

**KANSAS-OKLAHOMA
ARKANSAS RIVER COMMISSION**

FORTY-SECOND ANNUAL REPORT

FISCAL 2009

JULY 1, 2008 to JUNE 30, 2009

THE COMMISSION

WILLIAM FRANKLIN
Federal Commissioner

EARNIE GILDER
Alternate Federal Commissioner

DAVID W. BARFIELD, PEGGY J. BLACKMAN, KENT OTT
Commissioners for Kansas

DUANE SMITH, J. ROSS KIRTLEY, BRYCE BENSON
Commissioners for Oklahoma

WATER RESOURCES
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JUL 1 9 2009

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**KANSAS-OKLAHOMA
ARKANSAS RIVER COMMISSION
FORTY-SECOND ANNUAL REPORT
FISCAL 2009
JULY 1, 2008 To JUNE 30, 2009**

TO: THE PRESIDENT OF THE UNITED STATES AND THE GOVERNORS OF THE STATES OF KANSAS AND OKLAHOMA

Sirs: Pursuant to Article XI-B(4) of the Arkansas River Basin Compact, the Kansas-Oklahoma Arkansas River Commission submits its report for the Fiscal Year July 1, 2008 through June 30, 2009 , as follows:

1. Members of the Commission (Article X - A, B, C)
 - a. *Federal Commissioners:*
William Franklin
Earnie Gilder (Alternate)
 - b. *Kansas Commissioners:*
David W. Barfield, Topeka, Kansas (term expires - continuous, but coincides to duties of the State official who administers water law)
Peggy J. Blackman, Marion, Kansas (term expires -----)
Kent Ott, Mulvane, Kansas (term expires December 31, 2006)
 - c. *Oklahoma Commissioners:*
Duane A. Smith, Oklahoma City, Oklahoma (term expires - continuous, but coincides to duties of the State official who administers water law)
J. Ross Kirtley, Oklahoma City, Oklahoma (term expires - April 20, 2008)
Bryce Benson, Alva, Oklahoma (term expires - April 20, 2011)
2. Officers of the Commission:
 - a. *Chairman:*
William Franklin
 - b. *Alternate Chairman:*
Earnie Gilder
 - c. *Secretary - Treasurer:*
Harold L. Springer

3. Standing Committees:

- a. *Engineering Committee:*
Julie Cunningham, Oklahoma, Chairman
Robert F. Lytle, Jr., Kansas, Member
- b. *Legal Committee:*
Jerry Barnett, Oklahoma, Chairman
Burke Griggs, Kansas, Member
- c. *Budget and Finance Committee:*
Julie Cunningham, Oklahoma, Chairman
Robert F. Lytle, Jr., Kansas, Member
- d. *Publicity and Arrangements Committee:*
Robert Portiss

4. Meetings:

July 21, 2009 Muskogee, Oklahoma Annual Meeting

5. Fiscal Accounting:

a. Kansas - Oklahoma Arkansas River Commission Fund

(1) Balance on hand July 1, 2008		\$ 7,339.85
(2) Receipts:		
(a) August 27, 2008	- Kansas	\$ 2,900.00
(c) Setember 30, 2008	- Oklahoma	<u>2,900.00</u>
Total receipts		\$ 5,800.00
(3) Total funds available:		\$13,139.85
(4) Disbursements by Commission - July 1, 2008 to June 30, 2009:		

<u>No.</u>	<u>Date</u>	<u>Payee and Purpose</u>	<u>Amount</u>
1184	07/23/08	Mi Tierra -Meeting Room	100.00
1185	07/23/08	Harold L. Springer, P.E.	
		Office expenses, supplies Apr -Jun 2008	900.00
	08/10/08	Bank Charges (Audit Form)	25.00
1186	10/14/08	Harold L. Springer, P.E.	
		Office expenses, supplies Jul-Sep 2008	900.00

1187	10/14/08	Greg C. Huseth -Annual Audit	450.00
1188	12/30/08	Harold L. Springer, P.E. Office expenses, supplies Oct -Dec 2008	900.00
1189	04/03/09	Harold L. Springer, P. E. Office expenses, supplies Jan -Mar 2009	900.00
1190	04/07/09	Copeland Insurance -Bond	<u>100.00</u>
Total Expenses			4,275.00

Summary

(5) Balance on hand July 1, 2008	\$7,339.85
Receipts	<u>5,800.00</u>
Total funds available	\$13,139.85
Disbursements	<u>4,275.00</u>
Balance on hand June 30, 2009	\$8,864.85

- b. At the Annual Meeting held on July 23, 2009 the Commission adopted the budget for the 2010 Fiscal Year, July 1, 2009 to June 30, 2010:

Office expenses, rent and travel	\$ 3,600.00
Printing reports	500.00
Annual audit	550.00
Treasurer's bond	200.00
Annual meeting	<u>450.00</u>
Total	\$ 5,300.00

Budget for 2010 Fiscal Year	\$ 5,300.00
Contingency fund	<u>1,500.00</u>
Total funds needed for 2009 Fiscal Year	\$ 6,800.00
Estimated carryover on June 30, 2009	<u>-1,000.00</u>
Actual funds needed for 2010 Fiscal Year	\$ 5,800.00

In accordance with Article X - E of the Compact, the amount of such budget shall be borne equally by the States of Kansas and Oklahoma in the amount of \$ 2,900.00 from each State.

- c. Pursuant to provisions of the Compact (Article X - E) and of the Rules and Regulations and Mode of Procedure of the Commission (Article VII - 5) the receipts and disbursements of the Commission have been audited for the period July 1, 2008 through June 30, 2009. The report of such audit is hereto attached as Appendix A.

6. Cooperative Studies of Water Supplies

Conforming with instructions of the Commission, the Engineering Committee

conducted studies of existing stream flow and water-quality data that are being obtained by Federal and State agencies on streams in the Arkansas River basin, that will be useful to the Commission in executing its responsibilities. The Committee submitted specific recommendations which were approved by the Commission. Accordingly, charts and tables showing the annual runoff and pertinent water-quality data collected at U. S. Geological Survey and Kansas Department of Health and Environment gaging stations near the state line on the mainstem of the Arkansas River and its principal tributaries are published as Appendix F of this report.

7. Finding of Fact by the Commission

The Commission had no occasion, during the period covered by this report, to make any Finding of Fact (under the provisions of the Arkansas River Basin Compact).

8. New Conservation Storage Capacity

Pursuant to provisions of the Compact (Articles II - G, V, and VI), there is listed below all new Conservation Storage Capacity that has been constructed in the States of Kansas and Oklahoma within the Arkansas River Basin as defined by Article II - D of the Compact, during the period July 1, 2008 through June 30, 2009.

RIVER BASIN	NEW CONSERVATION STORAGE
GRAND-NEOSHO RIVER BASIN	(Acre-feet)
Kansas	None
Oklahoma	None
VERDIGRIS RIVER BASIN	
Kansas	None
Oklahoma	None
MAIN STEM ARKANSAS RIVER BASIN	
Kansas	None
Oklahoma	None
SALT FORK RIVER BASIN	
Kansas	None
Oklahoma	None
CIMARRON RIVER BASIN	
Kansas	None
Oklahoma	None

All storage capacity constructed in the Compact area during the period July 1, 2008 to June 30, 2009 is shown in Appendix B.

