

**OKLAHOMA WATER RESOURCES BOARD**  
**OFFICIAL MINUTES**  
**Special Meeting**

**June 16, 2020**

**1. CALL TO ORDER**

The Special Meeting of the Oklahoma Water Resources Board was called to order by Chairman Robert L. Stallings, Jr., at 9:30 a.m. on June 16, 2020, in the second floor Board Room of the Oklahoma Water Resources Board located at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma, 73118. The meeting was conducted pursuant to the Oklahoma Open Meeting Law with due and proper notice provided pursuant to Sections 303 and 311 thereof. The agenda was posted on June 12, 2020, at 3:45 p.m., at the Oklahoma Water Resources Board's offices at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma, and provided on the agency's website.

A. Roll Call. Chairman Stallings called the meeting to order and stated this meeting is being conducted with social distancing and via Zoom Webinar. He thanked staff for their efforts, and said he looked forward to a time when we are able to meet around the table again. He asked for the roll call of members who participated in the meeting via video or telephone conferencing.

Board Members Present

Robert L. Stallings, Jr., Chairman  
Stephen Allen, Vice Chairman  
Bob Drake, Secretary  
Jennifer Castillo  
Charles Darby  
Thomas A. Gorman  
Suzanne Landess  
Robert L. Melton  
Matt Muller

Board Members Absent

None

Staff Members Present and Participating via Zoom Webinar

Julie Cunningham, Executive Director  
Sara Gibson, General Counsel  
Cleve Pierce, Chief, Administrative Services Division  
Joe Freeman, Chief, Financial Assistance Division  
Kent Wilkins, Chief, Planning and Management Division  
Bill Cauthron, Chief, Water Quality Programs Division  
Mary Schooley, Executive Secretary

The following person participated via Zoom Webinar

Bret Weingart, Oklahoma City Water Utilities Trust

B. Discussion, Amendments, and Vote to Approve Official Minutes of the May 19, 2020, Regular Meeting. Chairman Stallings asked if there were any comments, proposed amendments, or a motion to approval of the May 19, 2020, regular meeting minutes. There were no comments.

Mr. Darby moved to approve the minutes of the May 19, 2020, regular meeting, and Ms. Castillo seconded. There was no discussion. Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings

NAY: None

ABSTAIN: None

ABSENT: None

C. Executive Director's Report

Ms. Julie Cunningham, Executive Director, welcomed everyone and stated she hoped the Board would be able to meet in person soon, and she thanked Cole Perryman and staff for the technical operations of the meeting. She reported the employees are doing well and are very productive and able to meet the needs of the public. The agency is still closed to the public and has reconfigured the front office area to receive some appointments, mostly for water rights.

Ms. Cunningham began her climate report stating some drought is moving in with some rain, creating a flash drought when conditions rapidly intensify with heat and lack of rainfall. She had spoken recently with Dr. Kevin Kroesel, director of the Climate Survey, about current weather conditions in the northwest of the I-44 corridor, and will coordinate with other agencies i.e., Emergency Management, to update the drought plan.

Regarding calendar notes, Ms. Cunningham said the OWRB staff recently held a staff meeting (virtually) and have been working on Contingency of Operation Plans, field and office safety protocols, and established a technical group ready to assist employees with any issues. Throughout May and June staff have met with several engineering firms on proposals for the Oklahoma Comprehensive Water Plan (OCWP) update for 2025; several firms were involved in the last update of the plan and are working with states across the Nation on water planning. The OWRB 2012 OCWP is an example for this region and other states, and can now have light on the most modern techniques and output of water planning. There is a contract with Carollo Engineering on the Summary Disposition agenda today, and if approved, they will begin work through the US COE Planning Assistance to the States where the COE will match state dollars in-kind. Congress has supported this funding for water planning and infrastructure through the Water Resources Development Act and COE appropriations.

Ms. Cunningham updated the members on recent news of the Commissioners of the Land Office (CLO) purchase of the Sandridge Energy Tower in downtown Oklahoma City, to house state agencies. The Legislature authorized several agencies that needed to find locations to move to the building, and Secretary Wagner included the OWRB to purchase or lease purchase property from the CLO. She said the agency is looking at such matters as parking, agency laboratory, and work from home savings.

