

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

June 10, 2008

9:30 a.m.

3800 N. Classen Boulevard
Oklahoma City, OK 73118

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, Oklahoma, on June 3, 2008 at 5:00 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov. Revised items are indicated by “•” and italics.

- 01000 1. CALL TO ORDER** **Chairman Mark Nichols**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the May 14, 2008, 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 Tulsa Metropolitan Utility Authority, Tulsa County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Roland Utility Authority, Sequoyah County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Loan for Guymon Utilities Authority, Texas County. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Lawton Water Authority, Comanche County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS

Chairman Nichols

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. P.
- C. Consideration of Approval of the Following Applications for REAP Grants in Accordance with the Proposed Orders Approving the Grants:

REAP				Amount
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Recommended</u>
COEDD				
1.	FAP-02-0045-R	Rural Water & Solid Waste Management District #1	Seminole	\$119,000.00
GGEDA				
2.	FAP-07-0050-R	Bluejacket Public Works Authority	Craig	99,864.00

D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:

- 1. *Interagency Agreement with the Grand River Dam Authority for fish and wildlife mitigation activities within the Grand River Basin. Item withdrawn*
- 2. Intergovernmental Agreement with the Central Oklahoma Master Conservancy District to provide environmental and routine monitoring at Lake Thunderbird.
- 3. Amendment Agreement with The Office of the Secretary of the Environment for the Clean Water Act FY08/09 §106 Water Pollution Control Program – Monitoring CA# I-006400-08M.
- 4. Interagency Agreement with the Oklahoma Department of Environmental Quality for sharing of office space at the OWRB’s Woodward and McAlester offices.
- 5. Extension and Amendment Agreement with Oklahoma State University Department of Natural Resources, Ecology, and Management for a no-cost extension on the current project “Instream Flow Assessment of Streams Draining the Arbuckle-Simpson Aquifer”.

6. Contract with the Oklahoma Department of Environmental Quality to provide lab equipment and analysis services to OWRB for the Board's water monitoring programs.
 7. Lease Agreement with the Oklahoma Department of Central Services for renewal of lease of the OWRB's Tulsa office.
 8. Memorandum of Agreement with the Oklahoma 4-H Foundation for the OWRB/4-H Speech Contest and Recognition Program.
 9. Amendment of Joint Funding Agreement with the U.S. Geological Survey for the project "To Investigate the Water Resources of the Arbuckle-Simpson Aquifer Special Studies, South Central Oklahoma".
 10. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide accounting services related to the Board's financial assistance programs.
 11. Second Extended and Amended Agreement with American Municipal Tax-Exempt Compliance Corp. for arbitrage rebate calculation and consulting services.
 12. Agreement with BancFirst for financial custody services for the Board's financial assistance loan programs.
 13. Professional Services Engagement Letter with John M. Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs.
 - 14. *Interagency Agreement with the Grand River Dam Authority for dissolved oxygen monitoring and outreach activities within the Grand River Basin. Item withdrawn*
 - 15. *Contract for Volunteer Monitoring between Lake Hudson Association of Mayes County and the OWRB. Item withdrawn*
 16. Interagency Agreement with the Oklahoma Department of Environmental Quality regarding the Drinking Water State Revolving Fund.
 - 17. *Agreement Between Department of Army and Oklahoma Water Resources Board for the Washita River Basin Feasibility Study. Item added*
- E. Applications for Temporary Permits to Use Groundwater:
1. Danny & Joy Lawrence, Alfalfa County, #2007-557
 2. Gregory Farms, L.L.C., Major County, #2008-509
 3. City of Cache, Comanche County, #2008-522
 4. Bryan & Lavonne Kroeker, Major County, #2008-523
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Horton & Son Farms, Inc., Harmon County, #1977-658
 2. Hollis Cotton Oil Mill Farm Corporation, Inc., Harmon County, #1998-563
- G. Applications for Regular Permits to Use Groundwater:
1. GFL Daughters, L.L.C., Texas County, #2007-576

