The Oklahoma Water Resources Board meets monthly in accordance with the date, time, and location shown on the final posted agenda. A draft Board meeting agenda and packet materials are scheduled to be prepared approximately 10 calendar days prior to the Board’s meeting. A final agenda is scheduled to be posted at least 24 hours prior to the meeting. The standard sections of the agenda are numbered in a series; additional or special items will appear on the agenda subsequently. Standard sections include the following:

- 01000 = Call to Order
- 02000 = Financial Assistance Division
- 03000 = Summary Disposition Agenda
- 04000 = Items of Interest
- 05000 = Special Consideration Items

This meeting packet contains expanded information (summary documents, proposed orders, etc.) associated with individual agenda items. Each section of the packet contains a cover sheet noting the appropriate corresponding agenda item/number. (For example, to locate agenda item 2.D., concerning a grant or loan, review the packet for the section labeled, “2. Financial Assistance Division,” which will begin on page 02000. Item D. is placed in alphabetical order in the section and is labeled accordingly.) The documents and information provided within the meeting packet are draft until approved by the Board. Please contact OWRB staff for the final, official documents as approved by the Board.

If you require assistance in locating an item or accompanying documents, please contact OWRB staff at (405) 530-8800.
1.B.

September 17, 2019, Regular Meeting Draft Official Minutes

For consideration at the
October 15, 2019, Board meeting
OKLAHOMA WATER RESOURCES BOARD
OFFICIAL MINUTES

September 17, 2019

1. CALL TO ORDER

The regular monthly meeting of the Oklahoma Water Resources Board was called to order by Chairman Robert L. Stallings, Jr., at 9:30 a.m. on September 17, 2019, at the offices of the Oklahoma Water Resources Board, 3800 N. Classen Boulevard, Oklahoma City, Oklahoma, 73118. The meeting was conducted pursuant to the Oklahoma Open Meeting Law with due and proper notice provided pursuant to Sections 303 and 311 thereof. The agenda was posted on September 13, 2019, at 4:30 p.m., at the Oklahoma Water Resources Board’s offices at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma, and provided on the agency’s website.

A. Roll Call. Chairman Stallings asked for the roll call of members.

Board Members Present
Robert L. Stallings, Jr., Chairman
Bob Drake, Secretary
Jennifer Castillo
Charles Darby
Suzanne Landess
Robert L. Melton
Matt Muller

Board Members Absent
Stephen Allen, Vice Chairman
Ford Drummond

Staff Members Present
Julie Cunningham, Executive Director
Sara Gibson, General Counsel
Cleve Pierce, Chief, Administrative Services Division
Joe Freeman, Chief, Financial Assistance Division
Kent Wilkins, Chief, Planning and Management Division
Bill Cauthron, Chief, Water Quality Programs Division
Mary Schooley, Executive Secretary

Others Present
Jeff Everett, OGE, Oklahoma City, OK
Michael Taylor, Cowan Group, Oklahoma City, OK
Joe Fisk, Haileyville, OK
Newakis Webber, Chickasaw Nation, Ada, OK
Jo Farris, Fay, OK
Arian Parkinson, Fay, OK
Afshin Aghahyan, Stillwater, OK  
Chris Gander, BOKFS, Oklahoma City, OK  
Stephen Froech, Oklahoma City, OK  
Bodie Bachelor, Centennial Law, Duncan, OK  
Rob Singletary, Oklahoma City, OK  
Ashley Neal, City of Shawnee, OK  
Chance Allison, City of Shawnee, OK  
Tom Elkins, Cherokee Nation, Tahlequah, OK  
Dale Cottingham, Alpine Silica, Oklahoma City, OK  
David Oakley, LegisOK, Oklahoma City, OK  
Billy Little, Oklahoma City Water Utilities Trust, Oklahoma City, OK  
Chris Browning, Oklahoma City Water Utilities Trust, Oklahoma City, OK  
Sam Samandi, Oklahoma City Water Utilities Trust, Oklahoma City, OK  
Bud Ground, Environmental Federation of Oklahoma, Oklahoma City, OK  
Daniel Johnston, Haileyville, OK  
Carly Cordell, Office of the Secretary of Energy and Environment, Oklahoma City, OK  
Chris Camden, Granada Lake Association, Maize, KS  
Dana & Mike Langley, Granada Lake Association, Shawnee, OK  
Dave Slezickev, City of Kingfisher, OK  
Brad Schmidt, City of Shawnee, OK  
Greg Hobbs, Granada Lake Association, Shawnee, OK  
Vicki Reed, Oklahoma Department of Environmental Quality/Drinking Water SRF, Oklahoma City, OK  
Daniel "Bo" Gibbs, Carney, OK  
Dean Couch, Gable Gotwals, Oklahoma City, OK  
Marla Peek, Oklahoma Farm Bureau, Oklahoma City, OK  
Shane Jenifer, Chickasaw Nation

B. Discussion, Amendments, and Vote to Approve Official Minutes of the August 20, 2019, Regular Meeting. Chairman Stallings asked if there were any comments or proposed amendments to the minutes of the August 20, 2019, meeting minutes. There were no changes or discussion, and he accepted a motion to approve the minutes.

Mr. Darby moved to approve the minutes of the August 20, 2019, meeting, and Mr. Muller seconded. There was no discussion. Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Stallings  
NAY: None  
ABSTAIN: Melton  
ABSENT: Allen, Drummond

C. Executive Director’s Report

Ms. Julie Cunningham, Executive Director, welcomed everyone in attendance and noted the drought and rainfall conditions. She updated the members on a very productive meeting with the Senate and House Appropriations Natural Resources Subcommittee Chairs -- Senator Jech (Chair), Senator Shaw (V-Chair), and Rep. Newton (Chair) and Rep. Phillips (V-Chair)-- who visited with staff about budget matters and agency functions. She updated the members on the Produced Water Working Group meeting on August 29 that is working with the oil and gas companies to coordinate solutions to produced water treatment/discharge permits. She explained the research and discussion involving permitting by the Corporation Commission, the new PWWG legislative committee including the Environmental Federation that will review rights of way, extraction of iodine and other minerals and ownership, and that the Department of Environmental
Quality is looking at cleaning up the water and discharging to streams. The group is also investigating methods in other states.

On September 3, the OWRB participated in a signing with the Governor, Secretary of Energy and Environment, Department of Environmental Quality and the Oklahoma Rural Water Association recognizing a partnership to provide assistance to small systems. The OWRB and ORWA have been involved in a contract for many years to provide technical, financial, and managerial training supported by state funding, and DEQ has EPA funding to contract with the ORWA to provide information on leak detection, pricing, etc. The OWRB will be mapping the systems.

Ms. Cunningham updated the members on the legislative study by Representative Sims regarding the Arkansas River Flood of 2019. The OWRB and OEM will make a joint presentation regarding agency functions and coordination, flood insurance, technical partnership program, flood issues and infrastructure needs. Often the flood declarations are in counties where there is no floodplain insurance; there are 400 communities and counties that participate in the National Floodplain Insurance program. There is also an interim study by Representative Caldwell regarding REAP grant program, Joe Freeman and staff will facilitate the discussion. The REAP grant program is financial assistance for communities under 7,000 population. She mentioned that since 2018 the OWRB has received 99 REAP grant applications for $9.8 million dollars, but have had $1.2 million for funding projects.

Regarding federal legislative matters, the EPA and COE repealed the rules regarding WOTUS, or Waters of the US, originally to clarify which waters were within the definition and which waters were out. It was very difficult to reach language that satisfied everyone and was very controversial. The Interstate Council on Water Policy and Western States Water Council were involved for several years, as well as Oklahoma's Attorney General and Secretary of Energy & Environment. The Bureau of Reclamation worked with the City of Tishomingo on a WaterSmart grant to install automated metering which falls under implementation of the Comprehensive Water Plan. Ms. Cunningham reported the COE work regarding extracting the barges at Webbers Falls, and on September 16 the COE released its draft report on the Levee Feasibility Study and is looking at $148 million for rehabilitation of the system.

There were no questions by members. Ms. Cunningham concluded her report.

D. Financial Update

1. Budget Report. Mr. Cleve Pierce, Administrative Services Division Chief, addressed the members and stated the agency has just begun the new fiscal year and the budget report is for the time period ending August 2019. He said for the time period, the agency has spent 14% of the appropriated budget, spent 8% of the revolving budget, and has spent 9% of federal dollars keeping within spending rate for the agency the same as last year. He said the agency is working on the statutorily required budget document for FY2021, a document that explains the agency's programs, where the funding is spent, how the agency is funded, and what does the agency want to do in future.

Mr. Pierce concluded his report, and there were no other questions by members.

2. FINANCIAL ASSISTANCE DIVISION

A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Kingfisher Public Works Authority, Kingfisher County. Recommended for Approval. Mr. Joe Freeman stated that this item is a $41,140.00 emergency grant request from the Kingfisher Public Works Authority. As a result of flooding earlier in the year, the Authority's main trunk line conveying sewage to the wastewater treatment plant collapsed, creating a sink hole and causing sewage to back up. The Authority has requested the grant to go along with $7,260.00 in local funds to correct the problem. Staff recommended approval.

Representing Kingfisher was City Manager Dave Slezickey, who spoke to the members expressing the Authority's appreciation for the Board's assistance.
Chairman Stallings asked for a motion if there were no questions. There were none, and Mr. Darby moved to approve the emergency grant to the Kingfisher Public Works Authority. Mr. Melton seconded, and Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond

B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Haileyville Public Works Authority, Pittsburg County. Recommended for Approval. Mr. Freeman stated this item is a $440,000.00 funding package for the Haileyville Public Works Authority located in Pittsburg County. The PWA is requesting the funding for the installation of automatic meter reading system, manholes, and sewer lines. He noted the provisions of the loan that will be funded through the Clean Water State Revolving Loan Fund, with $200,000.00 in the form of principal forgiveness; the debt coverage ratio stands at 5.39-times. Staff recommended approval.

Representing Haileyville was Mayor and PWA Chairman Dave Johnson, and Councilman Joe Fisk. Mayor Johnston expressed his appreciation to the Board. Chairman Stallings asked the number of meters, and the Mayor responded there are 422 meters, primarily residential meters. Mr. Melton asked about the forgiveness portion of the loan, and Mr. Freeman explained when applying for the EPA Capitalization Grant, a portion is required for the principal forgiveness program. It is a two-phase system of funding where the first year assistance for small communities is to get the planning and design of the project which is a large expense for a small community, which Haileyville did last year; this year is the actual construction.

There were no other questions, and Chairman Stallings asked for a motion. Mr. Muller moved to approve the CWSRF funding to the Haileyville PWA, and Ms. Castillo seconded.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond

C. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Carney Public Utilities Authority, Lincoln County. Recommended for Approval. Mr. Freeman stated this $505,000.00 funding request by the Carney Public Utilities Authority in Lincoln County will be used to install sewer lines, manholes, and a 280 AMR water meter system. He said $200,000.00 of the loan will be in the form of principal forgiveness; the remaining $350,000.00 will bear a fixed interest rate, plus a .5 administrative fee and will mature within 15 years of completion of the project. He noted other provisions of the loan agreement, stating the debt coverage ratio is 2.86-times. Staff recommended approval of the request.

Representing the Carney PUA was Mayor Bo Gibbs. Mayor Gibbs thanked the Board for its consideration of the funding request.

Mr. Drake moved to approve the CWSRF funding for the Carney PUA, and Ms. Castillo seconded. Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond

D. 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. Mr. Freeman stated this item is a $1,947,000.00 loan request by the Oklahoma City Water Utilities Trust which is requesting the loan for the construction of a boat ramp and fire break at Lake Atoka in southeast Oklahoma.
He said that Lake Atoka has been on the State's Clean Water Section 303(d) list for impaired waters since 2002, and the Oklahoma Conservation Commission stated in its review of the project that the funds will provide a simple, localized and measurable, long-term impact to the site. The OCC also stated the firebreak is consistent with the goals of the State's Non-point Source Management Plan to protect the lake against sedimentation and pollution that results from uncontrolled wildfires. Mr. Freeman noted provisions of the loan agreement, and said Oklahoma City has 11 outstanding loans with the Board with a combined principal balance of $197.4 million. Oklahoma City's water and sewer connections have increased by approximately 16% over the past ten years and the debt coverage ratio stands at 2.43-times. Staff recommended approval.

Mr. Chris Browning, Water Utilities Trust Director; Billy Little, Finance Director; and Sam Samandi, Engineering Director, were present in support of the funding request. Mr. Browning thanked the Board for its support of the City through the SRF program over the years saving the ratepayers quite a bit of money. He said this project will help to improve conditions at Lake Atoka, there are a number of makeshift boat ramps that are causing sedimentation issues and there have been several fires in the area. The project includes a comprehensive firebreak that will be constructed in cooperation with the Oklahoma Department of Wildlife Conservation. He also thanked Mr. Freeman and his staff for their assistance.

Chairman Stallings asked for questions; Mr. Muller commented about the boat ramp. Mr. Browning stated by constructing a boat ramp that is more appropriate for the water level changes in the lake, they hoped to deter citizens from building their own ramps to get to the water.

Chairman Stallings stated if there were no other questions, he would entertain a motion. Mr. Muller moved to approve the CWSRF loan to the Oklahoma City Water Utilities Trust, and Ms. Castillo seconded. Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond

E. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Oklahoma City Water Utilities Trust, Oklahoma County. Recommended for Approval. Mr. Freeman stated this request by the OKCWUT is for a $21,750,014.00 in Drinking Water SRF funding will go along with funds from a previously closed DWSRF loan for construction of two, five million gallon clear wells and infrastructure related to the project. Mr. Freeman noted provisions of the loan agreement, and said Oklahoma City's debt coverage ratio stands at 2.43-times. Staff recommended approval of the funding request.

Mr. Chris Browning stated to the members this project started last year originally funded with previous SRF funding, and the total project amount is approximately $75 million, with $50 million previously funded, and the remaining being requested through this year's SRF funding. Mr. Muller asked if the project is an expansion to allow more capacity, or to meet standards. Mr. Browning answered the current clear wells are aged beyond usable life and are leaking, and this project is for replacement; expansion of the facility will be in the future and additional clear wells will be installed at that time. Chairman Stallings asked the age of the plant, and Mr. Browning answered the plant was built in the 1960s. There were no additional questions.

Mr. Drake moved to approve the DWSRF funding to the Oklahoma City WUT, and Ms. Castillo seconded. Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond
F. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Shawnee Municipal Authority, Pottawatomie County. Recommended for Approval. Mr. Freeman stated this item is a $37,920,000.00 Clean Water SRF funding request by the Shawnee Municipal Authority for the upgrade and improvements to its two existing waste water treatment plants, including headworks, secondary treatment process, and sludge handling modifications. Mr. Freeman noted the provisions of the loan agreement and said Shawnee currently has three outstanding loans with the Board with a combined principal balance of $5.9 million; the debt coverage ratio is 1.42-times. Staff recommended approval.

Mr. Chance Allison, City Manager; Ashley Need, Finance Director; and Brad Schmidt, Utility Director, were present representing Shawnee. Mr. Allison expressed his appreciation to the members for their support. Chairman Stallings asked the number of Shawnee customers and Mr. Allison answered there are a total of 13,000 meters. The south side plant built in the 1940s was designed for residential flow and the north side plant was built in the 1980s with the idea of 80% commercial and 20% residential but residential growth has caused that number to flip and the plant needs modification to accommodate residential capacity. Mr. Melton asked if the debt coverage ratio is low, and Mr. Freeman answered the ratio required is 1.25-times, which will be monitored, but there has never been a problem with Shawnee and rates are monitored regularly. Mr. Allison added that this year the staff designed a new ordinance for utilities rate raising the CPI index so that annually it can be increased based on CPI inflation.

Chairman Stallings stated he would entertain a motion for approval if there were no other questions. There were none, and Mr. Darby moved to approve the Clean Water SRF loan to the Shawnee Municipal Authority. Ms. Castillo seconded the motion. Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond

G. Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds in an Aggregate Principal Amount not to Exceed $100,000,000; 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 Series 2019D 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 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. Mr. Freeman stated to the members this item is for consideration of a resolution authorizing issuance of an additional $100 million State Loan Program Revenue Bonds, commonly known as the FAP loan program. Last September, the Board authorized issuance of up to $100 million in FAP bonds, and subsequently, the Board has closed three bond issues under the FAP for $87,680,000.00 dollars, making necessary the approval of additional FAP bond issuance capacity. Triple AAA bond ratings have been received for all of the FAP bond issues under the 2016 bond resolution, as well as affirmation of the AAA rating on all the other outstanding FAP bond issues. Mr. Freeman stated the request will be presented to the State Bond Oversight Council at it's October meeting.

