

KANSAS - OKLAHOMA
ARKANSAS RIVER COMMISSION

MINUTES OF
THE
FORTY-FIFTH ANNUAL MEETING

DRAFT



July 21, 2009

Three Forks Harbor (Port of Muskogee)
Muskogee, Oklahoma.

WATER RESOURCES
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**KANSAS-OKLAHOMA
ARKANSAS RIVER COMMISSION**

MINUTES OF THE FORTY-FIFTH ANNUAL MEETING

The annual meeting was called to order at 9:00 a.m., July 21, 2009 at the Three Forks Harbor (Port of Muskogee), 5204 Three Forks Road, Muskogee, Oklahoma. A copy of the agenda is attached. [see Exhibit A]

Commissioners:

Earnie Gilder, Alternate Federal Commissioner
Paul Graves for David Barfield, Commissioner for Kansas
Kent Ott, Commissioner for Kansas
Peggy Blackman, Commissioner for Kansas
Duane Smith, Commissioner for Oklahoma
J. Ross Kirtley, Commissioner for Oklahoma
Bryce Benson, Commissioner for Oklahoma

Administrative Officer:

Harold L. Springer, Secretary-Treasurer

Committee Members:

Robert Lytle, Kansas Division of Water Resources
Jerry Barnett, Oklahoma Water Resources Board

Others:

Bob Blazs, OK US Geological Survey
Josh McClintock, OWRB
Phillip Blundell, OWRB
[see Exhibit B for attendance list]

Introductions and Announcements:

Federal Commissioner William Franklin was not able to attend the meeting and alternate Federal Commissioner Earnie Gilder called the meeting to order and welcomed everyone to the Kansas-Oklahoma Arkansas River Commission Annual Meeting. Attendees introduced themselves.

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Presentation and Verification of Credentials:

Alternate Federal Commissioner, Mr. Albert Earnest Gilder, was appointed by President Bush on February 13, 2003. Mr. J. Ross Kirtley was appointed as an Oklahoma Commissioner by the Oklahoma Governor on September 9, 2003. Kent Ott was re-appointed by the Kansas Governor on January 1, 2007 and Peggy Blackman was appointed by Kansas Governor Mark Parkinson on June 17, 2009. Bryce Benson was appointed by Oklahoma Governor Brad Henry on April 20, 2009. Copies of the appointments are on file with the Commission.

David Barfield serves as commissioner for the State of Kansas as the State official responsible for administering water law in that State. Paul Graves will be representing David Barfield acting in his behalf for this meeting. Duane Smith serves as commissioner for the State of Oklahoma as the State official responsible for administering water law in that State.

Approval of Minutes of the Special Meeting:

A motion to approve the minutes of the meeting held on July 23, 2008 in South Hutchinson, Kansas was made by Acting Commissioner Paul Graves and seconded by Commissioner Duane Smith. Bob Lytle mentioned that some of the attachments were missing and Mr. Springer explained that the draft minutes did not have the attachments and that the attachments were part of the official copies of the minutes. The motion was unanimously approved [see Exhibit C].

Report of the Chairman:

No Chairman report was given.

Reports of the Commissioners - Oklahoma and Kansas:

Paul Graves gave an oral and written report for the State of Kansas [see Exhibit D]. Art Woodman was a Kansas Compact Commissioner from 1988 till 2008 at which time he moved outside of the Arkansas River Basin. A Resolution of Appreciation was prepared by Kansas to honor Mr. Woodman and his service to the Commission that would be presented later in the meeting. Peggy Blackman was appointed by the Governor as a Kansas Commissioner on June 17, 2009. Commissioner Blackman made several comments to the Commission.

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Mr. Graves continued the Kansas report commenting on other compact litigation, legislation, state budget matters, water right matters, and weather conditions. Paul also referred to the Kansas Water Resources Report and a few copies were made available to the commissioners. [The report is available on their web site.] Questions were asked on several of the subjects followed by discussion. Bob Lytle gave a brief update on the Tri-State area stating the COE and a private engineering firm had identified about 118 MGD of water supplies. Other studies are also ongoing in the area.

