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FOR FURTHER INFORMATION,  
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***OWRB Clarifies Format of  
Arbuckle-Simpson Water Permit Meeting***

Questions regarding the September 30 water rights proceeding near Wayne have prompted the Oklahoma Water Resources Board to further clarify points that will be addressed at the meeting.

“I want to emphasize that no actual evidence will be accepted during next Monday’s prehearing conference on the two protested applications to use groundwater from the Arbuckle-Simpson Aquifer,” explains Mike Mathis, chief of the OWRB’s Planning and Management Division. “The hearing examiner will simply identify the individuals wishing to testify at the hearing as well as the nature and extent of their evidence. He will not *hear* the actual evidence,” he adds.

Evidence concerning the applications’ consistency with state water law can only be accepted at the formal hearing on the matter, not at the prehearing, according to Mathis. Any protestant who wishes to present evidence at the regular hearing must attend the prehearing and explain to the hearing examiner what kind of evidence he or she intends to show at the hearing.

The specific purpose of the gathering—scheduled for 1 p.m. at the Mid-America Technology Center, located at I-35 and Highway 59, three miles west of Wayne—is to identify persons who intend to present detailed evidence at upcoming regular hearings on the proposed permits as well as the nature of that evidence with respect to the Oklahoma Groundwater Law. Judge Don Barnes, a retired Oklahoma Supreme Court justice, will oversee the prehearing conference.

Mathis explains that Oklahoma water law dictates four points of law that must be satisfied prior to approval of groundwater use permits: 1) the applicant must own or lease the overlying land; 2) the land must overlie the groundwater basin; 3) the proposed purpose must be for a beneficial use; and 4) the water must not be wasted. These points will be critical to the hearing examiner’s consideration of the Arbuckle-Simpson water use permits. The applications, for a combined 2,505 acre-feet of water per year, have been filed by Clayton and Julie Jack and William and Betty Ann Clark. The Board received approximately 1,600 protests to the permits, which purportedly will be used as part of a project to transfer water from the Arbuckle-Simpson Aquifer to the central Oklahoma region. No formal hearing has yet been scheduled.

The Board’s formal order on the prehearing conference is available on the agency’s web site at [www.owrb.state.ok.us](http://www.owrb.state.ok.us). Copies of the order are also available for review at public libraries in Ada, Davis, Pauls Valley, Sulphur, and Tishomingo.