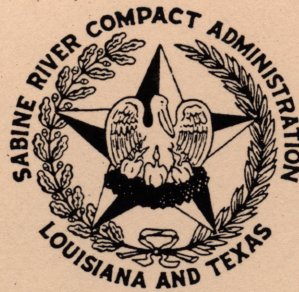


1999



**1999**

**FORTY FIFTH**

**ANNUAL REPORT**

**SABINE RIVER COMPACT  
ADMINISTRATION  
LOUISIANA AND TEXAS**



SABINE RIVER BASIN

**FORTY FIFTH ANNUAL REPORT**

# **SABINE RIVER COMPACT ADMINISTRATION**

**FOR THE YEAR 1999**

**To the President of the United States**

**and**

**The Governors of Louisiana and Texas**



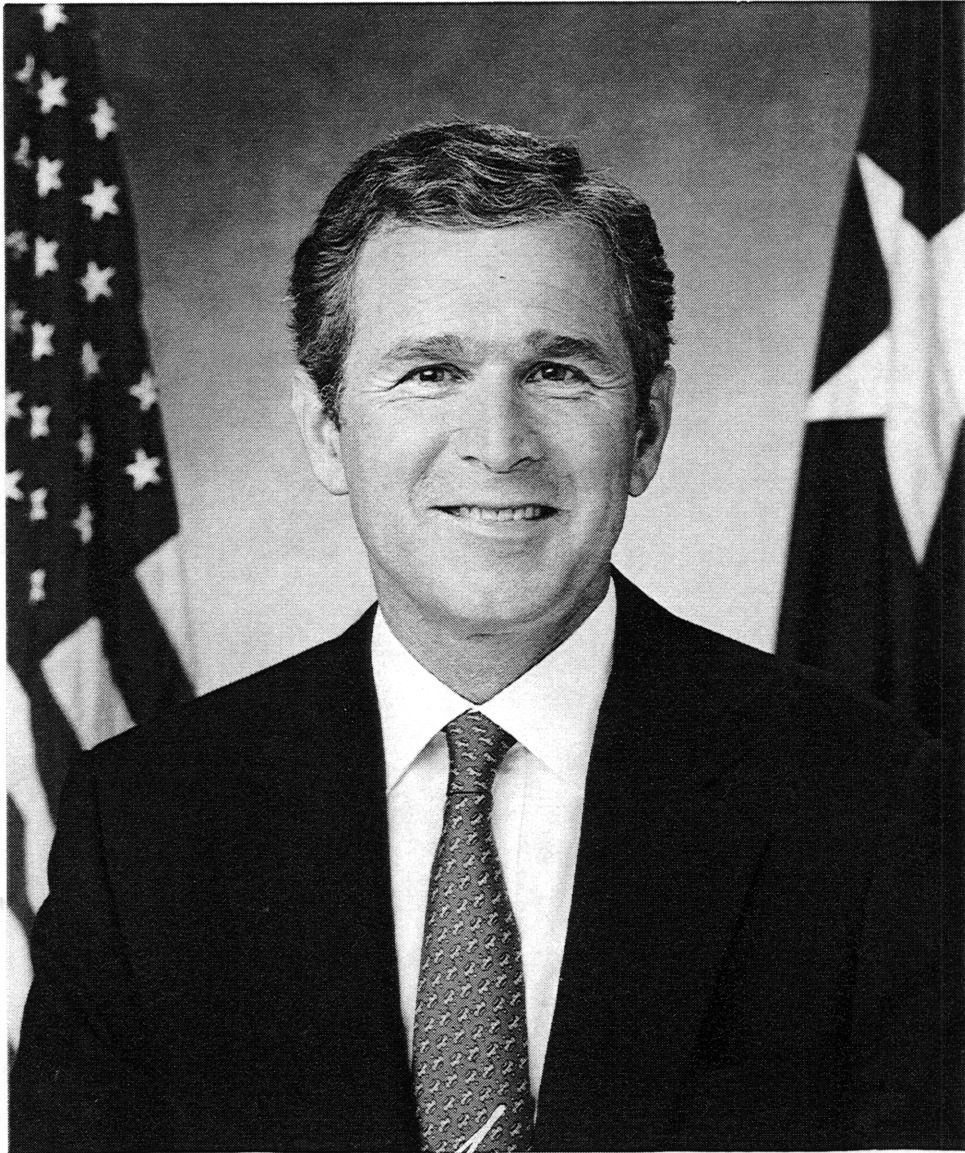
**The Administration**  
**Peggy E. Montaño**  
**Federal Representative and Chairman**

**George D. Brandon and William B. Lewis**  
**for Louisiana**

**Danny Choate and Frank Parker**  
**for Texas**



**Governor M. J. "Mike" Foster, Jr.**  
**Louisiana**



**Governor George W. Bush, Jr.**  
**Texas**



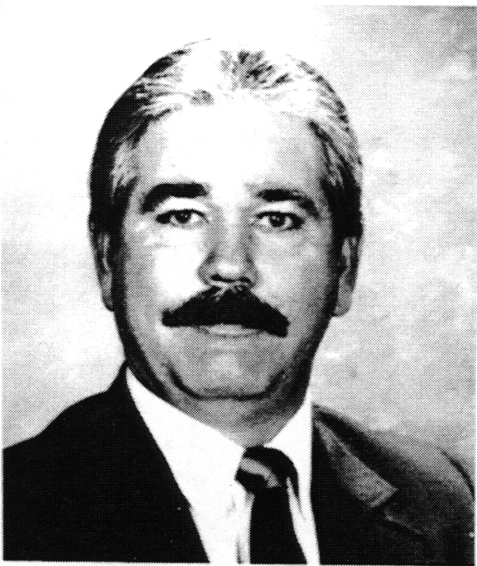
**Commissioner Peggy E. Montaña**  
**United States**



**Commissioner George D. Brandon**  
**Louisiana**



**Commissioner William B. Lewis**  
**Louisiana**



**Commissioner Danny Choate**  
**Texas**



**Commissioner Frank Parker**  
**Texas**

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**Annual Report of**  
**SABINE RIVER COMPACT ADMINISTRATION**  
**1999**

**Report Year: October 1, 1998 to September 30, 1999**

**TO: The President of the United States**  
**Governors of the States of Louisiana and Texas**

**Sirs:**

**Pursuant to Article VII of the Sabine River Compact, the Administration created by the terms of this Compact makes the following report for the year ending September 30, 1999**

**1. Members of the Administration**

**Members of the Administration appointed in accordance with provisions of the Sabine River Compact as amended by Public Law 102-575, October 30, 1992 are:**

**United States Representative:**

**Peggy E. Montañó**

**Louisiana Representatives:**

**George D. Brandon**

**William B. Lewis**

**Texas Representatives:**

**Danny Choate**

**Frank Parker**

**2. Officers of the Administration**

**Chairman: Peggy E. Montañó, 1775 Sherman Street, Suite 1300, Denver, Colorado 80203-4313**

**Vice-Chairman: George D. Brandon, Leesville, Louisiana 71446**

**Treasurer: Danny Choate, Orange, Texas 77630**

**Secretary: Mary Gibson, 15091 Texas Hwy, Many, Louisiana 71449-5718**

### **3. Standing Committees**

#### **Budget Committee:**

**USGS LA Representative – George Arcement, Chairman, Baton Rouge, Louisiana**  
**USGS TX Representative – Joe Broadus, Houston, Texas**  
**LA Department of Transportation and Development Representative –**  
**Curtis Patterson, Baton Rouge, Louisiana**  
**TX Natural Resource Conservation Commission Representative –**  
**Herman Settemeyer, Austin, Texas**

#### **Engineering Committee:**

**Barton Rumsey, Chairman, Many, Louisiana**  
**Albert J. Gray, Vice-Chairman, Orange, Texas**  
**George Arcement, Baton Rouge, Louisiana**  
**Joe Broadus, Austin, Texa**  
**David M. Cochran, Austin, Texas**  
**Jerry Clark, Orange, Texas**  
**Linda Curtis-Sparks, Many, Louisiana**  
**Kellie Ferguson, Many, Louisiana**  
**Mary H. Gibson, Many, Louisiana**  
**J. Dale Givens, Baton Rouge, Louisiana**  
**Donnie Henson, Burkeville, Texas**  
**David G. Morris, Fort Worth, Texas**  
**Fred Ore, Austin, Texas**  
**Curtis G. Patterson, Baton Rouge, Louisiana**  
**Loren Pope, Dallas, Texas**  
**Ed Preau, Baton Rouge, Louisiana**  
**Russell Rader, New Orleans, Louisiana**  
**Mike Rankin, Many, Louisiana**  
**Herman Settemeyer, Austin, Texas**  
**Chief, State Programs Section; USEPA, Dallas, Texas**  
**Meteorologist in Charge, NWS, Beaumont, Texas**  
**Representative, TNRCC, Beaumont, Texas**  
**Hydrologist in Charge, USGS, Houston, Texas**

#### **Engineering Sub-Committees:**

**Diversion Subcommittee: Albert Gray and Barton Rumsey**  
**Gaging Subcommittee: Albert Gray, Barton Rumsey, George Arcement, and Joe Broadus**  
**Water Quality Subcommittee: J. Dale Givens, Herman Settemeyer, and Russell Bowen**

#### **Legal Committee:**

**Jim I. Graves, Chairman, Orange, Texas**  
**Jane Atwood, Austin, Texas**  
**Gary C. Ethridge, Baton Rouge, Louisiana**

**The Chairman, Representative of the United States, is ex-officio member of all standing committees.**

**4. Meetings**

**Meetings were held during the report year as follows:**

**October 23, 1998 LaQuinta Convention Center; San Antonio, Texas**

**June 18, 1999, Cypress Bend Hotel and Resort; Many, Louisiana**

**5. Fiscal**

**(a) In accordance with Article VII:K of the Compact, the expenses incident to the administration of the Compact are paid equally by the States of Louisiana and Texas. A summary of receipts and disbursements for fiscal year ending August 31, 1999 is included in Appendix A.**

**(b) On June 18, 1999, the Administration approved a budget for the 2000 fiscal year in accordance with provisions of the By-Laws of the Administration (Article VII:3) as follows:**

**ADMINISTRATIVE EXPENSE**

<b>Secretary's Office .....</b>	<b>4,450.00</b>
<b>Treasurer's Office.....</b>	<b>1,800.00</b>
<b>Auditing Fee .....</b>	<b>1,000.00</b>
<b>Treasurer's Bond .....</b>	<b>50.00</b>
<b>Meeting Expenses.....</b>	<b>950.00</b>
<b>United States Geological Survey Contract.....</b>	<b>54,080.00</b>
<b>Total Annual Budget .....</b>	<b>62,330.00</b>
<b>Each State's Share .....</b>	<b>31,165.00</b>

**(c) Pursuant to provisions of the Compact (Article VII:K) and of the By-Laws of the Administration (Article VII:4), the receipts and disbursements of the Administration have been audited for the period September 1, 1998 through August 31, 1999. The report of this audit is attached as Appendix A.**

## 6. General Activities

The Administration continued its cooperative program with State and Federal agencies to collect streamflow and quality-of-water data, and to report diversions as provided by Article VII:G of the Compact.

For the fiscal year ending August 31, 1999, the Administration and the Water Resources Division, U.S. Geological Survey provided a total of \$108,160.00 for the technical program. The basic-records part of the program, supported by these funds, consisted of the full support for nine continuous-record discharge stations [one with Data Collection Platform (DCP)]; one reservoir contents station; one stage station (with DCP); one crest-stage station, and water quality analyses for two sites. The discharge station on the Sabine River near Beckville is used for the determination of Stateline flow as defined by Article VII:G of the Compact. Funds for the operation of this station are provided by the Texas Natural Resource Conservation Commission and the U.S. Geological Survey. This Article also requires findings as to the diversions made in the Stateline reach. Tabulated below is a summary of the diversions for the reporting year, October 1, 1998 - September 30, 1999.

