

AGENDA
OKLAHOMA WATER RESOURCES BOARD

December 9, 2003
9:30 a.m.

OWRB Board Room
3800 Classen Boulevard
Oklahoma City, Oklahoma

A copy of this notice of meeting and agenda has been posted in a prominent location at the offices of the Oklahoma Water Resources Board, 3800 North Classen Blvd., Oklahoma City, on December 2, 2003, at 4:45 p.m. A copy of this agenda is available on the OWRB website at www.owrb.state.ok.us. Revised items are indicated by “•” and italics.

01000 1. CALL TO ORDER **VICE-CHAIRMAN SHARP**

- A. Invocation
- B. Roll Call
- C. Discussion, Amendments, and Vote to Approve Official Minutes of the November 4, 2003 Regular Meeting.
- D. Executive Director's Report. **Mr. Duane Smith**

02000 2. FINANCIAL ASSISTANCE DIVISION **Mr. Joe Freeman**

- A. Consideration of and Possible Action on a Proposed Order Approving Loan for Rural Water District #5, Mayes County. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Loan for Bartlesville Municipal Authority, Washington County. Recommended for Approval.
- C. Consideration of and Possible Action on a Proposed Order Approving Loan for Bartlesville Municipal Authority, Washington County. Recommended for Approval
- D. Consideration of and Possible Action on a Proposed Order Approving Loan for The Lawton Water Authority, Comanche County. Recommended for Approval.
- E. Consideration of and Possible Action on a Proposed Order Approving Loan for Edmond Public Works Authority, Oklahoma County. Recommended for Approval.

- F. Consideration of and Possible Action on a Proposed Order Approving Loan for Miami Special Utility Authority, Ottawa County. Recommended for Approval.
- G. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Rural Water District #6, Wagoner County, Oklahoma. Recommended for Approval.
- H. Consideration of and Possible Action on a Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds Series 2004A in Aggregate Principal Amount Not to Exceed \$79,660,000; Approving and Authorizing Execution of a Twelfth Supplemental Bond Resolution Providing for the Issuance of Said Bonds; Waiving Competitive Bidding on the Bonds and Authorizing the Sale Thereof by Negotiation and at a Discount Pursuant to the Terms of a Contract of Purchase Pertaining Thereto; Approving a Preliminary Official Statement With Respect to Said Bonds; Directing Deposit of Proceeds Derived from the Issuance of the Bonds in the State Treasury and Requesting the State Treasurer to Remit Such Proceeds to the Bond Trustee; Ratifying and Approving the Form of Promissory Note and Loan Agreement to be Executed by Borrowers in the State Loan Program; Authorizing Execution of Such Other and Further Instruments, Certificates and Documents as may be Required for the Issuance of the Bonds; Directing Payment of Costs of Issuance and Containing Other Provisions Relating to the Issuance of the Bonds. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS VICE-CHAIRMAN SHARP

Any item listed under this Summary Disposition Agenda may, at the request of any member of the Board, the Board's staff, or any other person attending this meeting, be transferred to the Special Consideration Agenda. Under the Special Consideration Agenda, separate discussion and vote or other action may be taken on any items already listed under that agenda or items transferred to that agenda from this Summary Disposition Agenda.

- A. Requests to Transfer Items From Summary Disposition Agenda to the Special Consideration Agenda, and Action on Whether to Transfer Such Items.
- B. Discussion, Questions, and Responses Pertaining to Any Items Remaining on Summary Disposition Agenda and Action on Items and Approval of Items 3. C through 3. N.
- C. Consideration of Approval of the Following Applications for REAP Grants in Accordance with the Proposed Orders Approving the Grants:

REAP Item No.	Application No.	Entity Name	County	Amount Recommended
GGEDA 1.	FAP-03-0038-R	Copan Public Works Authority	Washington	\$150,000.00
NODA 2.	FAP-03-0024-R	Red Rock Public Works Authority	Noble	99,500.00
OEDA 3.	FAP-03-0027-R	Rural Water District #1	Dewey	99,990.00

SODA				
4.	FAP-03-0029-R	Town of Stonewall	Pontotoc	23,400.00

D. Contracts and Agreements Recommended for Approval.

1. Consideration of Amendment to Joint Funding Agreement with the U.S. Geological Survey for Stream Gaging on the Little Washita River Basin.
2. Consideration of Amendment to Joint Funding Agreement with the U. S. Geological Survey for Reductions in the Federal-State Cooperative Program.
3. Consideration of Interagency Agreement with the Oklahoma Department of Public Safety – Oklahoma Highway Patrol for Temporary Traffic Control.
4. Consideration of Intergovernmental Agreement with the Office of the Secretary of Environment for Ecoregion Delineation and Refinement in Oklahoma.
5. Consideration of Intergovernmental Agreement with the Office of the Secretary of Environment for Monitoring in Support of Total Maximum Daily Load (TMDL) Development in the Upper Kiamichi and Upper Little River Watersheds.
6. Consideration of Professional Services Contract for Maintenance of Agency Information Technology Equipment.
7. Consideration of Interagency Agreement with the Oklahoma Office of State Finance for Services Related to Development of OWRB Web Applications.
8. Consideration of Memorandum Agreement with the Oklahoma Transportation Authority for Floodplain Management Review.

