

REVISED AGENDA
OKLAHOMA WATER RESOURCES BOARD

May 9, 2006
9:30 a.m.

Oklahoma Water Resources Board Offices
3800 N. Classen Boulevard
Oklahoma City, Oklahoma

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 2, 2006, 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 Rudy Herrmann**
- A. Invocation
 - B. Roll Call
 - C. Discussion, Amendments, and Vote to Approve Official Minutes of the April 19, 2006, 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 Emergency Grant for Rural Water District #5, Pushmataha County. Recommended for Approval.
 - B. Consideration of and Possible Action on a Proposed Order Approving Loan for Rural Water & Sewer District #4, Lincoln County. Recommended for Approval.
 - C. Consideration of and Possible Action on a Proposed Order Approving Loan for Broken Bow Public Works Authority, McCurtain County. Recommended for Approval.
 - D. Consideration of and Possible Action on a Proposed Order Approving Loan for Broken Bow Public Works Authority, McCurtain County. Recommended for Approval.
 - E. Consideration of and Possible Action on a Proposed Order Approving Loan for Ardmore Public Works Authority, Carter County. Recommended for Approval.

- F. Consideration of and Possible Action on a Proposed Order Approving Loan for Tulsa Metropolitan Utility Authority, Tulsa County. Recommended for Approval.
- G. Consideration of and Possible Action on a Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds, Series 2006A in Aggregate Principal Amount Not to Exceed \$10,000,000; Approving and Authorizing Execution of a Thirteenth Supplemental Bond Resolution Providing for the Issuance of Said Bonds; Waiving Competitive Bidding on the bonds and Authorizing the Sale Thereof by Negotiation and at a Discount Pursuant to the Terms of a Contract of Purchase Pertaining Thereto; Approving a Preliminary Official Statement With Respect to Said Bonds; Directing Deposit of Proceeds Derived From the Issuance of the Bonds in the State Treasury and Requesting the State Treasurer to Remit Such Proceeds to the Bond Trustee; Ratifying and Approving the Form of Promissory Note and Loan Agreement to be Executed by Borrowers in the State Loan Program; Authorizing Execution of Such Other and Further Instruments, Certificates and Documents as May be Required for the Issuance of the Bonds; Directing Payment of Costs of Issuance and Containing Other Provisions Relating to the Issuance of the Bonds. Recommended for Approval.
- H. Consideration of and Possible Action on a Resolution Authorizing the Issuance of Oklahoma Water Resources Board State Loan Program Revenue Bonds, Series 2006B in Aggregate Principal Amount Not to Exceed \$54,000,000; Approving and Authorizing Execution of a Fourteenth Supplemental Bond Resolution Providing for the Issuance of Said Bonds; Waiving Competitive Bidding on the Bonds and Authorizing the Sale Thereof by Negotiation and at a Discount Pursuant to the Terms of a Contract of Purchase Pertaining Thereto; Approving a Preliminary Official Statement with Respect to Said Bonds; Directing Deposit of Proceeds Derived from the Issuance of the Bonds in the State Treasury and Requesting the State Treasurer to Remit Such Proceeds to the Bond Trustee; Ratifying and Approving the Form of Promissory Note and Loan Agreement to be Executed by Borrowers in the State Loan Program; Authorizing Execution of Such Other and Further Instruments, Certificates and Documents as May be Required for the Issuance of the Bonds; Directing Payment of Costs of Issuance and Containing Other Provisions Relating to the Issuance of the Bonds. Recommended for Approval.
- I. Consideration of and Possible Action on a Resolution Authorizing the Transfer of Funds Between the Clean Water and Drinking Water State Revolving Fund Loan Programs. Recommended for Approval.

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 Action on Items and Approval of Items 3. C through 3. O.

C. Consideration of Approval of the Following Applications for REAP Grants in Accordance with the Proposed Orders Approving the Grants:

REAP				
<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
ACOG				
1.	FAP-04-0023-R	Calumet Public Works Authority	Canadian	\$99,700.00
COEDD				
2.	FAP-03-0007-R	Maud Public Works Authority	Pottawatomie	99,500.00
GGEDA				
3.	FAP-05-0003-R	Picher Public Works Authority	Ottawa	99,000.00
NODA				
4.	FAP-05-0008-R	Rural Water, Sewer & Solid Waste Management District #1	Alfalfa	82,526.00
SODA				
5.	FAP-05-0004-R	Milo-Woodford Rural Water, Sewer, Gas & Solid Waste Management District	Carter	77,700.00

