

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

August 11, 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 August 4, 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** **Chairman Rudy Herrmann**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the July 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 Funding Application for Rural Water District No. 2, Logan County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Healdton Municipal Authority, Carter County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Del City Municipal Services Authority, Oklahoma County. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Wagoner Public Works Authority, Wagoner County. Recommended for Approval.

- E. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Muskogee Municipal Authority, Muskogee County. Recommended for Approval.
- F. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Central Oklahoma Master Conservancy District, Cleveland County. Recommended for Approval.
- G. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Stillwater Utilities Authority, Payne County. Recommended for Approval.
- H. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Stillwater Utilities Authority, Payne County. Recommended for Approval.
- I. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Piedmont Municipal Authority, Canadian County. Recommended for Approval.
- J. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Frederick Public Works Authority, Tillman County. Recommended for Approval.
- K. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Owasso Public Works Authority, Tulsa County. Recommended for Approval.
- L. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Sand Springs Municipal Authority, Tulsa County. Recommended for Approval.
- M. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Enid Municipal Authority, Garfield County. Recommended for Approval.
- N. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Henryetta Municipal Authority, Okmulgee County. Recommended for Approval.
- O. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Oklahoma City Water Utilities Trust, Oklahoma County. Recommended for Approval.

- P. Consideration of and Possible Action on a Proposed Order Approving Funding Application for Duncan Public Utilities Authority, Stephens County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Rudy Herrmann

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 Application for REAP Grant in Accordance with the Proposed Order Approving the Grant:

REAP			Amount	
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Recommended</u>
NODA				
1.	FAP-00-0047-R	Rural Water District #6	Kay	\$99,990.00

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
 - 1. Agreement with the Office of the Secretary of the Environment for the Clean Water Act §604(b) Water Quality Management Planning Program, American Recovery and Reinvestment Act.
 - 2. Contract with the Oklahoma Department of Environmental Quality for lab analysis of environmental samples submitted to DEQ by OWRB.
 - 3. Memorandum Agreement with Applied Energy Services, Shady Point, Inc. and USGS for water monitoring and data collection.
 - 4. Memorandum Agreement with the City of Norman and USGS for water monitoring and data collection.

5. Land use agreement with Oklahoma County for a cooperative project to install in-ground water well to be part of statewide drought-monitoring network.
 6. Professional Services contract with Emily Mezell to provide services of hearing examiner for administrative hearings.
 7. Memorandum Agreement with Meridian Aggregates Co. and USGS for water monitoring and data collection.
 - 8. *Joint Funding Agreement with USGS for the cooperative monitoring program. Item added.*
- E. Applications for Temporary Permits to Use Groundwater:
1. Material Producers, Inc., Murray County, #2009-523
- F. Applications to Amend Temporary Permits to Use Groundwater:
- None
- G. Applications for Regular Permits to Use Groundwater:
1. Steve Long, Cimarron County, #2009-519
 2. Marjorie Hamm, Texas County, #2009-522
 3. Betty Sue Moore, Texas County, #2009-529
 4. Payton Sherman & Donna Sherman Revocable Trust, Tillman County, #2009-530
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Melvyn Williams, Texas County, #1975-895
- I. Applications to Amend Prior Rights to Use Groundwater:
- None
- J. Applications for Regular Permits to Use Stream Water:
1. Henryetta Municipal Authority, Okmulgee County, #2008-011
 2. Charles & Conita Tipton, Coal County, #2009-009
 - 3. *Oklahoma State Parks – Arrowhead Golf Course, Pittsburg County, #2009-012*
Item withdrawn
- K. Forfeitures of Stream Water Rights:
1. Glen Igo, Washita County, #1971-295
 2. Darlene Cox, Roger Mills County, #1948-201
 3. Allen Jones, Roger Mills County, #1951-046
 4. George Heriford, Custer County, #1960-150
 5. O. F. Bailey, Roger Mills County, #1964-372
 6. Smith Cogeneration Oklahoma, LeFlore County, #2001-004
 7. William Mobley, LeFlore County, #1968-058
 8. Tony & Debbie McFarland, LeFlore County, #1996-057
 9. David Williams, Adair County, #1965-233

10. John Payne, Adair County, #1979-126
11. Jack Drain, Sequoyah County, #1985-001
12. Randy & Debbie Barrios, Haskell County, #1997-021
13. Ewing & Barbara Harvell, LeFlore County, #1999-011

L. Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: D & D Water Well Drilling, Inc. DPC-0777
 1. Operator: Donny Maphet OP-1702
 - Activities: Groundwater wells, test holes and observation wells
 - Pump installation
 - b. Licensee: Aqua Drill Services, LLC DPC-0783
 1. Operator: Ronnie Neihart OP-1709
 - Activities: Groundwater wells, test holes and observation wells
 - Pump installation
 2. Operator: Glen Barnhart OP-1710
 - Activities: Groundwater wells, test holes and observation wells
 - Pump installation
2. New Operators for Existing Licenses:
 - a. Licensee: Comfort Works, Inc. DPC-0012
 1. Operator: Clayton Madden OP-1708
 - Activities: Heat exchange wells
 - b. Licensee: E TTL Engineers & consultants, Inc. DPC-0605
 1. Operator: Jeanie M. Odom OP-1703
 - Activities: Monitoring wells and geotechnical borings
3. New Activity of Operators for Existing Licenses:
 - a. Licensee: Ted Jenks Water Well Service, LLC DPC-0109
 1. Operator: Ted Lowell Jenks, Jr. OP-0408
 - Activities: Groundwater wells, test holes and observation wells

M. Dam and Reservoir Construction:

1. Adair County Conservation District, Adair County, #DS-09-03
2. Adair County Conservation District, Adair County, #DS-09-04
3. West Caddo County Conservation District, Caddo County, #DS-09-06

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

1. Oklahoma Department of Transportation, Payne County, #FP-09-13
2. Oklahoma Department of Transportation, Rogers County, #FP-09-15
3. Oklahoma Department of Transportation, Rogers County, #FP-09-16
4. Oklahoma Department of Transportation, Muskogee County, #FP-09-17
5. Oklahoma Department of Transportation, McCurtain County, #FP-09-18
6. Oklahoma Department of Transportation, Blaine County, #FP-09-19

- O. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the August 11, 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 Rudy Herrmann

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. No items for the Board's consideration.
- B. 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 Rudy Herrmann**

8. NEW BUSINESS

Chairman Rudy Herrmann

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 Rudy Herrmann

The next meeting of the Oklahoma Water Resources Board will be on Tuesday, September 8, 2009, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

8/4/09