

**FINAL AGENDA
OKLAHOMA WATER RESOURCES BOARD**

**January 21, 2025
9:30 A.M.**

3800 N. Classen Blvd., Oklahoma City, Oklahoma 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 January 16, 2025, at 2:30 p.m. A copy of this agenda is available on the OWRB website at Oklahoma.gov/owrb.

01000 1. CALL TO ORDER

Chairman Jennifer Castillo

- A. Roll Call.
- B. Discussion, Amendments, and Vote to Approve Minutes of December 17, 2024, Regular Meeting.
- C. Executive Director’s Report and possible discussion: **Director Julie Cunningham**
 - 1. Calendar Items
 - 2. Legislative Update
 - 3. Agency Update
- D. Financial Update and Possible Discussion **Mr. Cleve Pierce**

02000 2. FINANCIAL ASSISTANCE DIVISION

Ms. Lori Johnson

- A. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for The Grove Municipal Services Authority, Delaware County, Oklahoma. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for the Oklahoma City Water Utilities Trust, Oklahoma County, Oklahoma. Recommended for Approval.
- C. Consideration of and Possible Action on a Proposed Order Approving State Loan Program Revenue Bond Loan Funding Application for the Piedmont Municipal Authority, Canadian County, Oklahoma. Recommended for Approval.

03000 3. SUMMARY DISPOSITION AGENDA ITEMS

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.

3.C Consideration of and Possible Action on Financial Assistance Division Items:

1. Emergency Grant Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
a.	FAP-25-0003-G	Pawhuska Public Works Authority	Osage	\$ 55,500.00

2. 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>
ASCOG a.	FAP-25-0075-R	The Geronimo Public Works Authority	Comanche	\$ 144,925.00
COEDD b.	FAP-25-0067-R	Carney Public Utilities Authority	Lincoln	\$ 99,999.00
GGEDA c.	FAP-25-0038-R	The Bernice Public Works Authority	Delaware	\$ 85,168.00
INCOG d.	FAP-25-0029-R	Rural Water, Sewer, and Solid Waste Management District No. 3	Osage	\$ 99,999.00
KEDDO e.	FAP-25-0025-R	Kiowa Public Works Authority	Pittsburg	\$ 99,999.00
NODA f.	FAP-25-0070-R	The Cashion Public Works Authority	Kingfisher	\$ 99,999.00
OEDA g.	FAP-25-0064-R	Harper County Rural Water District No. 1	Harper	\$ 88,245.72

3. CWSRF Principal Forgiveness Loan Applications:
None.

4. 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-23-0095-DW	Midwest City Municipal Authority	Oklahoma	\$ 219,000.00

b.	ORF-22-0043-DW	The Salina Public Works Authority	Mayes	\$ 950,000.00
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5. Sewer Overflow and Stormwater Reuse Municipal Grants (“OSG”) None.

6. American Rescue Plan Act (ARPA) Grant Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
a.	ARP-23-0043-DTG	City of Coweta	Wagoner	\$ 128,000.00

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

1. Statement of Work between the Office of Management and Enterprise Services Information Services and OWRB providing the building of an OWRB Water Division data processing server, connecting to data services for continuous processing of incoming data.
2. Contract for Professional Services between HISINC, LLC and OWRB to administer, manage and implement floodplain administration assignments as requested by OWRB.
3. Amendment Agreement between Meshek & Associates, LLC and OWRB extending time and adding to the scope of work to provide professional engineering services in connection with Cooperating Technical Partnership Program Assistance for the creation and maintenance of Flood Hazard Data.
4. Joint Funding Agreement between the United States Geological Survey and OWRB for modeling scenarios to assess regional impacts to stream flows from groundwater withdrawals in the Arbuckle-Simpson aquifer, part of Phase II of the Arbuckle-Simpson hydro study funded through class 23500.
5. First Amendment to the Grant Agreement with the Office of Management and Enterprise Services for the administrative services related to the American Rescue Plan Act Grant Funds designated by the Legislature for the Lugert-Altus Irrigation District grant funds for irrigation improvement projects.
6. Fourth Amendment to the Grant Agreement with the Office of Management and Enterprise Services for the administrative services related to the American Rescue Plan Act Grant Funds designated by the Legislature for the Tribal cooperation grant matching funds for water and wastewater infrastructure projects.
7. Second Amendment to the Grant Agreement with the Office of Management and Enterprise Services for the administrative services related to the American Rescue Plan Act Grant Funds designated by the Legislature for the Ardmore Air Park, Fair Oaks Ranch, OKC 577, Port of

Inola, Statewide Targeted Water Investment Fund, and Tinker Air Force Base grants funds for water and wastewater infrastructure projects.