### DIVERSIONS IN ACRE-FEET

Purpose	State	Sabine River below Toledo Bend Dam	Tributaries Below Toledo Bend Dam	Toledo Bend Reservoir	Tributaries flowing into Toledo Bend Reser. Below State Line
Irrigation	Louisiana	3,130	0	0	0
	Texas	1,503	0	0	0
Industrial	Louisiana	62,833	0	23,322	6
	Texas	60,168	0	0	0
Municipal	Louisiana	446	0	3,484	0
	Texas	85	0	1,415	493
Total	Louisiana	66,409	0	26,807	6
	Texas	61,756	0	1,415	493
<b>Total diversion For Louisiana</b>					<b>93,222</b>
<b>Total diversion For Texas</b>					<b>63,664</b>
<b>Grand Total</b>					<b>156,886</b>

The industrial diversion for Texas does not include 199,538 acre-feet of brackish cooling water circulated through an industrial plant in Orange County from Adams Bayou and returned to the River.

The gaging stations designated by the Administration are listed in Section 9 and a summary of the discharges for these stations is in Appendix B.

## 7. Hydrologic Conditions

Rainfall over the basin for the reporting year October 1998 through September 1999 averaged 1% to 20% above normal for rainfall stations in the upper part of the basin, 5% to 17% above normal for stations in the middle part of the basin, and 22% below normal to 18% above normal for stations in the lower part of the basin. These conditions were indicated by rainfall stations at McKinney, Sulphur Springs, and Wills Point in the upper basin; Longview, Center, Mansfield, and Leesville in the middle part; and DeRidder, Lake Charles, and Orange in the lower part of the basin. These percentages compare respectively to 0.5% below normal to 7% above normal, 5% below normal to 10% above normal, and 5% to 26% above normal for the reporting year of 1997-1998.

The average rainfall for the reporting year for the three stations in the upper part of the basin (McKinney, Sulphur Springs, and Wills Point) was 45.29 inches, 4.09 inches (9.9%) above the long-term average rainfall of 41.20 inches; for the four stations in the middle part of the basin (Longview, Center, Mansfield, and Leesville) an average of 56.45 inches, 5.95 inches (11.8%) above the long-term average rainfall of 50.50 inches; and for the three stations in the lower part of the basin (DeRidder, Lake Charles, and Orange) an average of 54.08 inches, 2.87 inches (5%) below the long-term average of 56.95 inches. For comparison, the last reporting year's departures from the long-term average rainfall for these areas were respectively, 1.60 inches above, 2.70 inches above and 9.13 inches above the long-term average rainfall.

The maximum total rainfall for the reporting year, 67.27 inches, occurred at DeRidder which total is 10.18 inches above the long term average of 57.09 inches. The minimum total rainfall for the reporting year, 40.61 inches, occurred at McKinney which total is 0.59 inches above the long term average of 40.02 inches, however, the maximum total departure for the reporting year, -12.27 inches, occurred at Lake Charles where the long term average is 54.84 inches and the total rainfall was 42.57 inches.

Noteworthy rainfall totals on the high side for Center were 12.13 inches in January (7.79 inches above the long term average) and 11.43 inches in June (7.02 inches above the long term average); for DeRidder, 10.07 inches in June (5.32 inches above the long term average); for Orange, 13.29 inches in October (8.56 above the long term average); for Mansfield, 12.79 inches in January (8.51 inches above the long term average); for Sulphur Springs, 10.37 inches in October (5.75 inches above the long term average); and for Wills Point, 11.40 inches in October (7.19 inches above the long term average).

On the low side, twenty-one monthly totals less than 1 inch, with the lowest being no measurable precipitation in August at Sulphur Springs, Wills Point, Lake Charles, and DeRidder. Of the three stations in the upper basin, 20 of 35 monthly totals were below normal, with the greatest being McKinney and Sulphur Springs with 7 deficient monthly totals; of the four stations in the middle area of the basin, 19 of the 48 monthly totals were below normal, with the greatest being Mansfield with 7 deficient monthly totals; and of the three stations in the lower basin, 22 of the 36 monthly totals were below normal, with the greatest being at Orange with 10 deficient monthly totals. For all ten stations combined, there were 61 monthly totals below the long term average and 58 monthly totals above the long term average, with the combined total being 27.44 inches above normal.

Runoff for the basin was about 42 percent above normal as measured at the Ruliff gaging station. Tributary gaging stations near Newton, TX and Rosepine, LA had annual runoffs of about 104 percent and 59 percent, respectively, above normal runoff. The peak discharge for the various stations was 14,700 cubic feet per second (CFS) on January 1 at Beckville, 12,900 CFS on April 6 on Bayou Anacoco near Rosepine, LA, 6,780 CFS on November 14 on Big Cow Creek near Newton, TX, and 92,800 CFS at Ruliff on February 6.

The spillway gates at Toledo Bend Dam were open during the year for flood releases from January 29 through February 12, 1999, releasing a total of 744,919 acre-feet with a maximum instantaneous release of 99,000 CFS for 37 consecutive hours from 2030 hours on January 30 until 0930 hours on February 1. Lawsuits alleging flood damage have been filed by downstream residents.

According to Toledo Bend Project Joint Operation records, the maximum elevation of the reservoir was 173.76 feet on January 30 at 2030 hours and the minimum elevation was 164.89 feet on October 5. Releases for the year totaled 5,526,800 acre feet. A monthly summary of contents and key elevations of the reservoir as reflected by U.S. Geological Survey records is shown in Appendix B.

The lowest daily mean flow at Beckville was 95 CFS on August 24, with the lowest seven-day minimum being 106 CFS on August 18, therefore, the discharge of the Sabine River at Stateline was above 36 CFS during the year.

Records for the official gaging stations are summarized in Appendix B, More complete records for these stations are published in reports of the U.S., Geological Survey.

## **8. Hydrologic Stations**

Quantity and quality-of-water data are collected at many sites in and immediately adjacent to the basin by State and Federal agencies. The information aids in the development and utilization of the water resources of the Basin. The type of data collected is not the same for all agencies and it is impractical to publish the data in this report. However, to assist a user, the sites, the type of data collected, and the address of the collecting agency are shown below. The agency will furnish the information on request.

At gaging stations, a continuous gage-height record and daily discharge are available; at reservoir stations, records of elevation and contents are available; and, at rainfall stations, daily and hourly precipitation data are available. At quality-of-water stations, chemical, biological, and physical characteristics of water are determined at different intervals and for different constituents.

**I. Gaging stations operated by the U.S. Geological Survey, 3535 Sherwood Forest Blvd., Suite 120, Baton Rouge, Louisiana 70816.**

- 1. Bayou Castor near Funston, LA**
- 2. Bayou Grand Cane near Stanley, LA**
- 3. Bayou San Patricio near Benson, LA**
- 4. Bayou Toro near Toro, LA**
- 5. Bayou Anacoco near Rosepine, LA**

**II. Gaging stations operated by the U.S. Geological Survey, 8011 Cameron Road, Austin, Texas 78753.**

- 1. Cowleech Fork Sabine River at Greenville, TX**
- 2. South Fork Sabine River near Quinlan, TX**
- 3. Sabine River near Wills Point, TX**
- 4. Sabine River near Mineola, TX**
- 5. Burke Creek near Yantis, TX**
- 6. Lake Fork Creek near Quitman, TX**
- 7. Big Sandy Creek near Big Sandy, TX**
- 8. Sabine River near Gladewater, TX**
- 9. Sabine River near Beckville, TX (DCP equipped)**
- 10. Martin Creek near Tatum, TX**
- 11. Murvault Bayou near Gary, TX**
- 12. Sabine River at Toledo Bend near Burkeville, TX**
- 13. Sabine River near Burkeville, TX**
- 14. Sabine River near Bon Wier, TX**
- 15. Big Cow Creek near Newton, TX**
- 16. Cypress Creek near Buna, TX**
- 17. Sabine River near Ruliff, TX**
- 18. Cow Bayou near Mauriceville, TX**

**III. Gage-height station operated by the U.S. Geological Survey, 3535 Sherwood Forest Blvd., Suite 120, Baton Rouge, Louisiana 70816.**

- 1. Bayou Toro near Toledo Bend near Toro, LA.**

**IV. Reservoir stations operated by the U.S. Geological Survey, 8011 Cameron Road, Austin, Texas 78753.**

- 1. Lake Tawakoni near Wills Point, TX**
- 2. Lake Winnsboro near Winnsboro, TX**
- 3. Lake Fork Reservoir near Quitman, TX**
- 4. Lake Cherokee near Longview, TX**
- 5. Martin Lake near Tatum, TX**
- 6. Sabine River at Logansport, LA (DCP equipped)**
- 7. Toledo Bend Reservoir near Burkeville, LA**

**V. Quality-of-water stations operated by the Louisiana Department of Environmental Quality (LDEQ), P.O. Box 82215, Baton Rouge, LA 70884-2215; the Sabine River Authority of Texas (SRA-TX), P. O. Box 579, Orange, TX 77630-0579; Stream Monitoring Unit, Texas Natural Resource Conservation Commission (TNRCC), P. O. Box 13087, Austin, TX 78711; the U.S. Geological Survey in Louisiana (USGS-LA); and the U.S. Geological Survey in Texas (USGS-TX), addresses shown above:**

- 1. Lake Tawakoni headwaters, Cowleech Fork of Sabine River at U.S. 69 northwest of Lone Oak, TX, (SRA-TX)**
- 2. Lake Tawakoni in upper lake, Cowleech Arm, near Wind Point Park, TX (SRA-TX)**
- 3. Lake Tawakoni headwaters, Caddo Creek near Quinlan, TX at TX 34 (SRA-TX)**
- 4. Lake Tawakoni in Caddo Inlet near Caddo Jake Reach (SRA-TX)**
- 5. Lake Tawakoni at midlake at FM 35 near Quinlan, TX (SRA-TX)**
- 6. South Fork of Sabine River at TX 34 (SRA-TX)**
- 7. Lake Tawakoni in Kitsee Inlet near Quinlan, TX (SRA-TX)**
- 8. Bull Creek at confluence with Oak Cove of Lake Tawakoni (SRA-TX)**
- 9. Lake Tawakoni near Wills Point, TX (SRA-TX)**
- 10. Sabine River near Wills Point, TX (SRA-TX)**
- 11. Sabine River near Mineola, TX (USGS-TX, SRA-TX)**
- 12. Lake Fork Creek at TX 19 near Emory, TX (SRA-TX)**
- 13. Burke Creek at FM 514 near Yantis, TX (SRA-TX)**
- 14. Lake Fork Reservoir at FM 515 near Alba, TX (SRA-TX)**
- 15. Lake Fork Reservoir near Dallas Water Intake (SRA-TX)**
- 16. Lake Fork Reservoir, Little Caney Arm at pipeline crossing (SRA-TX)**
- 17. Caney Creek at FM 515 near Yantis, TX (SRA-TX)**
- 18. Lake Fork Reservoir near Quitman, TX (SRA-TX, USGS-TX)**
- 19. Lake Fork Creek just below spillway at TX 182 (SRA-TX)**
- 20. Lake Fork Creek near Mineola, TX (SRA-TX)**
- 21. Sabine River near Hawkins, TX (SRA-TX)**
- 22. Big Sandy Creek near Holly Lake Ranch at FM 2896 (SRA-TX)**
- 23. Big Sandy Creek north of Hawkins at FM 1795 (SRA-TX)**
- 24. Big Sandy Creek near Big Sandy, TX (USGS-TX, SRA-TX)**
- 25. Lake Cherokee near Longview, TX (USGS-TX)**
- 26. Sabine River near Beckville, TX (USGS-TX)**
- 27. Martin Lake near Tatum, TX (USGS-TX)**
- 28. Sabine River near Deadwood, TX (SRA-TX)**
- 29. Sabine River near Logansport, LA (LDEQ, TNRCC, USGS-LA, SRA-TX)**
- 30. Bayou Castor near Logansport, LA (USGS-LA)**
- 31. Bayou Grand Cane near Stanley, LA (USGS-LA)**
- 32. Tenaha Creek south of Campiti, TX (TNRCC)**
- 33. Toledo Bend Reservoir, Tenaha arm near Center, TX (SRA-TX)**
- 34. Bayou San Patricio near Benson, LA (USGS-LA)**
- 35. Toledo Bend Reservoir near Milam, TX (SRA-TX)**
- 36. Toledo Bend Reservoir near Huxley Water Plant Intake (SRA-TX)**
- 37. Toledo Bend Reservoir, Sunshine Bay near Milam, TX (SRA-TX)**



