

plans, specifications and construction of the works specified above.

10. The works shall be designed, constructed, operated and maintained according to the following conditions:

(a) All main features of the project described herein shall be so planned, located, constructed and operated as to be adaptable to the improvement of the International Rapids Section of the St. Lawrence River for navigation purposes, to the aid and benefit of commerce and navigation, and to the preservation of the rights and interests of Canada and the United States in the waters of the International Rapids Section of the St. Lawrence River under the Boundary Waters Treaty of 1909. The works shall be operated and maintained in conformity with the requirements of the prior rights and interests of navigation on the St. Lawrence River and in such a manner as to protect the rights and interests of others engaged in the development of power in the River below the International Rapids Section. The maintenance and operation of the works on the Canadian side of the International Boundary shall be subject to the supervision of Canada.

(b) Upon the completion of the works and, if necessary, during the construction thereof, and subject to the provisions of paragraph (e) of this Section, the discharge from Lake Ontario and the flow through the International Rapids Section shall be regulated in accordance with Method of Regulation No. 5 as prepared by the General Engineering Branch, Department of Transport, Canada, dated Ottawa, September 1940, and shall be based on the Rule Curves forming part of that Method of Regulation. This Method of Regulation is designed to permit the lowering of the extreme high water levels and the raising of the extreme low water levels of Lake Ontario. Copies of these Rule Curves, with a description of the method of their application, are attached hereto as Exhibit 4.