Respectfully submitted,

WILLIAM FRANKLIN
Federal Commissioner

EARNIE GILDER
Alternate Federal Commissioner

DAVID W. BARFIELD, PEGGY J. BLACKMAN, KENT OTT
Commissioners for Kansas

DUANE A. SMITH, J. ROSS KIRTLEY, BRYCE BENSON
Commissioners for Oklahoma

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KANSAS – OKLAHOMA
ARKANSAS RIVER
COMMISSION

Audit 2009

ACC III
Accounting, Consulting & Tax

**KANSAS-OKLAHOMA
ARKANSAS RIVER COMMISSION**

FINANCIAL STATEMENTS

For the Years Ending June 30, 2009 and 2008

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ACCOUNTING, CONSULTING & TAX

785-272-9500
785-478-1331 (fax)

6021 SW 29th Ste A # 313
Topeka, Kansas 66614

INDEPENDENT AUDITOR'S REPORT

To the Commissioners of
Kansas-Oklahoma Arkansas River Commission

I have audited the accompanying statements of assets, liabilities, and net assets-cash basis, of the Kansas-Oklahoma Arkansas River Commission (a non-profit organization) as of June 30, 2009 and the related statements of support, revenue and expenses-cash basis, and cash flows for the year then ended. These financial statements are the responsibility of the organization's management. My responsibility is to express an opinion on these financial statements based on my audits. I have accepted the prior year's Independent Auditor's Report submitted by Greg C. Huseh, CPA P.A. on September 25, 2008 for prior year comparative information.

I conducted my audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinion.

As described in Note 1, these financial statements were prepared on the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the financial statements referred to above presented fairly, in all material respects, the assets, liabilities, and net-assets-cash basis, of the Kansas-Oklahoma Arkansas River Commission as of June 30, 2009 and 2008, and its support, revenue and expenses for the years then ended, on the basis of accounting as described in Note 1.



Chearie Donaldson, CPA
d/b/a ACT III Accounting, Consulting & Tax

December 10, 2009

KANSAS-OKLAHOMA ARKANSAS RIVER COMMISSION
STATEMENTS OF ASSETS, LIABILITIES, AND NET ASSETS - CASH BASIS

June 30, 2009 and 2008

	<u>2009</u>	<u>2008</u>
ASSETS		
Cash	<u>8,865</u>	<u>7,340</u>
Total Assets	<u><u>8,865</u></u>	<u><u>7,340</u></u>
LIABILITIES		
Net Assets	<u>8,865</u>	<u>7,340</u>
Total Liabilities & Net Assets	<u><u>8,865</u></u>	<u><u>7,340</u></u>

The accompanying notes are an integral part of these financial statements

KANSAS-OKLAHOMA ARKANSAS RIVER COMMISSION
STATEMENTS OF SUPPORT, REVENUE AND EXPENSES - CASH BASIS

Years Ended June 30, 2009 and 2008

	2009	2008
SUPPORT AND REVENUE		
Kansas Department of Agriculture	2,900	2,850
Oklahoma Water Resources Board	2,900	2,850
Total Support and Revenue	5,800	5,700
 EXPENSES		
Office Expenses	3,600	2,700
Meeting	100	0
Bank Charges	25	25
Audit	450	425
Insurance	100	
Total Expenses	4,275	3,150
Revenues Over (Under) Expenses	1,525	2,550
Beginning Net Assets	7,340	4,790
Ending Net Assets	8,865	7,340

The accompanying notes are an integral part of these financial statements

KANSAS-OKLAHOMA ARKANSAS RIVER COMMISSION
STATEMENTS OF CASH FLOWS - CASH BASIS

Years Ended June 30, 2009 and 2008

	<u>2009</u>	<u>2008</u>
CASH FLOW FROM OPERATING ACTIVITIES		
Cash received from Kansas and Oklahoma	5,800	5,700
Interest income received	0	0
Cash paid to vendors	<u>(4,275)</u>	<u>(3,150)</u>
Net Cash Provided by operating activities	1,525	2,550
CASH FLOW FROM INVESTING ACTIVITIES	0	0
CASH FLOW FROM FINANCING ACTIVITIES	0	0
NET INCREASE (DECREASE) IN CASH	1,525	2,550
BEGINNING CASH	<u>7,340</u>	<u>4,790</u>
ENDING CASH	<u><u>8,865</u></u>	<u><u>7,340</u></u>

The accompanying notes are an integral part of these financial statements

KANSAS -OKLAHOMA ARKANSAS RIVER COMMISSION
NOTES TO FINANCIAL STATEMENTS

June 30, 2009 and 2008

Note 1 – Summary of significant accounting policies

This summary of significant accounting policies of the Kansas-Oklahoma Arkansas River Commission (the Organization) is presented to assist in understanding the Organization's financial statements. The financial statements and notes are representations of the Organization's management, who is responsible for their integrity and objectivity. These accounting policies conform to the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles, applied in the preparation of the financial statements.

Nature of Operations – The Organization is an interstate administrative agency organized under the Arkansas River Basin Compact. Its primary purpose is to administer the water apportionment agreed to in the Compact.

Basis of accounting – The Organization's policy is to prepare its financial statements on the cash basis. Under this basis, revenues are recognized when collected rather than when earned. Likewise, expenditures are recognized when paid rather than when incurred. If an expenditure results in an asset having an estimated useful life which extends substantially beyond the year of acquisition, the expenditure is capitalized and depreciated over the estimated useful life of the asset. The Commission currently has no fixed assets.

Cash and Cash equivalents – For purposes of the statement of cash flows, the Organization considers all investment instruments purchased with a maturity of three months or less to be cash equivalents. The Organization maintains its cash in bank accounts of local financial institutions. At June 30, 2009 and 2008, the Organization's cash balance was not in excess of the insured limits.

APPENDIX B

TABLE OF STORAGE CAPACITY
Constructed July 1, 2008 to June 30, 2009
Storage in acre-feet

GRAND-NEOSHO RIVER BASIN IN KANSAS
None

GRAND-NEOSHO RIVER BASIN IN OKLAHOMA
None

VERDIGRIS RIVER BASIN IN KANSAS
None

VERDIGRIS RIVER BASIN IN OKLAHOMA
None

MAIN STEM ARKANSAS RIVER BASIN IN KANSAS
None

MAIN STEM ARKANSAS RIVER BASIN IN OKLAHOMA
None

SALT FORK RIVER BASIN IN KANSAS
None

SALT FORK RIVER BASIN IN OKLAHOMA
None

CIMARRON RIVER BASIN IN KANSAS
None

CIMARRON RIVER BASIN IN OKLAHOMA
None

APPENDIX C

**TABLE OF STORAGE CAPACITY
Constructed July 1, 1963 to June 30, 2009**

ARKANSAS RIVER BASIN IN KANSAS

Subbasin	Storage in acre-feet			
	Inactive	Conser- vation	Flood Control	Total
Grand-Neosho River				
July 1, 1963 to June 30, 2008	52,025	136,856	40,298	229,179
July 1, 2008 to June 30, 2009	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	52,025	136,856	40,298	229,179
Verdigris River				
July 1, 1963 to June 30, 2008	51,696	62,964	219,282	333,942
July 1, 2008 to June 30, 2009	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	51,696	62,964	219,282	333,942
Main Stem Arkansas River				
July 1, 1963 to June 30, 2008	46,477	159,073	174,924	380,474
July 1, 2008 to June 30, 2009	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	46,477	159,073	174,924	380,474
Salt Fork River				
July 1, 1963 to June 30, 2008	3,508	5,300	12,813	21,621
July 1, 2008 to June 30, 2009	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	3,508	5,300	12,813	21,621
Cimarron River				
July 1, 1963 to June 30, 2008	3,379	0	2,598	5,977
July 1, 2008 to June 30, 2009	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	3,379	0	2,598	5,977

APPENDIX C (Continued)

**TABLE OF STORAGE CAPACITY
Constructed July 1, 1963 to June 30, 2009**

ARKANSAS RIVER BASIN IN OKLAHOMA

Subbasin	Storage in acre-feet			
	Inactive	Conser- vation	Flood Control	Total
Grand-Neosho River				
July 1, 1963 to June 30, 2007	5,435	0	2,662	8,097
July 1, 2007 to June 30, 2008	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	5,435	0	2,662	8,097
Verdigris River				
July 1, 1963 to June 30, 2007	310,067 ¹	978,016	597,479	1,885,562
July 1, 2007 to June 30, 2008	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	310,067	978,016	597,479	1,885,562
Main Stem Arkansas River				
July 1, 1963 to June 30, 2007	245,932	157,588	153,881	557,671
July 1, 2007 to June 30, 2008	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	245,932	157,588	153,881	557,671
Salt Fork River				
July 1, 1963 to June 30, 2007	47,424	1,267	5,018	53,706
July 1, 2007 to June 30, 2008	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	47,424	1,267	5,018	53,706
Cimarron River				
July 1, 1963 to June 30, 2007	20,164	14,057	49,157	83,378
July 1, 2007 to June 30, 2008	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	20,164	14,057	49,157	83,378

