

**REVISED
A G E N D A**

OKLAHOMA WATER RESOURCES BOARD

**March 8, 2005
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, March 1, 2005, at 5:30 p.m. A copy of this agenda is available on the OWRB website at www.owrb.state.ok.us. Revised items are indicated by “•” and italics.

01000 1. CALL TO ORDER Chairman Mitchell

- A. Invocation
- B. Roll Call
- C. Discussion, Amendments, and Vote to Approve Official Minutes of the February 8, 2005, Regular Meeting.
- D. Executive Director's Report. **Mr. Duane Smith**

02000 2. FINANCIAL ASSISTANCE DIVISION Mr. Joe Freeman

- A. Consideration of and Possible Action on a Proposed Order Approving Extension of Time for Obligation of Funds for Oologah Municipal Authority, Rogers County. Recommended for Approval.
- B. Presentation of Standard & Poor's Credit Rating Analysis of the Oklahoma Water Resources Board's Outstanding Debt Obligations

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Mitchell

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 Action on Items and Approval of Items 3. C through 3. O.
- C. Consideration of Approval of the Following Application for REAP Grant in Accordance with the Proposed Order Approving the Grant:

REAP				Amount
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Recommended</u>
SODA				
1.	FAP-04-0012-R	Rural Water District #1	Love	\$90,000.00

- D. Contract and Agreements Recommended for Approval
 - 1. Consideration of Subagreement with the University of Oklahoma Board of Regents through its Oklahoma Climatological Survey to Install Equipment for the Arbuckle-Simpson Hydrologic Study.
 - 2. Consideration of Amendment to Joint Funding Agreement with the U. S. Geological Survey for Investigating Recharge Dates of Groundwater in the Garber-Wellington Aquifer at Tinker Air Force Base.
 - 3. Consideration of Amendment to Subcontract Agreement with Science Applications International Corporation (SAIC) to Extend the Time for Performance on Project to Investigate Recharge Dates of Groundwater in the Garber-Wellington Aquifer at Tinker Air Force Base.
 - 4. Consideration of Amendment to Specific Cooperative Agreement with the U. S. Department of Agriculture – Agricultural Research Service for Monitoring and Evaluating Streamflow Height in the Little Washita River Experimental Watershed.
 - 5. Consideration of Interagency Agreement with the Oklahoma Department of Tourism and Recreation for Water Resources Projects at **Beavers Bend State Park. Language corrected**
 - 6. Consideration of Subagreement with Weather Decisions Technology for Evaluation of Weather Modification Activities.

E. Applications for Temporary Permits to Use Groundwater:
None

F. Applications to Amend Temporary Permits to Use Groundwater:
None

- G. Applications for Regular Permits to Use Groundwater:
1. H. A. Kilgore & Sons, L.L.C., Texas County, #2004-517
 2. Town of Byars, McClain County, #2004-583
 3. Dolese Bros. Co., Pottawatomie County, #2004-591

- H. Applications to Amend Regular Permits to Use Groundwater:
1. Ervin & Emma M. Mitchell, Beaver County, #1975-806

- I. Applications to Amend Prior Rights to Use Groundwater:
None

- J. Applications for Regular Permits to Use Stream Water:
1. Porum Public Works Authority, McIntosh County, #2001-007

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

- L. Well Driller and Pump Installer Licensing:
New Licenses, Accompanying Operator Certificates and Activities:

- **1. Licensee: John Haven** **DPC-0633**
a. Operator: John Haven **OP-1426**
Activity: Pump Installation **Item added**
- 2. Licensee: Panhandle Area Sales and Service DPC-0635
a. Operator: Brandy Nelson OP-1427
Activities: Pump installation
- 3. Licensee: Kitchens Corrosion Control, Inc. DPC-0637
a. Operator: Darrin S. Stark, Sr. OP-1429
Activities: Groundwater wells, test holes and observation wells
- 4. Licensee: ESN – Great Plains DPC-0639
a. Operator: Jason Lauer OP-1430
Activities: Monitoring wells and geotechnical borings

New Operators and/or Activities for Existing Licenses:

1. Licensee: American Water Well DPC-0684
a. Operator: Grady Bedell OP-1428
Activities: Pump installation

- M. Dam and Reservoir Plans and Specifications:
1. Payne County Conservation District & Stillwater Creek Conservancy District No. 16, Payne County, DS-05-01
 2. Summit Lake, L.L.C., South Lake Dam, Oklahoma County, DS-05-02
 3. Summit Lake, L.L.C., White Pine Trail, Oklahoma County, DS-05-03

- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
None

- **O. Consideration of Agreed Settlement and Consent Order Relating to Harold W. Newman d/b/a Newman Water Well Drilling, License No. DPC-0573 and Operator Certificate No. OP-1247, Recommended for Approval.** **Item added**

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

No items.

05000 5. SPECIAL CONSIDERATION Chairman Mitchell

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).

A. Application for Temporary Permit to Use Groundwater No. 2004-547, Whitlock Packaging Corp., Muskogee County:

1. Summary – **Mr. Mathis**
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. Consideration of Items Transferred from Summary Disposition Agenda, if any.

06000 6. PRESENTATION OF AGENCY BUDGET REPORT Mr. Jim Schuelein

07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY

8. PRESENTATION OF FINAL PROPOSED NEW PERMANENT RULES AND AMENDMENTS TO CURRENT RULES OF THE BOARD

- A. Background and Summary of Public Participation – **Duane Smith**
- B. Proposed Amendments to Chapter 1 - Organization and Procedure of the OWRB
 - 1. Summary of final draft proposed rules – **Duane Smith**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
- C. Proposed Amendments to Chapter 20 – Taking and Use of Streamwater
 - 1. Summary of final draft proposed rules – **Mike Mathis**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
- D. Proposed Amendments to Chapter 35 – Well Driller and Pump Installers Licensing
 - 1. Summary of final draft proposed rules – **Mike Mathis**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
- E. Proposed Amendments to Chapter 46 – Water Quality Standards Implementation
 - 1. Summary of final draft proposed rules – **Derek Smithee**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.
- F. Proposed Amendments to Chapter 55 – Floodplain Management
 - 1. Summary of final draft proposed rules – **Mike Mathis**
 - 2. Questions and Discussion by Board Members
 - 3. Comments by Public
 - 4. Vote on whether to approve proposed amendments as presented or as may be revised after discussion and comment.

9. NEW BUSINESS

Chairman Mitchell

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 Mitchell

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, April 12, 2005, 9:30 a.m., at the Oklahoma City offices of the Board, 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.