DUPLICATE ORIGINAL

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

Washington, D.C.
March 16, 2001

Minute No. 307

PARTIAL COVERAGE OF ALLOCATION OF THE RIO GRANDE TREATY TRIBUTARY WATER DEFICIT FROM FORT QUITMAN TO FALCON DAM

The Commission met at the Department of State in Washington at 10 a.m. on March 16, 2001, with high-level representatives and officials of the two Governments, to consider measures proposed by the Government of Mexico in the fourth year of the current five-year accounting cycle, in partial fulfillment of its obligation under subparagraph (c) of paragraph B of Article 4 of the United States – Mexico Treaty for Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, dated February 3, 1944.

The Commissioners made note of the discussions by United States President George W. Bush and Mexican President Vicente Fox Quezada held in San Cristobal, Guanajuato on February 16, 2001, at which the request was made of Mexico to provide to the United States a volume of 600,000 acre-feet (af), equivalent to 740 million cubic meters (Mm3) of water through July 31, 2001 in order to reduce the present deficit in the allocation of the portion of the Mexican Rio Grande tributaries. In furtherance of that conversation, the Commissioners reviewed the data provided by the Principal Engineers and observed that from the end of September 2000 through March 3, 2001, a volume of 232,674 af (287 Mm3) had been accounted in favor of the United States, such that there remains to be covered through July 31, 2001 a volume of 367,252 af (453 Mm3). They observed that this volume could be covered based on the following estimates:

a) Unmeasured Treaty Tributary Runoff – It is estimated that from March 4, 2001 to July 31, 2001, runoff to the Rio Grande, from rainfall to the unmeasured tributaries, will be between 159,710 af (197 Mm3) and 239,159 af (295 Mm3).

b) One-third of Treaty Tributaries Runoff - It is estimated that from March 4, 2001 to July 31, 2001, the runoff to the Rio Grande from the six Mexican tributaries and one third assignment of this volume to the United States in accordance with the Treaty, will range from 64,046 af (79 Mm3) to 84,314 af (104 Mm3).

c) Venustiano Carranza Dam Releases - An additional net volume of 38,103 af (47 Mm3) can be expected from Venustiano Carranza Dam, which is the one-third that corresponds to the United States, after losses, from the 138,631 af (171 Mm3) which are pending transfer from this dam.

Based on the above, the Commissioners observed that the Principal Engineers of the Commission identified two scenarios, a more positive one under which one could expect a volume of 594,250 af (733 Mm3) by July 31, 2001 and a more conservative estimate under which one could expect a volume of 494,533 af (610 Mm3), which includes the flows delivered since October 2000. On this basis, there results a range of 494,533 af to 594,250 af, which is the volume that could reasonably be expected by July 31. The above demonstrates that it is necessary to agree to a contingency plan in the event that the more favorable scenario does not occur and that by July 31, Mexico has not been able to deliver the requested volume of 600,000 af (740 Mm3). This contingency plan could consider in the first case, the extension of assignment of the unmeasured tributaries through September, which could be feasible to meet the United States request. In the second case, consideration could be given to covering the shortfall through September 30 with waters from the Luis L. Leon, La Fragua, Centenario and San Miguel Dams.

The Commissioners made note that for the estimates provided by the Principal Engineers on the above mentioned quantities an average of runoff recorded in 1993 – 1999 and an average runoff recorded in 1999 were considered.

The Commissioners discussed the need for the two Governments to continue discussions through the Commission to arrive at an agreement before the end of 2001 on additional measures that the Government of Mexico will take to cover the outstanding prior cycle deficit and on any other measures that they consider necessary concerning the last year of the current cycle.

At the same time, they observed that the two Governments, animated by a spirit of friendship that prevails in the relationship between the two countries and committed to prevent recurrence of the situation considered in these discussions will work jointly to identify measures of cooperation in the areas of drought management and sustainable management of this basin.

Based on the above, the Commissioners submit the following recommendations for the approval of the two Governments:

1. That the two Governments adopt the framework described in this Minute to ensure that Mexico provides to the United States 600,000 af (740 Mm3) in accordance with the two scenarios described above.

2. That the two Governments continue discussions, through the Commission, to arrive at an agreement before the end of 2001 to develop additional measures that the Government of Mexico will undertake to cover the outstanding prior cycle deficit and on any other measures that they consider necessary concerning the last year of the current cycle.

3. That the Government of the United States and the Government of Mexico, animated by the spirit of friendship that prevails in the relationship between the two countries and committed to prevent recurrence like the situation considered here will work jointly to identify measures of cooperation on drought management and sustainable management of this basin.

4. That this Minute shall enter into force when the Government of the United States and the Government of the United Mexican States have approved this Minute.

The meeting was adjourned.

Robert Ortega
Acting United States Commissioner

J. Arturo Herrera Solís
Mexican Commissioner

Manuel R. Ybarra
United States Section Secretary

Jose de Jesús Luevano Grano
Mexican Section Secretary