

An End to Mexico's Rio Grande Deficit?

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According to the terms of a 1944 water treaty between the United States and Mexico, Mexico has been accumulating a water delivery deficit to the United States since 1992. The 1944 treaty, "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande," defined how Rio Grande water would be allocated between the United States and Mexico from Fort Quitman, Texas, to the river's mouth in the Gulf of Mexico.

Briefly, the treaty specifies that the waters in the main stem of the Rio Grande below Fort Quitman are to be shared equally between the two countries, and the United States is allocated one-third of the flow reaching the Rio Grande from specified tributaries. It also stipulates that Mexico must make available an average of 350,000 acre-feet per year, computed in five-year cycles, to the United States. A cycle is ended early, with all debts considered paid, when the Amistad and Falcon reservoirs, the two international reservoirs on the Rio Grande, contain the full U.S. allocation. The International Boundary and Water Commission (IBWC) operates the reservoirs, monitors deliveries, and determines the division of ownership of reservoir waters on a weekly basis, based on field data collections and exchange of data between the two countries.

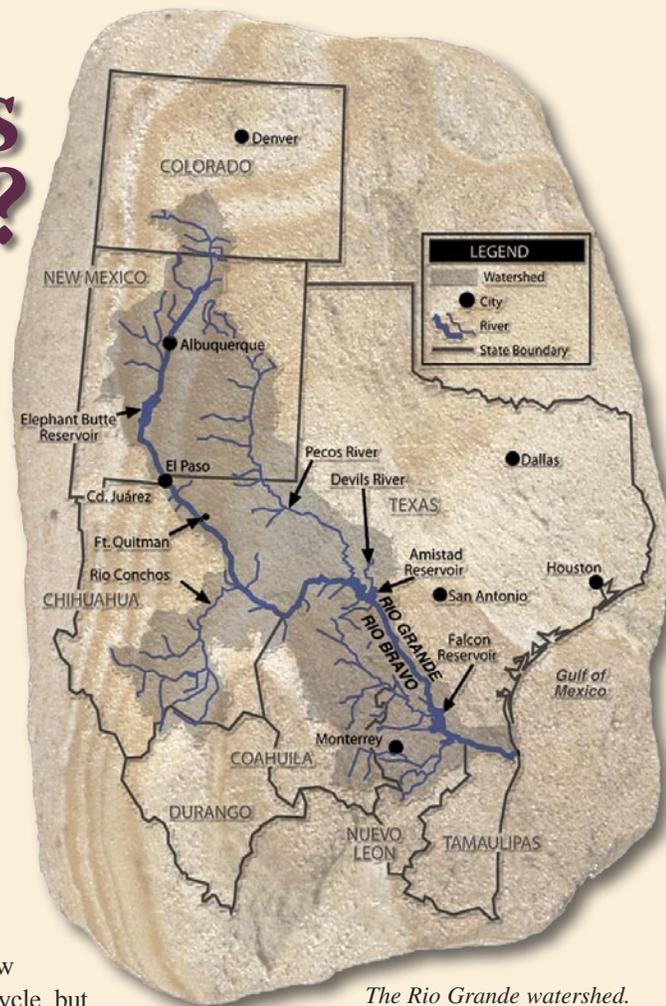
The 1944 treaty has a provision that the five-year average delivery obligation can be waived in the event of "extraordinary drought," which was not defined, but the deficiency must be made up in the following five-year cycle. A 1969 amendment to the treaty (Minute 234) clarified that in the event of a deficit during a five-year cycle, not only must the deficit be made up in the following five-year cycle, the quantity of water required to avoid a deficit in that cycle must also be delivered. The last time the

Amistad-Falcon reservoirs were full was in 1992, thus we are now in the third five-year cycle since then.

During the 1992 to 1997 cycle, Mexico incurred a delivery deficit of over one million acre-feet, citing extraordinary drought. Farmers and irrigation districts in Texas, whose water allocations were severely curtailed due to low Amistad-Falcon reservoir levels, questioned the drought status, and argued to the IBWC that Mexico was merely withholding water in its reservoirs on tributaries to the Rio Grande for its own use. Mexico's deficit grew larger during the next five-year cycle, but the country claimed that continued drought during the 1997 to 2002 cycle enabled it to defer delivery of that cycle's deficit to the following (2002 to 2007) cycle. U.S. interests argued that under Minute 234, such deferment was not permitted. The point was arguable, as nothing in the treaty or subsequent minutes addresses droughts lasting longer than five years.

By the end of the 1997 to 2002 cycle, the deficit had reached 1.5 million acre-feet. But then, the combination of increased precipitation starting in late 2002, additional pressure from IBWC, and heightened attention given to the matter by the Mexican and U.S. presidents resulted in greater releases from Mexican reservoirs. By October 2004 the debt had been reduced to just over 700,000 acre-feet, and additional deliveries and transfers from Mexican waters stored in the international reservoirs since then have reduced the deficit to about 178,000 acre-feet as of June 2005.

In March 2005, U.S. Secretary of State Condoleezza Rice announced that the



The Rio Grande watershed.

United States and Mexico had reached an understanding that will eliminate Mexico's Rio Grande water deficit by Sept. 30, 2005. The repayment will be accomplished through additional deliveries and transfers between reservoirs. The agreement also stipulated that Mexico would continue to deliver sufficient water to meet its obligations for the current water cycle. IBWC will annually review basin conditions and develop water delivery plans for the coming year, and work on drought management strategies for the entire Rio Grande Basin.

In a long-term effort to avoid future deficits, Mexico has begun a modernization program in the Rio Conchos Basin. The Rio Conchos is the largest contributor of water to the Rio Grande below Fort Quitman, and supplies water for extensive agricultural, as well as growing municipal and industrial, uses in Chihuahua. Seven major reservoirs in the Rio Conchos Basin are currently used to manage water in the basin.

The 1944 treaty can be viewed at www.usembassy-mexico.gov/bfbf/bfboundwater.pdf.