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FOR FURTHER INFORMATION,
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New Law Prompts OWRB to Postpone Hearing On Arbuckle-Simpson Groundwater Permit

The Oklahoma Water Resources Board has postponed a previously scheduled hearing to consider a protested permit contemplating use of groundwater from the Arbuckle-Simpson Aquifer outside of the aquifer's boundaries.

The hearing on the William and Betty Ann Clark water use application, which was scheduled for June 11 in Tishomingo, was postponed through an order issued Tuesday by Judge Stewart Hunter, the agency's hearing examiner in this case. The Board's order delays all proceedings on the matter, which involves approximately 200 persons who have been recognized as official protestants in the case. The application requests the use of 805 acre-feet of water for municipal use. (One acre-foot is equal to 325,851 gallons.)

The postponement of the hearing was prompted through enactment of Senate Bill 288, authored by Senator Jay Paul Gumm and Representative Paul Roan and passed during the recently concluded legislative session. The new law places a moratorium on the issuance of new temporary permits for the use of groundwater from a sensitive "sole source" groundwater basin for municipal or public water supply use in an area outside counties overlying such a basin. Sole source aquifers, which are designated as such by the U.S. Environmental Protection Agency, are those deemed by EPA to be "the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health...". Currently, the Arbuckle-Simpson is the only designated "sole source" aquifer in Oklahoma.

"The moratorium is imposed until a comprehensive study is completed and we establish the maximum annual yield of the aquifer," according to Mike Mathis, Chief of the OWRB's Planning and Management Division. "Until then, we are prohibited from issuing temporary permits to take water from the Arbuckle-Simpson for municipal use outside the basin." Mathis pointed out that Congress recently approved initial federal funding for a comprehensive study for the Arbuckle-Simpson basin to be conducted by the U.S. Bureau of Reclamation. The Water Board will direct the study effort in cooperation with the Bureau. The study, which is anticipated to take as long as five years, should begin this summer.

"As directed by Senate Bill 288, we will ensure that the state receives reliable information on how much water can be taken out of the basin without degrading or interfering with springs or streams fed by water coming from the basin," said Mathis. Even in this budget strained year, the state has provided \$270,000 to match federal funds that were earmarked for the study.

For questions concerning the postponed hearing and proceedings, contact Mike Mathis, Chief of Planning and Management, Oklahoma Water Resources Board, at (405) 530-8800.