Mr. Freeman noted the items for approval, including: the issuance of bonds in one or more series, providing approval of a preliminary official statement, authorizing chairman or vice chairman to deem the official preliminary statement for additional bonds final, directs proceeds to be deposited in the State Treasury,
and remit to BancFirst the Board's Trustee, and ratifies the form of promissory note, loan agreement, and loan purchasing agreement. In addition, the document authorizes execution of other documents required for the issuance of bonds, and directs payment of the cost of issuance. Staff recommended approval of the resolution.

Mr. Zach Robinson, BOK Financial Securities and the Board's Senior Underwriter on the FAP Program, and Mr. Jacob Bachelor, FAP Bond Counsel were present. Mr. Melton asked about the "up to 6%" rate and Mr. Freeman answered the rate that will be received will be dramatically less than that; however, that is a cap to put in the resolution. Mr. Bachelor explained a number is put in the resolution so it is more specific to the outcome based on industry practices that have developed as a result of challenges to bond authorizations when Board's authorize bond issues and there is no interest rate stated. A challenger can use that as a point against a valid authorization, so a cap is inserted that will safely achieve but is also realistic and closer to pinpointing the actual rate. The specific rate will be established on the pricing day; the range today on a 30-year fixed rate issue would be in the 3-3.50 range. Mr. Robinson said this is well under the cap but gives room on how the bonds are structured. There were no other questions.

Mr. Drake moved to approve the resolution authorizing the issuance of FAP bonds not to exceed $100,000,000, and Mr. Darby seconded. Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond

3. SUMMARY DISPOSITION AGENDA ITEMS

Any item listed under this Summary Disposition Agenda may, at the requested of any member of the Board, the Board’s staff, or any other person attending this meeting, may 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. There were no requests to move items to the Special Consideration Agenda.

B. Discussion, Questions, and Responses Pertaining to Any Items Remaining on Summary Disposition Agenda and Action on Items Listed. Chairman Stallings asked if there were any items that needed to be moved, withdrawn or discussed prior to considering the agenda. The Chairman asked to remove and consider items F.1 and 2., and items I. 1., 2., and 3. There were no requests for other changes to the Summary Disposition Agenda.

Mr. Muller moved to approve the Summary Disposition Agenda, except for items F. 1. and 2. (#1974-055, #1979-728), and items I. 1., 2., and 3. (#1951-050, #1956-383, #1970-110). Mr. Darby seconded.

There was no discussion, and Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond
Chairman Stallings moved to approve items F. 1. and 2. (#1974-055, #1979-728), and items I. 1.,2. and 3. (#1951-050, #1956-383, #1970-110). Mr. Drake seconded. Chairman Stallings called for the vote.

AYE: Drake, Castillo, Landess, Darby, Muller, Melton
NAY: None
ABSTAIN: Stallings
ABSENT: Allen, Drummond

Ms. Gibson stated items the Chairman is involved in that are on the agenda are being considered separately.

The following items were approved:

C. Consideration of and Possible Action on Financial Assistance Division Items:
   1. Rural Economic Action Plan (REAP) Grant Applications:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Application No.</th>
<th>Entity Name</th>
<th>County</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   2. CWSRF Principal Forgiveness Loan Applications:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Application No.</th>
<th>Entity Name</th>
<th>County</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>ORF-20-0005-DW</td>
<td>Rural Water, Sewer, and Solid Waste Management District #2</td>
<td>Bryan</td>
<td>$100,000.00</td>
</tr>
</tbody>
</table>

D. Consideration of and Possible Action on Contracts and Agreements:
   1. Joint Funding Agreement between OWRB and USGS for continued operation and maintenance of the monitoring program.
   2. Amendment Agreement between OWRB and OSEE extending the budget/project period for the National Wetlands Condition Assessment.
   3. Interagency Agreement between OWRB and OSEE to provide funding for Oklahoma's FY2019 106 Sec. 106 Water Pollution Control Program – Supplemental Monitoring.
   4. Amendment Agreement between OWRB and USDA – Agricultural Research Service replacing retired ARS PI, J. Steiner with P. Starks.
   5. Joint Funding Agreement between OWRB and USGS for enhancement monitoring for the Eastern Arbuckle-Simpson Aquifer, South-Central Oklahoma Project.

E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
   1. Wesley Craig & Regina Miller, Custer County, #2016-549
   2. Alpine Silica, LLC, Blaine County, #2018-588
   3. Laurnell E. Lenz Trust, Kingfisher County, #2019-510
   4. Dantz & Summer Hall, Greer County, #2019-511
   5. Preston & Candy Masquelier, Custer County, #2019-524
6. LDF Revocable Trust, Oklahoma County, #2019-530
7. Michael J. & Janna K. Potter, Caddo County, #2019-534
8. Norman Shutler Irrevocable Testamentary Trust B, Logan County, #2019-535

F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
1. Kronseder Farms, Inc., Major County, #1974-055
2. Kronseder Farms, Inc., Major County, #1979-728
3. William & Shirley Nunley, Grady County, #2001-520
4. Hennessey Utilities Authority, Kingfisher County, #2009-541

G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
None

H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
1. Verlin Wootton, Beckham County, #1983-687
2. Brennan J. Hendershot, Beckham County, #2001-564D

I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
1. Kronseder Farms, Inc., Major County, #1951-050
2. Kronseder Farms, Inc., Major County, #1956-383
3. Enid Municipal Authority, Major County, #1970-110

J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
1. P & K Stone, LLC, Johnston County, #2019-026

K. Consideration of and Possible Action on Applications for Term Permits to Use Stream Water:
1. George & Amy Wells, Canadian County, #2019-018

L. Consideration of and Possible Action on Dam and Reservoir Construction:
1. Granada Lake, LLC (Granada Lake), Pottawatomie County, #OK13214
2. City of Moore (Little River Park Dam), Cleveland County, #OK30561

M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
   a. Licensee: Redman Water Well & Pump, DPC-0815
      Operator: Joseph Redman, OP-1823
   b. Licensee: Birch Water Well Drilling, LLC, DPC-1021
      Operator: Jody Birch, OP-2295

2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
   a. Licensee: Ewbank, Inc., DPC-0063
      1. Operator: Jeremy Hoffman, OP-2289
      2. Operator: Nicholas Hoffman, OP-2290
   b. Licensee: MATCOR, DPC-0479
      1. Operator: Zachary Younger, OP-2294
      2. Operator: Carl Hammock, OP-2291
      3. Operator: Gatty Snow, OP-2292
   c. Licensee: Redman Water Well & Pump, DPC-0815
      1. Operator: Jeremy Lewis, OP-2293

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, Caddo County, #FP-19-14
2. Oklahoma Department of Transportation, Sequoyah County, #FP-19-15
3. Oklahoma Department of Transportation, Washita County, #FP-19-16

O. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:
None

4. QUESTIONS AND DISCUSSION ABOUT MATTERS AND OTHER ITEMS OF INTEREST

A. No items. There were no questions or items of discussion for the members.

5. SPECIAL CONSIDERATION

A. Consideration of and Possible Action in the Matter on Application for Regular Stream Water Permit No. 2018-007, Kermit Scott, Canadian County:

1. Summary – Mr. Kent Wilkins, Chief, Planning and Management Division, stated to the members that this item is an application to use stream water, permit number 2018-007 in the name of Kermit Scott, and the water is to be taken in Canadian County. He provided the members the background on the application describing the application for an allocation of 300 acre-feet of streamwater per year from one point of diversion on Uncle John's Creek at a maximum rate of 1,600 gpm for the purpose of drilling and completing oil and gas wells; and public notice for the application was provided according to applicable statutory and Board requirements. A written protest was timely filed by Gerald and Lucy Beecher, and an administrative hearing was held. In evaluating the application, Board staff determined 2,200 acre feet of water was available for appropriation at the diversion point on an average annual basis, and no interference is anticipated.

Mr. Wilkins stated that at the hearing the attorney for the applicant, Mr. Rob Singletary, appeared along with Mr. Mike Reid, as the applicant Mr. Scott was unable to attend due to medical reasons. Mr. Kurt Beecher appeared on behalf of the protestants who claimed the applicant's proposed use of water would reduce the level of water of Uncle John's Creek below the diversion point and possibly interfere with the protestant's domestic use as well as their senior water right -- downstream senior water right #1950-142. After the record was closed that day, the attorney for the applicant provided recommended restriction language by agreement of the parties. Upon consideration of evidence in this issue, the Board finds the applicant's proposed use will not interfere with domestic or existing appropriative uses; however, the order should contain the general condition prohibiting interference, as well as the applicant's agreed-to protective language included in the proposed order. Therefore, the record shows the applicant has met the five points of law, unappropriated water is available in the amount applied for, the applicant has a present or future need for the water, the applicant intends to put the water to beneficial use, the proposed use will not interfere with existing domestic or appropriative uses, and use of the water is inside the stream system. Staff recommended approval of application #2018-007 in the name of Kermit Scott, authorizing the diversion of 300 acre-feet of stream water from Uncle John's Creek; the permit shall specify the diversion rate not to exceed 1,680 gpm. The hearing examiner further ordered the permit shall state, in addition to the other usual stream water permit conditions, the agreed upon restrictive language by both parties that further protects senior permit #1950-142.

2. Discussion and presentation by parties. Mr. Rob Singletary was present representing the applicant, as well as Mr. Mike Reid. There were no representatives of the protestants at the meeting.

Mr. Singletary approached the members and stated he is representing the applicants in this matter. He said, as Mr. Wilkins stated, the application has requested up to 300 acre-feet from Uncle John's Creek in Canadian County. As indicated in the proposed order by Judge Ashbaker, Mr. Singletary said the applicant has satisfied all five elements that are required under the statute for the Board to approve the application. He
said in addition to that, they have gone above and beyond and proposed in the order, to address some of the
protestants lingering concerns, that a provision be added to the permit that requires the applicant to cease
diversion from Uncle John's Creek in the event that the protestant notifies him they intend to use their
permitted water from the creek but don't believe sufficient water is available. At that point, the applicant will
cease diversion until such time as the protestant has completed his permitted use or until such time as there is
sufficient water flowing in the creek to allow both uses to be completely satisfied. Based on that, the
applicant respectfully requests the Board approve the application consistent with the proposed order, and he
thanked the Board for its consideration.

3. Possible Executive Session; and 4. Return to open meeting and possible vote or action on any
matter discussed in the Executive Session, if authorized. The Board did not vote to enter executive session.
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.
Chairman Stallings asked if there were any questions; there were none. Mr. Drake moved to
approve permit application 2018-007, and Mr. Darby seconded.
Chairman Stallings asked if the protesters were in attendance, and they were not. There was no
discussion, and Chairman Stallings called for the vote.
AYE: Drake, Castillo, Landess, Darby, Muller, Melton, Stallings
NAY: None
ABSTAIN: None
ABSENT: Allen, Drummond

B. Consideration of and Possible Action on Items Transferred from Summary Disposition Agenda, if
any. There were no matters transferred from the Summary Disposition Agenda.

6. NEW BUSINESS

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.

There were no New Business items for the Board's consideration. The next regular meeting will be
held on October 15, 2019.

7. ADJOURNMENT

There being no further business, Chairman Stallings adjourned the meeting of the Oklahoma Water
Resources Board at 10:15 a.m. on September 17, 2019.

OKLAHOMA WATER RESOURCES BOARD

Robert L. Stallings, Jr., Chairman  Stephen B. Allen, Vice Chairman
Charles Darby  
F. Ford Drummond

Robert L. Melton, Sr.  
Jennifer Castillo

Matt Muller  
Suzanne V. Landess

ATTEST:

Bob Drake, Secretary

(SEAL)
1. D.  FINANCIAL UPDATE

# Oklahoma Water Resources Board
## FY 20 Revenues and Expenses
**through September 30, 2019**

<table>
<thead>
<tr>
<th>General Revenue</th>
<th>Budgeted</th>
<th>Expended</th>
<th>Balance</th>
<th>Percentage Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 20 Appropriation</td>
<td>4,209,840</td>
<td>865,368</td>
<td>3,344,472</td>
<td>79%</td>
</tr>
<tr>
<td><strong>Total General Revenue</strong></td>
<td><strong>4,209,840</strong></td>
<td><strong>865,368</strong></td>
<td><strong>3,344,472</strong></td>
<td><strong>79%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revolving Funds</th>
<th>Budgeted</th>
<th>Expended</th>
<th>Balance</th>
<th>Percentage Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drillers Indemnity Fund</td>
<td>50,000</td>
<td>0</td>
<td>50,000</td>
<td>100%</td>
</tr>
<tr>
<td>OWRB Revolving Fund</td>
<td>3,076,005</td>
<td>633,267</td>
<td>2,442,738</td>
<td>79%</td>
</tr>
<tr>
<td>Revolving Fund</td>
<td>807,751</td>
<td>208,785</td>
<td>598,966</td>
<td>74%</td>
</tr>
<tr>
<td>Drillers Regulation Fund</td>
<td>20,000</td>
<td>12,183</td>
<td>7,817</td>
<td>39%</td>
</tr>
<tr>
<td>Water Infrastructure Dev. Fund (OCWP)</td>
<td>2,436,356</td>
<td>363,115</td>
<td>2,073,241</td>
<td>85%</td>
</tr>
<tr>
<td>USGS Cooperative Agreement</td>
<td>251,400</td>
<td>103,675</td>
<td>147,725</td>
<td>59%</td>
</tr>
<tr>
<td>DW Loan Administration Fund</td>
<td>1,623,236</td>
<td>102,551</td>
<td>1,520,685</td>
<td>84%</td>
</tr>
<tr>
<td>CW Loan Administration Fund</td>
<td>2,010,882</td>
<td>327,345</td>
<td>1,683,537</td>
<td>84%</td>
</tr>
<tr>
<td>CW Loan Fund</td>
<td>400,000</td>
<td>0</td>
<td>400,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total Revolving Funds</strong></td>
<td><strong>10,675,630</strong></td>
<td><strong>1,750,921</strong></td>
<td><strong>8,924,709</strong></td>
<td><strong>84%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Federal Funds</th>
<th>Budgeted</th>
<th>Expended</th>
<th>Balance</th>
<th>Percentage Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Fund</td>
<td>2,563,515</td>
<td>322,545</td>
<td>2,240,970</td>
<td>87%</td>
</tr>
<tr>
<td><strong>Total Federal Funds</strong></td>
<td><strong>2,563,515</strong></td>
<td><strong>322,545</strong></td>
<td><strong>2,240,970</strong></td>
<td><strong>87%</strong></td>
</tr>
</tbody>
</table>

| **Total Funding** | **17,448,985** | **2,938,833** | **14,510,152** | **83%** |

<table>
<thead>
<tr>
<th>Expenses</th>
<th>Budgeted</th>
<th>Expended</th>
<th>Balance</th>
<th>Percentage Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary Expense</td>
<td>6,689,998</td>
<td>1,598,893</td>
<td>5,091,105</td>
<td>76%</td>
</tr>
<tr>
<td>Insurance</td>
<td>1,273,096</td>
<td>309,599</td>
<td>963,497</td>
<td>76%</td>
</tr>
<tr>
<td>FICA and Retirement</td>
<td>1,622,790</td>
<td>374,805</td>
<td>1,247,985</td>
<td>77%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>4,370,077</td>
<td>324,769</td>
<td>4,045,308</td>
<td>93%</td>
</tr>
<tr>
<td>Flexible Benefits</td>
<td>16,000</td>
<td>0</td>
<td>16,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total Personal Services</strong></td>
<td><strong>13,971,961</strong></td>
<td><strong>2,608,066</strong></td>
<td><strong>11,363,895</strong></td>
<td><strong>81%</strong></td>
</tr>
<tr>
<td>Travel Expense</td>
<td>443,429</td>
<td>64,437</td>
<td>378,992</td>
<td>85%</td>
</tr>
<tr>
<td>Administrative Expense</td>
<td>1,093,437</td>
<td>175,572</td>
<td>917,865</td>
<td>84%</td>
</tr>
<tr>
<td>Furniture and Equipment Expense</td>
<td>717,012</td>
<td>90,759</td>
<td>626,253</td>
<td>87%</td>
</tr>
<tr>
<td>Intra Inter Agency Payments</td>
<td>1,223,146</td>
<td>0</td>
<td>1,223,146</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td><strong>3,477,024</strong></td>
<td><strong>330,767</strong></td>
<td><strong>3,146,257</strong></td>
<td><strong>90%</strong></td>
</tr>
</tbody>
</table>

| Total Expenditures | **17,448,985** | **2,938,833** | **14,510,152** | **83%** |

