

MEXICO

Colorado River Waters: Emergency Deliveries to Tijuana

*Agreement 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. 259

Adopted at El Paso July 27, 1978;

Entered into force August 11, 1978.

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

MINUTE NO. 259

El Paso, Texas

July 27, 1978

EXTENSION OF THE EFFECT OF MINUTE NO. 256
RELATING TO THE EMERGENCY DELIVERIES OF COLORADO RIVER WATER
FOR USE IN TIJUANA

The Commission met in the offices of the United States Section, at 10:00 a.m., on July 27, 1978, to consider the need to extend for one year the effect of Minute No. 256,^[1] 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, which they observed during the visit they made to the works in January 1978. They agreed that completion of the aqueduct will be delayed probably until May 1979, due to the serious geological problems which have impeded completing the excavation of the two tunnels of the aqueduct.

The Commission considered the substantial storage of water which has accumulated at Rodriguez Reservoir on the Tijuana River from the recent floods, as well as the information furnished by the Mexican Commissioner that although those waters will be 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 it would be desirable to continue the agreement for emergency deliveries with the understanding that after August 14, 1978, such deliveries may be temporarily suspended at the request of Mexico for one or more periods.

The Commission considered that with such temporary suspension of emergency deliveries after August 14, 1978, it would not be practical to continue the transfer from Mexico to the United States of the electrical energy required to pump the waters of the Colorado River for the emergency deliveries. Accordingly, the Commission concluded that beginning with the date of the first suspension, it would be desirable to terminate the transfer of electrical energy and for Mexico to pay to the United States the additional charge for the energy required for the same purpose. Further, an adjustment will be required for any over- or under-delivery of electrical energy transferred from Mexico to the United States as of the date of termination of transfer of energy.

¹ Adopted Feb. 22, 1977. TIAS 8712; 28 UST 7208.

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, 1979, in the manner and in accordance with the conditions established in Minute No. 256, and with the proviso that Mexico make its request 10 days in advance of each suspension and of each resumption of such deliveries.

Based on the above considerations the Commission adopted the following Resolution:

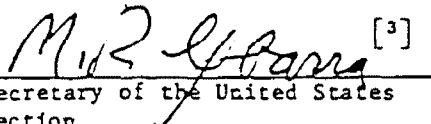

1. That the effect of Minute No. 256 of February 22, 1977, be extended to August 14, 1979, with the understandings in points 3 and 4 of this Resolution.
2. That Mexico actively pursue the construction of its aqueduct to supply potable water to the city of Tijuana, with the objective of putting it in operation as soon as possible.
3. That during the one-year extension of the effect of Minute No. 256, the emergency deliveries of Colorado River water made by the United States to Mexico at the international boundary near the city of Tijuana may be temporarily suspended with Mexico making its request 10 days in advance of each suspension and of each resumption of such deliveries.
4. That beginning with the date of the first suspension of the emergency deliveries, under the one-year extension of the effect of Minute No. 256, Mexico terminate its transfer to the United States of the electrical energy required to pump such waters of the Colorado River, and in lieu thereof, pay to the United States the additional charge for the energy required for the same purpose; and that as soon as practical the Commission make an appropriate adjustment for the over- or under-delivery of electrical energy transferred by Mexico as of the date of termination of the transfer of electrical energy from Mexico to the United States, as prescribed in Minute No. 245.^[1]

¹ Adopted May 15, 1974. TIAS 8712; 28 UST 7196.

5. That this Minute require the specific approval of the two Governments.^[1]

The meeting was adjourned.

^[2] ^[4]
Commissioner of the United States Principal Engineer of the
Mexican Section for the Mexican
Commissioner

^[3] ^[5]
Secretary of the United States Secretary of the Mexican Section
Section

¹ Aug. 11, 1978.

² J. F. Friedkin.

³ M. R. Ybarra.

⁴ Joaquin R. Bustamante.

⁵ Lorenzo Padilla S. P.