8. Third Amendment to the Grant Agreement with the Office of Management and Enterprise Services for the administrative services related to the American Rescue Plan Act Grant Funds designated by the Legislature for the Water/Sewer/Dam Programs grant funds for water and wastewater infrastructure projects.

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

1. Dantz Hall and Summer Hall, Jackson County, 2023-612
2. Rickie and Lary Moua, Delaware County, 2023-647
3. Mechelle A. Allen, LLC, Caddo County, 2024-579
4. Graydon Tyler Bottom, Washita County, 2024-597

F. Consideration of and Possible Action on Applications to Amend Temporary Permits to Use Groundwater:

1. Weston and Carly Kay, Harmon County, 2023-579

G. Consideration of and Possible Action on Applications for Regular Permits to Use Groundwater:

1. Daniel W. and Janet Sue Sherry, Canadian County, 2023-659
2. 4 Double J, LLC, Custer County, 2024-629
3. Cole Dalton File and Chelsea Lyn File, Ellis County, 2024-642
4. Trae James Watson, Beaver County, 2024-650

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

1. Celebrity Feeders, LLC, Cimarron County, 1980-506
2. Marietta Public Works Authority, Love County, 1985-656
3. Brennan J, Hendershot, Beckham County, 2001-564D

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/Seasonal Permits to Use Stream Water:

1. Freedom Rock Ranch, LLC, Atoka County, 2022-028

K. Consideration of and Possible Action on Applications for Regular Permits to Use Stream Water:

1. Ronnie Harrell, Garvin County, 2024-010

L. Consideration of and Possible Action on Applications to Amend Regular Permits to Use Stream Water:

1. Oklahoma Tourism and Recreation Department, Carter County and Love County, 1977-165
2. The City of Ponca City, Kay County, 1993-034

M. Consideration of and Possible Action on Well Driller and Pump Installer Licensing:

1. New Licenses, Accompanying Operator Certificates and Activities:

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|--|----------|
| A. Licensee: Hilburn Drilling & Pump Service | DPC-1121 |
| 1. Operator: Evan Hilburn | OP-2566 |
| Activities: Monitoring wells | |
| B. Licensee: A.L. Moser Drilling, LLC | DPC-1123 |
| 2. Operator: Lesley Westbrook | OP-2567 |
| Activities: Pump Installation | |

2. New Operators, Licensee Name Change, and/or Activities for Existing Licenses:

- | | |
|---|----------|
| A. Licensee: Vanguard Well Resources | DPC-1040 |
| 1. Operator: Jacob Friessen | OP- 2526 |
| Activities: Pump installation | |
| B. Licensee: Rippetoe Farms | DPC-0900 |
| 2. Operator: Glen Tigner | OP- 2568 |
| Activities: Pump installation and groundwater wells | |
| C. Licensee: Rippetoe Farms | DPC-0900 |
| 3. Operator: Tyler VanMeter | OP- 2569 |
| Activities: Heat exchange | |
| D. Licensee: A.L. Moser Drilling, LLC | DPC-1123 |
| 4. Operator: Collin Westbrook | OP- 2570 |
| Activities: Pump installation | |

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

1. Lightning Creek Detention Pond A, Cleveland County, OK11070

O. Consideration of and Possible Action on Permit Applications for Proposed Development on State Owned or Operated Property within Floodplain Areas:

None

P. Consideration of and Possible Action on Applications for Accreditation of Floodplain Administrators:

1. William Stevens, Greer County, #FPA-374
2. Joshua Grover, Carter County, #FPA-800
3. Rue Glover, Caddo County, #FPA-835
4. Brian Clere, McCurtain County, #FPA-254
5. Sonny Meeks, Mayes County, #FPA-263
6. Michael Payne, Grant County, #FPA-40

Q. Consideration of and Possible Action on a Proposed Default Order:

1. Proposed Default Order for Roger Fine, DBA Peggs Well and Pump Service

**04000 4. PUBLIC HEARING ON PROPOSED NEW AND AMENDED PERMANENT
RULES OF THE BOARD Chairman Castillo**

A. Rules Amendments Recommended for Adoption in Chapter 5 – Fees

1. Summary – Mr. Yohanes Sugeng

Subchapter 1. General Provisions

785:5-1-9. Dam safety and inspection fees [AMENDED]

785:5-1-21. Documentation reviews related water trapped in producing mines
[AMENDED]

2. Questions and Discussion by Board Members

**3. Vote on whether to approve recommended amendments as presented or as may be revised
after discussions.**

**B. Rules Amendments Recommended for Adoption in Chapter 20 – Appropriation and Use of
Stream Water**

1. Summary – Mr. Chris Neel

Subchapter 1. General Provisions

785:20-1-3. Statutory provisions on violation and penalties [AMENDED]

