

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

**August 9, 2005
1:30 p.m.**

**Quartz Mountain Resort
Caddo Room
22469 Lodge Road
Lone Wolf, Oklahoma
(580) 563-2424**

Members of the Oklahoma Water Resources Board will gather at 7:00 p.m. on Monday, August 8, 2005, at Quartz Mountain Resort, Lone Wolf, Oklahoma, for dinner. The Board will meet for a tour on Tuesday, August 9, 2005, departing from Quartz Mountain Resort at 8:00 a.m. and returning to the resort for lunch. The Board will convene at 1:30 p.m. at Quartz Mountain Resort in the Caddo Room to consider 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 August 2, 2005, at 5:00 p.m. A copy of this agenda is available on the OWRB website at www.owrb.state.ok.us. Revised items are indicated by “•” and italics.

- 01000 1. CALL TO ORDER** **Chairman Rudy Herrmann**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the July 12, 2005, Regular Meeting.
 - D. Executive Director's Report. **Mr. Duane Smith**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Loan for Miami Special Utility Authority, Ottawa County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Stroud Utilities Authority, Lincoln County. Recommended for Approval.

- C. Consideration of and Possible Action on a Proposed Order Approving Loan for Rural Water District #5, Wagoner County. Recommended for Approval.
- D. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Vinita Utilities Authority, Craig County. Recommended for Approval.
- E. Consideration of and Possible Action on a Proposed Order Approving Extension of Time and an Increase in Obligation of Funds for Vinita Utilities Authority, Craig County. Recommended for Approval.
- F. Consideration of and Possible Action on Proposed Resolution Authorizing Certain Individuals to Sign and Act on Behalf of the Board Regarding the Board's Financial Assistance Program, State Revolving Fund Programs, and Issues of Indebtedness, and Authorizing Members to Act as Assistant Secretary. Recommended for Approval.
- G. Report of Borrowers with Insufficient Debt Coverage Ratio.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Herrmann

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 in Accordance with the Proposed Orders Approving the Grants:

REAP Item No.	Application No.	Entity Name	County	Amount Recommended
ACOG				
1.	FAP-04-0054-R	Town of Marshall	Logan	\$34,000.00
GGEDA				
2.	FAP-04-0075-R	Welch Public Works Authority	Craig	99,900.00
SWODA				
3.	FAP-04-0016-R	The Quartz Mountain Regional Water Authority	Kiowa	150,000.00

- D. Consideration of and Possible Action on Contracts and Agreements Recommended for Approval:
1. Consideration of Subagreement with the University of Oklahoma Department of Engineering for Work Related to the Arbuckle-Simpson Aquifer Study.
 2. Consideration of Interagency Agreement with the Oklahoma Department of Environmental Quality for Laboratory Analyses.
 3. Consideration of Interagency Agreement with the Oklahoma Department of Agriculture, Food and Forestry for Monitoring of Groundwater Near Licensed Managed Feeding Operations.
 4. Consideration of Interagency Agreement with the Office of the Secretary of Environment for Work Related to the Triennial Revision of the State Water Quality Standards.
 5. Consideration of Interagency Agreement with the Kiamichi Economic Development District of Oklahoma for Water Resources Infrastructure Improvements.
 6. Consideration of Easement and Agreement with Richard and Melissa Wilkerson for Construction of a Groundwater Observation Well and Water Monitoring to Support the Arbuckle-Simpson Aquifer Study.
 7. Consideration of Interagency Agreement with the Oklahoma Department of Wildlife Conservation for Work Related to Revegetation at Grand Lake o' the Cherokees.
- E. Applications for Temporary Permits to Use Groundwater:
1. Philip W. & Bridget Haugen, Custer County, #2005-512
 2. Don & Jerrell Nightingale and Villa Nightingale Schmidt, Major County, #2005-531
 3. Timber Lake Development, LLC, Grady County, #2005-535
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Robert J. Hays Family Limited Partnership, Custer County, #1974-150
- G. Applications for Regular Permits to Use Groundwater:
1. Terry M. & Kathleen M. Hoffman, Tillman County, #2002-547
 2. Milton & Bebeanne Messner, Beaver County, #2005-534
- H. Applications to Amend Regular Permits to Use Groundwater:
None
- I. Applications to Amend Prior Rights to Use Groundwater:
None
- J. Applications for Regular Permits to Use Stream Water:
None