38. Toledo Bend in Six Mile Boat Lane at US 87 Bridge (SRA-TX)
39. Toledo Bend Reservoir at Toledo Bend Dam, TX (SRA-TX)
40. Sabine River below spillway of Toledo Bend Reservoir, TX (SRA-TX)
41. Sabine River at Toledo Bend Dam near Burkeville, TX (USGS-TX)
42. Sabine River near Burkeville, TX (SRA-TX, USGS-TX)
43. Bayou Anacoco near Knight, LA (USGS-LA)
44. Sabine River near Bon Weir, TX (LDEQ, TNRCC, USGS-TX, SRA-TX)
45. Sabine River near Ruliff, TX (USGS-TX, SRA-TX)
46. Sabine River at IH-10 at Orange, TX (LDEQ, TNRCC)
47. Adams Bayou at FM 1006 near Orange, TX (TNRCC)
48. Adams Bayou at IH-10 at Orange, TX (TNRCC)
49. Sabine River at Channel Marker 3 below Cow Bayou, TX (TNRCC)
50. Cow Bayou at FM 1442 east of Bridge City, TX (TNRCC)

VI. Rainfall stations operated by the National Oceanic and Atmospheric Administration - National Weather Service. Request data from nearby Weather Service Office or from National Climatic Center, Asheville, N.C. 28801.

Bon Wier, TX	Greenville, TX	Logansport, LA	Orange, TX
Canton, TX	Harleton, TX	Longview, TX	Terrell, TX
Carthage, TX	Hawkins, TX	Many, LA	Tyler, TX
Center, TX	Hemphill, TX	Marshall, TX	Wills Point, TX
DeRidder, LA	Lake Charles, LA	McKinney, TX	Winnsboro, TX
Emory, TX	Leesville, LA	Mineola, TX	Wolfe City, TX
Gilmer, Tx			

Daily forecasts are made by the National Weather Service at 9 sites on the Sabine River and at 3 reservoir sites; flood forecasts are made at 4 additional points. The information is available from newspapers in the area.

## 9. Official Gaging Stations

(a) The Administration has designated official gaging stations needed to perform its duties as stated by Article VII:G of the Compact. These stations are continuous record gaging stations and are operated by the U.S. Geological Survey. The Administration, the Geological Survey, and other agencies finance the operating costs.

### Continuous-record stations (main stem):

Sabine River near Beckville, TX (DCP equipped)  
 Sabine River near Logansport, LA (gage height only; DCP equipped)  
 Toledo Bend Reservoir near Burkeville, TX (elevation at two sites and contents)  
 Sabine River near Bon Wier, TX  
 Sabine River near Ruliff, TX

### Tributaries:

Bayou Anacoco near Rosepine, LA  
 Big Cow Creek near Newton, TX

Records for these stations are given in Appendix B.

**Respectfully submitted,**

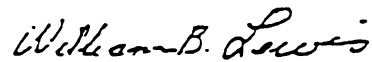
**SABINE RIVER COMPACT ADMINISTRATION**



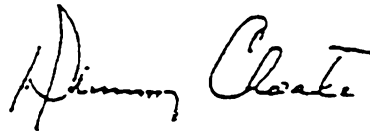
**Peggy E. Montañó**  
**Representative of the United States and Chairman**



**George D. Brandon**



**William B. Lewis**  
**Louisiana Members of the Administration**



**Danny Choate**



**Frank Parker**  
**Texas Members of the Administration**



APPENDIX A- AUDIT REPORT  
BROUSSARD, POCHE, LEWIS & BREAUX, L.L.P.

CERTIFIED PUBLIC ACCOUNTANTS

4112 West Congress  
P. O. Box 61400  
Lafayette, Louisiana  
70596-1400  
phone: (318) 988-4930  
fax: (318) 984-4574

INDEPENDENT AUDITORS' REPORT

To the Board of Commissioners  
Sabine River Compact Administration  
States of Texas and Louisiana

*Other Offices:*

Crowley, LA  
(318) 783-0650

Opelousas, LA  
(318) 942-5217

New Iberia, LA  
(318) 364-4554

Church Point, LA  
(318) 684-2855

Eunice, LA  
(318) 457-0071

We have audited the accompanying financial statements of the Sabine River Compact Administration, a component unit of the State of Texas and State of Louisiana, as of and for the year ended August 31, 1999, as listed in the table of contents. These financial statements are the responsibility of the Administration's management. Our responsibility is to express an opinion on these financial statements based on our audit.

Lawrence A. Cramer, CPA\*  
Eugene C. Gilder, CPA\*  
Donald W. Kelley, CPA\*  
Herbert Lemoine II, CPA\*  
Frank A. Stagno, CPA\*  
Scott J. Broussard, CPA\*  
L. Charles Abshire, CPA\*  
Kenneth R. Dugas, CPA\*  
P. John Blanchet III, CPA\*  
Stephen L. Lambousy, CPA\*  
Craig C. Babineaux, CPA\*  
Peter C. Borrello, CPA\*  
Michael P. Crochet, CPA\*  
George J. Trappey III, CPA\*  
Daniel E. Gilder, CPA\*  
Gregory B. Milton, CPA\*  
S. Scott Soileau, CPA\*  
Patrick C. McCarthy, CPA\*  
Martha B. Wyatt, CPA\*

We conducted our audit in accordance with generally accepted auditing standards, the standards for financial and compliance audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, and the Louisiana Governmental Audit Guide. Those standards require that we plan and perform the audit to obtain reasonable assurance 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. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the general purpose financial statements referred to above present fairly, in all material respects, the financial position of Sabine River Compact Administration as of August 31, 1999, and the results of its operations for the year then ended in conformity with generally accepted accounting principles.

*Retired:*

Sidney L. Broussard, CPA\* 1980  
Leon K. Poché, CPA 1984  
James H. Breaux, CPA 1987  
Erma R. Walton, CPA 1988  
George A. Lewis, CPA\* 1992  
Geraldine J. Wimberley, CPA\* 1995  
Rodney L. Savoy, CPA\* 1996  
Larry G. Broussard, CPA\* 1997

The financial information for the preceding year which is included for comparative purposes was taken from the financial report for that year in which we expressed an unqualified opinion on the general purpose financial statements of Sabine River Compact Administration.

Members of American Institute of  
Certified Public Accountants  
Society of Louisiana Certified  
Public Accountants

In accordance with Government Auditing Standards, we have also issued a report dated October 5, 1999, on our consideration of the Sabine River Compact Administration's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations and contracts.

*Broussard, Poche, Jarvis & Breault LLP*

Lafayette, Louisiana  
October 5, 1999

SABINE RIVER COMPACT ADMINISTRATION

BALANCE SHEETS  
August 31, 1999 and 1998

ASSETS	<u>1999</u>	<u>1998</u>
Cash	<u>\$ 35,728</u>	<u>\$ 38,916</u>
Total assets	<u>\$ 35,728</u>	<u>\$ 38,916</u>
LIABILITIES AND FUND EQUITY		
Accounts payable	\$ 12,902	\$ 19,194
Fund balance - undesignated	<u>22,826</u>	<u>19,722</u>
Total liabilities and fund equity	<u>\$ 35,728</u>	<u>\$ 38,916</u>

See Notes to Financial Statements.

SABINE RIVER COMPACT ADMINISTRATION

STATEMENTS OF REVENUES, EXPENDITURES AND  
 CHANGES IN FUND BALANCE - GOVERNMENTAL FUND TYPE  
 Years Ended August 31, 1999 and 1998

	<u>General Fund</u>	
	<u>1999</u>	<u>1998</u>
Revenues:		
Intergovernmental	\$ 59,634	\$ 57,564
Interest	<u>2,525</u>	<u>1,507</u>
Total revenues	62,159	59,071
Expenditures:		
General government	<u>59,055</u>	<u>53,504</u>
Excess of revenues over expenditures	3,104	5,567
Fund balance, beginning	<u>19,722</u>	<u>14,155</u>
Fund balance, ending	<u>\$ 22,826</u>	<u>\$ 19,722</u>

See Notes to Financial Statements.

SABINE RIVER COMPACT ADMINISTRATION

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES  
 IN FUND BALANCE - BUDGET (GAAP BASIS) AND  
 ACTUAL - GOVERNMENTAL FUND TYPE

For the Year Ended August 31, 1999

With Comparative Actual Amounts for Year Ended August 31, 1998

	<u>General Fund</u>		Variance - (Over) Under	1998 Actual
	<u>1999</u>			
	<u>Budget</u>	<u>Actual</u>		
Revenues:				
Intergovernmental -				
Contributions:				
State of Texas	\$ 29,817	\$ 29,817	\$ -	\$ 28,782
State of Louisiana	29,817	29,817	-	28,782
Interest income	<u>-</u>	<u>2,525</u>	<u>(2,525)</u>	<u>1,507</u>
Total revenues	<u>59,634</u>	<u>62,159</u>	<u>(2,525)</u>	<u>59,071</u>
Expenditures:				
General government -				
Maintenance - office of:				
Secretary	4,450	4,450	-	5,166
Treasurer	1,800	1,800	-	1,800
Water resources				
investigation	51,384	51,384	-	44,414
Audit fees	1,000	1,000	-	1,100
Other	<u>1,000</u>	<u>421</u>	<u>579</u>	<u>1,024</u>
Total expenditures	<u>59,634</u>	<u>59,055</u>	<u>579</u>	<u>53,504</u>
Excess of revenues over expenditures	<u>\$ -0-</u>	3,104	<u>\$ 3,104</u>	5,567
Fund balance, beginning		<u>19,722</u>		<u>14,155</u>
Fund balance, ending		<u>\$ 22,826</u>		<u>\$ 19,722</u>

See Notes to Financial Statements.

SABINE RIVER COMPACT ADMINISTRATION

NOTES TO FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies

The financial statements of the Sabine River Compact Administration have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the Administration's accounting policies are described below.

Reporting entity:

The Sabine River Compact Administration, a component unit of the State of Texas and State of Louisiana, is an entity formed by a compact entered into by the State of Texas and the State of Louisiana on January 26, 1953, under authority granted by an Act of the Congress of the United States approved November 1, 1951, (Public Law No. 252, 82nd Congress, First Session). The Act was amended on October 30, 1992 (Public Law No. 102-575 of the 102 Congress). The objective of the Compact is to provide equitable apportionment of the waters of the Sabine River and its tributaries between the two states. The operation is administered by an Inter-State Administrative Agency composed of two members appointed by the Governor of Texas and two members appointed by the Governor of Louisiana; and one member, as representative of the United States appointed by the President of the United States, which member shall be ex-officio chairman of the Administration without vote and shall not be a domiciliary of or resident in either state.

Fund accounting:

The Administration uses one fund to report on its financial position and the results of its operations. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fund is a separate accounting entity with a self-balancing set of accounts.

The General Fund, a governmental fund type, is the general operating fund of the Administration. It is used to account for all the financial resources of the Administration.

Basis of accounting:

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a current financial resources measurement focus. With this measurement focus, only current assets and current liabilities generally



## NOTES TO FINANCIAL STATEMENTS

are included on the balance sheet. Operating statements of these funds present increases (i.e., revenues and other financing sources) and decreases (i.e., expenditures and other financing uses) in net current assets.

