

RESOLUTION REGARDING 1944 WATER TREATY

WHEREAS, the 1944 Treaty between the United States and Mexico provides that the United States is entitled to one-third of the flow reaching the main channel of the Rio Grande from the Conchos, San Diego, San Rodrigo, Escondido and Salado Rivers and the Las Vacas Arroyo, provided that this third shall not be less, as an average amount in cycles of five consecutive years, than 350,000 acre-feet (431,721,000 cubic meters) annually; and

WHEREAS, Texas water right holders are the sole beneficiaries of the United States' one-third (1/3) portion of such flow in the Rio Grande; and

WHEREAS, the Treaty further states that any deficits during a 5 year cycle caused by "extraordinary drought," which is a year in a five year cycle in which there is insufficient surface water runoff for the required Treaty flows to the Rio Grande or a serious accident to the hydraulic systems must be made up within the five year period; and

WHEREAS, the current five year cycle began on October 25, 2010 and will end on October 25, 2015; as of February 9, 2013, Mexico is approximately 392,000 acre-feet behind in their deliveries; and

WHEREAS, the Rio Grande Watermaster has reported that our water right holders have 60% less water starting off in 2013 as compared to this time last year, due in part to the lingering drought conditions in Texas and to the continued lack of inflows from Mexico during this five year cycle; and

WHEREAS, the Rio Grande Regional Water Planning Group (Region M, Teas Water Development Board) has determined that water requirements will exceed supply for the next 30- and 50-year planning horizons in the Region on the Rio Grande dependent upon the treaty of Mexico; and

WHEREAS, this situation is expected to result in a water shortage for irrigation and for municipalities in Hidalgo County and the Rio Grande Valley; and

WHEREAS, the United States gives priority to its obligations under the 1944 Treaty to assure required flows of the Colorado River reach Mexico, and takes actions to ensure that Mexico receives required flows of water from the Colorado River Watershed in the United States to which it is entitled under the Treaty.

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NOW, THEREFORE, BE IT RESOLVED that the Hidalgo County Commissioners' Court supports the efforts of the Rio Grande Regional Water Authority (RGRWA) to request that the United States Section of the International Boundary and Water Commission (IBWC) and the United States Department of State to pursue Mexico's formal compliance with the 1944 Treaty to annually set aside water in sufficient amounts, as a priority allocation to the United States and to ensure Mexico's full compliance with the 1944 Treaty.

Dated this 26th day of February, 2013

Ramon Garcia

RAMON GARCIA
County Judge

A.C. Cuellar

A.C. CUELLAR
County Commissioner, Pct. 1

Hector 'Tito' Palacios

HECTOR "TITO" PALACIOS
County Commissioner, Pct. 2

Joe M. Flores

JOE M. FLORES
County Commissioner, Pct. 3

Joseph Palacios

JOSEPH PALACIOS
County Commissioner, Pct. 4

Attested to:

Arturo Guajardo, Jr.

ARTURO GUAJARDO, JR.
County Clerk