COLORADO RIVER WATERS

Emergency Deliveries to Tijuana

Agreements Between the
UNITED STATES OF AMERICA
and MEXICO

Amending and Extending Minute No. 240 of the International Boundary and Water Commission, United States and Mexico, of June 13, 1972, as Amended and Extended

Effected by Minute No. 260 Adopted at El Paso August 11, 1979 And Minute No. 263 Adopted at El Paso August 6, 1980



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89-497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

"... the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence... of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Subscription Price: \$110 per year; \$27.50 additional for foreign mailing. Single copies vary in price. This issue \$1.75.

MEXICO

Colorado River Waters: Emergency Deliveries

Agreements amending and extending minute no. 240 of the International Boundary and Water Commission, United States and Mexico, of June 13, 1972, as amended and extended.

Effected by minute no. 260 Adopted at El Paso August II, 1979; Entered into force December 7, 1979. And minute no. 263

Adopted at El Paso August 6, 1980; Entered into force September 22, 1980.

INTERNATIONAL COUNDARY AND WATER COMMISSION UNITED STATES AND MEXICO

MINUTE RO. 260

El Paso, Texas August 11, 1979

EXTENSION OF THE EFFECT OF MINUTE NO. 259
RELATING TO THE EMERGENCY DELIVERIES OF COLORADO RIVER WATER
FOR USE IN TIJUANA

The Commission met in the offices of the Mexican Section at 10:00 a.m. on August 11, 1979 to consider the need to extend for one year the effect of Minute No. 259, $\begin{bmatrix} 1 \end{bmatrix}$ relating to the emergency deliveries which the United States makes to Mexico of waters from the Colorado River at a point on the international boundary near the city of Tijuana, Baja California Norte.

The two Commissioners considered the progress by Mexico of the construction of the aqueduct to supply water to Tijuana, and agreed that completion of the aqueduct will be delayed probably until the year 1981, because of the substantial storage of water accumulated at Rodriguez Reservoir on the Tijuana River from extraordinary rains in the last two years, which is being used to serve the city of Tijuana.

The Commission considered the information furnished by the Mexican Commissioner that although those waters are being used to supply the city of Tijuana, to the extent possible, circumstances may again exist requiring emergency deliveries by the United States to Mexico, and concluded that although deliveries have not been made to Tijuana since February 28, 1979, it would be desirable to continue the agreement for the emergency deliveries on a stand-by basis since certain works that are accessary to efficiently use the waters in Rodriguez Reservoir have not been completed.

The Commission then considered the information provided by the United States Commissioner that the agencies of his country which own and operate the hydraulic installations used to make the emergency deliveries to Mexico of water from the Colorado River at a point on the international boundary near the city of Tijuana, are willing and able to continue such emergency deliveries as may be requested by Mexico until August 14, 1980, in the manner and in accordance with conditions established in Minutes Nos. $256 \left\lceil \frac{2}{3} \right\rceil$ and 259, with the proviso that Mexico make its request three days in advance for each resumption and for each suspension of such deliveries.

Based on the above considerations, the Commission adopted the following resolution:

1. That the effect of Minute No. 259 of July 27, 1978 be extended until August 14, 1980 with the understandings in Points 2 and 3 of this resolution.

- 2. That during the one-year extension of the effect of Minute No. 259 the emergency deliveries of Colorado River water made by the United States to Mexico at a point on the international boundary near the city of Tijuana may be resumed temporarily with Mexico making its request three days in advance of each resumption of such deliveries and of each subsequent suspension.
- 3. That at the beginning of the one-year extension of the effect of Minute No. 259, Mexico reestablish its Irrevocable Letter of Credit in the amount of \$4,000 (Four thousand dollars) United States currency, to be replenished in that amount as payments are drawn against it for such emergency deliveries, and that in the event that the cost of emergency deliveries requested by Mexico during a period exceed \$4,000, Mexico at the end of such period of deliveries. pay to the United States the additional costs and reestablish the credit of \$4,000.
- 4. That this Minute require the specific approval of the two Governments. $\begin{bmatrix} 1 \end{bmatrix}$

The meeting adjourned.

