TREATY SERIES, 1944 No. 13

THE OF NOTES (MAY 3, 1944) BETWEEN CANADA AND THE

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 FOR
POWER PURPOSES



OTTAWA

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KING'S PRINTER AND CONTROLLER OF STATIONERY

1948

32 756 351

TREATY SERIES, 1944

No. 13

EXCHANGE OF NOTES

SUMMARY

		PAG
I.	Note, dated May 3, 1944, from the Canadian Ambas-	
	sador to the United States to the Secretary of State of the United States	
II.	Note, dated May 3, 1944, from the Secretary of State of the United States to the Canadian Ambassador	

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 FOR POWER PURPOSES

DEPARTMENT OF STATE

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

Canadian Embassy and of monor of synd I Sir. Canadian Embles Washington, May 3, 1944.

on the Canadian side of the Niagara River under the conditions stated in 1:ri8 I have the honour to refer to the exchanges of notes of May 20, 1941,* and of October 27 and November 27, 1941,*** regarding emergency diversions of water for power purposes at Niagara.

to make the maximum use for war purposes of facilities in both countries for facilities on the production of water power. It has recently been found that there are existing the Niagara River to use an additional 4,000 multiples on the Countries of the Niagara River to use an additional 4,000 multiples on the Countries of the Niagara River to use an additional 4,000 multiples on the Countries of the Niagara River to use an additional 4,000 multiples on the Countries of the Niagara River to use an additional 4,000 multiples on the Countries of the Niagara River to use an additional 4,000 multiples on the Countries of the Niagara River to use an additional 4,000 multiples of the Niagara River to use an add As you know, officials of the two countries have worked in close co-operation make the know, officials of the two countries for facilities on the Canadian side of the Niagara River to use an additional 4,000 cubic feet of the Canadian side of the continuing need for additional cubic feet of water per second. In view of the continuing need for additional power in the water per second. In view of the canadian Government power in the Niagara Falls area for war purposes, the Canadian Government to the hopes that the Niagara Falls area for war purposes, the Canadian Government will raise no objection to the addihopes that the Niagara Falls area for war purposes, the Canadian Control of the United States Government will raise no objection to the additional diversity of 1,000 cubic feet per second, in terms of thonal diversion for power purposes of 4,000 cubic feet per second, in terms of the daily second for power purposes of the daily second the daily aggregate, through existing facilities, on the Canadian side of the Niagara River above the Falls.

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 agreements;

(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 620,000 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 effect of this distance being the United States be instructed to take all feasible steps to minimize the this distance of Niagara Falls. effect of this diversion upon the scenic beauty of Niagara Falls.

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

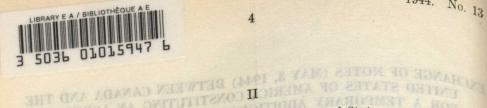
LEIGHTON McCARTHY

^{*}For the text of the Notes of May 20, 1941, see Canada Treaty Series, 1941, No. 7.

Nor the text of the Notes of May 20, 1941, see Canada Treaty

November 27, 1941, see Canada Treaty **Tor the text of the Notes of May 20, 1941, see Canada Treaty Series, 1941, No. 7.

No. 15.



HANGE STATES OF AMERICH CONSTITUTING AN AGREEMENT The Secretary of State of the United States TONAL DIVERSION OF WATER AT to the Canadian Ambassador

DEPARTMENT OF STATE

Washington, May 3, 1944.

I have the honour to inform you that the American Government concurs

I have the honour to inform your note of May 3, 1944, and that it will reconcurs I have the honour to inform you that the 3, 1944, and that it will raise in the proposals set forth in your note of 4,000 cubic feet of water per sease in the proposals additional diversion of 4,000 cubic feet of water per sease. in the proposals set forth in your note of 4,000 cubic feet of water per raise no objection to the additional diversion of 4,000 cubic feet of water per second no objection to the Additional diversion of the two countries and in the proposals set forth in your note of the two countries and in the proposals set forth in your note of the two countries and in the proposals set forth in your note of the two countries and in the proposals set forth in your note of the two countries and in the proposals set forth in your note of the proposals set for the proposals set forth in your note of the proposals set for the proposa in the proposals standard diversion of 4,000 table to water per second no objection to the additional diversion of the conditions stated in second on the Canadian side of the Niagara River under the conditions stated in your on the Canadian side of the Niagara River under the conditions stated in your on the Canadian side of the Niagara River under the conditions should be conditionally the conditions of the second table to the conditions of the second table no objection to the address of the Niagara River under the conditions stated in your on the Canadian side of the Niagara River under the conditions stated in your on the Canadian side of the Niagara River under the conditions stated in your on the Canadian side of the engineers of the two countries should be note. It likewise agrees that the engineers to minimize the effect of this wart; be 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.

diversion upon the scente beauty

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

Accept, Sir, the renewed assurances of my highest consideration. tremmero daile de de la company de la compan

that the diversion for power purposes of 4.000 cubic not not collection to the addi-