APPLICATION OF THE UNITED STATES FOREST SERVICE, DEPARTMENT OF AGRICULTURE, TO THE INTERNATIONAL JOINT COMMISSION FOR PERMISSION TO ERECT AND MAINTAIN A DAM AT THE OUTLET OF SUCKER LAKE, LAKE COUNTY, MINNESOTA, AT A PLACE KNOWN AS PRAIRIE PORTAGE, SAID DAM NOW PETITIONED FOR PERMISSION TO ERECT REPLACES AN EXISTING DAM AND AFFECTS THE INTERNATIONAL WATERS BETWEEN THE PROVINCE OF ONTARIO, CANADA, AND THE STATE OF MINNESOTA OF THE UNITED STATES OF AMERICA.

TO THE HONORABLE THE INTERNATIONAL JOINT COMMISSION, OTTAWA, CANADA, and Washington, D. C.:

The United States Forest Service, Department of Agriculture, hereinafter called the Applicant, respectfully represents:

(1) That heretofore and on or about the year 1909 there was erected a timber dam at Prairie Portage at the outlet of Sucker Lake where it discharges into Basswood Lake in Lake County, State of Minnesota, for the purpose of maintaining levels in Sucker, Birch, Newfound, and Moose Lakes, all of which form an interconnected waterway. That for a number of years after the construction of said dam the waters of the above named lakes were maintained at a level of 1337.5 feet above sea level, which was the desired and contemplated height by means of the dam so erected.

(2) That said dam in establishing a level of 1337.5 caused considerable lands to be overflowed and established a new shore line for all of the above mentioned lakes; also interconnected the lakes into one contiguous waterway.
(3) That the applicant relies upon said waterway established by the dam for the transportation of men, supplies, and equipment for fire fighting purposes and for administration of the National Forest.

(4) That on October 7, 1936, the International Joint Commission approved the application of Messrs. Benson and Paterson of St. Peters, Minnesota, in behalf of George E. Myrum for leave to repair the above described dam. However, the repairs for which approval was granted were not made.

(5) That by natural deterioration and by failure to keep the original dam in repair, that said dam has become impaired and partially destroyed. That said dam no longer maintains the level of the water in above mentioned lakes at elevation 1337.5 and the condition of said dam has allowed the level of the lakes to be constantly lowered and on August 1, 1938, the level of said lakes was 1334.5, or three feet below the top of said dam as originally constructed. That due to the condition of the dam the level of said lakes will continue to be lowered further until said Moose and Newfound Lakes would reach elevation 1330 or 7.5 below the level maintained by the original dam and said Sucker and Birch Lakes would reach level 1325 or 12.5 below the level maintained by the dam.

(6) That Owners of approximately 95 percent of the lands on the American side affected have expressed a desire to have the water elevation maintained at 1337.5. On the Canadian side lands affected are owned by the Canadian Government.

(7) That the applicant proposes to erect a new dam and after completion maintain the dam at said outlet of Sucker Lake to maintain the normal water level at elevation 1337.5 feet. The proposed dam to be
constructed of concrete and stone masonry on a solid rock foundation is approximately 150' long and 14.5' high in the center. A concrete overflow section the full width of the channel with adequate weir capacity to safely pass the flood flow, will be provided.

(8) That the applicant will submit detailed plans to the District Engineer, Corps of Engineers, U. S. Army, Duluth, and the District Chief Engineer of the Dominion Water Power and Hydrometric Bureau of Winnipeg for approval before construction is started. That construction, future maintenance, and operation will be carried on under such supervision and regulation as these engineers prescribe.

(9) The applicant respectfully submits that the construction and maintenance of the proposed dam will not have an injurious effect on any interests of the Province of Ontario, the Dominion of Canada, nor injurious effect on any interest in the United States or any state thereof.

Wherefore, the undersigned hereby applies to the International Joint Commission for the approval to construct and maintain said dam to maintain the normal level of said lakes to protect and preserve the Public owned property adjoining said lakes.

Dated January 16, 1939

Respectfully submitted,

[Signature]

(C. M. GRANGER)

Acting Chief, Forest Service.