

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

**June 9, 2009**

**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 2, 2009 at 3:00 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.

---

- 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 12, 2009, 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 Emergency Grant for Salina Public Works Authority, Mayes County. Recommended for Approval.
  - B. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Norman Utilities Authority, Cleveland County. Recommended for Approval
  - C. Consideration of and Possible Action on Selection of Investment Banker(s) in Connection with the Issuance of Obligations to Provide Funding for the Clean Water State Revolving Fund and Drinking Water State Revolving Fund Loan Programs.

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 3. C through 3. O., Recommended for Approval.
- 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>
<b><u>Item No.</u></b>	<b><u>Application No.</u></b>	<b><u>Entity Name</u></b>	<b><u>County</u></b>	<b><u>Recommended</u></b>
ACOG				
1.	FAP-08-0018-R	Union City Municipal Authority	Canadian	\$70,223.00
COEDD				
2.	FAP-05-0027-R	Rural Water District #5	Hughes	85,000.00
EODD				
3.	FAP-08-0005-R	Rural Water District #12	Cherokee	70,000.00
GGEDA				
4.	FAP-08-0035-R	Delaware Public Works Authority	Nowata	79,999.00
5.	FAP-08-0012-R	Fairland Public Works Authority	Ottawa	99,999.00
KEDDO				
6.	FAP-07-0003-R	Rural Water District #4	Pittsburg	140,000.00
NODA				
7.	FAP-06-0017-R	Rural Water, Sewer & Solid Waste Management District #1	Major	99,999.00
SODA				
8.	FAP-05-0043-R	Roff Public Works Authority	Pontotoc	70,000.00

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
  - 1. Memorandum Agreement between OWRB, USGS and Hardage Site Remedy Corporation for water monitoring and data collection.

2. Memorandum Agreement between OWRB, USGS and Lugert-Altus Irrigation District for water monitoring and data collection.
3. Memorandum Agreement between OWRB, USGS and The City of Moore for water monitoring and data collection.
4. Memorandum Agreement between OWRB, USGS and The City of Ada for water monitoring and data collection.
5. Memorandum Agreement between OWRB, USGS and Central Oklahoma Master Conservancy District for water monitoring and data collection.
6. Memorandum Agreement between OWRB, USGS and Fort Cobb Master Conservancy District for water monitoring and data collection.
7. Memorandum Agreement between OWRB, USGS and Grand River Dam Authority for water monitoring and data collection.
8. Memorandum Agreement between OWRB, USGS and Foss Master Conservancy District for water monitoring and data collection.
9. Memorandum Agreement between OWRB, USGS and The City of Lawton for water monitoring and data collection.
10. Memorandum Agreement between OWRB, USGS and Oklahoma 4-H Foundation for the OWRB/4-H speech contest and recognition program.
11. Amendment of Joint Funding Agreement with USGS to increase funding and extend end date for the project “Streamflow Duration Statistics Web Application for Oklahoma”.
12. Amendment of Joint Funding Agreement with USGS to increase funding for the project “Garber-Wellington Aquifer Management, Central Oklahoma”.
13. Amendment of Joint Funding Agreement with USGS to increase funding for the project “The continuance to investigate the water resources of the Arbuckle-Simpson Aquifer Special Studies, South Central Oklahoma”.
14. Catering Event Agreement with the Oklahoma City Zoo for OWRB Management Retreat.
15. Interagency Agreement with the Oklahoma Department of Environmental Quality regarding the Drinking Water State Revolving Fund.
- 16. *Renewal of Professional Services Agreement with Charles Dumars. Item added*

- E. Applications for Temporary Permits to Use Groundwater:
  - 1. Iva Ruth Cooper Trust, Major County, #2009-507
  - 2. Beulah Wall, Dewey County, #2009-512
  
