

**REVISED AGENDA  
OKLAHOMA WATER RESOURCES BOARD**

**March 9, 2004  
9:30 a.m.**

OWRB Board Room  
3800 Classen Boulevard  
Oklahoma City, Oklahoma

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, on March 2, 2004, at 5:00 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.state.ok.us](http://www.owrb.state.ok.us). Revised items are indicated by “•” and italics.

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- 01000 1. CALL TO ORDER** **CHAIRMAN GRANDSTAFF**
- A. Invocation
  - B. Roll Call
  - C. Discussion, Amendments, and Vote to Approve Official Minutes of the February 10, 2004 Regular Meeting.
  - D. Executive Director's Report. **Mr. Duane Smith**
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- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Loan for Bethany Public Works Authority, Oklahoma County. Recommended for Approval.
  - B. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Funds, Amending Security, and Extension of Time for Obligation of Funds for Durant City Utilities Authority, Bryan County. Recommended for Approval.
  - ***C. Consideration of and Possible Action on a Proposed Resolution Authorizing Staff to Request Proposals for Services in Connection with Issuing Obligations to Fund the Clean Water State Revolving Fund Loan Program and Drinking Water State Revolving Fund Loan Program. Recommended for Approval. Language added***
  - D. Presentation of Standard & Poor's Credit Rating Analysis of the Oklahoma Water Resources Board's Outstanding Debt Obligations.

**03000 3. SUMMARY DISPOSITION AGENDA ITEMS CHAIRMAN GRANDSTAFF**

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 Approval of Items 3. C through 3. N.
- C. Consideration of Approval of the Following Applications for REAP Grants and Amendment to Scope of Project for REAP Grants in Accordance with the Proposed Orders Approving the Grants:

<b>REAP</b>				<b>Amount</b>
<b><u>Item No.</u></b>	<b><u>Application No.</u></b>	<b><u>Entity Name</u></b>	<b><u>County</u></b>	<b><u>Recommended</u></b>
ASCOG				
1.	FAP-03-0013-R	Minco Municipal Authority	Grady	\$19,999.00
KEDDO				
2.	FAP-01-0080-R	Haileyville Public Works Authority	Pittsburg	Amend Scope
3.	FAP-02-0051-R	Keota Public Works Authority	Haskell	Amend Scope
SWODA				
4.	FAP-99-0017-R	Town of Roosevelt	Kiowa	99,900.00

- D. Contract and Agreements Recommended for Approval
  - 1. Consideration of Agreement with the University of Oklahoma through its Sam Noble Oklahoma Museum of Natural History for Identification of Fish Species.
- E. Applications for Temporary Permits to Use Groundwater:
  - 1. Robert & Lisa Gunter, Caddo County, #2003-541
  - 2. Block Sand Company, Inc., Lincoln County, #2003-570
  - 3. Neill Cattle Company, Craig County, #2003-581
  - 4. Oklahoma Gas & Electric Company, Muskogee County, #2003-582
- F. Applications to Amend Temporary Permits to Use Groundwater:
  - 1. Bryan & Lavonne Kroeker, Garfield County, #1996-515
  - 2. Bryan Kroeker, Alfalfa County, #2000-581
- G. Applications for Regular Permits to Use Groundwater:
  - 1. Roy Mitchell, Kenneth Mitchell and Brian Mitchell, Texas County, #2003-591
  - 2. Roy Mitchell, Kenneth Mitchell and Brian Mitchell, Texas County, #2003-596
  - 3. Roy Mitchell, Kenneth Mitchell and Brian Mitchell, Texas County, #2003-597

- H. Applications to Amend Regular Permits to Use Groundwater:
1. Town of Calera, Bryan County, #1974-328
  2. Stanley J. Barby, Beaver County, #1979-529
  3. Jerald Radcliff, Beaver County, #1991-512
- I. Applications to Amend Prior Rights to Use Groundwater:  
None
- J. Applications for Regular Permits to Use Stream Water:
1. City of Sallisaw, Sequoyah County, #1979-107
  - **2. Tenkiller Utilities Authority, Cherokee County, #2003-028 item withdrawn**
  3. Wolf Creek Estates Homeowners Association, Canadian County, #2003-033
  - **4. Sequoyah County Water Association, Sequoyah County, #2003-034 item withdrawn**
  5. Matt Moreland, Grant County, #2003-040
  6. Washington County RWD #3, Tulsa County, #2003-042
- K. Applications to Amend Regular Permits to Use Stream Water:  
None
- L. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
 

