

INTERNATIONAL BOUNDARY COMMISSION

UNITED STATES AND MEXICO

El Paso, Texas,
May 28, 1934.

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, as 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, or 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.

R. M. Rawson

Commissioner of the United States.

Guando Plutarco

Commissioner of Mexico.

H. S. Dennis

Acting Secretary of the United States Section.

(over)

not approved by Mexico

COMISIÓN INTERNACIONAL DE LÍMITES

ENTRE MÉXICO Y LOS ESTADOS UNIDOS

El Paso, Texas,
28 de mayo de 1934.

ACTA NUM. 143.

Obstrucciones ilegales en el río Bravo: presas de San Agustín, Dave Gill y Banderas.

La Comisión se reunió en la oficina de la Sección Americana en El Paso, Texas, a las diez horas del día 28 de mayo de 1934.

La Comisión recibió el Informe de los Ingenieros Consultores, fechado el 9 de mayo de 1934, relativo a tres presas de derivación que existen sin permiso de los dos Gobiernos en el tramo del río Bravo que deberá rectificarse de acuerdo con las disposiciones de la Convención de 12 de febrero de 1933. Los Comisionados aprobaron el Informe, que se agrega a esta Acta para que forme parte de ella.

La Comisión adoptó la siguiente resolución:

"Las tres estructuras que muestra el plano que acompaña al Informe de los Ingenieros Consultores, fechado el 9 de mayo de 1934, y que se conocen en la región por presa de San Agustín, presa de Dave Gill y presa de Banderas; que están localizadas respectivamente a través del cauce del río Bravo: una, frente a San Elizario, Texas como a cuatro kilómetros aguas-arriba de San Isidro, Chih.; otra, cerca de la desembocadura del arroyo del Guayuco como a cinco kilómetros arriba del Antiguo Fort Quitman, Texas; y otra, como a cinco kilómetros abajo del Antiguo Fort Quitman, donde un arroyo afluye al río del lado mexicano del valle, constituyen obras u obstrucciones de las prohibidas por disposiciones de los tratados en vigor. Por lo tanto, se notificará a los individuos responsables de la construcción, conservación y operación de las tres presas de derivación que aquí se mencionan, que deberán remover dichas estructuras del cauce del río Bravo."

Se levantó la sesión.

Guando Plutarco

Comisionado de México.

R. M. Rawson

Comisionado de los Estados Unidos.

José Hernández Gil

Secretario de la Sección Mexicana.

José Humberto Ojeda

Secretary of the Mexican Section.

H. G. Stevens

Secretario Interino de la Sección
de los Estados Unidos.

ESTADOS UNIDOS MEXICANOS

UNITED STATES AND MEXICO

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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 Agustin 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 Agustin 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 season. If the structure was removed at that time, it has been replaced without a 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 Rio 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 Rio Grande which created the Guayuco Banco.

Erosion of both banks of the river has occurred below 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 District, 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 kilometers 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.

W. Ainsworth
Consulting Engineer - U. S. Section

J. Bustamante
Consulting Engineer - Mexican Section

CMA:dw