

- (a) the Board should execute two (2) permits to applicant arising out of the application, including one (1) temporary permit to be numbered 2006-601A authorizing use of 105.29 acre feet of groundwater per year from the Arbuckle-Simpson groundwater basin from a well to be located in the NW 1/4 of the NW 1/4 of Section 1, T 2 S, R 4 EIM, Johnston County, to be based upon 4.7 acre inches per year for each of the 268.83 acres of land dedicated that are located inside the Arbuckle-Simpson outcrop boundary; and one (1) temporary permit to be numbered 2006-601B authorizing use of 215.43 acre feet of groundwater per year from one or more major and/or minor groundwater basins from a well to be located in the SW 1/4 of the SW 1/4 of Section 1, T 2 S, R 4 EIM, Johnston County, to be based upon 4.7 acre inches per year for each of the 550.03 acres of land dedicated that are located outside the Arbuckle-Simpson outcrop boundary; and
- (b) both permits should be conditioned upon applicant's installation of a separate meter on each of the proposed wells capable of recording both the volume and rates of groundwater withdrawals on a continuous basis prior to the withdrawal of any groundwater, and the reporting of such data to the Board on a monthly basis with such reporting being kept as public records; and
- (c) in consideration of the foregoing, the Protestants will withdraw their protests.

Because all of the protestants of record have either (a) withdrawn their protests pursuant to the Stipulation (i.e., reached an agreed settlement with the applicant) or (b) defaulted and abandoned their interests, this matter may be disposed of informally pursuant to 75 O.S. § 309(E).

Having been advised by Board staff based upon the evidence and information of record, the Board determines that due and proper notices of the application and hearing were given to all necessary persons. The applicant, all the protestants, and all other interested persons have been afforded due process of law and an adequate opportunity to be heard. The Board further determines that: (1) the applicant has satisfied the requirements prescribed by law in order for the application to be approved, and (2) the application should be approved upon terms consistent with the Stipulation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that application no. 2006-601, as modified by the terms of the Stipulation between the applicant and the Protestants, shall be and is hereby approved. Two (2) temporary permits shall be issued to applicant upon terms consistent with the terms of the Stipulation.

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IT IS SO ORDERED this 12th day of June, 2007 in regular and open meeting of the
Oklahoma Water Resources Board.

OKLAHOMA WATER RESOURCES BOARD

Chairman

ATTEST:

Secretary

(SEAL)