



July 6, 2020

Honorable Richard Cortez
Hidalgo County Judge
302 W. University Dr.
Edinburg, TX 78539

**Re: El Morillo Drain Maintenance Contribution Fiscal Year 2018
(October 1, 2018 to September 30, 2019)**

Dear Judge Cortez,

Hidalgo County, along with Cameron and Willacy County has been providing its pro-rata share of the local match funding of the operation and maintenance cost for the El Morillo Drain. The proration is based on a split of 45% for Cameron County, 45% for Hidalgo County and 10% for Willacy County.

The El Morillo Drain is a project that diverts inflow in the Rio Grande River at a point in Mexico northwest of Reynosa which is across the river from Anzaldua's Park. The drain runs through Reynosa and out to the Gulf of Mexico via a system of open ditches, canals and underground pipelines. The water that is diverted is of very poor quality, and essentially if allowed to drain into the river would make downstream water unusable for irrigation or other purposes.

The drain is operated by the International Boundary and Water Commission – United States and Mexico (USIBWC). The drain was complete in 1969. The portion of the U.S. section of the river was the responsibility of the Lower Rio Grande Water Committee (a non-profit with local citizens primarily from the Agriculture community on the board). The law providing for the joint operation of the drain provided for a local match obligation for the O&M of the drain (PL89-584). The Committee sought the financial assistance of the three counties for the provision of the local match. The Commissioner's Court adopted a resolution in 1972 appointing the Committee as the County point of contact with the USIBWC and provided its portion of the local O&M match. The Rio Grande Regional Water Authority (RGRWA), a state created entity, by agreement with the Committee took over the Committee's position relating to the drain in 2008. The Commissioner's Court recognized the transfer of the responsibility from the Committee to the RGRWA. The Commissioner's Court in such recognition agreed to continue to the O&M for the U.S. section of the drain.

Based on the foregoing, I have enclosed an invoice for the County's portion of the O&M funding. I have also enclosed a copy of the letter from the USIBWC relating to the request for payment. I have also enclosed the IBWC Letter requesting payment date June 24, 2020 for your records.

FOR THE RIVER ~ FOR THE FUTURE

Administrative Agent: Rio Grande Valley Partnership
P.O. Box 1499 • Weslaco, TX 78599
Telephone: (956) 968-3141 • Fax: (956) 968-0210



If you have questions, please call me at your convenience. I am available to present this item to the Commissioner's Court if you find that necessary. I have attached the RGRWA invoice for fiscal year 2019. This invoice is payable presently. Thank you in advance for your cooperation.

In a related matter, I was notified by the RGRWA office that Hidalgo County had not sent in the payment for the fiscal year 2017. The Authority had received the 2018 fiscal year payment, however because of the questions relating to the 2017 work that was done by the IBWC (which were answered) I believe the 2018 payment was made first. At any rate, I am also enclosing the 2017 payment request letter made to Judge Garcia along with the 2017 fiscal year invoice for payment. Both Cameron and Willacy Counties had made their payments timely.

I greatly appreciate your review and payment therefore.

Thank you,

A handwritten signature in blue ink, appearing to read "Jim Darling", is written over a horizontal line. The signature is fluid and cursive in style.

Jim Darling, General Manager – RGRWA

Cc: Sergio Contreras, RGV Partnership

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INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO
OPERATIONS AND MAINTENANCE DIVISION

June 24, 2020

Mr. Sergio Contreras, President
Rio Grande Regional Water Authority
322 S. Missouri Ave.
Weslaco, Texas 78596

Dear Mr. Contreras:

I refer to Contract No. IBM-09-A004, dated March 4, 2009 between the U.S. Section of the International Boundary and Water Commission (USIBWC), and the Rio Grande Regional Water Authority (RGRWA), where the RGRWA is to pay one-half of the Morillo Drain Operation and Maintenance (O&M) cost allocated to the U.S. Section. The Morillo Drain conveyance channel was constructed in Mexico and is operated by Mexico for the discharge of saline water into Morillo and other drains in Mexico. Regular operations, maintenance, and improvements costs of the conveyance system are incurred annually.

