

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

January 11, 2011

9:30 a.m.

Oklahoma Water Resources Board  
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 January 4, 2011 at 4:35 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 Rudy Herrmann**

- A. Invocation
- B. Roll Call
- C. Discussion, Amendments, and Vote to Approve Official Minutes of the December 14, 2010, Regular Meeting.
- D. Executive Director's Report. **Mr. J.D. Strong**

**02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**

- A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Town of Binger, Caddo County. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Kendrick Municipal Authority, Lincoln County. Recommended for Approval.

**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 Possible Action on Items 3. C through 3.O., Recommended for Approval.
- C. 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>
ASCOG				
a.	FAP-07-0055-R	Fletcher Public Works Authority	Comanche	\$ 98,900.00
COEDD				
b.	FAP-08-0030-R	Kendrick Municipal Authority	Lincoln	55,000.00
OEDA				
c.	FAP-08-0009-R	Quinlan Community Rural Water District	Woodward	99,999.00
SODA				
d.	FAP-10-0014-R	Caddo Public Works Authority	Bryan	99,999.00

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

- 1. Interagency Agreement with Board of Directors of the Oklahoma Tobacco Settlement Endowment Trust Fund for access to and use of TSET's State government network and Internet connection.
- 2. Statement of Work with Hyland Software, Inc. in connection with Master Software License, Services and Support Agreement for implementation of document imaging system.
- 3. Agreement between the Oklahoma Water Resources Board and the Department of Environmental Quality for sharing administrative Funds.
- 4. *Professional Services Contract with Mike Ray. Item added*

E. Applications for Temporary Permits to Use Groundwater:  
None

F. Applications to Amend Temporary Permits to Use Groundwater:

- 1. Robert E. & L. Darlene Ramming, Caddo County, #1973-372
- 2. Donald & Dresella Rogers, Dewey County, #1991-548

3. Claude Duane Smith, Cimarron County, #1993-616B
  4. Paul W. Smith, Cimarron County, #1993-616C
- G. Applications for Regular Permits to Use Groundwater:
1. Clarence Lowe Hodges Revocable Trust, Blaine County, #2010-548
  2. Steve & Cheryl Ann House, Blaine County, #2010-556
  3. Guymon Meyer Farm, L.L.C., Texas County, #2010-560
  4. Guymon Meyer Farm, L.L.C., Texas County, #2010-561
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Seventy-Six Ranch, Inc., Beaver County, #1979-525
- I. Applications for Regular Permits to Use Stream Water:
1. OSU Cowboy Golf, L.L.C., Payne County, #2010-030
- J. Applications for Term Permits to Use of Stream Water:  
None
- K. Forfeitures (Reductions) of Stream Water Rights:
1. Oklahoma State University, Payne County, #1940-001
  2. Verdigris Valley Sod Farms, Rogers County, #1986-025
  3. Billy McFarland, Woodward County, #1989-045
- L. Well Driller and Pump Installer Licensing:
1. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
    - a. Licensee: Associated Environmental Industries, Corp. DPC-0269
    1. Operator: Wesley Foster OP-1809
    - Activities: Groundwater well, test holes and observation wells  
Monitoring wells and geotechnical borings  
Heat exchange wells
- M. Dam and Reservoir Construction:
1. City of Sand Springs, Tulsa County, #OK10412
  2. Kingfisher County Conservation District, Kingfisher County, #OK12051
  3. Washita County Conservation District, Washita County, #OK20570
  - 4. *The Episcopal Diocese of Oklahoma, Seminole County, #OK10234 Item added*
- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
1. Oklahoma Department of Transportation, Garvin County, #FP-10-23
- O. Applications for Accreditation of Floodplain Administrators:  
Names of floodplain administrators to be accredited and their associated communities are individually set out in the January 11, 2011 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 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.
- B. Items transferred from Summary Disposition Agenda, if any.

**06000 6. AGENCY BUDGET REPORT Ms. Leslie Nance**

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

**8. PUBLIC HEARING FOR DRAFT PROPOSED AMENDMENTS TO PERMANENT RULES**

At the December monthly Board meeting, staff reviewed draft proposals for each chapter of the Board's rules that had been made available for public review. A few preliminary comments about the draft proposals also have been received by staff.

As stated in the Notice of Rulemaking Intent, the Board members themselves will conduct the formal public hearing to receive oral and written comments about the draft proposals. Based on preliminary comments and discussions, staff may present a few suggested revisions to the draft proposals, then public comments, both oral and written, will be received by the Board.

No action on any proposals will be taken today. After the formal public hearing today, final draft proposals for all chapters with all written comments and comment

responses will be forwarded by staff to the Board members. Thereafter, the rule amendments will be scheduled for consideration and adoption or other action by the Board members at the February 8, 2011, monthly meeting.

- A. Proposed Amendments to Chapter 35 – Well Driller and Pump Installer Licensing  
**Ms. Julie Cunningham**
- B. Proposed Amendments to Chapter 45 – Oklahoma’s Water Quality Standards  
**Mr. Derek Smithee**
- C. Proposed Amendments to Chapter 46 – Implementation of Oklahoma’s Water Quality Standards – **Mr. Derek Smithee**
- D. Proposed Amendments to Chapter 50 – Financial Assistance – **Mr. Joe Freeman**

**9. 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.

**10. ADJOURNMENT** **Chairman Herrmann**

The next meeting of the Oklahoma Water Resources Board will be on Tuesday, February 8, 2011, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK

1/4/2011