

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

MINUTE NO. 334

El Paso, Texas
September 2, 2026

COLORADO RIVER BASIN COOPERATIVE MEASURES THROUGH DECEMBER 31, 2028

The Commissioners met at the U.S. Section Headquarters in El Paso, Texas at 10:00 a.m. on September 2, 2026 to consider Colorado River joint cooperative measures that could be applied through December 31, 2028, taking into consideration the provisions of Minute No. 323, "Extension of Cooperative Measures and Adoption of a Binational Water Scarcity Contingency Plan in the Colorado River Basin," signed September 21, 2017 in Ciudad Juarez, Chihuahua.

I. BACKGROUND

The Commissioners referred to the United States-Mexico Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 3, 1944 (hereinafter 1944 Water Treaty), particularly to Article 25, under which the Commission has signed various Colorado River joint cooperative agreements, including Minute No. 242, "Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River," dated August 30, 1973, and, more recently, Minute No. 306, "Conceptual Framework for United States-Mexico Studies for Future Recommendations Concerning the Riparian and Estuarine Ecology of the Limitrophe Section of the Colorado River and its Associated Delta," dated December 12, 2000, Minute No. 318, "Adjustment of Delivery Schedules for Water Allotted to Mexico for the Years 2010 through 2013 as a Result of Infrastructure Damage in Irrigation District 014, Rio Colorado, Caused by the April 2010 Earthquake in the Mexicali Valley, Baja California," dated December 17, 2010, and Minute No. 319, "Interim International Cooperative Measures in the Colorado River Basin through 2017 and Extension of Minute 318 Cooperative Measures to Address the Continued Effects of the April 2010 Earthquake in the Mexicali Valley, Baja California," dated November 20, 2012.

Minute 323 extended and replaced provisions of Minute 319 through December 31, 2026. Further, paragraph III.D of Minute 323 provides, "When the January 1 elevation of Lake Mead is projected to be at or below elevation 1,045 feet msl, the Commission will meet to discuss measures that could be undertaken, recognizing that reductions in both countries may need to increase." In light of worsening hydrology, the Commission met to discuss additional measures and, on March 21, 2024, signed Minute No. 330, "Expansion of Colorado River Temporary Measures," to undertake water conservation activities through December 31, 2026. The Commissioners noted both governments' interest in entering into a new agreement for Colorado River cooperation to succeed Minutes 323 and 330.

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The Commissioners noted the cooperative actions to address water scarcity conditions in the Colorado River Basin identified in Minutes 323 and 330 included: water reductions; investments in water conservation projects in Mexico that generated, among other things, water for the Colorado River system to the benefit of all users; recoverable water savings in Mexico; and deferred water deliveries to allow Mexico to retain a portion of its annual Colorado River allotment in the United States through a mechanism known as Mexico's Water Reserve. These joint actions between the two countries are similar to the mechanisms applicable in the U.S. Lower Basin States.

Nonetheless, despite efforts undertaken in the United States and Mexico, reservoir storage in the Colorado River system has continued to decline as a result of prolonged water scarcity in the basin over the last 27 years.

Therefore, in the United States, the Department of the Interior has adopted new Colorado River guidelines for the 2027 and 2028 operating years intended to protect critical elevations at Lakes Mead and Powell and to continue reliable water releases for downstream users, among other objectives. These guidelines provide for reduced deliveries to Colorado River water users in the United States.

In light of the above, the Commissioners expressed a clear need to continue and undertake additional water reductions due to the impacts on Colorado River reservoir storage resulting from various factors, including meeting system demands, the effects of hydrologic conditions, and increased temperatures, among others.

The Commissioners further referred to the provisions of Minute 323 related to: distribution of flows under high and low elevation reservoir conditions, salinity, flow variability, Mexico's Water Reserve, the environment, investments and projects, and establishment of Binational Work Groups. They stated their governments' mutual interest in continuing or modifying these elements of Minute 323 and incorporating them into this Minute as well as in future Minutes, including a new Minute to be concluded by December 31, 2028, that would extend or replace the substantive provisions of this Minute.

