



EXCHANGE OF NOTES (MAY 3, 1944) BETWEEN CANADA AND THE UNITED STATES OF AMERICA CONSTITUTING AN AGREEMENT FOR A TEMPORARY ADDITIONAL DIVERSION OF WATER AT NIAGARA

II
The Secretary of State of the United States
to the Canadian Ambassador

DEPARTMENT OF STATE

Washington, May 3, 1944.

Excclency:

I have the honour to inform you that the American Government concurs in the proposals set forth in your note of May 3, 1944, and that it will raise no objection to the additional diversion of 4,000 cubic feet of water per second on the Canadian side of the Niagara River under the conditions stated in your note. It likewise agrees that the engineers of the two countries should be instructed to take all feasible steps to minimize the effect of this wartime diversion upon the scenic beauty of Niagara Falls.

Your note and this reply thereto, when approved by the Senate, shall be regarded as placing on record the understanding arrived at between the two Governments concerning this matter.

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

CORDELL HULL

This additional diversion of Niagara water would be subject to the following conditions:
(a) It would terminate upon the conclusion of hostilities unless terminated earlier by agreement;
(b) It would be reviewed periodically, as are the arrangements effected by the exchanges of notes referred to above; and
(c) Most of the additional energy, estimated at 820,000 k.w.h. per day, would be made available for utilization in the United States under existing arrangements.
The Canadian Government also proposes that the engineers of Canada and the United States be instructed to take all feasible steps to minimize the effect of this diversion upon the scenic beauty of Niagara Falls.
Accept, Sir, the renewed assurance of my highest consideration.

LEIGHTON McARTHUR

*For the text of the Notes of May 30, 1944, see Canada Treaty Series 1944, No. 7.
**For the text of the Notes of October 27 and November 27, 1941, see Canada Treaty Series 1941, No. 12.