Cornissioner of the United States

Comissioner of the United States

Secretary of the United States

Section

Commissioner for Mexico

Secretary of the Mexican Section

COMISION INTERNACIONAL DE LIMITES Y AGUAS ENTRE MEXICO Y LOS ESTADOS UNIDOS

Ciudad Juarez, Chih., a 11 de agosto de 1979.

ACTA NUM. 260.

PRORROGA DE LA VIGENCIA DEL ACTA NUM. 259, REFERENTE A LAS ENTREGAS DE EMERGENCIA DE AGUA DEL RIO COLORADO PARA SU USO EN TIJUANA.

La Comisión se reunió en las oficinas de la Sección Mexicana a las - 10:00 horas del día 11 de agosto de 1979, para considerar la necesidad de - prorrogar por un año la vigencia del Acta Núm. 259, referente a las entregas de emergencia que hacen los Estados Unidos a México de aguas del Río Colorado en un punto de la línea divisoria internacional cercano a la ciudad de - Tijuana, Baja California Norte.

Los dos Comisionados consideraron el adelanto de México en la construcción del acueducto para abastecer de agua a Tijuana, y estuvieron de acuerdo en que la terminación del acueducto se demorará probablemente hasta el año de 1981, dado el sustancial almacenamiento del agua en la Presa Rodríguez en el Río Tijuana, debido a lluvias extraordinarias en los últimos dos años, la cual se ha venido utilizando para abastecer la ciudad de Ti-juana.

La Comisión consideró la información proporcionada por el Comisionado Mexicano de que, aunque esas aguas se están utilizando para abastecer a
la ciudad de Tijuana, al máxino posible, podrán existir nuevamente circunstancias por las que se requieran entregas de emergencia de los Estados Unidos a México y concluyó que aún cuando desde el 28 de febrero de 1979 no se
han hecho entregas a Tijuana, sería deseable continuar el convenio para las
entregas de emergencia en una base eventual ya que no se han terminado algunas obras que son necesarias para poder utilizar eficientemente las aguas de
la Presa Rodríguez.

La Comisión consideró enseguida la información proporcionada por el Comisionado de los Estados Unidos, de que las dependencias de su país que --son propietarias y operan las instalaciones hidráulicas que se utilizan para hacer las entregas de emergencia a México de aguas del Río Colorado en un --punto de la línea divisoria internacional cercano a la ciudad de Tijuana, --están dispuestas y en posibilidad de continuar las entregas de emergencia --que mean solicitadas por México, hasta el 14 de agosto de 1980, en la forma y de acuerdo con las condiciones establecidas en las Actas Núms. 256 y 259, con la disposición de que México haga con tres días de anticipación sus solicitudes de cada reanudación y de cada suspensión de dichas entregas.

Basada en las consideraciones anteriores, la Comisión adoptó la si- guiente resolución:

- 1.- Que la vigencia del Acta Núm. 259 del 27 de julio de 1978 se prorrogue hasta el 14 de agosto de 1980 de conformidad con los puntos 2 y 3 de esta resolución.
- 2.- Que durante la prorroga de un año de la vigencia del Acta Núm. 259, las entregas de emergencia de agua del Río Colorado hechas de Estados Unidos a México en un punto de la linea divisoria cercano a la ciudad de Tijuana se puedan reanudar temporalmente haciendo México su solicitud con tres días de anticipación para cada reanudación de tales entregas y para cada suspensión subsecuente.
- 3.- Que al principio del año de prorroga para la vigencia del Acta Núm. 259, México restablezca su Carta de Crédito Irrevocable por la cantidad de Dls. 4,000.00 (Quatro mil d61ares 00/100) Moneda de los Estados Unidos para ser restaurada a esa cantidad conforme se hagan los pagos para tales entregas de emergencia, y que en el caso de que el costo de las entregas de emergencia solicitadas por México durante un periodo, excedan de Dls. 4,000.00, México pague a los Estados Unidos los costos adicionales al final de tal período de entregas y restablezca el crédito de Dis. 4,000.00.
- 4.- Que la presente Acta requiere la aprobación específica de los dos Gobiernos

Se levanto la Sesion.

Mexicana.

Détados Unidos.