The modified accrual basis of accounting is used by all governmental fund types. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they become both measurable and available). "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Expenditures are recorded when the related fund liability is incurred.

The two major sources of revenues are intergovernmental and interest. Both of these are susceptible to accrual.

### Budgets:

Budgets are adopted on a basis consistent with generally accepted accounting principles. An annual appropriated budget is adopted for the General Fund. The budget is prepared by the Sabine River Compact Administration management for formal approval by the Board of Commissioners. Any amendments to the original budget are approved by the Board of Commissioners. Budgeted amounts are as originally adopted or as amended.

### Cash and investments:

Cash consists of amounts in interest bearing deposit accounts.

### Comparative data:

Comparative total data for the prior year have been presented in the accompanying financial statements in order to provide an understanding of changes in the Administration's financial position and operations.

### Note 2. Deposits

The carrying amount of deposits was \$35,728 and \$38,916 and the bank balance was \$35,728 and \$38,916 at August 31, 1999 and 1998, respectively. The entire bank balance was covered by federal depository insurance.

## NOTES TO FINANCIAL STATEMENTS

### Note 3. Year 2000 Issue

The year 2000 issue is the result of shortcomings in many electric data processing systems and other electronic equipment that may adversely affect the operations of the Authority.

The Authority has worked diligently to have its system Year 2000 ready. However, because of the unprecedented nature of the Year 2000 issue, its effects and the success of related remediation efforts will not be fully proven until the Year 2000 and thereafter. Therefore, management cannot unequivocally state that the Authority's remediation efforts will be successful in whole, or that parties with whom the Authority does business will be Year 2000 ready.



# BROUSSARD, POCHÉ, LEWIS & BREAUX, L.L.P.

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## REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

### Other Offices:

Crowley, LA  
(318) 783-0650

Opelousas, LA  
(318) 942-5217

New Iberia, LA  
(318) 364-4554

Church Point, LA  
(318) 684-2855

Eunice, LA  
(318) 457-0071

To the Board of Commissioners,  
Sabine River Compact Administration  
States of Texas and Louisiana

We have audited the financial statements of the Sabine River Compact Administration, a component unit of the State of Texas and State of Louisiana, as of and for the year ended August 31, 1999, and have issued our report thereon dated October 5, 1999. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Lawrence A. Cramer, CPA\*  
Eugene C. Gilder, CPA\*  
Donald W. Kelley, CPA\*  
Herbert Lemoine II, CPA\*  
Frank A. Stagno, CPA\*  
Scott J. Broussard, CPA\*  
L. Charles Abshire, CPA\*  
Kenneth R. Dugas, CPA\*  
P. John Blanchet III, CPA\*  
Stephen L. Lambousy, CPA\*  
Craig C. Babineaux, CPA\*  
Peter C. Borrello, CPA\*  
Michael P. Crochet, CPA\*  
George J. Trappey III, CPA\*  
Daniel E. Gilder, CPA\*  
Gregory B. Milton, CPA\*  
S. Scott Soileau, CPA\*  
Patrick C. McCarthy, CPA\*  
Martha B. Wyatt, CPA\*

### Compliance

As part of obtaining reasonable assurance about whether the Administration's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations and contracts noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

### Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Administration's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or

### Retired:

Sidney L. Broussard, CPA\* 1980  
Leon K. Poché, CPA 1984  
James H. Breaux, CPA 1987  
Erma R. Walton, CPA 1988  
George A. Lewis, CPA\* 1992  
Geraldine J. Wimberley, CPA\* 1995  
Rodney L. Savoy, CPA\* 1996  
Larry G. Broussard, CPA\* 1997

Members of American Institute of  
Certified Public Accountants  
Society of Louisiana Certified  
Public Accountants

more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

This report is intended for the information of management. However, this report is a matter of public record and its distribution is not limited.

*Broussard, Poche, Lewis & Arnaud LLP*

Lafayette, Louisiana  
October 5, 1999

SABINE RIVER COMPACT ADMINISTRATION

SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
Year Ended August 31, 1999

We have audited the financial statements of Sabine River Compact Administration as of and for the year ended August 31, 1999, and have issued our report thereon dated October 5, 1999. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Our audit of the financial statements as of August 31, 1999 resulted in an unqualified opinion.

Section I - Summary of Auditors' Reports

A. Report on Internal Control and Compliance Material to the Financial Statements

Internal Control

Material Weaknesses    \_\_\_ Yes    X No

Reportable Conditions   \_\_\_ Yes    X None Reported

Compliance

Compliance Material to Financial Statements   \_\_\_ Yes    X No

Section II - Financial Statement Findings

No matters were reported.

## APPENDIX B

### GAGING STATION RECORDS

The data herein presented for discharge gaging stations consists of a description of the station, a summary of the average and extreme flow conditions for the period of record, and a table for this water year records. Gage heights are shown for one station, and contents for a second station.

The gaging-station description shows the present location of the gage, the drainage flow area, the period of record, the type of gage, general remarks affecting flow, the average discharge, and the extremes. The location of the gaging station and the drainage area are obtained from the most accurate maps available. Under "Gage" is given the type of gage currently in use and the datum of this gage. Information pertaining to conditions affecting natural flow at the gaging station is given under "Remarks". Under "Average Discharge" is shown the mean flow for the years indicated. The maximum discharge and gage height, and minimum discharge for key periods are shown under "Extremes".

Information concerning revisions to past records; changes in the type, location, and datum of the gages; changes in regulation and diversion; and the methods for determining the extremes are contained in the annual series of water-resources data reports of the U.S. Geological Survey. Records for previous water years, for stations or tributary streams, and for quality-of-water data can also be found in the annual series of U.S. Geological Survey reports. These reports can be obtained from the District Chief in the State responsible for the records. Records for the main stem of the Sabine River and the tributary streams in Texas are available from the District Chief, U.S. Geological Survey, 8011 Cameron Road, Austin, Texas 78753-6716; records for the tributary streams in Louisiana are available from the District Chief, U.S. Geological Survey, 3535 Sherwood Forest Boulevard, Suite 120, Baton Rouge, Louisiana 70816.

Data included herein was furnished by the U.S. Geological Survey in accordance with a cooperative agreement with the Sabine River Compact Administration.

SABINE RIVER NEAR BECKVILLE, TX

LOCATION—Lat 32° 19'38", Long 94°21'12", Panola County, on downstream side of highway embankment near right end of downstream bridge on U.S. Highway 59, 0.9 mi upstream from Eightmile Creek, 6.0 mi upstream from Farm Road 1794, 8.4 mi northeast of Beckville, 12.4 mi downstream from State Highway 43 and at mile 327.0.

DRAINAGE AREA—3,589 mi<sup>2</sup>.

PERIOD OF RECORD—October 1936 to current year. Prior to 1978, published as "near Tatum".

GAGE—Water-stage recorder and crest-stage gage. Datum of gage is 190.00 ft above sea level. Prior to Oct. 1, 1978, at site 12.4 mi upstream at datum 14.18 ft higher. Prior to Sept. 21, 1945, nonrecording gage.

REMARKS—Since WY 1961, at least 10% of contributing drainage area has been regulated by eight major upstream reservoirs, with a combined capacity of 1,701,000 acre-ft. There are several diversions above station and below Lake Tawakoni for oilfield, municipal, and industrial uses. Low flows are sustained by wastewater effluents returned to the river above the station. Satellite telemeter and rain gage at station.

AVERAGE DISCHARGE—22 years (1939-60) prior to regulation by Lake Tawakoni, 2,663 CFS; 38years (water years 1961-99 regulated, 2,572 CFS.

EXTREMES—1939-60: Maximum discharge, 123,000 CFS Apr. 4, 1945, gage height, 33.80 ft, site and datum then in use; minimum observed, 2.4 CFS Aug. 11, 1964.

PRIOR TO 1939: Flood in May 1884 reached a stage about 2 ft lower than the flood of Apr. 4, 1945.

1999: Instantaneous peak flow, 14,700 CFS Jan 1; gage height, 27.48 ft; annual seven-day minimum, 106 CFS, Aug. 18.

SUMMARY OF FLOW, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MEAN CFS.....	3711	4759	8235	5500	6727	4532	4588	2501	5049	809	139	147
MAX DAY CFS...	8380	8420	13400	14200	14100	80330	12200	6340	6990	2120	213	222
MIN DAY CFS...	199	1560	1810	1210	1520	1320	982	936	1450	239	95	104
TOTAL AC-FT.	228200	283200	506400	36200	373700	278700	273000	153800	300400	49750	8550	8730

CAL YR 1998: MEAN CFS 3761; MAX DAY 13400, Dec. 31; MIN DAY 20, Aug. 2; AC-FT 2723000

WTR YR 1999: MEAN CFS 3871; MAX DAY 14200, Jan. 1; MIN DAY 95, Aug. 24; AC-FT 2803000

SABINE RIVER AT LOGANSFORT, LA

LOCATION—Lat 31°58'20", Long 94°00'22", DeSoto Parish, Louisiana-Shelby County, Texas State line at Logansport, on left bank just upstream from bridge on U.S. Highway 84, 3 mi upstream from Bayou Castor, 111 mi upstream from Toledo Bend Dam, and at mile 267.1.

DRAINAGE AREA—4,842 mi<sup>2</sup>.

PERIOD OF RECORD—Gage-height record March 1968 to current year. Discharge record July 1903 to February 1968.

GAGE—Water-stage recorder. Datum of gage is 147.72 ft above sea level. July 1, 1903 to Sept. 30, 1956, nonrecording gage. Oct. 1, 1956 to Jan. 16, 1964, water-stage recorder 4,600 ft upstream. Jan. 16, 1964 to Dec. 10, 1968 water-stage recorder 4,700 ft upstream. All gages to present datum except prior to Dec. 31, 1906 when datum was 2.00 ft lower.

REMARKS—Station discontinued as daily streamflow station Mar. 1, 1968, due to backwater from storage in Toledo Bend Reservoir. Since WY 1960, at least 10% of contributing drainage area has been regulated by Lake Tawakoni and three additional upstream reservoirs. Numerous diversions above station for oilfield operations, municipal, and industrial uses. Satellite telemeter at station.

AVERAGE DISCHARGE—57 years (water years 1904-60), 3,325 CFS.

EXTREMES—1904-60: Maximum discharge, 92,000 CFS Apr. 8, 1945; gage height, 44.07 ft; minimum, 16 CFS Sept. 26-28, Oct. 3, 4, 1939.

1961-68: Maximum gage height, 34.78 ft Apr. 16, 1991; minimum since initial filling of Toledo Bend Reservoir in June 1968, 16.85 ft Nov. 9, 1987.

1999: Maximum gage height, 33.07., Jan. 31; minimum, 17.31 ft., Oct. 1.

SUMMARY OF GAGE HEIGHTS, IN FEET, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MAX.....	20.38	23.32	26.91	32.86	32.33	24.80	26.66	23.33	24.38	23.90	22.51	20.20
MIN.....	17.35	18.98	20.93	23.79	22.78	21.95	22.77	22.28	23.06	22.51	20.20	18.99

TOLEDO BEND RESERVOIR NEAR BURKEVILLE, TX

LOCATION—Lat 31°10'25", Long 93°33'57", Newton County, in powerhouse at right end of Toledo Bend Dam on Sabine River, 15 mi northeast of Burkeville, and at mile 156.5.

DRAINAGE AREA—7,178 mi<sup>2</sup>.

PERIOD OF RECORD—October 1966 to current year.

GAGE—Water-stage recorder. Datum of gage is sea level. Prior to July 20, 1967, nonrecording gage at same site and datum. July 20, 1967 to June 30, 1973 recording gage at right end of spillway 1.6 mi north of present site and at same datum.

REMARKS—Deliberate impoundment began Oct. 3, 1966. Reservoir is operated for power and water conservation. Releases during high inflow periods are controlled by 11 tainter gates. A conduit through the dam is used for low-flow releases. Flow through turbines is admitted through six penstocks and is controlled by gates. Satellite telemeter at station. Reservoir data is given in the following table.