On June 12, the Governor extended the state of emergency executive order which for state agencies prohibits out-of-state travel, limiting contact with the public, encouraging online services, and extending licensing, such as well drillers and pump installers. The state Legislature adjourned early, and staff is monitoring Congressional activity on budget, reauthorization of the National Flood Insurance Program, and the update and reauthorization of the WRDA. Staff has a good relationship with Senator Inhofe's office who has reached out in regard to these measures.

Ms. Cunningham concluded her report; there were no questions by the Board members.

D. Financial Update

1. Budget Report. Mr. Cleve Pierce, Administrative Services Division Chief, addressed the members and stated the budget report is for the time period ending May 31, 2020. He said for the time period, the agency has spent 83% of the appropriated budget, leaving 17%; has spent 48% of the revolving fund leaving 52%; and has spent 70% of federal dollars with 30% remaining. The overall budget remaining

stands at 42% with 8% of the fiscal year remaining; last year at this time the agency was at 34%. He said the agency is in the final days of budget preparations and he thanked the Division Chiefs for their assistance. Mr. Pierce concluded his report. There were no questions by members.

## 2. FINANCIAL ASSISTANCE DIVISION

A. Consideration of and Possible Action on a Proposed Order Approving Emergency Grant for Pawhuska Public Works Authority, Osage County. Recommended for Approval. Mr. Joe Freeman, Chief, Financial Assistance Division, stated this item is for the consideration of a \$100,000.00 Emergency Grant for the Pawhuska Public Works Authority located in Osage County. He said the Pawhuska dam has been experiencing cracking and sloughing which has resulted in damage to the dam. He said the Authority is currently under consent order by the Board for repairing the dam. In order to correct the problem, the Authority will stabilize the ground around the dam to stop further damage, and will also replace the intake structure valves to regulate flow from the dam. The project will cost approximately \$478,070.00 and will be funded by the grant requested of the OWRB, to go along with the principal forgiveness Clean Water SRF loan in the amount of \$190,050.00 and \$188,020.00 line of credit with American Heritage Bank. Staff recommended approval.

Ms. Tonya Bright, Interim City Manager for Pawhuska, asked Mr. Freeman to relay the following message: An inspection of the dam in 2019 indicated several problems with the dam. The OWRB staff met with the City to discuss options and funding sources it was not aware of. Without the assistance of the OWRB staff, solving the issues would have been difficult.

Chairman Stallings stated he would entertain a motion for the Emergency Grant for the Pawhuska Public Work Authority. Mr. Charles Darby moved to approve the OWRB Emergency Grant to the Pawhuska PWA, and Ms. Castillo seconded. Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings  
NAY: None  
ABSTAIN: None  
ABSENT: None

B. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Rural Water, Sewer, and Solid Management District No. 2 McIntosh County. Recommended for Approval. Mr. Freeman stated this item is a loan requested by the McIntosh County Rural Water, Sewer and Solid Waste District #2 in the amount of \$590,000.00. He said the District is requesting the loan to construct a standpipe at its water treatment plant, and install mixing and aeration equipment in the clearwell. He said the loan will be funded through the Drinking Water State Revolving Fund Loan Program, and he noted provisions of the loan agreement. The District has been a loan customer of the Board's since 1998 and currently has one loan with the Board with a principal balance of \$2,265,000.00; the debt coverage ratio stands at 2.01-times. Staff recommended approval of the loan application.

The District asked Mr. Freeman to make the following statement on its behalf: Please accept our appreciation for everything the agency has done for the District over the years, and thank you for your consideration of the application.

