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Navigating the Future of the Colorado River  
(Martz Summer Conference, June 8-10)

2011

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6-9-2011

### SLIDES: Law of Colorado River: Where We Are, Where We Are Going

Steven M. Fitten

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# Law of Colorado River





# Where We Are, Where We Are Going

Steven M. Fitten, Chief Counsel

8-10 June 2011

Boulder, CO

# IBWC MISSION

*The International Boundary and Water Commission, United States and Mexico, is responsible for applying the boundary and water treaties between the two countries and settling differences that arise in their application.*





# International Boundary and Water Commission United States Section

## Commissioners



**Edward Drusina, PE**  
**United States Commissioner**



**Roberto F. Salmon, PE**  
**Mexican Commissioner**

# HISTORY





# IBWC History

## The Beginning



### **Treaty of Guadalupe Hidalgo (1848)**

Established the international boundary after the Mexican-American War



### **Gadsden Treaty (1853)**

Re-established the southern boundary of New Mexico and Arizona



### **Convention of July 29, 1882**

Established a temporary commission to survey the land boundary and establish monuments








# 1944 Water Treaty

## Colorado River

 U.S. annual delivery to  
Mexico = 1.5 million acre-  
feet of water



*Colorado River at NIB*





# 1944 Water Treaty

## Colorado River



U.S. annual delivery to  
Mexico =  
1.5 million acre-feet of water

Surplus waters:  
U.S. annual delivery to  
Mexico up to 1.7 million



*Morelos Dam*



# 1944 Water Treaty

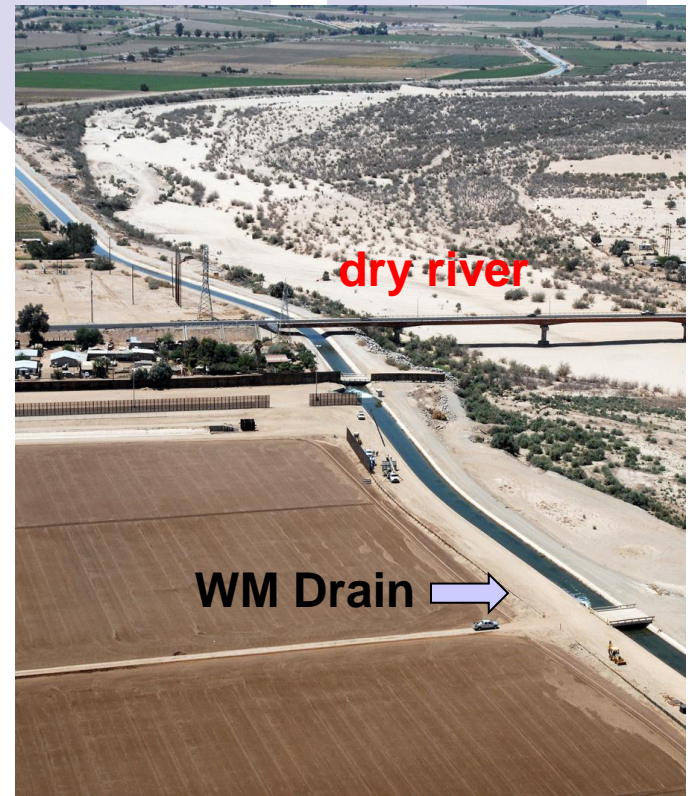
## Colorado River



U.S. annual delivery to Mexico = 1.5 million acre-feet of water

Surplus waters:  
U.S. annual delivery to Mexico up to 1.7 million

Extraordinary drought:  
Mexico allotment  
“reduced in same proportion” to U.S.  
allotment



*Colorado River at SIB*



# 1944 Water Treaty

## Colorado River



U.S. annual delivery to  
Mexico =  
1.5 million acre-feet of water

Surplus waters:  
U.S. annual delivery to  
Mexico up to 1.7 million



*Morelos Dam*



# IBWC Minutes

- Formalize IBWC agreements
- Legally binding
- Take effect upon signature and approval by both Governments
- Over 300 Minutes

