

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

September 8, 2009

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 September 1, 2009 at 4:30 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov. 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 August 11, 2009, 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 Clean Water Funding Application for Duncan Public Utilities Authority, Stephens County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Sperry Utility Services Authority, Tulsa County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Rural Water District No. 7, Rogers County. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Rural Water District No. 3, Mayes County. Recommended for Approval.

- E. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Grand Lake Public Works Authority, Delaware County. Recommended for Approval.
- F. Consideration of and Possible Action on a Proposed Order Approving FAP Funding Application for Grand Lake Public Works Authority, Delaware County. Recommended for Approval.
- G. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Ardmore Public Works Authority, Carter County. Recommended for Approval.
- H. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Guymon Utilities Authority, Texas County. Recommended for Approval.
- I. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Newcastle Public Works Authority, McClain County. Recommended for Approval.
- J. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Bixby Public Works Authority, Tulsa County. Recommended for Approval.
- K. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Ponca City Utility Authority, Kay County. Recommended for Approval.
- L. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Lawton Water Authority, Comanche County. Recommended for Approval.
- M. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Lawton Water Authority, Comanche County. Recommended for Approval.
- N. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Tulsa Metropolitan Utility Authority, Tulsa County. Recommended for Approval.
- O. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Elk City Public Works Authority, Beckham County. Recommended for Approval.
- P. Presentation of the Clean Water State Revolving Fund “Green Project Reserve”.

- Q. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Poteau Valley Improvement Authority, LeFlore County. Recommended for Approval.
- R. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Central Oklahoma Master Conservancy District, Cleveland County. Recommended for Approval.
- S. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Oklahoma Conservation Commission. Recommended for Approval.
- T. Consideration of and Possible Action on a Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds, Series 2009 in Aggregate Principal Amount Not to Exceed \$3,000,000; Approving and Authorizing Execution of a Sixteenth Supplemental Bond Resolution Providing for the Issuance of Said Bonds; Waiving Competitive Bidding on the Bonds and Authorizing the Sale Thereof by Negotiation and at a Discount Pursuant to the Terms of a Contract of Purchase Pertaining Thereto; Approving a Preliminary Official Statement with Respect to Said Bonds; Directing Deposit of Proceeds Derived From the Issuance of the Bonds in the State Treasury and Requesting the State Treasurer to Remit Such Proceeds to the Bond Trustee; Ratifying and Approving the Form of Promissory Note and Loan Agreement to be Executed by Borrowers in the State Loan Program; Authorizing Execution of Such Other and Further Instruments, Certificates and Documents as may be Required for the Issuance of the Bonds; Directing Payment of Costs of Issuance and Containing Other Provisions Relating to the Issuance of the Bonds.
- U. 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 Rudy 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 3. C through 3. O., Recommended for Approval.
- C. Consideration of Approval of the Following Application for REAP Grant in Accordance with the Proposed Order Approving the Grant:

REAP			Amount
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>
			<u>Recommended</u>
KEDDO			
1.	FAP-03-0016-R	Rural Water District #9	McCurtain \$98,000.00

D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:

- 1. Amendment of Joint Funding Agreement with the U.S. Geological Survey for the project “Garber-Wellington Aquifer Management, Central Oklahoma”.
- 2. Joint Funding Agreement with the U.S. Geological Survey for the project “Illinois-River high-flow and normal flow sampling and analysis”.
- 3. Contract with Quartz Mountain for water tour.
- 4. *Amendment No. 3 to Specific Cooperative Agreement No. 58-6218-8-063 entitled “Monitoring and Evaluating Water Resources in Central Oklahoma Watersheds” with USDA Agriculture Research Station. Item added*
- 5. *Memorandum Agreement with Office of Attorney General for Illinois River Basin Monitoring Project. Item added*
- 6. *Professional Services Contract with James D. Leewright. Item added*
- 7. *Professional Services Contract with Terry O’Connor. Item added*
- 8. *Professional Services Contract with Robert Kellogg. Item added*

E. Applications for Temporary Permits to Use Groundwater:

- 1. Leo & Arleta Whitmore, Payne County, #2009-503
- 2. Greg Hobbs, Kingfisher County, #2009-525
- 3. Dolese Bros. Co., Oklahoma County, #2009-532

