INTERNATIONAL BOUNDARY COMMISSION
UNITED STATES AND MEXICO

MINUTE NO. 143.

Illegal obstructions in the Rio Grande: San Agustín, Dave Gill and Banderas Dams.

The Commission met in the office of the American Section, El Paso, Texas, at 10:00 o'clock A.M., May 28, 1934.

The Commission received the report of the Consulting Engineers dated May 9, 1934, relative to three diversion dams existing without the permission of the two Governments in that section of the Rio Grande which is to be rectified in accordance with the provisions of the Convention of February 1, 1933. The Commissioners approved the report, which is attached to this Minute to form a part hereof.

The Commission adopted the following resolution:

"The three structures, shown on the map attached to the Consulting Engineers' report dated May 9, 1934, and locally known as the San Agustín Dam, the Dave Gill Dam and the Banderas Dam, which are located respectively across the channel of the Rio Grande at points opposite San Elizario, Texas, and about four kilometers upstream from San Isidro, Chih.; near the mouth of the Guayuco arroyo about five kilometers above Old Fort Quitman, Texas, and about five kilometers below Old Fort Quitman where an arroyo on the Mexican side of the valley debouches into the river, constitute such works or obstructions as are prohibited by provisions of existing treaties. Therefore, the individuals responsible for the construction, maintenance and operation of the three diversion dams herein mentioned shall be notified to remove such structures from the channel of the Rio Grande."

The meeting then adjourned.

[Signatures]

Commissioner of the United States.
[Signature]

Commissioner of Mexico.
[Signature]

Acting Secretary of the United States Section.
[Signature]

(over)
May 9, 1934,

Joint Report of the Consulting Engineers on Obstructions in that part of the Rio Grande to be rectified under the Convention of Feb. 1, 1933.

The Honorable Commissioners,

International Boundary Commission,

United States and Mexico,

El Paso, Texas, and Ciudad Juarez, Chih., Mexico.

Sirs:

In accordance with your instructions, we have made an examination of the channel of the Rio Grande in that part to be rectified under the Convention of February 1, 1933, to determine if there exist any works such as are prohibited by Article III of the Convention of November 12, 1884, or by Article VII of the Treaty of Guadalupe Hidalgo of February 2, 1848.

As a result of this examination, we have found three structures which, in our opinion, are among those prohibited by the treaties. These structures, taken in their order down the river, are locally known as the San Agustín Dam, the Dave Gill Dam, and the Banderas Dam. The location of each is shown on the attached map (Exhibit No. 1). The following statements are submitted for your information.

San Agustín Dam.

This structure is located across the Rio Grande at a point opposite San Elizario, Texas, and about four kilometers upstream from San Isidro, Chihuahua. The structure consists of a brush and rock dam, and permission for its
construction was given by an exchange of notes between
the two governments during the early months of 1928.
The permission was conditioned upon the removal of the
structure at the expiration of the 1928 irrigation sea-
son. If the structure was removed at that time, it has
been replaced without renewal of the permission.

Erosion on both banks of the river has occurred
below this structure, and the deposition of silt has
taken place on both banks and in the stream bed above.

Dave Gill Dam.

The Dave Gill Dam is constructed across the Río
Grande near the mouth of the Guayuco Arroyo at a point
about five kilometers above Old Fort Quitman, Texas.
The dam is a loose, rock-fill structure and was built
for the diversion of water for the gravity irrigation of
lands comprising the Dave Gill Ranch. It was constructed
about 1926, following the change in the Río Grande which
created the Guayuco Banco.

Erosion of both banks of the river has occurred be-
low the structure, and the deposition of silt has taken
place on both river banks and in the stream bed above.

The officials of the Hudspeth County Irrigation Dis-
trict, whose lands are located in the United States, have
protested at various times against this structure being
maintained, stating that it had caused a filling of the
river bed for a long way upstream with a consequent
raising of the water plane under the adjacent lands, to
their great detriment, and that this filling of the river
bed is liable to cause serious overflow of their lands
and a possible change in river channel at times of flood.

Previous to the building of this dam, the lands, now
served by it, were irrigated by pumping from the river,
and this method will most probably have to be used if the
dam is abandoned or removed.

There is no record in the Commission's files to show
that permission for the building or maintenance of this
structure was ever requested or obtained.

Banderas Dam.

The structure known as the Banderas Dam is located
across the channel of the Rio Grande about five kilo-
meters below Old Fort Quitman and at a point where an
arroyo, on the Mexican side of the valley, debouches into
the river. It is a brush and rock dam and is maintained
to divert water to lands on the Mexican side of the river
lying immediately downstream.

Erosion of both river banks has occurred immediately
below the structure, and deposition of silt has taken
place in the stream bed and on both banks above.
There is no record in the Commission's files indicating that permission for the building or maintenance of this structure was ever requested or obtained.

In our opinion, all three of these structures are among those prohibited by the treaties because they form obstructions in the current and have caused bank erosion and the deposits of alluvium in the channel, and we respectfully recommend that the Commission take the steps necessary to bring about their removal.

Respectfully submitted.

[Signature]
Consulting Engineer - U. S. Section

[Signature]
Consulting Engineer - Mexican Section