Subchapter 3. Application Requirements and Processing

785:20-3-2. General application requirements [AMENDED]

785:20-3-9. Defective applications; when applications deemed withdrawn [AMENDED]

Subchapter 7. Permits

785:20-7-1. Classes of stream water permits [AMENDED]

Subchapter 9 Actions after Stream Water Right Obtained

785:20-9-5. Reports [AMENDED]

APPENDIX A. Application for a Permit to Use Surface or Stream Water [REVOKED]

2. Questions and Discussion by Board Members

**3. Vote on whether to approve recommended amendments as presented or as may be revised
after discussions.**

C. Rules Amendments Recommended for Adoption in Chapter 25 – Dams and Reservoirs

1. Summary – Mr. Yohanes Sugeng

Subchapter 3. Responsibility, Classification and Design Standards

785:25-3-6. Minimum spillways performance standards [AMENDED]

Subchapter 7. Post Approval Actions

785:25-7-8. Certificate of completion [AMENDED]

Subchapter 9. Actions After Construction

785:25-9-1. Inspections of dams [AMENDED]

2. Questions and Discussion by Board Members
3. Vote on whether to approve recommended amendments as presented or as may be revised after discussions.

D. Rules Amendments Recommended for Adoption in Chapter 30 – Taking and Use of Groundwater

1. Summary – **Mr. Chris Neel**

Subchapter 3. Permit Application Requirements and Processing

785:30-3-1. General application requirements [AMENDED]

785:30-3-3. Acceptance of application for filing; when applications deemed withdrawn [AMENDED]

Subchapter 5. Groundwater Permits

785:30-5-4. Provisional Temporary permits [AMENDED]

Subchapter 7. Amendments to Groundwater Rights

785:30-7-4. Adding or replacing a well for the purpose of exercising prior rights or existing permits [AMENDED]

785:30-7-8. Consolidation of permits [REVOKED]

Subchapter 13. Miscellaneous Provisions

785:30-13-5. Allocation of municipal water

APPENDIX D. Identified Springs that Emanate from a Sensitive Sole Source Groundwater Basin [AMENDED]

2. Questions and Discussion by Board Members
3. Vote on whether to approve recommended amendments as presented or as may be revised after discussions.

E. Rules Amendments Recommended for Adoption in Chapter 35 – Well Driller and Pump Installer Licensing

1. Summary – **Mr. Charles O'Malley**

Subchapter 13. Authorization to Drill Groundwater Wells

785:35-13-1. Authorization to drill groundwater wells [AMENDED]

2. Questions and Discussion by Board Members
3. Vote on whether to approve recommended amendments as presented or as may be revised after discussions.

F. Rules Amendments Recommended for Adoption in Chapter 50 – Financial Assistance

1. Summary – **Ms. Lori Johnson**

Subchapter 6. Water and Sewer Program Emergency Grants Requirements and Procedures

785:50-6-1. Approval criteria [AMENDED]

785:50-6-3. Emergency grant priority point system [AMENDED]

785:50-6-4. Disbursement of grant funds [AMENDED]

Subchapter 8. Rural Economic Action Plan (REAP) Grant Program Requirements and Procedures

785:50-8-2. Definitions [AMENDED]

785:50-8-3. Application review and disposition [AMENDED]

785:50-8-4. Applicable law; deadline for applications; eligible project costs [AMENDED]

785:50-9-5. REAP grant priority point system
Subchapter 9. Clean Water State Revolving Fund Regulations
Part 3. General Program Requirements
785:50-9-23. Clean Water SRF Project Priority System [AMENDED]
Subchapter 20. Safeguarding Tomorrow Revolving Loan Program Regulations [NEW]
785:50-20-1. General program description and procedures [NEW]
785:50-20-2. General approval standards and criteria [NEW]
785:50-20-3. Terms and conditions [NEW]
785:50-20-4. Disbursement of funds and conditions for disbursement [NEW]

2. Questions and Discussion by Board Members
3. Vote on whether to approve recommended amendments as presented or as may be revised after discussions.

05000 5. SPECIAL CONSIDERATION

Chairman Jennifer Castillo

A. Consideration of and Possible Action on Application for a Limited Quantity Regular Groundwater Right No. 2022-563, OKGA, LLC, Cleveland County, Oklahoma:

1. Summary – **Mr. Chris Neel**
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.

06000 6. NEW BUSINESS

Chairman Jennifer Castillo

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.

07000 7. ADJOURNMENT

Chairman Jennifer Castillo

The next regular meeting of the Oklahoma Water Resources Board will be held on Tuesday, February 18, 2025, at 9:30 am. In the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK 73118.