	Elevation (feet)	Capacity (acre-feet)
Top of dam.....	185.0	
Design flood.....	175.3	5,103,000
Top of gates.....	173.0	4,660,000
Top of power drawdown storage.....	172.0	4,476,000
Top of power head storage.....	162.2	2,922,000
Crest of spillway (controlled).....	145.0	1,162,000
Lowest gated outlet (invert).....	100.0	4,090

EXTREMES—1967-98: Maximum contents, 4,840,000 acre-ft May 18, 1989 (elevation 173.95 ft); minimum since initial filling in June 1968, 3,113,000 acre-ft Sep.10, 1998 (elevation 163.56 ft.)  
 1999: Maximum contents, 4,813,000 acre-ft Jan. 30 (elevation 173.81 ft); minimum, 3,310,000 acre-ft Oct. 2, 4, and 5 (elevation, 164.92 ft).

CONTENTS, IN 1,000 ACRE-FEET, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MAX .....	3555	3970	4292	4800	4649	4259	4273	4222	4352	4367	4179	3786
MIN .....	3310	3568	3841	4167	4182	4038	4165	4133	4187	4173	3801	3614
CHANGE DURING MONTH.....	+218	+362	+255	+565	-555	-19	+63	-40	+156	-169	-372	-187

SABINE RIVER AT TOLEDO BEND RESERVOIR NEAR BURKEVILLE, TX

LOCATION—Lat 31°10'25", Long 93°33'57", Newton County, in powerhouse at right end of Toledo Bend Dam, 10 mi upstream from Sabine River near Burkeville gage, and at mile 156.5.

DRAINAGE AREA—7,178 mi<sup>2</sup>.

PERIOD OF RECORD—October 1971 to current year.

GAGE—Water-stage recorder. Datum of gage is sea level.

REMARKS—Flow regulated by Toledo Bend Reservoir. Since installation of gage in 1972, at least 10% of contributing drainage area has been regulated by Toledo Bend Reservoir. Satellite telemeter at gage.

SUMMARY OF FLOW, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MEAN CFS.....	306	4266	1200	20110	23850	9546	7654	3060	3611	3777	4145	2027
MAX DAY CFS...	1180	11400	15200	117000	89300	15200	14400	5330	5060	5910	7760	5850
MIN DAY CFS...	204	204	7020	14800	14600	204	204	204	204	204	204	174
TOTAL AC-FT...	18800	253800	738100	123600	1324000	586900	455400	188200	214900	232200	254900	120600

CAL YR 1998: MEAN CFS 7429; MAX DAY 25300, Jan. 19; MIN DAY 144, Apr. 21; AC-FT 5379000  
 WTR YR 1999: MEAN CFS 7769; MAX DAY 117000, Jan. 31; MIN DAY 174, Sep. 18; AC-FT 5625000



SABINE RIVER NEAR BURKEVILLE, TX

LOCATION—Lat 31°03'50", Long 93°31'10", Newton County, Texas-Vernon Parish, Louisiana State line, near left edge of low-water channel on downstream side of bridge on State Highway 63, about 200 ft downstream from Pearl Creek, 10 mi northeast of Burkeville, 16 mi downstream from Bayou Toro, and at mile 139.7.

DRAINAGE AREA—7,482 mi<sup>2</sup>.

PERIOD OF RECORD—September 1955 to current year. Published as "below Toledo Bend near Burkeville" for period 1955-75.

GAGE—Water-stage recorder. Datum of gage is 60.59 ft above sea level. Prior to Aug. 23, 1958 nonrecording gage at current site. Prior to Jan. 1, 1989, at datum 10.00 ft higher.

REMARKS—Since WY 1960, at least 10% of contributing drainage area has been regulated by Lake Tawakoni and three additional upstream reservoirs. Since 1966, additional regulation by Toledo Bend Reservoir 16.8 mi upstream. Telephone and satellite telemeter at station.

AVERAGE DISCHARGE—11 years (1956-66) prior to completion of Toledo Bend Reservoir, 4,653 CFS; 31 years (1967-99) regulated, 5,604 CFS.

EXTREMES—1960-99: Instantaneous peak flow, 124,000 CFS Feb. 1, 1989 gage height, 48.05 ft; lowest daily mean, 38 CFS, Sept. 14, 1967.

PRIOR TO 1960: Maximum stage since at least 1860, 45.9 ft in May 1884. Flood of Apr. 15, 1945, reached a stage of 45.8 ft, and flood of May 23, 1953, reached a stage of 45.3 ft (all stages to current datum).

1999: Instantaneous peak flow, 124,200 CFS, Feb. 1; gage height, 48.05 ft; lowest daily mean, 253 CFS, Oct. 27.

SUMMARY OF FLOW, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MEAN CFS.....	459	4485	11090	16070	27320	9994	8159	3211	3501	3663	3761	2022
MAX DAY CFS...	2600	9640	13600	67600	117000	14300	14700	5060	4770	5240	7890	5300
MIN DAY CFS...	253	298	5990	12700	13900	744	644	560	520	451	444	308
TOTAL AC-FT...	28230	266900	682100	988400	1517000	614500	485500	197400	208400	225300	231200	120300

CAL YR 1998: MEAN CFS 7256; MAX DAY 25800, Jan. 23; MIN DAY 253, Oct. 27; AC-FT 5253000

WTR YR 1999: MEAN CFS 7687; MAX DAY 117000, Feb. 1; MIN DAY 253, Oct. 27; AC-FT 5565000

BAYOU ANACOCO NEAR ROSEPINE, LA

LOCATION—Lat 30°57'10", Long 93°21'10", on line between Secs. 25 and 26, T1S, R10W, Vernon Parish, near center of span on downstream side of bridge on parish road from Rosepine to Evans, just downstream from Poosin Creek, and 4.8 mi northwest of Rosepine.

DRAINAGE AREA—365 mi<sup>2</sup>.

PERIOD OF RECORD—October 1951 to current year.

GAGE—Water-stage recorder. Datum of gage is 118.09 ft above sea level. Prior to Nov. 11, 1954 nonrecording gage at same site and datum.

REMARKS—Some effect from storage in Anacoco Lake (usable capacity, 41,300 acre-ft) except January 1956 to September 1958 and Vernon Lake (usable capacity, 58,000 acre-ft) since May 1963.

AVERAGE DISCHARGE—48 years, 481 CFS.

EXTREMES—1952-99: Maximum discharge, 64,300 CFS May 19, 1953, gage height, 28.38 ft; minimum, 4.0 CFS Sept. 28, 29, 30, 1981.

1999: Maximum discharge, 12,900 CFS Apr. 6, gage height, 21.89 ft; minimum daily, 5.0 CFS Aug. 31 and Sep 1

SUMMARY OF FLOW, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MEAN CFS.....	115	1545	1394	1534	1123	808	1856	220	291	350	19.9	12.2
MAX DAY CFS...	582	10800	9980	8750	9340	2370	11900	793	1250	1030	69	27
MIN DAY CFS...	31	34	165	327	399	329	390	51	90	81	5.3	6.2
TOTAL AC-FT...	7090	91920	85710	94290	62370	49670	110400	13500	17290	21500	1230	727

CAL YR 1998: MEAN CFS 661; MAX DAY 13300, Jan. 8; MIN DAY 7.4, Aug. 5; AC-FT 478600

WTR YR 1999: MEAN CFS 768; MAX DAY 11900, Apr. 6; MIN DAY 5.3, Aug. 31; AC-FT 555700

SABINE RIVER NEAR BON WIER, TX

LOCATION—Lat 30°44'49", Long 93°36'30", Beauregard Parish, Louisiana-Newton County, Texas State line, near left bank on downstream side of bridge on U.S. Highway 190, 0.7 mi upstream from Quicksand Creek, 0.8 mi upstream from Gulf, Colorado, and Santa Fe Railway Co. bridge, 2.0 mi east of Bon Wier, 2.4 mi upstream from Caney Creek, and at mile 97.7.

DRAINAGE AREA—8,229 mi<sup>2</sup>.

PERIOD OF RECORD—October 1923 to current year.

GAGE—Water-stage recorder. Datum of gage is 33.42 ft above sea level. Prior to July 8, 1931 nonrecording gage at site 0.8 mi downstream at datum 13.00 ft higher. July 8, 1931 to Oct. 15, 1958 nonrecording gage at present site at datum 13.00 ft higher. Oct 16, 1958 to Sept. 30, 1975 water-stage recorder at present site at datum 13.00 ft higher. Oct. 1, 1975 to Dec. 31, 1988 at present site at datum 10.00 ft higher.

REMARKS—Since WY 1960, at least 10% of contributing drainage area has been regulated by Lake Tawakoni and three additional upstream reservoirs. Additional regulation since October 1966 by Toledo Bend Reservoir 58.8 mi upstream. Telephone and satellite telemeter at station.

DISCHARGE PRIOR TO REGULATION—36 years (1924-59) prior to completion of Lake Tawakoni.

EXTREMES—1924-59: Maximum discharge, 115,000 CFS May 19, 1953; gage height, 38.70 ft (current datum); minimum daily, 160 CFS Sept. 29, 1956.

PRIOR TO 1923: Maximum stage since at least 1833, 43.5 ft (current datum) Apr. 23 or 24, 1913. Flood in May 1884 reached a stage of 39 ft (current datum). Floods of 1844 and 1860 were higher than flood in May 1884.

1999: Instantaneous peak flow 92,600 CFS Feb. 3; gage height 37.58 ft; lowest daily mean, 725 CFS Oct. 28.

SUMMARY OF FLOW, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MEAN CFS.....	1210	7686	15000	18250	31390	12940	12510	4384	4859	5111	4389	2675
MAX DAY CFS...	5020	21500	24500	34000	90500	17000	29400	6850	6920	7020	7520	6140
MIN DAY CFS...	725	1060	7930	15300	16000	2360	2080	1460	1570	1620	1230	744
TOTAL AC-FT...	74390	457400	922400	1122000	1743000	795500	744100	269600	289100	314300	269900	159200

CAL YR 1998: MEAN CFS 9434; MAX DAY 31000, Jan. 8; MIN DAY 678, Sep. 8; AC-FT 6830000  
 WTR YR 1999: MEAN CFS 9892; MAX DAY 90500, Feb. 3; MIN DAY 725, Oct. 28; AC-FT 7160000

BIG COW CREEK NEAR NEWTON, TX

LOCATION—Lat 30°49'08", Long 93°47'07", Newton County, near center of span on downstream side of bridge on State Highway 87, 2.6 mi southwest of Newton, 5.0 mi downstream from Melhomes Creek, and 8.0 mi upstream from White Oak Creek.

DRAINAGE AREA—128 mi<sup>2</sup>.

PERIOD OF RECORD—April 1952 to current year.

GAGE—Water-stage recorder. Datum of gage is 134.69 ft above sea level. Prior to Dec. 19, 1957, nonrecording gage at same site and datum.

REMARKS—No known diversion above station. Satellite telemeter at station.

AVERAGE DISCHARGE—48 years, 130 CFS.

EXTREMES—1952-99: Instantaneous peak flow, 20,200 CFS April 29, 1953; gage height, 19.45 ft; lowest daily mean, 10 CFS July 7, 1971.

PRIOR TO 1952: Maximum stage since at least 1907, 27.5 ft in April 1922.

1999: Instantaneous peak flow 6,780 CFS Nov. 14; gage height, 17.08 ft; lowest daily mean, 49 CFS Sep. 21.