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

1. Consideration of Amendment to a Joint Funding Agreement With the United States Department of the Interior U.S. Geological Survey Increasing State Cooperator Funding for the Investigations of the Water Resources of the Arbuckle-Simpson Aquifer, South Central Oklahoma
2. Consideration of Extension of Intergovernmental Subagreement With the Oklahoma State University Department of Plant and Soil Sciences for Evaluation of Hydrology, Water Quality and Water Resources Management of the Arbuckle-Simpson Aquifer Special Study Whereby OSU Will Perform a Portion of the OWRB's Responsibilities
3. Consideration of Professional Services Contract Between Michael A. Albano and Oklahoma Water Resources Board
4. Consideration of Professional Services Contract Between WK Morris Consulting, LLC and Oklahoma Water Resources Board
5. Consideration of Letter Agreement Planning Assistance to the States Between the District Engineer for the Tulsa District, U.S. Army Corps of Engineers and the City of Bartlesville Regarding the Preparation of the Comprehensive Plans for the Development, Utilization and Conservation of Water and Related Land Resources.
6. Consideration of Interagency Agreement with Oklahoma Conservation Commission for Monitoring and Assessing Watershed Activities

7. Consideration of Interagency Agreement with the Department of Environmental Quality Regarding the Drinking Water State Revolving Fund
 8. Consideration of Agreement with Doubletree Hotel at Warren Place for Services in Connection with the OWRB June Board Meeting.
 9. Consideration of Professional Services Contract Between Terri G. Sparks and the Oklahoma Water Resources Board
- E. Applications for Temporary Permits to Use Groundwater:
1. Lugene Ethel Jones and Kenneth K. Jones Revocable Trusts, Custer County, #2006-508
- F. Applications to Amend Temporary Permits to Use Groundwater:
None
- G. Applications for Regular Permits to Use Groundwater:
1. Tommy R. and Gail Kiker, Seminole County, #2005-581
- H. Applications to Amend Regular Permits to Use Groundwater:
None
- I. Applications to Amend Prior Rights to Use Groundwater:
None
- J. Applications for Regular Permits to Use Stream Water:
1. The Double D Lodge, L.L.C., Lincoln County, #2005-024
 2. Dennis Hall, Bryan County, #2006-005
 3. Matt Moreland, Grant County, #2006-012
 4. Johnny R. and Sandra McCabe, Latimer County, #2006-013
 5. Ryan Reheman, Kingfisher County, #2006-016
- K. Applications to Amend Regular Permits to Use Stream Water:
None
- L. Well Driller and Pump Installer Licensing:
- 1. *New Operators and/or Activities for Existing Licenses:*
 - a. *Licensee: Craig's Water Well Service.* *DPC-0714*
 - Operator: Craig Wenthold* *OP-1494*
 - Activities: Groundwater wells, test holes and observation wells*
- Item added**
- M. Dam and Reservoir Plans and Specifications:
1. Gregory Little, DS-06-03, Caddo County
 2. USDA-NRCS and Caney Valley Conservation District, Double Creek Site No. 2, Washington County
 3. USDA-NRCS and Upper Washita Conservation District, Sandstone Creek Site No. 16A, Roger Mills County

- N. Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:
 - 1. Oklahoma Department of Transportation, Creek County, FP-06-01
 - 2. Oklahoma Department of Transportation, Wagoner County, FP-06-02
- O. Applications for Accreditation of Floodplain Administrators:
Names of floodplain administrators to be accredited and their associated communities are individually set out in the May 9, 2006 packet of Board materials

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

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).

- A. Application to Amend Temporary Permit to Use Groundwater No. 1980-556, Howard Reimer, Major County:
 - 1. Summary – **Mr. Mike 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. Application to Amend Temporary Permit to Use Groundwater No. 1982-878, Rural Water & Sewer District No. 5, Garfield County:
 - 1. Summary – **Mr. Mike 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
- C. Application for Limited Quantity Temporary Permit to Use Groundwater No. 2005-580, Harvard L. and Judith D. Tomlinson, Trustees of the Tomlinson Family Trust, Stephens County:
1. Summary – **Mr. Mike 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
- D. Consideration of Items Transferred from Summary Disposition Agenda, if any.

06000 6. PRESENTATION OF AGENCY BUDGET REPORT Mr. Monte Boyce

**07000 7. CONSIDERATION OF SUPPLEMENTAL AGENDA ITEMS, IF ANY
Chairman Herrmann**

8. 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.

9. ADJOURNMENT Chairman Herrmann

The next meeting of the Oklahoma Water Resources Board will be held on Tuesday, June 20, 2006, in Tulsa, Oklahoma.