¹ Includes 168,000 acre-feet in Oologah Reservoir for navigation excluded as conservation storage by Compact

APPENDIX D

**SUMMARY OF APPORTIONMENT OF
NEW CONSERVATION STORAGE
CAPACITY ON JUNE 30, 2009**

Subbasin	Acre-feet
KANSAS APPORTIONMENT	
Grand-Neosho River	
Compact Allocation	650,000
Constructed in Oklahoma	+ 0
Sub-Total	650,000
Constructed in Kansas	<u>-136,856</u>
Remaining Allocation to Kansas	513,144
Verdigris River	
Compact Allocation	300,000
Constructed in Oklahoma	+978,016
Sub-Total	1,278,016
Constructed in Kansas	<u>- 62,964</u>
Remaining Allocation to Kansas	1,215,052
Main Stem Arkansas River	
Compact Allocation	600,000
Constructed in Oklahoma	157,588
Sub-Total	757,588
Constructed in Kansas	<u>-159,073</u>
Remaining Allocation to Kansas	598,515
Salt Fork River	
Compact Allocation	300,000
Constructed in Oklahoma	+ 1,267
Sub-Total	301,267
Constructed in Kansas	<u>5,300</u>
Remaining Allocation to Kansas	295,967
Cimarron River	
Compact Allocation	5,000
Compact Allocation Constructed	0
Construction Pursuant to Article V, E	<u>0</u>
Total Allocation to Kansas	5,000

APPENDIX D (Continued)

SUMMARY OF APPORTIONMENT OF
NEW CONSERVATION STORAGE
CAPACITY ON JUNE 30, 2009

Subbasin

Acre-feet

OKLAHOMA APPORTIONMENT

Cimarron River

Compact Allocation	5,000
Compact Allocation Constructed	5,000
Construction Pursuant to Article VI	<u>+ 9,057</u>
Total Allocation to Oklahoma	14,057

APPENDIX E
SUMMARY OF REPLACEMENT
CONSERVATION STORAGE CAPACITY
ON JUNE 30, 2009

Subbasin	Acre-feet
-----------------	------------------

KANSAS

Grand-Neosho River

Storage Made Unusable	0
Storage Replaced	0
Remaining to be	0

Verdigris River

Storage Made Unusable	461
Storage Replaced	0
Remaining to be	461

Main Stem Arkansas River

Storage Made Unusable	0
Storage Replaced	0
Remaining to be Replaced	0

Salt Fork River

Storage Made Unusable	0
Storage Replaced	0
Remaining to be Replaced	0

Cimarron River

Storage Made Unusable	0
Storage Replaced	0
Remaining to be Replaced	0

APPENDIX E (Continued)

SUMMARY OF REPLACEMENT
CONSERVATION STORAGE CAPACITY
ON JUNE 30, 2009

Subbasin	acre-feet
----------	-----------

OKLAHOMA

Grand-Neosho River

Storage Made Unusable	1,245
Storage Replaced	0
Remaining to be Replaced	1,245

Verdigris River

Storage Made Unusable	6,500
Storage Replaced	0
Remaining to be Replaced	6,500

Main Stem Arkansas River

Storage Made Unusable	1,000
Storage Replaced	0
Remaining to be Replaced	1,000

Salt Fork River

Storage Made Unusable	0
Storage Replaced	0
Remaining to be Replaced	0

Cimarron River

Storage Made Unusable	0
Storage Replaced	0
Remaining to be Replaced	0

APPENDIX F

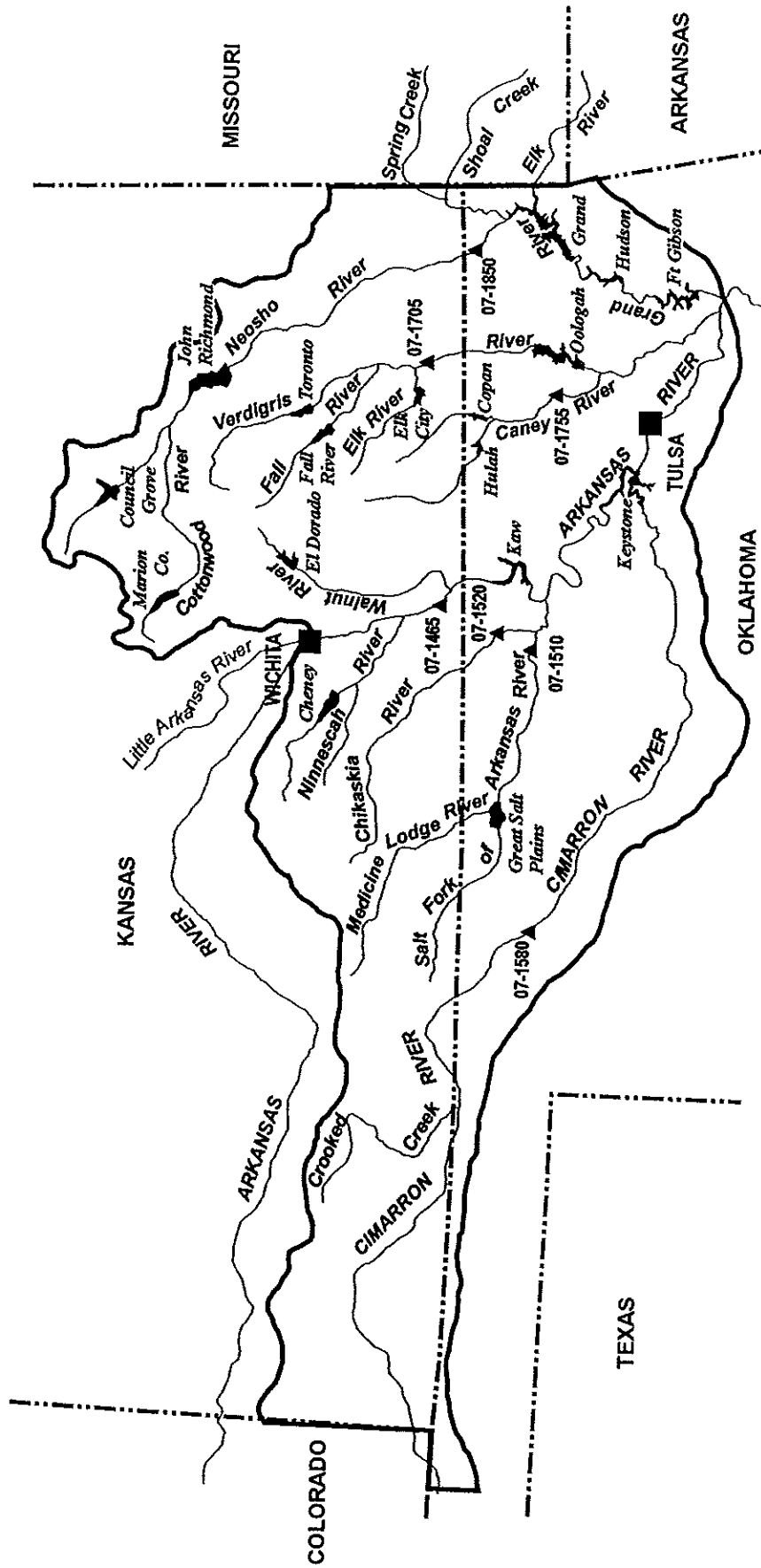
STREAM FLOW AND WATER QUALITY NEAR STATE LINE REACHES

On July 25, 1973, at the Eight Annual Meeting of the Compact Commission, the Engineering Committee was instructed to prepare on an annual basis, and include in the annual report, the records of stream flow and water quality data at or near the state line reaches of the Grand-Neosho, Verdigris, Caney, Arkansas, Chikaskia, Salt Fork, and Cimarron Rivers. On July 24, 1974, at the Ninth Annual Meeting, the Engineering Committee was instructed to include water quality data to show the principal constituents of the dissolved solids. The data are taken from U.S. Geological Survey and Kansas Department of Health and Environment Reports and are shown in the accompanying graphs and tabulations.

