

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

September 15, 2015

9:30 a.m.

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 September 11, 2015, at 4:15 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

01000 1. CALL TO ORDER Secretary Jason Hitch

- A. Roll Call
- B. Nomination and Vote to Elect Acting Chairman for the September Meeting Proceedings.
- C. If necessary, Appointment of Acting Secretary.
- D. Discussion, Amendments, and Vote to Approve Official Minutes of the August 18, 2015, Regular Meeting.
- E. Executive Director's Report **Mr. J.D. Strong**
- F. 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 Ada Public Works Authority, Pontotoc County. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Acting Chairman

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. 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>
None				

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

- 1. Letter Agreement with U.S. Army Corps of Engineers through District Engineer for the Tulsa District for the Phase 2 completion of bathymetric surveys, yield analyses of municipal and industrial public water supply lakes.
- 2. No-Cost Time Extension Agreement between OWRB and Oklahoma State University, Department of Zoology for water monitoring and sampling programs in coordination with other state environmental agencies.
- 3. Intergovernmental Agreement with the University of Oklahoma through its University Outreach/College of Continuing Education’s Forum & Conference Services (“OCCE”) to provide required continuing education for floodplain managers and administrators.
- 4. Intergovernmental Agreement with the Texas Commission on Environmental Quality (TCEQ) for the development of a common online platform and data transfer methodology and software in association with the Western States Water Council's Water use Data Exchange Project.
- 5. Intergovernmental Agreement with the Office of the Secretary of Energy & Environment for reimbursement of monies for the water monitoring and pollution control programs.

E. Consideration of and Possible Action on Applications for Temporary Permits to Use Groundwater:

- 1. Barry Bollenbach, Sr., Kingfisher County, #2014-603
- 2. Keith Alan Welch, Harmon County, #2015-536
- 3. Commissioners of the Land Office, Jackson County, #2015-537
- 4. Jeffrey C. Prater, Stephens County, #2015-557
- 5. Walter A. Bode, II & Rita G. Bode, Major County, #2015-564
- 6. Paul E. & Gracie J. Cook, Alfalfa County, #2015-571
- 7. Rempel Farms, Inc., Grant County, #2015-572
- 8. Withers Ranches, Inc. Caddo County, #2015-577

- F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:
1. Kronseder Farms, Inc., Major County, #1974-055
 2. Sue Schroeder, Major County, #1976-673
 3. Sandhill Resources, Inc., Grant County, #1980-575
- G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:
1. James & Deann Smith, Pottawatomie County, #2014-592
 2. Commissioners of the Land Office, Greer County, #2015-538
 3. Keith R. Gray Trust, Murray County, #2015-556
 4. Charles D. & Lynda S. Roberts, Pontotoc County, #2015-567
 5. Corey Barnes and Greg Barnes, Texas County, #2015-569
- H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:
1. City of Elk City, Beckham County, #1979-568
 2. Roos Ranch, Inc., Murray County, #1984-653
 3. MPH, L.L.C., Beaver County, #1995-590
- I. Consideration of and Possible Action on Applications to Amend Prior Rights to Use Groundwater:
1. Tuls Hemann Enterprises Land, L.L.C., Cimarron County, #1968-347B
 2. Joe E. Mackey, Kingfisher County, #1970-296
- J. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:
1. Alpha Farms, L.L.C., Kingfisher County, #2015-023
- K. Consideration of and Possible Action on Applications for Term Permits to Use Stream Water:
- None
- L. Consideration of and Possible Action on Dam and Reservoir Construction:
- None
- M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:
1. New Licenses and Operators:
 - a. Licensee: Walker Pump Service DPC-0945
 1. Operator: Doug Walker OP-2114
 2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 - a. Licensee: Van & Company Geothermal, Inc. DPC-0212
 1. Operator: Alan Moin OP-2115
 - b. Licensee: GSI Engineering, L.L.C. DPC-0385
 1. Operator: Audie Thornburg OP-1847
- 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. Town of Buffalo, Brian D. Bowles, #FPA-644
 2. City of Catoosa, Craig M. Stokes, #FPA-645
 3. Creek County, Meagan M. Vandecar, #FPA-646
 4. City of Cushing, Eric L. Smith, #FPA-647
 5. City of Newcastle, Rebecca L. Brewster, #FPA-648
 6. Tonkawa Tribe, Theresa A. Mills, #FPA-649
 7. City of Tulsa, Doug D. Duke, #FPA-650

04000 4. AGENCY MATTERS AND OTHER ITEMS OF INTEREST

- A. No items.

05000 5. SPECIAL CONSIDERATION

Acting Chairman

- A. Consideration of and Possible Action on Proposed Findings of Fact, Conclusions of Law and Board Order on Application for Temporary Groundwater Permit No. 2012-573, Enid Municipal Authority, Major County:

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

Acting Chairman

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 (1) 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. and (2) Oklahoma Farm Bureau Legal Foundation, et al., v. Oklahoma Water Resources Board, v. Tishomingo National Fish Hatchery, 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 Acting Chairman

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 Acting Chairman

The next regular meeting of the Oklahoma Water Resources Board will be held at 9:30 a.m., October 20, 2015, at the OWRB Offices located at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

9/11/2015