The expenditures for the Morillo Drain during the 2019 Fiscal Year (October 1, 2018 to September 30, 2019) is \$199,401.00. The USIBWC is responsible for 50% of the share cost to Mexico as per Minute No. 223 and Minute No. 303, dated November 30, 1965 and May 15, 2000, respectively. The breakdown of the said amount is given in Attachment 1. This amount equates to \$99,700.50. RGRWA is responsible for reimbursing the U.S. Section for 50% of the U.S. costs or \$49,850.25.

As stipulated in Contract No. IBM-09-A004, please submit a payment in the amount of **\$49,850.25** for the Morillo Drain O&M costs from October 1, 2018 to September 30, 2019. In accordance with Federal Acquisition Regulations, please make payment by check or money order to the United States Section, International Boundary and Water Commission on or before November 1, 2020.

If you have any questions, please contact John Garza at 915-832-4717.

Sincerely,

DANIEL Digitally signed
by DANIEL AVILA
AVILA Date: 2020.06.24
09:59:44 -06'00'

Daniel Avila, P.E.
Principal Engineer

Enclosures
As stated

ATTACHMENT 1

MINUTE 223 - FY2019

RIO GRANDE REGIONAL WATER AUTHORITY FY2019 COSTS

Description	Total Cost	U.S. Section Cost	RGRWA Cost (50%)
Electrical Costs	\$ 64,150.90	\$ 32,075.45	\$ 16,037.72
O&M Costs	\$ 135,250.10	\$ 67,625.05	\$ 33,812.53
Total	\$ 199,401.00	\$ 99,700.50	\$ 49,850.25



BOARD OF DIRECTORS

County Appointments

Jim Darling
General Manager
Hidalgo County

**John Bruciak
Secretary-Treasurer
Cameron County

Ricardo Gutierrez
Starr County

Luis Perez Garcia
Webb County

Jim Riggan
Willacy County

Karran Westerman
Zapata County

Gubernatorial Appointments

**Sonia Lambert
President
Irrigation District

Wayne Halbert
Irrigation District

Paul Heller
Irrigation District

Joe A. Pennington
Irrigation District

Bobby Sparks
Irrigation District

Sonny Hinojosa
Irrigation District

Troy Allen
Irrigation District

Lance Neuhaus
Irrigation District

Arturo Cabello, Jr.
Irrigation-District

**Brian Macmanus
Vice - President
Water Supply Corporation

D.V. Guerra
Public

Roel "Roy" Rodriguez, P.E.
Municipal

** = Executive Committee

October 1, 2018

Honorable Ramon Garcia
Hidalgo County Judge
302 W. University Dr.
Edinburg, TX 78539

Re: El Morillo Drain Maintenance Contribution

Dear Judge Garcia,

Hidalgo County, along with Cameron and Willacy County has been providing its pro-rata share of the local match funding of the operation and maintenance cost for the El Morillo Drain. The proration is based on a split of 45% for Cameron County, 45% for Hidalgo County and 10% for Willacy County.

The El Morillo Drain is a project that diverts inflow in the Rio Grande River at a point in Mexico northwest of Reynosa which is across the river from Anzaldua's Park. The drain runs through Reynosa and out of the Gulf of Mexico via a system of open ditches, canals and underground pipelines. The water that is diverted is of very poor quality, and essentially if allowed to drain into the river would make downstream water unusable for irrigation or other purposes.

The drain is operated by the International Boundary and Water Commission – United States and Mexico (USIBWC). The drain was complete in 1969. The portion of the U.S. section of the river was the responsibility of the Lower Rio Grande Water Committee (a non-profit with local citizens primarily from the Agriculture community on the board). The law providing for the joint operation of the drain provided for a local match obligation for the O&M of the drain (PL89-584). The Committee sought the financial assistance of the three counties for the provision of the local match. The Commissioner's Court adopted a resolution in 1972 appointing the Committee as the County point of contact with the USIBWC and provided its portion of the local O&M match.

The Rio Grande Regional Water Authority (RGRWA), a state created entity, by agreement with the Committee took over the Committee's position relating to the drain in 2008. The Commissioner's Court recognized the transfer of the responsibility from the Committee to the RGRWA. The Commissioner's Court in such recognition agreed to continue the contribution to the O&M of the U.S. section of the drain.

