

(c) diverting water from any drainage basin within the Columbia River Basin intersected by the boundary between Canada and the United States to any other drainage basin.

(2) Canada to have the right at any time after the expiration of twenty years from the date of exchange of ratifications of the Treaty to divert not more than 1.5 million acre feet of water per annum from the Kootenay River in the vicinity of Canal Flats to the headwaters of the Columbia River on the other side of the Treaty to continue in force until written notice is given to the other party.

(3) The diversion described in sub-paragraph (2) not to:

(a) diminish the downstream benefits in the United States resulting from the operation of the Canadian storages described in paragraph 1, or

(b) reduce the flow of the Kootenay River immediately downstream from the point of diversion to less than 200 cubic feet per second or the natural flow, whichever is the lesser, to be calculated from measurements taken at the nearest suitable stream-gaging station.

17. An assured plan of operation to be included in an Annex to the Treaty setting out the criteria and principles governing the accumulation, release and general operation of the Canadian storages referred to in paragraph 1.

18. (1) The United States and Canada each to designate an operating entity or entities which would be authorized, subject to exchange of inter-governmental notes where appropriate, to develop and carry out detailed operating arrangements to implement the terms of the Treaty and of the assured plan of operation.

(2) The authority and responsibility of the operating entities to include:

(a) the assembling of agreed data;

(b) the negotiation and conclusion of an electrical interconnection and coordination arrangement if and when it appears mutually desirable;

(c) the detailed calculation, initially and at agreed intervals, of the amount and kind of the downstream power benefits in the United States to be shared with Canada in accordance with the principles and procedures set out in paragraph 5 and Annex A:

(d) the making of appropriate arrangements with respect to delivery of the power benefits to be made available to Canada, including such matters as load factors and times and points of delivery;

(e) the periodic settlement of accounts;

(f) consultation on the operations of the Libby Project and the Kootenay Diversion as described in paragraphs 15 and 16;

(g) such other matters as are considered necessary to