K. Proposed Order for Informal Disposition by Default for Administrative Cancellations of Rights to Use Stream Water:

1. Edward Bose, Jr., Washita County, #1965-295
2. Howard Carpenter, Custer County, #1964-365
3. William R. Essary, Custer County, #1956-942
4. J. E. Finney, Caddo County, #1953-081
5. B. W. Hammert, III, Caddo County, #1966-616
6. B. W. Hammert, III, Caddo County, #1967-665
7. Wallace Hoelscher, Caddo County, #1963-143
8. Floyd J. Horn, Jr., Caddo County, #1948-034
9. J. Marvin Jackson, Jr., Caddo County, #1954-1281
10. J. Marvin Jackson, Jr., Caddo County, #1953-039
11. Recker & Kelley, Inc., Caddo County, #1964-891
12. Adella Kephart, Washita County, #1968-283
13. John C. Kusel, III, Caddo County, #1963-171
14. Johnnie Mace, Washita County, #1953-346
15. Edward F. Mechek, Washita County, #1964-762
16. Pearl Nixon, Caddo County, #1954-1244
17. Ralph S. Phelan, Washita County, #1958-088
18. Ralph S. Phelan, Washita County, #1964-973
19. Ralph W. Roll, Custer County, #1953-238
20. Ralph W. Roll, Custer County, #1964-437
21. Harvey Schmidt, Kiowa County, #1964-946
22. George R. Shephard, Custer County, #1963-227A
23. Earl G. Smith, Custer County, #1954-400
24. Bill Troub, Kiowa County, #1957-356

L. Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Midwest Engineering & Testing Corp. DPC-0647
Operators: Nasir Marakah OP-1450
Activities: Monitoring wells and geo-technical borings
 - b. Licensee: C M Drilling DPC-0649
Operators: Michael M. Moore OP-1451
Richard Moore OP-1454
Activities: Heat exchange wells
 - c. Licensee: Monte Moore Drilling DPC-0651
Operators: Monte Moore OP-1452
Pete Neufeld OP-1453
Activities: Heat exchange wells
2. New Operators and/or Activities for Existing Licenses:
 - a. Licensee: Davis Environmental Drilling DPC-0197
Operators: Mark L. Hensley OP-1456
• John Stremlow OP-0981 corrected
Activities: Groundwater wells, groundwater test holes and observation wells
Monitoring wells and geotechnical borings
Pump installation
Heat exchange wells

M. Dam and Reservoir Plans and Specifications:

1. USDA – NRCS Upper Redrock Creek Watershed, Site 52, Noble County

- N. Permit Application for Proposed Development on State Owned or Operated Property within Floodplain Areas:
None

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

- A. Presentation and Discussion Regarding Activities Relating to the North Fork of the Red River Study, U.S. Bureau of Reclamation's Water 2025 Challenge Grant Program, and other items of interest of the Planning and Management Division Programs.
Mr. Mike Mathis and Mr. Bob Fabian

05000 5. SPECIAL CONSIDERATION Chairman Herrmann

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. Motion to Reconsider Application of the Town of Longdale for Permit No. 2002-552 to Use Groundwater:
1. Discussion and presentation by parties
 2. 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
 3. Vote on whether to approve the motion as presented or as may be amended, or vote on any other action or decision relating to the motion.

- B. Application to Amend Regular Permit to Use Groundwater No. 1981-534, Town of Goodwell, Texas 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 motion as presented or as may be amended, or vote on any other action or decision relating to the motion.
- C. 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
Chairman Herrmann**

8. 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.

9. ADJOURNMENT Chairman Herrmann

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, September 13, 2005, 9:30 a.m., at the Oklahoma City offices of the Board, 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.