



CITY OF TISHOMINGO



(City of Exh. 1
Tishomingo)

**City of Tishomingo
Statement of Stakeholder Interest and Comments of Support
for Tentative Determination of Maximum Annual Yield of Groundwater
from the Arbuckle-Simpson Groundwater Basin
Rules Implementation of SB 288
Oklahoma Water Resources Board (OWRB) Formal Hearing May 15, 2012**

Part One: Interested Party

City of Tishomingo
202 South Capitol Avenue
Tishomingo, Ok 73460
Phone: 580-371-2369
City Manager: Jack Yates
Mayor: Lewis Parkhill

Part Two: City Interests in Surface Flows from Arbuckle Simpson Aquifer

Water Supply for City of Tishomingo (population: 3,034, 2010 census)

The City of Tishomingo is completely reliant for its municipal water supply on surface flow from Pennington Creek, a designated high quality stream emanating from the springs of the Arbuckle Simpson Aquifer, through OWRB water permit #19910508, for 562 AF, dating from 10/25/1988. The city has two diversion points on Pennington Creek: one for golf course irrigation, and a second, downstream, for municipal water supply. The city's current average use is 358,000 gallons per day, a metered usage reported as required by OWRB. There is no other economically viable water supply. Thus, a sustainable, reliable stream flow is required for city survival.

Other, City Related Significant Users Reliant on Pennington Creek Surface Flow

Tishomingo National Wildlife Refuge

Water provided by City of Tishomingo.

Murray State College

Water directly from Pennington Creek, intake point in city limits.

Johnston County Industrial Authority

Water for companies in city Industrial Park provided by City of Tishomingo.

City Water Usage

Residential water taps: 1,108

Commercial water taps: 217

Total taps: 1,315

City consumption: 370,000 gallons per day (average, all users)

Murray State College: 75,000 gallons per day (average); MSC has its own water infrastructure and is not provided water by the city, although city/college water sharing is possible if needed.

City Water Budget

(Source: FY 2009-2010 Audited City Budget)

Revenue

Water sales to all municipal customers: \$588,350

Waste water revenues: \$278,975

Total: \$867,325

Revenue allocation (expenses)

Water: \$598,986

Waste water: \$254,379

(Expense amounts include debt service for loans to address mandated water/waste water infrastructure improvements.)

Total: \$853,365

Water related revenue comprised 38% of the 2010 total city revenue of \$2,253,900, exceeding the second largest source of revenue, sales tax, which produced 25% of the budget.

Industrial Users

Tishomingo Industries reliant on city supply from Pennington Creek

<u>Company</u>	<u>Employees*</u>
Nitro-Lift	30
TapeMatics	16
Scott Pet Products	52
Supermarket Services	9
Parish Equipment	36
Blue Refrigeration Equipment	12

Johnston County Industries Northwest of city—Arbuckle Simpson Aquifer water

<u>Company</u>	<u>Employees*</u>
U. S. Silica	75
Uniman	20
Rock of Ages	3
Martin Marietta	75
TXI	95
3-C Cattle Feeders	15

Johnston County Industries East of the city– Blue River (Arbuckle Simpson Aquifer) Company
Estimated annual payroll from industries: \$23.5 million
*December 2010 employment data

Environmental and Recreational Water Uses

Tishomingo National Wildlife Refuge adjoins the city limits; Pennington Creek flows through the city into the refuge and contributes to water resources for residential birds and wildlife as well as migratory birds, especially ducks and geese. Deer and waterfowl hunting in the area contribute to the local economy.

Tishomingo National Fish Hatchery near Reagan, Ok, adjoins Pennington Creek and is reliant on its water for raising sports fishing species (bass, catfish), but also for breeding programs to restore native paddlefish populations to hundreds of miles of Oklahoma streams where they have not been seen for over 50 years. This facility is vital to state fisheries.

Blue River Public Fishing and Hunting Area is owned and managed by the Oklahoma Department of Wildlife Conservation. Blue River, like Pennington Creek, is an outflow from the Arbuckle Simpson aquifer, and is essential for this 3,367 acre recreational area. Only 10 miles from Tishomingo, this area is popular not only with local residents but also with state and out of state tourists for its scenic beauty, camping, swimming, turkey, deer, and waterfowl hunting, and for year round fishing, including a trout season and two trout derbies. A major tourist attraction, Blue River makes significant contributions to the local economy.

Slippery Falls Scout Ranch, the premier Boy Scout camp of the Last Frontier Council is north of the city on Pennington Creek.

Camp Bond, Church of the Nazarene youth camp, is also north of the city on Pennington Creek.

Tishomingo Golf Course is a nine hole course on city land along Pennington Creek which provides irrigation for the golf course as well as water features for several holes. Open to the public but operated and maintained by private investments, the golf course contributes to the local economy, adds to the quality of life, and is the home course for Tishomingo High School golf teams. The Tishomingo boys team won the 2011 state AA golf championship.

Pennington Creek Lodge and **Pennington Creek Park** are city facilities along Pennington Creek. The Lodge has a large meeting room with full kitchen and fireplace, dormitories, and walking trails along the creek and is rented by individuals and groups. The city park along Pennington Creek has 50 amp RV hookups, bath rooms with showers, pavilions, picnic facilities, a playscape and splash park, developments attractive to both residents and tourists. The annual Chickasaw Festival relies on the park for many of its activities. The circus pitches its tents here. Both the lodge and park generate city revenue as well as providing community recreation.

