 1020.8, 1020.9A, 1020.9B, 1020.17, 1020.18, 1085.2 and 1085.10; Title 78, Sections 250.1, 250.3, and 308a through 323
Rules: Oklahoma Administrative Code Title 785, Chapter 4 on Rules of Practice and Hearings; Section 785:30-1-2; and Title 785, Chapter 30, Subchapter 9 on Maximum Annual Yield Determinations

For more information, contact Anissa Maher, Hearings Clerk for the OWRB, at (405) 530-8800.

Dated this 26th day of March, 2012.

/s/ Emily Hammond Meazell
Emily Hammond Meazell
Hearing Examiner

AFFIDAVIT OF PUBLICATION

JOHNSTON COUNTY CAPITAL-DEMOCRAT
P.O. BOX 400
TISHOMINGO, OK 73460
(580) 371-2356

I, Ray Lokey, of lawful age, being duly sworn upon oath, deposes and says: That I am the Publisher of the Johnston County Capital-Democrat, a weekly newspaper printed and published in the City of Tishomingo, County of Johnston, and State of Oklahoma, and that the advertisement referred to, a true and printed copy is hereunto attached, was published in said Johnston County Capital-Democrat in consecutive issues on the following dates to wit:

- First insertion Mar 29, 2012
- Second insertion Apr 5, 2012
- Third insertion _____
- Fourth insertion _____
- Fifth insertion _____
- Sixth insertion _____

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as publications (second-class) mail matter, that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the State of Oklahoma governing legal publications.

Publication Fee \$ 313.44

Ray Lokey
Publisher

SUBSCRIBED and sworn to before me this 5th day of

April 2012
John R. McArthur
Notary Public

My Commission Expires: 7/15/2014

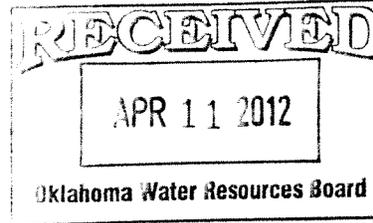
Paid this _____ day of _____

THE JOHNSTON COUNTY CAPITAL-DEMOCRAT

BY: _____

JAMES RICHARD McARTHUR
Notary Public - State of Oklahoma
My Commission Expires July 15, 2014
Commission No. 10006657

AFFIDAVIT OF PUBLICATION



State of Oklahoma)
 ss
County of Garvin)

Banks Dishmon, of lawful age, being duly sworn and authorized, says that he is the Publisher of Pauls Valley Democrat, a newspaper printed in Pauls Valley, Garvin County, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

See Attached

That said notice, a copy of which is hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement on the following dates:

March 29, 2012

April 8, 2012

Banks Dishmon

Signature

Subscribed and sworn to before me this

10 day of April 2012

Christ H

NOTARY PUBLIC

My Commission Expires: 7-17-2012

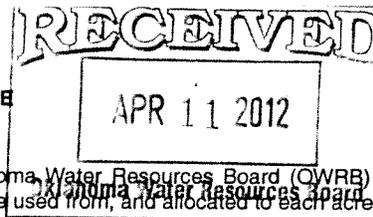
PUBLISHER'S FEE \$ 308.70

Pauls Valley
DEMOCRAT

108 South Willow
Post Office Box 790
Pauls Valley, OK 73075

(Published in the Pauls Valley Democrat on March 29, April 8, 2012)

**NOTICE OF PREHEARING CONFERENCE AND HEARING
IN THE MATTER OF DETERMINING THE MAXIMUM ANNUAL YIELD FOR THE
ARBUCKLE-SIMPSON GROUNDWATER BASIN**



1. Background; Legal authority and jurisdiction; Matters asserted

The Oklahoma Groundwater Law (Oklahoma Statutes Title 82, Sections 1020.1 and following) authorizes the Oklahoma Water Resources Board (OWRB) complete an administrative proceeding to determine the maximum annual yield (MAY) of fresh groundwater which may be used from, and allocated to each acre land over, a groundwater basin.

