

**DRAFT AGENDA  
OKLAHOMA WATER RESOURCES BOARD**

**December 17, 2024  
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 December 5 4, 2024, at 2:00 p.m. A copy of this agenda is available on the OWRB website at [Oklahoma.gov/owrb](http://Oklahoma.gov/owrb).

**01000 1. CALL TO ORDER**

**Chairman Jennifer Castillo**

- A. Roll Call.
- B. Discussion, Amendments, and Vote to Approve Minutes of the October 21, 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 Drinking Water Funding Application for the Rural Water, Sewer and Solid Waste Management District No. 3, Johnston County, Oklahoma. Recommended for Approval.
- B. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for the Enid Municipal Authority, Garfield County, Oklahoma. Recommended for Approval.
- C. Consideration of and Possible Action on a Proposed Order Approving Drinking Water Funding Application for The Edmond Public Works Authority, Oklahoma County, Oklahoma. Recommended for Approval.
- D. Consideration of and Possible Action on a Proposed Order Approving Clean Water Funding Application for The Glenpool Utility Services Authority, Tulsa County, Oklahoma. Recommended for Approval.
- E. Consideration of and Possible Action on Proposed Resolution Authorizing Certain Individuals To Sign and Act on Behalf of the Board Regarding the Board’s Financial Assistance Program, State Revolving Fund Programs, other Financial Assistance grants, loans, and/or programs, and Issues

of Indebtedness and Authorizing Members to Act as Assistant Secretary. 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.

- 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. Emergency Grant Applications:

<u>Item No.</u>	<u>Application No.</u>	<u>Entity Name</u>	<u>County</u>	<u>Amount Recommended</u>
a.	FAP-25-0002-G	The Welch Public Works Authority	Craig	\$ 64,900.00

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>
ACOG a.	FAP-25-0005-R	The Orlando Public Works Authority	Logan	\$ 150,000.00
ASCOG b.	FAP-25-0009-R	The Wayne Public Works Authority	McClain	\$ 99,999.00
EODD c.	FAP-25-0061-R	Council Hill Public Works Authority	Muskogee	\$ 99,999.00
NODA d.	FAP-25-0062-R	The Kremlin-Hillsdale Rural Water District No.1	Garfield	\$ 99,999.06
SODA e.	FAP-25-0080-R	Town of Tatums	Carter	\$ 80,000.00
SWODA f.	FAP-25-0008-R	Rural Water, Sewer and Solid Waste Management District No. 2	Beckham	\$ 99,840.00

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-22-0043-DW	The Salina Public Works Authority	Mayes	\$ 950,000.00

5. Sewer Overflow and Stormwater Reuse Municipal Grants (“OSG”)  
None.

6. American Rescue Plan Act (ARPA) Grant Applications:  
None.

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

1. Amendment Agreement between Oklahoma Department of Environmental Quality and OWRB extending the date of service and updating contract pricing related to lab analysis.
2. Amended Joint Funding Agreement between OWRB and the U.S. Geological Survey reducing funding from both parties for the Surface Water Monitoring Program with the Oklahoma-Texas Water Science Center.
3. Agreement between OWRB and the Office of the Secretary of Energy and Environment aimed towards updating and increasing the accuracy of the National Wetlands Inventory by using current remote sensing datasets and determination of change of wetland type as a result of the creation of large reservoirs.
4. No-Cost Agreement Amendment between OWRB and the Board of Regents of the University of Oklahoma providing an extension of time for the Sponsored Research Agreement related to the modernization and migration of OWRB Geospatial Resources.

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

1. White Springs, LLC, Jefferson County, 2023-680
2. The Family Trust of John Warren and Darla Elaine Tharp, Kay County, 2024-503
3. Super Lee, LLC, Garfield County, 2024-509
4. Ricky R. and Carolyn Williams, Garvin County, 2024-519
5. Monte Lee Little and Janet Lynn Little, Washita County, 2024-609

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

1. John E. and Markie Jo Repp, Washita County, 1980-585B
2. Lavonne Kroeker, Major County, 2002-597
3. Phillips 66 Company, Kay County, 2022-510

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

1. Sunnywater Realty, Inc., Creek County, 2023-610
2. Jason Tyler Becker, Beaver County, 2024-520
3. Bobby and Annette Landreth, Blaine County, 2024-552
4. Hood Ranch Inc., Texas County, 2024-571
5. Theodore S. Sutton Inheritance Trust, Beaver County, 2024-589
6. Faith and Larry Willis Haynes, Beckham County, 2024-607

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

1. City of Elk City, Beckham County, 1974-044
2. Ronald D. Carey, Cimarron County, 1978-737
3. Beau and Kristen Carman, Beaver County, 1979-544
4. Celebrity Feeders, LLC, Cimarron County, 2000-551
5. Canadian County Rural Water District #4, Canadian County, 2007-549B

I. Consideration of and Possible Action on Applications to Amend Prior Right to Use Groundwater:

1. Trey and Amy Carlisle, Harper County, 1954-1162B

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. Jason Sylte RELP and Chris Sylte Relp, McCurtain County, 2023-018
2. Double Barrel Property Company, LLC, Wagoner County, 2023-019
3. 3520 Sparks, LLC, Lincoln County, 2024-014

