

Oklahoma

Water  
News

MONTHLY NEWSLETTER OF THE OKLAHOMA WATER RESOURCES BOARD

## Supreme Court to Hear Ute Reservoir Water Rights Case

On April 16, the U.S. Supreme Court will hear oral arguments from Oklahoma and other litigants involved in a nine-year dispute over interstate rights to Canadian River waters.

R. Thomas Lay, special counsel working on behalf of the OWRB, will support Oklahoma's efforts to force New Mexico to eliminate excess storage in Ute Reservoir, on the Canadian River near Tucumcari. Current flows on the Canadian River in Oklahoma have been reduced by approximately 84 percent from flows recorded prior to the Ute enlargement and construction of Texas' Lake Meredith. Attorneys representing Texas, Oklahoma's co-litigant, and New Mexico will also be granted opportunities to address the high court and argue as to whether New Mexico has broken compact agreements by enlarging the impoundment.

"The Supreme Court's decision will not only affect water use in the region, but could set a precedent throughout the western U.S.," Lay pointed out.

New Mexico enlarged Ute Dam in 1984 to provide additional water storage. Oklahoma and Texas contend that the expansion ignored provisions of the 1950 Canadian River Compact, an agreement drafted to fairly apportion Canadian River flows and limit the amounts of water the three mem-

ber states may impound. The Canadian River Commission, which meets yearly, administers and enforces terms of the Compact.

"According to terms of the agreement, New Mexico now withholds 42,000 acre-feet over the amount allowed them simply by designating conservation storage in Ute Reservoir as water reserved for recreation and fish and wildlife purposes," Lay said. "The Compact's definition of 'conservation storage' is a primary sticking point of the dispute."

Like most federal water projects, Ute is a multipurpose structure, providing a variety of benefits. These reservoirs typically supply municipal, industrial, agricultural and recreational users; provide flood control; and enhance water quality and habitat for fish and wildlife. A specified amount of space is allocated to each of these uses, with storage amounts determined by the use's importance to the region.

After Compact commissioners were repeatedly unsuccessful in resolving the excess capacity issue, Oklahoma and Texas filed suit in Supreme Court which then appointed Special Master Jerome C. Muys to advise the court. Muys is a Washington, D.C., attorney with expertise in western water and compact matters. Assignment of a Special Master is typical in such interstate disputes although the final ruling

will be made by the Supreme Court. Muys presided over hearings and gathered evidence, then issued a report concluding that New Mexico is in violation of the Compact. In April, the court will hear arguments of the three states and decide whether or not to accept legal recommendations made in the report. Monetary or other damages could be awarded to Oklahoma and Texas if they are granted a favorable ruling by Muys and/or the Supreme Court. A final decision is expected by July.

"The importance of preserving Oklahoma's water resources cannot be understated, especially as competition increases for existing supplies," according to Patty Eaton, OWRB executive director.



OWRB Executive Director Patty Eaton and Tom Lay, counsel of record, discuss aspects of the Ute case prior to their departure for Washington, D.C., and an appearance before the U.S. Supreme Court.

## Fertilizer Overdose Causes Pollution

It's spring and you're preparing to fertilize your lawn. Like any responsible consumer, you read the directions regarding proper usage. Unfortunately, if you set your lawn spreader according to directions, it just doesn't look like much is coming out.

To make sure you do a really good job, you might say to yourself, "I'll just put on a little extra. After all, everybody knows that if one pound is good, two pounds is better." You want RESULTS!

Using too much fertilizer—especially before a rain—can pollute local water supplies, and it won't make your lawn any more attractive. When you add more nutrients to the soil than plants are able to absorb, the water which dissolves the nutrients can also carry them into nearby street gutters or storm sewers, or transport them through the soil into underground water supplies. Keep in mind that neighborhood storm sewers do not always lead to water treatment facilities and may serve only as conveyances to the nearest creek or reservoir. Fertilizer in a water body causes excessive growth of algae and other aquatic plants, increasing subsequent plant decay and decreasing critical oxygen supplies for fish. Fish kills are often the effect of excessive fertilizer use. Also, if you have ever noticed a strange taste or smell in your drinking water, it may have been caused by nutrient-fed algal blooms.