The Commissioners highlighted concepts of parity and equity that have characterized the Colorado River Minutes mentioned above, and, in light of those concepts, cited the importance of adopting a new Minute that would establish, among other things, an equitable share of water delivery reductions applicable to Mexico in parity with reductions applicable in the United States.

The Commissioners also reviewed the "Joint Report of the Principal Engineers on Colorado River Binational Work Groups and the Salinity Pilot Program for 2027-2028," signed August 24, 2026 by Principal Engineers Isela Canava and Luis Antonio

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Rascon Mendoza, of the U.S. and Mexican Sections respectively, which describes the activities of the work groups and the Salinity Pilot Program, and they found it to be satisfactory.

In consideration of the above, the Commissioners identified the following cooperative measures:

II. DISTRIBUTION OF FLOWS UNDER HIGH ELEVATION RESERVOIR CONDITIONS

The Commissioners considered it appropriate to coordinate basin operations under high elevation reservoir storage conditions, should these conditions occur during 2027 or 2028, noting the importance of aligning operations for both countries. This cooperative approach could result in the availability of additional volumes of water for Mexico that would be in proportion to additional volumes available for the Lower Basin in the United States. The availability of additional water will be determined when the Lake Mead elevation is projected to be at or above 1,125 feet mean sea level (msl). With this understanding, this cooperative approach will be carried out as follows:

- A. Should forecasts indicate a likelihood of achieving Lake Mead elevation in 2027 or 2028 of 1,125 feet msl or above, the Commission will meet to discuss the procedures that could be adopted to increase the deliveries to Mexico.
- B. For purposes of making the determinations under paragraph II.A above, the Commission will request from the U.S. Department of the Interior, Bureau of Reclamation (Reclamation), the most probable August 24-Month Study, which will be used to project the January 1 elevation of Lake Mead. The Commission will review the results of this study and will provide it to Mexico's National Water Commission through the Mexican Section. The August 24-Month Study refers to one of the monthly studies conducted by Reclamation to project future reservoir operations.

III. DISTRIBUTION OF FLOWS UNDER LOW ELEVATION RESERVOIR CONDITIONS

The Commissioners noted the interest of both governments to continue to proactively address the persistent water scarcity conditions in the Colorado River Basin. Likewise, they considered it appropriate to coordinate basin operations under low elevation reservoir conditions, emphasizing the importance of aligning operations for both countries.

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The Commissioners observed that in the framework of this joint cooperative process, information has been exchanged regarding precipitation, streamflow, and water storage conditions in the basin, and the consumptive water uses for the different basin states, among other data.

The U.S. Commissioner advised that under domestic guidelines in the United States, total allocations to U.S. users in the Lower Basin will be reduced by 1.25 million acre-feet (1,542 million cubic meters [mcm]) annually during the period from January 1, 2027 through December 31, 2028. The Mexican Commissioner stated that based on the joint cooperative principles established in prior Minutes and the urgent need for reductions given record low hydrology, a proportional water delivery reduction to Mexico will be considered. Both Commissioners concurred in applying the reductions in the following manner:

- A. The water delivery reduction applicable to Mexico will be 250,000 acre-feet (308,372,250 cubic meters) per year in 2027 and 2028.
- B. When any most probable 24-Month Study projects the elevation of Lake Mead to be at or below 1,000 feet msl at any time in the subsequent 12-month period, the Commission will consult regarding potential additional reductions in 2028. The two governments will determine the mechanisms that would permit the application of additional reductions, if needed, in 2028, taking into consideration the importance of maintaining proportionality and parity in both countries.
- C. In order for Mexico to continue to systematically track basin conditions and be able to prepare in a timely manner for any eventual reductions in its deliveries, the United States will provide the most current information to Mexico on basin conditions as often as needed. This information will include precipitation, streamflow, and water storage conditions in the basin and their historical behavior; the consumptive water uses for the different basin states and the historical trend; and the status of the determination of shortage conditions in the Colorado River Basin within the United States, including, on a monthly basis, the 24-Month Study.
- D. Annually in 2027 and 2028, the United States will furnish to Mexico, through the Commission, information on the natural causes for the current and projected reservoir elevations of Lake Mead.
- E. If due to unforeseen circumstances the annual reductions in the Lower Basin in the United States are determined to be less than 1.25 million acre-feet (1,542 mcm) in 2027 or 2028, the Commissioners will consult to determine the