The OWRB has issued a tentative determination of the MAY of fresh groundwater that may be used from the Arbuckle-Simpson Groundwater Basin (Arbuckle-Simpson) underlying portions of Murray, Pontotoc, Johnston, Garvin, Coal and Carter Counties. This Tentative MAY Order is based upon factors prescribed Oklahoma Statutes Title 82, Sections 1020.5, 1020.9A and 1020.9B. The Tentative MAY Order sets the total amount of groundwater that may be withdrawn annually from the entire Arbuckle-Simpson at 78,404 acre-feet. The equal proportionate part of the yield to be allocated to each acre of land overlying the Arbuckle-Simpson has tentatively been set at 0.20 acre-feet per acre per year (equivalent to 2.4 inches of groundwater per acre per year). The Tentative MAY Order also provides that existing valid temporary permits to withdraw groundwater from the Arbuckle-Simpson shall remain in effect, subject to annual revalidation for a period of five (5) years after the effective date of the final order determining the MAY of the Arbuckle-Simpson, unless an extension of time is granted for good cause shown.

The Oklahoma Groundwater Law provides that once the OWRB has set a tentative MAY determination for a major groundwater basin such as the Arbuckle-Simpson, the OWRB shall call, give notice of, and hold a public hearing at a centrally located place within the area of the basin.

Prior to the Prehearing Conference and Hearing (described below), copies of the pertinent hydrologic survey and investigation upon which the Tentative MAY Order is based shall be available for inspection and examination at the Oklahoma Water Resources Board, 3800 N. Classen Blvd., Oklahoma City, Oklahoma; on the OWRB website at http://www.owrb.ok.gov/studies/groundwater/arbuckle_simpson/arbuckle_study.php; and at the following locations:

- * Hugh Warren Memorial Library, 124 S. Rennie, Ada, Oklahoma;
- * Chickasaw Regional Library System, 601 Railway Express, Ardmore, Oklahoma;
- * Ardmore Public Library, 320 E ST NW, Ardmore, Oklahoma;
- * Coal County Public Library, 115 W. Ohio, Coalgate, Oklahoma;
- * Nora Sparks Warren Memorial Library, 210 N. Willow, Pauls Valley, Oklahoma;
- * Mary E. Parker Memorial Library, 500 W. Broadway, Sulphur, Oklahoma; and
- * Johnston County Library, 116 W. Main, Tishomingo, Oklahoma.

Materials available for inspection include but are not limited to:

1. United States Geological Survey report entitled Hydrogeology and Simulation of Groundwater Flow in the Arbuckle-Simpson Aquifer, South-Central Oklahoma Scientific Investigations Report 2011-5029; and
2. Tentative MAY Order (Oklahoma Water Resources Board Order entitled "Tentative Determination of Maximum Annual Yield of Groundwater From the Arbuckle Simpson Groundwater Basin" approved on March 13, 2012).

2. Prehearing Conference

In anticipation of substantial public interest and participation in the Hearing to be held later, the OWRB will first hold a PREHEARING CONFERENCE on May 9 2012 beginning at 9:00 A.M. in the Pontotoc Technology Center, Seminar Center Auditorium, 601 West 33rd, Ada, Oklahoma. The Prehearing Conference will be conducted for the purposes of identifying the interested parties, organizing and expediting the presentations to be made during the Hearing to be held later, establishing fact stipulations if any, and addressing any other matters deemed appropriate by the Hearing Examiner. Formal presentations of evidence will not be considered at the Prehearing Conference, but interested parties may raise any evidentiary issues they wish to be considered at the Hearing. Each person that desires to be recognized and participate in the Hearing and remainder of the proceeding as a "party" must attend the Prehearing Conference in person or through an authorized representative. Only recognized "parties" will be allowed to participate in the Hearing by presenting formal evidence and legal argument.

