

**COMMISSION TRAVEL EXPENSE REIMBURSEMENT**

**Approval of Travel Reimbursement** – Upon motion by Ms. Cash, second by Mr. Mitchell, the Commission approved reimbursable expenses for the Chairman or his designated representative to attend the following:

AACD Annual Meeting, Wyndham Hotel, December 11-12, 2007, North Little Rock, Arkansas

**SELECTION OF NOMINATION COMMITTEE**

Chairman Lamkin appointed a Nomination Committee. They are: Neal Anderson, Chairman; Ann Cash; and Jerry Mitchell.

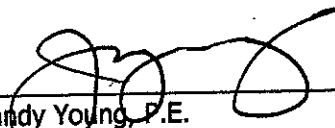
**APPEAL HEARING OF EXECUTIVE DIRECTOR'S FINAL DETERMINATION FOR CABOT WATER WORKS WPC 2007 0502-001**

Mr. Charlie Moulton with the Arkansas Attorney General's office called the hearing to order. Deliberations were held on the record. Upon motion by Dr. Lamkin, second by Mr. Mitchell, the Commission upheld the Executive Director's final determination of July 31, 2007 for WPC 2007 0502-001. For the record, the votes were four in favor, one against, and one abstention. Mrs. Cash was not present at the time of the vote.

Mr. Charlie Moulton concluded the hearing. Details of the hearing are recorded in transcript prepared by the court reporter, Cheryl Dees, and will be incorporated in these minutes as attachment "B".

**ADJOURN**

There being no further business, the meeting was adjourned.

  
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J. Randy Young, P.E.  
Executive Director and Secretary

12-13-07  
Date



BEFORE THE ARKANSAS NATURAL RESOURCES COMMISSION

IN THE MATTER OF: Cabot, Arkansas  
WPC# 2007 05 02 - 001

FINAL DETERMINATION  
ARKANSAS WATER PLAN COMPLIANCE

This application was considered for Water Plan Compliance pursuant to Arkansas Code Annotated §15-22-503 and the Arkansas Natural Resources Commission's Rules for Water Development Project Compliance with the Arkansas Water Plan. Based upon the record of this matter, I, acting as referee for the Arkansas Natural Resources Commission, do make the following findings of fact and conclusions of law:

1. The Applicant is Cabot, Arkansas.
2. The application was filed on May 2, 2007.
3. Notice of Hearing was published on May 23, 2007 in the *Cabot Star – Herald*, a paper of general circulation in Lonoke County.
4. A hearing was held on June 7, 2007 at 2:00 p.m., at the Cabot City offices in Lonoke County.
5. Mr. Tim Joyner, General Manager, represented the Applicant at the hearing.
6. This project involves an increase in the amount of water the Applicant draws from its existing well field. The Applicant requests an increase from 3.0 million gallons per day (MGD) to 6.0 MGD. The Applicant also proposes to stop using the well field after 2030, when a series of loans to finance an alternative, surface-water supply will be repaid. After 2030, the well field and treatment plant will be maintained as an emergency water supply.
7. I have reviewed the application and, with modification, find the project to be in compliance with the Arkansas Water Plan because it:
  - (A) Implements the goals and objectives of the Arkansas Water Plan; and,
  - (B) Coordinates the efficient use of water resources in the project vicinity and surrounding region.
8. Specific findings concerning the project are:
  - (A) This Water Plan Compliance Determination supersedes the Cabot Water Plan Compliance Determination 1999 07 23 – 523.
  - (B) The Applicant has demonstrated through running its water system that it has the managerial, financial and operational abilities to run a water system.