Recorded annual flows for the period 1998 - 2008, and the annual average discharges for the period of record are shown on bar graphs for each of the noted rivers. Quality data are given in tabular form which show maximum and minimum values of chemical analysis, as indicated, and principal constituents of the dissolved solids for each of the above noted rivers. The USGS station number and location are shown on each graph and tabulation.

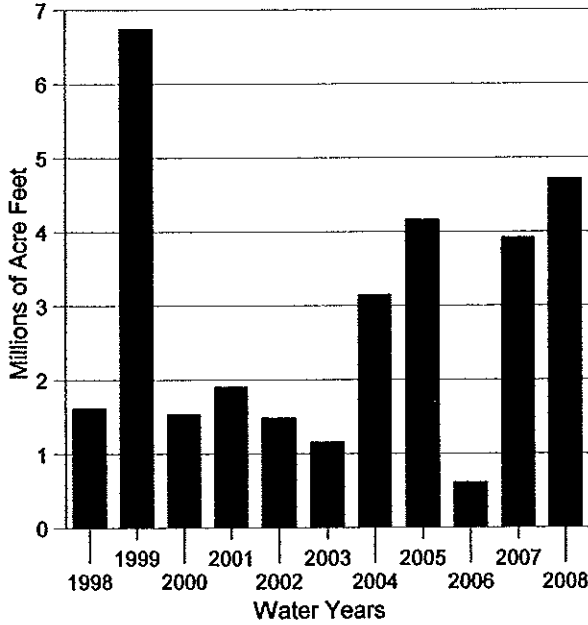
The annual flow totals for water year 2008 were above the annual average for all reported gages with the exception of the Cimarron River near Waynoka, Oklahoma which was far below average.

Detailed discharge and water quality data are published annually by the U.S. Geological Survey in Water Resources Data for Kansas, and Water Resources Data for Oklahoma. Detailed water quality data are published by the Kansas Department of Health and Environment in Water Quality Data for Kansas.

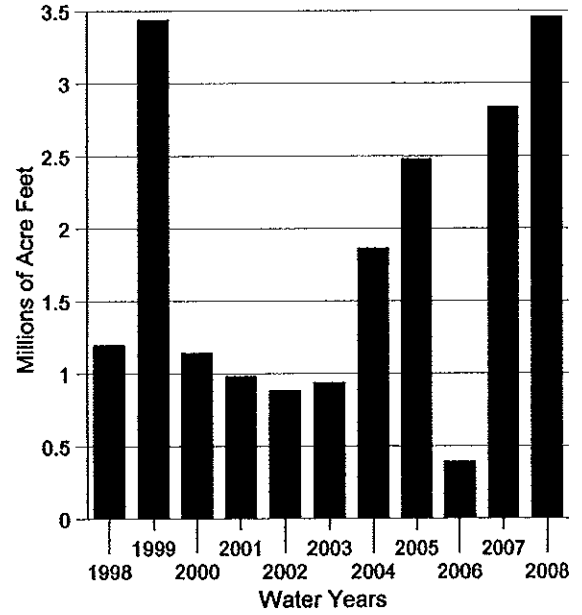


APPENDIX F- Figure 1. Map showing location of gaging stations to obtain quality and flow data for annual report.

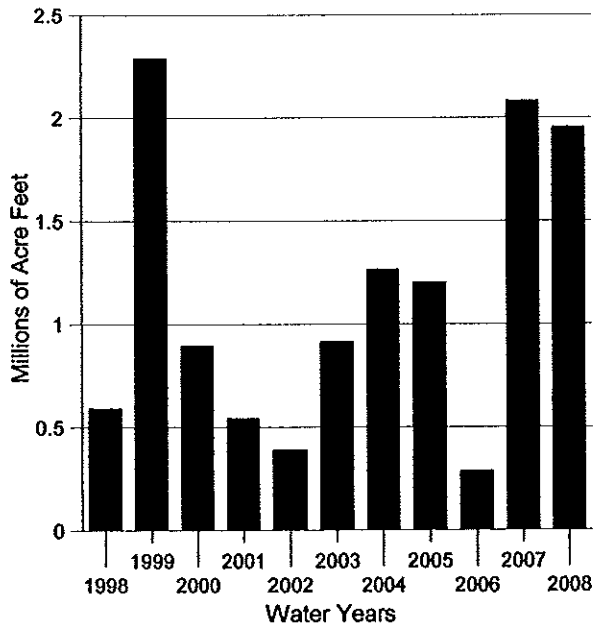
APPENDIX F - Figure 2
071850 Neosho River near Commerce, OK
 69-Year Average Discharge
 2,758,000 ac-ft/yr



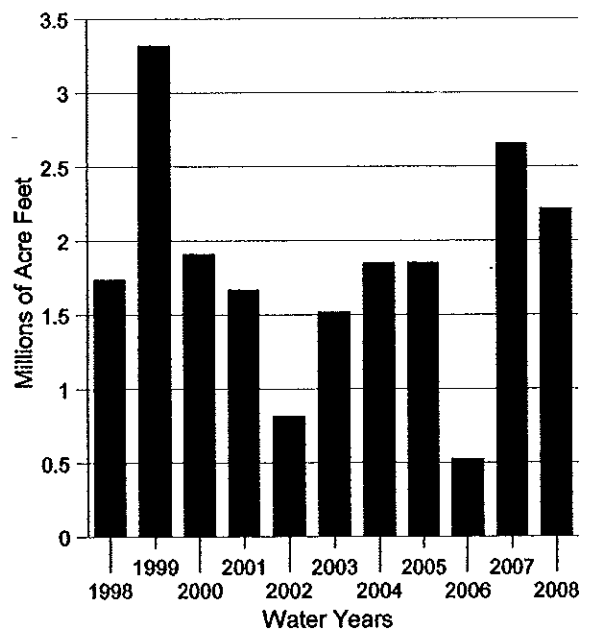
APPENDIX F - Figure 3
071705 Verdigris River at Independence, KS
 41-Year Average Discharge
 1,629,000 ac-ft/yr



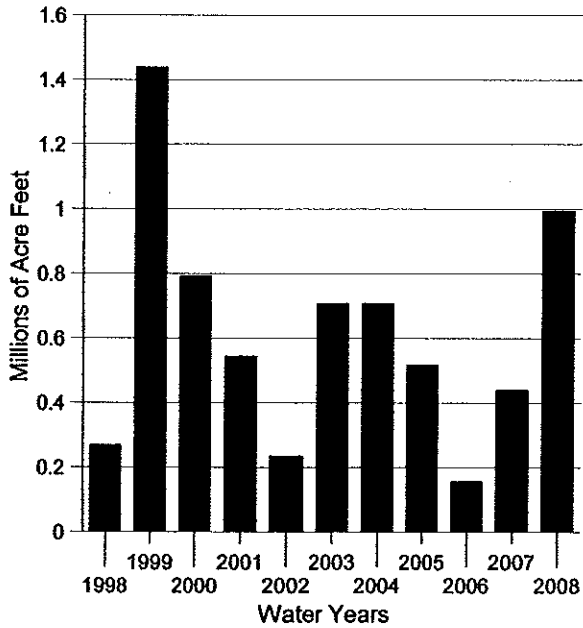
APPENDIX F - Figure 4
071755 Caney River at Ramona, OK
 25-Year Average Discharge
 1,232,000 ac-ft/yr