SUMMARY OF FLOW, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MEAN CFS.....	131	507	424	442	198	377	400	188	225	171	66.4	65.9
MAX DAY CFS...	892	4630	3800	2990	688	3750	2750	513	1410	393	80	127
MIN DAY CFS...	58	69	134	146	138	135	128	89	86	82	55	49
TOTAL AC-FT...	8040	30170	26040	27180	10970	23150	23820	11590	13410	10510	4080	3920

CAL YR 1998: MEAN CFS 228; MAX DAY 4710, Sep. 14; MIN DAY 24, Aug. 2; AC-FT 165200  
 WTR YR 1999: MEAN CFS 266; MAX DAY 4630, Nov. 14; MIN DAY 49, Sep. 21; AC-FT 192900

SABINE RIVER NEAR RULIFF, TX

LOCATION—Lat 30°18'13", Long 93°44'37", Calcasieu Parish, Louisiana-Newton County, Texas State line, on downstream side of bridge on State Highway 12, 2.4 mi north of Ruliff, 4.2 mi upstream from the Kansas City Southern Railway Co. bridge, 4.5 mi downstream from Cypress Creek, and at mile 40.2.

DRAINAGE AREA—9,329 mi<sup>2</sup>.

PERIOD OF RECORD—October 1924 to current year.

GAGE—Water-stage recorder. Datum of gage is 5.92 ft below sea level. Prior to Mar. 1, 1941 nonrecording gage at Kansas City Southern Railway Co. bridge, 4.2 mi downstream and at datum 7.98 ft higher than current datum. Mar. 1, 1941 to Dec. 8, 1948 nonrecording gage at present site and at Datum 10.00 ft higher than current datum. Dec. 9, 1948 to Dec. 31, 1989 recording gage at present site and at datum 10.00 ft higher than current datum.

REMARKS—Since WY 1960, at least 10% of contributing drainage area has been regulated by Lake Tawakoni and three additional upstream reservoirs. Additional regulation since October 1966 by Toledo Bend Reservoir 116.3 mi upstream. Telephone and satellite telemeter at station.

AVERAGE DISCHARGE—35 years (1925-59) prior to completion of Lake Tawakoni, 8,842 CFS;

EXTREMES—1925-59: Maximum discharge, 121,000 CFS May 22, 1953, gage height, 29.98 ft (current datum); minimum, 270 CFS, Sept. 27-30, Oct. 1-3, 17-20, 1956.

PRIOR TO 1924: Maximum stage since at least 1835, 32.2 ft (current datum) in May or June 1884; flood of Apr. 26-29, 1913, reached a stage of 29.5 ft (current datum).

1999: Instantaneous peak flow, 92800 CFS Feb. 6; gage ht, 28.18 ft; lowest daily mean, 1190 CFS Sep. 22.

SUMMARY OF FLOW, WATER YEAR OCTOBER 1998 THROUGH SEPTEMBER 1999

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
MEAN CFS.....	3629	9316	18100	20250	33170	13530	15060	5167	6435	5960	4861	3135
MAX DAY CFS...	12700	28300	39700	28500	90600	16300	35300	7810	12200	9210	6920	6520
MIN DAY CFS...	1340	1480	12400	16600	15100	6510	3140	2290	3160	3500	2450	1190
TOTAL AC-FT...	223200	554400	1113000	1245000	1842000	832100	896200	317700	382900	366500	298900	186500

CAL YR 1998: MEAN CFS 11250; MAX DAY 50500, Sep. 16; MIN DAY 1340, May. 27; AC-FT 8148000  
 WTR YR 1999: MEAN CFS 11410; MAX DAY 90600, Feb. 6; MIN DAY 1190, Sep. 22; AC-FT 8259000

## APPENDIX C

### SABINE RIVER COMPACT

The State of Texas and the State of Louisiana, parties signatory to this Compact (hereinafter referred to as "Texas" and "Louisiana," respectively, or individually as a "State," or collectively as the "States"), having resolved to conclude a compact with respect to the waters of the Sabine River, and having appointed representatives as follows:

**FOR TEXAS:** Henry L. Woodworth, Interstate Compact Commissioner for Texas;  
and John W. Simmons, President of the Sabine River Authority of  
Texas;

**FOR LOUISIANA:** Roy T. Sessums, Director of the Department of Public Works of the  
State of Louisiana;

and consent to negotiate and enter into the said Compact having been granted by Act of the Congress of the United States approved November 1, 1951 (Public Law No. 252; 82d Congress, First Session), and pursuant thereto the President having designated Louis W. Prentiss as the representative of the United States, the said representatives for Texas and Louisiana, after negotiations participated in by the representative of the United States, have for such Compact agreed upon Articles as hereinafter set forth. The major purposes of this Compact are to provide for an equitable apportionment between the States of Louisiana and Texas of the waters of the Sabine River and its tributaries, thereby removing the causes of present and future controversy between the States over the conservation and utilization of said waters; to encourage the development, conservation and utilization of the water resources of the Sabine River and its tributaries; and to establish a basis for cooperative planning and action by the States for the construction, operation and maintenance of projects for water conservation and utilization purposes on that reach of the Sabine River touching both States, and for apportionment of the benefits therefrom.

### ARTICLE I

#### AS USED IN THIS COMPACT:

- (A.) The Word "Stateline" means the point on the Sabine River where its waters in downstream flow first touch the States of both Louisiana and Texas.
- (B.) The term "waters of the Sabine River" means the waters either originating in the natural drainage basin of the Sabine River, or appearing as streamflow in said River and its tributaries, from its headwater source down to the mouth of the River where it enters into Sabine Lake.

- (C.) **The term "Stateline flow" means the flow of waters of the Sabine River as determined by the Logansport gauge located on the U.S. Highway 84, approximately four (4) river miles downstream from the Stateline. This flow, or the flow as determined by such substitute gauging station as may be established by the Administration, as hereinafter defined, pursuant to the provisions of Article VII of this Compact, shall be deemed the actual Stateline flow.**
- (D.) **The term "Stateline reach" means that portion of the Sabine River lying between the Stateline and Sabine Lake.**
- (E.) **The term "the Administration" means the Sabine River Compact Administration established under Article VII.**
- (F.) **The term "Domestic use" means the use of water by an individual, or by a family unit or household for drinking, cooking, laundering, sanitation, and other personal comforts and necessities; and for the irrigation of an area not to exceed one acre, obtained directly from the Sabine River or its tributaries by an individual or family unit not supplied by a water company, water district, or municipality.**
- (G.) **The term "stock water use" means the use of water for any and all livestock and poultry.**
- (H.) **The term "consumptive use" means use of water resulting in its permanent removal from the stream.**
- (I.) **The terms "'domestic' and 'stock water' reservoir" mean any reservoir for either or both of such uses having a storage capacity of fifty (50) acre feet or less.**
- (J.) **"Stored water" means water stored in reservoirs (exclusive of domestic or stock water reservoirs) or water withdrawn or released from reservoirs for specific uses and the identifiable return flow from such uses.**
- (K.) **The term "free water" means all waters other than "stored waters" in the Stateline reach including, but not limited to that appearing as natural stream flow, and not withdrawn or released from a reservoir for specific uses. Waters released from reservoirs for the purpose of maintaining stream flows as provided in Article V, shall be "free water." All reservoir spills or releases of stored waters made in anticipation of spills, shall be free water.**
- (L.) **Where the name of the State or the term "State" is used in this Compact, it shall be construed to include any person or entity of any nature whatsoever of the States of Louisiana or Texas using, claiming, or in any manner asserting any right to the use of the waters of the Sabine River under the authority of that State.**

- (M.) Wherever any State or Federal official or agency is referred to in this Compact, such reference shall apply equally to the comparable official or agency succeeding to their duties and functions.**

## **ARTICLE II**

**Subject to the provisions of Article X, nothing in this Compact shall be construed as applying to, or interfering with, the right or power of either signatory State to regulate within its boundaries the appropriation, use and control of water, not inconsistent with its obligations under this Compact.**

## **ARTICLE III**

**Subject to the provisions of Article X, all rights to any of the waters of the Sabine River which have been obtained in accordance with the laws of the States are hereby recognized and affirmed; provided, however, that withdrawals, from time to time, for the satisfaction of such rights, shall be subject to the availability of supply in accordance with the apportionment of water provided under the terms of this Compact.**

## **ARTICLE IV**

**Texas shall have free and unrestricted use of all waters of the Sabine River and its tributaries above the Stateline subject, however, to the provisions of Articles V and X.**

## **ARTICLE V**

**Texas and Louisiana hereby agree upon the following apportionment of the waters of the Sabine River:**

- (A.) All free water in the Stateline reach shall be divided equally between the two States, this division to be made without reference to the origin.**
- (B.) The necessity of maintaining a minimum flow at the Stateline for the benefit of water users below the Stateline in both States is recognized, and to this end, it is hereby agreed that:**
- (1) Reservoirs and permits above the Stateline existing as of January 1, 1953, shall not be liable for maintenance of the flow at the Stateline.**
  - (2) After January 1, 1953, neither State shall permit or authorize any additional uses which would have the effect of reducing the flow at the Stateline to less than 36 cubic feet per second.**
  - (3) Reservoirs on which construction is commenced after January 1, 1953, above the Stateline shall be liable for their share of water necessary to provide a minimum flow at the Stateline of 36 cubic feet per second; provided that no reservoir shall be liable for a greater percentage of this minimum flow than the percentage of the drainage area above the Stateline contributing to that reservoir, exclusive of the watershed of any reservoir on which construction was**

started prior to January 1, 1953. Water released from Texas' reservoirs to establish the minimum flow of 36 cubic feet per second shall be classed as free water at the Stateline and divided equally between the two States.

- (C.) The right of each State to construct impoundment reservoirs and other works of improvement on the Sabine River or its tributaries located wholly within its boundaries is hereby recognized.
- (D.) In the event that either State constructs reservoir storage on the tributaries below Stateline after January 1, 1953, there shall be deducted from that State's share of the flow in the Sabine River all reductions in flow resulting from the operation of the tributary storage and conversely such State shall be entitled to the increased flow resulting from the regulation provided by such storage.
- (E.) Each State shall have the right to use the main channel of the Sabine River to convey water stored on the Sabine River or its tributaries located wholly within its boundaries, downstream to a desired point of removal without loss of ownership of such stored waters. In the event that such water is released by a State through the natural channel of a tributary and the channel of the Sabine River to a downstream point of removal, a reduction shall be made in the amount of water which can be withdrawn at the point of removal equal to the transmission losses.
- (F.) Each State shall have the right to withdraw its share of the water from the channel of the Sabine River in the Stateline reach in accordance with Article VII. Neither State shall withdraw at any point more than its share of the flow at that point except that pursuant to findings and determination of the Administration as provided under Article VII of this Compact, either State may withdraw more or less of its share of the water at any point providing that its aggregate withdrawal shall not exceed its total share. Withdrawals made pursuant to this paragraph shall not prejudice or impair the existing rights of users of Sabine River waters.
- (G.) Waters stored in reservoirs constructed by the States in the Stateline reach shall be shared by each State in proportion to its contribution to the cost of storage. Neither State shall have the right to construct a dam on the Stateline reach without the consent of the other State.
- (H.) Each State may vary the rate and manner of withdrawal of its share of such jointly stored waters on the Stateline reach, subject to meeting the obligations for amortization of the cost of the joint storage. In any event, neither State shall withdraw more than its pro-rata share in any one year (a year meaning a water year, October 1 to September 30) except by authority of the Administration. All jointly stored water remaining at the end of a water year shall be reapportioned between the States in the same proportion as their contribution to the cost of storage.
- (I.) Except for jointly stored water, as provided in (H.) above, each State must use its apportionment of the natural stream flows as they occur, and there shall be no allowance of accumulation of credits or debits for or against either State. The failure of either State to use the stream flow or any part thereof, the use of which is apportioned to it under the terms of this Compact, shall not constitute a

**relinquishment of the right to such use in the future; conversely, the failure of either State to use the water at the time it is available does not give it the right to the flow in excess of its share of the flow at any other time.**

- (J.) From the apportionment of waters of the Sabine River as defined in this Article, there shall be excluded from such apportionment all waters consumed in either State for domestic and stock water uses. Domestic and stock water reservoirs shall be so excluded.**
- (K.) Each State may use its share of the water apportioned to it in any manner that may be deemed beneficial by that State.**

