

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

May 19, 2014

2:00 p.m.

3800 N. Classen Boulevard
Oklahoma City, OK 73118

The members of the Oklahoma Water Resources Board may gather at the Oklahoma State Capitol Building to attend activities associated with "Water Appreciation Day at the Capitol," scheduled on the Fourth Floor Rotunda, 2300 Lincoln Boulevard, Oklahoma City, Oklahoma, from 9:00 a.m. through 2:00 p.m. No discussion or action will be taken by a quorum of the members during any activity at the Capitol.

The members of the Oklahoma Water Resources Board will then convene at 2:00 p.m. on May 19, 2014, at the Board's offices at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma, to conduct the regular monthly meeting of the Oklahoma Water Resources Board and to consider and possibly take action on the agenda items listed below.

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 15, 2014, at 12:45 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

- 01000 1. CALL TO ORDER** **Chairman Rudy Herrmann**
- A. Roll Call
 - B. Discussion, Amendments, and Vote to Approve Official Minutes of the April 15, 2014, Regular Meeting.
 - C. Executive Director's Report. **Mr. J.D. Strong**
 - D. Monthly Budget Report **Ms. Amanda Storck**
- 02000 2. FINANCIAL ASSISTANCE DIVISION** **Mr. Joe Freeman**
- A. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Fairmont Public Works Authority, Garfield County. Recommended for Approval.

All of the items listed below under this Summary Disposition Agenda are recommended for approval.

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 Listed Below.

C. 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:

- 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. Professional Services Contract with Records Solutions, Inc., to perform assignments to assist the Board in implementing various projects to improve management of the Board's electronic and paper records.
- 3. Interagency Agreement with the Department of Environmental Quality for payment of shared office spaces in McAlester and Woodward.
- 4. Interagency Agreement with the Oklahoma Department of Environmental Quality regarding the Drinking Water State Revolving Fund.
- 5. Agreement with Arbitrage Compliance Specialists, Inc., for arbitrage rebate consultant services in connection with the Board's tax-exempt obligations.
- 6. Intergovernmental Agreement with the United States Department of the Interior, Bureau of Reclamation to provide drought mitigation and response strategies.
- 7. Intergovernmental Agreement between OWRB and the Central Oklahoma Master Conservancy District for water quality monitoring at Lake Thunderbird.

8. Interagency Agreement with the Office of Management and Enterprises Services Division of Capital Assets Management Real Estate and Leasing Services for payment of office space in Tulsa.
 9. Interagency Agreement with the Department of Environmental Quality to pay the OWRB for conducting, performing and producing bathymetric surveys to determine lake oxygen water quality standards.
- E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:
1. Hainzinger Family, L.L.C., Osage County, #2013-609
 2. City of Miami, Ottawa County, #2013-635
 3. Cookson Hills Christian School, Inc., Adair County, #2014-508
 4. Triple S Farms, L.L.C., Caddo County, #2014-510
 5. Triple S Farms, L.L.C., Caddo County, #2014-511
 6. Bryan Kroeker Revocable Trust, Alfalfa County, #2014-517
 7. Danny & Linda Floyd, Dewey County, #2014-519
- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
None
- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
1. Jerald & Deborah Radcliff Revocable Trust, Beaver County, #1991-512
 2. Kenton D. & Anna Patzkowsky, Beaver County, #1976-716
- I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
None
- J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
1. Rose Real Estate, LeFlore County, #2012-056
 2. Williams Family Trust, Carter County, #2013-050
 3. John D. & Pauline M. Loftis, Payne County, #2014-006
 4. Danny Shane & Amy J. McDonald, Hughes County, #2014-011
 5. Scott C. & Rhonda Barrington, Grady County, #2014-012
- K. Consideration of and Possible Action on Dam and Reservoir Construction:
1. City of Holdenville PWA, Hughes County, #OK10479
- L. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
1. New Licenses:
 - a. Licensee: Revilo Exploration DPC-0902
 1. Operator: Bradley Oliver OP-2043

- b. Licensee: Mowdy Drilling DPC-0904
 - 1. Operator: Mike Mowdy OP-2044
- c. Licensee: Mowdy Water Well Service DPC-0905
 - 1. Operator: Don Mowdy OP-2045
- 2. New Operators to Existing Licenses:
 - a. Licensee: Pendergraft and Son Windmill DPC-0640
 - 1. Operator: Jeremy Pendergraft OP-2039
 - b. Licensee: Oklahoma Environmental Services DPC-0363
 - 1. Operator: David Correll OP-2040
 - c. Licensee: Sahara Water Services DPC-0781
 - 1. Operator: Zachary Stewart OP-2041
 - d. Licensee: Associated Environmental Industries Corp. DPC-0269
 - 1. Operator: Mickey Murray OP-2042
 - 2. Operator: Billy Graham OP-0957

M. Consideration of and Possible Action on Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

- 1. Oklahoma Department of Transportation, Okmulgee County, #FP-14-09

N. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:

Names of floodplain administrators to be accredited and their associated communities are individually set out in the May 19, 2014 packet of Board materials.

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

No items.

05000 5. SPECIAL CONSIDERATION Chairman Herrmann

A. Consideration of and Possible Action on Proposed Findings of Fact, Conclusions of Law and Board Order on Application for Regular Groundwater Permit No. 2013-510, Lance Ruffel Oil & Gas Corporation, Seminole County, Recommended for Approval:

- 1. Summary – **Ms. Julie Cunningham**
- 2. Discussion and presentation by parties
- 3. Possible Executive Session

As authorized by the Oklahoma Open Meeting Act in Section 307(B)(8) of Title 25 of the Oklahoma Statutes, an executive session may be held for the purpose of “[e]ngaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act”.

(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.

4. Return to open meeting and possible vote or action on any matter discussed in the Executive Session, if authorized.
5. 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. Consideration of and Possible Action on Items Transferred from Summary Disposition Agenda, if any.

6. PROPOSED EXECUTIVE SESSION

Chairman Herrmann

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 Oklahoma Water Resources Board v. United States on behalf of the Choctaw Nation et al.

Statement by legal counsel advising on whether disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest.

- A. Vote on whether to hold Executive Session upon determination that disclosure of the discussion of the litigation will seriously impair the ability of the Board and State to conduct the present and proposed litigation in the public interest. 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.

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

7. 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.

8. ADJOURNMENT

Chairman Herrmann

The next regular meeting of the Oklahoma Water Resources Board will be held Tuesday, June 17, 2014, at 9:30 a.m. at 3800 N. Classen Boulevard, Oklahoma City, OK 73118.

5/15//2014