

# A G E N D A

## OKLAHOMA WATER RESOURCES BOARD

**June 18, 2013**

**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 June 14, 2013 at 4:15 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov).

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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 May 21, 2013, 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 State Loan Program Revenue Bond Loan Funding Application for Rural Water District No. 4, Okmulgee County. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Rural Water District No. 8, McClain County. Recommended for Approval.
- C. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Antlers Public Works Authority, Pushmataha County. Recommended for Approval.
- D. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Rural Water and/or Sewer and/or Gas and/or Solid Waste Management District No. 5, Stephens County. Recommended for Approval.

- E. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Atoka Municipal Authority, Atoka County. Recommended for Approval.
- F. Consideration of and Possible Action on a Proposed Resolution Authorizing the Reallocation of Revolving Fund Revenue Bonds, Series 2012B Proceeds. Recommended for Approval.

**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> |
|-----------------|------------------------|-----------------------------|---------------|---------------------------|
| GGEDA           |                        |                             |               |                           |
| a.              | FAP-08-0004-R          | Oaks Public Works Authority | Delaware      | \$ 99,999.00              |
| KEDDO           |                        |                             |               |                           |
| b.              | FAP-11-0008-R          | Haileyville Public Works    | Pittsburg     | 99,999.00                 |

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
  - 1. Joint Funding Agreement with U.S. Geological Survey for the Continuation of the Monitoring Program FY14.
  - 2. Memorandum Agreement with USGS and Lugert-Altus Irrigation District for water monitoring and data collection.
  - 3. No- Cost Time Extension Agreement with Emily H. Mezell for professional legal services as Hearing Examiner in administrative hearings.
  - 4. Memorandum Agreement with USGS and Oklahoma Department of Wildlife Conservation for water monitoring and data collection.

5. Interagency Agreement with Oklahoma Department of Environmental Quality for sharing office space at OWRB's Woodward and McAlester offices.
6. Memorandum Agreement with USGS and Applied Energy Services, Shady Point, Inc. for water monitoring and data collection.
7. Amendment of Agreement with Meshek & Associates, PLC for Professional Engineering Services for Dam Breach Analysis and Mapping.
8. Renewal Agreement with Meshek & Associates, PLC for Extension of Time for Cooperating Technical Partnership Program Assistance for creation and maintenance of flood hazard data.
9. Third Extended and Amended Agreement with American Municipal Tax-Exempt Compliance Corp. for arbitrage rebate calculation and consulting services.
10. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide accounting services related to the Board's financial assistance programs.
11. Contract with Oklahoma Rural Water Association to provide technical assistance and training to rural water system operators and rural water district and corporation board members.
12. Contract with Attorney General's Office for Legal Services.
13. Lease Agreement with Office of Management and Enterprise Services, Division of Capital Assets Management for OWRB Tulsa Office.
14. Memorandum Agreement with USGS and the City of Moore for water monitoring and data collection.
15. Memorandum Agreement with USGS and Poteau Valley Improvement Authority for water monitoring and data collection.
16. Service Agreement with Oklahoma Office of Management and Enterprise Services, Information Services Division to provide information technology personnel and services.
17. Memorandum Agreement with USGS and Arkansas-Oklahoma Arkansas River Compact Commission for water monitoring and data collection.
18. Memorandum Agreement with USGS and CP Kelco for water monitoring and data collection.
19. Second No-Cost Time Extension Agreement with Amec Environment & Infrastructure, Inc. for professional engineering services for allocation modeling of a portion of Canadian River System.
20. Memorandum Agreement with USGS and The City of Lawton for water monitoring and data collection.

