

AGENDA
OKLAHOMA WATER RESOURCES BOARD

September 9, 2003
9:30 a.m.

OWRB Board Room
3800 Classen Boulevard
Oklahoma City, Oklahoma

A copy of this notice of meeting and agenda has been posted in a prominent location at the offices of the Oklahoma Water Resources Board, 3800 North Classen Blvd., Oklahoma City, on September 2, 2003, at 5:00 p.m. A copy of this agenda is available on the OWRB website at www.owrb.state.ok.us. Revised items are indicated by “•” and italics.

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- 01000 1. CALL TO ORDER** **CHAIRMAN GRANDSTAFF**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the August 12, 2003 Regular Meeting.
 - D. Executive Director's Report. **Mr. Duane Smith**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Rural Water, Sewer & Solid Waste Management District #3, Seminole County, Oklahoma. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Oologah Municipal Authority, Rogers County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Broken Bow Public Works Authority, McCurtain County, Oklahoma. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Loan for Oklahoma Tourism and Recreation Commission, Oklahoma County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS CHAIRMAN GRANDSTAFF

Any item listed under this Summary Disposition Agenda may, at the request of any member of the Board, the Board's staff, or any other person attending this meeting, be transferred to the Special Consideration Agenda. Under the Special Consideration Agenda, separate discussion and vote or other action may be taken on any items already listed under that agenda or items transferred to that agenda from this Summary Disposition Agenda.

- A. Requests to Transfer Items From Summary Disposition Agenda to the Special Consideration Agenda, and Action on Whether to Transfer Such Items.
- B. Discussion, Questions, and Responses Pertaining to Any Items Remaining on Summary Disposition Agenda and Action on Items and Approval of Items 3. C through 3. N.
- C. Consideration of Approval of the Following Applications for REAP Grants in Accordance with the Proposed Orders Approving the Grants:

REAP	Amount
<u>Item No.</u> <u>Application No.</u> <u>Entity Name</u>	<u>County</u> <u>Recommended</u>

None

- D. Contracts and Agreements Recommended for Approval
 1. Consideration of Intergovernmental Agreement with the U. S. Department of Interior, Bureau of Reclamation, for a Water Quality Study of Lugert-Altus Reservoir.
 2. Consideration of Intergovernmental Agreement with the U.S. Department of Agriculture – Agricultural Research Service for Drought Study.
 3. Consideration of Interagency Agreement with the Oklahoma Climatological Survey for Drought Study.
 4. Consideration of Interagency Agreement with the Texas Department of Licensing and Regulation for Cloud Seeding Evaluations.
 5. Consideration of Interagency Agreement with the Oklahoma Climatological Survey for Evaluation of Weather Modification Activities.
 6. Consideration of Intergovernmental Agreement with the U. S. Army Corps of Engineers for Continuing Work on Lake Wister.
 7. Consideration of Interagency Agreement with the Poteau Valley Improvement Authority for Continuing Work on Lake Wister.
 8. Consideration of Joint Funding Agreement with the U.S. Geological Survey for the State-Federal Cooperative Program for FY-2004.

9. Consideration of Interagency Agreement with Oklahoma State University for Work Related to the Arbuckle-Simpson Aquifer Study.
 10. Consideration of Professional Services Master Agreement with Critical Technologies for Maintenance of Agency Imaging Data Bases and On-line Access.
 11. Consideration of Memorandum Agreement with the Chickasaw Nation for Stream Gaging Services.
 12. Consideration of Memorandum Agreement with the Choctaw Nation for Stream Gaging Services.
 13. Consideration of Interagency Agreement for Services with the Department of Public Safety through its Oklahoma Highway Patrol Division for Traffic Control During Installation of Stream Gages on Cache Creek.
 14. Consideration of Interagency Agreement with the Oklahoma Department of Agriculture, Food and Forestry for Groundwater Monitoring.
- E. Applications for Temporary Permits to Use Groundwater:
1. The City of Clinton, Washita County, #2002-555
 2. Riverview Sod Ranch, Inc., Tulsa County, #2003-504
 3. Thelma T. Flanigin Trust, Caddo County, #2003-530
 4. The City of Moore, Cleveland County, #2003-536
 5. Duke Energy Field Services, LP, Kingfisher County, #2003-542
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
1. Greg & Toni Grewell, Texas County, #2002-609
 2. Grabeal & Grabeal, Roger Mills County, #2003-532
 3. Robert C. & Mary E. Lolmaugh Trust Foundation, Texas County, #2003-538
 4. Robert C. & Mary E. Lolmaugh Trust Foundation, Texas County, #2003-539
 5. Choctaw County Rural Water and Sewer District No. 1, Choctaw County, #2003-544
 6. Alan J. & Connie Clemans, Texas County, #2003-548
 7. Carl O. & E-Vona L. Thrall, Cimarron County, #2003-554
- H. Applications to Amend Regular Permits to Use Groundwater:
1. T Z Wright Enterprises LLC, Beaver County, #1979-597
 2. Taylor Farms, Beaver County, #1979-759
 3. Alan J. & Connie Clemans, Texas County, #1998-504
- I. Applications to Amend Prior Rights to Use Groundwater:
None

