



B Section: Kinta, Porum
Basketball highlighted

Walmart helping out at Christmas

See Page 4

Eight file for local school board positions

See Page 13

Hopeful shoppers gather for the second Shop Stigler Cash Giveaway outside of the Stigler-Haskell County Chamber of Commerce office Dec. 10. The next drawing, the last of the season, will be at 10 a.m. Dec. 17. The drawings give shoppers a chance to win \$75, \$150 or \$300. You must be present to win.

Staff photo by Doug Russell

Stigler news-sentinel



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WATER WARS

OWRB poised for 'end run?'

By Doug Russell
News Editor

The Oklahoma Water Resources Board is poised to try what many see as an "end run" around a lawsuit to determine water rights in portions of southern Oklahoma and, by extension, the rest of the state.

And that run won't be paid for with state money. Instead, it will come from the pockets of every person or entity who has or wants to have a water permit from the area.

The move comes on the heels of a federal mediator being appointed in a lawsuit between the state of Oklahoma and the Choctaw and Chickasaw Nations, the Oklahoma Water Resources Board has paved the way for a different lawsuit, this time in state court.

Duke University law professor Francis McGovern has been appointed to find a suitable agreement between the tribes, state, Oklahoma City and the Oklahoma Water Resources Board, tribal lawyer Michael Burrage said Dec. 7. "Mr. McGovern is a nationally recognized mediation expert with extensive experience, history and education. We believe he will do a great job."

Less than a week later, the state cleared the way for an attempt to make what some observers see as an "end run" around possible federal mediation.

The OWRB is considering trying to have water use of much of southern Oklahoma adjudicated, which Turn to **WATER**, 13

Five injured in HWC accident

Stigler woman remains in intensive care



Staff photo by Doug Russell

Stigler police work the scene of an accident in front of the Stigler Health & Wellness Center shortly after 11 a.m. Dec. 9.

By Doug Russell
News Editor

A Stigler woman remained in intensive care at St. Francis Hospital Tuesday, where she had been since a Friday morning accident near the Stigler Health & Wellness Center.

A medical helicopter flew Me-

lissa K. Hale, 20, to the Tulsa hospital after she was first stabilized at Haskell County Community Hospital. She suffered a broken hip, five broken ribs and lacerations on her liver and spleen, according to her mother, Rose Hale.

According to Rose, one of Melissa's lungs collapsed after she

had arrived at St. Francis, requiring a chest tube to reinflate it. That tube remained Tuesday morning, but other tubes to help Melissa recover have been removed, Rose said.

There was some indication of head injury, but that has not been Turn to **HALE**, 2

Angels needing angels

By Karen West
Staff Writer

There are a lot more angels this year, children hoping for a gift on Christmas.

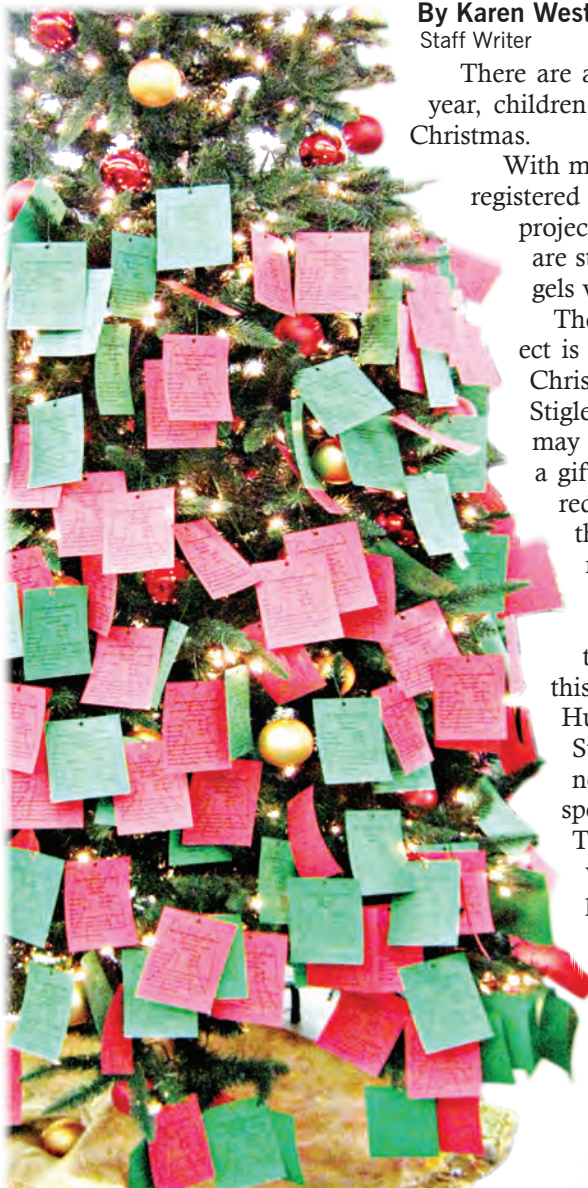
With more than 800 children registered for the Angel Tree project this Christmas, there are still more than 200 angels waiting, and hoping.

