

REVISED AGENDA

OKLAHOMA WATER RESOURCES BOARD

November 8, 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 November 1, 2011 at 5:15 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 Linda Lambert

A. Invocation

B. Roll Call

C. Discussion, Amendments, and Vote to Approve Official Minutes of the October 17, 2011, Regular Meeting.

D. Executive Director's Report. **Mr. J.D. Strong**

E. Monthly Budget Report **Ms. Amanda Storck**

02000 2. FINANCIAL ASSISTANCE DIVISION Mr. Joe Freeman

No items.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Lambert

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:

No items.

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

1. Interagency Agreement with the Grand River Dam Authority for Monitoring Plan for Salina Project/W.R. Holway Reservoir.

2. Agreement for Professional Engineering Services with Meshek & Associates, PLC for Dam Breach Analysis and Mapping.

E. Applications for Temporary Permits to Use Groundwater:

1. Wayne A. Jacques and Edna Louise Jacques 1989 Revocable Trusts, Caddo County, #2011-504
2. Terry & Barbara Ryan, Grant County, #2011-530
3. Gum Springs Farms, L.L.C., Delaware County, #2011-572
4. Andy & Nicole Reimer, Major County, #2011-579
5. Bobby Lynn & Carolyn Miller, Bryan County, #2011-586
6. Bobby Lynn & Carolyn Miller, Bryan County, #2011-587
7. Nghi Truong & Diem Nguyen, Delaware County, #2011-588

F. Applications to Amend Temporary Permits to Use Groundwater:

None

G. Applications for Regular Permits to Use Groundwater:

- 1. Eddie Zaloudek & Sons, Inc., Garfield County, #2011-585 *Item withdrawn*
- 2. Rodney & Luanna Chitsey, Lincoln County, #2011-608
- 3. Fischer & Fischer, Texas County, #2011-626
- 4. Boone Operating, Inc., Seminole County, #2011-629 *Item withdrawn*
- 5. I P Eat Four, L.L.C., McCurtain County, #2011-633

H. Applications to Amend Regular Permits to Use Groundwater:

1. Town of Shattuck, Ellis County, #1978-562
2. Harvey White, Custer County, #1994-510

I. Applications to Amend Prior Rights to Use Groundwater:

None

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

1. Clear Creek Farms, L.L.C., Kingfisher County, #2011-031
- 2. City of Broken Arrow, Tulsa County, #2011-036 *Item withdrawn*
3. Vernon H. & Cora Belle Lenaburg, Caddo County, #2011-040
4. Robert B. Knight, Creek County, #2011-043

5. W. G. Townsend, Lincoln County, #2011-045
6. Greenhill Materials Co., L.C., Rogers County, #2011-046

K. Applications for Term Permits to Use Stream Water:

1. Select Energy Services, Alfalfa County, #2011-022
2. Select Energy Services, Grant County, #2011-023
3. Select Energy Services, Grant County, #2011-024

• L. Proposed Resolution Appointing Persons to Serve as Members of the Water Well Drillers and Pump Installers Advisory Council:

Names of persons to serve as members are individually set out in the November 8, 2011 packet of Board materials. Item added

M. Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:

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|---|----------|
| a. Licensee: Matthew A. Toews | DPC-0845 |
| Operator: Matthew A. Toews | OP-1874 |
| Activities: Groundwater wells, test holes and observation wells | |
| Pump installation | |
| Heat exchange wells | |
| b. Licensee: Radiant Water Pumps and Purification Company, LLC | DPC-0847 |
| 1. Operator: Albert Brandt | OP-1875 |
| Activities: Pump installation | |
| c. Licensee: Scott Drummond | DPC-0849 |
| 1. Operator: Scott Drummond | OP-1876 |
| Activities: Groundwater wells, test holes and observation wells | |
| Pump installation | |

N. Dam and Reservoir Construction:

1. Broken Arrow Municipal Authority, Wagoner County, #OK30266
2. Cimarex Energy Corporation, Canadian County, #OK30394

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

1. Oklahoma Department of Transportation, Garvin County, #FP-11-31
2. Oklahoma Department of Transportation, Garvin County, #FP-11-32
3. Oklahoma Department of Transportation, Jackson County, #FP-11-33
4. Oklahoma Department of Transportation, Jackson County, #FP-11-34
5. Oklahoma Department of Transportation, Garfield County, #FP-11-35
6. Oklahoma Department of Transportation, Grant County, #FP-11-36
7. Oklahoma Department of Transportation, Carter County, #FP-11-37
8. Oklahoma Department of Transportation, Ottawa County, #FP-11-40

P. Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the November 8, 2011 packet of Board materials.

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

No items.

05000 5. SPECIAL CONSIDERATION Chairman Lambert

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. Application for Regular Permit to Use Groundwater No. 2010-562, Long Family Partnership, Texas County:
 - 1. Summary – **Ms. Julie Cunningham**
 - 2. Discussion and presentation by parties
 - 3. Possible executive session
 - (a) Vote on whether to enter executive session
 - (b) If executive session approved, designation of person to keep minutes
 - (c) Executive session on proposed order - vote or action taken on any item of business considered in executive session must be taken in public meeting
 - 4. Vote on whether to approve the proposed order as presented or as may be amended, or vote on any other action or decision relating to the proposed order.
- B. Presentation, Discussion and Possible Action to Ratify or Amend OWRB FY 2013 Budget Request. **Ms. Amanda Storck**
- C. Items transferred from Summary Disposition Agenda, if any.

06000 6. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY Chairman Lambert

7. PROPOSED EXECUTIVE SESSION

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(4) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of confidential communications between a 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 a pending investigation, litigation or proceeding in the public interest.

Pursuant to this provision, the Board proposes to hold an executive session for the purpose of discussing *Chickasaw Nation and Choctaw Nation v. Fallin, et al. and Tarrant Regional Water District v. Herrmann, and City of Hugo v. Nichols*

- A. Vote on whether to hold Executive Session - before it can be held, the Executive Session must be authorized by a majority vote of a quorum of members present and such vote must be recorded.
 - B. Designation of person to keep written minutes of Executive Session, if authorized.
 - C. Executive Session, if authorized.
8. **VOTE(S) ON POSSIBLE ACTION(S), IF ANY, RELATING TO MATTERS DISCUSSED IN EXECUTIVE SESSION IF AUTHORIZED.**

Return to open meeting and possible vote or action on any matter discussed in the Executive Session

9. **NEW BUSINESS** **Chairman Lambert**

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 Lambert**

The next regularly scheduled meeting of the Oklahoma Water Resources Board will be on Tuesday, December 13, 2011, at 9:30 a.m., in the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK.

11/1/2011