3. Hearing

The OWRB will hold the HEARING on May 15, 2012 beginning at 9:00 A.M. in the Murray County Exposition Center, 4000 West Highway 7, Sulphur, Oklahoma. At the Hearing, the OWRB will present evidence of the hydrologic survey, findings and determinations upon which the Tentative MAY Order is based, and any party who was recognized during the Prehearing Conference shall have the right to present evidence in support or opposition thereto. Interested parties will also be invited to provide input on: (1) criteria or standards that could be considered good cause for approval of an extension of time of the five-year implementation period before regular permits are issued to replace existing temporary permits; (2) potential modification of the well spacing provisions in current rules relating to distances of proposed wells to other wells; (3) a proposal to adopt an established spacing distance between new proposed wells and springs and streams in the Arbuckle-Simpson; and (4) a methodology for assessing and determining the effects of proposed pumping of specifically proposed wells on specific springs and streams, as set forth in Appendix 2 to the Tentative MAY Order. There will also be an opportunity for those not recognized as parties to submit other oral or written comments for the record.

After the Hearing is completed, the OWRB will proceed to make its final determination of the MAY of groundwater which shall be allocated to each acre of land overlying the Arbuckle-Simpson, including any and all special provisions and conditions relating thereto.

4. Particular sections of statutes and rules involved:

Statutes: Oklahoma Statutes Title 82, Sections 1020.1 through 1020.6, 1020.9A, 1020.9B, 1020.17, 1020.18, 1085.2 and 1085.10; Title 75, Sections 250.1, 250.3, and 308a through 323

Rules: Oklahoma Administrative Code Title 785, Chapter 4 on Rules of Practice and Hearings; Section 785:30-1-2; and Title 785, Chapter 30, Subchapter 9 on Maximum Annual Yield Determinations

For more information, contact Anissa Maher, Hearings Clerk for the OWRB, at (405) 530-8800.

Dated this 26th day of March, 2012.

/s/ Emily Hammond Mezell
Emily Hammond Mezell
Hearing Examiner

THU
APR 11 2012

APR 09 2012
Oklahoma Water Resources Board

AFFIDAVIT OF PUBLICATION

State of Oklahoma, County of Murray--ss:

JAMES JOHN, being duly sworn, says that he is the publisher of THE SULPHUR TIMES-DEMOCRAT, a weekly newspaper printed in the English language in Sulphur, Murray County, Oklahoma, having a paid circulation therein with entrance into the United States mail as second class matter and published in the county where delivered to the United States mail, and which said newspaper has been continuously and uninterruptedly published in said County during a period of more than one hundred and four (104) weeks consecutively next prior to the first publication of the attached notice, that the

Notice of Prehearing Conference

was published in said newspaper for two consecutive weeks, was taken therefrom and is hereto attached as published and that the same was published in said newspaper as follows:

1st Insertion March 29 20 12

2nd Insertion April 5 20 12

~~3rd Insertion~~ ~~20~~

~~4th Insertion~~ ~~20~~

~~5th Insertion~~ ~~20~~

That said Notice was printed in the regular and entire edition of said Newspaper during the period and time of publication and in the paper proper and not in any supplement thereof and that said newspaper comes within all of the prescriptions and requirements of Chapter 4, Title 25, page 213 of the 1949 Session Laws, House Bill No. 495, passed by the Twenty second Legislature, effective May 6, 1949, and thereafter

James John Publisher

State of Oklahoma, County of Murray--ss:

Subscribed and sworn to before me this 5 day of April, 20 12.

Levin Anderson Notary Public
Murray County

My commission expires March 10 20 16

Published in the Sulphur Times Democrat March 29 and April 5, 2012.

**NOTICE OF PREHEARING CONFERENCE AND HEARING
IN THE MATTER OF DETERMINING THE MAXIMUM ANNUAL YIELD FOR THE
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Johnston County Library, 116 W. Main, Tishomingo, Oklahoma.

Materials available for inspection include but are not limited to:

1. United States Geological Survey report entitled Hydrogeology and Simulation of Groundwater Flow in the Arbuckle-Simpson Aquifer, South-Central Oklahoma, Scientific Investigations Report 2011-5029; and

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For more information, contact Anissa Maher, Hearings Clerk for the OWRB, at (405) 530-8800.

Dated this 26th day of March, 2012.