#### **ARTICLE VI**

- (A.) The States, through their respective appropriate agencies or subdivisions, may construct jointly, or cooperate with any agency or instrumentality of the United States, in the construction of works on the Stateline reach for the development, conservation, and utilization for all beneficial purposes of the waters of the Sabine River.**
- (B.) All monetary revenues growing out of any joint State ownership, title, and interest in works constructed under Section (A.) above and accruing to the States in respect thereof, shall be divided between the States in proportion to their respective contributions to the cost of construction; provided, however, that each State shall retain undivided all its revenues from recreational facilities within its boundaries incidental to the use of the waters of the Sabine River, and from its severally State-owned recreational facilities constructed appurtenant thereto.**
- (C.) All operation and maintenance costs chargeable against any joint State ownership, title, and interest in works constructed under Section (A.) above, shall be assessed in proportion to the contribution of each State to the original cost of construction.**

#### **ARTICLE VII**

- (A.) There is hereby created an inter-State administrative agency to be designated as the "Sabine River Compact Administration" herein referred to as the "Administration."**
- (B.) The Administration shall consist of two members from each State and of one member as representative of the United States, chosen by the President of the United States who is hereby requested to appoint such a representative. The United States Member shall be ex-officio chairman of the Administration without vote and shall not be a domiciliary of or reside in either State. The appointed members for Texas and Louisiana shall be designated within thirty days after effective date of this compact.**



- (C.) **The Texas members shall be appointed by the Governor for a term of six years; provided, however, that one of the original Texas members shall be appointed for a term to establish a half-term interval between the expiration dates of the terms of such members, and thereafter one such member shall be appointed each three years for the regular term. The Louisiana members shall be residents of the Sabine Watershed and shall be appointed by the Governor for a term of four years, which shall run concurrent with the term of the Governor. Each State member shall hold office subject to the laws of his State or until his successor has been duly appointed and qualified. (As amended by Public Law 87-418, March 16, 1962, and by Public Law 102-575, October 30, 1992).**
- (D.) **Interim vacancy, for whatever cause, in the office of any member of the Administration shall be filled for the unexpired term in the same manner as hereinabove provided for regular appointment.**
- (E.) **Within sixty days after the effective date of this Compact, the Administration shall meet and organize. A quorum for any meeting shall consist of three voting members of the Administration. Each State member shall have one vote, and every decision, authorization, determination, order, or other action, shall require the concurring votes of at least three members.**
- (F.) **The Administration shall have power to:**
- (1) **Adopt, amend, and revoke by-laws, rules, and regulations, and prescribe procedures for administration of and consistent with the provisions of this Compact;**
  - (2) **Fix and determine from time to time the location of the Administration's principal office;**
  - (3) **Employ such engineering, legal, clerical, and other personnel without regard to the civil service laws of either State, as the Administration may determine necessary or proper to supplement State-furnished assistance as hereinafter provided, for the performance of its functions under this Compact; provided that such employees shall be paid by and be responsible to the Administration and shall not be considered to be employees of either State.**
  - (4) **Procure such equipment, supplies, and technical assistance as the Administration may determine to be necessary or proper to supplement State-furnished assistance as hereinafter provided, for the performance of its functions under this Compact;**
  - (5) **Adopt a seal which shall be judicially recognized.**
- (G.) **In cooperation with the chief official administering water rights in each State and with appropriate Federal agencies, the Administration shall have and perform powers and duties as follows:**

- (1) To collect, analyze, correlate, compile and report on data as to water supplies, stream flows, storage, diversions, salvage and use of the waters of the Sabine River and its tributaries, and as to all factual data necessary or proper for the administration of this Compact;**
- (2) To designate as official stations for the administration of this Compact such existing water gauging stations (and to operate, maintain, repair and abandon the same), and to locate, establish, construct, operate, maintain, repair and abandon additional such stations as the Administration may from time to time find and determine necessary or appropriate;**
- (3) To make findings as to the deliveries of water at Stateline, as hereinabove provided, from the stream-flow records of the Stateline gauge which shall be operated and maintained by the Administration or in cooperation with the appropriate Federal Agency, for determination of the actual Stateline flow, unless the Administration shall find and determine that, because of changed physical conditions, or for any other reason, reliable records are not obtainable thereat; in which case, such existing Stateline station may, with the approval of the Administration, be abandoned, and, with such approval, a substitute Stateline station established in lieu thereof;**
- (4) To make findings as to the quantities of reservoir storage, (including joint storage) and releases therefrom; diversions, transmission losses and as to incident stream-flow changes; and as to the share of such quantities chargeable against or allocable to the respective States;**
- (5) To record and approve all points of diversion at which water is to be removed from the Sabine River or its tributaries below the Stateline; provided that, in any case, the State agency charged with the administration of the water laws for the State in which such point of diversion is located shall first have approved such point for removal or diversion; provided further that any such point of removal or diversion once jointly approved by the appropriate State agency and the Administration shall not thereafter be changed without the joint amendatory approval of such State agency and the Administration;**
- (6) To require water users at their expense to install and maintain measuring devices of approved type in any ditch, pumping station, or other water diversion works on the Sabine River or its tributaries below the Stateline, as the Administration may determine necessary or proper for the purposes of this Compact; provided that the chief official of each State charged with the administration of water rights therein shall supervise the execution and enforcement of the Administration's requirements for such measuring devices;**
- (7) To investigate any violation of this Compact and to report findings and recommendations thereon to the chief official of the affected State charged with the administration of water rights, or to the Governor of such State as the Administration may deem proper;**

- (8) To acquire, hold, occupy and utilize such personal and real property as may be necessary or proper for the performance of its duties and functions under this Compact;**
- (9) To perform all functions required of the Administration by this Compact, and to do all things necessary, proper, or convenient in the performance of its duties hereunder.**
- (H.) Each State shall provide such available facilities, supplies, equipment, technical information, and other assistance, as the Administration may require to carry out its duties and functions, and the execution and enforcement of the Administration's orders shall be the responsibility of the agents and officials of the respective States charged with the administration of water rights therein. State officials shall furnish pertinent factual and technical data to the Administration upon its request.**
- (I.) Findings of fact made by the Administration shall not be conclusive in any court or before any agency or tribunal, but shall constitute prima facie evidence of such facts.**
- (J.) In the case of a tie vote on any of the Administration's determinations, orders or other actions subject to arbitration, then arbitration shall be a condition precedent to any right of legal action. Either side of a tie vote may, upon request, submit the question to arbitration. If there shall be arbitration, there shall be three arbitrators: one named in writing by each side, and the third chosen by the two arbitrators so elected. If the arbitrators fail to select a third within ten days, then he shall be chosen by the Representative of the United States.**
- (K.) The salaries, if any, and the personal expenses of each member of the Administration shall be paid by the Government which he represents. All other expenses incident to the Administration of this Compact, and which are not paid by the United States, shall be borne equally by the States. Ninety days prior to the Regular Session of the Legislature of either State, the Administration shall adopt and transmit to the Governor of such State for his approval its budget covering anticipated expenses for the forthcoming biennium, and the amount thereof payable by such State. Upon approval by its Governor, each State shall appropriate and pay the amount due by it to the Administration. The Administration shall keep accurate accounts of all receipts and disbursements, and shall include a statement thereof, together with a certificate of audit by a certified public accountant, in its annual report. Each State shall have the right to make an examination and audit of the accounts of the Administration at any time.**
- (L.) The Administration shall, whenever requested, provide access to its records by the Governor of either State, or by the chief official of either State charged therein with the administration of water rights. The Administration shall annually on or before January 15 of each year make and transmit to the Governors of the signatory States, and to the President of the United States a report of the Administration's activities and deliberations for the preceding year.**

## **ARTICLE VIII**

- (A.) This Compact shall become effective when ratified by the Legislature and approved by the Governors of both States, and when approved by the Congress of the United States.**
- (B.) The provisions of this Compact shall remain in full force and effect until modified, altered, or amended in the same manner as hereinabove required for ratification thereof. The right so to modify, alter, or amend this Compact is expressly reserved. This Compact may be terminated at any time by mutual consent of the signatory States. In the event this Compact is terminated as herein provided, all rights then vested hereunder shall continue unimpaired.**
- (C.) Should a court of competent jurisdiction hold any part of this Compact to be contrary to the constitution of any signatory State or of the United States of America, all other severable provisions of this Compact shall continue in full force and effect.**

## **ARTICLE IX**

**This Compact is made and entered into for the sole purpose of effecting an equitable apportionment and providing beneficial uses of the waters of the Sabine River, its tributaries, and its watershed, without regard to the boundary between Louisiana and Texas, and nothing herein contained shall be construed as an admission on the part of either State or any agency, commission, department or subdivision thereof, respecting the location of said boundary; and neither this Compact nor any data compiled for the preparation or administration thereof shall be offered, admitted, or considered in evidence in any dispute, controversy, or litigation bearing upon the matter of the location of said boundary.**

**The term "Stateline," as defined in this Compact, shall not be construed to define the actual boundary between the State of Texas and the State of Louisiana.**

## **ARTICLE X**

**Nothing in this Compact shall be construed as affecting in any manner any present or future rights or powers of the United States, its agencies or instrumentalities in, to, and over the waters of the Sabine River Basin.**

**IN WITNESS WHEREOF, the Representatives have executed this Compact in three counterparts hereof, each of which shall be and constitute an original; one of which shall be forwarded to the Administrator, General Services Administration of the United States of America, and one of which shall be forwarded to the Governor of each State.**

**DONE IN THE City of Logansport, in the State of Louisiana, this 26th day of January, 1953.**

**HENRY L. WOODWORTH, Representative for the State of Texas**

**JOHN W. SIMMONS, Representative for the State of Texas**

**ROY T. SESSUMS, Representative for the State of Louisiana**

**APPROVED: LOUIS W. PRENTISS, Representative of the United States**

## **APPENDIX D**

### **BY-LAWS of Sabine River Compact Administration (As Amended June 19, 1999)**

#### **ARTICLE I THE ADMINISTRATION**

- 1. The Administration shall be that administration referred to in Article VII of the Sabine River Compact.**
- 2. The credentials of each Member shall be filed with the Secretary of the Administration.**
- 3. Each Member shall advise the office of the Administration in writing the address to which all official notices and other communications of the Administration shall be sent and shall further promptly advise the office of the Administration in writing of any change in such address.**

#### **ARTICLE II OFFICERS**

- 1. The officers of the Administration shall be: Chairman, Vice-Chairman, Secretary, and Treasurer.**
- 2. The Representative of the United States shall be the Chairman of the Administration. The Chairman shall preside at meetings of the Administration. The Chairman's duties shall be such as are usually imposed upon such officers, and such as may be assigned by these By-Laws, or by the Administration from time to time; provided, however, that the Representative of the United States shall not have the right to vote.**
- 2A. The Vice-Chairman shall be a member of the Administration and shall be elected by the Administration. The Vice-Chairman, once elected, shall serve a term expiring with the Vice-Chairman's appointment as a member of the Administration or until such time as replaced by the Administration. The Vice-Chairman shall preside at any meeting in the absence of the Chairman and shall perform all duties of the Chairman. In the case of a vacancy in the office of Vice-Chairman, the Administration shall proceed as expeditiously as possible to elect a new Vice-Chairman.**
- 3. The Secretary may be a Member of the Administration. The Secretary shall be elected by the Administration. He shall serve for such term and receive such salary and perform such duties as the Administration may direct. In the case of vacancy in the office of Secretary, the Administration shall proceed as expeditiously as possible to elect a new Secretary.**
- 4. The Treasurer may be a Member of the Administration. He shall receive, hold and disburse all funds of the Administration; and he shall furnish a bond for the faithful performance of his duties in such amount as the Administration may direct. The cost of such bond shall be paid by the Administration. He shall keep an accurate account of all funds of the Administration in a well bound book.**

**ARTICLE III  
PRINCIPAL OFFICE**

1. There shall be a principal office of the Administration located in the office of the Secretary of the Administration and such other offices as may be designated by the Administration from time to time as necessary.
2. The principal office shall be open for business on such hours and on such days as the Administration may from time to time direct.
3. All permanent books and records of the Administration shall be kept in the principal office of the Administration in a fireproof vault.