Chairman Stallings stated he would entertain a motion to approve the \$590,000.00 loan application. Mr. Drake moved to approve the DWSRF loan to the McIntosh County RWS&SWD, and Mr. Allen seconded. Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings  
NAY: None  
ABSTAIN: None  
ABSENT: None

C. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Inola Public Works Authority, Rogers County. Recommended for Approval. Mr. Freeman stated this item is a request for a \$2.6 million Clean Water SRF loan by the Inola Public Works Authority. He said the Authority is requesting the loan proceeds to go along with a \$400,000.00 Cherokee Nation Grant for improvements to reduce inflow and infiltration to its waste water system, and to eliminate overflows from the system. The project includes installation of 18, 15, and 8-inch sewer lines, 24 new manholes, and repairing six existing manholes. Mr. Freeman said the loan proceeds will also be used for a railroad bore, lift station, and emergency generator for the wastewater treatment plant. Mr. Freeman noted provisions of the loan agreement; and Inola currently has one outstanding loan with the Board, and the debt coverage ratio stands at approximately 1.98-times. Staff recommended approval of the loan request.

Mr. Freeman stated Larry Griggs, Mayor of Inola, expressed Inola's appreciation for the Board's assistance the OWRB has provided the last several years to fund much-needed improvements to the system which would not be accomplished to continue to serve customers without these resources.

Chairman Stallings stated he would entertain a motion to approve the \$2.6 million loan application. Mr. Melton moved to approve the Clean Water SRF loan to the Inola PWA, and Ms. Castillo seconded. Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings  
NAY: None  
ABSTAIN: None  
ABSENT: None

D. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for Durant City Utilities Authority, Bryan County. Recommended for Approval. Mr. Freeman stated this item is a \$12,935,000.00 from the Durant City Utility Authority to rehabilitate the wastewater treatment plant. The project will include constructing an equalization basin, rehabilitating the disinfection system, constructing an additional sequential batch reactor basin, and rehabilitate the existing SBR basin. Mr. Freeman noted other plant related appurtenances included in the project. He said the loan will be funded through the Clean Water SRF loan program, and he noted provisions of the loan agreement. Durant has been a good loan customer of the Board's and currently has two loans outstanding with a principal combined balance of approximately \$700,000.00; the debt coverage at a 20-year maturity stands at 3.5-3.6-times. Staff recommended approval of the CWSRF loan application.

Durant asked Mr. Freeman to relay the City's appreciation of the Board's consideration, and it values OWRB's financing programs.

Chairman Stallings stated Durant is requesting \$12,935,000 over a 20-year period to upgrade the wastewater treatment plant, and he asked for a motion to approve the application. Mr. Allen moved to approve the CWSRF loan application to the Durant UA, and Mr. Darby seconded. Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings  
NAY: None  
ABSTAIN: None  
ABSENT: None

E. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for Oklahoma City Water Utilities Trust, Oklahoma County. Recommended for Approval. Mr. Freeman stated this item is a \$55 million dollar loan request by the Oklahoma City Water Utilities Trust to refinance two 2009 bond series and outstanding commercial paper notes originally obtained to fund several sewer and water projects throughout the Oklahoma City system. Mr. Freeman said the loan will be funded through the State Revenue Bond Loan Program (FAP). Staff anticipates closing the bonds on the loan program on July 8, and will also close the loan at the same time. He noted provisions of the loan agreement stating that within the last 10 years, Oklahoma City's water

connections have increased by 15% and sewer connections have increased by 17%. The Trust has been a borrower of the Board's for over ten years through the SRF program, but this will be its first FAP loan. The Trust currently has 13 loans with the Board with a combined principal balance of \$257.8 million; the debt coverage ratio stands at approximately 2.29-times. Staff recommended approval.

Mr. Bret Weingart, Oklahoma City Assistant Utilities Director, expressed his appreciation for the opportunity to work with the Board, saving millions of dollars through the Clean Water and SRF programs.

Mr. Allen asked when the coverage ratio is calculated, does that also include the next loan for consideration, and Mr. Freeman stated that is correct.

Chairman Stallings stated this item is a loan approval for the Oklahoma City Water Utilities Trust for \$55 million for refinancing existing bonds. He stated he would entertain a motion to approve.

