

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

**October 16, 2012**

**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 October 9, 2012 at 5:05 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 Ford Drummond**

- A. Roll Call
- B. Discussion, Amendments, and Vote to Approve Official Minutes of the September 18, 2012, Regular Meeting.
- C. Executive Director's Report. **Mr. J.D. Strong**
- D. Monthly Budget Report **Ms. Amanda Storck**

**02000 2. FINANCIAL ASSISTANCE DIVISION Mr. Joe Freeman**

- A. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Longtown Rural Water and Sewer District No. 1, Pittsburg County. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Rural Water and Sewer District #4, Lincoln County. Recommended for Approval.
- C. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Newcastle Public Works Authority, McClain County. Recommended for Approval.
- D. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Rural Water District No. 21, Osage County. Recommended for Approval.

- E. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Laverne Public Works Authority, Harper County. Recommended for Approval.
- F. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Drinking Water Funds for Grand Lake Public Works Authority, Delaware County. Recommended for Approval.
- G. *Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Drinking Water Funds for Wagoner Public Works Authority, Wagoner County. Recommended for Approval. Item added*

**03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Drummond**

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 Possible Action on Items Listed Below. Recommended for Approval:
- C. Financial Assistance Division Items:

1. Rural Economic Action Plan (REAP) Grant Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
None				

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

- 1. Fourth Amended and Restated Intergovernmental Agreement with Oklahoma State University Water Resources Research Institute to hold the Governor's Water Conference and Symposium in November 2012.
- 2. Renewal Agreement with Meshek & Associates, PLC for professional engineering services related to maintaining up-to-date flood hazard data for OWRB or communities served in Oklahoma.
- 3. *Professional Service Agreement with the Tarigma Corporation for support service for the computer loan and grant tracking software used by the Financial Assistance Division. Item added.*

- E. Applications for Temporary Permits to Use Groundwater:
1. David & Theresa Nault, Caddo County, #2012-606
  2. M & J Farms, Inc., Custer County, #2012-627
  3. Dustin & Sonya Donley, Woodward County, #2012-635
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Chad Blevins Revocable Trust, Beckham County, #1981-670
  2. Green Country Farms, Adair County, #1986-533
- G. Applications for Regular Permits to Use Groundwater:
1. Grewell Land, L.L.C., Texas County, #2012-624
  2. Kenneth P. Haley, Canadian County, #2012-628
  3. Stephens Land & Cattle Company, Inc., Texas County, #2012-643
  4. Stephens Land & Cattle Company, Inc., Texas County, #2012-644
  5. Thomas A. & Phyllis Stephens Trust #1, Thomas A. Stephens & Phyllis Stephens, Thomas Stephens, and Stephens Land & Cattle Company, Inc., Texas County, #2012-645
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Murphy Family Farms, Ellis County, #1996-664
- I. Applications for Term Permits to Use Stream Water:
1. Daniel Prater, McIntosh County, #2012-041
  2. TransCanada Keystone Pipeline, L.P., Creek County, #2012-051
  3. TransCanada Keystone Pipeline, L.P., Atoka County, #2012-052
- J. Applications for Regular Permits to Use Stream Water:  
None
- K. Proposed Resolution Appointing Persons to Serve as Members of the Well Driller and Pump Installers Advisory Council:  
Names of persons to serve as members are individually set out in the October 16, 2012 packet of Board materials
- L. Well Driller and Pump Installer Licensing:
- 1. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:**
    - a. Licensee: Layne Christensen DPC-0123
    1. Operator: Doug Assenmacher OP-1937  
Activities: Pump installation
    - b. Licensee: Oklahoma Environmental Services DPC-0363
    1. Operator: Kyle Blankenship OP-1936  
Activities: Monitoring wells and geotechnical borings
    - c. Licensee: S & M Drilling DPC-0759
    1. Operator: Kirk F. Stephenson, II OP-1938  
Activities: Groundwater wells, groundwater test holes and observation wells  
Pump installation
- M. Dam and Reservoir Construction:  
None

- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
  - 1. Northeastern Oklahoma A & M College, Ottawa County, #FP-12-32
  - 2. Northeastern Oklahoma A & M College, Ottawa County, #FP-12-33
- O. Applications for Accreditation of Floodplain Administrators:  
Names of floodplain administrators to be accredited and their associated communities are individually set out in the October 16, 2012 packet of Board materials

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

- A. Update and Discussion on the upcoming Triennial Revision of the Oklahoma Water Quality Standards. **Mr. Derek Smithee**

**05000 5. SPECIAL CONSIDERATION Chairman Drummond**

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. No items.
- B. Items transferred from Summary Disposition Agenda, if any.

**06000 6. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY Chairman Drummond**

**7. PROPOSED EXECUTIVE SESSION Chairman Drummond**

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(4) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of confidential communications between a 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 a pending investigation, litigation or proceeding in the public interest.

*Pursuant to this provision, the Board proposes to hold an executive session for the purpose of discussing Chickasaw Nation and Choctaw Nation v. Fallin, et al., Oklahoma Water Resources Board v. United States on behalf of the Choctaw Nation et al. and Tarrant Regional Water District v. Herrmann, et al.*

Statement by legal counsel advising on whether disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest.

- A. Vote on whether to hold Executive Session upon determination that disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest. Before it can be held, the Executive Session must be authorized by a majority vote of a quorum of members present and such vote must be recorded.
- B. Designation of person to keep written minutes of Executive Session, if authorized.
- C. Executive Session, if authorized.

Return to open meeting and possible vote or action on any matter discussed in the Executive Session.

**8. VOTE(S) ON POSSIBLE ACTION(S), IF ANY, RELATING TO MATTERS DISCUSSED IN EXECUTIVE SESSION IF AUTHORIZED.**

**9. NEW BUSINESS Chairman Drummond**

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 Drummond**

The next regular meeting of the Oklahoma Water Resources Board will be held in conjunction with the 33<sup>rd</sup> Annual Governor's Water Conference and is scheduled on Wednesday, November 14, 2012, at 3:30 p.m., at the Tulsa Marriott Southern Hills, Tulsa, Oklahoma.

10/09/2012