2. James F. Harman Revocable Living Trust, Leota May Harman Revocable Living Trust, Laurance C. & Deloris A. Randall, Michael L. & Teri L. Randall, Stanley D. Jr. & Cynthia D. Mullanax, and David & Paula Harman, Canadian County, #2007-581
 3. Andrew & Jamie Gough, Cimarron County, #2008-511
 4. Wayne & Rita Montgomery, Cimarron County, #2008-515
- H. Applications to Amend Regular Permits to Use Groundwater:
1. William M. & Marjorie L. Knop, Texas County, #1994-526
- I. Applications to Amend Prior Rights to Use Groundwater:
1. Hollis Cotton Oil Mill Farm Corporation, Inc., Harmon County, #1952-127
 2. City of Cache, Comanche County, #1970-219
- J. Applications for Regular Permits to Use Stream Water:
1. Rick & Linda Raney, Bryan County, #2008-004
- K. Applications for Term Permits to Use Stream Water:
1. JoB Construction Company, Inc., LeFlore County, #2008-005
- L. Proposed Order for Informal Disposition by Default for Administrative Cancellations of Rights to Use Stream Water:
1. John & Karen Cohen, McCurtain County, #1993-037
 2. Hulen & Sandra Missildine, McCurtain County, #1995-041
 3. J. W. Gaston, McCurtain County, #1972-523
 4. Tony Lovitt, Pushmataha County, 1978-120
 5. Wes Watson, McCurtain County, #1979-006
 6. Walter & Oma Lee Peters, McCurtain County, #1988-021
 7. Carl LeForce Farms, McCurtain County, #1988-017
 8. Lucille Cranford, Pushmataha County, #1967-307
 9. Billy Easterwood, Choctaw County, #1978-141
 10. Marty & Corina Wilson, Pittsburg County, #1997-022
 11. Nelson Heddlesten, Choctaw County, #1998-044
 12. Dewitt King & Larry Dennis, Pushmataha County, #2000-025
 13. Braum's Dairy Farm a.k.a W. H. Braum Family, L.P., Coal County, #1953-123
 14. H. B. Chapin, Choctaw County, #1958-237
 15. W. E. Reeves, Pontotoc County, #1964-019
 16. U. V. Barnard, Atoka County, #1964-846
 17. Fred Smith, Atoka County, #1964-867
 18. Arch Rounsaville, Choctaw County, #1965-487
 19. W. B. Garrett, Hughes County, #1965-639
 20. Leon Russell, Hughes County, #1966-318
 21. Arch & Carl Rounsaville, Choctaw County, #1971-221
 22. Braum's Dairy Farm a.k.a. W. H. Braum Family, L.P., Coal County, #1978-065
 23. Braum's Dairy Farm a.k.a. W. H. Braum Family, L.P., Coal County, #1978-069
 24. Charles Shockley, Pontotoc County, #1980-074
 25. Henry Young, Pontotoc County, #1981-064
 26. T. A. Comstock, Hughes County, #1984-013
 27. Randall Pogue, Pontotoc County, #1987-004
 28. Donald Houser, Atoka County, #1991-017
 29. George & Elizabeth Harrington, Choctaw County, #1997-020
 30. Consolidated Stone Industries, Johnston County, #1999-018

M. Well Driller and Pump Installer Licensing:

1. New Operators for Existing Licenses:

- a. Licensee: Oklahoma Corporation Commission – Oil & Gas DPC-9006
Operator: David Howard OP-1615
Activities: Monitoring wells and geotechnical borings
- b. Licensee: Boart Longyear, Co. DPC-0671
Operator: Fred Hafner OP-1616
Activities: Monitoring wells and geotechnical borings

2. New Operators and Activities for Existing Licenses:

- a. Licensee: Summers Well Drilling DPC-0568
 - 1. Operator: David Paul Summers OP-1617
Activities: Groundwater wells, test holes and observation wells
Heat exchange wells
 - 2. Operator: Jacob Andrew Summers OP-1618
Activities: Groundwater wells, test holes and observation wells
Heat exchange wells

N. Dam and Reservoir Construction:

- 1. TKT Ranch, L.L.C., Major County, NID No. OK83009

O. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

- 1. Oklahoma Department of Transportation, Ottawa County, #FP-08-11
- 2. Oklahoma Department of Transportation, Mayes County, #FP-08-13

P. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the June 10, 2008 packet of Board materials

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

- A. Update Report on Oklahoma Comprehensive Water Plan Activities. **Mr. Kyle Arthur**

05000 5. SPECIAL CONSIDERATION

Chairman Nichols

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. In the Matter of Stream Water Right No. 1977-004 of Jack G. Emerson, Stream System 1-4, Hughes County:

1. Summary – **Mr. Dave Dillon**
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. In the Matter of Stream Water Right No. 1982-074 of Rick & Kathy Clayton, Stream System 1-4, Hughes County:

1. Summary – **Mr. Dave Dillon**
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. In the Matter of Stream Water Right No. 1991-037 of Donna Addington, Stream System 1-3, Latimer County:

1. Summary – **Mr. Dave Dillon**
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

D. Application for Regular Permit to Use Stream Water No. 2006-044, Wesley Dean & Sherrie S. Matteson, Major County:

1. Summary – **Mr. Dave Dillon**
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

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

06000 6. PRESENTATION OF AGENCY BUDGET REPORT Mr. Monte Boyce

**07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY
Chairman Nichols**

• **8. *ELECTION OF OFFICERS* Chairman Nichols**
Item added

9. NEW BUSINESS Chairman Nichols

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.

10. ADJOURNMENT Chairman Nichols

The next regular meeting of the Oklahoma Water Resources Board will be held on Tuesday, July 8, 2008, at 9:30 a.m. in the Board Room of the Oklahoma Water Resources Board offices, Oklahoma City, Oklahoma.

06/03/2008