MINUTE NO. 181-A

SUPPLEMENTING MINUTE NUMBER 181 DATED APRIL 4, 1946,
RELATIVE TO THE REQUEST OF THE MAVERICK COUNTY WATER
CONTROL AND IMPROVEMENT DISTRICT NO. ONE TO CONSTRUCT;
OPERATE AND MAINTAIN A DIVERSION DAM ACROSS THE RIO
GRANDE ABOUT 42 MILES (67 KILOMETERS) UPSTREAM FROM
EAGLE PASS, TEXAS AND PIEDRAS NEGRAS, COAHUILA.

The Commission met at the offices of the United States Section in El
Paso, Texas, on July 15, 1946, at 10 o'clock a.m., further to consider the
matter of the diversion dam which the Maverick County Water Control and Im-
provement District No. One of Eagle Pass, Texas, proposes to construct on the
Rio Grande, subject of Minute No. 181 of the Commission, dated April 4, 1946.

The Ministry of Foreign Relations of Mexico having called the Commission's
attention to the fact that, in accordance with the applicable laws of the
United Mexican States, that part of the works situated in Mexican territory
must be property of the Government of Mexico, the Commission adopted the fol-
lowing resolution:

"(1) That paragraph (3) of Minute No. 181 dated April 4, 1946 be changed
to read as follows:

'(3) The proposed dam shall be under the jurisdiction of the Com-
mission, each Section thereof retaining jurisdiction over
that part of the works located within the limits of its own
country, in accordance with the provisions of Article 2 of
the Treaty of February 3, 1944. That part of the works sit-
uated within the territory of the United Mexican States shall
be the property of the Government of Mexico in accordance
with the laws of the United Mexican States; and ownership of
that part of the works located within the territory of the
United States shall be subject to the applicable laws of the
United States.""

The meeting then adjourned.

/s/ L. M. Lawson
Commissioner of the United States

/s/ Rafael Fernández MacGregor
Commissioner of Mexico

/s/ George H. Winters
Secretary of the United States Section

/s/ Fernando Rivas S.
Secretary of the Mexican Section
MINUTE NO. 181

REQUEST OF MAVERICK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. ONE TO CONSTRUCT, OPERATE AND MAINTAIN A DIVERSION DAM ACROSS THE RIO GRANDE ABOUT 42 MILES (67 KILOMETERS) UPSTREAM FROM EAGLE PASS, TEXAS AND PEDRAS NEGRAS, COahuila.

The Commission met at the offices of the United States Section in El Paso, Texas, on April 4, 1946, at 10 o'clock a.m., to consider the request of the Maverick County Water Control and Improvement District No. One of Eagle Pass, Texas, for permission, at its expense, to construct, operate and maintain a diversion dam across the Rio Grande near their Main Canal Heading which is located on the left bank of the Rio Grande at a point about 42 miles (67 kilometers) upstream from the cities of Eagle Pass, Texas and Piedras Negras, Coahuila.

The Commission reviewed the data submitted by the District in regard to the proposed dam, inspected the aerial photographs of the reach of the river affected, studied and approved the joint report of the Consulting Engineers, dated February 27, 1946, which is attached hereto, and after considering the matter in light of the provisions contained in the Treaty of February 3, 1944, and the pertinent provisions of the other treaties concerning the fluvial international boundary line, found that the proposed diversion is among those authorized by the Treaty of February 3, 1944 for the purposes referred to in paragraphs (b) and (g) of Article 9; that the proposed diversion would cause no injury to either country provided proper measures are taken to guard against possible river changes which might tend to alter the boundary line, such measures to consist of changes in the plans and construction as substantially outlined in the report of the Consulting Engineers; and that in as much as there will be no obligation on the part of the Commission to regulate the flow of the stream in such manner as to...
provide an adequate water supply for the proposed additional diversion, said diversion would not interfere with the international generation of electric power.

The United States Section has established that at the point of diversion under the proposal considered herein there is sufficient water available within the share allotted to the United States by the Treaty of February 3, 1944 to cover the volume of water not returned to the river under operation of the said diversion.

The Commission will, if the proposed diversion is made, prescribe such means as may be deemed adequate to determine the quantities of water diverted for generation of hydroelectric power and irrigation use and not returned to the main stream, which quantities will be charged to the share of the United States in accordance with the provisions of the Treaty of February 3, 1944.

In view of the foregoing, the Commission adopted the following resolution:

"(1) The proposed diversion and the construction of the proposed works in connection therewith, with the changes recommended by the Consulting Engineers in their Joint Report dated February 27, 1946, are authorized.

"(2) The proposed works shall be subject to all of the applicable provisions of the Treaty of February 3, 1944.

"(3) The proposed dam shall be under the jurisdiction of the Commission, each Section thereof retaining jurisdiction over that part of the works located within the limits of its own country, in accordance with the provisions of Article 2 of the Treaty of February 3, 1944.

"(4) It is understood that such jurisdiction of the Commission and of each of the two Sections thereof shall include supervision of the construction, operation and maintenance of said dam; the cost of such construction, operation and maintenance being for the account

(Continued on sheet No. 3)
of the Maverick County Water Control and Improvement District No. One."

The meeting then adjourned.

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P. M. Russell
Commissioner of the United States

Maria Lagunera
Commissioner of Mexico

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Secretary of the United States Section

Secretary of the Mexican Section

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Maverick County Water Control and Improvement District Num. Uno.

Se levantó la sesión.

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P. M. Russell
Comisionado de México

Comisionado de los Estados Unidos

Secretario de la Sección Mexicana

Secretario de la Sección de los Estados Unidos