Ms. Landess moved to approve the FAP loan to the Oklahoma City Water Utilities Trust, and Ms. Castillo seconded. Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings

NAY: None

ABSTAIN: None

ABSENT: None

F. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for Oklahoma City Water Utilities Trust, Oklahoma County. Recommended for Approval. Mr. Freeman stated the next item is a \$74 million dollar loan request by the Oklahoma City Water Utilities Trust for replacing balancing tanks along the Atoka raw water pipeline, install emergency generators at multiple booster pump stations throughout the city to maintain water delivery during power outages. He said the loan proceeds will also be used at the Lake Hefner water treatment plant for new ozone and lime systems. Mr. Freeman stated the loan will be funded through the Drinking Water SRF Loan Program, and he noted provisions of the loan agreement; the debt coverage ratio stands at 2.29-times. Staff recommended approval of the loan application.

Mr. Bret Weingart was available for questions.

There were no questions, and Chairman Stallings stated he would entertain a motion to approve the loan request by the Oklahoma City Water Utilities Trust for \$74 million dollars. Mr. Allen moved to approve the loan request, and Mr. Darby seconded. Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings

NAY: None

ABSTAIN: None

ABSENT: None

### **3. SUMMARY DISPOSITION AGENDA ITEMS**

Any item listed under this Summary Disposition Agenda may, at the requested of any member of the Board, the Board's staff, or any other person attending this meeting, may 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. There were no requests to move items to the Special Consideration Agenda.

B. Discussion, Questions, and Responses Pertaining to Any Items Remaining on Summary Disposition Agenda and Action on Items Listed. Chairman Stallings advised that two items are withdrawn from

consideration: 3.C.3.b., (Stroud Utilities Authority), and L.2. (Newfield Exploration Mid-Con, Inc.). He asked if there were any questions about items on the Summary Disposition Agenda, or a motion to approve the agenda. There were no questions and no discussion.

Mr. Drake moved to approve the Summary Disposition Agenda, and Ms. Landess seconded. Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings  
 NAY: None  
 ABSTAIN: None  
 ABSENT: None

The following items were approved:

C. Consideration of and Possible Action on 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>
KEDDO				
a.	FAP-14-0004-R	Crowder Public Works Authority	Pittsburg	\$99,999.00

2. CWSRF Principal Forgiveness Loan Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
a.	ORF-19-0004-CW	Shidler, Oklahoma, Public Works Authority	Osage	\$89,385.00
b.	ORF-20-0025-CW	Pawhuska Public Works	Osage	190,050.00

3. DWSRF Principal Forgiveness Loan Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
a.	ORF-20-0025-DW	Blackwell Municipal Authority	Kay	\$100,000.00
b.	ORF-19-0018-DW	Stroud Utilities Authority <i>Item withdrawn</i>	Lincoln	\$100,000.00

D. Consideration of and Possible Action on Contracts and Agreements:

1. Memorandum Agreement with USGS and Arkansas-Oklahoma Arkansas River Compact Commission for water monitoring and data collection.
2. Memorandum Agreement with USGS and CP Kelco for water monitoring and data collection.
3. Memorandum Agreement with USGS and Central Oklahoma Master Conservancy District for water monitoring and data collection.
4. Memorandum Agreement with USGS and Fort Cobb Reservoir Master Conservancy District for water monitoring and data collection.
5. Memorandum Agreement with USGS and the Grand River Dam Authority for water monitoring and data collection.

6. Memorandum Agreement with USGS and Lugert-Altus Irrigation District for water monitoring and data collection.
7. Memorandum Agreement with USGS and City of Lawton for water monitoring and data collection.
8. Memorandum Agreement with USGS and Oklahoma Gas & Electric for water monitoring and data collection.
9. Memorandum Agreement with USGS and City of Moore for water monitoring and data collection.
10. Memorandum Agreement with USGS and City of Norman for water monitoring and data collection.
11. Memorandum Agreement with USGS and Hardage Site Remedy Corp for water monitoring and data collection.
12. Memorandum Agreement with Oklahoma Department of Wildlife Conservation for water monitoring and data collection.
13. Memorandum Agreement with USGS and Poteau Valley Improvement Authority for water monitoring and data collection.
14. Interagency Agreement with Grand River Dam Authority (GRDA) to continue the Dissolved Oxygen Monitoring Project.
15. Agreement with Arbitrage Compliance Specialist, Inc. for arbitrage services in connection with the issuance of state government entity obligations and indebtedness for OWRB loan programs.
16. Professional Services Contract between OWRB and the Oklahoma Rural Water Association for training and education for water system board members and operators, technical assistance and long-term planning.
17. Professional Services Agreement between OWRB and BondLink, Inc. for investor support services for OWRB bond issuances.
18. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for CWSRF and DWSRF Loan Administrative Funds Audits.
19. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for FAP Administration Fund.
20. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for Revenue Bond Issues Audit.
21. Professional Services Engagement Letter with Arledge & Associates, P.C. to provide auditing services related to the Board's financial assistance programs for the Oklahoma Clean Water State Revolving Fund Loan Account Program Uniform Guidance Single Audit.
22. Professional Services Engagement Letter with Crawford & Associates, P.C. to provide account services related to the Board's financial assistance programs.
23. Contract for Legal Services between the Oklahoma Office of Attorney General and OWRB providing us an attorney to act as Hearing Examiner.