Licensee:	Lake Country Drilling, Inc.	DPC-0674
Operator:	Jody M. Morgan	OP-1396
Activities:	Groundwater wells, test holes and observation wells Heat exchange wells	
  2. New Operators and/or Activities for Existing Licenses:
    - a. Licensee: Davis Environmental Drilling DPC-0197  
 Operator: Adam McHolland OP-1396  
 Groundwater wells, test holes and observation wells  
 Monitoring wells and geotechnical borings
    - b. Licensee: Accurate Drilling Services, Inc. DPC-0650
      - (1) Operator: Wade Williams OP-1168  
 Activities: Pump installation
      - (2) Operator: Craig Wenthold OP-1207  
 Activities: Pump installation
      - (3) Operator: Juan Bazan OP-1222  
 Activities: Pump Installation
- M. Dam and Reservoir Plans and Specifications:  
None
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Oklahoma Tourism and Recreation Department, Marshall County, FP-03-17
  2. Oklahoma Department of Transportation, Lincoln County, FP-3-19

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

**No items.**

**05000 5. SPECIAL CONSIDERATION**

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).

- A. Application to Amend and Consideration of Revalidation of Temporary Permit to Use Groundwater No. 1986-619, Garvin County Rural Water District No. 2, Garvin County:
  - 1. Summary – **Mr. Mathis**
  - 2. Discussion and presentation by parties
  - 3. Possible executive session
    - (a) Vote on whether to enter executive session
    - (b) If executive session approved, designation of person to keep minutes
    - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
  - 4. 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. Application to Amend Regular Permit to Use Groundwater No. 2000-575, Max L. O'Hara, Grady County:
  - 1. Summary – **Mr. Mathis**
  - 2. Discussion and presentation by parties
  - 3. Possible executive session
    - (a) Vote on whether to enter executive session
    - (b) If executive session approved, designation of person to keep minutes
    - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
  - 4. 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.

- C. Application for Regular Permit to Use Stream Water No. 2003-013, Oil City Associates, LLC, Stephens County:
  - 1. Summary – **Mr. Mathis**
  - 2. Discussion and presentation by parties
  - 3. Possible executive session
    - (a) Vote on whether to enter executive session
    - (b) If executive session approved, designation of person to keep minutes
    - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
  - 4. 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
- D. Consideration of Items Transferred from Summary Disposition Agenda, if any.

**06000 6. PRESENTATION OF AGENCY BUDGET REPORT Mr. Jim Schuelein**

**07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY**

**8. PRESENTATION OF FINAL DRAFT PROPOSED NEW PERMANENT RULES AND AMENDMENTS TO CURRENT RULES OF THE BOARD**

A. Background and Summary of Public Participation – **Duane Smith**

B. Proposed Amendments to Chapter 25 –Dams and Reservoirs

- 1. Summary of final draft proposed rules – **Mike Mathis**
- 2. Questions and Discussion by Board Members
- 3. Comments by Public
- 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

C. Proposed Amendments to Chapter 30 – Taking and Use of Groundwater

- 1. Summary of final draft proposed rules – **Mike Mathis**
- 2. Questions and Discussion by Board Members
- 3. Comments by Public
- 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

D. Proposed Amendments to Chapter 35 – Well Drillers and Pump Installers Licensing

- 1. Summary of final draft proposed rules – **Mike Mathis**
- 2. Questions and Discussion by Board Members
- 3. Comments by Public
- 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

- E. Proposed Amendments to Chapter 45 – Oklahoma’s Water Quality Standards
  - 1. Summary of final draft proposed rule – **Derek Smithee**
  - 2. Questions and Discussion by Board Members
  - 3. Comments by Public
  - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
  
- F. Proposed Amendments to Chapter 46– Implementation of Oklahoma’s Water Quality Standards
  - 1. Summary of final draft proposed rule – **Derek Smithee**
  - 2. Questions and Discussion by Board Members
  - 3. Comments by Public
  - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

**9. NEW BUSINESS**

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**

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, April 13, 2004, at 9:30 a.m., in Oklahoma City, Oklahoma.