



GOVERNOR GREG ABBOTT

September 15, 2020

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Pompeo:

Thank you for all that you and your teams do each day to keep America safe, to advocate for American businesses abroad, and to help create jobs in Texas and in every state of our great nation. Job creation is critical to Texas' economic rebound from COVID-19, and continuing access to water resources remains especially vital for our agricultural and industrial employers and communities in the Rio Grande Valley. That is why I am writing to respectfully request your urgent assistance to ensure enforcement of Mexico's international water treaty obligations.

The Mexican-controlled waters of the international Rio Grande Basin are vital to ensuring that Texas' water right holders can irrigate crops, supply water to municipalities, and conduct industrial operations along the Rio Grande. Under Article 4 of the *Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande* (Treaty), signed February 3, 1944, Mexico has an obligation to deliver to the United States 1,750,000 acre-feet (AF) of water over a five-year cycle, at an average of 350,000 AF annually for the five-year cycle. As we approach the end of the current five-year cycle on October 24, 2020, Mexico once again has a significant deficit in its delivery. Unfortunately, Mexico ended the last cycle in a debt and has not remained current on its Treaty deliveries, as only limited progress has been made to ensure that this cycle does not end in a deficit. Only recently, after the peak irrigation season, has Mexico begun to make minor progress on deliveries through direct transfers of water from the international reservoirs. Significant work remains and time is of the essence.

It is imperative that Mexico consistently meet Treaty obligations each year of every five-year cycle. Without the required Treaty waters, Texas, which relies on this water source, must decrease allocations of water from the international reservoirs to Texas' water right holders along the Rio Grande. It is vital that this water be delivered to the international reservoirs due to allocations year-round from the reservoirs, which are especially important during peak irrigation season (March–July). In general, lack of water negatively impacts multiple stakeholders within the Rio Grande Valley, forcing Texas water users to secure alternate sources of water, change crops, and reduce operations.

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As of August 29, 2020, Mexico has delivered 1,431,502 AF. Thus, Mexico owes the United States 318,498 AF of water by October 24, 2020. This amount of water is almost a year's worth of water, which needs to be delivered within six weeks. Mexico can meet Treaty obligations, as they still hold 1,180,957 AF of water within interior reservoirs as of September 7, 2020, and 175,113 AF in the international reservoirs as of August 29, 2020. As you know, the United States continues to meet its treaty obligations and sends significantly more water to Mexico than we receive in return. The United States sends around 1.5 million AF annually of water from the Colorado River, and Mexico is only required to deliver 1,750,000 AF over a five-year period. Even still, Mexico continues to be delinquent in their water obligations.

Texas continues to regularly meet with the United States International Boundary Water Commission (U.S. IBWC) and parties from Mexico. However, the ultimate responsibility lies with Mexico to meet their required Treaty deliveries before the end of the cycle. As the end of the cycle approaches and your department seeks to enforce this Treaty, I request emphasis of the following to the Mexican government:

- Mexico needs to end the cycle without a debt. Mexico ended the last cycle, as well as several previous cycles, in a debt. This trend cannot continue.
- With only six weeks remaining, Mexico must deliver more water immediately. Mexico currently has enough water within its interior reservoirs and international reservoirs, which could be utilized to meet Treaty requirements.
- U.S. IBWC must remain steadfast in their refusal to take water from the San Juan River to fulfill Treaty obligations, as Texas needs the ability to store Treaty waters within the international reservoir system to maximize the resource. Accepting offers of water deliveries from the San Juan River in the Lower Rio Grande, which cannot be stored and is outside of the six named tributaries within the Treaty, is not advantageous to Texas.

The Rio Grande is a shared resource between the United States and Mexico. The United States continues to meet obligations on the Colorado River, but Mexican efforts have proven insufficient to ensure that they meet their Treaty obligations for the Rio Grande. More water must be delivered now to ensure another cycle does not end in debt. I ask that you work with Mexico to enforce this Treaty. Thank you for your prompt attention to this important matter.

Sincerely,



Greg Abbott
Governor

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