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corresponding reductions to Mexico taking into consideration the concepts of proportionality and parity.

- F. The Commissioners will reconstitute the Binational Hydrology Work Group in 2027 with federal participation, and as determined by the Commissioners, state participation, to perform certain activities starting January 1, 2027, which are detailed in the "Joint Report of the Principal Engineers on Colorado River Binational Work Groups and the Salinity Pilot Program for 2027-2028."

IV. MEXICO'S WATER RESERVE

The Commissioners observed that it would be appropriate to allow Mexico to continue to be able to defer delivery of a portion of its allotment of Colorado River water under the 1944 Water Treaty in 2027 and 2028, through continuation of the cooperative mechanism known as Mexico's Water Reserve.

- A. Creation, storage and delivery of Mexico's Water Reserve are subject to the following provisions:

1. The Mexican Section will provide timely notification to the United States Section of the creation of water for Mexico's Water Reserve by means of a letter indicating the total volume and the schedule for the creation of volumes for Mexico's Water Reserve. Any creation of water for Mexico's Water Reserve will be included in the annual schedule submitted before the beginning of the calendar year as well as in any subsequent schedule modifications submitted per Article 15.F of the 1944 Water Treaty. The United States and Mexico will consider operational constraints to ensure that creation of Mexico's Water Reserve does not adversely affect U.S. operations or the Salinity Pilot Program established in Section V of this Minute. Any creation of Mexico's Water Reserve in calendar year 2026 will be in accordance with the provisions of Minute 323, the "Joint Report of the Principal Engineers with the Implementing Details of the Binational Water Scarcity Contingency Plan in the Colorado River Basin," dated July 11, 2019, and the "Joint Report of the Principal Engineers with the Operational Provisions Applicable to Water for the Environment Stipulated in Minute 323," dated December 16, 2021.
2. Mexico may create an annual maximum volume of water for Mexico's Water Reserve of 250,000 acre-feet (308,372,250 cubic meters) in 2027 and 2028, by making a downward adjustment to

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the schedule for the annual delivery to Mexico of its Article 10(a) allotment under the 1944 Water Treaty.

3. Through December 31, 2028, Mexico may accumulate a maximum balance in Mexico's Water Reserve not to exceed 1,500,000 acre-feet (1,850,234,000 cubic meters).
4. Any new volume of water created in Mexico's Water Reserve in 2027 and 2028 will be subject to a 10% assessment at the end of the year on the net volume created in that year and no additional assessment for evaporation will be applied in the year of its creation. Starting in 2027, on December 31 of each year, a 3% assessment for evaporation will be applied to any other existing balance in Mexico's Water Reserve until said Reserve is depleted or until new criteria are adopted on this matter.
5. Mexico may use Mexico's Water Reserve for any purpose, subject to the specific provisions of this Minute.
6. Any delivery of water from Mexico's Water Reserve in 2027 and 2028 will be included in the annual schedule submitted before the beginning of the calendar year or in any subsequent schedule modifications submitted per Article 15.F of the 1944 Water Treaty. The United States Section, upon receipt of the request and in consultation with the U.S. Department of the Interior, will review the Colorado River system's status and approve the request subject to available balances of Mexico's Water Reserve as well as operational issues identified in the review of the Colorado River system's status, taking into consideration the desire of both countries to schedule the delivery to avoid potential adverse effects on United States operations or the Salinity Pilot Program established in Section V of this Minute. The Commission will forward to Reclamation the water accounting records that will be used by the Commission to account for the creation, delivery, and resulting balances of Mexico's Water Reserve.
7. Notwithstanding paragraph V.E.3 of Minute 323 and Resolution 11 of Minute 330, as they relate to the maximum annual delivery volume from Mexico's Water Reserve, from January 1, 2026 through December 31, 2028, a maximum cumulative volume of 160,000 acre-feet (197,358,240 cubic meters) from Mexico's Water Reserve may be delivered to Mexico, excluding the 2026 volume of water for the environment.

