

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

July 14, 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 July 7, 2009 at 5:00 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov. Revised items are indicated by “•” and italics.

- 01000 1. CALL TO ORDER** **Vice Chairman Mark Nichols**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the June 9, 2009, Regular Meeting.
 - D. Executive Director's Report. **Mr. Dave Dillon
Assistant Director**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Town of Beaver, Beaver County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Rural Water, Sewer & Solid Waste Management District #2, Bryan County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Collinsville Municipal Authority, Tulsa County. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Ponca City Utility Authority, Kay County. Recommended for Approval.

- E. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Grove Municipal Services Authority, Delaware County. Recommended for Approval.
- F. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Rural Water District #8, McCurtain County. Recommended for Approval.
- G. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Bartlesville Municipal Authority, Washington County. Recommended for Approval.
- H. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Oklahoma City Water Utilities Trust, Oklahoma County. Recommended for Approval.
- I. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Norman Utilities Authority, Cleveland County. Recommended for Approval.
- J. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Rural Water District No. 3, Washington County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Vice 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:

REAP				Amount
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Recommended</u>
ASCOG				
1.	FAP-08-0032-R	Town of Temple	Cotton	\$97,000.00
INCOG				
2.	FAP-08-0023-R	Kellyville Public Works Authority	Creek	99,990.00
OEDA				
3.	FAP-08-0006-R	Felt Public Schools	Cimarron	77,400.00

D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:

1. Intergovernmental Subagreement with the Board of Regents of the University of Oklahoma, Oklahoma Climatological Survey for operation and maintenance of the Oklahoma Mesonet weather station.
2. Memorandum Agreement between OWRB, USGS and The Chickasaw Nation Commerce Division for water monitoring and data collection.
3. Agreement with the Office of the Secretary of the Environment for the Clean Water Act FY 09 §604(b) Water Quality Management Planning Program CA #C6-400000-48.
4. Service Agreement with The Journal Record, Legislative Report for subscription to Journal Record's online system of legislative information and tracking services.
5. Memorandum Agreement between OWRB, USGS and The Choctaw Nation of Oklahoma for water monitoring and data collection.
6. Interagency Agreement with the Grand River Dam Authority for fish and wildlife mitigation activities within Grand Lake.
7. Amended and Restated Intergovernmental Agreement with OSU Water Resources Research Institute for sharing costs of Water Research Symposium and Governor's Water Conference events.
8. Agreement with the Office of the Governor for providing office space and compensation to the Secretary of the Environment.
9. Intergovernmental Agreement with Central Oklahoma Master Conservancy District for water quality monitoring at Lake Thunderbird.

10. Interagency Agreement with the Oklahoma Department of Agriculture, Food and Forestry for groundwater sampling at monitoring wells of licensed managed feeding operations.
 11. Contract with the Oklahoma Rural Water Association to provide workshops for study and instruction of rural water district and nonprofit rural water corporation board members in areas of finance, law and duties of board members.
 12. Professional Engineering Services Contract with Utley & Associates, LLC for processing FEMA microfiche images to be used in providing floodplain mapping assistance to the public.
 13. Renewal and Amendment to the Standby Bond Purchase Agreement with Bank of America related to the Board's State Loan Program Revenue Bond Series 1999 and Series 2003A.
 14. Professional Services Engagement Contract with Centennial Law Group to provide legal services in connection with the Board's American Recovery and Reinvestment Act financial assistance.
 15. Intergovernmental Agreement with the Board of Regents of the University of Oklahoma, Outreach/College of Continuing Education, to sponsor and host workshops and courses on floodplain management for floodplain administrators and others.
 16. Interagency Agreement with Grand River Dam Authority for dissolved oxygen monitoring above and below Lakes Hudson and Grand.
 17. Professional Engineering Services Contract with C.H. Guernsey & Company for water transfer and reservoir viability studies in support of the update of the Oklahoma Comprehensive Water Plan.
- E. Applications for Temporary Permits to Use Groundwater:
1. Charles R. Freeman, II & Carrie Freeman, Kiowa County, #2009-506
 2. Edwin L. & Mary Evelyn Vadder, Kingfisher County, #2009-513
 3. Robert M. Stutzman, Custer County, #2009-515
 4. Robert M. Stutzman, Custer County, #2009-516
 5. Janet Dalton, Pittsburg County, #2009-518
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
1. The Danny Ray Leck & Marsha Hope Leck Revocable Trusts, Canadian County, #2009-509

- H. Applications to Amend Regular Permits to Use Groundwater:
1. Woodward County Rural Water District No. 1, Woodward County, #1998-525
 2. Dusty R. & Chelsea N. Embery and Jonathan R. Keahey, Beckham County, #2002-538B
- I. Applications to Amend Prior Rights to Use Groundwater:
None
- J. Applications for Regular Permits to Use Stream Water:
1. Mark & Pam Harbin, Hughes County, #2009-005
 2. Eugene Meeks, Muskogee County, #2009-011
 3. Oklahoma State Parks – Fountainhead Golf Course, McIntosh County, #2009-013
- K. Forfeitures of Stream Water Rights:
1. Steward Barrick, Custer County, #1955-1179A
- L. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Wait Pump Service DPC-0771
 1. Operator: Craig Wait OP-1699
 - Activities: Pump installation
 - b. Licensee: Harper Drilling Company DPC-0775
 1. Operator: Andrew C. Harper OP-1701
 - Activities: Groundwater wells, test holes and observation wells
Pump installation
 - c. Licensee: Sunbelt Environmental Services DPC-0779
 1. Operator: Brian K. Bauer OP-1704
 - Activities: Groundwater wells, test holes and observation wells
Monitoring wells and geotechnical borings
Heat exchange wells
- M. Dam and Reservoir Construction:
1. Daniel L. Hamilton, Hamilton East Dam, Johnston County, #DS-09-07
 2. Daniel L. Hamilton, Hamilton West Dam, Johnston County, #DS-09-08
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Oklahoma Department of Transportation, Cleveland County, #FP-09-11
 2. Oklahoma Department of Transportation, Pittsburg County, #FP-09-12
 3. Oklahoma Department of Transportation, Payne County, #FP-09-14
- O. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the July 14, 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 Vice 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. 1970-080 of Freddie Reinking Estate, Stream System 1-8-3, Caddo 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 the Application of Rural Water, Sewer and Solid Waste Management District No. 6, Grady County, Oklahoma for a Permit to Use Groundwater in Caddo and Grady Counties, Application No. 2008-553:
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
Vice Chairman Nichols**

8. NEW BUSINESS Vice 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 Vice Chairman Nichols

The next meeting of the Oklahoma Water Resources Board will be on Tuesday, August 11, 2009, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

7/7/09