

# REVISED AGENDA

## OKLAHOMA WATER RESOURCES BOARD

April 12, 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 April 5, 2011 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 Rudy Herrmann**
- A. Invocation
  - B. Roll Call
  - C. Discussion, Amendments, and Vote to Approve Official Minutes of the March 9, 2011, 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 Drinking Water Funding Application for Noble Utilities Authority, Cleveland County. Recommended for Approval.
  - B. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Fort Gibson Utilities Authority, Muskogee County. Recommended for Approval.
  - C. Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Clean Water Funds for Yale Water and Sewage Trust, Payne County. Recommended for Approval.

- D. *Consideration of and Possible Action on a Proposed Order Approving Increase in Obligation of Clean Water Funds for Pawnee Public Works Authority, Pawnee County. Recommended for Approval. Item added*
- E. Consideration of and Possible Action on a Proposed Order Approving Loan Funding Application for Tulsa Metropolitan Utility Authority, Tulsa County. Recommended for Approval. *(Item letter changed)*
- F. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Tulsa Metropolitan Utility Authority, Tulsa County. Recommended for Approval. *(Item letter changed)*
- G. Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds, Series 2011 in Aggregate Principal Amount not to Exceed \$17,000,000; Approving and Authorizing Execution of a Nineteenth Supplemental Bond Resolution (that Provides for the Issuance of Said Bonds and the Creation of a Program Wide General Debt Service Reserve Fund); 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. Recommended for Approval. *(Item letter changed)*
- H. Report on Recent Financing Activity Regarding the Oklahoma Water Resources Board's Clean Water and Drinking Water State Revolving Fund Programs. *(Item letter changed)*

**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.P., 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>
SODA				
a.	FAP-10-0012-R	Rural Water District #1	Atoka	\$ 99,999.00

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

1. Interagency Agreement with The Department of Environmental Quality for sharing office space at the Woodward and McAlester offices.
2. Agreement with the Office of the Secretary of the Environment for Oklahoma's FY 2011 319(h) Non-Point Source Special Projects Program.
3. Interagency Agreement with the Oklahoma Department of Environmental Quality regarding the Drinking Water State Revolving Fund.
4. Agreement between OWRB and Oklahoma City Water Utilities Trust for the Vegetated Wetland Project at Atoka Lake.

E. Applications for Temporary Permits to Use Groundwater:

None

F. Applications to Amend Temporary Permits to Use Groundwater:

1. Terry White, Harmon & Jackson Counties, #1979-506
2. Chesapeake Energy Corporation, Oklahoma County, #2004-520

G. Applications for Regular Permits to Use Groundwater:

1. St. Crispin's Episcopal Conference Center, Inc., Seminole County, #2011-502

H. Applications to Amend Regular Permits to Use Groundwater:

1. Wilmot Farm, L.L.C., Beaver County, #2005-545

I. Applications for Regular Permits to Use Stream Water:

1. Robert T. Jennings, Kiowa County, #2010-033
2. St. Crispin's Episcopal Conference Center, Inc., Seminole County, #2011-002
3. Tishomingo National Wildlife Refuge, Johnston County, #2011-003

J. Applications to Amend Regular Permits to Use Stream Water:

1. Charles W. & Mildred L. Sisler, Tulsa County, #2000-005

- K. Applications for Term Permits to Use Stream Water:
1. Michael Dean Haydon, Canadian County, #2010-018
  2. Michael Smith, Pushmataha County, #2011-001
- L. Reductions/Cancellations of Stream Water Rights:
1. Defaults (Uncontested)
    - a. Max Coon, Washita County, #1970-414
    - b. Mable Mahseet Estate, Caddo County, #1969-072C
    - c. Mrs. Winston Adams, Washita County, #1953-311
    - d. Leo Kamphaus, Washita County, #1955-569
    - e. Leo Kamphaus, Washita County, #1955-1545
    - f. Hubert Kamphaus, Washita County, #1959-045
    - g. Virdeen Ferrell, Kiowa County, #1960-153
    - h. Steve Jennings (Ricky & Sedra Farrow), Caddo County, #1977-149
    - i. Steve Jennings (Ricky & Sedra Farrow), Caddo County, #1978-080
    - j. Thelma Little, Caddo County, #1954-407
  2. Corrections/Excuses Accepted
    - a. Public Service Company of Oklahoma, Caddo County, #1950-208
    - b. Donald F. Dudley, Caddo County, #1971-258
    - c. Oklahoma Tourism and Recreation Department, McCurtain County, #1974-292
    - d. Dale Jackson, Pushmataha County, #1998-005
    - e. Matthew & Karen Throener, Caddo County, #1999-031
- M. Well Driller and Pump Installer Licensing:
1. New Licenses, Accompanying Operator Certificates and Activities:
 

a. Licensee:	Red River Resources, LLC	DPC-0805
1. Operator:	Harlan Burris	OP-1816
Activities:	Groundwater wells, test holes and observation wells	
b. Licensee:	Chisholm Irrigation	DPC-0813
1. Operator:	Brent Kroeker	OP-1821
Activities:	Pump installation	
c. Licensee:	Joseph Lee Redman	DPC-0815
1. Operator:	Lee Redman	OP-1823
Activities:	Groundwater wells, test holes and observation wells Pump Installation	
  2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 

a. Licensee:	Sunbelt Industrial Services, Inc.	DPC-0701
1. Operator:	Mark Hickox	OP-1820
Activities:	Monitoring wells and geotechnical borings	
• b. Licensee:	<i>Lake Country Drilling</i> <i>Item corrected</i>	<i>DPC-0674</i>
1. Operator:	Jason Little	OP-1822
Activities:	Heat exchange wells	
c. Licensee:	First Priority Irrigation	DPC-0768
1. Operator:	Frank Wiebe	OP-1653
Activities:	Groundwater wells, test holes and observation wells	

- N. Dam and Reservoir Construction:
  - 1. South Caddo County Conservation District, Caddo County, #OK11038
  
- O. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
  - 1. Oklahoma Department of Transportation, Beckham County, #FP-11-01
  - 2. Oklahoma Department of Transportation, Kay County, #FP-11-03
  - 3. Oklahoma Department of Transportation, Pottawatomie County, #FP-11-04
  - 4. Oklahoma Department of Transportation, Noble County, #FP-11-05
  - 5. Oklahoma Department of Transportation, Payne County, #FP-11-07
  - 6. Oklahoma Department of Transportation, Noble County, #FP-11-08
  - 7. Oklahoma Department of Transportation, Cleveland County, #FP-11-10
  - 8. Oklahoma Department of Transportation, Rogers County, #FP-11-11
  - 9. Oklahoma Department of Transportation, Grady County, #FP-11-12
  - 10. Oklahoma Department of Transportation, Comanche County, #FP-11-13
  
- P. Applications for Accreditation of Floodplain Administrators:  
Names of floodplain administrators to be accredited and their associated communities are individually set out in the April 12, 2011 packet of Board materials

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

- A. Update on Oklahoma Comprehensive Water Plan Activities. **Mr. Kyle Arthur**
- B. Update on Oklahoma Dam Safety Program. **Ms. Julie Cunningham**

**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. Amanda Storck**

**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, May 10, 2011, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK.

4/05/2011