

Texas House of Representatives



EDDIE LUCIO III

DISTRICT 38
CAMERON COUNTY

August 1, 2014

Chairman Carlos Rubinstein
Texas Water Development Board
1700 North Congress Ave
P.O. Box 13231
Austin, TX 78711-3231

Chairman Bryan W. Shaw
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RE: The Allocation of Waters at Ft. Quitman

Dear Chairmen,

Water stakeholders in South Texas continued to be concerned about the US Section of the International Boundary and Water Commission's ("IBWC") position on the ownership and allocation of waters at Ft. Quitman. Currently, the water spilling at Ft. Quitman is being allocated on a 50/50 basis between Texas and Mexico. Texas water stakeholders' position, as well as the position taken by the State of Texas on this issue, is that Mexico waived any and all rights to the waters between Acequia Madre and Ft. Quitman which is support by language in the 1906 Convention ("Convention").

IBWC continues to incorrectly interpret the 1944 Water Treaty (Treaty") in favor of Mexico despite continuous efforts by US stakeholders to advocate and encourage an accurate and plain interpretation of the Treaty. Texas has clearly pointed out that the Convention granted this water to the U.S., and that nothing in the 1944 Treaty modified that apportionment. As the leaders of water issues in the State of Texas, we kindly ask you to assist us in elevating this discussion to the United States Department of State ("State Dept."). The goal should be to have the State Dept. recognize Texas' right to 100% allocation of waters above, at and spilling below Ft. Quitman, which was clearly intended and written into the Convention.

Given the past years of drought and failure of Mexico to comply with water deliveries to the Rio

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Grande River, now more than ever we need to clarify this issue so that stakeholders receive every drop of water to which they are entitled and which they depend on to sustain life in Texas. We very much appreciate all previous efforts you have undertaken regarding this issue and the extensive research and exchange of information as documented in <http://www.tceq.texas.gov/border/international-water.html>

Thank you so much for your time and attention to this matter. Please let me know if you have any questions or require any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Eddie Lucio III".

Eddie Lucio III