Commissioner Smith gave the Oklahoma Commissioners' Report. [Exhibit E] Mr. Smith introduced Bryce Benson as the new Oklahoma Commissioner who made a few comments along with Commissioner Kirtley. Mr. Smith continued with comments on the state's budget, the Oklahoma Comprehensive Water Plan, Water Resource Financing, Legislation, the Tri-State Area, and several other programs. An invitation was extended to everyone to attend the Governor's Water Conference and Symposium on November 3-5, 2009 in Midwest City.

Report of the Treasurer

The Treasurer's Report for the FY 2009 was presented by Harold Springer, Secretary-Treasurer. The report included a summary of the received amounts and the disbursements for the fiscal year; a balance sheet for FY-2009 showing beginning and ending balances; and a summary of the budgets from FY-2008 through the proposed budget for FY-2011. The proposed budget for FY-2011 was discussed and the commissioners decided to keep the overall budget amount the same as the FY-2010 budget. The changes were made to the proposed budget. A motion was made and seconded to approved and accept the Amended Treasurer Report. The motion passed unanimously. [see Exhibit F]

The audit for FY-2008 was presented to the Commissioners and discussed. [see Exhibit G] A motion was made and seconded to authorize the Audit for FY-2009.

A letter was received from Bill Franklin dated July 14, 2009 resigning as Federal Commissioner. [see Exhibit H] Mr. Franklin has had health issues and was not planning to attend any more commission meetings. The commissioners discussed the matter and both states agreed to make a recommendation to the President concerning a replacement. Commissioner Smith recommended appointing Alternate Federal

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Commissioner Earnie Gilder as Federal Commissioner and naming another for the Alternate Federal Commissioners. The states will work on this matter and make a recommendation to the President together.

Committee Reports

Bob Lytle gave the Engineering Committee report with no new conservation storage being constructed in either state. The stream flows for most of the gaging stations were above normal. [See Exhibit I]

The Legal Committee Report was given orally by Jerry Barnett. The committee was given an assignment at the previous meeting to investigate whether the audit must be on an annual basis or if it could be bi-annual. Jerry Barnett and Burke Griggs agreed the audit must be done on an annual basis.

The proposed budget had been discussed and approved during the Treasurer's Report earlier in the meeting.

Unfinished Business

There was no unfinished business to discuss.

New Business

Under new business the Commissioners discussed and approved the Committee assignments and Chairmanships.

Commissioner Smith stated that Jerry Barnett would serve as the Oklahoma member of the Legal Committee and that Julie Cunningham would be the Oklahoma member of the Engineering and Budget Committees.

Acting Commissioner Graves stated that Burke Griggs would serve as the Kansas member of the Legal Committee and that Bob Lytle would continue to serve as the Kansas member on the Engineering and Budget Committees.

Kansas Committee members will serve as Committee Chairs for the next year.

A Resolution was prepared by Kansas to honor Art Woodman and was adopted by the commission. Kansas will see that the Resolution is sent to

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Mr. Woodman. [See Exhibit J]

Commissioner Gilder asked if any correction needed to be made for the commission directory. [See Exhibit K] The list was passed around and corrections made.

Kansas will host the meeting next year on July 28, 2010. The meeting place and time will be announced later.

Reports of Other Agencies and Activities in the Compact Area

Mr. Bob Blazs of the US Geological Survey (USGS) presented a written report for the USGS in Oklahoma and Kansas. The report consists of stream gaging data and trends. A copy of the report is attached [see Exhibit L]. The commissioners discussed some of the cost and other issues of the stream gaging program.

Adjournment

The meeting was adjourned at approximately 11:00 a.m., July 21, 2009.

Minutes approved (date): July 28, 2010

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