24. Lease Agreement between Oklahoma Property Investors II, LLC and OWRB to lease office and storage space at 3800 N. Classen Boulevard, Suite 100, Oklahoma City, OK 73118
25. Professional Services Agreement with Carollo Engineers, Inc., to complete Phase I and further efforts for Phases II, III, and IV, of the Update of the 2025 Oklahoma Comprehensive Water Plan, in partnership with the U.S. Army Corps of Engineers.
26. Interagency Agreement with Oklahoma Department of Environmental Quality to provide lab services to OWRB.
27. Amendment to Professional Services Agreement with Lynker Technologies to revise OWRB's North Canadian River System model developed by Lynker using the CRAM modeling system, to include additional demands and return flows in six basins, incorporate new data and provide scenario outputs.
28. Joint Funding Agreement between U.S. Geological Survey and OWRB to extend deadline and increase funding for enhanced monitoring for the Eastern Arbuckle-Simpson Aquifer, South-Central Oklahoma.
29. Joint Funding Agreement between U.S. Geological Survey and OWRB to extend deadline and increase funding for enhanced monitoring for Reaches 3 and 4 of the Washita Alluvium and Terrace Groundwater Basin.
30. Joint Funding Agreement between U.S. Geological Survey and OWRB to extend deadline for hydrological investigation and ground flow model for the Salt Fork Red River Alluvial Aquifer in Southwestern Oklahoma.
31. Joint Funding Agreement between U.S. Geological Survey and OWRB to extend deadline for hydrological survey on Reach 1 of the Washita Alluvial and Terrace Aquifer.

E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:  
 1. Lance & Emily Hamilton, Oklahoma County, #2020-501

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:  
 1. Brett A. & Whitney J. Bain, Cotton County, #2019-555  
 2. Donald H. & April A. Bain, Cotton County, #2019-556

H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater: None

I. Consideration of and Possible Action on Applications to Amend Prior Right to Use Groundwater: None

J. Consideration of and Possible Action on Applications to for Term Permits to Use Stream Water:  
 None

K. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:  
 None

L. Consideration of and Possible Action on Dam and Reservoir Construction:

1. City of Duncan (Clear Creek Lake), Stephens County, #OK10736

2. *Newfield Exploration Mid-Con, Inc., Blaine County, #OK30580*

*Item withdrawn*



- M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
  - 1. New Licenses, Accompanying Operator Certificates and Activities:
    - a. Licensee: Elite Irrigation & Drilling, Inc. DPC-0982
    - Operator: Tyler Palmer OP-2309
  - 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
    - a. Licensee: H2O Pump and Well Service DPC-0938
    - Operator: Kyle Mason OP-2162
    - b. Licensee: Layne Christensen DPC-0123
    - Operator: Jim Church OP-2318
    - c. Licensee: Two Eight Drilling DPC-0215
    - Operator: Jeremy Edgman OP-2316
- N. Consideration of and Possible Action on Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas: None
- O. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:
  - 1. Patrick P. Wilson, City of Broken Arrow, #FPA-833

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

A. No items.

5. **SPECIAL CONSIDERATION**

A. In the matter of Determining the Maximum Annual Yield for the Garber-Wellington Groundwater Basin underlying parts of Cleveland, Lincoln, Logan, Oklahoma, Payne and Pottawatomie Counties:

