

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

June 14, 2011

9:30 a.m.

Oklahoma Water Resources Board
3800 N. Classen Boulevard
Oklahoma City, OK 73118

Prior to the Board meeting in the Second Floor Foyer, the Board and Staff will host a reception at 9:00 a.m. recognizing Mr. Mark Nichols' service to the OWRB, and welcoming Mr. Tom Buchanan.

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 June 7, 2011 at 5:00 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.

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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 May 10, 2011, Regular Meeting.
 - D. Executive Director's Report. **Mr. J.D. Strong**

- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- No items

- 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>
NODA				
a.	FAP-04-0038-R	Rural Water District #1	Noble	\$148,928.24

- D. Consideration of and Possible Action on Contracts and Agreements, Recommended for Approval:
 - 1. Professional Services Contract with Sparks Write, Inc. to perform assignments which assist the Board in implementing the Board's responsibilities under the Comprehensive State Water Planning Program.
 - 2. Interagency Agreement with the Oklahoma Department of Wildlife Conservation for the Fort Cobb Vegetation Project.
 - 3. Lease Agreement with Burgess & Burgess, Inc. for renewal of OWRB Lawton office lease.
 - 4. Interagency Agreement with Oklahoma Department of Agriculture, Food and Forestry for statewide pesticide monitoring.
 - 5. First Extended and Amended Agreement with American Municipal Tax-Exempt Compliance Corp. for arbitrage rebate calculation and consulting services.
 - 6. Professional Services Engagement Letter with John M. Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs.
 - 7. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide accounting services related to the Board's financial assistance programs.
 - 8. Joint Funding Agreement with the U.S. Geological Survey for the continuation of the statewide stream gage monitoring program.
 - 9. Professional Services Contract with Record Solutions, Inc. to perform assignments to assist the Board in implementing various projects to improve management of the Board's electronic and paper records.

10. Professional Services Contract with Emily Meazell to provide services as Hearing Examiner.
11. Contract for Lab Analysis with the Oklahoma Department of Environmental Quality.
12. Contract with Oklahoma Rural Water Association to provide technical assistance training to rural water and wastewater system operators.
13. Third Amended and Restated Intergovernmental Agreement with OSU Water Resources Research Institute for sharing costs of Water Research Symposium and Governor's Water Conference events.
- 14. *Memorandum Agreement with Central Oklahoma Master Conservancy District and USGS for water monitoring and data collection. Item added*

E. Applications for Temporary Permits to Use Groundwater:

1. Ron & Kathyran Sproul, Major County, #2011-517
2. Ricky & Imogene Cargal, Jackson County, #2011-521
3. S & D Farms, Inc., Jackson County, #2011-522
4. Edith Reimer & Heather Friesen, Major County, #2011-525
5. Moore Land & Cattle Company, Inc., Harmon County, #2011-529
6. Horton & Son Farms, Inc., Harmon County, #2011-533
7. K & S Partnership, Harmon County, #2011-534
8. Harlan G. & Gloria K. Mefford Revocable Living Trusts, Harmon County, #2011-539
9. M & K Horn Farms, L.L.C., Caddo County, #2011-546
10. Patrick J. Brueggen, Kingfisher County, #2011-550
11. Patrick J. & Mary Nell Brueggen, Kingfisher County, #2011-551

F. Applications to Amend Temporary Permits to Use Groundwater:

1. W. F. F. C., Inc., Harmon County, #1994-566
2. John & Lola Jean Lamle, Alfalfa County, #2008-588

G. Applications for Regular Permits to Use Groundwater:

1. Thomas J. & L. Tommie Rosson, Beckham County, #2010-549
2. Mark Messenger, Woodward County, #2011-513
3. Charles & Zulie Dejoux, Choctaw County, #2011-523
4. Howard & Sonja Frantz, Beaver County, #2011-527
- 5. *Rio Rojo Enterprises, L.L.C., Tillman County, #2011-532 Item withdrawn*
6. Chuck Murdock 2009 Trust, Cimarron County, #2011-543

H. Applications to Amend Regular Permits to Use Groundwater:

1. Jeff & Jeri Slatten, Beaver County, #1978-610
2. Mary Lou Hummer Revocable Trust, Beaver County, #2001-570
3. Margi Murdock 2009 Trust, Cimarron County, #2003-568

- I. Applications for Regular Permits to Use Stream Water:
 - 1. Gary Millspaugh, Custer County, #2011-008
 - 2. Eichelberger Farms, Blaine County, #2011-018

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

- K. Applications for Term Permits to Use Stream Water:
 - 1. Kaye Base 1990 Revocable Trust, Michael & Kaye Base, Trustees, Canadian County, #2011-006
 - 2. James Pierce, Blaine County, #2011-016

- L. Reductions/Cancellations of Stream Water Rights:
 - 1. Defaults (Uncontested)
 - a. Lilly Cannon, Pontotoc County, #1977-126
 - b. B. L. Little, Coal County, #1978-164
 - c. Oklahoma Gas & Electric Co., Atoka County, #1969-369
 - d. Clyde and Donnie Corbin, Pushmataha County, #1985-010
 - e. Billy Luper, Caddo County, #1969-080
 - f. Mark Graf, Washita County, #1958-057
 - g. Geary Campbell, Caddo County, #1972-272
 - 2. Corrections/Excuses Accepted
 - a. Frank Weisser, Washita County, #1939-013
 - b. Lee Erin Weisser Trust, Washita County, #1939-013A
 - c. Elizabeth B. Weisser Trust, Washita County, #1939-013B
 - d. Tyson Foods, Inc., Hughes County, #1994-033
 - e. Tyson Foods, Inc., Hughes County, #1994-053

- M. Well Driller and Pump Installer Licensing:
 - 1. New Licenses, Accompanying Operator Certificates and Activities:
 - a. Licensee: Staiger Plumbing DPC-0801
 - 1. Operator: Mark D. Staiger OP-1810
 - Activities: Pump installation
 - 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 - a. Licensee: Ted Jenks Water Well Service, LLC DPC-0109
 - 1. Operator: Michael M. Posada OP-1836
 - Activities: Pump installation

- N. Dam and Reservoir Construction:
 - 1. Pontotoc County Conservation District, Pontotoc County, #OK01286

- O. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
 - 1. Oklahoma Department of Transportation, Mayes County, #FP-11-21
 - 2. Oklahoma Department of Transportation, Mayes County, #FP-11-24
 - 3. Oklahoma Department of Transportation, Caddo County, #FP-11-25

- P. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the June 14, 2011 packet of Board materials

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

- A. Review of Oklahoma Comprehensive Water Plan Feedback and Implementation Meeting activities
- B. Overview of Technical and Public Policy Components of Update
- C. Upcoming Schedule to Finalize Plan Update and Possible Action to Accept or Revise Schedule
- D. Review and Discussion of Water Policy Recommendations and Implementation and Possible Action to Accept, Revise or Add Recommendations
- E. Review and Discussion of Initial Set of Draft Water Policy Recommendations
 - 1. Technical Studies and Monitoring
 - 2. State/Tribal Water Consultation and Resolution
 - 3. Instream/Environmental Flows
 - 4. Other Policy Recommendations

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. Petition for a Declaratory Ruling Regarding Sallisaw Creek Dam No. 33, Sequoyah County:
 - 1. Summary – **Ms. Julie Cunningham**
 - 2. Discussion
 - 3. Vote on whether to approve the Proposed Order Regarding Petition for Declaratory Ruling or other possible action.
- 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. Election of Officers Chairman Herrmann

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, July 12, 2011, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK.

6/07/2011