

# A G E N D A

## OKLAHOMA WATER RESOURCES BOARD

**December 17, 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 December 13, 2013 at 4:00 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 Rudy Herrmann**
- A. Roll Call
  - B. Discussion, Amendments, and Vote to Approve Official Minutes of the November 19, 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 Clean Water Funding Application for Kiefer Public Works Authority, Creek County. Recommended for Approval.
  - B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Muskogee Municipal Authority, Muskogee County. Recommended for Approval.
- 03000 3. SUMMARY DISPOSITION AGENDA ITEMS** **Chairman Herrmann**

All of the items listed below under this Summary Disposition Agenda are recommended for approval.

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.
- C. Consideration of and Possible Action on 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>
KEDDO				
a.	FAP-11-0008-R	Haileyville Public Works Authority	Pittsburg	amend scope
- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
  - 1. Professional Services Agreement with First Southwest Company for financial advisor services related to the Board’s financial assistance programs.
  - 2. No-Cost Extension Agreement with Oklahoma State University for the 2013 Oklahoma Water Resources Research Institute Research Program.
  - 3. No-Cost Extension Agreement with the USGS for the Garber-Wellington Project.
- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
  - 1. Don & Bonnie Irons, Kay County, #2013-584
  - 2. Russell Nickel, Alfalfa County, #2013-608
  - 3. Scott F. Wiehle, Osage County, #2013-631
  - 4. Tim J. Nightengale Revocable Trust, dated June 19, 1998, Major County, #2013-633
- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
  - 1. Fredrick J. Mary Kathryn Lorenz, Major County, #2011-674
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
  - 1. Tishomingo National Wildlife Refuge, Johnston County, #2013-572
  - 2. John & Jane McCullough, Tillman County, #2013-612
  - 3. Double R Farm, Cimarron County, #2013-627
  - 4. Jackson County Water Company, Jackson County, #2013-630

- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
  - 1. Johnston County RWS & SWM District #4, Johnston County, #1998-552
- I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
  - 1. 2KB Farms, Caddo County, #1954-1404
- J. Consideration of and Possible Action on Applications for Term Permits to Use Stream Water:
  - 1. Washington County Rural Water District #3, Rogers County, #2013-038
- K. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
  - 1. Scott Barrington, Grady County, #2013-028
- L. Consideration of and Possible Action on Dam and Reservoir Construction:
  - 1. YMCA of Greater Oklahoma City, Murray County, #OK10229
- M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
  - 1. New operators to Existing Permits
    - a. Licensee: White Drilling Co., Inc. DPC-0800
      - 1. Operator: William Atkins OP-1776
    - b. Licensee: Mohawk Drilling, Inc. DPC-0563
      - 1. Operator: Cody Ray Pendergrass OP-2019
- N. Consideration of and Possible Action on Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
  - 1. Oklahoma Department of Transportation, Cherokee County, #FP-13-33
- O. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the December 17, 2013 packet of Board materials.

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

- A. Presentation and Discussion on Oklahoma Comprehensive Water Plan Recommendation regarding Water Quality and Quantity Monitoring, Update on Groundwater Monitoring Assessment Program, and Other Monitoring Activities. **Mr. Derek Smithee**

**05000 5. SPECIAL CONSIDERATION** **Chairman Herrmann**

- A. No items.

B. Consideration of and Possible Action on Items Transferred from Summary Disposition Agenda, if any.

6. **PROPOSED EXECUTIVE SESSION**

**Chairman Herrmann**

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., and Oklahoma Water Resources Board v. United States on behalf of the Choctaw Nation 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. **NEW BUSINESS**

**Chairman 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.

8. **ADJOURNMENT**

**Chairman Herrmann**

The next regular meeting of the Oklahoma Water Resources Board is scheduled to be held Tuesday, January 21, 2014, 9:30 a.m., at 3800 N. Classen Boulevard, Oklahoma City, OK 73118.

12/13/2013