Percent of FY Remaining: 75%
2. FINANCIAL ASSISTANCE DIVISION

October 15, 2019
Oklahoma Water Resources Board
Emergency Grant Program Priority List

October 1, 2019

<table>
<thead>
<tr>
<th>Priority Ranking</th>
<th>Priority Points</th>
<th>Date Requested</th>
<th>Applicant</th>
<th>Project</th>
<th>Amount</th>
<th>Status</th>
</tr>
</thead>
</table>

No Emergency Grant Applications Pending
### WATER RESOURCES FUND
#### EMERGENCY GRANT ACCOUNT
#### September 30, 2019

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Balance, 9/1/2019</td>
<td>$876,857.90</td>
</tr>
<tr>
<td><strong>Income:</strong></td>
<td></td>
</tr>
<tr>
<td>Interest Earnings</td>
<td>1,862.97</td>
</tr>
<tr>
<td>Reserve Fund Earnings</td>
<td></td>
</tr>
<tr>
<td><strong>Grant Refunds:</strong></td>
<td></td>
</tr>
<tr>
<td>Returned Grant Funds</td>
<td></td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>1,862.97</td>
</tr>
<tr>
<td><strong>Grants Funded:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Total Grants Funded</strong></td>
<td>-</td>
</tr>
<tr>
<td>Ending Balance, 8/31/2019</td>
<td>878,720.87</td>
</tr>
<tr>
<td>Funds obligated for approved grants</td>
<td>(270,790.00)</td>
</tr>
<tr>
<td>Total of grants recommended for approval</td>
<td>-</td>
</tr>
<tr>
<td>Total unobligated funds available for grants</td>
<td>$607,930.87</td>
</tr>
</tbody>
</table>
LOAN APPLICATION
RECOMMENDED FOR APPROVAL

Applicant: Roland Utility Authority, Sequoyah County

Loan Application No.: ORF-20-0019-CW
Clean Water SRF Loan (“CWSRF Loan”)

Amount Requested: $740,000.00

Interest Rate: The CWSRF Loan shall bear a fixed interest rate to be determined prior to loan closing plus an administrative fee of 0.5% per annum, all on the outstanding principal balance of the loan.

Payment Term: Interest, administrative fee, and principal payments shall be made on a semi-annual basis. The Applicant shall commence principal repayment no later than one (1) year following Project completion and the maturity of the loan shall be no later than twenty (20) years following the date the Project is completed.

Security Position: The loan shall be secured with a lien on the revenues of the Applicant's water, sewer, and sanitation systems, a two cent sales tax and may include a mortgage on the Applicant's water and sewer systems and other real property.

Purpose: The applicant will utilize the loan proceeds to: (i) install approximately 1,500 AMR water meters and all related appurtenances (the “Project”) and (ii) pay related costs of issuance.

<table>
<thead>
<tr>
<th>Sources of Funds (Est.)</th>
<th>Uses of Funds (Est.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loan Proceeds</td>
<td>Project</td>
</tr>
<tr>
<td></td>
<td>Bond Counsel</td>
</tr>
<tr>
<td></td>
<td>Financial Advisor</td>
</tr>
<tr>
<td></td>
<td>Local Counsel</td>
</tr>
<tr>
<td></td>
<td>Trustee Bank</td>
</tr>
<tr>
<td>Loan Proceeds</td>
<td>$689,500.00</td>
</tr>
<tr>
<td></td>
<td>20,000.00</td>
</tr>
<tr>
<td></td>
<td>20,000.00</td>
</tr>
<tr>
<td></td>
<td>10,000.00</td>
</tr>
<tr>
<td></td>
<td>500.00</td>
</tr>
<tr>
<td>Total</td>
<td>$740,000.00</td>
</tr>
<tr>
<td>Total</td>
<td>$740,000.00</td>
</tr>
</tbody>
</table>
PROPOSED ORDER APPROVING LOAN APPLICATION

This matter came on for consideration before the Oklahoma Water Resources Board (the "Board") on the 15th day of October, 2019.

WHEREAS, Roland Utility Authority (the "Applicant") has made its Application for Funding No. ORF-20-0019-CW (the “Application”) to the Board for a loan from the Clean Water State Revolving Fund (the “CWSRF”) program, pursuant to Title 82 Oklahoma Statutes 2011, Sections 1085.51 et seq, as amended; and

WHEREAS, the Applicant intends to use the loan for wastewater system improvements and/or water quality protection efforts to further compliance with State and Federal standards, and/or to refinance existing indebtedness originally incurred for such purposes; and

WHEREAS, the Board has completed its review of the Application and related information, and finds that the Application should be approved according to the terms and conditions set forth below.

NOW, THEREFORE, LET IT BE RESOLVED AND ORDERED BY THE OKLAHOMA WATER RESOURCES BOARD:

Application for Funding No. ORF-20-0019-CW in the name of the Roland Utility Authority be and the same is hereby approved. Subject to and contingent upon the Board’s receipt of sufficient funds, a loan shall be made to the Applicant for the following purpose and subject to the following terms and conditions:

Purpose

The loan proceeds, along with other funds of the Applicant, if any, will be used to (i) install approximately 1,500 AMR water meters and all related appurtenances (the “Project”) and (ii) pay related costs of issuance, all as more specifically set forth in the Application.

Terms and Conditions

1. A loan shall be made to the Applicant to provide funds for the Project described in the Loan Application in an aggregate principal amount not to exceed $740,000.00. The Applicant shall pay interest on the loan at a fixed rate to be determined prior to closing plus an administrative fee at the rate of 0.5% per annum, all on the outstanding balance of disbursed loan proceeds. Interest, administrative fee, and any principal payments shall be made on a semi-annual basis. The Applicant shall commence principal repayment no later than one (1) year following Project completion, and the maturity of the loan shall be no later than twenty (20) years following the date the Project is completed.

2. The loan shall be secured with a lien on the revenues of the Applicant's water, sewer, and sanitation systems, a two cent sales tax and may include a mortgage on the Applicant's water and sewer systems and other real property.
3. Upon the Applicant's acceptance of the Board's Letter of Binding Commitment, the funds shall be reserved for the Applicant for a period of one (1) year from the date of this Order. In the event the loan is not closed on or before such date, the Board reserves the right to (i) approve, at the Applicant’s request, a reasonable extension of time to close the loan, or (ii) de-obligate all or a portion of the loan funds in order to be used by the Board to make other CWSRF loans, as the Board determines shall permit the best use of the funds. Funds shall be provided to the Applicant from the CWSRF in accordance with the CWSRF program regulations as approved by the United States Environmental Protection Agency.

4. The Board's Staff is authorized to determine what additional conditions or requirements shall be necessary in order to assure the soundness of the loan and compliance with applicable financial, legal, CWSRF, and Bond Resolution requirements. In accordance with applicable authority and the United States Environmental Protection Agency (“EPA”) guidelines for the implementation of the CWSRF Capitalization Grant, the loan conditions may include principal forgiveness to be used to pay a portion of the costs of the Project as described in the Application or for other purposes authorized by applicable authority and EPA guidelines. The Board’s Staff is further authorized to approve future modifications or additions to the project purposes and uses of funds approved herein, provided such modifications or additions will not materially and adversely affect the loan.

5. The loan shall be subject in all respects to the provisions of the Applicant’s promissory note(s), loan agreement(s), and other loan documents which shall be executed by proper officials of the Applicant and a Board Member at or prior to loan closing as appropriate.

6. Additional loans may be made at such times, for such projects of the Applicant, at such repayment periods and interest rates, and upon such other terms and conditions as may be agreed to and approved by the Board and the Applicant.

So ordered this 15th day of October, 2019, in regular and open meeting of the Oklahoma Water Resources Board.

OKLAHOMA WATER RESOURCES BOARD

______________________________
Robert L. Stallings, Jr., Chairman

ATTEST:

______________________________
Bob Drake, Secretary

(SEAL)

Reviewed By:

______________________________ / s /
Joe Freeman, Chief
Financial Assistance Division
LOAN APPLICATION
RECOMMENDED FOR APPROVAL

Applicant: Coweta Public Works Authority, Wagoner County

Loan Application No.: ORF-19-0002-CW
Clean Water SRF Loan ("CWSRF Loan")

Amount Requested: $11,373,000.00

Interest Rate: The CWSRF Loan shall bear a fixed interest rate to be determined prior to loan closing plus an administrative fee of 0.5% per annum, all on the outstanding principal balance of the loan.

Payment Term: Interest, administrative fee, and principal payments shall be made on a semi-annual basis. The Applicant shall commence principal repayment no later than one (1) year following Project completion and the maturity of the loan shall be no later than thirty (30) years following the date the Project is completed.

Security Position: The loan shall be secured with a lien on the revenues of the Applicant's water, sewer, and sanitation systems, a 3% Sales Tax, and may include a mortgage on the Applicant's water and sewer systems and other real property.

Purpose: The applicant will utilize the loan proceeds to: (i) modify and upgrade the existing wastewater treatment plant and all related appurtenances (the "Project") and (ii) pay related costs of issuance.

Sources of Funds (Est.)

<table>
<thead>
<tr>
<th>Loan Proceeds</th>
<th>$11,373,000.00</th>
</tr>
</thead>
</table>

Uses of Funds (Est.)

<table>
<thead>
<tr>
<th>Project</th>
<th>$11,140,040.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond Counsel</td>
<td>116,230.00</td>
</tr>
<tr>
<td>Financial Advisor</td>
<td>87,797.50</td>
</tr>
<tr>
<td>Local Counsel</td>
<td>28,432.50</td>
</tr>
<tr>
<td>Trustee Bank</td>
<td>500.00</td>
</tr>
</tbody>
</table>

Total $11,373,000.00
BEFORE THE OKLAHOMA WATER RESOURCES BOARD
STATE OF OKLAHOMA

IN THE MATTER OF LOAN APPLICATION
NO. ORF-19-0002-CW IN THE NAME OF
COWETA PUBLIC WORKS AUTHORITY
WAGONER COUNTY, OKLAHOMA

PROPOSED
ORDER APPROVING LOAN APPLICATION

This matter came on for consideration before the Oklahoma Water Resources Board (the "Board") on the 15th day of October, 2019.

WHEREAS, Coweta Public Works Authority (the "Applicant") has made its Application for Funding No. ORF-19-0002-CW (the “Application”) to the Board for a loan from the Clean Water State Revolving Fund (the “CWSRF”) program, pursuant to Title 82 Oklahoma Statutes 2011, Sections 1085.51 et seq, as amended; and

WHEREAS, the Applicant intends to use the loan for wastewater system improvements and/or water quality protection efforts to further compliance with State and Federal standards, and/or to refinance existing indebtedness originally incurred for such purposes; and

WHEREAS, the Board has completed its review of the Application and related information, and finds that the Application should be approved according to the terms and conditions set forth below.

NOW, THEREFORE, LET IT BE RESOLVED AND ORDERED BY THE OKLAHOMA WATER RESOURCES BOARD:

Application for Funding No. ORF-19-0002-CW in the name of the Coweta Public Works Authority be and the same is hereby approved. Subject to and contingent upon the Board’s receipt of sufficient funds, a loan shall be made to the Applicant for the following purpose and subject to the following terms and conditions:

Purpose

The loan proceeds, along with other funds of the Applicant, if any, will be used to (i) modify and upgrade the existing wastewater treatment plant and all related appurtenances (the “Project”) and (ii) pay related costs of issuance, all as more specifically set forth in the Application.

Terms and Conditions

1. A loan shall be made to the Applicant to provide funds for the Project described in the Loan Application in an aggregate principal amount not to exceed $11,373,000.00. The Applicant shall pay interest on the loan at a fixed rate to be determined prior to closing plus an administrative fee at the rate of 0.5% per annum, all on the outstanding balance of disbursed loan proceeds. Interest, administrative fee, and any principal payments shall be made on a semi-annual basis. The Applicant shall commence principal repayment no later than one (1) year following Project completion, and the maturity of the loan shall be no later than thirty (30) years following the date the Project is completed.
2. The loan shall be secured with a lien on the revenues of the Applicant's water, sewer, and sanitation systems, a 3% Sales Tax, and may include a mortgage on the Applicant's water and sewer systems and other real property.

3. Upon the Applicant's acceptance of the Board's Letter of Binding Commitment, the funds shall be reserved for the Applicant for a period of one (1) year from the date of this Order. In the event the loan is not closed on or before such date, the Board reserves the right to (i) approve, at the Applicant’s request, a reasonable extension of time to close the loan, or (ii) de-obligate all or a portion of the loan funds in order to be used by the Board to make other CWSRF loans, as the Board determines shall permit the best use of the funds. Funds shall be provided to the Applicant from the CWSRF in accordance with the CWSRF program regulations as approved by the United States Environmental Protection Agency.

4. The Board's Staff is authorized to determine what additional conditions or requirements shall be necessary in order to assure the soundness of the loan and compliance with applicable financial, legal, CWSRF, and Bond Resolution requirements. In accordance with applicable authority and the United States Environmental Protection Agency (“EPA”) guidelines for the implementation of the CWSRF Capitalization Grant, the loan conditions may include principal forgiveness to be used to pay a portion of the costs of the Project as described in the Application or for other purposes authorized by applicable authority and EPA guidelines. The Board’s Staff is further authorized to approve future modifications or additions to the project purposes and uses of funds approved herein, provided such modifications or additions will not materially and adversely affect the loan.

5. The loan shall be subject in all respects to the provisions of the Applicant’s promissory note(s), loan agreement(s), and other loan documents which shall be executed by proper officials of the Applicant and a Board Member at or prior to loan closing as appropriate.

6. Additional loans may be made at such times, for such projects of the Applicant, at such repayment periods and interest rates, and upon such other terms and conditions as may be agreed to and approved by the Board and the Applicant.

So ordered this 15th day of October, 2019, in regular and open meeting of the Oklahoma Water Resources Board.

OKLAHOMA WATER RESOURCES BOARD

Robert L. Stallings, Jr., Chairman

ATTEST:

Bob Drake, Secretary

(SEAL)

Reviewed By:

/ s /

Joe Freeman, Chief

Financial Assistance Division
LOAN APPLICATION
RECOMMENDED FOR APPROVAL

Applicant:  RWSG & SWMD #4, Wagoner County

Loan Application No.:  ORF-20-0008-CW
Clean Water SRF Loan (“CWSRF Loan”)

Amount Requested:  $14,835,000.00

Interest Rate:  The CWSRF Loan shall bear a fixed interest rate to be determined prior to loan closing plus an administrative fee of 0.5% per annum, all on the outstanding principal balance of the loan.

Payment Term:  Interest, administrative fee, and principal payments shall be made on a semi-annual basis. The Applicant shall commence principal repayment no later than one (1) year following Project completion and the maturity of the loan shall be no later than thirty (30) years following the date the Project is completed.

Security Position:  The loan shall be secured with a lien on the revenues of the Applicant's water, sewer, and sanitation systems and may include a mortgage on the Applicant's water and sewer systems and other real property.

Purpose:  The applicant will utilize the loan proceeds to: (i) construct a new wastewater treatment facility, replace manholes, install two new lift stations, equalization basins, generators, odor and corrosion control, and all related appurtenances (the “Project”) and (ii) pay related costs of issuance.

