

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

May 10, 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 May 3, 2011 at 3:15 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 April 12, 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 Rural Water Sewer & Solid Waste Management District # 1, Logan County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Resolution Selecting a Liquidity Facility in Connection with Existing Obligations Relating to the Board's State Loan Program. Recommended for Approval.
 - C. Resolution Authorizing and Approving an Amendment to the General Bond Resolution of the Oklahoma Water Resources Board; Approving and Authorizing Execution of the Amendment; Directing the Bond Trustee to Transfer the Balance of the Board's State

Loan Program Revenue Bonds Series 1989 and Series 1994A Debt Service Reserve Funds and the Balance of the Board's Series 1994B Custody Fund to the Newly Created Program Wide General Debt Service Reserve Fund, Authorizing Execution of Such Other and Further Instruments, Certificates and Documents as may be Required for the Creation and Funding of the Program Wide General Debt Service Reserve Fund and Containing Other Provisions Relating Thereto. Recommended for Approval.

- D. Report by Board Audit Committee and Report of and Possible Action on Audits of Oklahoma Water Resources Board State Loan Program Revenue Bonds and Clean Water State Revolving Fund Program (CWSRF) Financial Statements as of June 30, 2010 and 2009 Audits of the CWSRF Administrative Fund and the Drinking Water Treatment Loan Administrative Fund as of June 30, 2010 and 2009.

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>
None				

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

- 1. Lease Agreement with ELF Properties, LLC for renewal of OWRB McAlester office lease.
- 2. Amendment of Professional Services Contract with Records Solutions, Inc.

3. Amendment of Professional Services Contract with Sparks Write, Inc.
 4. Lease Agreement with Mori White for renewal of OWRB Woodward office lease.
 5. Consideration of Draft Contract with Embassy Suites Norman – Hotel and Conference Center for Accommodations and Services for 2011 Governor’s Water Conference and Water Research Symposium, and Resolution to Authorize Chairman or Vice-Chairman to Execute Final Document, Recommended for Approval.
- E. Applications for Temporary Permits to Use Groundwater:
1. Jamae Harp & Leroy Huff Revocable Living Trusts, Kingfisher County, #2010-555
 2. Tong Nguyen, Delaware County, #2010-570
 3. Lyle O. & Shirley J. Combs, Co-Trustees, Lyle O. & Shirley J. Combs Revocable Living Trust, Custer & Dewey Counties, #2011-503
 4. Harlan & Margie Myers, Dewey County, #2011-505
 5. Glen & Jane Harvey, Caddo County, #2011-516
 - 6. *S & D Farms, Inc., Jackson County, #2011-522 Item withdrawn*
 7. John Phillip & Esther Marie Page, Caddo County, #2011-526
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
1. Tucker & Stacey Cobb, Texas County, #2011-501
 2. McGuire Feed Yards, Inc., Beaver County, #2011-514
- H. Applications to Amend Regular Permits to Use Groundwater:
1. Franklin Stone & Mary Oren, Beckham County, #2005-508
- I. Applications for Regular Permits to Use Stream Water:
1. Brown Farms, L.L.C., Rogers County, #2011-007
- J. Applications to Amend Regular Permits to Use Stream Water:
None
- K. Applications for Term Permits to Use Stream Water:
1. Cimarex Energy Co., Canadian County, #2011-009
- L. Reductions/Cancellations of Stream Water Rights:
1. Defaults (Uncontested)
 - a. Kevin Nightengale, Washita County, #1989-036
 - b. Jean Nightengale, Washita County, #1980-129
 - c. Gary & Jennifer Lindsey, Washita County, #2000-016
 - d. Adella Kephart, Washita County, #1962-170
 - e. Robert C. Hardesty, Caddo County, #1969-247
 - f. Jack Carpenter, Caddo County, #1953-119

- g. Darrel Bartel, Washita County, #1985-025
- h. Mrs. Dewey Gray, Caddo County, #1985-015
- i. Oleta Wallis, Caddo County, #1966-690
- j. J. E. Finney, Caddo County, #1953-082
- k. Dorsey Farms, Ltd., Caddo County, #1948-085
- l. Fred McKinney, McCurtain County, #1948-077
- m. Merlan Debolt, Pushmataha County, #1964-593
- n. Donald Leslie, Choctaw County, #1952-394
- o. Donald Leslie, Choctaw County, #1971-567
- p. Decker Revocable Trust, Pushmataha County, #1993-039
- 2. Corrections/Excuses Accepted
 - a. Williard Adams, Washita County, #1952-302
 - b. Martha Robnett, Caddo County, #1964-128
 - c. Shirley Pendleton, Washita County, #1972-153

M. Well Driller and Pump Installer Licensing:

- 1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: HRI Drilling and Pump DPC-0809
 - 1. Operator: Michael L. Harper OP-1818
 - Activities: Pump installation
 - Heat exchange wells
 - b. Licensee: Building & Earth Sciences, Inc. DPC-0817
 - 1. Operator: Roger Staton OP-1826
 - Activities: Monitoring wells and geotechnical borings
 - c. Licensee: L & N Pump, Inc. DPC-0811
 - 1. Operator: Rick Williamson OP-1819
 - Activities: Pump installation
 - d. Licensee: McDonald Electric, LLC DPC-0819
 - 1. Operator: Scot McDonald OP-1831
 - Activities: Pump installation
- 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 - a. Licensee: Waddell Water Pump DPC-0217
 - 1. Operator: Kevin Waddell OP-1827
 - Activities: Pump installation
 - b. Licensee: Allen's Inc. DPC-0351
 - 1. Operator: Randall Coble OP-1828
 - Activities: Pump installation
 - 2. Operator: Haime Guirrerro, II OP-1829
 - Activities: Pump installation
 - 3. Operator: Jared Wester OP-1830
 - Activities: Pump installation
 - c. Licensee: Citizen Potawatomi Nation DPC-0641
 - 1. Operator: Travis Canfield OP-1834
 - Activities: Groundwater wells, test holes and observation wells
 - Pump installation
 - Heat exchange wells

- 2. Operator: J.D. Johnson OP-1833
 Activities: Groundwater wells, test holes and observation wells
 Pump installation
 Heat exchange wells
- d. 1. Licensee: Burgess Engineering and Testing DPC-0484
 Operator: Stephen Atkins OP-1832
 Activities: Monitoring wells and geotechnical borings
- e. 1. Licensee: Stella Pump DPC-0821
 Operator: Mike Best OP-1835
 Activities: Pump installation

N. Dam and Reservoir Construction:

- 1. City of Norman, Cleveland County, #OK11090

O. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

- 1. Oklahoma Department of Transportation, Cherokee County, #FP-11-15
- 2. Oklahoma Department of Transportation, Cherokee County, #FP-11-16
- 3. Oklahoma Department of Transportation, Mayes County, #FP-11-17
- 4. Oklahoma Department of Transportation, Pittsburg County, #FP-11-18

P. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the May 10, 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**

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, June 14, 2011, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK.

5/03/2011