

## United States Senate

WASHINGTON, DC 20510-4305

March 4, 2013

Commissioner Edward Drusina  
International Boundary & Water Commission  
U.S. Section  
4171 North Mesa, Suite C-100  
El Paso, TX 79902-1441

Dear Commissioner Drusina:

I am writing to call to your attention to the impending water shortage in the Lower Rio Grande Valley of Texas due to the ongoing water deficit owed to the United States by Mexico. The 1944 Treaty, the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, authorized the distribution of the waters in the international segment of the Rio Grande from Fort Quitman, Texas to the Gulf of Mexico.

Compliance with the Treaty is a federal responsibility vested in the U.S. Section of the International Boundary and Water Commission (IBWC), an agency of the U.S. State Department. The Treaty requires Mexico to deliver to the United States an annual minimum average amount of 350,000 acre-feet per year. The current five-year cycle began in October 2010 and ends in October 2015. Although Mexico has until the end of the cycle to deliver the water it owes, it has fallen far behind on its yearly allocations and has given no indication for how they intend to ultimately comply with the Treaty. This water deficit and the uncertainty about supply harms Texas municipal, industrial, and agricultural irrigation users in the Rio Grande basin who rely on regular, lawful allocations of water. Several of the irrigation districts have recently notified their users that they may not receive all the water deliveries they are entitled to within the next 60 days if additional flows do not occur.

Unfortunately, this is not the first time my constituents have been negatively impacted by water debt incurred by Mexico. The water debt attributed to 1992-2002, which at one time totaled 1.5 million acre-feet, was not completely repaid until September 2005. Texas farmers lost hundreds of millions of dollars during the shortfall. Further, full compliance for the 2002-2007 cycle was achieved only through direct, sustained negotiations with Mexico.

The IBWC has the power and the duty to carry into execution and prevent the violation of provision of treaties and agreements between the U.S. and Mexico under its jurisdiction. The U.S. Section of the IBWC is expected to coordinate regularly with the Mexican Section to review basin conditions and determine strategies for Treaty compliance. Despite the concerted efforts by Texas officials to communicate with the IBWC and work toward a solution to address

the growing water deficit, nothing has been resolved. I trust that you will not allow the lack of water allocations by Mexico to continue to go unanswered.

I ask that you work with your counterpart in the Mexican Section, as well as the State Department, to resolve the immediate threat of water shortages for Texas users. Further, I urge you to begin direct discussions and negotiations with Mexico to develop a plan that halts the growth in the water deficit owed by Mexico and ensures future allocations of water that better reflect a commitment to meeting the water supply needs of the Lower Rio Grande Valley.

I appreciate your review of this important request, and look forward to the timely response that this situation requires.

Sincerely,

A handwritten signature in blue ink that reads "John Cornyn". The signature is stylized and fluid.

JOHN CORNYN  
United States Senate