Fertilizer is created naturally as organic matter decays and helps maintain a fragile ecological balance that can be disrupted by the addition of excessive nutrients. Yard clippings and other organic materials which are improperly disposed of around street gutters and storm sewers can harm the environment as much as manufactured fertilizers.

Responsible use of fertilizers can give you a beautiful lawn which will require less mowing and watering. You can augment or replace commercial fertilizer with leaves and grass from your lawn. Grass clippings left on the yard fertilize live grass and aid water retention. Autumn leaves, a major landfill space eater, will de-

compose in about one year if piled together, leaving a fine humus for use as potting soil or in garden or shrub areas. With minimal effort, you can make your own fertilizer in several weeks by composting a moist mixture of grass and leaves.

The same faulty wisdom that says "if one is good, two is better" also teaches that one person's fertilizer habits are too insignificant to have any effect on the ecosystem. If only a few homeowners in each neighborhood would merely read and follow directions on fertilizer containers, it would decrease the potential for water pollution while keeping your yard green and lovely.

—Texas Water Commission



### Water for Troops Costly

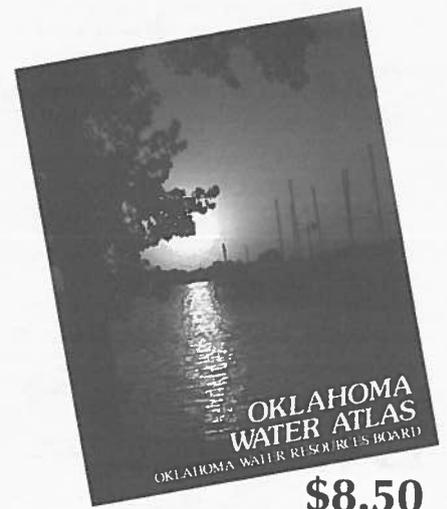
It cost the U.S. government an estimated \$2.4 million per day to supply bottled water to American forces in Saudi Arabia, according to *U.S. Water News*.

The water, which at about \$4 a gallon was more than twice the price paid for gasoline in the U.S., was sold to the military by the Saudi government. But when Desert Storm troops and related personnel reached nearly 175,000, rising costs necessitated that the Army switch to its own supply from purification plants and desalination units. Reportedly, the troops were less than happy with the substitute due to the rubbery aftertaste of desalinated water. Soldiers were discouraged from using Gatorade or other soft drinks to sweeten the water because sweeteners promote bacteria growth in canteens.

### "Atlas" Fishermen's Delight

Copies of the "Oklahoma Water Atlas" are available at the OWRB's Oklahoma City office, as well as some sporting goods stores and bait shops in the Oklahoma City area.

The 350-page publication contains



**\$8.50**

145 maps and a variety of other information on 4,300 Oklahoma lakes. It is a perfect companion for fishermen, teachers, students and tourists—anyone with an interest in Oklahoma's water resources. In addition, all state rivers, creeks and streams are listed by county, location of mouth and length. The Atlas is filled with color and black-and-white photos, graphs and interesting text which examines Oklahoma history, climate and various categories of water resources.

The Water Atlas can be purchased for \$8.50 at the OWRB's new offices, 600 N. Harvey, or by mail for \$10.50 (book rate raised 50 cents due to recent postage increase) by writing the OWRB at P.O. Box 150, Oklahoma City, OK 73101-0150. Please pre-pay orders and make checks payable to the Oklahoma Water Resources Board.

### Oil Recycling Begins in OKC

Endurance Auto Parts, with seven stores in the Oklahoma City area, announces a new program to collect and recycle used motor oil.

The free service offers motorists who change their own oil an opportunity to dispose of waste oil safely. By depositing it in government approved receptacles at Endurance locations, metro residents can keep it out of city landfills, surface water and groundwaters. The program, introduced in southern California last year, is credited with receiving 250,000 gallons of used motor oil for reclamation.

Company president Mike Manor

said, "We hope to minimize careless dumping of oil in household trash and storm drains, which results in soil and water contamination and poses a major environmental threat." He pointed out that the centers will also accept used batteries for recycling.