Sources of Funds (Est.)  Uses of Funds (Est.)
Loan Proceeds  $14,835,000.00  Project  $14,517,965.00
Bond Counsel  150,850.00
Financial Advisor  91,510.00
Local Counsel  74,175.00
Trustee Bank  500.00
Total  $14,835,000.00  Total  $14,835,000.00
BEFORE THE OKLAHOMA WATER RESOURCES BOARD
STATE OF OKLAHOMA

IN THE MATTER OF LOAN APPLICATION
NO. ORF-20-0008-CW IN THE NAME OF
RWSG & SWMD #4
WAGONER COUNTY, OKLAHOMA

PROPOSED
ORDER APPROVING LOAN APPLICATION

This matter came on for consideration before the Oklahoma Water Resources Board (the "Board") on the 15th day of October, 2019.

WHEREAS, Wagoner County RWSG & SWMD #4 (the "Applicant") has made its Application for Funding No. ORF-20-0008-CW (the “Application”) to the Board for a loan from the Clean Water State Revolving Fund (the “CWSRF”) program, pursuant to Title 82 Oklahoma Statutes 2011, Sections 1085.51 et seq, as amended; and

WHEREAS, the Applicant intends to use the loan for wastewater system improvements and/or water quality protection efforts to further compliance with State and Federal standards, and/or to refinance existing indebtedness originally incurred for such purposes; and

WHEREAS, the Board has completed its review of the Application and related information, and finds that the Application should be approved according to the terms and conditions set forth below.

NOW, THEREFORE, LET IT BE RESOLVED AND ORDERED BY THE OKLAHOMA WATER RESOURCES BOARD:

Application for Funding No. ORF-20-0008-CW in the name of the Wagoner County RWSG & SWMD #4 be and the same is hereby approved. Subject to and contingent upon the Board’s receipt of sufficient funds, a loan shall be made to the Applicant for the following purpose and subject to the following terms and conditions:

Purpose

The loan proceeds, along with other funds of the Applicant, if any, will be used to (i) construct a new wastewater treatment facility, replace manholes, install two new lift stations, equalization basins, generators, odor and corrosion control, and all related appurtenances (the “Project”) and (ii) pay related costs of issuance, all as more specifically set forth in the Application.

Terms and Conditions

1. A loan shall be made to the Applicant to provide funds for the Project described in the Loan Application in an aggregate principal amount not to exceed $14,835,000.00. The Applicant shall pay interest on the loan at a fixed rate to be determined prior to closing plus an administrative fee at the rate of 0.5% per annum, all on the outstanding balance of disbursed loan proceeds. Interest, administrative fee, and any principal payments shall be made on a semi-annual basis. The Applicant shall commence principal repayment no later than one (1) year following Project completion, and the maturity of the loan shall be no later than thirty (30) years following the date the Project is completed.
ORDER APPROVING LOAN APPLICATION
Wagoner County RWSG & SWMD #4
ORF-20-0008-CW

2. The loan shall be secured with a lien on the revenues of the Applicant's water, sewer, and sanitation systems and may include a mortgage on the Applicant's water and sewer systems and other real property.

3. Upon the Applicant's acceptance of the Board's Letter of Binding Commitment, the funds shall be reserved for the Applicant for a period of one (1) year from the date of this Order. In the event the loan is not closed on or before such date, the Board reserves the right to (i) approve, at the Applicant’s request, a reasonable extension of time to close the loan, or (ii) de-obligate all or a portion of the loan funds in order to be used by the Board to make other CWSRF loans, as the Board determines shall permit the best use of the funds. Funds shall be provided to the Applicant from the CWSRF in accordance with the CWSRF program regulations as approved by the United States Environmental Protection Agency.

4. The Board's Staff is authorized to determine what additional conditions or requirements shall be necessary in order to assure the soundness of the loan and compliance with applicable financial, legal, CWSRF, and Bond Resolution requirements. In accordance with applicable authority and the United States Environmental Protection Agency (“EPA”) guidelines for the implementation of the CWSRF Capitalization Grant, the loan conditions may include principal forgiveness to be used to pay a portion of the costs of the Project as described in the Application or for other purposes authorized by applicable authority and EPA guidelines. The Board’s Staff is further authorized to approve future modifications or additions to the project purposes and uses of funds approved herein, provided such modifications or additions will not materially and adversely affect the loan.

5. The loan shall be subject in all respects to the provisions of the Applicant’s promissory note(s), loan agreement(s), and other loan documents which shall be executed by proper officials of the Applicant and a Board Member at or prior to loan closing as appropriate.

6. Additional loans may be made at such times, for such projects of the Applicant, at such repayment periods and interest rates, and upon such other terms and conditions as may be agreed to and approved by the Board and the Applicant.

So ordered this 15th day of October, 2019, in regular and open meeting of the Oklahoma Water Resources Board.

OKLAHOMA WATER RESOURCES BOARD

______________________________
Robert L. Stallings, Jr., Chairman

ATTEST:

______________________________
Bob Drake, Secretary

(SEAL)

Reviewed By:

______________________________
/ s / __________________________
Joe Freeman, Chief
Financial Assistance Division
THE OKLAHOMA WATER RESOURCES BOARD MET IN REGULAR SESSION ON THE 15TH DAY OF OCTOBER, 2019, AT 9:30 A.M., IN THE BOARD ROOM OF THE OKLAHOMA WATER RESOURCES BOARD, 3800 NORTH CLASSEN BOULEVARD, OKLAHOMA CITY, OKLAHOMA.

Boardmembers Present:

Absent:

Thereupon, the Chairman introduced a resolution (the "Resolution") authorizing the adoption of a master trust indenture (the "Master Trust Indenture") to establish a financing program to authorize a new series of master trust bonds to capitalize the Clean Water State Revolving Fund and the Drinking Water Treatment State Revolving Fund administered by the Oklahoma Water Resources Board (the "Board"), and authorizing the issuance of special, limited obligation revenue bonds of the Board, in one or more series, for the purpose of refunding a portion of the Board’s outstanding Revolving Fund Revenue Bonds, Series 2011A (Master Trust), Revolving Fund Revenue Bonds, Series 2011B (Master Trust), Revolving Fund Revenue Bonds, Series 2012A (Master Trust), and Revolving Fund Revenue Bonds, Series 2012B (Master Trust) (Master Trust), pursuant to the terms of the Master Trust Indenture and a bond indenture.

Upon completion of discussion with respect to such resolution, Boardmember ________ moved the adoption of the resolution, which motion was seconded by Boardmember ________. The Board was polled on the question of the adoption of said resolution, resulting in its adoption by the following vote:

Aye:

Nay:

The Resolution, as adopted, is as follows:

RESOLUTION AUTHORIZING THE ISSUANCE OF OKLAHOMA WATER RESOURCES BOARD REVOLVING FUND REVENUE REFUNDING BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $250,000,000; APPROVING AND AUTHORIZING EXECUTION OF A MASTER TRUST INDENTURE GOVERNING THE ISSUANCE OF NEW SERIES MASTER TRUST BONDS; APPROVING AND AUTHORIZING EXECUTION OF BOND INDENTURES PROVIDING FOR THE ISSUANCE OF THE BONDS; PROVIDING FOR THE SALE AND DELIVERY OF THE BONDS AND AUTHORIZING A CERTIFICATE OF DETERMINATION; WAIVING COMPETITIVE BIDDING ON THE BONDS AND AUTHORIZING THE SALE THEREOF BY NEGOTIATION PURSUANT TO THE TERMS OF A CONTRACT OF PURCHASE PERTAINING THERETO; APPROVING A PRELIMINARY OFFICIAL STATEMENT WITH RESPECT TO THE BONDS; 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.
WHEREAS, the Legislature and the people of the State of Oklahoma (the “State”) have evidenced their desire to provide financial assistance to the State and cities, towns, counties, rural water or sewer districts, irrigation districts, public trusts, master conservancy districts and other political subdivisions of the State, or any combination thereof (the "Eligible Entities") for purposes of financing engineering undertakings or work to conserve and develop surface or subsurface water resources, distribute water, develop water systems and control or develop sewage treatment systems and facilities and/or to refinance any indebtedness originally incurred to acquire or construct such works, systems and facilities by the submission and approval, at special statewide election held on the 28th day of August, 1984, of State Question No. 581 and the adoption pursuant to said election of Section 39, Article X of the Oklahoma Constitution and the vitalization thereof with the enactment of the Water Storage and Control Facilities Act, Title 82 O.S. 2011, Sections 1085.31-1085.49, inclusive, as amended (the "Water Act"), Title 82 O.S. 2011, Sections 1085.51-1085.65, inclusive, as amended (the “Clean Water Act”) and Title 82 O.S. 2011, Sections 1085.71-1085.84 inclusive, as amended (the “Drinking Water Act”);

WHEREAS, the Board is the designated agency of the State charged with the responsibility of administering the Wastewater Facility Construction State Revolving Fund under the Federal Water Quality Act of 1987, as amended and the Drinking Water Treatment State Revolving Fund under the federal Safe Drinking Water Act; and

WHEREAS, pursuant to provision of Section 1085.33 of the Water Act, Section 1085.57 of the Clean Water Act and Section 1085.77 of the Drinking Water Act, the Board is empowered to sell and issue obligations, including refunding bonds, in furtherance of the public purpose of providing an adequate amount of funds to meet the anticipated needs of Eligible Entities to finance wastewater projects described under the Clean Water Act and water treatment projects described under the Drinking Water Act; and

WHEREAS, to facilitate the issuance of bonds to capitalize the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund, the Board and BancFirst, as master trustee, entered into a Master Trust Agreement, dated as of October 1, 2003 (the “Master Trust Agreement”); and

WHEREAS, the Board has determined that refunding a portion of the Board’s outstanding Revolving Fund Revenue Bonds, Series 2011A (Master Trust) (the “Series 2011A Bonds”) and the Revolving Fund Revenue Bonds, Series 2012B (Master Trust) (the “Series 2012B Bonds”) originally issued to finance water treatment projects described under the Clean Water Act, for the purpose of generating a net present value savings, is in the best interests of the Board in the administration of the Clean Water State Revolving Fund; and

WHEREAS, the Board has determined that refunding a portion of the Board’s outstanding Revolving Fund Revenue Bonds, Series 2011B (Master Trust) (the “Series 2011B Bonds”), and the Revolving Fund Revenue Bonds, Series 2012A (Master Trust) (the “Series 2012A Bonds”) originally issued to finance water treatment projects described under the Drinking Water Act, for the purpose of generating a net present value savings, is in the best interests of the Board in the administration of the Drinking Water Treatment State Revolving Fund; and

WHEREAS, the Series 2011A Bonds, the Series 2011B Bonds, the Series 2012A Bonds, and the Series 2012B Bonds are collectively referred to herein as the “Refundable Bonds”; and

WHEREAS, Section 1085.33 of the Water Act authorizes the waiver of competitive bidding on the Board's obligations; and
WHEREAS, the Board has determined that to more efficiently administer and capitalize the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund, the bonds hereafter authorized by the Board shall be governed by a master trust indenture, which will provide that bonds issued thereunder will be secured by revenues of the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund, as provided therein; and

WHEREAS, in connection with the approval of a new master trust indenture, the Board has determined to amend the Master Trust Agreement to enable the more efficient administration of the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund; and

WHEREAS, the Board has heretofore selected BofA Securities, Inc. as senior manager of the underwriting team (the "Underwriters") selected by the Board for the Bonds hereinafter described.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board hereby authorizes the sale, issuance and delivery of special, limited obligations, in one or more series, in aggregate principal amount not to exceed $250,000,000, for the purpose of refunding a portion of the outstanding Refundable Bonds, which were issued to finance wastewater projects described under the Clean Water Act and water treatment projects described under the Drinking Water Act. Such obligations shall be denominated "Oklahoma Water Resources Board State Revolving Fund Revenue Refunding Bonds", with such additional series designation as may be necessary or desirable to distinguish obligations issued for the purpose of refunding a portion of the outstanding Refundable Bonds, and shall be issued under the terms and provisions of a Master Trust Indenture between the Board and BancFirst, as Master Trustee, and pursuant to the provisions of one or more Bond Indentures (referred to herein as the “Bond Indenture”) between the Board and BancFirst, as Bond Trustee. The Bonds shall be issued in fully registered form, without coupons, and shall mature at such times and in such amounts, shall bear interest, shall carry such registration and conversion privileges, shall be payable in such manner, shall be subject to redemption and shall have such other and further qualities and provisions as shall be specifically provided in accordance with the parameters set forth herein and in the Certificate of Determination (hereinafter defined) and the Bond Indenture.

2. The Chairman of the Board, or in his absence the Vice Chairman, is hereby authorized, empowered and directed to determine and establish the total principal amount of the Bonds, which in no event shall exceed Two Hundred Fifty Million Dollars ($250,000,000), the extent, if any, to which the Bonds will be insured, the redemption provisions, Underwriter's discount at not to exceed one percent (1.00%), original issue discount at not to exceed three percent (3.00%), maturing principal amounts of the Bonds and interest rates, which shall not exceed an average rate of five percent (5.00%) per annum, on the Bonds, and to set forth the foregoing in a written certificate of determination (the "Certificate of Determination") at the time of or prior to the issuance of the Bonds. The refunding of the Refundable Bonds attributable must generate a net present value savings of no less than 2.50% and a positive gross savings. The Chairman, or in his absence, the Vice Chairman, is hereby authorized, in the name and on behalf of the Board, to approve, distribute, and deliver a preliminary official statement and a final official statement relating to the Bonds to be used by the Underwriters in the marketing of the Bonds.

3. The Preliminary Official Statement presented to the Board on this date pertaining to the Bonds is hereby approved and deemed final for purposes of distribution in connection with the public offering for sale of such obligations. Such form of the Preliminary Official Statement may be modified as appropriate in connection with the public offering and sale of Bonds, and the Chairman or, in his absence, the Vice Chairman, is authorized on behalf of the Board to deem final the Preliminary Official Statement with respect to the public offering of the Bonds for purposes of distribution in connection with the public offering for sale of such obligations.
4. The Board hereby approves drafts presented on this date of the following documents pertaining to the Bonds and the amendment of the Master Trust Agreement:

(i) Master Trust Indenture;

(ii) Bond Indenture;

(iii) Bond Purchase Contract (as defined below); and

(iv) Continuing Disclosure Agreement.

(v) First Amendment to the Master Trust Agreement.

The Board hereby authorizes its Chairman, or in the event of his absence or incapacity, its Vice Chairman to review and approve any proposed additions, deletions, modifications, or other changes to the above described documents from the forms thereof presented on this date. The foregoing notwithstanding, the Bond Indenture may be a single indenture or separate indentures with respect to the issuance of the Bonds for the purposes described in Section 1 of this Resolution.

5. Competitive bidding for the sale of the Bonds is hereby waived and the sale of the Bonds to the Underwriters pursuant to the terms of a Contract of Purchase by and between the Board and BofA Securities, Inc., as representative of the Underwriters (the “Bond Purchase Contract”) in substantially the draft form presented on this date is hereby authorized; provided the precise principal amount of Bonds, date of the Bonds, the years in which the Bonds will mature and the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, purchase price, interest payment and record dates, the price and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the Board, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Bonds, including, without limitation, the present value and gross savings resulting from the refunding of the Refundable Bonds, shall be set forth in a Certificate of Determination to be executed by the Chairman or Vice Chairman of the Board upon the issuance of the Bonds.

6. Proceeds derived from the sale of the Bonds issued for the purpose of refunding the Refundable Bonds are hereby directed to be deposited with BancFirst, as bond trustee for each series of the Refundable Bonds, in accordance with the provisions of Article X of each bond indenture authorizing the sale of the Refundable Bonds (collectively, the “Refunded Bond Indentures”), between the Board and BancFirst, as trustee. The Chief, Financial Assistance Division, is hereby authorized to obtain (i) Federal Securities (as defined in the each Refunded Bond Indenture) in which to invest the proceeds of the Bonds in order to effect the defeasance of the Refundable Bonds to be refunded to their maturity or date fixed for redemption prior to their scheduled maturities, and (ii) a written report of an independent certified public accountant, evidencing that the amounts deposited with the bond trustee for the Refundable Bonds will be sufficient for the payment of the principal of the Refundable Bonds to be refunded, the premium thereon, if any, and interest to accrued to the date of maturity or redemption prior to maturity, as the case may be, and (iii) an opinion of Bond Counsel addressed to the Board and the bond trustee for the Refundable Bonds to the effect that providing for the payment of the Refundable Bonds to be refunded in accordance with Article X of each Refunded Bond Indenture will not cause the interest on the Refundable Bonds to be included in gross income of the owners for federal income tax purposes.
7. The Board hereby authorizes the Chief, Financial Assistance Division, to cause the Series 2011A Bonds and the Series 2011B Bonds maturing on and after April 1, 2022 refunded with proceeds of the Bonds to be called for redemption no sooner than April 1, 2021, at the redemption price of 100% of the principal amount of the Series 2011A and the Series 2011B Bonds so called for redemption, plus accrued interest to the date fixed for redemption, in the manner provided in the bond indentures authorizing the issuance of the Series 2011A Bonds and the Series 2011B Bonds. The Board hereby authorizes the Chief, Financial Assistance Division, to cause the Series 2012A Bonds and the Series 2012B Bonds maturing on and after April 1, 2023 refunded with proceeds of the Bonds to be called for redemption no sooner than April 1, 2022, at the redemption price of 100% of the principal amount of the Series 2012B Bonds so called for redemption, plus accrued interest to the date fixed for redemption, in the manner provided in the bond indenture authorizing the issuance of the Series 2012B Bonds.