# Arkansas Natural Resources Commission



**J. Randy Young, PE**  
Executive Director

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**Mike Beebe**  
Governor

July 31, 2007

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Mr. Tim Joyner, P.E.; General Manager  
Cabot WaterWorks  
Post Office Box 1287  
Cabot, Arkansas 72023-1287

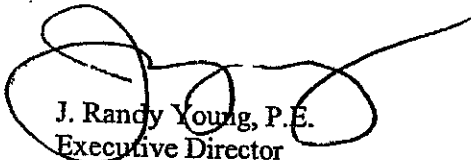
**Re: Cabot's Water Plan Compliance Determination**  
**WPC# 2007 05 02 - 001**

Dear Mr. Joyner:

The review of your water project has been completed, and my findings are that it would be in compliance with the Arkansas Water Plan.

Enclosed is a copy of the Determination of Water Plan Compliance (WPC) for your files. If you need assistance, or have any questions concerning this project, contact Dave Fenter at 501-682-0543.

Sincerely,



J. Randy Young, P.E.  
Executive Director

JRY/ETS/DF/msb

Enclosure

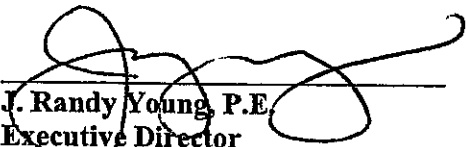
cc: Robert Hart, P.E., Arkansas Department of Health and Human Services

- (C) The Applicant's well field uses the alluvial aquifer as the source of water. This aquifer is within the Grand Prairie Critical Groundwater Area. The aquifer is declining. Because of the declining water levels, the Commission requested additional information from the Applicant on the effect the increase in withdrawal will have on the aquifer in the area surrounding the well field. The Applicant contracted with the United States Geological Survey (USGS) to develop a computer model.
- (D) The USGS prepared a report based on the computer model. The Applicant submitted the report to the Commission. The report contains information on sixteen different scenarios. The scenarios cover four different flow regimes for the Applicant, three different flow regimes for Grand Prairie Public Facilities Board (PFB), which has two wells approximately 1.5 miles from the Applicant's wells, and five different flow regimes for agricultural use in the area.
- (E) This Final Determination is based on a balancing of three interests: the increasing need for public drinking water in Arkansas; the development of alternative surface water supplies to supplement groundwater use and conserve the state's aquifers; and the groundwater rights of both the Applicant and the landowners near the well field.
- (F) This Final Determination balances those interests by allowing the Applicant limited increased use of the groundwater for public drinking water to the extent it does not cause unreasonable harm to neighboring groundwater users.
- (G) Interpolating the data in the USGS report, it will take approximately fifteen years before the aquifer will decline an additional ten feet. The Commission does not believe this to be an unreasonable rate of decline, especially in light of overall decline of the aquifer. The USGS report shows that the aquifer is expected to decline in the same area over the next 15 years without any increased use by the Applicant.
- (H) The Applicant may increase the amount of water it withdraws from its well field from 3.0 MGD to 6.0 MGD until construction of the connection to Central Arkansas Water is complete and the contractor is released. The Applicant will lower the flow from the well field from 6.0 MGD to 3.0 MGD within 90 days of the contractor's release.
- (I) The Applicant must stop withdrawals from its well field on or before January 1, 2023. After this date, the Applicant may use its well field only in emergency situations for as long as surface water is not available.
- (J) The Applicant will operate its well field in a manner which will limit the impact of its withdrawals to the surrounding land owners.
- (K) The Commission as part of its annual water level measurement program will track and compare water level results in the area with the USGS computer model information provided in the Applicant's application package.

Based upon the above findings and recommendations regarding this proposal, this water development project meets the objectives of the Arkansas Water Plan and is hereby approved for

Water Plan Compliance Certification. This Certification will remain valid for as long as reasonable progress toward project completion can be documented, and/or for the amortized life of the project. Any significant changes in project scope will require submittal of new project plans for Water Plan Compliance Review and Certification.

This determination entered the 31<sup>st</sup> day of July, 2007.



**J. Randy Young, P.E.**  
**Executive Director**  
**ARKANSAS NATURAL RESOURCES COMMISSION**  
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