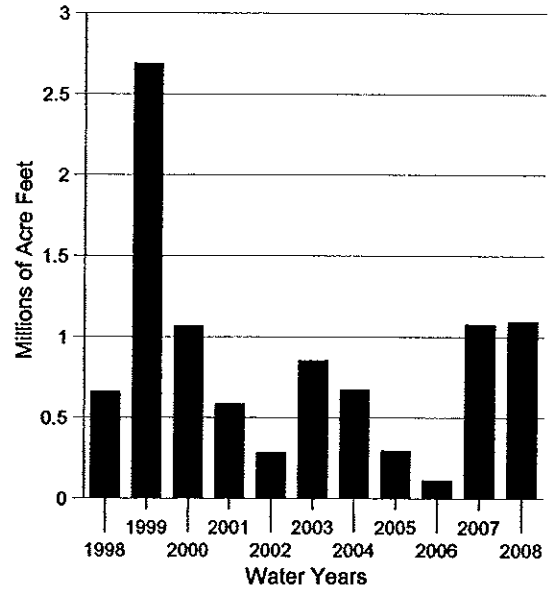
APPENDIX F - Figure 5
071465 Arkansas River at Arkansas City, KS
 91-Year Average Discharge
 1,418,000 ac-ft/yr



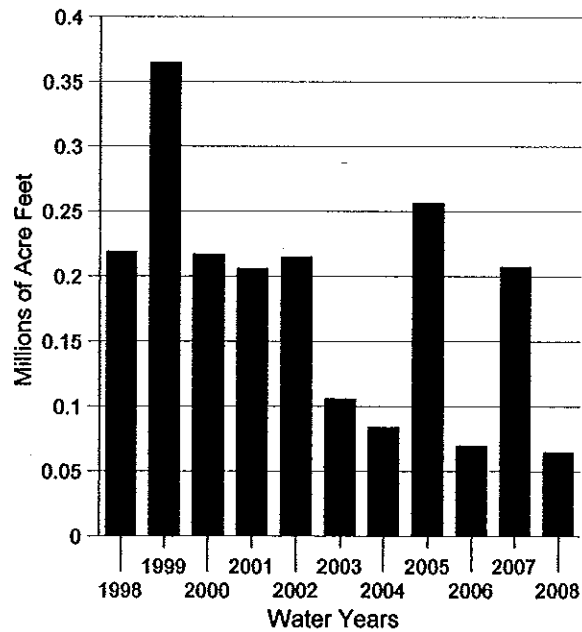
APPENDIX F - Figure 6
071520 Chikaskia River near Blackwell, OK
 73-Year Average Discharge
 448,400 ac-ft/yr



APPENDIX F - Figure 7
071510 Salt Fork Arkansas River at Tonkawa, OK
 67-Year Average Discharge
 685,100 ac-ft/yr



APPENDIX F - Figure 8
071580 Cimarron River near Waynoka, OK
 71-Year Average Discharge
 208,400 ac-ft/yr



**APPENDIX F - Table 1
OBSERVED WATER QUALITY DATA
NEAR STATE LINE REACHES
(Water Years)**

071465 - ARKANSAS RIVER AT ARKANSAS CITY, KANSAS										
	2004		2005		2006		2007		2008	
	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.
Dissolved Solids (mg/L)	892	223	1030	246	1368	703	842	435	1050	333
Hardness (mg/L)	326	109	328	117	336	234	335	182	374	153
Water Temperature (°C)	26	7	28	5	28	7	28	4	22	5
Specific Conductance (Micromhos daily)	1462	322	1801	346	2388	1197	1657	737	1859	446

071645.9 - NEOSHO RIVER NEAR OSWEGO, KANSAS (000566)*										
	2004		2005		2006		2007		2008	
	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.
Dissolved Solids (mg/L)	289	161	339	177	315	233	282	127	341	190
Hardness (mg/L)	232	119	297	130	248	182	225	89	291	151
Water Temperature (°C)	28	16	28	9	32	10	28	7	30	7
Specific Conductance (Micromhos daily)	465	228	597	265	548	384	467	171	577	309

071709.6 - VERDIGRIS RIVER NEAR COFFEYVILLE, KANSAS (000215)*										
	2004		2005		2006		2007		2008	
	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.
Dissolved Solids (mg/L)	217	191	321	123	304	199	505	96	301	139
Hardness (mg/L)	167	142	242	96	210	156	256	75	242	100
Water Temperature (°C)	29	16	28	8	31	10	27	10	29	8
Specific Conductance (Micromhos daily)	355	322	563	196	546	344	863	153	531	182

071815.25 - CHIKASKIA RIVER NEAR CORBIN, KANSAS (000529)*										
	2004		2005		2006		2007		2008	
	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.
Dissolved Solids (mg/L)	372	220	395	337	384	228	380	281	393	167
Hardness (mg/L)	256	129	276	223	259	133	263	173	279	97
Water Temperature (°C)	30	8	30	2	30	8	29	4	23	4
Specific Conductance (Micromhos daily)	603	278	643	563	619	143	629	240	680	183

STATION 4 - NEOSHO RIVER NEAR CHETOPA, KANSAS										
	2004		2005		2006		2007		2008	
	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.
Dissolved Solids (mg/L)	-	-	-	-	312	225	545	122	-	-
Hardness (mg/L)	-	-	-	-	263	177	404	80	-	-
Water Temperature (°C)	-	-	-	-	30	10	28	7	-	-
Specific Conductance (Micromhos daily)	-	-	-	-	546	370	806	160	-	-

- No Data * Kansas Department of Health and Environment station number.



APPENDIX G

ARKANSAS RIVER BASIN COMPACT KANSAS-OKLAHOMA, 1965

The State of Kansas and the State of Oklahoma, acting through their duly authorized Compact representatives, Robert L. Smith and Warden L. Noe, for the State of Kansas, and George B. Benz and Frank Raab, for the State of Oklahoma, after negotiations participated in by Trigg Twichell, appointed by the President as the representative of the United States of America, and in accordance with the consent to such negotiations granted by an Act of Congress of the United States of America, approved August 11, 1955, (Public Law 340, 84th Congress, 1st Session) have agreed as follows respecting the waters of the Arkansas River and its tributaries:

ARTICLE I

The major purposes of this Compact are:

- A. To promote interstate comity between the States of Kansas and Oklahoma;
- B. To divide and apportion equitably between the States of Kansas and Oklahoma the waters of the Arkansas River Basin and to promote the orderly development thereof;
- C. To provide an agency for administering the water apportionment agreed to herein;
- D. To encourage the maintenance of an active pollution-abatement program in each of the two States and to seek the further reduction of both natural and man-made pollution in the waters of the Arkansas River Basin.

ARTICLE II

As used in this Compact:

- A. The term "State" shall mean either State signatory hereto and shall be construed to include any person or persons, entity or agency of either State who, by reason of official responsibility or by designation of the Governor of that State, is acting as an official representative of that State;
- B. The term "Kansas-Oklahoma Arkansas River Commission" or the term "Commission" means the agency created by this Compact for the administration thereof;
- C. The term "Arkansas River" means that portion of the Arkansas River from a point immediately below the confluence of the Arkansas and Little Arkansas Rivers in the vicinity of Wichita, Kansas, to a point immediately below the confluence of the Arkansas River with the Grand-Neosho River near Muskogee, Oklahoma;
- D. The term "Arkansas River Basin" means all of the drainage basin of the Arkansas River

as delimited above, including all tributaries which empty into it between the upstream and downstream limits;

- E. The term "waters of the Arkansas River and its tributaries" means the water originating in the Arkansas River Basin;
- F. The term "conservation storage capacity" means that portion of the active storage capacity of reservoirs, including multipurpose reservoirs, with a conservation storage capacity in excess of 100 acre-feet, available for the storage of water for subsequent use, but it excludes any portion of the storage capacity allocated to flood and sediment control and inactive storage capacity allocated to other uses;
- G. The term "new conservation storage capacity" means conservation storage capacity for which construction is initiated after July 1, 1963, and storage capacity not presently allocated for conservation storage which is converted to conservation storage capacity after July 1, 1963, in excess of the quantities of declared conservation storage capacity as set forth in the storage table attached to and made a part of the minutes of the Twenty fourth meeting of the Compact Committee dated September 1, 1964, and as filed and identified to this Compact in the offices of the Secretaries of State of the respective States;
- H. The term "pollution" means contamination or other alterations of the physical, chemical, biological or radio-logical properties of water or the discharge of any liquid, gaseous, or solid substances into any waters which creates or is likely to result in a nuisance, or which renders or is likely to render the waters into which it is discharged harmful, detrimental or injurious to public health, safety, or welfare or which is harmful, detrimental or injurious to beneficial uses of the water.