The Angel Tree project is dedicated to bringing Christmas to children in the Stigler area, children who may otherwise not receive a gift at all. Small tags of red and green hang from the Angel Tree, located near the front doors at the Stigler Walmart.

"We received more than 800 applications this year," said Teresa Huggins, CEO of the Stigler Health & Wellness Center, which is sponsoring the Angel Tree project. "There were about 650 applications last year."

As of Dec. 12, there were still about 240 angels left on the tree.

These angel tags hold the wishes of children who hope to have those wishes Turn to **TREE**, 2



Sparse crowd, fast draw

Three win in cash giveaway

By Doug Russell
News Editor

Four people entered the Stigler-Haskell County Chamber of Commerce office Dec. 10 and were turned away. They wanted to put their tickets in the hopper for the Shop Stigler Cash Giveaway, but were advised that the Chamber only accepted tickets from merchants.

"This is the only way we can make sure that no one cheats," explained Chamber representative Valerie Crase. "You can buy the tickets at Turn to **DRAWING**, 4



Staff photo by Doug Russell

Winners of the Dec. 10 Shop Stigler Cash Giveaway are, from left, Clara Broyles, \$75; Ann Roach, \$150; and Chris Garman, \$300. The next drawing will be at 10 a.m. Dec. 17.

Making the grade

Stigler teachers receive national certification

By Karen West
Staff Writer

National Board Certification — the "gold standard" for teaching excellence — is the highest credential given to American educators.

"National Board Certification is synonymous with great teaching," said Ronald Thorpe, president and CEO of the National Board for Professional Teaching Standards, in a news release published Dec. 7.

This year, 6,200 teachers nationwide were awarded with Na-

tional Board certification, with a total of almost 100,000 teachers now certified. That includes two teachers from Stigler.

At the Stigler Grade School, there are now six teachers who are National Board Certified. The newest to join the ranks are Shawna Coplen, fourth-grade teacher, and Cindy Keith, kindergarten teacher.

"Six teachers on one staff is great," said Stigler Grade School Principal John McClain.

Along with Coplen and Keith

are third-grade teacher Valorie Lewis and Speech Therapists Miranda Reece, Amanda Hare and Theresa Lackey.

National Board Certified teachers used to get an annual bonus, rewarding them for making the effort and striving to improve their teaching skills to become certified. But with budget cuts at the national level and funding running out, the bonuses are no longer given.

National Board Certification is achieved through a rigorous, Turn to **GRADE**, 3

Courthouse	5	Obituaries	6
Legals	12	Classifieds	B6, 7
Vantage Point	8	Cook's Corner	11
Religion	10	Sports	15, 16

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SATURDAY Mostly sunny and clear.
53 33

SUNDAY Chance of rain.
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Races set in two school districts

By Doug Russell
News Editor

With the filing period closed Dec. 9, races are shaping up in two Haskell County school districts, while seats in three others are being filled by default.

Two candidates each have filed for office in Keota and Stigler. Candidates for office in McCurtain, Whitefield and Kinta were unopposed.

Gary P. Hill and Roger Weese are facing off for a 5-year term in Office No. 2 of the Keota Board of Education, while Susan White and Ray Bond are vying for Office No. 2 in

Stigler, also a 5-year term.

Tony J. Daniel was unopposed in his bid for a 5-year term on the Kinta Board of Education, as was Ted Spears for a 5-year term in Whitefield.

Two school board positions were open in McCurtain, with one candidate filing for each. Sue Warren filed for a 5-year term in Office No. 2 and Melissa Lovell filed to fill an unexpired term in Office No. 1.

Unopposed candidates win the position by default.

Elections for the Stigler and Keota boards of education will be held Feb. 14.

WATER



means that a state court would decide just who has the right to use the water. It gave that "consideration" legs when it voted Tuesday to allow its attorneys to file adjudication proceedings as they saw fit.

The OWRB indirectly announced it would be considering adjudication when it posted the agenda for its Dec. 13 meeting. The board was to have an executive session to consider having its lawyers "... institute suits to adjudicate all rights to the use of water in the Kiamichi River stream system, including by not limited to the Kiamichi River, all tributaries thereof, and all reservoirs on any such stream contained in Basins 5 and 6 of the Southeast Watershed Planning Region ... and the Muddy Boggy stream system, including but not limited to the Muddy Boggy Creek, all tributaries thereof, including but not limited to Clear Boggy Creek, North Boggy Creek and McGee Creek, and all reservoirs on any such stream confined within Basins 7, 8 and 9 of the Blue-Boggy Watershed Planning Region ..."

Tuesday the board gave state adjudication the go-ahead.

Who pays?

Adjudication proceedings are used in 18 different western states to determine just who has water rights and what those rights are. The last time an adjudication suit was filed in Oklahoma was during the 1950s.