8. The Bond Trustee is directed to pay costs of issuance of the Bonds in amounts approved by the State Bond Advisor from the Costs of Issuance Fund established under the Bond Indenture pursuant to the Closing Order of the Board.

9. Upon the execution and delivery of the Master Trust Indenture, the Board agrees to no longer issue bonds or other obligations governed by the terms of that certain Master Trust Agreement between the Board and BancFirst, as master trustee, dated as of October 1, 2003 (the "Master Trust Agreement"), it being the express intention of the Board to issue all bonds and other obligations to capitalize the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund in accordance with the terms of the Master Trust Indenture.

10. The Chairman or Vice Chairman is hereby authorized to approve and execute, for and on behalf of the Board, the documents referred to in Section 4 of this Resolution and all other and further documents, instruments, agreements, representations and certifications necessary or attendant to the sale, issuance and delivery of the Bonds. The appropriate officers and employees of the Board are hereby authorized to take all action necessary or appropriate to comply with and carry out all provisions of such documents, instruments, representations and certifications.
ADOPTED this 15th day of October, 2019.

OKLAHOMA WATER RESOURCES BOARD

(SEAL)

____________________________
Robert L. Stallings, Jr., Chairman

ATTEST:

____________________________
Bob Drake, Secretary
I, the undersigned, the duly qualified and acting Secretary of the Oklahoma Water Resources Board, hereby certify that the above and foregoing is a true, correct and complete copy of a resolution duly adopted by the Board at the meeting had on the date therein set forth. I further certify that public notice of the meeting was duly given and that attached hereto is a true and a complete copy of the agenda for the meeting which was prominently posted at the place of the meeting, all in the manner and within the time prescribed by law.

WITNESS my hand and the seal of said Board this 15th day of October, 2019.

(SEAL)
THE OKLAHOMA WATER RESOURCES BOARD MET IN REGULAR SESSION ON THE 15TH DAY OF OCTOBER, 2019, AT 9:30 A.M., IN THE BOARD ROOM OF THE OKLAHOMA WATER RESOURCES BOARD, 3800 NORTH CLASSEN BOULEVARD, OKLAHOMA CITY, OKLAHOMA.

Boardmembers Present:

Absent:

Thereupon, the Chairman introduced a resolution (the "Resolution") authorizing the issuance of special, limited obligation revenue bonds of the Board, in one or more series, for the purpose of capitalizing the Board’s Drinking Water Treatment State Revolving Fund, pursuant to the terms of the master trust indenture and a bond indenture. Upon completion of discussion with respect to such resolution, Boardmember ________ moved the adoption of the resolution, which motion was seconded by Boardmember _________. The Board was polled on the question of the adoption of said resolution, resulting in its adoption by the following vote:

Aye: ___________________________________________________.

Nay: ____.

The Resolution, as adopted, is as follows:

RESOLUTION AUTHORIZING THE ISSUANCE OF OKLAHOMA WATER RESOURCES BOARD REVOLVING FUND REVENUE BONDS – CLEAN WATER AND DRINKING WATER PROGRAM (NEW SERIES MASTER TRUST BONDS), IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $95,000,000; APPROVING AND AUTHORIZING EXECUTION OF A BOND INDENTURE PROVIDING FOR THE ISSUANCE OF THE BONDS; PROVIDING FOR THE SALE AND DELIVERY OF THE BONDS AND AUTHORIZING A CERTIFICATE OF DETERMINATION; WAIVING COMPETITIVE BIDDING ON THE BONDS AND AUTHORIZING THE SALE THEREOF BY NEGOTIATION PURSUANT TO THE TERMS OF A CONTRACT OF PURCHASE PERTAINING THERETO; APPROVING A PRELIMINARY OFFICIAL STATEMENT WITH RESPECT TO THE BONDS; 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.
WHEREAS, the Legislature and the people of the State of Oklahoma (the “State”) have evidenced their desire to provide financial assistance to the State and cities, towns, counties, rural water or sewer districts, irrigation districts, public trusts, master conservancy districts and other political subdivisions of the State, or any combination thereof (the "Eligible Entities") for purposes of financing engineering undertakings or work to conserve and develop surface or subsurface water resources, distribute water, develop water systems and control or develop sewage treatment systems and facilities and/or to refinance any indebtedness originally incurred to acquire or construct such works, systems and facilities by the submission and approval, at special statewide election held on the 28th day of August, 1984, of State Question No. 581 and the adoption pursuant to said election of Section 39, Article X of the Oklahoma Constitution and the vitalization thereof with the enactment of the Water Storage and Control Facilities Act, Title 82 O.S. 2011, Sections 1085.31-1085.49, inclusive, as amended (the "Water Act"), Title 82 O.S. 2011, Sections 1085.51-1085.65, inclusive, as amended (the “Clean Water Act”) and Title 82 O.S. 2011, Sections 1085.71-1085.84 inclusive, as amended (the “Drinking Water Act”); and

WHEREAS, the Board is the designated agency of the State charged with the responsibility of administering the Wastewater Facility Construction State Revolving Fund under the Federal Water Quality Act of 1987, as amended (the "Clean Water State Revolving Fund"), and the Drinking Water Treatment State Revolving Fund under the federal Safe Drinking Water Act (the "Drinking Water State Revolving Fund"); and

WHEREAS, pursuant to provision of Section 1085.33 of the Water Act, Section 1085.57 of the Clean Water Act and Section 1085.77 of the Drinking Water Act, the Board is empowered to sell and issue obligations, including refunding bonds, in furtherance of the public purpose of providing an adequate amount of funds to meet the anticipated needs of Eligible Entities to finance wastewater projects described under the Clean Water Act and water treatment projects described under the Drinking Water Act; and

WHEREAS, the Board has given due consideration to the relative needs of all Eligible Entities within the State in order to ensure that sufficient monies are available from the issuance of its obligations to satisfy the proportionate share of the overall needs of both small and large Eligible Entities; and

WHEREAS, in order to meet the anticipated needs of Eligible Entities to finance water treatment bonds under the Drinking Water Act, the Board desires to issue the Bonds hereafter described for such purpose; and

WHEREAS, Section 1085.33 of the Water Act authorizes the waiver of competitive bidding on the Board's obligations; and

WHEREAS, the Board has determined that to more efficiently administer and capitalize the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund, the bonds hereinafter authorized shall be governed by a master trust indenture, which will provide that bonds issued thereunder will be secured by revenues of the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund, as provided therein; and

WHEREAS, the Board has heretofore selected BofA Securities, Inc., as senior manager of the underwriting team (the "Underwriters") selected by the Board for the Bonds hereinafter described.

NOW, THEREFORE, BE IT RESOLVED:
1. The Board hereby authorizes the sale, issuance and delivery of special, limited obligations, in one or more series, in aggregate principal amount not to exceed $95,000,000, for the purpose of capitalizing the Board’s Drinking Water State Revolving Fund. Such obligations shall be denominoted "Oklahoma Water Resources Board State Revolving Fund Revenue Bonds - Clean Water and Drinking Water Program (New Series Master Trust Bonds)”, with such additional series designation as may be necessary or desirable (the “Bonds”), and shall be issued under the terms and provisions of the Master Trust Indenture between the Board and BancFirst, as Master Trustee, and pursuant to the provisions of a Bond Indenture between the Board and BancFirst, as Bond Trustee. The Bonds shall be issued in fully registered form, without coupons, and shall mature at such times and in such amounts, shall bear interest, shall carry such registration and conversion privileges, shall be payable in such manner, shall be subject to redemption and shall have such other and further qualities and provisions as shall be specifically provided in accordance with the parameters set forth herein and in the Certificate of Determination (hereinafter defined) and the Bond Indenture.

2. The Chairman of the Board, or in his absence the Vice Chairman, is hereby authorized, empowered and directed to determine and establish the total principal amount of the Bonds, which in no event shall exceed Ninety Five Million Dollars ($95,000,000), the extent, if any, to which the Bonds will be insured, the redemption provisions, Underwriter's discount at not to exceed one percent (1.00%), original issue discount at not to exceed three percent (3.00%), maturing principal amounts of the Bonds and interest rates, which shall not exceed an average rate of five percent (5.00%) per annum, on the Bonds, and to set forth the foregoing in a written certificate of determination (the "Certificate of Determination") executed at the time of or prior to the issuance of the Bonds. The Chairman, or in his absence, the Vice Chairman, is hereby authorized, in the name and on behalf of the Board, to approve, distribute, and deliver a preliminary official statement and a final official statement relating to the Bonds to be used by the Underwriters in the marketing of the Bonds.

3. The Preliminary Official Statement presented to the Board on this date pertaining to the Bonds is hereby approved and deemed final for purposes of distribution in connection with the public offering for sale of such obligations. Such form of the Preliminary Official Statement may be modified as appropriate in connection with the public offering and sale of Bonds, and the Chairman or, in his absence, the Vice Chairman, is authorized on behalf of the Board to deem final the Preliminary Official Statement with respect to the public offering of the Bonds for purposes of distribution in connection with the public offering for sale of such obligations.

4. The Board hereby approves drafts presented on this date of the following documents pertaining to the Bonds:

   (i) Bond Indenture;

   (ii) Bond Purchase Contract (as defined below); and

   (iii) Continuing Disclosure Agreement.

The Board hereby authorizes its Chairman, or in the event of his absence or incapacity, its Vice Chairman, to review and approve any proposed additions, deletions, modifications, or other changes to the above described documents from the forms thereof presented on this date. The foregoing notwithstanding, the Bond Indenture may be a single indenture with respect to the issuance of the Bonds for the purposes described in Section 1 of this Resolution.
5. Competitive bidding for the sale of the Bonds is hereby waived and the sale of the Bonds to the Underwriters pursuant to the terms of a Contract of Purchase by and between the Board and BofA Securities, Inc., as representative of the Underwriters (the “Bond Purchase Contract”) in substantially the draft form presented on this date is hereby authorized; provided the precise principal amount of Bonds, date of the Bonds, the years in which the Bonds will mature and the principal amount to mature in each of such years, the rate of interest to be borne by each such maturity, purchase price, interest payment and record dates, the price and terms upon and at which the Bonds shall be subject to redemption prior to maturity at the option of the Board, as well as any mandatory sinking fund redemption provisions, and all other matters relating to the issuance, sale, and delivery of the Bonds, including, without limitation, the proceeds used to capitalize the Drinking Water State Revolving Fund, shall be set forth in a Certificate of Determination to be executed by the Chairman or Vice Chairman of the Board upon the issuance of the Bonds. The foregoing notwithstanding, the Bond Purchase Contract may be a single contract with respect to the issuance of the Bonds for the purposes described in Section 1 of this Resolution.

6. Proceeds derived from the sale of the Bonds, if any, issued for the purpose of capitalizing the Board’s Drinking Water State Revolving Fund are hereby directed to be deposited into the Drinking Water Treatment Revolving Loan Account of the Water Resources Fund created in the State Treasury pursuant to and in accordance with Section 1085.33 of the Water Act in the respective amounts to be set forth in a Closing Order to be executed on for and on behalf of the Board in conjunction with the issuance of the Bonds. The State Treasurer is requested and directed, immediately upon receipt of proceeds of the Bonds, to transfer such proceeds, together with accrued interest thereon, if any, from such Accounts of the Water Resources Fund to the Bond Trustee for application in the manner set forth in the Bond Indenture approved in Section 4 hereof and in the above referenced Closing Order.

7. The Bond Trustee is directed to pay costs of issuance of the Bonds in amounts approved by the State Bond Advisor from the Costs of Issuance Fund established under the Bond Indenture pursuant to the Closing Order of the Board.

8. The Chairman, Vice Chairman and other directors of the Board are hereby authorized to approve and execute, for and on behalf of the Board, all other and further documents, instruments, agreements, representations and certifications necessary or attendant to the sale, issuance and delivery of the Bonds. The appropriate officers and employees of the Board are hereby authorized to take all action necessary or appropriate to comply with and carry out all provisions of such documents, instruments, representations and certifications.

[Execution Page Follows]
ADOPTED this 15th day of October, 2019.

OKLAHOMA WATER RESOURCES BOARD

(SEAL)

____________________________
Robert L. Stallings, Jr., Chairman

ATTEST:

____________________________
Bob Drake, Secretary
I, the undersigned, the duly qualified and acting [________] Secretary of the Oklahoma Water Resources Board, hereby certify that the above and foregoing is a true, correct and complete copy of a resolution duly adopted by the Board at the meeting had on the date therein set forth. I further certify that public notice of the meeting was duly given and that attached hereto is a true and a complete copy of the agenda for the meeting which was prominently posted at the place of the meeting, all in the manner and within the time prescribed by law.

WITNESS my hand and the seal of said Board this 15th day of October, 2019.

(SEAL)  

[________], [________] Secretary
Financial Assistance Program
Loan and Grant Recipient Status

Funding as of October 2, 2019

Funding Totals by County
- < $1 Million
- $1-10 Million
- $10-20 Million
- $20-50 Million
- $50-100 Million
- $100-200 Million
- $200 Million - $1 Billion
- > $1 Billion

Funding Totals by Program
- Clean Water Loans: $1.70 Billion
- FAP Loans: $1.24 Billion
- Drinking Water Loans: $1.36 Billion
- REAP Grants: $62.0 Million
- Emergency Grants: $35.1 Million
- Drought Grants: $0.4 Million
- Special Purpose Grants: $2.6 Million

TOTAL: $4.40 Billion

TOTAL SAVINGS: $1.5 Billion
3.C.2. SUMMARY DISPOSITION AGENDA ITEMS

FINANCIAL ASSISTANCE DIVISION

October 15, 2019
Applicant: Geary Utilities Authority, Blaine County

Loan Application No.: ORF-20-0017-DW
Drinking Water SRF Loan (“DWSRF Loan”)

Amount Requested: $100,000.00

Payment Term: The Applicant shall be required to comply with all DWSRF loan provisions. If all DWSRF loan provisions are met to the satisfaction of the OWRB, then the funding shall be forgiven in total without fees for administration or interest.

Purpose: The applicant will utilize the loan proceeds to: (i) install a 4-inch water line, and all related appurtenances (the”Project”), and (ii) pay related costs of issuance.

Sources of Funds (Est.) | Uses of Funds (Est.)
------------------------|------------------------
Loan Proceeds $100,000.00 | Project $291,000.00
IHS Funds 191,000.00     | Total $291,000.00
Total $291,000.00        | Total $291,000.00
BEFORE THE OKLAHOMA WATER RESOURCES BOARD
STATE OF OKLAHOMA

IN THE MATTER OF LOAN APPLICATION
NO. ORF-20-0017-DW IN THE NAME OF
GEARY UTILITIES AUTHORITY
BLAINE COUNTY, OKLAHOMA

PROPOSED ORDER APPROVING LOAN APPLICATION

This matter came on for consideration before the Oklahoma Water Resources Board (the "Board") on the 15th day of October, 2019.