Based on the foregoing, I have enclosed an invoice for the County's portion of the M&O funding. I have also enclosed a copy of the letter from the USIBWC relating to the request for payment. I apologize for the delay in getting this request to you relating to the USIBWC letter, however we had asked for a breakdown of the invoice amounts from the USIBWC before we invoiced the counties. We have now determined that the invoiced amount is appropriate. If you have questions, please call me at your convenience. I am available to present this item to the Commissioner's Court if you find that necessary. I have attached the IBWC invoice for fiscal year 2017. This invoice is payable presently. Thank you in advance for your cooperation.

Thank you,

Jim Darling, General Manager - RGRWA

FOR THE RIVER - FOR THE FUTURE

Administrative Agent: Rio Grande Valley Partnership
P.O. Box 1499 • Weslaco, TX 78599
Telephone: (956) 968-3141 • Fax: (956) 968-0210 • Website: www.rgrwa.org



INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

August 31, 2018

Mr. James E. Darling, President
Rio Grande Regional Water Authority
P.O. Box 1499
Weslaco, Texas 78599

Dear Mr. Darling:

I refer to Contract No. IBM-09-A004, dated March 4, 2009 between the International Boundary and Water Commission, U.S. Section (USIBWC), and the Rio Grande Regional Water Authority (RGRWA), where the RGRWA is to pay one-half of the Morillo Drain Operation and Maintenance (O&M) costs allocated to the USIBWC. The Morillo Drain conveyance channel was constructed in Mexico and is operated by Mexico for the discharge of saline water into Morillo and other drains in Mexico. Regular operations, maintenance, and improvements costs of the conveyance system are incurred annually.

The expenditures for the Morillo Drain during FY 2017 (October 1, 2016 to September 30, 2017) is \$610,577.50 U.S. dollars. The USIBWC is responsible for 50% of the shared cost with Mexico as per Minute No. 223 and Minute No. 303, dated November 30, 1965 and May 15, 2000, respectively. The breakdown of said amount is provided in Attachment One (1). This amount equates to \$305,288.75 U.S. dollars. RGRWA is responsible for reimbursing the USIBWC for 50% of the U.S. costs or \$152,644.38. In 2015, an overpayment of \$10,602.49 was made to the USIBWC. A credit of \$10,602.49 is being applied under this fiscal year, yielding a total owed to USIBWC of \$142,041.89.

As stipulated in Contract No. IBM-09-A004, I am requesting a payment in the amount of \$142,041.89 for the Morillo Drain O&M costs for October 1, 2016 to September 30, 2017. In accordance with Federal Acquisition Regulations, please make payment by check or money order to the United States Section, International Boundary and Water Commission.

If you have any questions, please contact Lorena Soriano, Civil Engineer in the Operations and Maintenance Division, at 915-832-4164 or lorena.soriano@ibwc.gov.

Sincerely,

Daniel Avila, P.E.,
Principal Engineer
Operations Department

Attachment
As stated

Attachment 1
RIO GRANDE REGIONAL WATER AUTHORITY SUMMARY OF COSTS FOR FISCAL YEAR 2017

Fiscal Year	Contact No. and Description	300% COST	MINUTE NO. 303			MINUTE NO. 223			USIBWC TOTAL COSTS 50%	RGRWA TOTAL COSTS 50%
			Costs From Dec. 1 to Dec. 31, 2016 (\$000)	Costs From Jan. 1 to Sept. 30, 2017 (\$000)	MIN. 303 USIBWC TOTAL COSTS (\$000)	Costs From Oct. 1 to Dec. 31, 2016 (\$000)	Costs From Jan. 1 to Sept. 30, 2017 (\$000)	MIN. 223 USIBWC TOTAL COSTS (\$000)		
	MIN. 223 OVERPAYMENT O&M COSTS FISCAL YEAR 2015								\$ (10,602.49)	
2017	MIN. 223 OPERATOR & MAINTENANCE (O&M) & ELECTRICITY COSTS PAID IN FY 17	\$610,577.50				\$52,101.47	\$253,187.28	\$305,288.75	152,644.38	
	MIN. 303 -- NO PROJECTS EXECUTED IN FY 17	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00	0.00	
	TOTALS	\$610,577.50			\$0.00			\$305,288.75	\$102,041.89	