Under Title 82 §§ 105.6 of state statutes, only the Oklahoma Water Resources Board can institute a water adjudication proceeding. However, the statute says, "The cost of such suit, including the costs on behalf of the state, shall be charged against each of the parties thereto in proportion to the amount of water rights allotted." In other words, each and every water system or user who has a permit in any of the effected areas will be required to foot the bill for the state to adjudicate the case.

Title 82 §§ 105.7 carries this a little further: "In any suit for the determination of rights to the use of the waters of any stream, brought pursuant to Section 6, any person who is using or who has used water from the stream or who claims the right or who might claim the right to use water from the stream may be made a party to the suit. Any person who is using or who has used or who claims the right to use water from the stream may intervene."

No comments

None of the many people who attended the OWRB's Dec. 13 meeting were allowed to say anything about it. Elected officials from Talihina, Bryan County and a wide range of other areas in southern and Southeast Oklahoma attended the meeting Tuesday, as did citizens concerned that water from the area is in jeopardy. The non-OWRB attendees were assured they would have a chance to be heard before board members voted on matters considered in executive session.

They weren't. Board spokesman J.D. Strong was already gone for the day when the *News-Sentinel* attempted to contact him at 4:30 p.m. However, a woman in his office said that Strong wanted all calls about the board meeting referred to Diane Clay at the Oklahoma Attorney General's Office — even if the caller wanted nothing more than to confirm the board's executive session vote and whether audience members had been told they would be allowed to speak, then denied that opportunity.

Several people who had attended the meeting said the board had been advised by its attorneys not to give the public a chance to speak. That is the board's right under the state's open meeting laws, which require business to be conducted in public but does not require a public body to hear from the public itself before reaching a vote. Still, many were rankled by the fact that they drove hours to Oklahoma City, simply to be largely ignored by the people who are charged with overseeing the state's

water.

Clay said, "I have a press release I'll be sending out in a few minutes. That should answer any questions." She denied that the possible adjudication was an attempted end run around the federal lawsuit filed by the Choctaw and Chickasaw tribes. "That's going forward," she said.

The Oklahoma Attorney General's Office represents the state in its lawsuit against the tribes. Whether the attorney general will also represent the state in adjudication proceedings is unclear, but the fact that all calls to the OWRB with reference to Tuesday's action were referred to the attorney general indicate that would be the case.

State's claim

The press release Clay issued states that the tribes, through their Aug. 18 lawsuit against the state, are seeking to control all water rights in 22 counties. The release says, in part, "Much misinformation is being circulated about the action taken by the Oklahoma Water Resources Board at today's meeting. The OWRB voted to authorize its legal counsel, at their discretion, to file a comprehensive adjudication of the rights to the waters in the Kiamichi River, Muddy Boggy Creek and Clear Boggy Creek basins.

"The action was in response to a lawsuit filed by the Chickasaw and Choctaw Nations. In the lawsuit, the Nations seek total control of water in 22 counties in southeastern Oklahoma. ...

"As long as the tribes' lawsuit remains filed, the state must take action to protect the rights of all citizens in the waters of the state of Oklahoma. Because the tribes have challenged the OWRB's authority to issue permits until a general stream adjudication is completed, the state must be in a position to file such an adjudication, if necessary. The OWRB's action today put the state in that position.

"The OWRB's authorization to file a comprehensive stream-wide adjudication was given to protect the citizens' rights to the water that the tribes seek. The authorization simply puts the state in the position to file the adjudication **if necessary based on the tribes' actions.**" *Emphasis in original.*

Tribes claim

The tribes say they are suing to ensure they have a say in how water from Southeast Oklahoma is used.

The tribes' lawsuit specifically states that the tribes believe that the OWRB's move to grant the water from Sardis Lake to the Oklahoma City Water Utilities Trust in 2010 is in direct violation of federal treaties made with the tribes.

The tribes claim that the state, through its actions, is undermining their right to control water in their treaty-granted territories and that the state has long refused to acknowledge the tribes' rights and wishes when it comes to water resources. In filing the federal lawsuit, the tribes say, "... Given the Plaintiff Nations' longstanding yet wholly disregarded effort to commence government-to-government negotiations with the state of Oklahoma on these critical issues, the initiation of this action is the only means available to the Plaintiff Nations to protect their treaty rights and the critical water resources of their promised and federal-law protected homeland."

In their lawsuit, the tribes ask for a comprehensive adjudication of water rights in the disputed area.

The tribes also ask the federal courts to prevent the OWRB from taking any action on the June 2010 agreement with the Oklahoma City Water Utilities Trust and to prevent the state from taking water from the disputed area until a comprehensive adjudication is completed.

An amended complaint filed in November claims that an easement across tribal territory for water being pumped for Atoka Lake was never negotiated with the tribes.

Continued from 1

Left, water advocate Bob Jackman with a satirical sign he erected after the Oklahoma Water Resources Board granted Sardis Lake storage rights to Oklahoma City.

File photo

QUOTABLE

“Facts don't cease to exist just because they are ignored.”

— Aldous Huxley

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