1. Summary – Mr. Kent Wilkins said this item concerns a very important function of the Board, that is upon study of the state's groundwater, the determination of the maximum annual yield (MAY) and the equal proportionate share (EPS) of Oklahoma's groundwater basins. This matter regards the MAY/EPS for the Garber-Wellington Groundwater Basin underlying parts of Cleveland, Lincoln, Logan, Oklahoma, Payne and Pottawatomie Counties. Mr. Wilkins explained Oklahoma Groundwater Law which requires the Board to conduct these surveys and determine the maximum annual yield of fresh water that can be produced. By definition, a groundwater basin is a distinct underground body of water overlain by contiguous land and having substantially the same geological and hydrological characteristics and groundwater yields at least fifty gallons per minute on the average-- while a bedrock aquifer-- and at least one hundred fifty gallons per minute on average from alluvium and terrace aquifer. The MAY by statute is to be based on the following: total land area overlying the basin or subbasin; amount of water in storage in the basin or subbasin; rate of recharge to and total discharge from the basin or subbasin; transmissibility of the basin or subbasin; and possibility of pollution of the basin or subbasin from natural sources. Mr. Wilkins stated the US Geological Survey, in cooperation with the OWRB, investigated the hydrogeology of the groundwater below central Oklahoma, known as the Garber-Wellington Groundwater Basin (GWGB) using a numerical groundwater flow model used to simulate groundwater levels, analyze water budgets, and to test water management scenarios to make the determination of the MAY/EPS. According to the USGS report, the GWGB underlies approximately 2,891 square miles or 1,850,000 acres in Central Oklahoma and consists of Permian-age Garber sandstone in the Wellington formation, and Chase, Council Grove, and Admire Groups alluvium and terrace deposits underlying all or parts of Cleveland, Logan, Lincoln, Oklahoma, Payne and Pottawatomie counties. Groundwater wells throughout the aquifer yield approximately 65 gallons per minute on the

average, qualifying the basin as a major basin and is estimated to be 283,000 acre-feet of water per year using the of rate recharge of 1.84 inches per year. The total discharge attributed to the assumed full exercise of prior rights is 1.8 million acre-feet. The GWGB has a transmissivity of 1,057 feet squared per day and the quality of groundwater is considered good. (Mr. Wilkins shared a map showing the boundary of the recharge area and water levels.)

Mr. Wilkins reminded the members that the Board approved the Tentative Order at the August 2019 Board meeting and following that approval, Board staff scheduled a hearing for October 30, 2019, in Oklahoma City. Notice of the hearing was mailed to all permit holders in the named counties as well as published in six local newspapers in counties overlying the basin. Prior to the hearing, the Board received letter of support for the tentative order from the City of Yukon, Town of Calumet, and the Central Oklahoma Water Resource Authority. The Hearing Examiner ruled proper notice had been provided as required and all persons had opportunity to be heard, and the Board had followed and completed procedures prescribed by law for determining the MAY. Board staff presented the evidence at the public hearing, and there were no questions of witnesses, or offered evidence or comments, or no requests to be considered as an interested party. Thereafter, Mr. Wilkins stated, the matter was taken under advisement, and a proposed order for the final determination of the MAY for the GWGB has been prepared and presented to the Board for consideration today. He summarized the hearing examiner's order applying the applicable law to the findings of fact and concludes the MAY based on a 37-41 year basin life, is 3,700,480 acre-feet and the EPS based on the amount of land overlying the basin, is 2.0 acre-feet per acre per year. The Board further concludes this allocation should be used for issuing of permits after the date of this order, and in addition, all previously issued temporary permits for withdrawal of water from this basin should be replaced with regular permits allocating two acre feet per acre. Mr. Wilkins read the final order designating the basin as the Garber Wellington Groundwater Basin, declared to be a major basin under the law, the MAY is 3,700,480 acre-feet, and the EPS to be allocated to each acre of land overlying the basin based on the MAY is determined to be 2.0 per year; and the boundaries are set forth by the map and referenced. And, further orders all permits for withdrawal shall be regular permits allocating 2.0 acre-feet per acre of dedicated land, and all temporary permits shall be replaced by regular permits at 2.0 acre-feet for each acre of dedicated land, and Board staff shall implement the Order. Staff recommended approval of the proposed findings of fact, conclusions of law, and Board Order.

