

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

March 11, 2015

1:30 p.m.

3800 N. Classen Boulevard, Oklahoma City, OK 73118

The members of the Oklahoma Water Resources Board may gather at the Oklahoma State Capitol Building to attend activities associated with "Water Appreciation Day at the Capitol," scheduled on the Fourth Floor Rotunda, 2300 Lincoln Boulevard, Oklahoma City, Oklahoma, from 9:00 a.m. through 2:00 p.m, on March 11, 2015. No discussion or action will be taken by a quorum of the members during any activity at the Capitol.

The members of the Oklahoma Water Resources Board will then convene at 1:30 p.m. on March 11, 2015, at the Board's offices at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma, to conduct the regular monthly meeting of the Oklahoma Water Resources Board and to consider and possibly take action on the agenda items listed below.

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 March 9, 2015, at 5:30 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

- 01000 1. CALL TO ORDER** **Chairman Rudy Herrmann**
- A. Roll Call
 - B. Discussion, Amendments, and Vote to Approve Official Minutes of the February 17, 2015, 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 Water for 2060 Grant for Infrastructure Project for Frontier Development Authority, Custer County. Recommended for Approval.

- B. Report of the Board Audit Committee Regarding Oklahoma Water Resources Board State Loan Program Revenue Bonds and Clean Water State Revolving Fund Program (CWSRF) Financial Statements as of June 30, 2014 and 2013, Audits of the CWSRF Administrative Fund and the Drinking Water Treatment Loan Administrative Fund as of June 30, 2014 and 2013.
- C. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Altus Municipal Authority, Jackson 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>
None				

- D. Consideration of and Possible Action on Contracts and Agreements:
 - 1. Renewal Agreement with Oklahoma Ground Water Association for the oversight of continuing education of Well Drillers and Pump Installers.
 - 2. Agreement with Meshek & Associates, PLC to assist OWRB in implementing the CTP Program in Oklahoma to create and maintain accurate flood hazard data for OWRB.
- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
 - 1. Vivian E. Abraham Revocable Trust, Harmon County, #2014-501
 - 2. Nathan & Ashley Miller, Custer County, #2014-610
 - 3. David Gustav ZumMallen, Kingfisher County, #2014-631
- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
 - None

- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
 - 1. J W & R Mantooth Farms, L.L.C., Garvin County, #2014-626
- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
 - None
- I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
 - None
- J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
 - 1. Tim & Linda Phillhower, Atoka County, #2014-038
 - 2. Greg A. Stangl and Anthony Stangl, Kingfisher County, #2014-063
 - 3. Calvin Mays Oilfield Services, Inc., Kingfisher County, #2014-073
 - 4. Janet Wahrenberg, Kingfisher County, #2014-075
- K. Consideration of and Possible Action on Dam and Reservoir Construction:
 - 1. American Fidelity Dam, Oklahoma County, #OK02422
- L. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
 - 1. New Licenses and Operators:
 - a. Lodestar Field Services, L.L.C. DPC-0915
 - 1. Operator: Brennan George OP-2082
 - 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 - a. Licensee: Oklahoma Environmental Services DPC-0363
 - 1. Operator: Christopher Cooper OP-2080
 - b. Licensee: Layne Christensen DPC-0123
 - 1. Operator: Jon Fife OP-2081
 - c. Licensee: Red River Resources DPC-0805
 - 1. Operator: Joyce Hurst OP-1911
- M. Consideration of and Possible Action on Weather Modification Operations Licensing:
 - 1. New Licenses and Operators:
 - a. Licensee: Seeding Operations and Atmospheric Research (SOAR), LLC of Wichita Falls, Texas WL-2015-1
- 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, Bryan County, #FP-15-01
- O. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:
 - 1. City of Guymon, Elvia Hernandez, FPA-610
 - 2. Town of Luther, Twila K. Bourlon, FPA-611
 - 3. Payne County, Losco N. Hunter, FPA-612
 - 4. Town of Valley Brook, Danny L. Patnaude, FPA-613

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

- A. Presentation and Possible Discussion regarding Applications for Weather Modification Operations Licensing and Permitting Process. **Mr. Jonathan Allen**

05000 5. SPECIAL CONSIDERATION **Chairman Herrmann**

- A. Consideration of and Possible Action on Driller License No. DPC-0823 of Joshua D. Manning, and Operator Certificate No. OP-1839 of Joshua D. Manning:

1. Summary – **Ms. Julie Cunningham**
2. Discussion and presentation by parties
3. Possible Executive Session
As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act”.
 - (a) Vote on whether to hold Executive Session. 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.
4. Return to open meeting and possible vote or action on any matter discussed in the Executive Session, if authorized.
5. 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. 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 will be held at 9:30 a.m., April 21, 2015, at the OWRB Offices located at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

3/09/2015