/s/ Emily Hammond Mezell
Emily Hammond Mezell
Hearing Examiner

Affidavit of Publication

STATE OF OKLAHOMA
COUNTY OF COAL

SS

Helen Langdon, of lawful age, being duly sworn and authorized, says, that he is Publisher/Office Manager of the Coalgate Record-Register, a weekly newspaper printed in the City of Coalgate, Coal County, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971, as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

**NOTICE OF PRE-HEARING
CONFERENCE & HEARING**

VS

was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

1st insertion MARCH 28, 2012

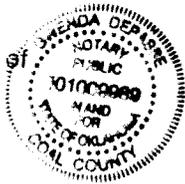
2nd insertion APRIL 4, 2012

3rd insertion _____, 2012

4th insertion _____, 2012

5) Helen Langdon
Publisher/Office Manager

Subscribed and sworn to before me this day of APRIL 4, 2012.



Brenda Depose
Notary Public

My Commission Expires: 6-16-2013 #01009989

Case No _____

Publication Fee \$ 293.45

aid _____ BY: _____
Coalgate Record-Register

LEGAL NOTICE

(Published in the Coalgate Record Register March 28 & April 4, 2012, 2t)

NOTICE OF PREHEARING CONFERENCE AND HEARING IN THE MATTER OF DETERMINING THE MAXIMUM ANNUAL YIELD FOR THE ARBUCKLE-SIMPSON GROUNDWATER BASIN

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Dated this 26th day of March, 2012.

S) Emily Hammond Meazell
Emily Hammond Meazell
Hearing Examiner

RECEIVED

APR 06 2012

RECEIVED

APR 06 2012 The Daily Ardmoreite

117 West Broadway
Ardmore, OK 73401
(580) 223-2200

State of Oklahoma

I, ARLENE AUSTIN, of lawful age, being duly sworn upon oath, deposed and says: That I am the Clerk of the Daily Ardmoreite, a daily newspaper printed and published in the City of Ardmore, County of Carter, and State of Oklahoma, and that the advertisement referred to, a true and printed copy is hereunto attached, was published in said Daily Ardmoreite in consecutive issues on the following dates to wit:

1st insertion 03/29/12
2nd insertion 04/05/12
3rd insertion
4th insertion

That said newspaper has been published continuously and uninterruptedly in said county during a period of one-hundred and four consecutive weeks prior to the publication of the attached notice or advertisement; that it has been admitted to the United States mail as publication (second-class) mail matter, that it has a general paid circulation, and publishes news of general interest, and otherwise conforms with all of the statutes of the State of Oklahoma governing legal publication.

Legal # 19889 CASE

Publication Fee \$353.88

Arlene Austin, Authorized Agent

SUBSCRIBED and sworn to before me this 5th

day of APRIL, 2012.

Commission #08010898 Expires 10/21/2012

Arlene Austin

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No. 19889
NOTICE OF
PREHEARING
CONFERENCE AND
HEARING
IN THE MATTER OF
DETERMINING THE
MAXIMUM ANNUAL
YIELD FOR THE
ARBUCKLE-SIMPSON
GROUNDWATER
BASIN

1. Background; Legal authority and jurisdiction; Matters asserted: The Oklahoma Groundwater Law (Oklahoma Statutes Title 82, Sections 1020.1 and following) authorizes the Oklahoma Water Resources Board (OWRB) to complete an administrative proceeding to determine the maximum annual yield (MAY) of fresh groundwater which may be used from, and allocated to each acre of land over, a groundwater basin. The OWRB has issued a tentative determination of the MAY of fresh groundwater that may be used from the Arbuckle-Simpson-Groundwater Basin (Arbuckle-Simpson) underlying portions of Murray, Pontotoc, Johnston, Garvin, Coal and Carter Counties. This Tentative MAY Order is based upon factors prescribed in Oklahoma Statutes Title 82, Sections 1020.5, 1020.9A and 1020.9B. The Tentative MAY Order sets the total amount of groundwater that may be withdrawn annually from the entire Arbuckle-Simpson at

