

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

April 15, 2014

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 April 11, 2014, at 3:30 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

- 01000 1. CALL TO ORDER** **Chairman Rudy Herrmann**
- A. Roll Call
 - B. Discussion, Amendments, and Vote to Approve Official Minutes of the March 18, 2014, Regular Meeting.
 - C. Executive Director's Report. **Mr. J.D. Strong**
 - D. Monthly Budget Report **Ms. Amanda Storck**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Rural Water District #16, Rogers County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Rural Water, Sewer, Gas and Solid Waste Management District No. 11, Delaware County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Norman Utilities Authority, Cleveland County. Recommended for Approval.
 - D. Report of the Board Audit Committee Regarding Oklahoma Water Resources Board State Loan Program Revenue Bonds and Clean Water State Revolving Fund Program (CWSRF) Financial Statements as of June 30, 2013 and 2012, Audits of the CWSRF Administrative Fund and the Drinking Water Treatment Loan Administrative Fund as of June 30, 2013 and 2012.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS

Chairman Herrmann

All of the items listed below under this Summary Disposition Agenda are recommended for approval.

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 Possible Action on Items Listed Below.

C. Consideration of and Possible Action on Financial Assistance Division Items:

1. Rural Economic Action Plan (REAP) Grant Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
NODA				
a.	FAP-13-0018-R	Town of Nash	Grant	\$97,950.00
SODA				
b.	FAP-13-0041-R	Mill Creek Public Works Authority	Johnston	\$99,999.00

D. Consideration of and Possible Action on Contracts and Agreements.

- 1. Intergovernmental Agreement with the State of Oklahoma, Office of the Secretary of Energy & Environment for Agreement for the clean Water Act FY 2014 § 104(b)(3) Regional Wetlands Program, Cooperative Agreement (CA)# CD-00F74001.
- 2. Contract for Legal Services with the Attorney General’s Office.
- 3. Interagency Agreement with the Grand River Dam Authority to Provide Shoreline Survey and Mapping Services.
- 4. Interagency Agreement with the Grand River Dam Authority to Provide Services for the FY 2015 GRDA Dissolved Oxygen Monitoring Project.
- 5. Interagency Agreement with the Grand River Dam Authority to Provide Services for the Salina Pumped Storage Project Dissolved Oxygen Monitoring Plan.
- 6. Contract with Oklahoma Ground Water Association to Provide Continuing Education Services for Well Drillers and Pump Installers.

- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
1. Billy D. & Lisa Griffin, Grady County, #2013-547
 2. City of Nichols Hills, Oklahoma County, #2013-638
- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
1. Donna Long, Noel Long, and Lawrence Long, Harmon County, #1985-545
 2. Triple S Farms, L.C., Blaine County, #1994-531
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
1. Devin & Klayne Brown, Woodward County, #2013-626
 2. Louis Long, Robert Long, and Steven Long, Texas County, #2014-503
 3. Richard Lee Cowan, Beaver County, #2014-507
- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
1. Blake & Jennifer Nichols, Beaver County, #1975-751
 2. Andrew & Tonya Deann Brown, Okfuskee County, #1994-600
- I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
1. Dan & Kay Villines, Caddo County, #1971-466
- J. Consideration of and Possible Action on Applications for Term Permits to Use Stream Water:
1. Select Energy Services, L.L.C., Garvin County, #2013-053
- K. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
1. Paul J. Brown, Grady County, #2013-052
 2. Continental Resources, Inc., Grady County, #2014-002
- L. Consideration of and Possible Action on Dam and Reservoir Construction:
None
- M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
1. New Licenses:
 - a. Licensee: W.E.S.T. Drilling DPC-0896
 1. Operator: Ricardo P. Garcia, Jr. OP-2032
 - b. Licensee: TXI Operations, L.P. DPC-0898
 1. Operator: Roderick B. Williams, II OP-2033
 - c. Licensee: Rippetoe Farms DPC-0900
 1. Operator: Chad Rippetoe OP-2035
 2. New Operators to Existing Licenses:
 - a. Licensee: Choctaws Groundwater Pump & Supply DPC-0086
 1. Operator: Matthew Blanchard OP-2037
 - b. Licensee: Layne Christensen DPC-0123
 1. Operator: Russell Bowles OP-2036

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| c. | Licensee: Kleinfelder | DPC-0558 |
| 1. | Operator: Nathan Payne | OP-2038 |
| d. | Licensee: Mike's Water Well Service | DPC-0700 |
| 1. | Operator: Michael Oefelein, Jr. | OP-1838 |
| e. | Licensee: Kenner Water Well | DPC-0706 |
| 1. | Operator: Casey Kenner | OP-2034 |

N. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the April 15, 2014 packet of Board materials.

04000 4. QUESTIONS AND DISCUSSION ABOUT AGENCY MATTERS AND OTHER ITEMS OF INTEREST **Chairman Herrmann**

05000 5. SPECIAL CONSIDERATION **Chairman Herrmann**

A. Consideration of and Possible Action on Proposed Findings of Fact, Conclusions of Law and Board Order on Application to Amend Regular Groundwater Permit No. 1993-582A, Bob and Dian Boaldin Living Trust, Texas County, Recommended for Approval:

1. Summary – **Ms. Julie Cunningham**
2. Discussion and presentation by parties
3. Possible executive session

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act”.

 - (a) Vote on whether to hold Executive Session. Before it can be held, the Executive Session must be authorized by a majority vote of a quorum of members present and such vote must be recorded.
 - (b) Designation of person to keep written minutes of Executive Session, if authorized.
 - (c) Executive Session, if authorized.
4. Return to open meeting and possible vote or action on any matter discussed in the Executive Session, if authorized.
5. 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. Consideration of and Possible Action on Items Transferred from Summary Disposition Agenda, if any.

6. PROPOSED EXECUTIVE SESSION **Chairman Herrmann**

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(4) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of confidential communications between a 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 a pending investigation, litigation or proceeding in the public interest.

Pursuant to this provision, the Board proposes to hold an executive session for the purpose of discussing Chickasaw Nation and Choctaw Nation v. Fallin, et al., and Oklahoma Water Resources Board v. United States on behalf of the Choctaw Nation et al.

Statement by legal counsel advising on whether disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest.

- A. Vote on whether to hold Executive Session upon determination that disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest. Before it can be held, the Executive Session must be authorized by a majority vote of a quorum of members present and such vote must be recorded.
- B. Designation of person to keep written minutes of Executive Session, if authorized.
- C. Executive Session, if authorized.

Return to open meeting and possible vote or action on any matter discussed in the Executive Session.

7. NEW BUSINESS

Chairman Herrmann

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.

8. ADJOURNMENT

Chairman Herrmann

The next regular meeting of the Oklahoma Water Resources Board will be held Monday, May 19, 2014, at 2:00 p.m. at 3800 N. Classen Boulevard, Oklahoma City, OK 73118. The meeting will be held in conjunction with Water Appreciation Day at the Capitol, which will begin at 9:00 a.m. on the Fourth Floor Rotunda of the State Capitol, 2300 N. Lincoln Boulevard, Oklahoma City, OK.

4/11/2014