

MEXICO

Boundary Waters

*Agreement effected by exchange of notes
Dated at Mexico June 24 and November 10, 1987;
Entered into force November 10, 1987.*

The American Embassy to the Mexican Secretariat of Foreign Relations

EMBASSY OF THE
UNITED STATES OF AMERICA

Note No. 1271

The Embassy of the United States of America presents its compliments to the Secretariat of Foreign Relations and has the honor to refer to the convention between the United States and Mexico for the equitable distribution of the waters of the Rio Grande, signed May 21, 1906,¹ by which the United States delivers to Mexico a total of 60,000 acre-feet of water annually in the bed of the Rio Grande at the point where the headworks of the Acequia Madre, known as the Old Mexican Canal, exist above the city of Ciudad Juarez, Mexico.

The Acting Commissioner for the United States before the International Boundary and Water Commission has informed this government of the plans, provided by the Commissioner for Mexico, of the Government of Mexico to return Mexico's waters to the Rio Grande for their conveyance and subsequent redirection some 13 miles farther downstream. We understand that the Government of Mexico proposes the change in the conveyance to deal with social and economic problems associated with the current practice of conveying Mexico's deliveries through the urbanized area of Ciudad Juarez.

The Government of the United States does not object to the Mexican plans with the understanding that construction of such works and carrying out of such measures would not in any way alter the existing rights and obligations under the 1906 convention. We recognize that the Mexican redirection plans will result in the commingling of the waters delivered to Mexico with those waters in the channel of the river belonging to the United States. In this Government's view, this requires a joint monitoring, measurement, determination and accounting by the two governments of those waters so that Mexico may be properly charged with any losses of Mexican waters due to conveyance in the river channel. Further, this government recognizes that the Mexican government proposes that the works that Mexico may design, construct, operate and maintain to redirect its waters would be under the joint supervision of the governments of the United States and Mexico through the International Boundary and Water Commission.

¹ TS 455; 9 Bevans 924.

This Government is prepared to authorize the United States Commissioner to join with the Commissioner for Mexico in the joint supervision through the Commission of the diversion works as may be constructed in Mexico and a joint program of measuring the waters delivered to Mexico at the point specified in the 1906 treaty and the determination and accounting of losses below that point attributed to the conveyance of the Mexican waters in the channel of the Rio Grande downstream to the point of rediversion.

If the Government of Mexico is similarly prepared to authorize the Commissioner for Mexico to join with the Commissioner for the United States in such joint supervision and joint program and finds the contents of this note otherwise acceptable, this note and the reply of the Secretariat of Foreign Relations shall constitute an agreement between our two Governments regarding their authority to jointly supervise the above-cited Mexican diversion works through the International Boundary and Water Commission.

The Embassy of the United States of America avails itself of this opportunity to renew to the Secretariat of Foreign Relations the assurances of its highest consideration.

The Embassy of the United States of America.
Mexico, D. F., June 24, 1987.

The Mexican Secretariat of Foreign Relations to the American Embassy

10 00771 La Secretaría de Relaciones Exteriores saluda atentamente a la Embajada de los Estados Unidos de América y tiene el honor de referirse a su nota N° 1271 relativa al uso de las aguas del río Bravo en el área de Cd. Juárez, Chihuahua.

El Gobierno de México ha tomado nota, con satisfacción, de la buena disposición del Gobierno de los Estados Unidos para que, sin alterar las reglas y obligaciones consignadas en la Convención de 1906, se construyan nuevas obras de derivación, aproximadamente veinte kilómetros aguas abajo de la actual bocatoma.

El Gobierno de México coincide con el de los Estados Unidos en la necesidad de que la planeación, el diseño, la construcción y el mantenimiento de dichas obras se efectúen bajo la supervisión de la Comisión Internacional de Límites y Aguas y en tal sentido está autorizando al Comisionado mexicano para que actúe conjuntamente con su contraparte en dicha supervisión, así como en la determinación y contabilidad de las pérdidas que resulten de la conducción de las aguas mexicanas por el cauce del río Bravo, entre la actual y la nueva bocatoma.

La Secretaría de Relaciones Exteriores estima que los contenidos de las notas N° 1271 y la presente constituyen un acuerdo entre nuestros dos Gobiernos sobre la supervisión conjunta de las nuevas obras de derivación, a través de la Comisión Internacional de Límites y Aguas.

La Secretaría de Relaciones Exteriores aprovecha la oportunidad para reiterar a la Embajada de los Estados Unidos de América las seguridades de su más alta consideración.

México, D.F. 10 de noviembre de 1987.

A la Embajada de los Estados
Unidos de América,
P r e s e n t e.

TRANSLATION

No. 10 00771

The Secretariat of Foreign Relations presents its compliments to the Embassy of the United States of America and has the honor to refer to its note No. 1271 regarding the use of the waters of the Rio Grande (Rio Bravo) in the area of Ciudad Juárez, Chihuahua.

The Government of Mexico has taken note with satisfaction of the willingness of the Government of the United States to have new diversion works constructed approximately 20 kilometers downstream from the existing intake without altering the rules and obligations set forth in the 1906 Convention.

The Government of Mexico agrees with the Government of the United States that it is necessary for the planning, design, construction, and maintenance of those works to take place under the supervision of the International Boundary and Water Commission. It is therefore authorizing the Mexican Commissioner to act jointly with his counterpart in providing the above-mentioned supervision and in the determination and accounting of any losses resulting from the conveyance of the Mexican waters in the channel of the Rio Grande (Rio Bravo) between the existing intake and the new one.

The Secretariat of Foreign Relations considers that note No. 1271 and this note constitute an agreement between our two Governments on joint supervision of the new diversion works through the International Boundary and Water Commission.

The Secretariat of Foreign Relations avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its high consideration.

Mexico, D.F., November 10, 1987

[Initialed]

Embassy of the United States of America,
Mexico, D.F.