

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

El Paso, Texas
May 15, 1974.

MINUTE NO. 245

ADDITIONS AND MODIFICATIONS TO MINUTE NO. 240 ENTITLED "EMERGENCY
DELIVERIES OF COLORADO RIVER WATER FOR USE IN TIJUANA"

The Commission met in the offices of the United States Section in El Paso, Texas, on May 15, 1974, at 2:00 o'clock, to recommend certain additions and modifications to Minute No. 240 entitled "Emergency Deliveries of Colorado River Water for Use in Tijuana", of June 13, 1972.

The United States Commissioner referred to the energy problem in the United States and the resultant shortages in electrical energy in the southern part of the State of California, which create difficulties for the Metropolitan Water District of Southern California to continue the required pumping for the emergency deliveries of Colorado River waters for use in the City of Tijuana, Baja California, provided for in Minute No. 240.

The Commissioners reviewed the feasibility of Mexico furnishing to the United States at the international boundary line near San Luis, Arizona, and San Luis, R.C., Sonora, the electrical energy necessary to continue the emergency delivery of water at the boundary line near the City of Tijuana, currently estimated at approximately 10,500 acre-feet (13,000,000 cubic meters) per year. They noted that the energy which would be required for transfer at the international boundary near San Luis amounts to 2,307 KWH per acre-foot (1,233.5 cubic meters) of water delivered at the international boundary near Tijuana which includes 2,000 KWH per acre-foot pumped, plus 60 KWH (3 percent) for power transmission losses from the point of transfer to the point of replacement of the energy, plus 247 KWH (12 percent of 2,060) for the pumping of the additional water necessary to be diverted from the Colorado River to cover the conveyance losses of the water delivered to Tijuana. They also noted that the annual volume of water delivered to Tijuana may vary, subject to the provisions of Minute No. 240 and to the limitation of the facilities for the transfer and receiving of electrical energy at the boundary, presently about 24,200,000 KWH annually.

They recognized that by Mexico furnishing the electrical energy needed by the Metropolitan Water District, there would be a reduction in the charge to Mexico for the deliveries of water for Tijuana of \$19.00 (nineteen dollars), United States currency, per acre-foot (1,233.5 cubic meters) of water delivered at the international boundary. They also observed that the transfer of electrical energy would require the installation of certain connection and regulation facilities in the electrical network in the Yuma area owned by the United States Bureau of Reclamation, which is operated and maintained by the Yuma County Water Users' Association, and that contractual

agreements would have to be concluded to make the installation and for the use of the said electrical network.

The cost of installation and removal upon the termination of Minute No. 240 is estimated at \$20,000 (twenty thousand dollars), United States currency, approximately, and the cost for the use, operation and maintenance of the electrical network in the United States is calculated at \$2.91 (two and 91/100 dollars), United States currency, per acre-foot (1,233.5 cubic meters) of water delivered to Tijuana. They further noted the need for Mexico to provide assurances that it would make reimbursement for damages to the electrical network in the United States which might result from the transfer of electrical energy.

After considering the foregoing, the Commissioners adopted the following Resolution, subject to the approval of the two Governments:

1. That the Government of the United States undertake negotiations and endeavor to conclude the necessary agreements with the Metropolitan Water District of Southern California, the United States Bureau of Reclamation, and the Yuma County Water Users' Association, which would provide that for the remainder of the life of Minute No. 240, Mexico would transfer to the United States Bureau of Reclamation for its transfer to the Metropolitan Water District of Southern California the electrical energy necessary to pump the water for the emergency deliveries to Tijuana, Baja California, pursuant to Minute No. 240, subject to the limitations of the facilities for transfer and receiving of electrical energy at the boundary of approximately 24,200,000 KWH annually.
2. That for the installation of the required connection and regulation facilities, owned by the United States Bureau of Reclamation, in the electrical network in the Yuma area for the transfer from Mexico to the United States of the electrical energy required to pump the waters of the Colorado River delivered to Mexico at the international boundary near Tijuana, and for the subsequent removal of the installed facilities, Mexico shall establish within a period of 30 days from the date of approval of this Minute an irrevocable credit in the amount of \$20,000 (twenty thousand dollars), United States currency, in the name of the San Diego County Water Authority in a bank in the City of El Paso, Texas, to be designated by the United States Commissioner.
3. That the San Diego County Water Authority make withdrawals against the said credit, with the countersignatures of the two Commissioners, for advances to the Bureau of Reclamation, as necessary to install the connection and regulation facilities referred to in point 2 of this Resolution. That upon completion of the installation and subsequent removal of the facilities which belong to the United States Bureau of Reclamation, the Commission make final settlement of the actual installation and removal costs and liquidate the irrevocable credit established for its payment.

4. That beginning on the date of initiation of Mexico's electrical energy supply to the United States, Minute No. 240 be modified as follows:

(a) The text of subparagraph (a) of point 6 is substituted for by the following:

"The charge for the use of the existing water diversion and conveyance works from the Colorado River to the end of the San Diego Aqueduct at Otay Reservoir, at the rate of \$67.13 (sixty-seven and 13/100 dollars), United States currency, per acre-foot (1,233.5 cubic meters) of water delivered at the international boundary near Tijuana."