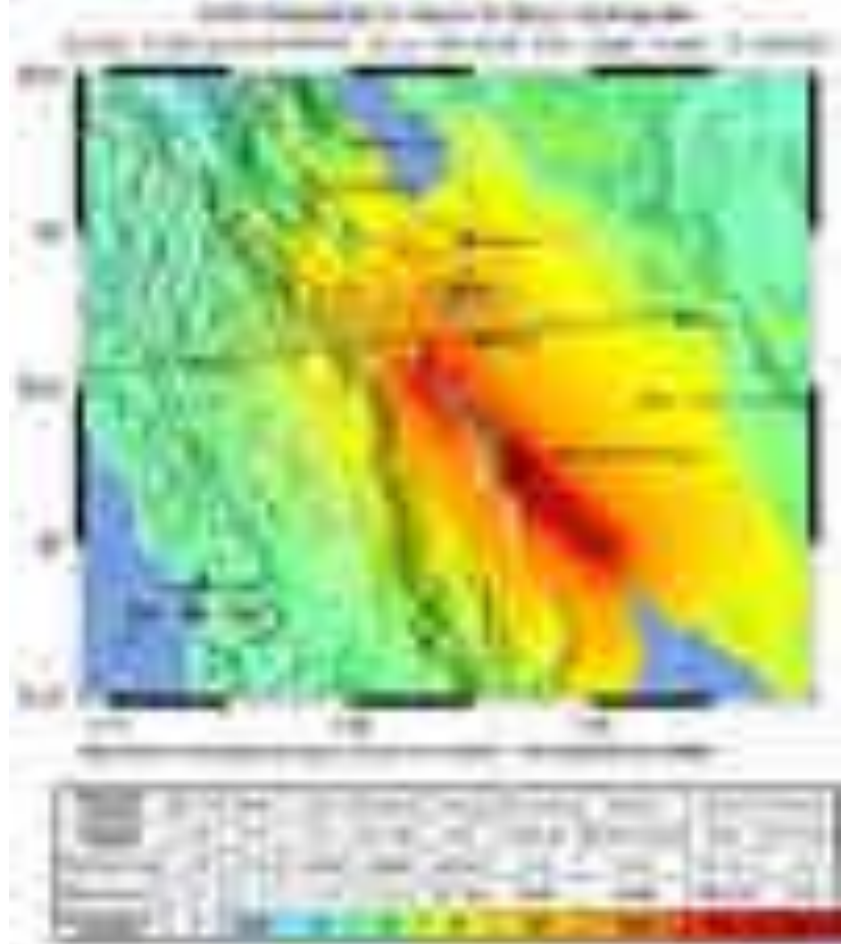
*IBWC Minute*



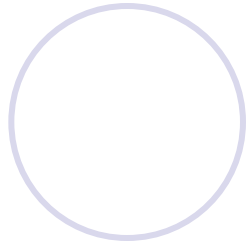
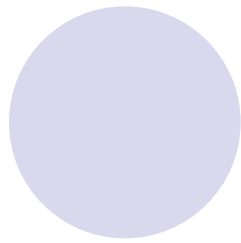


# COLORADO RIVER – MIN. 318

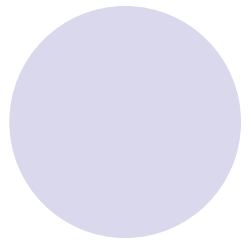
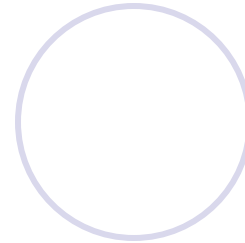
- Temporary remedy for earthquake damage to Mexico irrigation infrastructure that occurred April 2010
- Allows Mexico to delay deliveries of annual allotment IAW 1944 Water Treaty:
- Identify projects to minimize shortage conditions, generate additional volumes, conserve water, permit Mexico to use U.S. infrastructure to store water



**Mexicali Valley Earthquake Damage**



•MIN. 318



- Water stored from 2010-2013
- Mexico Annual allotment of 1.5 maf
- Mexico may accept delivery up to 1.7 maf if excess available
- Stored water increases Lake Mead's elevation
- Forestalls Lower Basin shortages

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