

Convention
between the
United States and Mexico
Equitable Distribution of the Waters
of the Rio Grande

Signed at Washington, May 21, 1906
Ratification Advised by the Senate, June 26, 1906
Ratified by the President, December 26, 1906
Ratified by Mexico, January 5, 1907
Ratifications Exchanged at Washington, January 16, 1907
Proclaimed, January 16, 1907
[SEAL of the Department of State]

By the President of the United States of America

A. PROCLAMATION

Whereas a Convention between the United States of America and the United States of Mexico, providing for the equitable distribution of the waters of the Rio Grande for irrigation purposes, and to remove all causes of controversy between them in respect thereto, was concluded and signed by their respective Plenipotentiaries at Washington on the twenty-first day of May, one thousand nine hundred and six, the original of which Convention being in the English and Spanish languages, is word for word as follows:

The United States of America and the United States of Mexico being desirous to provide for the equitable distribution of the waters of the Rio Grande for irrigation purposes, and to remove all causes of controversy between them in respect thereto, and being moved by considerations of international comity, have resolved to conclude a Convention for these purposes and have named as their Plenipotentiaries:

The President of the United States Of America, Elihu Root Secretary of State of the United States; and The President of the United Sates of Mexico, His Excellency Señor Don Joaquin D. Casasus, Ambassador Extraordinary and Plenipotentiary of the United States Of Mexico at Washington; who, after having exhibited their respective full powers, which were found to be in good and due form, have agreed upon the following articles:

Article I.

After the completion of the proposed storage dam near Engle, New Mexico, and the distributing system auxiliary thereto, and as soon as water shall be available in said system for the purpose, the United States shall deliver to Mexico a total of 60,000 acre-feet of water annually in the bed of the Rio Grande at the point where the head works of the Acequia Madre, known as the Old Mexican Canal, now exist above the city of Juarez, Mexico

Article II.

The delivery of the said amount of water shall be assured by the United States and shall be distributed through the year in the same proportions as the water supply proposed to be furnished from the said

irrigation system to lands in the United States in the vicinity of El Paso, Texas, according to the following schedule, as nearly as may be possible:

	Acre feet per month	Corresponding cubic feet of water
January	0	0
February	1,090	47,480,400
March	5,460	237,837,000
April	12,000	522,720,000
May	12,000	522,720,000
June	12,000	522,720,000
July	8,180	356,320,800
August	4,370	190,357,200
September	3,270	142,441,200
October	1,090	47,480,400
November	540	23,522,400
December	0	0
	60,000 Acre Feet	

In case, however, of extraordinary drought or serious accident to the irrigation system in the United States, the amount delivered to the Mexican Canal shall be diminished in the same proportion as the water delivered to lands under said irrigation system in the United States.

Article III.

The said delivery shall be made without cost to Mexico, and the United States agrees to pay the whole cost of storing the said quantity of water to be delivered to Mexico, of conveying the same to the international line, of measuring the said water, and of delivering it in the river bed above the head of the Mexican Canal. It is understood that the United States assumes no obligation beyond the delivering of the water in the bed of the river above the head of the Mexican Canal.

Article IV.

The delivery of water as herein provided is not to be construed as a recognition by the United States of any claim on the part of Mexico to the said waters; and it is agreed that in consideration of such delivery of water, Mexico waives any and all claims to the waters of the Rio Grande for any purpose whatever between the head of the present Mexican Canal and Fort Quitman, Texas, and also declares fully settled and disposed of, and hereby waives, all claims heretofore asserted or existing, or that may hereafter arise, or be asserted, against the United States on account of any damages alleged to have been sustained by the owners of land in Mexico, by reason of the diversion by citizens of the United States of waters of the Rio Grande.

Article V.

The United States, in entering into this treaty, does not thereby concede, expressly or by implication, any legal basis for any claims heretofore asserted or which may be hereafter asserted by reason of any losses incurred by the owners of land in Mexico due or alleged to be due to the diversion of the waters of the Rio Grande within the United States; nor does the United States in anyway concede the establishment of any general principle or precedent by the concluding of this treaty. The understanding of both parties is that the arrangement contemplated by this treaty extends only to the portion of the

Rio Grande which forms the international boundary, from the head of the Mexican Canal down to Fort Quitman, Texas, and in no other case.

Article VI.

The present Convention shall be ratified by both contracting parties in accordance with their constitutional procedure, and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the Convention both in the English and Spanish languages and have thereunto affixed their seals. Done in duplicate at the City of Washington, this 21st day of May, one thousand nine hundred and six.

Elihu
Joaquin D Casaus [SEAL.]

Root

[SEAL.]

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the sixteenth day of January, one thousand nine hundred and seven;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

[SEAL]

Done at the City City of Washington, this sixteenth day of January, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States of America the one hundred and thirty-first.

By the President:
THEODORE ROOSEVELT

Secretary of State
ELIHU ROOT