WHEREAS, Geary Utilities Authority (the "Applicant") has made its Application for Funding No. ORF-20-0017-DW (the "Loan Application") to the Board and to the Oklahoma Department of Environmental Quality (the "DEQ") for a loan from the Drinking Water Treatment Revolving Loan Account (the "DWSRF"), pursuant to Title 82 Oklahoma Statutes 2011, Sections 1085.71 et seq, as amended; and

WHEREAS, the Applicant intends to use the loan for drinking water system improvements, to further compliance with State and Federal standards and/or to refinance existing indebtedness originally incurred for such purposes; and

WHEREAS, the DEQ has certified the Loan Application with regards to compliance with applicable technical program requirements and forwarded it to the Board with a recommendation that the Loan Application be considered and approved for a DWSRF Loan; and

WHEREAS, the Board has completed its review of the Loan Application and related information, and finds that the Loan Application should be approved according to the terms and conditions set forth below.

NOW, THEREFORE, LET IT BE RESOLVED AND ORDERED BY THE OKLAHOMA WATER RESOURCES BOARD:

Application for Funding No. ORF-20-0017-DW in the name of Geary Utilities Authority be and the same is hereby approved. Subject to and contingent upon the Board’s receipt of sufficient funds, a loan shall be made to the Applicant for the following purpose and subject to the following terms and conditions:

Purpose

The loan proceeds, along with other funds of the Applicant, if any, will be used to (i) install a 4-inch water line, and all related appurtenances (the “Project”) and (ii) pay related costs of issuance, all as more specifically set forth in the Application.

Terms and Conditions

1. Funding shall be made to the Applicant to provide funds for the Project described in the Loan Application in an aggregate principal amount not to exceed $100,000.00.

2. Upon the Applicant's acceptance of the DEQ's Letter of Binding Commitment, the funds shall be reserved for the Applicant for a period of one (1) year from the date of this Order. In the event the loan is not closed on or before such date, the Board reserves the right to (i) approve, at the Applicant’s request, a reasonable extension of time to close the loan, or (ii) de-obligate all or a portion of the loan funds in order to be used by the Board to make other DWSRF
loans, as the Board determines shall permit the best use of the funds. Funds shall be provided to the Applicant from the DWSRF in accordance with the DWSRF program regulations as approved by the United States Environmental Protection Agency.

3. The Board’s Staff is authorized to determine what additional conditions or requirements shall be necessary in order to assure the soundness of the loan and compliance with applicable financial, legal, DWSRF, and Bond Resolution requirements. In accordance with applicable authority and the United States Environmental Protection Agency (“EPA”) guidelines for the implementation of the DWSRF Capitalization Grant, the loan conditions may include principal forgiveness to be used to pay a portion of the costs of the Project as described in the Application or for other purposes authorized by applicable authority and EPA guidelines. The Board’s Staff is further authorized to approve future modifications or additions to the project purposes and uses of funds approved herein, provided such modifications or additions will not materially and adversely affect the loan.

4. The loan shall be subject in all respects to the provisions of the Applicant’s promissory note(s), loan agreement(s), and other funding documents which shall be executed by proper officials of the Applicant and a Board Member at or prior to loan closing as appropriate.

5. Additional loans may be made at such times, for such projects of the Applicant, at such repayment periods and interest rates, and upon such other terms and conditions as may be agreed to and approved by the Board and the Applicant.

So ordered this 15th day of October, 2019 in regular and open meeting of the Oklahoma Water Resources Board.

OKLAHOMA WATER RESOURCES BOARD

__________________________
Robert L. Stallings, Jr., Chairman

ATTEST:

__________________________
Bob Drake, Secretary

(SEAL)

Reviewed By:

__________________________
/s/
Joe Freeman, Chief
Financial Assistance Division
3. SUMMARY DISPOSITION AGENDA ITEMS

D. Contracts and Agreements Recommended for Approval

October 15, 2019
AGENDA ITEM 3D(1)

JOINT FUNDING AGREEMENT

WITH: Federal Emergency Management Agency (FEMA)

PURPOSE: Information Sharing Access Agreement between OWRB and FEMA to share information to determine eligibility for benefits following flooding events or other disaster.

AMOUNT: $0

TERM: Through October 2022
W. INFORMATION SHARING ACCESS AGREEMENT

BETWEEN

THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE AND MITIGATION ADMINISTRATION

AND

THE OKLAHOMA WATER RESOURCES BOARD

1. INTRODUCTION AND PURPOSE. The U.S. Department of Homeland Security/Federal Emergency Management Agency, Federal Insurance and Mitigation Administration (DHS/FEMA/FIMA) and the Oklahoma Water Resources Board (the Board) voluntarily enter into this Information Sharing Access Agreement (ISAA). The purpose of the ISAA is to enable FEMA to share personally identifying information (PII) that is protected by the Privacy Act of 1974 (Privacy Act), 5 U.S.C. § 552a, with the Board to determine eligibility for benefits, verify non-duplication of benefits following a flooding event or another disaster, or provide needs unmet by National Flood Insurance Program (NFIP) claims payouts within their jurisdiction.

2. AUTHORITIES. This ISAA is authorized by:


d. Privacy Act of 1974, codified at 5 U.S.C. § 552a et seq. (Privacy Act);

e. FEMA Recovery Policy 9420.1, “Secure Data Sharing” (Sept. 9, 2013);


3. BACKGROUND

a. The President declared a Major Disaster under the Stafford Act for the State of Oklahoma on June 1, 2019, as a result of severe storms, straight-line winds, tornadoes, and flooding.

b. FEMA collects, maintains, uses, and disseminates personally identifiable information (PII) from NFIP policyholders. Policyholder PII is protected by the Privacy Act and shared pursuant to the NFIP Files SORN.

c. Pursuant to 5 U.S.C. § 552a(b)(3) of the Privacy Act, records containing policyholder PII may be disclosed for certain routine uses.
4. ROUTINE USES

a. As authorized by Routine Use I, FEMA may disclose policyholder PII to State governmental agencies to determine eligibility for benefits, verify non-duplication of benefits following a flooding event or another disaster, and provide needs unmet by NFIP claims payouts within their jurisdiction.

b. As authorized by Routine Use J, FEMA may disclose policyholder PII to State governmental agencies to provide GFIP certificates for carrying out the purposes of the NFIP within its jurisdiction.

c. As authorized by Routine Use L, FEMA may disclose policyholder PII with State governmental agencies to ascertain the degree of financial burdens they expect to assume in the event of a flooding disaster within the jurisdiction.

d. As authorized by Routine Use M, FEMA may disclose policyholder PII with State governmental agencies to further NFIP activities within its jurisdiction.

e. As authorized by Routine Use N, FEMA may disclose policyholder PII with State governmental agencies to provide names and addresses of policyholders within its jurisdiction, and a brief general description of their plan for acquiring and relocating their flood prone properties for the purpose of ensuring that communities engage in floodplain management, improved real property acquisitions, and relocation projects that are consistent with the NFIP. This is contingent upon FIMA determining that the use furthers the flood plain management and hazard mitigation goals of the agency.

f. As authorized by Routine Use O, FEMA may disclose policyholder PII with State governmental agencies to review NFIP policy and claims information for properties within its jurisdiction in order to assist in hazard mitigation and floodplain management activities and in monitoring compliance with the floodplain management measures adopted by the community.

g. As authorized by Routine Use R, FEMA may disclose policyholder PII with State governmental agencies to conduct research, analysis, and feasibility studies of policies and claims within its jurisdiction.

h. As authorized by Routine Use T, FEMA may disclose policyholder PII community officials and representatives to provide repetitive loss records of properties within that community.

5. RESPONSIBILITIES.

a. FEMA’s responsibilities under this ISAA are as follows:

   i. Share with the Board certain NFIP policyholder PII, limited to the data fields listed in Appendix A, pursuant to one or more of the routine uses described in the NFIP Files SORN and enumerated above.
ii. Transmit the NFIP policyholder PII data listed in paragraph 5(a)(i) to the Board in password protected format via encrypted email. The Board may list a total of three individuals that may request data under this ISAA.

iii. FEMA shall ensure that NFIP policyholder PII is accurate, complete, and up-to-date as necessary for the intended routine use.

b. The Board’s responsibilities under this ISAA are as follows:

i. Request only such data as is necessary to accomplish one or more of the routine uses enumerated above.

ii. Employ appropriate administrative, technical, and/or physical safeguards to secure any and all NFIP policyholder PII shared under the provisions of this ISAA, whether in physical or electronic form, and store PII only in places and in a manner that is safe from access by unauthorized persons or for unauthorized use. In the event that information technology systems are used to store PII, Oklahoma will utilize the security and risk management provisions of the National Institutes of Standards and Technology (NIST) "Framework for Improving Critical Infrastructure Cybersecurity," to implement appropriate administrative, technical, and/or physical controls and safeguards (including, but not limited to access controls that comply with the least user privilege principles, data encryption during transit and at rest, intrusion detection/intrusion prevention systems, etc.) in order to secure any and all IT systems holding NFIP policyholder PII.

iii. Limit access to NFIP policyholder PII provided by FEMA under this ISAA only to the authorized Board personnel performing one of the routine uses enumerated above. The Board will not disclose NFIP policyholder PII provided by FEMA under this ISAA to outside third parties, other than those listed in this ISAA, without the express written consent from FEMA.

iv. Ensure that Board personnel with access to any NFIP policyholder PII provided under this ISAA understand their responsibilities to protect NFIP policyholder PII.

v. In the event of a breach of information or any unauthorized exposure, release, or misuse of NFIP policyholder PII shared by FEMA under the provisions of this ISAA, the Board will immediately report the incident to the FEMA Privacy Officer at (202) 212-5100 or FEMA-Privacy@fema.dhs.gov. The Board will support FEMA in the investigation, response, and mitigation of any reported privacy incident, as needed.

6. POINTS OF CONTACT

a. The FEMA point of contact is as follows:

Name: Darrell W. Walker
Title: DR-4438 Hazard Mitigation Branch Director
Phone: 580-371-8265
E-mail Address: darrellw.walker@fema.dhs.gov
b. The Board points of contact are as follows:

Name: Yohanes Sugeng  
Title: Oklahoma NFIP Coordinator  
Phone: 405-530-8867  
E-mail Address: yohanes.sugeng@owrb.ok.gov

Name: Aaron Milligan  
Title: Oklahoma Water Resources Board Planning & Management Division  
Phone: 405-530-8800  
Email Address: Aaron.Milligan@owrb.ok.gov

c. Third parties authorized to receive access to NFIP policyholder PII data on an as needed basis are as follows:

Name: Mathew Rollins, CFM  
Title: State Hazard Mitigation Officer  
Phone: 405 521 3140  
Email Address: matthew.rollins@oem.ok.gov

7. SEVERABILITY. Nothing in this ISAA is intended to conflict with current law, regulation, or FEMA directives. If a term of this ISAA is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this ISAA shall remain in full force and effect.

8. NO PRIVATE RIGHT. This ISAA is an internal agreement between FEMA and the Board. It does not create nor confer any right or benefit that is substantive or procedural, enforceable by any third party against the parties, the United States, or other officers, employees, agents, or associated personnel thereof. Nothing in this ISAA is intended to restrict the authority of either party to act as provided by law, statute, or regulation, or to restrict any patty from administering or enforcing any laws within its authority or jurisdiction.

9. FUNDING. This ISAA is not an obligation or commitment of funds, nor a basis for transfer of funds. Each party shall bear its own costs in relation to this ISAA. Expenditures by each party will be subject to its budgetary excesses and to availability of funds pursuant to applicable laws, regulations, and policies. The parties expressly acknowledge that this in no way implies that Congress will appropriate funds for such expenditures.

10. ISSUE RESOLUTION. FEMA and the Board understand that during the course of this ISAA, they may have to resolve issues such as: scope, interpretation of provisions, unanticipated technical matters, and other proposed modifications. Both parties agree to appoint their respective points of contact to work in good faith towards resolution of such issues.

11. ENTIRE AGREEMENT. This ISAA constitutes the entire agreement between the parties with regard to information sharing pursuant to the NFIP Files SORN.

12. MODIFICATION. This ISAA may be modified upon the mutual written consent of the parties.

13. EFFECTIVE DATE, DURATION, AND TERMINATION. This ISAA will become effective upon the signature of both parties and will remain in effect for three years. However, FEMA will only provide the
information identified in paragraph 5(a)(i) for the disaster period of assistance as defined in 44 C.F.R. § 206.110(e), plus 90 days to address any appeals under 44 C.F.R. § 115(f). Either party may terminate this agreement upon written notice to the other party.

14. PENALTIES. The Privacy Act provides for criminal penalties for the unauthorized disclosure of Privacy Act protected information to unauthorized parties. The Board understands that if it or one of its employees/agents willfully discloses any such PII to a third party not authorized to receive it, FEMA will revoke the Board’s access to FEMA PII, and penalties may apply. 5 U.S.C. § 552a(i).

APPROVED BY:

FEDERAL EMERGENCY MANAGEMENT AGENCY

_________________________   ___________
Name      Date
Title
Federal Insurance Directorate
DHS/FEMA/FIMA

OKLAHOMA WATER RESOURCES BOARD

_________________________   ___________
Name      Date
Title
### APPENDIX A – NFIP DATA DESCRIPTION

The following lists the NFIP data elements that may be shared, as needed, under this ISAA.

