

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

May 12, 2009

9:30 a.m.

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 May 5, 2009 at 5:15 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov). Revised items are indicated by “•” and italics.

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- 01000 1. CALL TO ORDER** **Chairman Mark Nichols**
- A. Invocation
  - B. Roll Call
  - C. Discussion, Amendments, and Vote to Approve Official Minutes of the April 14, 2009, 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 Sequoyah Public School, Rogers County. Recommended for Approval.
  - B. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Adair Municipal Authority, Mayes County. Recommended for Approval
  - C. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Perkins Public Works Authority, Payne County. Recommended for Approval.
- 03000 3. SUMMARY DISPOSITION AGENDA ITEMS** **Chairman Nichols**

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 3. C through 3. O., Recommended for Approval.
- C. Consideration of Approval of the Following Applications 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>
<b>SODA</b>				
1.	FAP-08-0016-R	Bokchito Public Utilities Authority	Bryan	\$99,999.00
<b>SWODA</b>				
2.	FAP-03-0005-R	Olustee Public Works Authority	Jackson	91,540.00

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
  - 1. Agreement between Oklahoma Water Resources Board and Oklahoma City Water Utilities Trust for the Vegetated Wetland Project at Lake Stanley Draper.
  - 2. Professional Services Contract between Record Solutions, Inc. and OWRB.
  - 3. Interagency Agreement between OWRB and the Department of Environmental Quality for sharing office space at the OWRB’s McAlester and Woodward offices.
  - 4. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide accounting services related to the Board’s financial assistance programs.
  - 5. Third Extended and Amended Agreement with American Municipal Tax-Exempt Compliance Corp. for arbitrage rebate calculation and consulting services.
  - 6. Professional Services Engagement Letter with John M. Arledge & Associates, P.C. to provide auditing services related to the Board’s financial assistance programs.
  - 7. Professional Services Engagement Letter with Coon Engineering, Inc. to provide engineering services related to the Board’s financial assistance programs.

8. Contract between OWRB and Oklahoma Ground Water Association to provide specialized training for licensed well drillers and pump installers.
9. Renewal of Lease Agreement for OWRB Lawton office space.
10. Renewal of Lease Agreement for OWRB Woodward office space.
11. Cooperative Agreement between OWRB and The Bureau of Reclamation for the South Central Regional Assessment Special Study.
12. Lease Agreement with Department of Central Services for renewal of OWRB Tulsa office.
13. Resolution Authorizing Chairman to Sign Agreement and Contract with the Sheraton/Reed Center for Services Provided for the 2009 Governor's Water Conference and Water Research Symposium.
- 14. *Professional Services Contract with Charles T. Dumars. Item added.*

E. Applications for Temporary Permits to Use Groundwater:

1. D. H. Entz Living Trust, Caddo County, #2008-559
2. Triple S Farms, L.C., Custer County, #2009-505

F. Applications to Amend Temporary Permits to Use Groundwater:

None

G. Applications for Regular Permits to Use Groundwater:

1. Craig H. & Athena Hisaw, Garvin County, #2009-502

H. Applications to Amend Regular Permits to Use Groundwater:

1. Kyle & Linda Martin Farms, L.L.C., Texas County, #1976-525
- 2. *Glen K. Wallace Living Trust, Greer County, #2005-565 Item added*

I. Applications to Amend Prior Rights to Use Groundwater:

None

J. Applications for Term Permits to Use Stream Water:

1. St. Mary Land & Exploration Co., Atoka County, #2009-002

K. Forfeitures of Stream Water Rights:

1. Bill R. McVey, Grady County, #1966-427
2. Eldoris Gorst, Grady County, #1977-057
3. Judy Beth Collum-Young, Grady County, #1982-128
4. Claudus Smith/Les Moore, Grady County, #1985-029

5. Duffy Linton, Grady County, #1989-006
6. Stanford Estate/J.P. Reimer, Washita County, #1964-982
7. Katherine Thiessen, Washita County, #1966-281
8. Roy or Cecil Bearden, Grady County, #1988-035

L. Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:
  - a. Licensee: Affordable Drilling DPC-0763  
 1. Operator: Alvin Eugene Ratliff OP-1692  
 Activities: Groundwater wells, test holes and observations wells  
 Pump installation
  - b. Licensee: McCalip & Company, Inc. DPC-0767  
 1. Operator: Michael McCalip OP-1696  
 Activities: Monitoring wells and geotechnical borings  
 2. Operator: Damon Hipp OP-1695  
 Monitoring wells and geotechnical borings
  - c. Licensee: Cook's Water Systems, Inc. DPC-0769  
 1. Operator: Jeff Cook OP-1697  
 Activities: Pump installation
2. New Operators for Existing Licenses:
  - a. Licensee: Able Environmental Drilling DPC-0746  
 1. Operator: Eric T. Haley OP-1698  
 Activities: Groundwater wells, test holes and observation wells  
 Monitoring wells and geotechnical borings.

M. Dam and Reservoir Construction:

None

N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

1. Oklahoma Department of Transportation, Cleveland County, #FP-09-08
2. Oklahoma Department of Transportation, Delaware County, FP-09-09

O. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the May 12, 2009 packet of Board materials

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

- A. Update Report on Oklahoma Comprehensive Water Plan Activities. **Mr. Kyle Arthur**

**05000 5. SPECIAL CONSIDERATION**

**Chairman Nichols**

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); Proposed Findings, Conclusions and Order are Recommended for Approval in the following matters:

- A. In the Matter of Stream Water Right No. 1968-434 of Maurice Garst, Stream System 1-8-3, Washita County, Oklahoma:
  - 1. Summary – **Ms. Julie Cunningham**
  - 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. 1983-003 of Sharon Snider, Stream System 1-8-3, Washita County, Oklahoma:
  - 1. Summary – **Ms. Julie Cunningham**
  - 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. Items transferred from Summary Disposition Agenda, if any.

**06000 6. PRESENTATION OF AGENCY BUDGET REPORT**

**Mr. Monte Boyce**

**07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY**  
**Chairman Nichols**

**8. NEW BUSINESS** **Chairman Nichols**

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 Nichols**

The next meeting of the Oklahoma Water Resources Board will be on Tuesday, June 9, 2009, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

The OWRB Ad Hoc Finance Committee will meet on Monday, June 8, 2009

5/5/09