Materials available for inspection include: but are not limited to:
1. United States Geological Survey report entitled: Hydrogeology and Simulation of Groundwater Flow in the Arbuckle-Simpson Aquifer, South-Central Oklahoma, Scientific Investigations Report 2011-5029; and
2. Tentative MAY Order (Oklahoma Water Resources Board Order entitled "Tentative Determination of Maximum Annual Yield of Groundwater From the Arbuckle-Simpson Groundwater Basin" approved on March 13, 2012).
2. Prehearing Conference
In anticipation of substantial public interest and participation in the Hearing to be held later, the OWRB will first hold a PREHEARING CONFERENCE on May 9, 2012 beginning at 9:00 A.M. in the Pontotoc Technology Center, Seminar Center Auditorium, 601 West 33rd, Ada, Oklahoma. The Prehearing Conference will be conducted for the purposes of identifying the interested parties; organizing and expediting the presentations to be made during the Hearing to be held later, establishing fact stipulations if any, and addressing any other matters deemed appropriate by the Hearing Examiner. Formal presentations of evidence will not be considered at the Prehearing Conference, but interested parties may raise any evidentiary issues they

/s/ Emily Han
Emily Han
Hearing Examiner
(Published in
The Ardmoreite
29 & April 5, 20

0.20 acre-feet per acre per year (equivalent to 2.4 inches of groundwater per acre per year). The Tentative MAY Order also provides that existing valid temporary permits to withdraw groundwater from the

Arbuckle-Simpson shall remain in effect, subject to annual revalidation, for a period of five (5) years after the effective date of the final order determining the MAY of the Arbuckle-Simpson, unless an extension of time is granted for good cause shown. The Oklahoma Groundwater Law provides that once the OWRB has set a tentative MAY determination for a major groundwater basin such as the Arbuckle-Simpson, the OWRB shall call, give notice of, and hold a public hearing at a centrally located place within the area of the basin.

Prior to the Prehearing Conference and Hearing (described below), copies of the pertinent hydrologic survey and investigation upon which the Tentative MAY Order is based shall be available for inspection and examination at the Oklahoma Water Resources Board, 3800 N. Classen Blvd., Oklahoma City, Oklahoma; on the OWRB website at http://www.owrb.ok.gov/studies/groundwater/arbuckle_simpson/arbuckle_study.php; and at the following locations:

- Hugh Warren Memorial Library, 124 S. Rennie, Ada, Oklahoma;
- Chickasaw Regional Library System, 601 Railway Express, Ardmore, Oklahoma;
- Ardmore Public Library, 320 E ST NW, Ardmore, Oklahoma;
- Coal County Public Library, 115 W. Ohio, Coalgate, Ohio;

proceeding as a party must attend the Prehearing Conference in person or through an authorized representative. Only recognized "parties" will be allowed to participate in the Hearing by presenting formal evidence and legal argument.

3. Hearing

The OWRB will hold the HEARING on May 15, 2012 beginning at 9:00 A.M. in the Murray County Exposition Center, 4000 West Highway 7, Sulphur, Oklahoma. At the Hearing, the OWRB will present evidence of the hydrologic survey findings and determinations upon which the Tentative MAY Order is based, and any party who was recognized during the Prehearing Conference shall have the right to present evidence in support or opposition thereto. Interested parties will also be invited to provide input on: (1) criteria or standards that could be considered good cause for approval of an extension of time of the five-year implementation period before regular permits are issued to replace existing temporary permits; (2) potential modification of the well spacing provisions in current rules relating to distances of proposed wells to other wells; (3) a proposal to adopt an established spacing distance between new proposed wells and springs and streams in the Arbuckle-Simpson; and (4) a methodology for assessing and determining the effects of proposed pumping of specifically proposed wells on specific springs and streams as set forth in Appendix 2 to the Tentative MAY Order. There will also be an opportunity for those not recognized as parties to submit other oral or written comments for the record.

After the Hearing is

PROOF OF PUBLICATION

STATE OF OKLAHOMA }
COUNTY OF MURRAY }

AFFIDAVIT OF PUBLICATION

Sharon R. Chadwick, of lawful age, being duly sworn and authorized says that she is publisher of The Davis News, a weekly newspaper printed in the City of Davis, Murray County, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971, as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

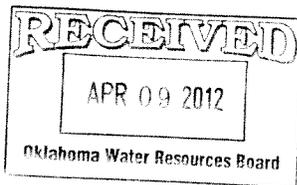
That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the following dates:

March 28 and April 4, 2012
Sharon R Chadwick

Subscribed and sworn to before me this 4th day of April, 2012.