- F. Applications to Amend Temporary Permits to Use Groundwater:  
None
  
- G. Applications for Regular Permits to Use Groundwater:
  - 1. B C Operating, Inc., Okfuskee County, #2008-597
  - 2. Mark & Pam Harbin, Hughes County, #2009-508
  - 3. Southern Oklahoma Water Corp., Love County, #2009-510
  
- H. Applications to Amend Regular Permits to Use Groundwater:
  - 1. Kasey Lynn & Heather Damron, Beckham County, #1992-601
  - 2. Dean & Twylah Simmons, Texas County, #2001-582
  
- I. Applications to Amend Prior Rights to Use Groundwater:
  - 1. Bryan Kroeker, Kingfisher County, #1968-416
  
- J. Applications for Regular Permits to Use Stream Water:
  - 1. Paul Knapp Anderson, Choctaw County, #2009-004
  - 2. Johnny R. & Dana D. McElroy, Tillman County, #2009-008
  
- K. Forfeitures of Stream Water Rights:
  - 1. O.T. & Gale Moss, Caddo County, #1972-510
  - 2. Bennie Wilkerson, Caddo County, #1980-182
  - 3. J.C. Addington, Custer County, #1954-020
  - 4. Roger Stockton, Custer County, #1969-025
  - 5. Mr. & Mrs. Earl G. Smith, Custer County, #1971-304
  - 6. Marvin Bischel, Custer County, #1987-028
  - 7. Peggy Blakely, Caddo County, #1958-280
  - 8. Lloyd Mogg, Caddo County, #1989-016
  - 9. Frank Bryson, Caddo County, #1978-087
  - 10. Rayburn & Lottie Teeter, Caddo County, #1982-066
  - 11. Harlan Lockey/Treva Gale, Caddo County, #1973-182
  - 12. Paul West, Kiowa County, #1973-108
  - 13. William Troub/Jim Troub, Kiowa County, #1958-205
  - 14. Elnora Higgins, Kiowa County, #1964-284
  - 15. Darlene Cox, Dewey County, #1954-188A
  - 16. Darlene Cox, Dewey County, #1954-189
  - 17. Darlene Cox, Dewey County, #1958-273
  - 18. Gary Pierce/Equitable Variable Life Insurance, Washita County, #1952-600
  - 19. Gary Pierce/Equitable Variable Life Insurance, Washita County, #1964-600
  - 20. Equitable Variable Life Insurance, Washita County, #1985-016
  - 21. Kevin Geis, Washita County, #1987-016
  - 22. Ricky Davis, Washita County, #1980-060

23. Richard K. Young, Comanche County, #1994-035

L. Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:

- |              |                                |          |
|--------------|--------------------------------|----------|
| a. Licensee: | Sesco                          | DPC-0751 |
| 1. Operator: | Larry Kelly                    | OP-1678  |
| Activities:  | Cathodic protection wells only |          |
| b. Licensee: | LPS                            | DPC-0773 |
| 1. Operator: | William J. Looper              | OP-1700  |
| Activities:  | Pump installation              |          |

M. Dam and Reservoir Construction:

1. Garfield County Conservation District, Garfield County, #DS-09-02
2. Adair County Conservation District, Adair County, #DS-09-03
3. Adair County Conservation District, Adair County, #DS-09-04

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

1. Oklahoma Department of Transportation, Woods County, #FP-09-10

O. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the June 9, 2009 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. Mike Langston, Oklahoma Water Resources Research Institute**

**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); Proposed Findings, Conclusions and Order are Recommended for Approval in the following matters:

- A. In the Matter of Stream Water Right No. 1966-196 of Glen O. Russell, Jr., Stream System 1-8-3, Kiowa County, Oklahoma:
  - 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. In the Matter of Stream Water Right Nos. 1950-249 and 1967-202 of O. Dwight Whitworth, Stream System 1-8-3, Caddo County, Oklahoma:
  - 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
  
- C. 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**

**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 meeting of the Oklahoma Water Resources Board will be on Tuesday, July 14, 2009, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

6/2/09