(b) A new subparagraph (e) is added to point 6 as follows:

"The charge for the use of certain electrical transmission facilities of the United States Bureau of Reclamation and for the operation and maintenance of a part of those facilities by the Yuma County Water Users' Association, at the rate of \$2.91 (two and 91/100 dollars), United States currency, per acre-foot (1,233.5 cubic meters) of water delivered at the international boundary near Tijuana."

(c) The text of the final paragraph of point 6 is substituted for by the following:

"That to pay these charges, Mexico establish separate irrevocable credits payable to the San Diego County Water Authority, in a bank in the City of El Paso, Texas, to be designated by the United States Commissioner, for each of the calendar years in which the present Minute is in force. That the irrevocable credit established for the year 1974 not be modified, and those corresponding to the following calendar years be established prior to January 1 of each year. That the amount for each annual credit be equal to the preliminary estimated total charge of the emergency deliveries requested by Mexico for the corresponding calendar year, determined by the volume, at a rate of \$93.02 (ninety-three and 02/100 dollars), United States currency, per acre-foot (1,233.5 cubic meters). That the San Diego County Water Authority draw against such credits, with the countersignature of the two Commissioners, as soon as practical after the end of each month, an amount determined by the volume delivered and the above established rate per acre-foot (1,233.5 cubic meters). That upon the completion of each calendar year's emergency deliveries, the Commission shall make a final settlement for the charges of said emergency deliveries and liquidate the corresponding irrevocable credit established for its payment."

(d) A new subparagraph (d) is added to point 8 as follows:

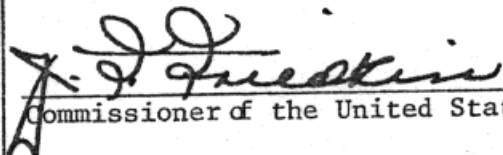
"That the Government of Mexico agrees to pay to the United States the value of the damages to the electrical distribution system which could occur because of the transfer of electrical energy from Mexico."

5. That all the provisions of Minute No. 240 which are not specifically amended by the provisions of this Minute shall remain valid and in full force until the expiration of the said Minute No. 240 in accordance with the provisions of point 9 of its Resolution.
6. That Mexico begin the delivery of energy to the United States at a point on the boundary near San Luis, Arizona, and San Luis, R.C., Sonora, within the five days following notification by the United States, in writing, through the Commission, that the necessary agreements have been reached with the United States agencies, and that the installation of the connection and regulation facilities has been completed.
7. That Mexico deliver the electrical energy at a point on the boundary near San Luis, Arizona and San Luis, R.C., Sonora, to the electrical network in the Yuma area in the United States at a nominal voltage of 34.5 KV and in the monthly amounts of 2,000,000 KWH approximately, until it is determined by the Commission that for each calendar year, or lesser period as agreed upon, the annual quantity of electrical energy received corresponds to the volume of Colorado River water scheduled to be delivered at the international boundary near Tijuana in that period, calculated at the rate of 2307 KWH per acre-foot (1,233.5 cubic meters). Adjustments for the over or under-delivery of electrical energy with respect to the volumes of Colorado River water delivered at the international boundary near Tijuana, shall be made as soon as practical, as determined by the Commission.
8. That the monthly quantities of energy delivered to the United States be determined by meter readings made at the boundary by representatives of the Commission at the end of each month.
9. That temporary suspensions of the transfer of energy due to short-term system emergencies may be required by either country, and in such cases advance notice to system operators in the other country will be given when possible. That if experience demonstrates that the electrical systems of the two countries are not compatible, and that irreparable damages may be caused either country, as determined by either Commissioner for his country, the transmission of electrical energy from Mexico at San Luis may be permanently discontinued, with the proviso that emergency deliveries of Colorado River water to the international boundary near Tijuana shall

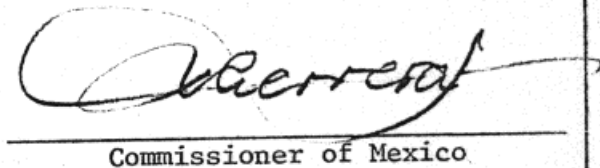
be continued in accordance with the provisions of Minute No. 240 as signed June 13, 1972, exclusive of the amendments herein.

The Commission agrees that this Minute requires the specific approval of the two Governments.

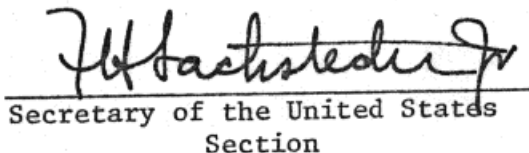
The meeting then adjourned.



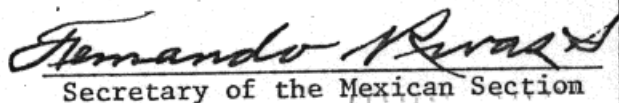
Commissioner of the United States



Commissioner of Mexico



Secretary of the United States
Section



Secretary of the Mexican Section