

**REVISED
AGENDA**

OKLAHOMA WATER RESOURCES BOARD

**NOVEMBER 9, 2004
9:30 a.m.**

**Oklahoma Water Resources Board
3800 N. Classen Boulevard
Oklahoma City, Ok 73118**

A copy of this notice of meeting and agenda has been posted in a prominent location at the offices of the Oklahoma Water Resources Board, 3800 North Classen Blvd., Oklahoma City, Oklahoma, on November 2, 2004 at 3:30 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 Mitchell

- A. Invocation
- B. Roll Call
- C. Discussion, Amendments, and Vote to Approve Official Minutes of the October 19, 2004, Regular Meeting.
- D. Executive Director's Report. **Mr. Duane Smith**

02000 2. FINANCIAL ASSISTANCE DIVISION Mr. Joe Freeman

No Items.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman 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 Extension of Time for Obligation of Funds and Consent to Prepayment of Loan in Accordance with the Proposed Orders:

<u>Loan Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Requested</u>
1.	ORF-03-0007-DW	Edmond Public Works Authority	Oklahoma	\$4,137,271.60
• 2.	FAP-87-0166-L	Lugert-Altus Irrigation	Kiowa	Prepayment
	Item added			

- D. Contract and Agreements Recommended for Approval
 - 1. Consideration of Interagency Contract for Services with the Oklahoma Department of Public Safety for Working Overtime on Assignment to Assist with Traffic Control on Bridges During Installation of Stream Gaging Equipment.
 - 2. Consideration of Agreement with the Association of State Dam Safety Officials to Conduct Dam Owner Education Workshops.
 - 3. Consideration of Extension and Amendment Agreement with the Office of the Secretary of Environment for Work Related to TMDL Development.
 - 4. Consideration of Interagency Agreement with the Office of the Secretary of Environment to Develop a Use Attainability Protocol for Oklahoma Wetlands.
 - 5. Consideration of Amendment Agreement with the Office of the Secretary of Environment for Work Related to Probabilistic Sampling of Oklahoma Streams.
- E. Applications for Temporary Permits to Use Groundwater:
 - 1. Raymond and Jason Jantz, Grady County, #2004-545
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
 - 1. William G. Weaver, Tillman County, #2003-534
- H. Applications to Amend Regular Permits to Use Groundwater:
None
- I. Applications to Amend Prior Rights to Use Groundwater:
None

- J. Applications for Regular Permits to Use Stream Water:
 - 1. Foster Jr. and Marie Johnson, Haskell County, #2004-020
- K. Applications to Amend Regular Permits to Use Stream Water:
None
- L. Well Driller and Pump Installer Licensing:
 - New Licenses, Accompanying Operator Certificates and Activities:
 - 1. Licensee: Darnold Contracting DPC-0686
 - Operator: Dean Darnold OP-0686
 - Activities: Monitoring wells and geotechnical borings
 - New Operators and/or Activities for Existing Licenses:
 - 1. Licensee: Burgess Engineering & Testing, Inc. DPC-0484
 - Operator: Leroy Wynn West OP-1416
 - Activities: Monitoring wells and geotechnical borings
 - 2. Licensee: Venture Drilling, Inc. DPC-0215
 - Operator: Ivan Stokes OP-1418
 - Activities: Groundwater wells, test holes and observation wells
- 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.

- A. "Update on Revegetation Efforts in Oklahoma Reservoirs" – Mr. Derek Smithee

05000 5. SPECIAL CONSIDERATION Chairman 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. 2004-505, Highland Hills Property Home Owners Association, Inc., Cleveland 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. Application for Regular Permit to Use Groundwater No. 2004-531, City of Clinton, Washita 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. 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. Consideration of Request to Seek Amicus Status in Appeal Involving Order for Release of Water from Dam

A. Background and summary – **Mr. Smith and Dean Couch**

B. Possible executive session - 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)

- (1) Vote on whether to enter executive session
- (2) If executive session approved, designation of person to keep minutes
- (3) Executive session to discuss request (vote or action taken on any item of business considered in executive session must be taken in public meeting)

- C. Vote on whether to direct staff to seek amicus status or vote on any other action or decision relating to the request and appeal

9. NEW BUSINESS

Chairman 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

Chairman Mitchell

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, December 14, 2004, 9:30 a.m., at the Oklahoma City offices of the Board, 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.