

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

December 9, 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 December 2, 2008 at 4:00 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov). Revised items are indicated by “•” and italics.

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- 01000 1. CALL TO ORDER** **Chairman Mark Nichols**
- A. Invocation
  - B. Roll Call
  - C. Discussion, Amendments, and Vote to Approve Official Minutes of the November 12, 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 Pawnee Public Works Authority, Pawnee County. Recommended for Approval.
  - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Duncan Public Utilities Authority, Stephens County. Recommended for Approval.
  - C. Consideration of and Possible Action on a Proposed Order Approving Loan for Guthrie Public Works Authority, Logan County. Recommended for Approval.
  - D. Consideration of and Possible Action on Selection of Remarketing Agent in Connection with the Oklahoma Water Resources Board Series 1995 and 1997 State Loan Program Revenue Bonds.

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

<b>REAP</b>			<b>Amount</b>	
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Recommended</u>
ASCOG				
1.	FAP-07-0054-R	Town of Hydro	Caddo	\$99,900.00
COEDD				
2.	FAP-06-0016-R	Rural Water District #5	Pawnee	88,965.00
EODD				
3.	FAP-08-0033-R	Rural Water District #7	Cherokee	39,069.00
KEDDO				
4.	FAP-08-0034-R	Canadian Public Works Authority	Pittsburg	109,990.00
OEDA				
5.	FAP-07-0007-R	Rural Water District #1	Woodward	140,000.00
SWODA				
6.	FAP-08-0019-R	Rural Water, Sewer & Solid Waste Management District #3	Roger Mills	91,975.00

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
  - 1. Easement and Agreement with the Benedictine and Fathers of Sacred Heart Mission to grant OWRB an easement in Pottawatomie County for the purpose of drilling an observation well for the Shawnee Mesonet Site.
  - 2. Joint Funding Agreement with the U.S. Geological Survey for the continuation of the project "Streamflow Monitoring of seven Streamflow sites and one lake in the Upper Washita River Basin".

3. Lease Agreement Renewal with Oklahoma Property Investors II, LLC, for Oklahoma Water Resources Board 3800 Classen Boulevard offices.
  4. Parking Lease Agreement with VTA Oklahoma City, LLC for parking space at Shepherd Mall.
- E. Applications for Temporary Permits to Use Groundwater:
1. Ima Jones & Kathy Ann Parker, Dewey County, #2008-585
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. D. H. Entz Living Trust, Caddo County, #1993-615
  2. Wyandotte Tribe of Oklahoma, Ottawa County, #1996-527
  3. Caddo County RWS&SWM District No. 3, Comanche County, #2002-504
- G. Applications for Regular Permits to Use Groundwater:
- 1. *Jessie H. Hoskins, Blaine County, #2008-528 item added*
- H. Applications to Amend Regular Permits to Use Groundwater:  
None
- I. Applications to Amend Prior Right to Use Groundwater:  
None
- J. Applications for Regular Permits to Use Stream Water:
1. R D T Properties, Inc., Pawnee County, #2008-022
  2. Lattimore Materials Company, L.P., Love County, #2008-023
  3. Lattimore Materials Company, L.P., Love County, #2008-025
- K. Forfeitures of Stream Water rights Due to Nonuse Recommended for Informal-Default Disposition:
1. H. R. McGehee, Love County, #1968-030
  2. H. R. McGehee, Love County, #1977-089
  3. Victor Gray, Marshall County, #1966-187
  4. Victor Gray, Marshall County, #1974-256
  5. E. C. Henry, Marshall County, #1968-295
  6. Lawrence Henry, Marshall County, #1974-227
  7. Charlie Rushing, Marshall County, #1974-290
  8. Charlie Rushing, Marshall County, #1974-291
  9. Joe Sykes/Gary Barker, Marshall County, #1979-047
  10. Jack Morgan, Love County, #1979-102
  11. Francis Cady, Jefferson County, #1964-855
  12. Francis Cady, Jefferson County, #1981-015
  13. City of Duncan, Stephens County, #1953-453
  14. Robert Garrison, Grady County, #1956-099
  15. Albert G. Jacobi, Comanche County, #1959-093

16. Albert G. Jacobi, Stephens County, #1964-012
17. Larry Coleman, Comanche County, #1965-589
18. Cletus White, Comanche County, #1967-505
19. Richard Julian, Comanche County, #1969-333
20. William B. Fitts, Grady County, #1989-015
21. Turley & Maria Dalston, Stephens County, #2000-004

L. Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:
  - a. Licensee: First Priority, Inc. DPC-0786
    1. Operator: Frank Wiebe OP-1653
    - Activities: Pump installation
  2. New Operators for Existing Licenses:
    - a. Licensee: Mohawk Drilling, Inc. DPC-0563
      1. Operator: Clifford P. Emmons OP-1651
      - Activities: Monitoring wells and geotechnical borings
    - b. Licensee: Citizen Potawatomi Nation DPC-0641
      1. Operator: Russell Grimes OP-1652
      - Activities: Groundwater wells, test holes and observation wells
      - Pump Installation

M. Dam and Reservoir Construction:

1. City of Broken Arrow – Aspen Pond Regional Detention Dam, Tulsa County, #OK83015

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

None

O. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the December 9, 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 and Mr. Mike Langston, OWRRI**
- B. Presentation and Discussion about Oklahoma Groundwater Law and Oklahoma Water Resources Board Permitting Process. **Ms. Julie Cunningham**
- C. *Presentation and Discussion of Issues Regarding 2008 Annual Meeting of the Arkansas-Oklahoma Arkansas River Compact Commission. **Mr. Derek Smithee and Ms. Julie Cunningham** Item added*

**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. Application for Temporary Permit to Use Groundwater No. 2007-561, Rural Water, Sewer and Solid Waste Management District No. 1, Logan County

1. Summary – **Ms. Julie Cunningham**
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. 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. 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.

**9. ADJOURNMENT**

**Chairman Nichols**