IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, et. al.	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:05-cv-00329-TCK-SAJ
	)	
TYSON FOODS, INC., et al.,	)	
	)	
Defendants.	)	

AFFIDAVIT OF KENT WILKINS

I, Kent Wilkins, being duly sworn according to oath, depose and state:

1. I have been employed with the Oklahoma Water Resources Board since May 1990. Since April 2002, I have been the administrator of the well drillers and pump installers licensing program.

2. During the week of May 1, 2006, I was informed of the state's proposed sampling and monitoring at poultry farm sites.

3. The installation and plugging procedures as described, including the use of geoprobe equipment, also referred to as "direct push geological boring", would allow sampling to depths of approximately 10 to 15 feet. The actual geoprobe work would be conducted by a driller licensed by the Oklahoma Water Resources Board.

4. The Oklahoma Water Resources Board has promulgated a comprehensive set of rules in Chapter 35 of the Title 785 of the Oklahoma Administrative Code (OAC) governing the minimum standards for construction and plugging of wells, including monitoring wells. Under the rules, monitoring wells are

defined to include geotechnical borings, and a geotechnical boring is defined to include direct push geological boring.

5. The rules, at OAC 785:35-7-2(a), provide that geotechnical borings shall be constructed in such a manner to prevent waste and contamination of groundwater by pollution material from entering the ground around the casing or boring, or by entering the fresh groundwater from pollution sources below the ground.

6. The rules, at OAC 785:35-11-2(c), provide that direct push geotechnical borings shall be plugged to prevent pollution of groundwater within 30 days after completion of the drilling by compressing bentonite chips within the annulus space from the bottom of the borehole to within 10 feet of the land surface, then cement grout is to be installed through a tremie pipe from 10 feet to the land surface.

7. As described, the installation and plugging procedures proposed will meet the requirements of the rules of the Oklahoma Water Resources Board.

FURTHER AFFIANT SAITH NOT.

State of Oklahoma)
) ss.
County of Oklahoma)

Kent Wilkins

Kent Wilkins

Subscribed and sworn to before me this 8 day of May, 2006.

Carla Jennings

Notary Public

My Commission Expires: 9/6/08

(SEAL)