ARTICLE III

The physical and other conditions peculiar to the Arkansas River Basin constitute the basis for this Compact, and neither of the States hereby, nor the Congress of the United States by its consent hereto, concedes that this Compact establishes any general principle with respect to any other interstate stream.

ARTICLE IV

- A. For the purpose of apportionment of water between the two States, the Arkansas River Basin is hereby divided into major topographic subbasins as follows:
 - (1) the Grand-Neosho River Subbasin;
 - (2) the Verdigris River Subbasin;
 - (3) the Salt Fork River Subbasin;
 - (4) the Cimarron River Subbasin; and

(5) the main stem Arkansas River Subbasin which shall consist of the Arkansas River Basin, excepting the Grand-Neosho River, Verdigris River, Salt Fork River, and Cimarron River subbasins.

- B. The two States recognize that portions of other states not signatory to this Compact lie within the drainage area of the Arkansas River Basin as herein defined. The water apportionments provided for in this Compact are not intended to affect nor do they affect the rights of such other states in and to the use of the waters of the basin.

ARTICLE V

The State of Kansas shall have free and unrestricted use of the waters of the Arkansas River Basin within Kansas subject to the provisions of this Compact and to the limitations set forth below:

- A. New conservation storage capacity in the Grand-Neosho River Subbasin within the State of Kansas shall not exceed 650,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma excepting storage on Spavinaw Creek;
- B. New conservation storage capacity in the Verdigris River Subbasin within the State of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma, excepting navigation capacity allocated in Oologah Reservoir;
- C. New conservation storage capacity in the mainstem Arkansas River Subbasin within the State of Kansas shall not exceed 600,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;
- D. New conservation storage capacity in the Salt Fork River Subbasin within the State of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;
- E. New conservation storage capacity in the Cimarron River Subbasin within the State of Kansas shall not exceed 5,000 acre-feet, provided that new conservation storage capacity in excess of that amount may be constructed if specific project plans have first been submitted to and have received the approval of the Commission.

ARTICLE VI

The State of Oklahoma shall have free and unrestricted use of the waters of the Arkansas River Basin within Oklahoma subject to the provisions of this Compact and to the limitations set forth below:

New conservation storage capacity in the Cimarron River Subbasin within the State of Oklahoma shall not exceed 5,000 acre-feet provided that new conservation storage capacity in excess of

that amount may be constructed if specific project plans have first been submitted to and have received the approval of the Commission.

ARTICLE VII

- A. The Commission shall determine the conditions under which one State may construct and operate for its needs new conservation storage capacity in the other State. The construction Of utilization of new conservation storage capacity by one State in the other State shall entitle the State whose storage potential is reduced by such construction to construct an equal amount of new conservation storage agreeable to the Commission.
- B. New conservation storage capacity constructed by the United States or any of its agencies, instrumentalities or wards, or by a State, political subdivision thereof, or any person or persons shall be charged against the State in which the use is made.
- C. Each State has the unrestricted right to replace within the same subbasin any conservation storage capacity made unusable by any cause.
- D. In the event reallocation of storage capacity in the Arkansas River Basin in Oklahoma should result in the reduction of that State's new cons

ARTICLE VIII

- A. In the event of importation of water to a major subbasin of the Arkansas River Basin from another river basin, or from another major subbasin within the same State, the State making the importation shall have exclusive use of such imported waters.
- B. In the event of exportation of water from a major subbasin for use in another major subbasin or for use outside the Arkansas River Basin within the same State, the limitations of Articles V and VI on new conservation capacity shall apply against the subbasin from which the exportation is made in the amount of the storage capacity actually used for that purpose within the exporting subbasin, or in the event of direct diversion of water without storage, on the basis of 5 acre-feet of conservation storage capacity for each acre foot of water on the average so diverted annually.
- C. Any reservoir storage capacity which is required for the control and utilization of imported waters shall not be accounted as new conservation storage.

Should a trans basin diversion of water of the Arkansas River Basin be made in one State for the use and benefit of the other State or both States, the Commission shall determine a proper accounting of new conservation storage capacities in each State in accordance with the above principles and with the project uses to be made in that State.

ARTICLE IX

The States of Kansas and Oklahoma mutually agree to:

- D. The principle of individual State effort to abate man-made pollution within each State's

respective borders, and the continuing support of both States in an active pollution-abatement program;

- E. The cooperation of the appropriate State agencies in Kansas and Oklahoma to investigate and abate sources of alleged interstate pollution within the Arkansas River Basin whenever such matters are called to their attention by the Commission;
- F. Enter into joint programs for the identification and control of sources of natural pollution within the Arkansas River Basin which the Commission finds are of interstate significance;
- G. The principle that neither State may require the other to provide water for the purpose of water-quality control as a substitute for adequate waste treatment;
- H. Utilize the provisions of the Federal Water Pollution Control Act in the resolution of any pollution problems which cannot be resolved within the provisions of this Compact.

ARTICLE X

- A. There is hereby created an interstate administrative agency to be known as the "Kansas-Oklahoma Arkansas River Commission". The Commission shall be composed of three commissioners representing each of the States of Kansas and Oklahoma who shall be appointed by the Governors of the respective States and, if designated by the President, one commissioner representing the United States. The President is hereby requested to designate a Commissioner and an alternate representing the United States. The Federal Commissioner, if one be designated, shall be the presiding officer of the Commission, but shall not have the right to vote in any of the deliberations of the Commission.
- B. One Kansas Commissioner shall be the State official who now or hereafter shall be responsible for administering water law in the State; the other two Commissioners shall reside in the Arkansas River Basin in Kansas and shall be appointed to four-year staggered terms.
- C. One Oklahoma Commissioner shall be the State official who now or hereafter shall be responsible for administering water law in the State; the other two Commissioners shall reside in the Arkansas River Basin in Oklahoma and shall be appointed to four-year staggered terms.
- D. A majority of the Commissioners of each State and the Commissioner or his alternate representing the United States, if so designated, must be present to constitute a quorum. In taking any Commission action, each signatory State shall have a single vote representing the majority opinion of the Commissioners of that State.
- E. The salaries and personal expenses of each Commissioner shall be paid by the Government which h-Oklahoma Arkansas River Commission Fund". Such fund shall be initiated and maintained by equal payments of each State into the fund. Disbursements shall be made from said fund in such manner as may be authorized by the Commission. Such funds shall not be subject to the audit and accounting procedures of the States; however, all receipts and disbursements of funds handled by the Commission shall be audited by a

qualified independent public accountant at regular intervals, and the report of such audit shall be included in and become a part of the annual report of the Commission.

ARTICLE XI

A. The Commission shall have the power to:

- (1) Employ such engineering, legal, clerical and other personnel as in its judgment may be necessary for the performance of its functions under the Compact;
- (2) Enter into contracts with appropriate State or Federal agencies for the collection, correlation, and presentation of factual data, for the maintenance of records and for the preparation of reports;
- (3) Establish and maintain an office for the conduct of its affairs;
- (4) Adopt rules and regulations governing its operations;
- (5) Cooperate with Federal agencies in developing principles, consistent with the provisions of this Compact and with Federal policy, for the storage and release of water from all-Federal capacities of Federal reservoirs, both existing and future within the Arkansas River Basin, for the purpose of assuring their operation in the best interests of the States and the United States;
- (6) Permit either State, with the consent of the proper operating agency, to impound water, for such periods of time deemed necessary or desirable by the Commission, in available reservoir storage capacity which is not designated as conservation or new conservation storage capacity for subsequent release and use for any purpose approved by the Commission;
- (7) Hold hearings and take testimony and receive evidence at such times and places as it deems necessary;
- (8) Secure from the head of any department or agency of the Federal or State government such information, suggestions, estimates and statistics as it may need or believe to be useful for carrying out its functions and as may be available to or procurable by the department or agency to which the request is addressed;
- (9) Print or otherwise reproduce and distribute all of its proceedings and reports.

