

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

**JULY 13, 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 July 6, 2004 at 5:15 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.state.ok.us](http://www.owrb.state.ok.us). Revised items are indicated by “•” and italics.

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- 01000 1. CALL TO ORDER** **Chairman Ervin Mitchell**
- A. Invocation
  - B. Roll Call
  - C. Discussion, Amendments, and Vote to Approve Official Minutes of the June 8, 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 Loan for Rural Water District #13, McIntosh County, Oklahoma. Recommended for Approval.
  - B. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Funds for Rural Water District #6, Wagoner County, Oklahoma. Recommended for Approval.
  - C. Status Report on 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**

**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 the Following Applications for REAP Grants and Amendment to Scope of Project for REAP Grants in Accordance with the Proposed Orders Approving the Grants:

<b>REAP</b>				<b>Amount</b>
<b><u>Item No.</u></b>	<b><u>Application No.</u></b>	<b><u>Entity Name</u></b>	<b><u>County</u></b>	<b><u>Recommended</u></b>
ACOG				
1.	FAP-03-0026-R	Coyle Public Works Authority	Logan	\$99,270.00
ASCOG				
2.	FAP-03-0013-R	Minco Public Works Authority	Grady	amend scope
COEDD				
3.	FAP-97-0062-R	Town of Westport	Pawnee	89,200.00
EODD				
4.	FAP-02-0026-R	Rural Water District #13	Cherokee	amend scope
5.	FAP-03-0028-R	Rural Water District #13	McIntosh	99,000.00
GGEDA				
6.	FAP-03-0033-R	Rural Water District #7	Washington	93,369.00
INCOG				
7.	FAP-03-0032-R	Avant Utilities Authority	Osage	150,000.00
KEDDO				
8.	FAP-02-0013-R	Rural Water District #1	Pushmataha	99,999.00
NODA				
9.	FAP-02-0048-R	Town of Greenfield	Blaine	94,000.00
10.	FAP-02-0016-R	Town of Okeene	Blaine	79,999.00
SWODA				
11.	FAP-03-0012-R	Gotebo Public Works Authority	Kiowa	78,800.00

- D. Contracts and Agreements Recommended for Approval
  - 1. Consideration of Agreement with the Oklahoma Conservation Commission for Work Related to Project Water Education for Teachers (WET).
  - 2. Consideration of Professional Services Agreement with W. Kenneth Morris for Work Related to Oklahoma Floodplain Management Activities.

3. Consideration of Professional Services Agreement with Michael A. Albano for Work Related to Water Rights Administration.
  4. Consideration of Contract with the Oklahoma Department of Environmental Quality for Laboratory Analyses.
  5. Consideration of Intergovernmental Agreement with the Oklahoma Department of Agriculture, Food and Forestry for Work Related to Groundwater Monitoring around Licensed Managed Feeding Operations.
  6. Consideration of Memorandum Agreements with Local Cooperators in the Federal-State Cooperative Program with the U.S. Geological Survey
    - a. City of Ada
    - b. AES Shady Point, Inc.
    - c. City of Altus
    - d. Central Oklahoma Master Conservancy District
    - e. Ft. Cobb Master Conservancy District
    - f. Foss Master Conservancy District
    - g. Grand River Dam Authority
    - h. Hardage Site Remedy Corp.
    - i. City of Lawton
    - j. Lugert-Altus Irrigation District
  7. Consideration of Professional Services Contract with the Oklahoma Floodplain Managers Association for Publication of Newsletter and Related Materials.
  8. Consideration of Interagency Contract with the Oklahoma Conservation Commission for Sampling to Support Wadable Streams Assessment.
  - **9. *Consideration of Renewal Agreement with Park Place International for Hardware Maintenance.* *Item added***
- E. Applications for Temporary Permits to Use Groundwater:
1. Jon Young, Grady County, #2003-566
  2. Jimmie & Kathy Montgomery, Washita County, #2004-521
  3. Rex Lundy, Oklahoma County, #2004-538
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Triple S Farms, Custer County, #1994-508
- G. Applications for Regular Permits to Use Groundwater:
1. Mitchell Ehrlich, Beaver County, #2003-546
  2. Bob E. & Cherie L. Beene, Choctaw County, #2003-580
  3. Cody & Loretta Cribbs, Tillman County, #2004-522
  4. Larry Thomas, Beckham County, #2004-528
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Bert Jr. & Joyce Allard, Cimarron County, #1992-537

- I. Applications for Regular Permits to Use Stream Water:
  - 1. Michael & Kara McBrayer, Johnston County, #2002-040
  - 2. Michael McBrayer, Atoka County, #2002-048
  - 3. Eloise P. Gamble and Ralph C. Gamble Revocable Trusts, LeFlore County, #2003-024
  - 4. Max & Rebecca Hawkins, Kay County, #2004-010
  
- J. Applications to Amend Regular Permits to Use Stream Water:
  - 1. City of Ponca City, Kay County, #1993-034
  
- K. Stream Water Right Reductions and Cancellations:
  - 1. Howard Turner, Wagoner County, #1987-44
  
- L. Well Driller and Pump Installer Licensing:
  - 1. ***New Licenses, Accompanying Operator Certificates and Activities:***

<b><i>Licensee: American Water Well, L.L.C.</i></b>	<b><i>DPC-0684</i></b>
<b><i>Operator: Michael Tabor</i></b>	<b><i>OP-1375</i></b>
<b><i>Activities: Pump installation</i></b>	<b><i>Item added</i></b>
  - 2. New Operators and/or Activities for Existing Licenses:

Licensee: J & B Pump & Supply, L. L. C.	DPC-0587
Operator: John L. Stottlemyre, Jr.	OP-1406
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 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. 2002-590, Carolyn Hunt Sparks, Johnston 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 to Amend Temporary Permit to Use Groundwater No. 1996-516, Bryan & Lavonne Kroeker, Garfield 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. Application for Temporary Permit to Use Groundwater No. 2003-613, Rod Ferguson, Woods 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 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 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.

**9. ADJOURNMENT Chairman Mitchell**

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, August 10, 2004, at 9:30 a.m. at 3800 N. Classen Boulevard in Oklahoma City, Oklahoma.