Sustainable Stream Flow Necessity

The City of Tishomingo and associated users are totally reliant on continued, sustainable flows from the Arbuckle Simpson Aquifer for critical water and waste water operations. Minimal flow of 15 cfs (measured at USGS stream gauge on Pennington Creek at Reagan) is needed for efficient operations of the water plant in providing city supply. Treated waste water is returned to Pennington Creek below the city, and flows of 15 cfs or more are beneficial for this operation since the creek continues downstream into the primary water ponds of the Tishomingo National Wildlife Refuge.

Wildlife Refuge.

In summary, Tishomingo relies on surface flows of Pennington Creek for residential, commercial, and industrial uses, for funding essential city operations, and related benefits from educational, recreational, industrial, and state and federal government operations reliant on the same waters. Additionally, the city benefits greatly from waters from the Arbuckle Simpson aquifer for quality of life, recreation, tourism and for economic development.

Drought Challenges to Sustainable Stream Flow

In the severe drought of 1956, Pennington Creek flow was insufficient to meet daily city needs, requiring emergency water actions requiring residents to fill containers with water donated from private wells outside the city limits (Source: Johnston County Capital Democrat, weekly newspaper, 1956).

During the drought conditions of summer of 2011, Pennington Creek flows were reduced to 6.6 cfs in September, less than one-third of the eight year average stream flow of 19 cfs for that month. In response to the recent drought, the city is exploring sources for emergency, alternative water supply in the Antlers Aquifer. Preliminary reports from our consulting engineering firm have been discouraging, noting relative thinness of the Antlers Aquifer where the city has water rights, and both limited water flow and low water quality reports from historical well records in the these areas. This report underscores the importance of the surface flows of Pennington Creek for the City of Tishomingo and illustrates again our reliance on the Arbuckle Simpson as a sole source aquifer.

Mining Threats to Sustainable Flow

When aggregate mines in the Arbuckle Simpson Aquifer excavate into the Arbuckle Simpson Aquifer water level, they “dewater” the aquifer water which enters their pits by pumping the “pit water” out. This “pit dewatering” practice has been an unmetered and unregulated allowance under Oklahoma Department of Mines permits. One mining operation agreed to meter and monitor pit water in response to protests, and data from this one metered “pit dewatering” operation indicated an annual quantity of aquifer water pumped from the mine pit greater than the annual metered use of water by the City of Sulphur, population 4,924. SB 597, passed in 2011, will for the first time require regulation of “pit water,” allowing the OWRB to include “dewatering” in MAY regulatory control under rules still being drafted. Adoption of the SB 288 tentative MAY order is critical SB 597 rules implementation to insure that mining operations are subject to the same regulatory requirements as municipal users, and to provide badly needed regulatory safeguards to insure critical stream flows for our city.

Water Exportation Threats to Sustainable Flow

SB 288 was passed in response to the efforts of a consortium of several cities and towns in Canadian County to purchase and transfer as much as 80,000 AFY via an 88 mile pipeline from groundwater wells in the Arbuckle Simpson Aquifer to central Oklahoma for future municipal water supply. The claim of that consortium was that “there is plenty of water.” The scientific study of MAY for ASA demonstrates definitively that pumping the requested amount of water out of the ASA would have had devastating effects on the ASA and the springs and stream flows critical for water supply and general economy of the City of Tishomingo and other entities.

Adopting the tentative order of .2 is critical for insuring that future marketing of water from the ASA does not adversely affect the aquifer and the surface flows of Pennington Creek which is the source of water for the City of Tishomingo.

Part Three: Provisions of SB 288 and Tentative Rules Establishing .2 AF in Providing Sustainable Flows Are Essential to the City of Tishomingo

The City of Tishomingo supports the provisions of SB 288 and the tentative MAY order of .2 AF and well spacing considerations as approved by the OWRB on March 13, 2012 as providing the best possible assurance of scientific, sustainable management of ASA water resources, and, in turn, the best possible assurance of continued, critical flow levels of Pennington Creek for City of Tishomingo water supply.

The recommended MAY of .2 AF is based on analysis of data contained in the five million dollar, authoritative, scientific study, Hydrogeology and Simulation of Groundwater Flow in the Arbuckle-Simpson Aquifer, South-Central Oklahoma, 2011-5029. This study is “the most extensive MAY study in state history” (OWRB). It establishes that conjunctive use water management is absolutely necessary to preserve the water rights of all stakeholders in the aquifer. It does reduce the amount of groundwater pumping, but in doing so it provides for a sustainable use of water resources rather than a non-sustainable, depleting practice which would eventually damage the aquifer and have devastating effects on residents, farms, ranches, towns, and cities which rely on sole source Arbuckle Simpson Aquifer.

The City of Tishomingo offers its strongest possible support for adoption of the OWRB Tentative Order of MAY for the Arbuckle Simpson Aquifer. We do urge that reasonable consideration and exceptions including liberal time extension be offered to existing permit holders and water providers who demonstrate the need for more than five years to comply with the MAY order because of complex technical, financial, and political realities.



Lewis Parkhill, Mayor
City of Tishomingo

5-11-12
Date



Attested
Sherry Upson
City Clerk/Treasurer



5-17-2012
Date