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8. Notwithstanding paragraph V.E.14 of Minute 323, Mexico may request delivery of volumes from Mexico's Water Reserve in 2027 and 2028 when the projected January 1 Lake Mead elevation is at or above 1,025 feet msl based on the previous year's most probable August 24-Month Study; nonetheless, it cannot receive such delivery when the actual January 1 elevation of Lake Mead is below 1,025 feet msl. However, in the event Mexico requests delivery of volumes from Mexico's Water Reserve on an urgent or limited basis when the actual January 1 elevation of Lake Mead is at or above 1,000 feet msl and below 1,025 feet msl, both governments will consult, taking into consideration the nature of the request and the status of the Colorado River system.
 9. If during the effective period of this Minute, flood control releases are foreseeable, the two Sections will consult regarding management of Mexico's Water Reserve.
 10. Beginning on January 1, 2029, Mexico may request deliveries from Mexico's Water Reserve only in years when the projected January 1 Lake Mead elevation is at or above 1,025 feet msl based on the previous year's most probable August 24-Month Study. Delivery of these volumes will be subject to the terms established in paragraph IV.A.6 of this Minute, therefore, the maximum delivery volume from Mexico's Water Reserve in any calendar year is 200,000 acre-feet (246,697,000 cubic meters) until all available water in Mexico's Water Reserve is used. In any given year, the total annual scheduled delivery to Mexico may not exceed 1,700,000 acre-feet (2,096,931,000 cubic meters).
- B. Delivery of, assessments for, and accumulation limits for Mexico's Recoverable Water Savings created under Minute 323 will remain subject to the terms of Minute 323, the "Joint Report of the Principal Engineers with the Implementing Details of the Binational Water Scarcity Contingency Plan in the Colorado River Basin," and the "Joint Report of the Principal Engineers with the Operational Provisions Applicable to Water for the Environment Stipulated in Minute 323." Any delivery of Mexico's Recoverable Water Savings in 2027 and 2028 will be accounted for as part of the maximum cumulative volume set forth in paragraph IV.A.7 of this Section.

V. SALINITY

The Commissioners referred to the provisions of Minute 242, "Permanent and

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Definitive Solution to the International Problem of the Salinity of the Colorado River,” and observed the need to comply with it.

In consideration of the above, the Commissioners noted the discussions of technical personnel from both countries regarding the operations required in the United States to comply with Minute 242, in the context of reductions for volumes in 2027 and 2028 that are stipulated in Section III of this Minute. They observed that for compliance with the differential established in Minute 242, sending more Colorado River water to the Northerly International Boundary (NIB) would be required, which could intensify scarcity conditions in the basin.

Based on the recommendations of the technical personnel from both countries, the Commissioners proposed to implement a pilot program for salinity management (Salinity Pilot Program) during the effective period of this Minute under which the deliveries of water to Mexico at the NIB will have a salinity in accordance with the provisions in paragraph V.A of this Minute. Additional objectives of the Salinity Pilot Program are to achieve the greatest Colorado River system benefit resulting from the combined reductions to the annual schedule of deliveries to the United States and Mexico, test operations by using a monthly physical salinity limit at the NIB, and avoid potential adverse effects to operations in both countries.