Alesha Chadwick
Notary Public

No. 00007189
My commission expires: 4-25-12



LEGAL NOTICE
(Published in The Davis News March 28 and April 4, 2012)
NOTICE OF PREHEARING CONFERENCE AND HEARING IN THE MATTER OF DETERMINING THE MAXIMUM ANNUAL YIELD FOR THE ARBUCKLE-SIMPSON GROUNDWATER BASIN

1. Background; Legal authority and jurisdiction; Matters asserted

The Oklahoma Groundwater Law (Oklahoma Statutes Title 82, Sections 1020.1 and following) authorizes the Oklahoma Water Resources Board (OWRB) to complete an administrative proceeding to determine the maximum annual yield (MAY) of fresh groundwater which may be used from, and allocated to each acre of land over, a groundwater basin.

The OWRB has issued a tentative determination of the MAY of fresh groundwater that may be used from the Arbuckle-Simpson Groundwater Basin (Arbuckle-Simpson) underlying portions of Murray, Pontotoc, Johnston, Garvin, Coal and Carter Counties. This Tentative MAY Order is based upon factors prescribed in Oklahoma Statutes Title 82, Sections 1020.5, 1020.9A and 1020.9B. The Tentative MAY Order sets the total amount of groundwater that may be withdrawn annually from the entire Arbuckle-Simpson at 78,404 acre-feet. The equal proportionate part of the yield to be allocated to each acre of land overlying the Arbuckle-Simpson has tentatively been set at 0.20 acre-foot per acre per year (equivalent to 2.4 inches of groundwater per acre per year). The Tentative MAY Order also provides that existing valid temporary permits to withdraw groundwater from the Arbuckle-Simpson shall remain in effect, subject to annual revalidation, for a period of five (5) years after the effective date of the final order determining the MAY of the Arbuckle-Simpson, unless an extension of time is granted for good cause shown.

The Oklahoma Groundwater Law provides that once the OWRB has set a tentative MAY determination for a major groundwater basin such as the Arbuckle-Simpson, the OWRB shall call, give notice of, and hold a public hearing at a centrally located place within the area of the basin.

Prior to the Prehearing Conference and Hearing (described below), copies of the pertinent hydrologic survey and investigation upon which the Tentative MAY Order is based shall be available for inspection and examination at the Oklahoma Water Resources Board, 3800 N. Classen Blvd., Oklahoma City, Oklahoma; on the OWRB website at http://www.owrb.ok.gov/studies/groundwater/arbuckle_simpson/arbuckle_study.php; and at the following locations:

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Chickasaw Regional Library System, 601 Railway Express, Ardmore, Oklahoma;
Ardmore Public Library, 320 E ST NW, Ardmore, Oklahoma;
Coal County Public Library, 115 W. Ohio, Coalgate, Oklahoma;
Nora Sparks Warren Memorial Library, 210 N. Willow, Pauls Valley, Oklahoma;
Mary E. Parker Memorial Library, 500 W. Broadway, Sulphur, Oklahoma; and
Johnston County Library, 116 W. Main, Tishomingo, Oklahoma.

Materials available for inspection include but are not limited to:

- United States Geological Survey report entitled Hydrogeology and Simulation of Groundwater Flow in the Arbuckle-Simpson Aquifer, South-Central Oklahoma, Scientific Investigations Report 2011-5029; and
Tentative MAY Order (Oklahoma Water Resources Board Order entitled "Tentative Determination of

Maximum Annual Yield of Groundwater From the Arbuckle-Simpson Groundwater Basin" approved on March 13, 2012).

