

**REVISED AGENDA
OKLAHOMA WATER RESOURCES BOARD**

**JUNE 8, 2004
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 June 1, 2004, 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.

- 01000 1. CALL TO ORDER** **Chairman Pro Tempore Mitchell**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the May 11, 2004 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 District #5, Muskogee County, Oklahoma. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Cherokee Development Authority, Alfalfa County, Oklahoma. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Loan for Miami Special Utility Authority, Ottawa County. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Rush Springs Municipal Improvement Authority, Grady County. Recommended for Approval.

- E. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Enid Municipal Authority, Garfield County. Recommended for Approval.
- F. Consideration of and Possible Action on Selection of Bond Counsel in Connection with the Issuance of Obligations to Provide Funding for the Clean Water and Drinking Water State Revolving Fund Loan Programs.
- G. Consideration of and Possible Action on Selection of Underwriter in Connection with the Issuance of Obligations to Provide Funding for the Clean Water and Drinking Water State Revolving Fund Loan Programs.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Mr. Ervin Mitchell

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>
EODD				
1.	FAP-02-0026-R	Rural Water District #13	Cherokee	\$135,000.00
OEDA				
2.	FAP-02-0049-R	Tyrone Public Works Authority	Texas	99,714.58

- D. Contracts and Agreements Recommended for Approval
 - 1. Consideration of Agreement with the Grand River Dam Authority for Water Quality Work at Grand Lake.
 - 2. Consideration of Lease Agreement with the Department of Central Services for Office Space in the Kerr State Office Building in Tulsa.

3. Consideration of Amendment to Joint Funding Agreement with the U. S. Geological Survey for Project Investigations of the Arbuckle-Simpson Aquifer.
4. Consideration of Contract Renewal Agreement with the Oregon State University for Ecoregion Refinement and Delineation.
5. Consideration of Intergovernmental Agreement with the Department of Environmental Quality for Sharing Office Space in McAlester and Woodward.
6. Consideration of Agreement to Provide Services as Arbitrage Rebate Consultant with Berens-Tate Consulting Group.
7. Consideration of Interagency Agreement with the State Department of Environmental Quality for the FY-2005 Drinking Water State Revolving Fund Program.
- **8. *Consideration of Agreement with the Oklahoma Rural Water Association to Provide Technical Assistance and Training. Item added***

E. Applications for Temporary Permits to Use Groundwater:

1. Lavonne Kroeker, Major County, #2003-612
2. Bill Roberts, Inc., Oklahoma County, #2004-513
3. Chesapeake Energy Corporation, Oklahoma County, #2004-520
4. Heavener Utility Authority, LeFlore County, #2004-533
5. Shawn & Marsha Cusack, Major County, #2004-536

F. Applications to Amend Temporary Permits to Use Groundwater:

1. Eddie Joe & Donna R. Norton Trust, Greer County, #1999-573

G. Applications for Regular Permits to Use Groundwater:

1. City of Mangum, Greer County, #2003-587
2. Roy, Kenneth & Brian Mitchell, Texas County, #2003-592
3. Roy, Kenneth & Brian Mitchell, Texas County, #2003-594
4. Roy, Kenneth & Brian Mitchell, Texas County, #2003-595
5. N. Dale Hill, Texas County, #2004-510
6. D F & D, LLC, Beaver County, #2004-519
7. Mike Bonewitz, Tillman County, #2004-526
8. Vici Public Works Authority, Dewey & Woodward Counties, #2004-532
9. Kevin & Angela Wallace, Beaver County, #2004-534
10. Johnny N. & Melanie Moore, Texas County, #2004-535

H. Applications to Amend Regular Permits to Use Groundwater:

1. City of Elk City, Beckham County #1979-568

I. Applications to Amend Prior Rights to Use Groundwater:

None

J. Applications for Regular Permits to Use Stream Water:

1. Robert Cook's Green Acre Sod Farms, Inc., Bryan County, #2004-005
2. Alan Ritchey Materials Company, LC, Bryan County, #2004-007
3. Keith Hall, Jefferson County, #2004-008

K. Proposed Orders for Informal Disposition by Default for Administrative Reductions and Cancellations of Rights to Use Stream Water:

1. Paul R. Henry, Rogers County, #1953-316
2. Town of Okay, Wagoner County, #1963-154
3. Verdigris Valley Farms, Wagoner County, #1967-610
4. Verdigris Valley Farms, Wagoner County, #1967-752
5. Public Service Company of Oklahoma, Rogers County, #1977-141
6. Verdigris Valley Farms, Wagoner County, #1980-164
7. Verdigris Valley Farms, Wagoner County, #1980-165
8. Town of Coweta, Wagoner County, #1980-184
9. Larry E. Swan, Rogers County, #1982-059
10. Walter Thrun, Rogers County, #1983-079
11. D. M. Sokolosky, Rogers County, #1988-028
12. Robert J. Blair, Wagoner County, #1992-014

L. Well Driller and Pump Installer Licensing:

New Operators and/or Activities for Existing Licenses:

- | | | |
|----|---|----------|
| 1. | Licensee: Davis Environmental Drilling, L.L.C. | DPC-0197 |
| | Operator: Bobby Yost | OP-1403 |
| | Activities: Groundwater wells, test holes and observation wells | |
| | Heat exchange wells | |
| 2. | Licensee: Allen's, Inc. | DPC-0351 |
| | Operator: Mitch Malkuch | OP-1404 |
| | 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:

1. Oklahoma Transportation Authority, Comanche County, FP-04-04

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

- A. Update on Ongoing Activities of the Water Quality Programs Division.
Mr. Derek Smithee

05000 5. SPECIAL CONSIDERATION

Mr. Ervin Mitchell

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 Temporary Permit to Use Groundwater No. 2003-601, Gary D. Darrow, Canadian 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. 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. ELECTION OF OFFICERS Mr. Ervin Mitchell

9. NEW BUSINESS Mr. Ervin Mitchell

Under the Open Meeting Act, this agenda item is authorized only for matters not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda.

10. ADJOURNMENT Mr. Ervin Mitchell

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, July 13, 2004, at 9:30 a.m., in Oklahoma City, Oklahoma.