INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

August 6, 2013

Mr. Carlos Rubinstein, Commissioner
Texas Commission on Environmental Quality
MC 100, PO Box 13087
Austin, TX 78711-3087

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Texas Commission on Environmental Quality
Commissioners' Offices

Dear Commissioner Rubinstein:

In your letter of June 17, 2013, you request a meeting to discuss the practice of the U.S. Section of the International Boundary and Water Commission (USIBWC) in implementing the 1944 U.S.-Mexico Water Treaty, as explained to you in various letters over the last five years, regarding the national ownership of waters in the Rio Grande below Fort Quitman. In these letters we have set forward in some detail our consistent interpretation and practice on this important matter.

I want to assure you that the USIBWC took your questions seriously and conducted in-depth historical research regarding the allotment of these waters between the United States and Mexico. The U.S. Department of State has also reviewed this material and affirms the longstanding practice as consistent with the 1944 Water Treaty. Any further questions you may have about U.S. obligations under the 1944 Water Treaty may be addressed to the Office of the Legal Adviser of the U.S. Department of State.

You may contact:
Mr. Jeffrey Kovar, Assistant Legal Adviser for Western Hemisphere Affairs
Office of the Legal Adviser
U.S. Department of State
Washington, DC 20520-6419
202-647-7423

I share your interest in properly accounting for the national ownership of waters under the 1944 Water Treaty, and I am confident that the Commission's longstanding practice is consistent with the intent of the governments of the United States and Mexico at the time the 1944 Treaty was concluded.

Sincerely,

Edward Drusina, P.E.
Commissioner

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