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

None

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

1. New Licenses, Accompanying Operator Certificates and Activities:

- |  |          |
|--|----------|
| a. Licensee: Recoil Oilfield Services  | DPC-1056 |
| 1. Operator: Nick Cooper               | OP-2557  |
| Activities: Pump Installation          |          |
| b. Licensee: Almond Water Well Service | DPC-1058 |
| 2. Operator: Christopher Almond        | OP-2558  |
| Activities: Pump Installation          |          |

- c. Licensee: Rocking K Industries DPC-1060  
 3. Operator: Frank Loewen OP-2559  
 Activities: Ground water wells and pump installation
- d. Licensee: M&W Drilling LLC DPC-1062  
 4. Operator: John Schappell OP-2560  
 Activities: Groundwater wells and monitoring wells
- e. Licensee: Red River Water Well Drilling LLC DPC-1064  
 5. Operator: Eric Igo OP-2561  
 Activities: Groundwater wells

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

- a. Licensee: J & B Pump and Supply DPC-0587  
 1. Operator: Adolfo Diaz Jr OP- 2562  
 Activities: Pump installation
- b. Licensee: M&H Enterprises DPC-1046  
 2. Operator: Patrick Nickel OP- 2563  
 Activities: Pump installation
- c. Licensee: B&H Construction DPC-0765  
 3. Operator: Windel Hanks OP- 2564  
 Activities: Heat exchange
- d. Licensee: B&H Construction DPC-0765  
 4. Operator: Jonathan Koppel OP- 2565  
 Activities: Heat exchange

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

- 1. Ardmore City Lake Dam, Carter County, OK10500
- 2. Litsch Family Farm Pond Dam, Oklahoma County, OK30640

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

- 1. Oklahoma Turnpike Authority, Tulsa County, FP-2024-13
- 2. Port Pleasure HOA, Craig County, FP-2024-14

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

- 1. Toran French, McCurtain County, #FPA-78
- 2. Andrew Meyers, Oklahoma County, #FPA-564
- 3. Matt Lafée, Cotton County, #FPA-740
- 4. Ronald Wiseman, Hughes County, #FPA-22
- 5. Margaret Wyatt, Wagoner County, #FPA-133
- 6. Shawn Gibson, Creek County, #FPA-775
- 7. Aaron Scott, Pottawatomie County, #FPA-675

Q. Consideration of and Possible Action on a Second Consent Order:

1. Misty Lake, Cleveland County, OK12578
2. Shawnee City Lake, Pottawatomie County, OK11039

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

1. Katherine and James McCoy, Pittsburg County, 2023-626

S. Consideration of and Possible Action on an Acquisition of Assets:

1. Rural Water District No. 4, Hughes County, Oklahoma by Rural Water District No. 6, Hughes County, Oklahoma

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

A. Staff Presentations and Public comment on Amendments to Permanent Rules Proposed for Adoption During 2024

1. a. Summary of Proposed Amendments to Chapter 5 – Fees – 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]

b. Questions and Discussion by Board Members

c. Public Comment

2. a. Summary of Proposed Amendments to Chapter 20 -Appropriation and Use of Stream Water – 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]

b. Questions and Discussion by Board Members

- c. Public Comment
3. a. Summary of Proposed Amendments to Chapter 25 – Dams and Reservoirs –  
**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]
    - b. Questions and Discussion by Board Members
    - c. Public Comment
  4. a. Summary of Proposed Amendments to Chapter 30 – Taking and Use of Groundwater –  
**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]
    - b. Questions and Discussion by Board Members
    - c. Public Comment
  5. a. Summary of Proposed Amendments to Chapter 35 – Well Driller and Pump Installer Licensing –  
**Mr. Charles O'Malley**
    - Subchapter 13. Authorization to Drill Groundwater Wells
    - 785:35-13-1. Authorization to drill groundwater wells [AMENDED]
    - b. Questions and Discussion by Board Members
    - c. Public Comment
  6. a. Summary of Proposed Amendments to Chapter 50 – Financial Assistance –  
**Ms. Lori Johnson**

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

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

785:40-6-3. 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]

b. Questions and Discussion by Board Members

c. Public Comment

## 05000 5. SPECIAL CONSIDERATION

Chairman Jennifer Castillo

### A. Consideration of and Possible Action on Application for a Temporary Groundwater Right No. 2023-501, Sandra H. Benelli and Allen W. Benelli Co-Trustees of the Sandra H. Benelli Trust, McClain 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.

B. Consideration of and Possible Action on Application for a Limited Quantity Temporary Groundwater Right No. 2023-684, William J. & Julie K. Lewis, Creek 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.

C. Consideration of and Possible Action on Application for a Limited Quantity Groundwater Right No. 2023-531, Matt DeSantiago and Brett Williams, 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, January 21, 2025, at 9:30 am. In the offices of the OWRB, 3800 N. Classen Boulevard, Oklahoma City, OK 73118.