

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

August 14, 2007

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 August 7, 2007 at 5:00 p.m. A copy of this agenda is available on the OWRB website at [www.owrb.ok.gov](http://www.owrb.ok.gov). Revised items are indicated by “•” and italics.

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- 01000 1. CALL TO ORDER** **Chairman Mark Nichols**
- A. Invocation
  - B. Roll Call
  - C. Discussion, Amendments, and Vote to Approve Official Minutes of the July 10, 2007, Regular Meeting.
  - D. Executive Director's Report. **Mr. Duane Smith**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Emergency Grant for Marietta Public Works Authority, Love County.
  - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Rural Water District #5, Rogers County. Recommended for Approval.
  - C. Consideration of and Possible Action on a Proposed Order Approving Loan for Duncan Public Utilities Authority, Stephens County. Recommended for Approval.
  - D. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Funds for Rural Water District #7, Wagoner County. Recommended for Approval.

- E. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Piedmont Municipal Authority, Canadian 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.

**03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Nichols**

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. O.
- C. Consideration of Approval of the Following Applications 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>
GGEDA				
1.	FAP-05-0020-R	Rural Water District #1	Craig	\$150,000.00
NODA				
2.	FAP-00-0023-R	Rural Water District #2	Noble	99,999.00
OEDA				
3.	FAP-05-0047-R	Rural Water District #1	Ellis	150,000.00
SODA				
4.	FAP-05-0034-R	Ravia Public Works Authority	Johnston	79,999.00

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
  - 1. Interagency Agreement between the Oklahoma Department of Agriculture Food and Forestry (ODAFF) and the Oklahoma Water Resources Board to conduct groundwater sampling at swine licensed managed feeding operation facilities.

2. Contract for Volunteer Monitoring between Lake Hudson Association of Mayes County and Oklahoma Water Resources Board.
3. Contract for Lab Analysis Between Oklahoma Department of Environmental Quality and Oklahoma Water Resources Board.
4. Letter Agreement between the U.S. Army Corps of Engineers and the Oklahoma Water Resources Board to conduct workshops relating to the Map Modernization Management Support Program.
5. Intergovernmental Agreement between the Board of Regents of the University of Oklahoma and the Oklahoma Water Resources Board for fish identification and related services.
6. Memorandum Agreement between the Chickasaw Nation, U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
7. Memorandum Agreement between the Choctaw Nation, U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
8. Memorandum Agreement between the City of Lawton, U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
9. Memorandum Agreement between Applied Energy Services, Shady Point, Inc., U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
10. Memorandum Agreement between Fort Cobb Reservoir Master Conservancy District, U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
11. Memorandum Agreement between the City of Moore, U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
12. Memorandum Agreement between the City of Ada, U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
13. Memorandum Agreement between the Central Oklahoma Master Conservancy District, the U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
14. Memorandum Agreement between the Foss Reservoir Master Conservancy District, the U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.

15. Memorandum Agreement between the City of Norman, the U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
  16. Memorandum Agreement between the Lugert-Altus Irrigation District, the U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
  17. Memorandum Agreement between the Hardage Steering Committee, the U.S. Geological Survey and the Oklahoma Water Resources Board for water monitoring and data collection.
  18. Joint Funding Agreement between the U.S. Geological Survey and the Oklahoma Water Resources Board for the FY-2008 Federal-State Cooperative Program.
  19. Amendment of Joint Funding Agreement between the U.S. Geological Survey and the Oklahoma Water Resources Board entitled, "Drought of 2006 in Oklahoma compared with four major drought periods of the 20<sup>th</sup> Century" to extend the ending date of the program.
  20. Amendment of Joint Funding Agreement between the U.S. Geological Survey and the Oklahoma Water Resources Board entitled, "Arbuckle-Simpson Aquifer Special Studies, South-Central Oklahoma" to extend the ending date of the program.
- E. Applications for Temporary Permits to Use Groundwater:
1. Kay York Lierman, Kingfisher County, #2007-532
  2. Matthew McGowan, Pittsburg County, #2007-533
- F. Applications to Amend Temporary Permits to Use Groundwater:
1. Tulsa Grass and Sod Farms, Inc., Tulsa County, #2002-520
- G. Applications for Regular Permits to Use Groundwater:
1. Okmulgee County RWD No. 5, Okfuskee County, #2006-574
  2. City of Cleveland, Pawnee County, #2007-506
  3. Abel deBoer, Cimarron County, #2007-525
  4. Pat & Jim Canaday, Major County, #2007-540
  5. City of Guymon, Texas County, #2007-541
- H. Applications to Amend Regular Permits to Use Groundwater:  
None
- I. Applications for Regular Permits to Use Stream Water:
1. Thelma Parsley and Barry Parsley, Carter County, #2006-042
  2. Shawnee Lodge No. 657 B.P.O. of Elks of USA, a Corporation, Pottawatomie County, #2006-068
  3. William Gabehart, Caddo County, #2007-015
  4. W. A. Bourne, Bryan County, #2007-025

- 5. Fred O. Turner, II, Lincoln County, #2007-029
- 6. Charles Merwin Selman Trust, Washington County, #2007-032

J. Applications to Amend Regular Permits to Use Stream Water:  
None

K. Applications for Term Permits to Use Stream Water:  
None

- L. Well Driller and Pump Installer Licensing:
- 1. New Licenses, Accompanying Operator Certificates and Activities:
    - a. Sunbelt Industrial Services, Inc., DPC-0701
    - b. Canadian Water Well Inc., DPC-0705
    - c. George and Sons Drilling, DPC-0707
    - d. Teague Pump Service, DPC-0709
  - 2. New Operators, Activities for Existing Licenses:
    - a. Layne Western, DPC-0123
    - b. Engineering Services and Testing, DPC-0658

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 Department of Transportation, Cotton County, #FP-07-30
  - 2. Oklahoma Department of Transportation, Cotton County, #FP-07-31

O. Applications for Accreditation of Floodplain Administrators:  
None

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

- A. Update Report on Oklahoma Comprehensive Water Plan Activities. **Mr. Dave Dillon**

**05000 5. SPECIAL CONSIDERATION Chairman Nichols**

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 for Regular Permit to Use Stream Water No. 2006-037, David A. Kimbell, Caddo County:
  - 1. Summary – **Ms. Lou Klaver**
  - 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 Temporary Permit to Use Groundwater No. 2005-570, Indian Ridge, L.L.C., Grady County:
  - 1. Summary – **Ms. Lou Klaver**
  - 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  
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 Temporary Permit to Use Groundwater No. 2005-550, Dolese Bros. Co., Kingfisher County:*
  - 1. *Summary and Update from July 10, 2007, Board Meeting – Ms. Lou Klaver*
  - 2. *Recommendation and Motion from Water Policy/Rules Committee – Mr. Jack Keeley*
  - 3. *Possible Executive Session*
    - (a) *Vote on whether to enter executive session*
    - (b) *If executive session approved, designation of person to keep minutes  
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. [Item added]*
  
- D. Consideration of Items Transferred from Summary Disposition Agenda, if any.

**06000 6. PRESENTATION OF AGENCY BUDGET REPORT Mr. Monte Boyce**

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

- **8. *Review and Discussion of Final Performance Audit June 28, 2001 Through June 30, 2006, and Proposed Recommendations. Mr. Duane Smith [Item added]***

**9. NEW BUSINESS Chairman Nichols**

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 Chairman Nichols**

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, September 11, 2007, at 9:30 a.m. in the Board Room of the Oklahoma Water Resources Board offices, Oklahoma City, Oklahoma.