2. Discussion by Board Members. Mr. Allen asked if the temporary permits that will be converted represented any material changes for the temporary permit holder. Mr. Wilkins responded the default EPS until a study is completed and approved is 2.0 acre-feet, so the actual amount that is allocated to the permit will not change. What will change is going from a temporary permit to a regular permit -- temporary permits now have to be renewed each year by filing the water use report and can be protested. There will not be a need to revalidate every year. Chairman Stallings asked if there were any protests, and Mr. Wilkins stated there were no protests to the EPS of 2.0 a.f. Chairman Stallings asked if comments were received after this agenda was posted, and Mr. Wilkins stated no comments have been received --staff had received three comments in favor in the tentative order. Ms. Cunningham confirmed no facts have changed from the tentative order to the final order.

Chairman Stallings stated the Board may approve the order, or vote for an Executive Session for further discussion.

3. Possible Executive Session; and 4. Return to open meeting and possible vote or action on any matter discussed in the Executive Session, if authorized. The Board did not vote to enter Executive Session.

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.

Mr. Allen moved to approve the proposed findings of fact, conclusions of law, and Board Order regarding the MAY and EPS for the Garber-Wellington Groundwater Basin, and Ms. Castillo seconded. There was no discussion, and Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings  
NAY: None

ABSTAIN: None

ABSENT: None

B. Consideration of and Possible Action on Items Transferred from Summary Disposition Agenda, if any. There were no items transferred from the Summary Disposition Agenda.

## 6. ELECTION OF OFFICERS

Chairman Stallings stated staff has reached out to the current officers and asked if each would consider serving an additional year. He said the Chairman can serve for two consecutive terms, and he had agreed to serve, as did Mr. Allen as Vice Chairman, and Mr. Drake as Secretary, unless members would like to discuss.

Mr. Darby moved that the Board retain the current slate of officers for another year, if there were no objections. Seeing no objections, Ms. Castillo seconded the motion. There being no other discussion, Chairman Stallings called for the vote.

AYE: Castillo, Darby, Melton, Allen, Drake, Gorman, Landess, Muller, Stallings

NAY: None

ABSTAIN: None

ABSENT: None

Chairman Stallings thanked the Board for its confidence in the leadership.

The Board's officers for 2020-2021 are Chairman Robert L. Stallings, Jr., Vice Chairman Stephen B. Allen, and Secretary Bob Drake.

## 7. NEW BUSINESS

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.

There were no New Business items for the Board's consideration. Chairman Stallings stated he anticipated the Board would not meet in July as is its usual summer break, unless there was opposition by the members. There was no opposition, and he said the Board will meet again in August.

Ms. Cunningham recognized the Board's technical team's work on Garber Wellington MAY, saying it is a major function of the agency and there was a lot of staff time that went into the final order. Chairman Stallings echoed there is a lot of work that goes into these studies over a long period of time, and the Board appreciates staff's efforts.

## 8. ADJOURNMENT

There being no further business, Chairman Stallings adjourned the meeting of the Oklahoma Water Resources Board at 10:16 a.m., on June 16, 2020.

## OKLAHOMA WATER RESOURCES BOARD

\_\_\_\_\_/s/\_\_\_\_\_  
Robert L. Stallings, Jr., Chairman

\_\_\_\_\_  
Stephen B. Allen, Vice Chairman

\_\_\_\_\_  
Charles Darby

\_\_\_\_\_  
Robert L. Melton, Sr.

\_\_\_\_\_/s/\_\_\_\_\_  
Jennifer Castillo, Assistant Secretary

\_\_\_\_\_  
Suzanne V. Landess

\_\_\_\_\_  
Matt Muller

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Thomas A. Gorman

***ATTEST:***

\_\_\_\_\_  
Absent  
Bob Drake, Secretary

(SEAL)

Members voted to approve the June 16, 2020, meeting minutes at the August 18, 2020, Board meeting which was held via videoconference and were not present to sign the document.