

**EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF CANADA AND  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA CON-  
STITUTING AN AGREEMENT WITH RESPECT OF ARTICLE 1 OF  
THE CONVENTION BETWEEN CANADA AND THE UNITED STATES  
OF AMERICA TO REGULATE THE LEVEL OF THE LAKE OF THE  
WOODS, SIGNED AT WASHINGTON ON FEBRUARY 24, 1925**

*Embassy of the United States of America*

Ottawa, February 21, 1979

No. 43

Excellency:

I have the honor to refer to the Convention of February 24, 1925 between the United States of America and the Dominion of Canada on Regulation of the Level of Lake of the Woods and to the definition in Article I of the Convention of the term "sea level datum" with reference to a benchmark which had been established by the International Joint Commission at the town of Warroad, Minnesota, described as follows:

Top of copper plug in concrete block carried below frost line, and located near fence in front of and to the west of new schoolhouse. Established October 3, 1912. Elevation, sea level datum, 1068.797.

Because this benchmark is no longer in existence, I have the honor to propose that the United States Coast and Geodetic Survey benchmark C-209 be designated as the new permanent benchmark for the purposes of Lake of the Woods regulation. That benchmark has the following description:

At Warroad, Roseau County, Mn., USC&GS BM Disk, stamped C-209 1935, located 0.2 miles east along Lake Street from the junction of Lake Street and TH 11 (State Street) in Warroad, thence 0.1 miles north along the Canadian National Railway, 39 feet south of the southwest corner of railroad station, 16.6 feet east of the east rail at mile post 38, 2 feet south-southeast of the northwest fence corner of a wire mesh fence around a small garden. Elevation 326.974 meters (1069.794 feet), 1973 Adjustment.

If this proposal is acceptable to the Government of Canada, I suggest that this note and the Canadian reply should constitute an agreement between the two Governments effective from the date of the Canadian reply.

Accept, Excellency, the renewed assurances of my highest consideration.

THOMAS O. ENDERS

His Excellency  
Donald C. Jamieson, P.C., M.P.,  
Secretary of State for External Affairs,  
Ottawa.