2. Prehearing Conference

In anticipation of substantial public interest and participation in the Hearing to be held later, the OWRB will first hold a PREHEARING CONFERENCE on May 9, 2012 beginning at 9:00 A.M. in the Pontotoc Technology Center, Seminar Center Auditorium, 601 West 33rd, Ada, Oklahoma. The Prehearing Conference will be conducted for the purposes of identifying the interested parties, organizing and expediting the presentations to be made during the Hearing to be held later, establishing fact stipulations if any, and addressing any other matters deemed appropriate by the Hearing Examiner. Formal presentations of evidence will not be considered at the Prehearing Conference, but interested parties may raise any evidentiary issues they wish to be considered at the Hearing. Each person that desires to be recognized and participate in the Hearing and remainder of the proceeding as a "party" must attend the Prehearing Conference in person or through an authorized representative. Only recognized "parties" will be allowed to participate in the Hearing by presenting formal evidence and legal argument.

3. Hearing

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After the Hearing is completed, the OWRB will proceed to make its final determination of the MAY of groundwater which shall be allocated to each acre of land overlying the Arbuckle-Simpson, including any and all special provisions and conditions relating thereto.

4. Particular sections of statutes and rules involved:

Statutes: Oklahoma Statutes Title 82, Sections 1020.1 through 1020.6, 1020.9A, 1020.9B, 1020.17, 1020.18, 1085.2 and 1085.10; Title 75, Sections 250.1, 250.3, and 308a through 323

Rules: Oklahoma Administrative Code Title 785, Chapter 4 on Rules of Practice and Hearings; Section 785:30-1-2; and Title 785, Chapter 30, Subchapter 9 on Maximum Annual Yield Determinations

For more information, contact Anissa Maher, Hearings Clerk for the OWRB, at (405) 530-8800.

Dated this 26th day of March, 2012.
/s/ Emily Hammond Mezell
Emily Hammond Mezell
Hearing Examiner

RECEIVED

APR 12 2012

Oklahoma Water Resources Board

NOTICE OF PUBLICATION In The District Court Pontotoc County

Oklahoma Water Resources Board Notice of Prehearing Conference and Hearing

STATE OF OKLAHOMA) COUNTY OF PONTOTOC

LaDawna Fry of lawful age, being duly sworn and authorized, says that she is the Classified Advertising Manager of THE ADA NEWS printed in the City of Ada, Pontotoc County, Oklahoma, a newspaper qualified to publish legal notices, advertisements, and publications as provided in Section 106 of Title 25, Oklahoma statutes 1971, as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

Handwritten signature of LaDawna Fry

That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the following:

PUBLICATION DATE(S): March 29 & April 5, 2012

PUBLICATION FEE(S): \$550.80

SUBSCRIBED AND SWORN TO ME THIS DATE: April 5, 2012

LEGAL NOTICE

NOTICE OF PREHEARING CONFERENCE AND HEARING

IN THE MATTER OF DETERMINING THE MAXIMUM ANNUAL YIELD FOR THE ARBUCKLE-SIMPSON GROUNDWATER BASIN

Background; Legal authority and jurisdiction; Matters ass

The Oklahoma Groundwater Law (Oklahoma Statutes Title 82, Sections 1020.1 and following) authorizes the Oklahoma Water Resources Board (OWRB) to complete an administrative proceeding to determine the maximum annual yield (MAY) of fresh groundwater which may be used from, and allocated to each acre of land of groundwater basin.

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The Oklahoma Groundwater Law provides that once the OWRB sets a tentative MAY determination for a major groundwater basin such as the Arbuckle-Simpson, the OWRB shall call, give notice and hold a public hearing at a centrally located place within the basin.

Prior to the Prehearing Conference and Hearing (described below) copies of the pertinent hydrologic survey and investigation upon which the Tentative MAY Order is based shall be available for inspection and examination at the Oklahoma Water Resources Board, 3800 N. Classen Blvd., Oklahoma City, Oklahoma; on the OWRB website at http://www.owrb.ok.gov/studies/groundwater/arbuckle_simpson/arbuckle_study.php; and at the following locations:

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Particular sections of statutes and rules involved:

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For more information, contact Anissa Maher, Hearings Clerk for the OWRB, at (405) 530-8800.

Dated this 26th day of March, 2012.

Signature of Emily Hammond Mezell