A. In order to achieve the objectives, the Salinity Pilot Program will be implemented as follows:

1. The Salinity Pilot Program will apply from January 1, 2027 through December 31, 2028.
2. The United States and Mexico will implement the Salinity Pilot Program as described below as the mechanism to fulfill the terms of Resolution 1.a) of Minute 242 during 2027 and 2028:
 - a. The United States will not deliver groundwater to the Colorado River between Imperial Dam and Morelos Dam in months when Mexico's monthly order at the NIB is less than 70,000 acre-feet (86,344,230 cubic meters).
 - b. The United States will manage the system in accordance with the salinity limits identified in paragraphs 2.c, 2.d, and 2.e below. In the unlikely event circumstances result in an exceedance of the monthly limit, both Sections will convene to review the situation, evaluate data, and discuss the causes,

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including natural causes, for consideration in managing the system.

- c. For each month when Mexico's monthly water delivery order at the NIB is 100,000 acre-feet (123,348,900 cubic meters) or greater, the United States will limit the monthly average salinity at the NIB to 900 parts per million (ppm) U.S. count.
 - d. During months when Mexico's monthly water delivery order at the NIB is less than 100,000 acre-feet (123,348,900 cubic meters) and greater than or equal to 70,000 acre-feet (86,344,230 cubic meters), the United States will limit the average salinity at the NIB for those months combined to 900 ppm U.S. count, with an individual monthly average not to exceed 920 ppm U.S. count.
 - e. During months when Mexico's monthly water delivery order at the NIB is less than 70,000 acre-feet (86,344,230 cubic meters), the United States will limit the average monthly salinity at the NIB to 925 ± 50 ppm U.S. count.
3. Evaluate and track the salinity during the 2027 and 2028 water deliveries, as well as evaluate actions aimed at addressing salinity management in the medium and long term in both countries in consideration of Minute 242, including:
- a. Real-time salinity measurement at the NIB, at the gage labelled USGS 09522005 Colorado River Below Cooper Wasteway Near Yuma, AZ and downstream of Morelos Dam will permit detection of significant variations above 925 ppm U.S. count.
 - b. Both governments will cooperate on the exchange of technical and operational information related to the physiochemical water quality such as electrical conductivity (EC) and total dissolved solids (TDS), as well as the volumes delivered and relevant operating conditions for implementation of the Salinity Pilot Program; additionally, actions will be taken in their respective countries to decrease the data exchange time required to calculate TDS. Details of these actions are included in the "Joint Report of the Principal Engineers on Colorado River Binational Work Groups and the Salinity Pilot Program for 2027-2028."

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- c. Both governments will coordinate to continuously monitor the EC levels and other salinity parameters at the NIB so that operators in both countries can carry out measures that support implementation of the Salinity Pilot Program. This monitoring includes the operation of existing equipment in the United States and Mexico from the start of the Salinity Pilot Program and the installation, prior to December 31, 2027, of additional monitoring equipment in Mexico that will be placed and implemented based on the recommendations of the technical personnel from both countries.
 - d. For the Colorado River local binational operations meetings, the Commissioners will direct the Yuma, Arizona and Mexicali, Baja California field offices to include the exchange and review of the salinity data under this Salinity Pilot Program, including the timely exchange of information regarding modifications to Mexico's delivery schedule in consideration of the ranges established in the Salinity Pilot Program. Furthermore, if unexpected events should occur during the Salinity Pilot Program, the Colorado River local binational team is expected to meet immediately to share information and determine the corresponding actions within their control or those they can recommend to their respective authorities.
 - e. The United States and Mexico will consider and evaluate studies and support for future actions and projects that could be implemented to address the salinity effects of the water delivered to Mexico in light of both countries' shared interest in identifying cooperative mechanisms to improve salinity management.
 - f. Due to limitations in operations, monitoring, and hydraulic response time of the system, salinity management at NIB will be implemented in consideration of the practical operating limits determined by the Commission that permit the beneficial use of water in Mexico, as well as the implementation of the Salinity Pilot Program without adversely affecting hydraulic operations in both countries.
- B. The Commissioners observed the appropriateness of minimizing salinity impacts during the term of this Minute as follows:

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1. Mexico will retain the possibility of using the Wellton-Mohawk bypass drain to convey volumes it considers appropriate. The United States and Mexico will take into account operational constraints to ensure that water conveyance does not adversely affect United States water operations.
2. The volumes of water that Mexico decides to convey through the Wellton-Mohawk bypass drain and/or to discharge directly to the channel of the Colorado River downstream from Morelos Dam will be added to and accounted for in their quantity and quality with the deliveries at the NIB.
3. For purposes of this section, those volumes that Mexico expressly requests to be conveyed in accordance with paragraphs 1 and 2 above will be accounted for as part of Mexico's 1944 Water Treaty allotment, without that implying a modification of the allotment rights provided for in the 1944 Water Treaty.

C. Actions at the Southerly International Boundary (SIB)

1. The Commissioners noted the binational cooperation that has occurred on salinity management, in particular the infrastructure constructed by the United States to reduce the variability of flows arriving at the SIB, and the canal to bypass higher-salinity flows to improve the water quality to approximately 1,200 parts per million U.S. count during the four months critical for agriculture in Mexico (September, October, November, and December).
2. To enable conveyance of the water deliveries at the SIB, Mexico will maintain a capacity of 220 cubic feet per second (6.2 cubic meters per second) in the Sanchez Mejorada Canal.
3. These actions will not alter the provisions of Resolution 1.b) of Minute 242 which provide for the United States to deliver to Mexico at the SIB approximately 140,000 acre-feet (172,689,000 cubic meters) annually with a salinity substantially the same as that of the waters customarily delivered there.

D. Additional Joint Cooperative Efforts

1. The Commissioners considered it appropriate to maintain the Colorado River Binational Salinity Work Group to undertake activities as detailed in the "Joint Report of the Principal Engineers

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on Colorado River Binational Work Groups and the Salinity Pilot Program for 2027-2028.”

VI. MEASURES RELATED TO VARIABILITY OF FLOWS ARRIVING IN MEXICO

The Commissioners noted Mexico’s ongoing concern about variability in the daily flow of water that it receives from the Colorado River with respect to its demand. To address this issue, the Commissioners decided to reconstitute the Binational Flow Variability Work Group in 2027 as the Binational Flow Variability and Operations Work Group made up of operations personnel from the United States and Mexico, to propose, analyze, and evaluate joint actions that would make it possible to eliminate or reduce these variations to levels that are manageable by Mexico. The activities assigned to this Work Group starting January 1, 2027 are detailed in the “Joint Report of the Principal Engineers on Colorado River Binational Work Groups and the Salinity Pilot Program for 2027-2028.”

A. The following actions undertaken in accordance with Minute 323 will continue:

1. Implement procedures to schedule deliveries at 00:00 (midnight) hours, subject to evaluation and potential modification by means of an exchange of letters of the Commissioners.
2. The United States and Mexico will review their operating procedures in their respective hydraulic systems with the goal of reducing variability in the daily flow rate to a tolerable limit for both countries. To do so, the United States and Mexico have identified the following targets:
 - a. Control variability in daily flow rate within 3% of Mexico’s daily request.
 - b. Limit changes in Mexico’s daily request to no more than 70.629 cubic feet per second (2 cubic meters per second).
3. The United States and Mexico recognize that additional storage in Mexican territory is an important measure to address the challenges of variability in the daily flow rate of deliveries and will continue to rely on the efforts of the Binational Flow Variability and Operations Work Group to provide the Commissioners with recommendations through the duration of this Minute.