<table>
<thead>
<tr>
<th>Name</th>
<th>Type</th>
<th>Length</th>
<th>Decimal</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DT_OF_LOSS</td>
<td>Date</td>
<td>8</td>
<td></td>
<td>Date on which water first entered the insured building. Reported through TRRP.</td>
</tr>
<tr>
<td>POLICY_NBR</td>
<td>Character</td>
<td>10</td>
<td></td>
<td>The policy number used by the company. Becomes a unique 15 character key when preceded by the WYO prefix (company code). Reported through TRRP.</td>
</tr>
<tr>
<td>NAME</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Name or descriptive information indicator denotes whether the property is standard address format, such as 123 Maple St., or is descriptive text, such as Lot 33, Block 10. Reported through TRRP.</td>
</tr>
<tr>
<td>ADDRESS1</td>
<td>Character</td>
<td>30</td>
<td></td>
<td>Street address of the insured property. Used when property location is described with descriptive info. PO box not acceptable. Reported through TRRP.</td>
</tr>
<tr>
<td>ADDRESS2</td>
<td>Character</td>
<td>30</td>
<td></td>
<td>Used if a standard address consisting of street number, street name, and street type. PO box not acceptable. Reported through TRRP.</td>
</tr>
<tr>
<td>CITY</td>
<td>Character</td>
<td>20</td>
<td></td>
<td>Name of the city where the property is located. Reported through TRRP.</td>
</tr>
<tr>
<td>STATE</td>
<td>Character</td>
<td>2</td>
<td></td>
<td>Abbreviation for the state where the property is located. Must agree with the first 2 digits of the community ID number. Reported through TRRP.</td>
</tr>
<tr>
<td>ZIP1</td>
<td>Character</td>
<td>5</td>
<td></td>
<td>First 5 digits of zip for the insured property. Reported through TRRP.</td>
</tr>
<tr>
<td>ZIP2</td>
<td>Character</td>
<td>4</td>
<td></td>
<td>Zip + 4. May be reported through TRRP or system attempts to add during cycle. TRRP (if reported) or calculated.</td>
</tr>
<tr>
<td>ADDRESSKEY</td>
<td>Character</td>
<td>25</td>
<td></td>
<td>25-byte soundex key representing a specific address.</td>
</tr>
<tr>
<td>COMMUNITY</td>
<td>Character</td>
<td>6</td>
<td></td>
<td>Uniquely identifies each participating or potentially participating community.</td>
</tr>
<tr>
<td>PANEL_SUF</td>
<td>Character</td>
<td>5</td>
<td></td>
<td>Consists of: map panel no and map suffix (5).</td>
</tr>
<tr>
<td>FLOOD_ZONE</td>
<td>Character</td>
<td>3</td>
<td></td>
<td>Flood risk zone according to the Flood Insurance Rate Map. Reported through TRRP.</td>
</tr>
<tr>
<td>OCCUPANCY</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Occupancy Type. Reported through TRRP.</td>
</tr>
<tr>
<td>BUILDING</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Number of floors, including basement. Reported through TRRP.</td>
</tr>
<tr>
<td>CONDO</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Condo Type Indicator. Reported through TRRP.</td>
</tr>
<tr>
<td>Variable</td>
<td>Type</td>
<td>Length</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>--------</td>
<td>--------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>FLOODPROOF</td>
<td>Character</td>
<td>1</td>
<td>Flood-Proofed Indicator. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>POST_FIRM</td>
<td>Character</td>
<td>1</td>
<td>Indicates whether construction was started before or after publication of the Flood Insurance Rate Map. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>ORIG_CONST</td>
<td>Date</td>
<td>8</td>
<td>Original construction date/Substantial improvement date. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>POL_EFF_DT</td>
<td>Date</td>
<td>8</td>
<td>Policy effective date. May not be current (as in a future dated TRRP transaction). Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>POL_EXP_DT</td>
<td>Date</td>
<td>8</td>
<td>Policy expiration date. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>POL_STATUS</td>
<td>Character</td>
<td>1</td>
<td>Policy active status. Calculated W2MPSTAT.</td>
<td></td>
</tr>
<tr>
<td>ELEV_BLDG</td>
<td>Character</td>
<td>1</td>
<td>Elevated building indicator. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>PRINCIPAL</td>
<td>Character</td>
<td>1</td>
<td>Principal Residence Indicator. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>ELEV_DIFF</td>
<td>Numeric</td>
<td>5</td>
<td>Elevation difference between the lowest floor used for rating or the floodproofed elevation and the base flood elevation, base flood depth or the ground elevation as appropriate. Rounded. Positive or negative. A value of 999 means field not used. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>T_COV_BLDG</td>
<td>Numeric</td>
<td>8</td>
<td>Total amount of insurance coverage - building. In hundreds of dollars. Positive numeric, not to exceed program limits. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>T_COV_CONT</td>
<td>Numeric</td>
<td>5</td>
<td>Total amount of insurance - contents. Amount of coverage in hundreds of dollars. Positive numeric; cannot exceed program limits. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>LOW_FLOOR</td>
<td>Numeric</td>
<td>8</td>
<td>Lowest floor elevation. Used as a point of reference when rating. A value of 9999 indicates field is not reported and/or used for this policy. May be positive or negative. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>BASE_FLOOD</td>
<td>Numeric</td>
<td>8</td>
<td>Base flood elevation (BFE). Elevation at which there is a 1% chance per year of flooding. A value of 9999 indicates field not used for this policy. May be positive or negative. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>F_PAY_BLDG</td>
<td>Character</td>
<td>1</td>
<td>Indicates the status of a case under building coverage. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>F_PAY_CONT</td>
<td>Character</td>
<td>1</td>
<td>Indicates that this payment is the final contents claim payment for the claim. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>CWOP_BLDG</td>
<td>Character</td>
<td>2</td>
<td>Indicates the reason a building claim was closed without payment. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>CWOP_CONT</td>
<td>Character</td>
<td>2</td>
<td>Indicates the reason a contents claim case was closed without payment. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>Field</td>
<td>Type</td>
<td>Precision</td>
<td>Scale</td>
<td>Description</td>
</tr>
<tr>
<td>---------------</td>
<td>---------</td>
<td>-----------</td>
<td>-------</td>
<td>-------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>T_PROP_VAL</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>The actual cash value before flood damage of the main building and detached garages in whole dollars.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Actual cash value is replacement cost less depreciation. Reported through TRRP.</td>
</tr>
<tr>
<td>T_DMG_BLDG</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>The actual cash value in whole dollars of covered damaged to the main building and all eligible</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>appurtenant structures for the flooding event for which the claim is being filed. Actual expenses</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>for temporary flood protection are to be included in this data element. Reported through TRRP.</td>
</tr>
<tr>
<td>T_DMG_CONT</td>
<td>Numeric</td>
<td>9</td>
<td>0</td>
<td>The actual cash value in whole dollars of covered damage to contents in the main building and any</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>eligible appurtenant structure(s) for the flooding event for which the claim is being filed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Reported through TRRP.</td>
</tr>
<tr>
<td>OPEN_DT</td>
<td>Date</td>
<td>8</td>
<td></td>
<td>Date loss was opened. TXN-DT.</td>
</tr>
<tr>
<td>CLOSE_DT</td>
<td>Date</td>
<td>8</td>
<td></td>
<td>Date claim/loss record is closed. Reported through TRRP.</td>
</tr>
<tr>
<td>PAY_BLDG</td>
<td>Numeric</td>
<td>14</td>
<td>2</td>
<td>Building claim payment; amount in dollars and cents for a building claim. Reported through TRRP.</td>
</tr>
<tr>
<td>PAY_CONT</td>
<td>Numeric</td>
<td>11</td>
<td>2</td>
<td>Contents claim payment; amount paid for a contents claim in dollars and cents for actual cash value</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>of contents loss. Reported through TRRP.</td>
</tr>
<tr>
<td>INS_NAME</td>
<td>Character</td>
<td>50</td>
<td></td>
<td>The insured name uses the first name &amp; the last-named from the Policy file. This data is then</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>combined into one field. Reported through TRRP.</td>
</tr>
<tr>
<td>WATERDEPTH</td>
<td>Numeric</td>
<td>4</td>
<td>0</td>
<td>Depth of the water relative to the lowest floor of the building. Reported through TRRP.</td>
</tr>
<tr>
<td>REPLACEMENT</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>Replacement cost. In whole dollars, estimated cost to replace the building. Reported through TRRP.</td>
</tr>
<tr>
<td>FOUNDATION</td>
<td>Character</td>
<td>2</td>
<td></td>
<td>Foundation type; e.g., concrete piles, wood piles, etc.. Reported through TRRP.</td>
</tr>
<tr>
<td>WALLSTRUCT</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Exterior wall structure type. Reported through TRRP.</td>
</tr>
<tr>
<td>WALLSURFAC</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Exterior wall surface treatment. Reported through TRRP.</td>
</tr>
<tr>
<td>FLOOD_CHAR</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Flood characteristics. Reported through TRRP.</td>
</tr>
<tr>
<td>IMPROVEIND</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Substantial improvement indicator; any improvements the cost of which exceeds 50% of the market</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>value of the structure before the &quot;start of construction&quot; of the improvement. Reported through</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>TRRP.</td>
</tr>
<tr>
<td>VAL_MAIN</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>Property value - main: actual cash value before flood damage of the main building in whole dollars.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Reported through TRRP.</td>
</tr>
<tr>
<td>Field</td>
<td>Type</td>
<td>Length</td>
<td>Null</td>
<td>Description</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------</td>
<td>--------</td>
<td>------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>VAL_APP</td>
<td>Numeric</td>
<td>7</td>
<td>0</td>
<td>Property value - appurtenant; actual cash value before flood damage of detached garages or carports that service the insured dwelling in whole dollars. Reported through TRRP.</td>
</tr>
<tr>
<td>DMG_MAIN_B</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>Damage - main: actual cash value in whole dollars of covered damage to the main building. Reported through TRRP.</td>
</tr>
<tr>
<td>DMG_APP_B</td>
<td>Numeric</td>
<td>7</td>
<td>0</td>
<td>Damage - appurtenant: actual cash value in whole dollars of covered damages to all eligible appurtenant structures. Reported through TRRP.</td>
</tr>
<tr>
<td>CLREP_COST</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>The replacement cost value before flood damage of the main building and detached garages or carports that service the insured 1-4 family dwelling in whole dollars. Reported through TRRP.</td>
</tr>
<tr>
<td>DUR_WATER</td>
<td>Numeric</td>
<td>3</td>
<td>0</td>
<td>Duration of flood waters in the building; number of hours water remained in the insured building. Reported through TRRP.</td>
</tr>
<tr>
<td>ORG_NB_DT</td>
<td>Date</td>
<td>8</td>
<td></td>
<td>Original policy effective date. Reported through TRRP.</td>
</tr>
<tr>
<td>N_COV_ICC</td>
<td>Numeric</td>
<td>5</td>
<td>0</td>
<td>NFIP calculated ICC coverage.</td>
</tr>
<tr>
<td>F_PAY_ICC</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Final pay ICC.</td>
</tr>
<tr>
<td>CWOP_ICC</td>
<td>Character</td>
<td>2</td>
<td></td>
<td>Indicates the reason an ICC claim was closed without payment. Reported through TRRP.</td>
</tr>
<tr>
<td>ICC_CLM_IN</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Whether or not a claim has been made under the ICC coverage of the flood policy. This field also indicates whether the ICC claim is based upon the substantial damage or repetitive loss provision of the ICC coverage. Reported through TRRP.</td>
</tr>
<tr>
<td>ICC_MIT_IN</td>
<td>Character</td>
<td>1</td>
<td></td>
<td>Describes the type of mitigation effort undertaken to bring the structure in compliance with the local community's flood-related building ordinances.</td>
</tr>
<tr>
<td>ICC_ACT_EX</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>Full amount expended to bring the insured building into compliance with local floodplain management ordinances that meet minimum NFIP requirements. Not limited by the amount of ICC coverage. Reported through TRRP.</td>
</tr>
<tr>
<td>ICC_PR_DMG</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>The actual cash value in whole dollars of covered damage from the previous flood claim. Reported through TRRP.</td>
</tr>
<tr>
<td>ICC_PR_VAL</td>
<td>Numeric</td>
<td>10</td>
<td>0</td>
<td>Only required in those cases where the ICC claim is based upon the repetitive loss provision of the ICC coverage. Reported through TRRP.</td>
</tr>
<tr>
<td>Field</td>
<td>Type</td>
<td>Length</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>----------</td>
<td>--------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>ICC_CU_VAL</td>
<td>Numeric</td>
<td>10</td>
<td>Property value as provided by the local community official. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>PAY_ICC</td>
<td>Numeric</td>
<td>11</td>
<td>Amount in dollars and cents paid for an ICC claim. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>PRP_INELIG</td>
<td>Character</td>
<td>1</td>
<td>Preferred risk policy ineligibility indicator, which signals policy as being ineligible for coverage. Used for claims to determine if policy is ineligible.</td>
<td></td>
</tr>
<tr>
<td>RLTRGTGRP</td>
<td>Character</td>
<td>1</td>
<td>Repetitive loss target group indicator. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>RL_NUMBER</td>
<td>Character</td>
<td>7</td>
<td>Repetitive loss ID number. Reported through TRRP.</td>
<td></td>
</tr>
<tr>
<td>GIS_LONGI</td>
<td>Numeric</td>
<td>12</td>
<td>Longitude coordinates for a property address.</td>
<td></td>
</tr>
<tr>
<td>GIS_LATI</td>
<td>Numeric</td>
<td>12</td>
<td>Latitude coordinates for a property address.</td>
<td></td>
</tr>
<tr>
<td>GIS_GEORES</td>
<td>Character</td>
<td>12</td>
<td>12-byte field that incorporates the Geocode level as part of the value and the address configuration that was selected for geocoding.</td>
<td></td>
</tr>
<tr>
<td>GIS_GEOCEN</td>
<td>Character</td>
<td>15</td>
<td>15 byte alphanumeric Geographic Census Code as part of the GIS information. This code developed by the U.S. Census Bureau defines the smallest geographic area for census reporting and is useful for demographic analysis.</td>
<td></td>
</tr>
<tr>
<td>AS_OF_DT</td>
<td>Date</td>
<td>8</td>
<td>Cycle Date.</td>
<td></td>
</tr>
</tbody>
</table>
AGENDA ITEM 3D(2)

JOINT FUNDING AGREEMENT

WITH: Meshek & Associates, LLC

PURPOSE: Amendment Agreement to provide professional engineering services in connection with Cooperating Technical Partnership Program Assistance for the creation and maintenance of Flood Hazard Data.

AMOUNT: $0

TERM: Through December 31, 2020
AMENDMENT AGREEMENT
BETWEEN
MESHEK & ASSOCIATES, LLC
AND
OKLAHOMA WATER RESOURCES BOARD

This AMENDMENT AGREEMENT (hereinafter “Amendment Agreement”), dated for convenience of reference as of the 1st day of November 2019, but to be effective after approval by all necessary persons, by and between Meshek & Associates, LLC (herein “Contractor”) and the Oklahoma Water Resources Board (herein “OWRB”),

WITNESSETH

WHEREAS, Contractor and OWRB have entered into a certain “Agreement for Professional Engineering Services for Cooperating Technical Partner Program (CTP) Assistance” dated March 9, 2011 as subsequently amended and renewed May 8, 2012, October 16, 2012, and January 21, 2014, February 1, 2015, November 16, 2016, November 10, 2017, and September 18, 2018 (herein “Agreement”), whereby Contractor has agreed to perform certain professional engineering services needed and requested by the OWRB in connection with carrying out the OWRB’s responsibilities under a certain Cooperating Technical Partner Partnership Agreement (“CTP Agreement”) with the Federal Emergency Management Agency (“FEMA”) to create and maintain accurate, up-to-date flood hazard data for OWRB or communities served in Oklahoma; and,

WHEREAS, 27A O.S. § 1-3-101(C) provides that the OWRB has the jurisdictional area of environmental responsibility in the State for, among other things, flood plain management; and

WHEREAS, the OWRB is authorized pursuant to 82 O.S. § 1085.2 to aid counties, incorporated cities and towns and special purpose districts in promoting and developing flood control; and

WHEREAS, the OWRB has entered into a Cooperating Technical Partner Partnership Agreement (“CTP Agreement”) dated November 6, 2002 with the Federal Emergency Management Agency (“FEMA”) to work together with FEMA to create and maintain accurate, up-to-date flood hazard data for OWRB or communities served in the State; and

WHEREAS, funding has become available from FEMA through the Oklahoma Department of Emergency Management (“OEM”) to the OWRB to implement the CTP Agreement; and

WHEREAS, the OWRB requires professional engineering services in order to carry out the CTP Agreement; and

WHEREAS, based upon the proposal submitted by Contractor, the OWRB has duly selected the Contractor to provide such services to the OWRB upon the terms provided below.
NOW THEREFORE, in consideration of the foregoing and the mutual covenants provided below, it is hereby agreed as follows:

1. **AGREEMENT TERM.** The term of the Agreement shall continue in effect through December 31, 2020.

2. **ADDITIONS TO SCOPE OF WORK.** Contractor shall perform the additional tasks and assignments as outlined in the Additional Scope of Work attached hereto and incorporated herein by reference as Exhibit A.

3. **OTHER TERMS AND CONDITIONS.** Except for the additional time for performance and additional scope of work provided pursuant to Paragraphs 1 through 3 herein, all other terms, conditions and provisions set forth in the Agreement in its entirety with all attachments shall remain unchanged and are incorporated by reference as though fully set forth in this Amendment Agreement.

In witness whereof, the parties have approved and executed this Amendment Agreement on the dates shown below.

**OKLAHOMA WATER RESOURCES BOARD**

<table>
<thead>
<tr>
<th>Robert L. Stallings, Jr., Chairman</th>
<th>Date</th>
</tr>
</thead>
</table>

**MESHEK & ASSOCIATES, LLC**

<table>
<thead>
<tr>
<th>Brandon Claborn</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEO, Principal Engineer</td>
<td></td>
</tr>
</tbody>
</table>

**ATTEST:**

<table>
<thead>
<tr>
<th>Bob Drake, Secretary</th>
<th>Date</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Janet Meshek</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Engineer</td>
<td></td>
</tr>
</tbody>
</table>

003114
Exhibit A

Scope of Work

The Oklahoma Water Resources Board (OWRB) has received funding from the Federal Emergency Management Agency (FEMA) for the development of a Risk MAP project as part of a Cooperative Technical Partner (CTP) agreement. The work under this Agreement relates to consulting services for completion of Mapping Activity Statements (MAS) No. 9, 10, 11, 12, 14, 15, 16, 17-1, 17-2, 18-1, 18-2, 18-3 and the additions of MAS No. 19-1, 19-3, and 19-4. This amendment may also cover further Mapping Activity Statements that may be awarded to OWRB in the future.

Activities are further defined as follows:

A. Mapping Activity Statement No. 19-1:


B. Mapping Activity Statement No. 19-3:

   B.1. Phase 2 (Risk Identification and Assessment): Salt Creek Flood Risk Study to include detailed hydrology and hydraulics used to develop data for updated Flood Insurance Rate Maps and Non-Regulatory products for a portion of the Salt Creek drainage basin in Lincoln County.

C. Mapping Activity Statement No. 19-4:

   C.1. Develop NFIP Outreach Program for OWRB to better equip the staff and leadership to increase the participation in the NFIP program.
AGENDA ITEM 3D(3)

JOINT FUNDING AGREEMENT

WITH: Oklahoma State University
      Oklahoma Water Resources Center

PURPOSE: Intergovernmental Agreement to conduct a joint conference and symposium at the 2019 Oklahoma Governor’s Water Conference.

