

A G E N D A

OKLAHOMA WATER RESOURCES BOARD

April 19, 2016
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 April 15, 2016, at 3:00 p.m. A copy of this agenda is available on the OWRB website at www.owrb.ok.gov.

01000 1. CALL TO ORDER Chairman Linda Lambert

- A. Roll Call
- B. Discussion, Amendments, and Vote to Approve Official Minutes of the March 15, 2016, 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. No items.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS Chairman Lambert

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>
GGEDA				
a.	FAP-13-0014-R	Colcord Public Works Authority	Delaware	Change of Scope
KEDDO				
b.	FAP-11-0040-R	Sardis Lake Water Authority	Pushmataha	\$99,999.00
OEDA				
c.	FAP-16-0007-R	Quinlan Community Rural Water District #1	Woodward	80,000.00
SODA				
d.	FAP-16-0018-R	Rural Water Sewer and Solid Waste Management District #6	Bryan	99,999.00

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

1. Interagency Agreement with the Department of Environmental Quality ("DEQ") for payment of shared office spaces located in McAlester and Woodward.

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

1. Cecil E. Cales Jr. and Nona L. Cales Trust, Osage County, #2015-555
2. White Oak, L.L.C., Kingfisher County, #2015-604

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. Keith R. Gray Trust, Johnston County, #2015-553

H. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Groundwater:

1. Gary Nightengale, Blaine County, #1995-584

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. Oka Hayaka Hunt Club, L.L.C., Pottawatomie County, #2015-036
- K. Consideration of and Possible Action on Applications to Amend 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 Operators, Licensee Name Change, and/or Activities for Existing Licenses:
 - a. Licensee: Layne Christensen DPC-0123
 - 1. Operator: Cameron Holsclaw OP-2152
 - b. Licensee: Aqua Well Drilling, Inc. DPC-0708
 - 1. Operator: Brandon Baker OP-2153
 - c. License: Fire and Ice Geothermal, L.L.C. DPC-0432
 - 1. Operator: Thad Howard OP-2154
- 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. Brock Moore, City of Barnsdall, #FPA-670
 - 2. Matthew S. Ryan, Creek County, #FPA-671
 - 3. Jeffrey S. Birch, Town of Gracemont, #FPA-672
 - 4. Robert L. Stankewitz, Town of Panama, #FPA-673
 - 5. John O. Moore, City of Piedmont, #FPA-674
 - 6. Tommy L. Arnold, Pottawatomie County, #FPA-675
 - 7. Michael W. Beaty, City of Stillwater, #FPA-676
 - 8. Jim L. Whisenant, City of Vinita, #FPA-677
 - 9. Joy G. McKillip, City of Weatherford, #FPA-678
 - 10. Kathryn N. Starkey, City of Weleetka, #FPA-679

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

- A. No items.

05000 5. SPECIAL CONSIDERATION Chairman Lambert

- A. Consideration of and Possible Action on Proposed Findings of Fact, Conclusions of Law and Board Order on Application for Permit to Use Stream Water No. 2012-007 filed January 31, 2012, James E. West, Johnston 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

Chairman Lambert

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 Lambert

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 Lambert

The next regular meeting of the Oklahoma Water Resources Board will be held at 9:30 a.m., May 17, 2016, at the OWRB Offices located at 3800 N. Classen Boulevard, Oklahoma City, Oklahoma.

4/15/2016