- J. Applications for Regular Permits to Use Stream Water:
1. The City of Sallisaw, Sequoyah County, #1979-107
 2. Rural Development Foundation, McIntosh County, #2001-015
 3. John Boyd McMahan, Jackson County, #2002-025
 4. David Cramer, Major County, #2003-004
 5. Mallard Farms LLC, Choctaw County, #2003-006
 6. Susan Fike, Jackson County, #2003-007
 7. Lake Region Electric Development Inc., Cherokee County, #2003-012
 8. Baker Petrolite Corporation, Osage County, #2003-019
 9. The City of Oklahoma City, Oklahoma County, #2003-020
 10. John & Jackie Spieker, Wagoner County, #2003-021
- K. Applications to Amend Regular Permits to Use Stream Water:
None
- L. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:

a.	Licensee: Pratt Well Service, Inc.	DPC-0621
	Operator: Steven E. Ezell	OP-1360
	Activities: Groundwater wells, test holes and observation wells Pump installation	
b.	Licensee: TWF Drilling, LLC	DPC-0623
	Operator: Sammy Smith	OP-1224
	Activities: Monitoring wells and geotechnical borings	
 2. New Operators and/or Activities for Existing Licenses:

a.	Licensee: C & S Heating & Air Conditioning, Inc.	DPC-0012
(1)	Operator: Ray F. Hart	OP-1357
	Activities: Groundwater wells, test holes and observation wells	
b.	Licensee: Davis Environmental Drilling, LLC	DPC-0197
(1)	Operator: Larry D. Nottingham	OP-0919
	Activities: Pump Installation	
(2)	Operator: John O. StremLOW	OP-0981
	Activities: Pump Installation	
- M. Dam and Reservoir Plans and Specifications:
None
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
None

04000 4. QUESTIONS AND DISCUSSION ABOUT AGENCY WORK AND OTHER ITEMS OF INTEREST.

No items.

05000 5. SPECIAL CONSIDERATION

For INDIVIDUAL PROCEEDINGS, a majority of a quorum of Board members, in a recorded vote, may call for closed deliberations for the purpose of engaging in formal deliberations leading to an intermediate or final decision in an individual proceeding under the legal authority of the Oklahoma Open Meeting Act, 25 O.S. 2001, Section 307 (B)(8) and the Administrative Procedures Act, 75 O.S. 2001, Section 309 and following.

A majority vote of a quorum of Board members present, in a recorded vote, may authorize an executive session for the purposes of CONFIDENTIAL COMMUNICATIONS between the public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct the pending investigation, litigation, or proceeding in the public interest, under the legal authority of the Oklahoma Open Meetings Act, 25 O.S. 2001, Section 307(B)(4).

- A. Application for Regular Permit to Use Groundwater No. 2002-575, Nicky & Kim Harrison, Kiowa County:
 - 1. Summary – **Mr. Mathis**
 - 2. Discussion and presentation by parties
 - 3. Possible executive session
 - (a) Vote on whether to enter executive session
 - (b) If executive session approved, designation of person to keep minutes
 - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
 - 4. Vote on whether to approve the proposed order as presented or as may be amended, or vote on any other action or decision relating to the proposed order

- B. In the Matter of Stream Water Right No. 1964-61 of Charles Abernathy, Jackson County:
 - 1. Summary – **Mr. Mathis**
 - 2. Discussion and presentation by parties
 - 3. Possible executive session
 - (a) Vote on whether to enter executive session
 - (b) If executive session approved, designation of person to keep minutes
 - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
 - 4. Vote on whether to approve the proposed order as presented or as may be amended, or vote on any other action or decision relating to the proposed order

- C. In the Matter of Stream Water Right No. 1965-245 of Margie Koester Hicks, Kiowa County:
 - 1. Summary – **Mr. Mathis**
 - 2. Discussion and presentation by parties
 - 3. Possible executive session
 - (a) Vote on whether to enter executive session
 - (b) If executive session approved, designation of person to keep minutes

- (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
- 4. Vote on whether to approve the proposed order as presented or as may be amended, or vote on any other action or decision relating to the proposed order
- D. Consideration of adoption of resolution to authorize Chairman, Vice-Chairman and Executive Director to participate in and submit a settlement offer in the case of United States v. State of Oklahoma and Oklahoma Water Resources Board, Case No. 98-CV-521E(C)
 - 1. General background and discussion of resolution – **Duane Smith, Dean Couch**
 - 2. Consideration and vote on whether to go into executive session
 - 3. If executive session approved, designation of person to keep minutes
 - 4. Vote on whether to approve resolution as presented or as may be amended
- E. Consideration of Items Transferred from Summary Disposition Agenda, if any.

06000 6. PRESENTATION OF AGENCY BUDGET REPORT Mr. Jim Schuelein

07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY

8. 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 or any revised agenda.

9. ADJOURNMENT

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, October 14, 2003, at 9:30 a.m., in Oklahoma City, Oklahoma.