Endurance Auto Parts stores in the Oklahoma City area which will accept used oil and batteries for recycling are located at:

- 4 E. Second St., Edmond
- 2719 S. Air Depot, Midwest City
- 4501 S. Sunnyslane, Del City
- 4500 NW 39th St.
- 2400 N. Western
- 4408 S. Pennsylvania
- 2324 Martin Luther King

### Board Hosts Compact Meeting

Commissioners representing Oklahoma, Arkansas, Louisiana and Texas on the Red River Compact will meet April 30 at 9 a.m. at the new offices of the Oklahoma Water Resources Board, 600 North Harvey in Oklahoma City. The announcement was made by OWRB Executive Director Patty P. Eaton, who serves on the commission as head of the state's water agency.

The meeting will be the first commission meeting for Eaton and the first for Oklahoma's other commissioner, Ken Ferguson. He is an Altus banker appointed to the Red River Commission by Gov. Henry Bellmon in December. Ferguson replaces L. L. "Red" Males who had served on the Commission from 1984 until his death in March 1990.

## Test Your Pollution Prevention IQ Here

1. The furnace/air conditioner is the biggest energy user in the home. What ranks second in energy use?
  - (a) home appliances
  - (b) indoor and outdoor lighting
  - (c) hot water heater
2. What accounts for more than half of the hazardous waste disposed of by individuals?
  - (a) paint products
  - (b) cosmetic products
  - (c) household cleaners
3. Since 1980, the proportion of Americans using public transportation to get to work has
  - (a) increased more than 50%
  - (b) increased, but less than 50%
  - (c) dropped more than 50%
  - (d) dropped, but less than 50%
4. About 220 million acres of land have been deforested for livestock production. What proportion of U.S. croplands are used just to grow feed for livestock?
  - (a) 15%
  - (b) 25%
  - (c) 50%
  - (c) 75%
5. In the average home, what percentage of the water is used in the bathroom?
  - (a) 20%
  - (b) 35%
  - (c) 50%
  - (d) 75%
6. Aerosol cans labeled "No CFC's" are environmentally safe. True or False?
7. The best time to water the lawn is
  - (a) morning
  - (b) afternoon
  - (b) early evening
  - (d) night
8. The bleaching of paper for towels, coffee filters, etc., has been linked to what toxic substance?
  - (a) dioxin
  - (b) chlorofluorocarbons
  - (c) lead
  - (d) sulfuric acid
9. How many trees are used in making disposable diapers each year?
  - (a) 10 million
  - (b) 100 million
  - (c) 1 billion
  - (d) 3 billion
10. What is the primary source of exposure to lead in the environment?
  - (a) deteriorating lead-based house paint
  - (b) soil/dust contaminated by lead from paint and gasoline
  - (c) drinking water contaminated by lead solder, fixtures, pipes
  - (d) smelter/waste combustor emissions
11. The greatest single source of CFC emissions is
  - (a) disposable foam products
  - (b) leaking auto air conditioners
  - (c) refrigerators
12. How many pounds of carbon does a car release each year?
  - (a) 100
  - (b) 1,000
  - (c) 5,000
  - (d) 10,000
13. You use less energy if you keep your home at a constant temperature, so don't adjust the heat when you leave for a few hours. T or F?
14. Before pesticides, farmers lost 33% of their crop to pests. With pesticides, what percentage is lost to pests?
  - (a) 5%
  - (b) 12%
  - (c) 20%
  - (d) 33%
15. Waste paper, food scraps, yard waste and paper plates together make up what proportion of material in landfills?
  - (a) 71%
  - (b) 46%
  - (c) 23%
  - (d) 10%
16. About 70% of the plants identified as being useful in the treatment of cancer are found only in rainforests. Nevertheless, destruction of rainforests is proceeding at the rate of
  - (a) 1 acre per minute
  - (b) 10 acres/minute
  - (c) 20-30 acres/minute
  - (d) 50-100 acres/minute

**Answers:** 1:a, 2:c, 3:c, 4:c, 5:d, 6:F, 7:a, 8:a, 9:c, 10:a, 11:b, 12:d, 13:F, 14:d, 15:b, 16:d

—EPA Pollution Prevention News,

#### FINANCIAL ASSISTANCE PROGRAM UPDATE Approved at March Board Meeting

Grants	Loans
Hughes County RWD #2—\$75,000	(current rate—4.892%; 28-year max. term)
Cherokee County RWD #10—\$27,000	Elgin PWA—\$520,000
Aline PWA—\$10,000	LeFlore Co. RWD #12—\$40,000 <sup>1</sup>
Elgin PWA—\$100,000	Tulsa Metro Utility Authority—\$15,559,500 <sup>2</sup>
Quinton PWA—\$35,000	
Goldsby Water Association—\$25,000	<sup>1</sup> increase to earlier Board loan
Geary Utilities Authority—\$50,000	<sup>2</sup> from State Revolving Fund (SRF) Program