B. The Commission shall:

- (1) Cause to be established, maintained and operated such stream, reservoir, or other gaging stations as may be necessary for the proper administration of the Compact;
- (2) Collect, analyze and report on data as to stream flows, water quality, conservation storage, and such other information as is necessary for the proper administration of the Compact;

- (3) Perform all other functions required of it by the compact and do all things necessary, proper or convenient in the performance of its duties thereunder;
- (4) Prepare and submit an annual report to the Governor of each signatory State and to the President of the United States covering the activities of the Commission for the preceding fiscal year, together with an accounting of all funds received and expended by it in the conduct of its work;
- (5) Prepare and submit to the Governor of each of the States of Kansas and Oklahoma an annual budget covering the anticipated expenses of the Commission for the following fiscal year;
- (6) Make available to the Governor or any State agency of either State or to any authorized representative of the United States, upon request, any information within its possession.

ARTICLE XII

- A. Recognizing the present limited uses of the available water supplies of the Arkansas River Basin in the two States and the uncertainties of their ultimate water needs, the States of Kansas and Oklahoma deem it imprudent and inadvisable to attempt at this time to make final allocations of the new conservation storage capacity which may ultimately be required in either State, and, by the limitations on storage capacity imposed herein, have not attempted to do so. Accordingly, after the expiration of 25 years following the effective date of this Compact, the Commission may review any provisions of the Compact for the purpose of amending or supplementing the same, and shall meet for the consideration of such review on the request of the Commissioners of either State; provided, that the provisions hereof shall remain in full force and effect until changed or amended by unanimous action of the States acting through their Commissioners and until such changes are ratified by the legislatures of the respective States and consented to by the Congress in the same manner as this Compact is required to be ratified to become effective.
- B. This Compact may be terminated at any time by the appropriate action of the legislatures of both signatory States.
- C. In the event of amendment or termination of the Compact, all rights established under the Compact shall continue unimpaired.

ARTICLE XIII

Nothing in this Compact shall be deemed:

- A. To impair or affect the powers, rights or obligations of the United States, or those claiming under its authority, in, over and to the waters of the Arkansas River Basin;
- B. To interfere with or impair the right or power of either signatory State to regulate within its

boundaries the appropriation, use and control of waters within that State not inconsistent with its obligations under this Compact.

ARTICLE XIV

If any part or application of this Compact should be declared invalid by a court of competent jurisdiction, all other provisions and applications of this Compact shall remain in full force and effect.

ARTICLE XV

This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each State and consented to by the Congress of the United States, and when the Congressional Act consenting to this Compact includes the consent of Congress to name and join the United States as a party in any litigation in the United States Supreme Court, if the United States is an indispensable party, and if the litigation arises out of this Compact or its application, and if a signatory State is a party thereto. Notice of ratification by the legislature of each State shall be given by the Governor of that State to the Governor of the other State and to the President of the United States and the President is hereby requested to give notice to the Governor of each State of consent by the Congress of the United States.

IN WITNESS WHEREOF, the authorized representatives have executed three counterparts hereof each of which shall be and constitute an original, one of which shall be deposited in the Archives of the Department of State of the United States, and one of which shall be forwarded to the Governor of each State.

APPENDIX H

RULES AND REGULATIONS AND MODE OF PROCEDURE FOR THE KANSAS-OKLAHOMA ARKANSAS RIVER COMMISSION (As Amended to July 28,1999)

ARTICLE I

THE COMMISSION

1. The Commission shall be that Commission referred to in Article X of the Arkansas River Basin Compact, Kansas-Oklahoma.
2. The credentials of each Commissioner shall be filed with the Chairman of the Commission.
3. Each Commissioner shall advise in writing the office of the Commission as to his address to which all official notices and other communications of the Commission shall be sent to him and shall further promptly advise in writing the office of the Commission as to any changes of such address.

ARTICLE II

OFFICERS

1. The Officers of the Commission shall be:

 Chairman
 Secretary
 Treasurer
2. The Commissioner, or in his absence his Alternate, representing the United States shall be the Chairman of the Commission. The Chairman shall preside at the meetings of the Commission. His duties shall be such as are usually imposed upon such officer and such as may be assigned to him by these rules or by the Commission from time to time provided, however, that the Commissioner representing the United States shall not have the right to vote.
3. The Secretary need not but may be a Member of the Commission. The Secretary shall be selected by the Commission. He shall serve for such term and and receive such salary and perform such duties as the Commission may direct. In the case of vacancy in the Office of the Secretary, the Commission shall proceed as expeditiously as possible to select a new Secretary.

4. The Treasurer shall receive, hold and disburse all funds of the Commission which come into his hands. The Treasurer shall furnish a fidelity bond in an amount satisfactory to the Commission. The cost of such bond shall be paid by the Commission.
5. The offices of Secretary and Treasurer may be held by the same person.

ARTICLE III

PRINCIPAL OFFICE

1. The principal office of the Commission shall be the office of the Secretary.
2. The principal office shall be open for business at such hours and on such days as the Commission from time to time directs.
3. All books and records of the Commission shall be kept in the principal office of the Commission. All records of the Commission shall be open to inspection by the public during the hours the principal office is open for business.

ARTICLE IV

MEETINGS

1. The annual meeting of the Commission shall be held on the fourth Wednesday of July each year, provided, the Commission may, by unanimous agreement of all Commissioners, select and designate an alternate date for holding the annual meeting.
2. Special meetings of the Commission may be called by the Chairman at any time. Upon written request of a majority of the Commissioners of either of the signatory states setting forth the matters to be considered at such special meetings, it shall be the duty of the Chairman to call a special meeting.
3. Notice of all special meetings of the Commission shall be sent by the Secretary, to all members of the Commission by ordinary mail at least ten days in advance of each meeting and such notice shall state the purpose thereof.
4. All meetings of the commission shall be held at such place as shall be agreed upon by the Commission.

5. Minutes of the Commission shall be preserved in a suitable manner. Minutes
6. Until approved shall not be official and such unofficial minutes shall be furnished only to members of the Commission, its employees and committees.
7. A majority of the Commissioners of each state and the Commissioner or his alternate representing the United States, if so designated, must be present to constitute a quorum. For purposes of a quorum and participation in meetings, any person properly acting on behalf of the State official responsible for administering water law in the State of Kansas shall be considered a Kansas Commissioner, and any person properly acting on behalf of the State official responsible for administering water law in the State of Oklahoma shall be considered an Oklahoma Commissioner. Credentials showing that such persons are properly acting on behalf of the State officials shall be filed with the Chairman of the Commission prior to each meeting in which such persons attend.
8. Each signatory state shall have a single vote representing the majority opinion of the Commissioners of that State, in any deliberations of the Commission. The Commissioner representing the United States shall not have the right to vote.
9. A majority of the Commissioners present of each signatory state must concur in any action taken by the Commission.
10. At each meeting of the Commission, the order of business, unless agreed otherwise, shall be as follows:
 - Call to Order
 - Introductions and Announcements
 - Readings of the Minutes of the Last Meeting
 - Correction and Approval of Minutes of the Last Meeting
 - Report of Chairman
 - Report of Secretary
 - Report of Treasurer
 - Report of Committees
 - Unfinished Business
 - New Business
 - Adjournment
11. All meetings of the Commission, except executive sessions, shall be open to the public. Executive sessions shall be open only to Members of the Commission and such advisors as may be designated by each member and employee as permitted by the Commission provided, however, that the Commission may call witnesses when in such session.

12. Any meeting of the Commission may be recessed from time to time from the place set for the meeting to another place at the sole discretion of the Chairman.
13. Special meetings may be conducted by long-distance telephone conference call or other electronic means. Unless a different location is designated in the notice of the meeting, the public may attend such meeting at the offices of either of the Commissioners who are the State officials responsible for administrating water law in the States. Any such long-distance telephone conference call or other electronic communication shall be recorded and made available for public inspection in accordance with the laws of the respective state.