AMOUNT: Profit or Loss will be split between OWRB and OSU, 70/30 respectively

TERM: October 1, 2019 through June 30, 2020
INTEGOVERNMENTAL AGREEMENT
BETWEEN
OKLAHOMA WATER RESOURCES BOARD
AND
OKLAHOMA STATE UNIVERSITY WATER RESOURCES CENTER

This Intergovernmental Agreement (“Agreement”), for convenience of reference dated as of October 15, 2019, but to be effective as provided below, entered into between the Oklahoma Water Resources Board (herein “OWRB”) and the Oklahoma State University – Oklahoma Water Resources Center (herein “Center”),

WITNESSETH:

WHEREAS, each year the OWRB presents the Governor’s Water Conference (the “Conference”) and the Center sponsors a Water Research Symposium (the “Symposium”); and

WHEREAS, the parties desire to hold a Conference and Symposium event together in 2019 (herein the “Event”) as set forth below.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants that follow, the parties hereby agree as follows:

1. A. For the Event to be held in 2019, the OWRB will contract and make arrangements with a suitable hotel and meeting facility (the “Hotel”) for hosting the Event, to include use of meeting rooms, banquet facilities, luncheons and banquet, receptions, coffee, audio visual, exhibit space, minimum block guest room reservations, and other necessary services. The contact persons for the OWRB and Center will coordinate closely on all events and services, including but not limited to the number of guest rooms reasonably foreseeable to block and for which a guarantee with the Hotel is made.

B. The OWRB shall receive and accept sponsorship payments from sponsors for the Conference portion of the Event, and the Center shall receive and accept sponsorship payments from sponsors for the Symposium portion of the Event. The OWRB shall receive and accept all registrations and registration payments for the Event.

C. The OWRB shall be responsible for paying the Hotel as provided in the contract between the OWRB and the Hotel.

D. LUNCHEONS: The parties agree that the responsibility for setting the program and agenda for each day’s luncheon shall be divided such that OWRB shall be responsible for the first day’s luncheon and the Center shall be responsible for the second day’s luncheon. This responsibility includes inviting speakers, choosing a theme, and other programmatic items as the parties shall mutually agree to.
E. STAFF REGISTRATION: It shall not be necessary for either party to pay registration fees for any of their employees who help conduct the Event. This includes registration table staff, those assisting with audiovisual equipment, those leading Event sessions, and those overseeing event logistics. The parties shall pay registration fees for non-Center staff of OSU and those there primarily to attend the sessions.

F. COMPLIMENTARY REGISTRATIONS: All complimentary (free) registrations provided to third parties, will be the responsibility of the granting party. The granting party agrees to pay for such registrations at the rate charged for those paying for lunch each day of attendance only. These registrations cannot be included as Event expenses (see below).

G. ACCOUNTING: After the conclusion of the Event, all of the revenue from the Event shall be applied to the expenses incurred in producing the Event. Any remaining profit or loss shall be split by the parties such that 70% goes to the OWRB and 30% to the Center. Each party shall keep a detailed, itemized accounting of each Event-related expense and all Event-related revenue as specified in Appendix A (which is incorporated herein by reference) and provide this to the other party after the conclusion of the Event on a date mutually agreed to.

2. Contact persons for this Agreement shall be as follows:

   Center
   Dr. Kevin Wagner, or his designee
   139 Agricultural Hall
   Stillwater, OK 74078-3011
   (405) 744-5615

   OWRB
   Cleve Pierce, or his designee
   3800 North Classen Boulevard
   Oklahoma City, Oklahoma 73118
   (405) 530-8800

Non-material changes within the general scope of this Agreement may be agreed by written communication (such as letter or email) mutually approved by and between these contact persons or any other authorized representatives of the parties. Any material changes to either party’s responsibilities and/or the terms and conditions of this Agreement shall be subject to mutual approval and execution by both parties.

3. This Agreement shall be effective on and after the date of approval and execution by all necessary persons, and thereafter continue in effect through June 30, 2020, provided, this Agreement may be terminated at any time during its term by mutual agreement of the parties or their authorized representatives to terminate, or may be terminated unilaterally by either party or its authorized representative for any reason upon thirty (30) days advance written notice of termination by the terminating party to the other party; provided further, the OWRB may terminate this Agreement at any time if the OWRB determines there will not be sufficient appropriated funds in the next fiscal year to fund or otherwise enable the OWRB to perform the Agreement. In the event of early termination as provided herein, the parties agree to settle
accounts for performance rendered and expenses incurred through the effective date of termination based on the guidelines provided herein.

In witness whereof, this Agreement has been approved by the parties and executed by their duly authorized representatives on the dates shown below.

OKLAHOMA STATE UNIVERSITY
Oklahoma Water Resources Center

OKLAHOMA WATER RESOURCES BOARD

___________________________________  ___________________________________
Scott Schlotthauer   Date  Robert L. Stallings, Jr., Chairman  Date
Chief Procurement Officer
for Oklahoma State University
and the A&M Institutions

Thomas G. Coon   Date  Bob Drake    Date
Vice President, Dean and Director
Division of Agricultural Sciences
and Natural Resources

003119
Appendix A

This appendix contains a listing of allowable revenue and expenses for the purpose of developing a detailed accounting by each party as described in section 1-G Accounting of the Fourth Restated Agreement. Other revenue and expenses are not to be included except as permitted below.

Revenue shall include:

a. All registration fees collected from Event attendees;
b. Registration fees for all complimentary (free) registrations provided by either party to Event attendees. The granting party agrees to pay the associated registration fee at the rate charged for lunch each day attended only;
c. Any sponsorships (gifts) solicited by either party for their respective parts of the event. Registrations granted in return for gifts shall be considered regular, early registrations, included in the total event registration, and deducted from the amount of the sponsorships for accounting purposes;
d. Any fees charged by the OWRB to third parties for the use of display space and associated equipment during the Event;
e. A fair-market value estimate for any complimentary services or goods provided to either party as a result of Event-related purchases or contracts (i.e. complimentary lodging, meals, or meeting space).

Expenses may include:

a. Hotel costs, including rental for meeting rooms, audiovisual services, and food for luncheons, refreshments during breaks, etc.;
b. Postage necessary for mailing pre-event advertisements, notifications, postcards, and brochures or other items as mutually agreed on by the parties;
c. Materials, printing, and postage necessary for conducting registration prior to and on the dates of the event and to provide the registrants with appropriate Event materials (the registration packet) when they check in at the Event;
d. Promotional items given to registrants such as embossed notepads, rain gauges, pens, Water Atlases or other items mutually agreed to by the parties;
e. Website fees associated with conducting registration or advertising and promoting the event;
f. Credit card fees necessary to accept and process credit cards;
g. Fees paid to a third party to manage the logistics and registration for the event;
h. Printing and duplication fees for any conference related publication or material;
i. Costs (hotel, travel, per diem, honoraria, etc.) for the invited luncheon speakers;
j. Fees associated with collecting unpaid registrations after the Event;
k. Any other Event expenses mutually agreed to by the parties.

Expenses that are excluded:

a. Cost of complimentary (free) registrations provided to Event attendees by either party. These registration fees will be paid by the granting party and included in the revenue calculations as described above;
b. Cost of any ancillary events held in conjunction with but not actually part of the Conference and/or Symposium such as training sessions, Water Board meetings, banquets, receptions, etc. which take place outside the two-day, 8:00 AM to 5:00 PM time designated for the Event. (Meetings organized by third parties but included in the agenda of the Event as part of the concurrent session structure will be included as part of the Event and their associated costs also included;)

c. Expenses associated with Event planning meetings which include travel costs, food costs, and telecommunications fees;

d. Travel, hotel, per diem and other costs for OWRB and Center staff and guests to attend the Event;

e. Costs of registration for the OWRB and Center staff;

f. Any other expense mutually agreed to be excluded by the parties.
3. SUMMARY DISPOSITION AGENDA ITEMS

PLANNING AND MANAGEMENT DIVISION

October 15, 2019
## Applications for Temporary Permits to Use Groundwater

**October 15, 2019**

<table>
<thead>
<tr>
<th>APP. NO. &amp; DATE</th>
<th>NAME OF APPLICANT</th>
<th>NUMBER OF WELLS</th>
<th>COUNTY &amp; BASIN</th>
<th>LAND DEDICATED</th>
<th>PURPOSE &amp; AMOUNT RECOMMENDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019-532 5/29/2019</td>
<td>Estack, LLC</td>
<td>2</td>
<td>Kingfisher County</td>
<td>398.46 acres Secs. 24 &amp; 28, T15, R6WIM; and Sec. 36, T16N, R6WIM</td>
<td>Mining use – drilling and primary completion of oil &amp; gas wells; Public water supply; Commercial use; Irrigation use; and Recreation, fish and wildlife use 796.9 a.f.</td>
</tr>
<tr>
<td>2019-538 7/11/2019</td>
<td>H2OK, LLC</td>
<td>2</td>
<td>Blaine County</td>
<td>20 acres Sec. 23, T16N, R10WIM; and Sec. 33, T14N, R7WIM</td>
<td>Mining use – drilling and primary completion of oil &amp; gas wells 40 a.f.</td>
</tr>
</tbody>
</table>
### PLANNING AND MANAGEMENT DIVISION

**Applications for Regular Permits to Use Groundwater**

**October 15, 2019**

<table>
<thead>
<tr>
<th>APP. NO. &amp; DATE FILED</th>
<th>NAME OF APPLICANT</th>
<th>NUMBER OF WELLS</th>
<th>COUNTY &amp; BASIN</th>
<th>LAND DEDICATED</th>
<th>PURPOSE &amp; AMOUNT RECOMMENDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019-533 6/6/2019</td>
<td>Burkner Brothers, LLC</td>
<td>3</td>
<td>Cimarron County Ogallala – Panhandle Region</td>
<td>320 acres Sec. 25, T3N, R3ECM</td>
<td>Irrigation use 640 a.f.</td>
</tr>
<tr>
<td>2019-537 6/19/2019</td>
<td>Beverly Dodson</td>
<td>1</td>
<td>Garfield County Enid Isolated Terrace</td>
<td>80 acres Sec. 30, T23N, R5W1M</td>
<td>Agriculture use; and Irrigation use 40 a.f.</td>
</tr>
<tr>
<td>2019-540 8/12/2019</td>
<td>Mark &amp; Diane Roark</td>
<td>1</td>
<td>Texas County Ogallala – Panhandle Region</td>
<td>480 acres Sec. 8, T1N, R10ECM</td>
<td>Irrigation use 960 a.f.</td>
</tr>
</tbody>
</table>
## PLANNING AND MANAGEMENT DIVISION

### Applications to Amend Regular Permits to Use Groundwater

**October 15, 2019**

<table>
<thead>
<tr>
<th>APP. NO. &amp; DATE FILED</th>
<th>NAME OF APPLICANT</th>
<th>NUMBER OF WELLS</th>
<th>COUNTY &amp; BASIN</th>
<th>LAND DEDICATED</th>
<th>PURPOSE &amp; AMOUNT RECOMMENDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010-522 6/27/2019</td>
<td>H &amp; S Farms</td>
<td>8*</td>
<td>Texas County</td>
<td>1,440 acres*</td>
<td>Irrigation use 2,880 a.f.*</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ogallala – Panhandle Region</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*The applicant requests to amend their regular groundwater permit by adding 2,560 acre-feet of groundwater per calendar year (for a total of 2,880 acre-feet authorizes); adding 1,280 acres to lands dedicated (for total of 1,440 acres dedicated); and adding seven well locations (for a total of eight wells authorized). All other aspects of the permit will remain the same.*

<table>
<thead>
<tr>
<th>2013-515 5/31/2019</th>
<th>Bryan County RWS&amp;SWM District No. 2</th>
<th>2*</th>
<th>Bryan County Antlers Sandstone</th>
<th>757.23 acres*</th>
<th>Public water supply – rural water use 1,590.2 a.f.*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Sec. 36, T5S, R8EIM; Secs. 30 &amp; 31, T5S, R9EIM; Secs. 4, 5, 8, 13, 22 &amp; 24, T6S, R8EIM; Sec. 3, T7S, R8EIM; and Secs. 7 &amp; 17, T6S, R9EIM</td>
</tr>
</tbody>
</table>

*The applicant requests to amend their regular groundwater permit by adding 1,468.4 acre-feet of groundwater per calendar year (for a total of 1,590.2 acre-feet authorizes); adding 699.23 acres to lands dedicated (for total of 757.23 acres dedicated); and adding one well location (for a total of two wells authorized). All other aspects of the permit will remain the same.*

3203
PLANNING AND MANAGEMENT DIVISION
Applications for Regular Permits to Use Stream Water

October 15, 2019

<table>
<thead>
<tr>
<th>APP. NO. &amp; DATE FILED</th>
<th>NAME OF APPLICANT</th>
<th>POINTS OF DIVERSION</th>
<th>COUNTY &amp; STREAM SYSTEM</th>
<th>PURPOSE &amp; AMOUNT RECOMMENDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019-022 4/8/2019</td>
<td>Joshua Goodsell</td>
<td>Two points of diversion on the Black Bear Creek</td>
<td>Pawnee County SS 2-11</td>
<td>Irrigation of 179 acres 468.4 a.f.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sec. 36, T22N, R5EIM and Sec. 31, T22N ,R6EIM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2019-032 6/18/2019</td>
<td>Daryl &amp; Kristy Dowd</td>
<td>One point of diversion on a private farm pond</td>
<td>Bryan County SS 1-7</td>
<td>Irrigation of 150 acres 150 a.f.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sec. 11, T8S, R11EIM</td>
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</tbody>
</table>
## PLANNING AND MANAGEMENT DIVISION
### Well Driller and Pump Installer Licensing

**October 15, 2019**

<table>
<thead>
<tr>
<th>DPC NUMBER</th>
<th>NAME OF FIRM</th>
<th>CERTIFIED ACTIVITIES</th>
<th>OPERATORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPC-1023</td>
<td>Dolese Bros. Co.</td>
<td>Monitoring wells</td>
<td>Josh Caldwell</td>
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<td>OP-2296</td>
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<tr>
<td>DPC-1025</td>
<td>All Out Pump Service and Drilling</td>
<td>Groundwater wells, Pump installation</td>
<td>William Bischoff</td>
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<td>OP-2299</td>
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**New Operators, Licensee Name Change, and/or Activities for Existing Licenses:**

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<th>DPC NUMBER</th>
<th>NAME OF FIRM</th>
<th>CERTIFIED ACTIVITIES</th>
<th>OPERATORS</th>
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</thead>
<tbody>
<tr>
<td>DPC-1023</td>
<td>Dolese Bros. Co.</td>
<td>Monitoring wells</td>
<td>Derek Miles</td>
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<td>OP-2297</td>
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<td></td>
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<td></td>
<td>Adam Welk</td>
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</table>
### PLANNING AND MANAGEMENT DIVISION

Permit Applications for Proposed Development on State Owned or Operated Property with Floodplain Areas

October 15, 2019

<table>
<thead>
<tr>
<th>APPLICATION NO. &amp; COUNTY</th>
<th>NAME OF APPLICANT</th>
<th>LOCATION</th>
<th>PROJECT NARRATIVE</th>
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</thead>
<tbody>
<tr>
<td>FP-19-19</td>
<td>Oklahoma Department of Transportation</td>
<td>Over Hog Creek on US 62, approximately 2.2 miles west of SH 9 Secs. 25 &amp; 26, T7N, R11WIM</td>
<td>Bridge replacement</td>
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<tr>
<td>Caddo County</td>
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<tr>
<td>NUMBER</td>
<td>NAME OF COMMUNITY</td>
<td>FLOODPLAIN ADMINISTRATOR</td>
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<td>-----------------------</td>
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<tr>
<td>FPA-816</td>
<td>Town of Keifer</td>
<td>Justin S. Dowd</td>
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<tr>
<td>FPA-817</td>
<td>Town of Lahoma</td>
<td>Shannon R. Lee</td>
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<tr>
<td>FPA-818</td>
<td>City of McAlester</td>
<td>Oliver L. Skimbo</td>
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<tr>
<td>FPA-819</td>
<td>Noble County</td>
<td>Mary Catherine Oakley</td>
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