E. Applications for Temporary Permits to Use Groundwater:

1. Bobby J. & Barbara E. Henry, Caddo County, #2003-524
2. Ray Kluver Revocable Trust, Caddo County, #2003-551
3. Ernest Ray Kluver, Reta F. Hamilton, Geneva N. Sisson and Nelda F. Carlisle, Caddo County, #2003-552
4. Deep Fork Farm, LLC, Oklahoma County, #2003-565

F. Applications to Amend Temporary Permits to Use Groundwater:

1. City of Miami, Ottawa County, #1977-868
2. Bryan Kroeker, Garfield County, #1998-526

G. Applications for Regular Permits to Use Groundwater:

1. Seaboard Farms, Inc., Beaver County, #2002-606

H. Applications to Amend Regular Permits to Use Groundwater:

1. Town of Calera, Bryan County, #1974-328

I. Applications to Amend Prior Rights to Use Groundwater:

1. John R. Doggett, Caddo County, #1970-395

- J. Applications for Regular Permits to Use Stream Water:
1. Deep Fork Farm, Oklahoma County, #2003-025
 2. TXI Operations, L.P., Bryan County, #2003-026
 3. Cimarron Land Trust, Caddo County, #2003-027
 4. Noble Coy, Beckham County, #2003-029
- K. Applications to Amend Regular Permits to Use Stream Water:
None
- L. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Lamberth Water Well Drilling DPC-0631
 - (1) Operator: Kenneth C. Lamberth OP-1369
 - Activities: Groundwater wells, test holes and observation wells
Monitoring wells and geotechnical borings
Pump installation
Heat exchange wells
 - (2) Operator: Emmet Divine OP-1370
 - Activities: Groundwater wells, test holes and observations wells
Pump installation
 2. New Operators and/or Activities for Existing Licenses:
 - a. Licensee: Tim Hall, Inc. DPC-0445
 - (1) Operator: Lyal Glover OP-1372
 - Activities: Groundwater wells, test holes and observation wells
Pump installation
 - (2) Operator: Phillip Thomas OP-1373
 - Activities: Groundwater wells, test holes and observation wells
 - b. Licensee: Professional Service Industries, Inc. DPC-0625
 - Operator: Johnny Jarman OP-1364
 - Activities: Monitoring wells and geotechnical borings
- M. Dam and Reservoir Plans and Specifications:
1. City of Bartlesville, Hudson Lake, Osage County, DS-03-09
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Oklahoma Water Resources Board, Cotton and Comanche Counties, FP-03-15
 2. Oklahoma Transportation Authority, McIntosh County, FP-03-16

04000 4. QUESTIONS AND DISCUSSION ABOUT AGENCY WORK AND OTHER ITEMS OF INTEREST.

No items.

05000 5. SPECIAL CONSIDERATION

For INDIVIDUAL PROCEEDINGS, a majority of a quorum of Board members, in a recorded vote, may call for closed deliberations for the purpose of engaging in formal deliberations leading to an intermediate or final decision in an individual proceeding under the legal authority of the Oklahoma Open Meeting Act, 25 O.S. 2001, Section 307 (B)(8) and the Administrative Procedures Act, 75 O.S. 2001, Section 309 and following.

A majority vote of a quorum of Board members present, in a recorded vote, may authorize an executive session for the purposes of CONFIDENTIAL COMMUNICATIONS between the public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct the pending investigation, litigation, or proceeding in the public interest, under the legal authority of the Oklahoma Open Meetings Act, 25 O.S. 2001, Section 307(B)(4).

- A. Application for Regular Permit to Use Groundwater No. 2003-510, Creek County RWD No. 5, Creek County:
 - 1. Summary – **Mr. Mathis**
 - 2. Discussion and presentation by parties
 - 3. Possible executive session
 - (a) Vote on whether to enter executive session
 - (b) If executive session approved, designation of person to keep minutes
 - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
 - 4. Vote on whether to approve the proposed order as presented or as may be amended, or vote on any other action or decision relating to the proposed order

- B. Application for Temporary Permit to Use Groundwater No. 2003-543, Lee W. Young, in his capacity as Trustee of the Lee W. Young Revocable Trust, Logan County:
 - 1. Summary – **Mr. Mathis**
 - 2. Discussion and presentation by parties
 - 3. Possible executive session
 - (a) Vote on whether to enter executive session
 - (b) If executive session approved, designation of person to keep minutes
 - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
 - 4. Vote on whether to approve the proposed order as presented or as may be amended, or vote on any other action or decision relating to the proposed order

- C. Consideration of Items Transferred from Summary Disposition Agenda, if any.

06000 6. PRESENTATION OF AGENCY BUDGET REPORT

Mr. Jim Schuelein

07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY

8. NEW BUSINESS

Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.

9. ADJOURNMENT

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, January 13, at 9:30 a.m., in Oklahoma City, Oklahoma.

The Board's Ad Hoc Audit Committee will meet immediately following the December Board meeting.