	Totals as of 3/12/91		
	FAP Loans	Grants	SRF Loans
Approved	74	224	2
Amount	\$65,030,000	\$14,040,155	\$26,659,500
Funded	60	198	1
Amount	\$47,620,000	\$12,264,318	\$11,100,000

**STORAGE IN SELECTED OKLAHOMA LAKES & RESERVOIRS  
AS OF MARCH 28, 1991**

PLANNING REGION LAKE/RESERVOIR	CONSERVATION STORAGE (acre-feet)	PRESENT STORAGE (acre-feet)	PERCENT OF STORAGE		PLANNING REGION LAKE/RESERVOIR	CONSERVATION STORAGE (acre-feet)	PRESENT STORAGE (acre-feet)	PERCENT OF STORAGE	
			conservation	flood				conservation	flood
<b>SOUTHEAST</b>					<b>EAST CENTRAL</b>				
Atoka	124,100	115,404	93.0	N/A	Eufaula	2,314,600	2,308,373	99.7	0.0
Broken Bow	918,070	918,070	100.0	2.2	Tenkiller	654,100	654,100	100.0	1.0
Hugo <sup>1</sup>	187,603	187,603	100.0	3.5	Wister <sup>1</sup>	58,601	58,601	100.0	3.4
McGee Creek	113,930	113,930	100.0	8.1	<b>NORTHEAST</b>				
Pine Creek <sup>1</sup>	73,346	73,346	100.0	5.7	Birch	19,200	16,478	85.8	0.0
Sardis	274,330	274,330	100.0	8.6	Copan	43,400	38,169	88.0	0.0
<b>CENTRAL</b>					Eucha	79,600	79,600	100.0	N/A
Arcadia	27,520	27,520	100.0	0.1	Fort Gibson	365,200	364,078	99.7	0.0
Hefner	75,400	53,625	71.1	N/A	Grand	1,672,000	1,506,470	90.1	0.0
Overholser	15,900	7,835	49.3	N/A	Heyburn	7,105	7,062	99.4	0.0
Stanley Draper	100,000	79,188	79.2	N/A	Hudson	200,300	200,300	100.0	5.6
Thunderbird	119,600	119,600	100.0	2.8	Hulah	31,160	21,718	69.7	0.0
<b>SOUTH CENTRAL</b>					Oologah	553,400	553,400	100.0	7.3
Arbuckle	72,400	72,400	100.0	1.2	Skiatook	322,700	279,703	86.7	0.0
Texoma	2,643,300	2,643,300	100.0	1.6	Spavinaw	30,590	30,590	100.0	N/A
Waurika	203,100	199,149	98.1	0.0	<b>NORTH CENTRAL</b>				
<b>SOUTHWEST</b>					Kaw	428,600	428,600	100.0	0.3
Altus	132,830	92,822	69.9	0.0	Keystone	557,600	546,016	97.9	0.0
Ellsworth	72,490	59,463	82.0	N/A	<b>NORTHWEST</b>				
Fort Cobb	80,010	78,677	98.3	0.0	Canton	111,310	102,173	91.8	0.0
Foss <sup>2</sup>	256,220	175,380	68.5	0.0	Fort Supply	13,900	13,882	99.9	0.0
Lawtonka	56,574	45,031	79.6	N/A	Great Salt Plains	31,420	31,420	100.0	1.0
Tom Steed	88,970	69,494	78.1	0.0	<b>STATE TOTALS</b> 13,130,479 12,646,900 96.3 1.7				

<sup>1</sup> Seasonal pool operation

<sup>2</sup> Conservation pool lowered to enhance project operation

N/A—not applicable; no flood storage allocation.

Data courtesy of the U.S. Army Corps of Engineers, Bureau of Reclamation, Oklahoma City Water Resources Department, City of Tulsa Water Superintendent's Office, City of Lawton, City of Altus, Altus Irrigation District, Foss Reservoir Master Conservancy District and Fort Cobb Master Conservancy District.

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**OKLAHOMA WATER NEWS**

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