VII. ENVIRONMENT

The Commissioners noted the continued interest of both governments in cooperating with regard to the riparian and estuarine ecology of the Colorado River

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Limitrophe and Delta as expressed in Minute 306, and in Minutes 319 and 323. They also reflected on how to maintain the benefits of the environmental program and to continue joint cooperative efforts on this topic. In furtherance of the environmental program, they recommended continuation of the existing Binational Environmental Work Group. The activities assigned to this work group are detailed in the "Joint Report of the Principal Engineers on Colorado River Binational Work Groups and the Salinity Pilot Program for 2027-2028."

A. The Commissioners identified the following joint cooperative efforts for 2027 and 2028:

1. The Governments of the United States and Mexico will coordinate with a binational coalition of nongovernmental organizations (NGOs) to maintain existing habitat and to conduct environmental monitoring activities.
2. The two governments will each provide one-third of \$5,579,283 dollars of funding to maintain existing habitat restoration sites and for scientific research and monitoring activities.
3. The Government of the United States will provide these funds to the Government of Mexico through the Commission unless the Commission, through an exchange of letters of the Commissioners, identifies a different procedure based on consultations with the corresponding authorities. Non-federal funding (private entities, NGOs, etc.) may be provided directly to a Mexican entity carrying out work. All funding and associated work will be reported to the Commission.
4. The Commissioners note that the binational coalition of NGOs has pledged to provide an equivalent one-third portion of funding.
5. All of the water needed to maintain the existing habitat restoration sites will be provided by the binational coalition of NGOs. The full volume of NGO water concessions and water designated as environmental water within Mexico's Water Reserve will be available for delivery, subject to the provisions of Section IV of this Minute.

B. The Commissioners noted the importance of continuing to permit the generation of water in Mexico that could be designated for the environment and stored in Mexico's Water Reserve in order to provide for the delivery of variable quantities of water to the environment from year to year. The

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Commission will keep a record of the volumes designated and delivered for this purpose.

VIII. INVESTMENTS AND PROJECTS

The Commissioners observed the appropriateness and potential benefits of continuing to develop and construct projects and implement actions that conserve or augment Colorado River water supplies and of maintaining the Binational Projects Work Group.

A. Water Conservation Projects

The Commissioners referenced the Minute 323 Binational Projects Work Group recommendations and observed that mutual benefits could be obtained by developing and, where appropriate, implementing international projects in Mexico and international actions aimed at generating or conserving volumes of water, a portion of which could be used for different uses including to offset reductions during low elevation reservoir conditions. In that context, the Commissioners observed the possibility of developing and implementing conservation projects, in accordance with the provisions of Articles 20 and 24 of the 1944 Water Treaty.

B. Binational Projects Work Group

The Commissioners will direct the Binational Projects Work Group to meet at least twice per year with potential project funders and the Commission's Principal Engineers to review any proposed projects, and, as needed, review requests by either country to consider additional projects in accordance with this Minute.

If the Binational Projects Work Group identifies projects or actions, including a project development program, it will forward to the Commissioners the projects' executive summaries that include the volume of water that would be generated, the funding commitment, the volume of water that would be provided to the United States in consideration of its investment, the schedule for funding and water transfers, and any other project details. The Commissioners will review the project executive summaries and engage in appropriate consultations in their respective countries. If, as a result of said consultations, any project is determined to be appropriate, the Commissioners will approve it by means of an exchange of letters. Implementation of any such project will be considered to be pursuant to this Minute and to the 1944 Water Treaty.

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C. New Water Sources Studies

The United States and Mexico have a shared interest in commencing and completing during the course of this Minute the new water sources study and phase 2 of the 2020 binational study of desalination opportunities in the Gulf of California referenced in paragraph IX.B of Minute 323.

The U.S. Commissioner stated that funding has been identified in the United States for said studies. The Commissioners directed the Binational Projects Work Group to review the scopes of work for the studies and update them as needed by March 1, 2027, while ensuring the studies take into consideration the applicable legal requirements in Mexico. Once the scopes of work are updated, the Commission will coordinate with the U.S. funders and the Binational Projects Work Group to ensure that the studies are initiated during the term of this Minute, subject to the availability of funding to implement the studies based on the updated scopes of work.