ARTICLE V

COMMITTEES

1. There shall be the following standing committees:
 - Engineering Committee
 - Legal Committee
 - Budget Committee
2. The committees shall have the following duties:
 - (a) The Engineering Committee shall advise the Commission on all engineering matters that may be referred to it.
 - (b) The Legal Committee shall advise the Commission on all legal matters that may be referred to it.
 - (c) The Budget Committee shall prepare the annual budget and advise the Commission on all fiscal matters that may be referred to it.
3. Members of standing committees shall be appointed by the Commission. The number of members of each committee shall be determined from time to time by the Commission. Each state shall nominate the member or members representing that state to serve on each committee.
4. The Chairman shall be Ex-Officio Member of all committees and may appoint additional Ex-Officio Members to committees.
5. The Chairman of each committee shall be designated by the Commission.

6. The Commission may from time to time create special committees, composed of such members and others, and assign such tasks as the Commission may determine.
7. Formal committee reports shall be made in writing and filed with the Commission.

ARTICLE VI

RULES AND REGULATIONS

1. So far as is consistent with the Kansas-Oklahoma Arkansas River Compact, the Commission may adopt additional rules and regulations.
2. Rules and regulations of the Commission may be compiled and copies may be prepared for distribution to the public under such terms and conditions as the Commission may prescribe.
3. Amendments to the rules and regulations and mode for procedure of the Commission may be made at any meeting of the Commission.

ARTICLE VII

FISCAL

1. All funds of the Commission shall be deposited in a depository, or depositories, designated by the Commission under the name of the Kansas Oklahoma Arkansas River Commission Fund. Such funds shall be initiated and maintained by equal payment of each State into the fund.
2. Disbursements of funds in the hands of the Treasurer shall be made by check signed by him upon voucher approved by the Budget Committee Chairman. The Budget Committee Chairman may authorize expenditures above the budget not to exceed \$200.
3. At the annual meeting each year the Commission shall adopt and transmit to the Governors of the two States, the budget covering an estimate of its expenses for the following fiscal year.
4. The payment of expenses of the Commission and of its employees shall not be subject to the audit and accounting procedure of the States.
5. All receipts and disbursements of the Commission shall be audited yearly by a qualified

independent public accountant, to be selected by the Commission, and the report of the audit shall be included and become part of the annual report of the Commission.

6. An up-to-date inventory of all the property of the Commission shall be kept at the principal office of the Commission.
7. The fiscal year of the Commission shall begin July 1 of each year and end June 30 of the next succeeding year.

ARTICLE VIII

ANNUAL REPORT

1. The Commission shall make and transmit annually on or before the last day of September to the Governors of the signatory states of the Kansas Oklahoma Arkansas River Compact and to the President of the United States, a report covering the activities of the Commission for the preceding fiscal year.
2. The annual report shall include among other things, the following:
 - (a) The estimated budget
 - (b) Report of annual audit of the Kansas-Oklahoma Arkansas River Commission Fund
 - (c) All Hydrologic data which the Commission deems pertinent
 - (d) Statements as to cooperative studies of water supplies made during the preceding year
 - (e) All findings of facts made by the Commission during the preceding year
 - (f) Such other pertinent matters as the Commission may require

ARTICLE IX

MISCELLANEOUS

1. The Commission shall on request make available to the Governor of each of the signatory states any information within the Commission's possession at any time,

2. All contracts or other instruments in writing to be signed for and on behalf of the Commission, except matters relating to the receipt or disbursement of funds, shall be signed by the Chairman when authorized by the Commission.
3. The Commission shall have the power to employ such engineering, legal, clerical and other personnel as in its judgment may be necessary for the performance of its functions under the compact.

ARTICLE X

HEARINGS

1. The Commission may hold hearings, and take testimony and receive evidence at such times and places that it deems necessary. Such hearings may be held to determine violations of the Kansas-Oklahoma Arkansas River Compact or to collect, analyze and report on data as to stream flows, water quality, conservation storage, and such other information as is necessary for the proper administration of the compact. Such hearings may also be conducted for the purpose of securing information, suggestions, estimates and statistics as the Commission may need or believe to be useful for carrying out its functions and as may be available to or procurable from witnesses before the hearing.
2. All interested parties shall be afforded an opportunity for hearing after reasonable notice. Such notice shall include:
 - (a) A statement of the time, place, and nature of the hearing
 - (b) A statement of the legal authority and jurisdiction under which the hearing is to be held
 - (c) A reference to a particular matter and any statute and/or rules involved
 - (d) A short and plain statement of the matters asserted

If the Commission or any other interested party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues. Thereafter, upon application a more definite and detailed statement shall be furnished.

3. Opportunity shall be afforded to all interested parties to respond and present evidence and argument on all issues involved in a hearing by the Commission.

4. The record in a proceeding shall include:
 - (a) All pleadings, motions and intermediate rulings
 - (b) Evidence received or considered
 - (c) The statement of matters officially noticed
 - (d) Questions and offers of proof, objections, and rulings thereon
 - (e) Proposed findings and exceptions thereto
 - (f) Any decision, opinion or report by the officer presiding at the hearing
 - (g) All staff memoranda or data submitted to the Commission in connection with their consideration of the matters before such hearing
5. Findings of facts shall be based exclusively on the evidence and on the matters officially noticed by the Commission.
6. In the case of a hearing on a violation of the Kansas-Oklahoma Arkansas River Compact, oral proceedings or any part thereof shall be transcribed on request of any party charged with such violation and the cost of transcription shall be paid by the requesting party.

ARTICLE XI

PROCEDURES BEFORE COMMISSION

1. The Commission may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent men in the conduct of their affairs. It shall give effect to the rules of privileged communications recognized by law.

No greater exclusionary effect shall be given any such rule or privilege than would be obtained in an action in court. The Commission may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the interest of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.

2. Documentary evidence may be received in the form of copies or excerpts, if the original

is not readily available. Upon request, the parties shall be given an opportunity to compare the copy with the original.

3. A party may conduct cross-examination required for a full and true disclosure of the facts.
4. Notice may be taken of judicially recognizable facts. In addition, notice may be taken of generally recognized technical or scientific facts within the Commission's specialized knowledge. Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material noticed, including any staff memoranda or data, and they shall be afforded an opportunity to contest the material so noticed. The Commission's experienced, technical competence and specialized knowledge may be utilized in the evaluation of the evidence.
5. Apparent violations to the Compact shall be handled as follows:
 - (a) If there is an apparent violation to the Compact, it should be made known to the Commission
 - (b) Apparent violators submit an explanation for said violation to the Commission within 30 days of receipt of written notification of said violation from the Commission
 - (c) That the Commission refer the apparent violation to the Engineering and Legal Committees for investigation
 - (d) After due investigation has been made, the Engineering and Legal Committees refer the matter to the Commission with recommendations concerning the action to be taken
6. Any party shall at all times have the right to counsel, provided that such counsel must be duly licensed to practice law in one of the States of the United States.

ARTICLE XII

FINDINGS

1. When the Commission finds that a violation of the Compact has occurred in a hearing held by the Commission itself, it shall transmit its findings to the appropriate state agencies in Kansas and/or Oklahoma to investigate and abate sources of the alleged violations.

2. In the case of a hearing held to collect, analyze and report on data as to stream flows, water quality, conservation storage, and such other information as is necessary for the proper administration of the Compact, and the gathering of information, suggestions, estimates and statistics as it may need or believe to be useful for carrying out its functions and as may be available to or procurable from witnesses, the information together with the Commission's final determination shall be forwarded to the proper agency of each state charged with enforcement of pollution control and water supervision, and a copy shall also be maintained in the permanent office of the Commission. Said final determination shall include suggestions to the various states as to action to be taken by them to aid in the enforcement of this Compact.

ARTICLE XIII

PUBLICITY

1. Prior to the close of each meeting, the Chairman shall draft a press release as directed by the Commission and submit it to the Commission for approval. All approved releases may be made available to the press by any member of the Commission.
2. All other press releases, if there be any, shall be released by and through the Chairman.

