

# A G E N D A

## OKLAHOMA WATER RESOURCES BOARD

**May 19, 2015**

**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 May 15, 2015, at 4:30 p.m.. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov).

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**01000 1. CALL TO ORDER** **Vice Chairman Linda Lambert**

- A. Roll Call
- B. Discussion, Amendments, and Vote to Approve Official Minutes of the April 21, 2015, 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 Clean Water Funding Application for Oklahoma City Water Utilities Trust, Oklahoma County. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Clean Water Funds for Nicoma Park Development Authority, Oklahoma County. Recommended for Approval.
- C. Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds in an Aggregate Principal Amount not to Exceed \$50,000,000; at a Net Interest Cost not to Exceed Six Percent (6.0%); Providing for the Issuance of Said Bonds in One or More Series; Approving and Authorizing Execution of a Twenty-Ninth Supplemental Bond Resolution and, if Deemed Advisable, an Additional Supplemental Bond Resolution for Each Additional Series; 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; Authorizing the Chairman or Vice Chairman to Deem Preliminary Official Statements for

Additional Series of Bonds Final; 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, Loan Agreement, and Note Purchase 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 Lambert**

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>
GGEDA				
a.	FAP-14-0047-R	Copan Public Works Authority	Washington	\$99,990.00

- D. Consideration of and Possible Action on Contracts and Agreements:
  - 1. Joint Funding Agreement with U.S. Geological Survey for the Continuation of the Data Collection and Water Monitoring Program FY15.
  - 2. Memorandum Agreement with USGS and the City of Ada for water monitoring and data collection.
  - 3. Memorandum Agreement with USGS and Applied Energy Services, Shady Point, Inc. for water monitoring and data collection.
  - 4. Memorandum Agreement with USGS and Arkansas-Oklahoma Arkansas River Compact Commission for water monitoring and data collection.

5. Memorandum Agreement with USGS and Central Oklahoma Master Conservancy District for water monitoring and data collection.
6. Memorandum Agreement with USGS and CP Kelco for water monitoring and data collection.
7. Memorandum Agreement with USGS and Fort Cobb Reservoir Master Conservancy District for water monitoring and data collection.
8. Memorandum Agreement with USGS Grand River Dam Authority for water monitoring and data collection.
9. Memorandum Agreement with USGS Hardage Site Remedy Corp for water monitoring and data collection.
10. Memorandum Agreement with USGS and The City of Lawton for water monitoring and data collection.
11. Memorandum Agreement with USGS and Lugert-Altus Irrigation District for water monitoring and data collection.
12. Memorandum Agreement with USGS and the City of Moore for water monitoring and data collection.
13. Memorandum Agreement with USGS and the City of Norman for water monitoring and data collection.
14. Memorandum Agreement with USGS and the Oklahoma Department of Wildlife Conservation for water monitoring and data collection.
15. Memorandum Agreement with USGS and Poteau Valley Improvement Authority for water monitoring and data collection.
16. Memorandum Agreement with USGS and the Oklahoma Water Survey for water monitoring and data collection.
17. Lease Agreement with the Office of Management and Enterprise Services for office space in Tulsa.
18. Interagency Agreement with the Oklahoma Department of Environmental Quality regarding the Drinking Water State Revolving Fund.
19. Professional Services Agreement with Carollo Engineers, Inc., to perform engineering services for the OWRB's Instream Flow Pilot Study.
20. Intergovernmental Agreement with Waurika Master Conservancy District for administration of the hydrographic survey for Lake Waurika.
21. Amendment of Joint Funding Agreement to extend the North Canadian Alluvium and Terrace aquifer study.

22. Memorandum Agreement with USGS and the City of Altus for water monitoring and data collection.

E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:

1. Chad and Clay Muegge, Grant County, #2014-575
2. Enid Municipal Authority, Major County, #2014-589
3. Roger Lynn & Diana Reim, Major County, #2014-640
4. Stutzman Land, L.L.C., Custer County, #2015-515
5. Stutzman Land, L.L.C., Blaine County, #2015-517

F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:

None

G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:

1. Mark Witt, Texas County, #2014-606
2. Texana, L.L.P., Beaver County, #2014-614
3. Bob Smith Trust, Bob G. & Nancy Smith, Custer County, #2014-621
4. Teddy R. & Terry Lea Miller, Ellis County, #2014-636
5. Billy R. Lowe Family, L.P., Cimarron County, #2014-637
6. Flat Prairie Farms, Inc., Texas County, #2015-521
7. Kelly L. & Kellie B. Thiesing, Major County, #2015-523
8. Lynn R. & Nancy M. Pinson, Tillman County, #2015-531

H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:

1. The Edward S. Greteman and Dolores Greteman Revocable Living Trusts, Washita County, #1979-607

I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:

1. The Edward S. Greteman and Dolores Greteman Revocable Living Trusts, Washita County, #1968-229

J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:

1. Lotta Water Inc., Kingfisher County, #2015-007

K. Consideration of and Possible Action on Applications for Term Permits to Use Stream Water:

None

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 and Operators:

- a. Licensee: Pinto H2O, L.L.C. DPC-0929
  - 1. Operator: Joyle Hurst OP-1911
- 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
  - a. Licensee: J.D.'s Well Drilling & Irrigation DPC-0919
    - 1. Operator: John Munro OP-2086
  - b. Licensee: D & B Oilfield Services, Inc. DPC-0921
    - 1. Operator: Thomas Fulgham OP-2087
  - c. Licensee: Sunbelt Industrial Services DPC-0701
    - 1. Operator: Juan Alcala OP-2092
  - d. Licensee: Associated Environmental Industries DPC-0269
    - 1. Operator: Tyler Sharpton OP-2091
  - e. Licensee: Lang Well Drilling, Inc. DPC-0616
    - 1. Operator: Michael Lang OP-2093

N. Consideration of and Possible Action on Permit applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

- 1. Oklahoma Department of Transportation, Harper County, #FP-15-06

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

- 1. Town of Arcadia, David L. Franklin, FPA-617
- 2. City of Boise City, John Wayne Twyman, FPA-618
- 3. City of Checotah, Leslie C. Phillips, FPA-619
- 4. City of Grove, Calvin E. Igney, FPA-620
- 5. City of Heavener, Laurence T. Jones, FPA-621
- 6. City of Marietta, Tracey Smithwick, FPA-622
- 7. City of Perkins, Robert D. Ernst, FPA-623
- 8. Town of Red Bird, Edna V. Davis, FPA-624
- 9. City of Seminole, Sharon L. Emmitt, FPA-625
- 10. Washington County, Eric L. Ashlock, FPA-626
- 11. City of Moore, Ava Z. Beeby, FPA-627

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

- A. Presentation and Discussion Regarding Ongoing Activities of the OWRB Beneficial Use Monitoring Program (BUMP). **Mr. Derek Smithee**

**05000 5. SPECIAL CONSIDERATION** **Vice Chairman Lambert**

A. Consideration of and Possible Action on Application to Amend Regular Groundwater Permit No. 1974-127B, M.E.N.S. Ranch, L.L.C., Choctaw County:

- 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**

**Vice Chairman Lambert**

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**

**Vice Chairman Lambert**

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**

**Vice Chairman Lambert**

The next regular meeting of the Oklahoma Water Resources Board will be held at 9:30 a.m., June 16, 2015, at the OWRB Offices located at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

5/15/2015