- E. Applications for Temporary Permits to Use Groundwater:
1. West Davis Rural Water Corporation, Garvin County, #2012-695
  2. Mark A. & Dianna J. Franz, Washita County, #2013-505
  3. Gregory Farms, Major County, #2013-507
  4. Gregory Farms, Major County, #2013-509
  5. Hughes County Rural Water District No. 1, Hughes County, #2013-517
  6. Greg Strawn, Lori Strawn and Jimmie Strawn, Harmon County, #2013-526
  7. Harmon Water Corporation, Harmon County, #2013-527
  8. David B. & Laura L. Hunter, Woodward County, #2013-535
  9. Earl Smalley Jr. Revocable Trust, Caddo County, #2013-537
  10. Scott & Helen Harvey, Caddo County, #2013-541
  11. Steve Blevins Revocable Trust, Beckham County, #2013-545
  12. The William Donald Bennett and Linda G. Bennett Vincent Trusts, Caddo & Washita Counties, #2013-558
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. M & K Horn Farms, L.L.C., Washita County, #1976-563
  2. Town of Elgin, Comanche County, #2000-566
- G. Applications for Regular Permits to Use Groundwater:
1. Randal D. Haley, Canadian County, #2012-679
  2. Tim C. Haley, Canadian County, #2012-682
  3. John Patrick Bourk, Cimarron County, #2013-513
  4. Max & Sally Huling, Beaver County, #2013-524
  5. Max & Sally Huling, Beaver County, #2013-525
  6. Stanley & Teresa L. McCuiston, Tillman County, #2013-538
  7. Justin & Jodee Woodruff, Beckham County, #2013-539
  8. Tanya Bryant Meixner & Harmon Meixner and Alice Ross Bryant Slater & Dave Slater, Texas County, #2013-540
  9. Logan Brakhage and Devin Brakhage, Cimarron County, #2013-546
  10. Mitchell IV G, L.L.C., Texas County, #2013-550
  11. Tommie Ogston, Cimarron County, #2013-552
  12. Leaming Partnership, L.L.C., Texas County, #2013-554
  13. Edwin Glynn & Karen Stringer, Beckham County, #2013-556
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Pony Creek Farms, Inc., Texas County, #1973-306B
  2. Tommy & Cathy Mitchell, Texas County, #1978-564
  3. Wayne Gibson, Beckham County, #1979-503
  4. Clyde Fischer, Texas County, #1993-576
  5. Tommy & Cathy Mitchell, Texas County, #1996-554
  6. Hughes County Rural Water District No. 1, Hughes County, #2007-538
- I. Applications to Amend Prior Rights to Use Groundwater:
1. City of Hollis/Hollis PWA, Harmon County, #1948-055
  2. Margie E. Propps Revocable Trust, Caddo County, #1955-1194
  3. Gunter Peanut Company, Inc. and Jeff & Lori Cart, Caddo County, #1958-296

- J. Applications for Regular Permits to Use Stream Water:
1. William Bailey Cook, III, Pontotoc County, #2012-019
  2. William H. Laycock, Hughes County, #2012-070
  3. Steve Conrad, Muskogee County, #2013-002
  4. WHB Cattle L.P., Grady County, #2013-004
  5. Michael & Lotsee Spradling, Rogers County, #2013-006
  6. John Bret Fugate, Tulsa County, #2013-009
  7. Jannis Ferne McVey Family Trust, dated May 28, 1997, Grady County, #2013-010
  8. Patsy A. Keith, Thomas A. Keith and Lisa R. Keith, Muskogee County, #2013-011
  9. Pates Farm, Inc., Sequoyah County, #2013-012
  10. Chase Burns, Caddo County, #2013-015
- K. Applications to Amend Vested Rights to Use Stream Water:
1. Gerald A. & Lucy C. Beecher, Kingfisher County, #1950-142
- L. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
    - a. Licensee: Cherokee Nation, Engineering & Sanitation Facilities Construction      DPC-0885
      1. Operator: Audie Murphy      OP-1977
      - Activities: Pump installation
    - b. Licensee: Jettco Well Service      DPC-0887
      1. Operator: Ricky Jett      OP-1980
      - Activities: Pump installation
    - c. Licensee: Hagger Well Service      DPC-0889
      1. Operator: James W. Hagger      OP-1981
      - Activities: Groundwater wells, groundwater test holes and observation wells  
Pump installation
    - d. Licensee: Hollifield Service Co., LLC      DPC-0891
      1. Operator: Tim J. Hollifield      OP-1986
      - Activities: Heat exchange wells
  2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
    - a. Licensee: Don Strawn Drilling, Inc.      DPC-0189
      1. Operator: Michael Collins      OP-1983
      - Activities: Groundwater wells, groundwater test holes and observation wells  
Pump installation
      2. Operator: James Lemaster      OP-1408
      - Activities: Pump installation
      3. Operator: Joseph T. Bell      OP-1985
      - Activities: Pump installation
      4. Operator: Jason E. Hilterbran      OP-1984
      - Activities: Pump installation
    - b. Licensee: Envirotech Engineering & Consulting, Inc.      DPC-0283
      1. Operator: Kevin G. Jones      OP-1987
      - Activities: Groundwater wells, groundwater test holes and observations wells  
Monitoring wells and geotechnical borings
- M. Dam and Reservoir Construction:
1. City of Ada (Wintersmith Dam), Pontotoc County, #OK11028

- N. Applications for Accreditation of Floodplain Administrators:  
Names of floodplain administrators to be accredited and their associated communities are individually set out in the June 18, 2013 packet of Board materials.

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

- A. Update Report on Oklahoma Comprehensive Water Plan Activities. **Mr. J.D. Strong**

**05000 5. SPECIAL CONSIDERATION Chairman Drummond**

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

**6. 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.

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

**8. 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.

**9. ADJOURNMENT** **Chairman Drummond**

The next regular meeting of the Oklahoma Water Resources Board will be held Tuesday, July 16, 2013, at 9:30 a.m., at the Oklahoma Water Resources Board, 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

6/14/2013