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

Steven M. Fitten

Follow this and additional works at: https://scholar.law.colorado.edu/navigating-the-future-of-the-colorado-river

Part of the Administrative Law Commons, Agriculture Law Commons, Climate Commons, Comparative and Foreign Law Commons, Contracts Commons, Dispute Resolution and Arbitration Commons, Environmental Law Commons, Environmental Policy Commons, Hydrology Commons, Indigenous, Indian, and Aboriginal Law Commons, International Law Commons, Natural Resource Economics Commons, Natural Resources and Conservation Commons, Natural Resources Law Commons, Natural Resources Management and Policy Commons, Peace and Conflict Studies Commons, President/Executive Department Commons, Public Policy Commons, Risk Analysis Commons, State and Local Government Law Commons, Transnational Law Commons, Urban Studies and Planning Commons, Water Law Commons, and the Water Resource Management Commons

Citation Information

Reproduced with permission of the Getches-Wilkinson Center for Natural Resources, Energy, and the Environment (formerly the Natural Resources Law Center) at the University of Colorado Law School.
Where We Are, Where We Are Going

Steven M. Fitten, Chief Counsel
8-10 June 2011
Boulder, CO
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.
Commissioners

Edward Drusina, PE
United States Commissioner

Roberto F. Salmon, PE
Mexican Commissioner
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
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

WM Drain

Colorado River at SIB

dry river
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
• 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