**ARTICLE IV  
MEETINGS**

1. The annual meeting of the Administration shall be held during the month of November of each year.
2. A schedule of regular meetings shall be adopted by the Administration from time to time together with the place where such meetings shall be held.
3. Special Meetings of the Administration may be called by the Chairman at any time. Upon written request of any two Members of the Administration, setting forth the matters to be considered at such Special Meetings, it shall be the duty of the Chairman to call a Special Meeting and designate the place of such Special Meeting. In the case of a vacancy in the office of Chairman or inability of the Chairman to act, the Vice-Chairman may call special meetings at the written request of any two Members of the Administration and designate the place of such Special Meetings.
4. Notice of all Meetings of the Administration shall be sent by the Secretary, or in the case of a vacancy in the Office of the Secretary to act, by the Chairman, to all Members of the Administration and, for informational purposes, to the Secretary of State of the States of Louisiana and Texas, by ordinary mail at least ten days in advance of each such meeting, and such notice shall state the purpose thereof. Any other matter deemed pertinent by the Administration may be considered at any such Meeting.
5. All meetings of the Administration shall be held at such place as shall be agreed upon by the Members of the Administration.
6. Minutes of the Administration shall be preserved in a suitable manner. Minutes, until approved, shall not be official, and shall be furnished only to Members of the Administration, its employees, and committees.
7. A quorum for any meeting shall consist of three voting Members of the Administration. Each State Member shall have one vote, and every decision, authorization, determination, order, or other action, shall require the concurring votes of at least three members.
8. At each regular meeting or annual meeting of the Administration, the order of business, unless agreed otherwise, shall be as follows:

**Call to Order  
Reading of Unapproved Minutes  
Approval of Unapproved Minutes  
Report of Chairman  
Report of Secretary  
Report of Treasurer  
Report of Committees  
Unfinished Business  
New Business  
Adjournment**

9. **All meetings of the Administration except Executive Sessions shall be open to the public. Executive Sessions shall be open only to Members of the Administration and such advisors as may be designated by each Member and employees as permitted by the Administration; provided, however, that the Administration may call witnesses before it when in such Sessions.**
10. **Any meeting of the Administration may be recessed from time to time and from the place set for the meeting to another place.**

## **ARTICLE V COMMITTEES**

1. **There shall be the following standing committees:**  
  
**Budget Committee  
Engineering Committee  
Legal Committee**
2. **The standing committees shall have the following duties:**
  - a. **The Budget Committee shall prepare the annual budget and shall advise the Administration on all fiscal matters that may be referred to it.**
  - b. **The Engineering Committee shall advise the Administration on all engineering matters that may be referred to it, and shall compile all pertinent engineering data and records.**
  - c. **The Legal Committee shall advise the Administration on all legal matters that may be referred to it.**
3. **Members of the Committees may or may not be Members of the Administration. The number of Members of each committee shall be determined from time to time by the Administration. The two Members of the Administration from each State shall designate the member or members on each Committee representing their State.**
4. **The Chairman shall be ex-officio member of all Committees.**
5. **The Chairman of each Committee shall be elected by the members of the Committee from its membership.**
6. **The Administration may from time to time create special committees, composed of such members and others, and assigned such tasks as the Administration may determine.**



7. **Formal committee reports shall be made in writing and filed with the Administration.**

## **ARTICLE VI RULES AND REGULATIONS**

1. **The Administration shall adopt rules and regulations consistent with the Sabine River Compact, and, in addition thereto, shall prescribe procedures for approval of all points of diversion of water from the Sabine River and for such other matters as may properly come before the Administration.**
2. **Rules and regulations of the Administration may be compiled, and copies may be prepared for distribution to the public under such terms and conditions as the Administration may prescribe.**

## **ARTICLE VII FISCAL**

1. **All funds of the Administration shall be received by the Treasurer and deposited by him to the credit of the Administration in a depository or depositories designated by the Administration.**
2. **Disbursements of funds in the hands of the Treasurer shall be made by check, signed by him, upon voucher approved by the Members of the Administration.**
3. **On or before the 30th of June of each year, the Administration shall adopt and transmit a budget pursuant to the Sabine River Compact covering anticipated expenses for the forthcoming fiscal year, and the amount thereof payable by each State.**
4. **All receipts and disbursements of the Administration shall be audited annually by a qualified independent certified public accountant to be selected by the Administration.**
5. **The Administration shall include a statement of receipts and disbursements, together with a certificate of an audit report by a certified public accountant in its annual report.**
6. **An up-to-date inventory of all the property of the Administration shall be kept at the principal office of the Administration.**
7. **The fiscal year of the Administration shall begin September 1 of each year, and end August 31 of the next succeeding year.**

## **ARTICLE VIII ANNUAL REPORT**

1. **The Administration shall make and transmit to the Governors of the States signatory to the Sabine River Compact and to the President of the United States a report of the Administration's activities and deliberations for the preceding year, which shall be made on or before January 15 of each year.**
2. **The annual report shall include, among other things, the following:**

- a. The estimated budget
- b. Report of annual audit
- c. All hydrologic data which the Administration deems pertinent
- d. Statements as to cooperative studies of water supplies made during the preceding year
- e. All findings of fact made by the Administration during the preceding year
- f. Such other pertinent matters as the Administration may require

#### **ARTICLE IX SEAL**

1. The Administration shall have a seal which shall be a circular seal with the words "Sabine River Compact Administration" imprinted around the border.
2. The seal of the Administration shall be kept at the principal office of the Administration.
3. The seal shall be affixed to all contracts or other official instruments in writing, and no such instrument or contract in writing shall be binding upon the Administration without such seal affixed thereto.

#### **ARTICLE X MISCELLANEOUS**

1. All contracts or other instruments in writing to be signed for and on behalf of the Administration, except matters relating to the receipt or disbursement of funds, shall be signed by those officers as designated by the Administration from time to time.
2. The Administration shall designate as official stations such existing water-gauging stations, and establish such additional water-gauging stations as may from time to time be necessary or appropriate for the Administration of the Sabine River Compact, provided such designation shall include a gauging station located at stateline, as defined in said Compact. Provided, further, such stateline station may, with the approval of the Administration, be abandoned; and with such approval, a substitute stateline station established in lieu thereof.

#### **ARTICLE XI AMENDMENTS TO BY-LAWS**

Amendments to the By-Laws may be made at any meeting of the Administration, provided notice of the proposed amendment shall have been given in the notice of the meeting.

## APPENDIX E

### RULES AND REGULATIONS

The following rules and regulations, adopted December 13, 1955, and amended June 14, 1985, shall have binding force, subject to the provisions of the Sabine River Compact. They shall be constructed and enforced by the Sabine River Compact Administration in the manner best calculated to fairly and impartially accomplish the purposes for which the Compact was adopted:

1. Each State will provide annual surface water-use data for the stateline reach of the Sabine River Basin by April 15 of the following year. In addition, each State will provide daily or weekly surface water-use data for specific areas in the Stateline reach, when requested by the Administration in response to an official complaint that water-use by one State is preventing the other State from diverting or using its share of the joint water supply.
2. By December 31, 1985 each signatory State shall have submitted to the Administration documentation of each existing water use from the Sabine River and tributaries within the area subject to Compact administration. The documentation for each water-use project shall include the purpose of use, the location of the diversion point, the rate and method of diversion, the maximum quantity of water to be derived annually, the measuring device approved and/or in use, any other pertinent features or special conditions of the project and, where available, a description of the legal bases for the water use authorization. This documentation shall also be provided to the other State.
3. The Administration, through the procedures described herein, shall approve points of diversion and diversion measuring devices, and advise each State when the Administration considers new water uses in each State to have significant potential to cause a Compact violation based upon historic flow conditions.
  - a. All water-use projects in Texas or Louisiana initiated after the effective date of these rules or not timely submitted pursuant to Rule No. 2 above and subject to Compact administration, shall be submitted by the appropriate State to the Administration for review. The information submitted shall include a description of the legal basis for the water use, the purpose of use, the location of the diversion point, the rate and method of diversion, the maximum quantity of water to be diverted annually, the measuring device approved and/or in use, and any other pertinent features or special conditions of the project.
  - b. The water-use projects first shall be reviewed by the Secretary of the Administration. The Secretary will determine if all required information has been submitted by the State in which the project is located and will provide all such information to the other State for comments. Comments by the other State shall be submitted to the Secretary, with a copy to the State which submitted the project. The Secretary shall submit complete water-use project data and any State comments to the Engineering Committee members.
  - c. The Engineering Committee will review the water-use projects and report its findings directly to the Compact Administration if the project is undisputed, or to a joint session of the Engineering and Legal Committees if a portion of the project is questioned. If the Engineering Committee concludes that a project may have a significant potential for

causing a Compact violation, it shall specify the flow conditions under which a potential violation could occur. The Engineering and Legal Committees will jointly report to the Compact Administration on any projects reviewed by them.

- d. The Administration will vote on whether to approve diversion points and measuring devices, and on whether to inform the States that the Administration considers a water-use project to create a significant potential for causing a Compact violation. The findings of the Commission shall be provided to each State.
4. All points of diversion, if not in violation of the Sabine River Compact, shall be approved by the Administration. Disapproval shall not be used in an attempt to interfere with the right of either State to regulate within its boundaries the appropriation, use, and control of water not inconsistent with its obligation under the Compact.
5. The Administration shall deem a water-use project to create a significant potential for causing a Compact violation only if such project would exceed the amount estimated by the Administration as available for each State to use, considering the location of the diversion point, the flows of water available, and existing water uses. In furtherance of this advisory function, the Engineering Committee shall collect available flow and basin model data to estimate a range of flows available for use by each State in various reaches of the stateline based upon historical flow figures. A finding by the Administration regarding the potential of a water-use project to create a Compact violation shall in no way be deemed to interfere with the rights of Texas and Louisiana to apportion water within their respective states. However, the State in which such water-use project is located may be required by the Administration to monitor and report on a more frequent basis the diversions and flows in the affected reach of the streams in order to provide a higher degree of assurance of compliance with the terms of the Compact.
6. In accordance with ARTICLE VII(G) (6) of the Sabine River Compact, it shall be the policy of the Sabine River Compact Administration to require measuring equipment for all diverters subject to the terms of the Compact. Such measuring equipment shall be properly equipped with meters and devices of standard types to accurately measure the quantity of water diverted within generally accepted industry standards for accuracy, or as established by the American Water Works Association. The measuring equipment so installed shall be properly maintained and shall be calibrated on a frequency as required for such equipment by the Administration. Metering devices shall be installed and maintained at the user's expense. The chief official of each state charged with the administration of water rights therein shall supervise the execution and enforcement of the Administration's standards for and requirements to install such metering devices.
7. The Administration may order a public hearing on any matter pending before it when it feels the public interest will be best served thereby.
8. All hearings shall be public, and the Administration shall hear any interested party and give due consideration to any pleadings, statements, or other offerings made by him. The Administration may waive formal rules of evidence.
9. Hearings by the Administration on any matter shall be conducted at such times and places as may be ordered by the Administration.
10. The Administration shall prepare and issue a notice of hearing after a resolution or order is entered in the minutes, setting the matter to be heard by public hearing. The notice of

**hearing shall be delivered or mailed to all interested parties at least fifteen days in advance of such hearing.**

- 11. In the event anyone should desire to protest or oppose any matter pending before the Administration, a protest or opposition shall be filed with the Administration at least five days before the date on which the subject has been set for hearing.**
- 12. Investigations of violations of the Compact shall be made by any member to the Administration or by any committee or employee therefore as directed by the Administration.**





