

INTERNATIONAL JOINT COMMISSION

IN THE MATTER OF THE APPLICATIONS OF THE ST. CROIX WATER POWER COMPANY AND SPRAGUE'S FALLS MANUFACTURING COMPANY, LIMITED, FOR THE OBSTRUCTION OF THE WATERS OF THE ST. CROIX RIVER AT GRAND FALLS IN THE STATE OF MAINE AND THE PROVINCE OF NEW BRUNSWICK.

ORDER OF APPROVAL

WHEREAS the International Joint Commission did issue on November 9, 1915, an Order approving the maintenance and operation of the dam across the St. Croix River at Grand Falls owned by the Sprague's Falls Manufacturing Company and by the St. Croix Water Power Company, under certain conditions as defined in the said Order;

AND WHEREAS the said Companies represent that the Sprague's Falls Manufacturing Company is the owner of the riparian rights on the Canadian side of the international boundary (St. Croix River) above said dam and including

the level 205.71 (mean sea-level datum), and that the St. Croix Water Power Company is the owner of the riparian rights on the United States side of the international boundary (St. Croix River) to the level 204.31 (mean sea-level datum);

AND WHEREAS the said Companies have made application to the Commission for permission to increase the regulated level above the Grand Falls Dam from 202.0 to 203.5 (mean sea-level datum), and for permission to so operate all the sluices, log sluices, flashboards, bypasses, power plant and storage reservoirs as to prevent the level of the water at the dam rising above 203.5 (mean sea-level datum);

AND WHEREAS due notice of the time and place of the hearing on said application was given to all parties interested in both countries and whereas a view of the dam and premises in question was had by the Commission on July 27, 1931, and on the same day at Woodland, Maine, evidence taken from engineers and various witnesses familiar with the situation and the above application having come on for hearing at the City of Ottawa, Canada, on the 6th day of October, 1931, on which day the hearing

was concluded, the Commission having heard the evidence adduced by all parties interested including the statements of the engineers representing the United States and the Dominion of Canada in respect thereto and having heard counsel for said applicants, and no one appearing in opposition to said applications, and it appearing to the Commission that such approval should be granted;

THEREFORE, it is hereby ordered that the Order of the Commission, dated November 9, 1915, be and the same is hereby re-affirmed with Paragraph 3 revised to read as follows:

- "3. All the sluices, log sluices, flash-boards, bypasses, power plant, and storage reservoirs shall be so operated as to prevent the level of the water at the dam rising above 203.5 (mean sea-level datum). For this purpose the operation of all the said works, canals, headgates, sluices and log sluices of all kinds, dams, and bypasses shall be under the direct control of the board hereinafter designated."

and Paragraph 6 to read as follows:

- "6. An officer to be appointed by the Governor General in Council of Canada and one to be appointed by the Secretary of War of the United States shall form a board whose duty it shall be to formulate rules under which the sluice gates, log sluices, power works, and storage dams

are to be operated to prevent as nearly as possible a higher level than 203.5 (mean sea-level datum) and to secure to the users of water below Grand Falls the flow of water to which they are entitled. It shall be the further duty of this board to see that any rules or regulations now or hereafter made by proper authority are duly obeyed."

Dated at Ottawa, Canada, October 6th, 1931.

H. H. Beach

John H. Bartlett

Wm. J. ...

P. J. McNamee

Geo. W. Keyte

A. O. Stacey