F. Applications to Amend Temporary Permits to Use Groundwater:

- 1. Guilford J. & Marian E. Barnard, Victor D. & Marjorie J. Barnard and Hugh D. Barnard, Alfalfa County, #1974-207
- 2. Howard & Edith Reimer and Darcy Reimer, Major County, #1983-573

- G. Applications for Regular Permits to Use Groundwater:
 - 1. Ed F. & Betty Friesen, Okfuskee County, #2009-524
 - 2. Barbara F. Kenney, Cimarron County, #2009-526
 - 3. Duane & Sharon Meinert, Kiowa County, #2009-537

- H. Applications to Amend Regular Permits to Use Groundwater:
 - 1. Roger & Carol Schmitz, Cimarron County, #1989-557

- I. Applications to Term Permits to Use Stream Water:
 - 1. William S. & Brenda G. Howard, Pushmataha County, #2008-026
 - 2. *Wayman L. Garnett, Coal County, #2009-001. Item added*

- J. Applications for Regular Permits to Use Stream Water:
 - 1. Oklahoma State Parks – Arrowhead Golf Course, Pittsburg County, #2009-012
 - 3. Thomas & Sharon Snider, Washita County, #2009-015

- K. Forfeitures of Stream Water Rights:
 - 1. Sequoyah Water Distribution Authority, Sequoyah County, #1976-111
 - 2. Cosner Farms, Sequoyah County, #1975-063A
 - 3. Johnny Auffet, Sequoyah County, #1973-189
 - 4. Doyne Hamm, Sequoyah County, #1980-199B
 - 5. Doyne Hamm, Sequoyah County, #1984-020B
 - 6. Bruce Abbott, Adair County, #1986-017
 - 7. John Payne, Adair County, #1963-129
 - 8. Tony & Barbara Smith, Haskell County, #1996-005
 - 9. Preston Kelley, LeFlore County, #1992-013

- L. Well Driller and Pump Installer Licensing:
 - 1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: K-2 Construction DPC-0785
 - 1. Operator: Duane A. Crawford OP-1716
 - Activities: Heat exchange wells
 - b. Licensee: Wyrick’s Plumbing, Heat & Air DPC-0787
 - 1. Operator: John Wyrick OP-1717
 - Activities: Pump installation
 - c. Licensee: Sahara Water Services, LLC DPC-0781
 - 1. Operator: Jeffery D. Schulz OP-1707
 - Activities: Pump installation *Item added*
 - 2. New Operators for Existing Licenses:
 - a. Licensee: Henkle Drilling & Supply, Inc. DPC-0099
 - 1. Operator: Dale Guinn OP-1713
 - Activities: Groundwater wells, test holes and observation wells
 - 2. Operator: Gerardo Santos OP-1714
 - Activities: Groundwater wells, test holes and observation wells
 - 3. Operator: Miguel Camerena OP-1715
 - Activities: Groundwater wells, test holes and observation wells

- b. Licensee: Benham Companies DPC-0313
 - 1. Operator: Terry Fisher OP-1712
 - Activities: Groundwater wells, test holes and observation wells
Monitoring wells and geotechnical borings, pump installation
 - c. Licensee: H & H Water Well Drilling DPC-0663
 - 1. Operator: Evan Hilburn OP-1718
 - Activities: Groundwater wells, test holes and observation wells
Pump installation
 - d. Licensee: Burton Drilling, LLC DPC-0029
 - 1. Operator: Dash Burton OP-1421
 - Activities: Groundwater wells, test holes and observations wells
 - e. Licensee: Layne Western DPC-0123
 - 1. Operator: Travis L. Evans OP-1705
 - Activities: Pump installation
3. New Activity of Operators for Existing Licenses:
- a. Licensee: Sunbelt Industrial Services DPC-0701
 - 1. Operator: Darrin S. Stark, Sr. OP-1552
 - Activities: Groundwater wells, test holes and observation wells

M. Dam and Reservoir Construction:
None

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

O. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the September 8, 2009 packet of Board materials

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

A. Update Report on Oklahoma Comprehensive Water Plan Activities. **Mr. Kyle Arthur**

05000 5. SPECIAL CONSIDERATION Chairman Rudy 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); Proposed Findings, Conclusions and Order are Recommended for Approval in the following matters:

- A. No items for the Board's consideration.
- B. 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 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 on Tuesday, October 13, 2009, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

9/1/09