The Commissioners understand that any future implementation of the projects that could eventually result from these studies would require a specific subsequent agreement of the two governments by means of a Minute and adherence with the applicable procedures, evaluations, and authorizations in accordance with the legal framework in effect.

RESOLUTIONS

Based on the above, the Commissioners submit the following resolutions for the approval of both governments:

1. Distribution of volumes under high elevation reservoir conditions shall be carried out in accordance with this Minute, particularly as described in Section II.
2. Distribution of volumes under low elevation reservoir conditions shall be carried out in accordance with this Minute, particularly as described in Section III.
3. Creation and delivery of Mexico's Water Reserve shall be carried out in accordance with this Minute, particularly as described in Section IV.
4. Operations, limits, and cooperative efforts to address salinity shall be carried out in accordance with this Minute, particularly as described in Section V.

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5. Actions related to operations and variability of flows arriving in Mexico shall be carried out in accordance with this Minute, particularly as described in Section VI.
6. Actions and funding related to the environment shall be carried out in accordance with this Minute, particularly as described in Section VII.
7. Investments in studies and investments in any project that may be identified, as well as the corresponding volume of water, shall be carried out in accordance with this Minute, particularly as described in Section VIII, and recognizing that a subsequent Minute would be needed for implementation of any new water sources project.
8. The "Joint Report of the Principal Engineers on Colorado River Binational Work Groups and the Salinity Pilot Program for 2027-2028," signed August 24, 2026 by Principal Engineers Isela Canava and Luis Antonio Rascon Mendoza, of the U.S. and Mexican Sections respectively, is approved and forms an integral part of this Minute.
9. The measures agreed to in Resolutions 1 - 8 of this Minute shall apply through December 31, 2028, except those measures for which a longer effective period is otherwise identified in this Minute or in the Joint Report referenced in Resolution 8 above.
10. The limitations as to the rates of deliveries specified in Article 15 of the 1944 Water Treaty are re-affirmed.
11. The United States shall be deemed to have fulfilled its delivery obligations to Mexico under the 1944 Water Treaty during the term of this Minute, notwithstanding any reduction or adjustment of delivery schedules to Mexico pursuant to this Minute.
12. The provisions of this Minute shall not be regarded as a precedent for developing further necessary implementing agreements within the United States, nor for future delivery of Colorado River water allotted to Mexico annually under Article 10 of the 1944 Water Treaty, nor for future salinity management via the mechanism described in Resolution 4 above.
13. The provisions of this Minute do not affect the interpretation or application of the provisions of Article 10(b) of the 1944 Water Treaty, including reduction of water allotted to Mexico under Article 10(a) of that treaty.

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14. All activities undertaken pursuant to this Minute shall be subject to the availability of funds, resources, and corresponding personnel, as well as to applicable laws and regulations in each country.
15. Upon entry into force of this Minute, Resolution 8 of Minute 323 as it pertains to paragraph IX.B of Minute 323 shall be superseded by Resolution 7 of this Minute, and Resolutions 8 and 10 of Minute 330 shall no longer apply. Additionally, the U.S. funding stipulated in Resolutions 7 and 8 of Minute 323 and Resolution 2 of Minute 330 shall continue to be available until the Commission affirms that Mexico has used these resources in actions and water conservation projects in accordance with the requirements of those Minutes, subject to Mexico fulfilling by December 31, 2026, the water volumes provided for in Resolution 8 and Section IX of Minute 323 and Resolution 2 of Minute 330.
16. This Minute shall enter into force upon the date of the later notification in an exchange of notifications between the Sections of the Commission confirming approval of this Minute by their respective governments.

The meeting was adjourned.



W.C. McIntosh
U.S. Commissioner



Adriana Beatriz Carolina Resendez Maldonado
Mexican Commissioner



Sally E. Spener
U.S. Section Secretary



Manuel Alejandro Morales Galvan
Mexican Section Secretary