

INTERNATIONAL JOINT COMMISSION

IN THE MATTER OF APPORTIONMENT OF THE WATERS OF THE
SOURIS (MOUSE) RIVER, AN INTERNATIONAL STREAM
IN THE UNITED STATES AND CANADA

Interim Order

WHEREAS, pursuant to a Reference submitted to the International Joint Commission under date of January 15, 1940, by the Governments of the United States and Canada in respect of apportionment of the waters of the Souris (Mouse) River among the Provinces of Saskatchewan and Manitoba and the State of North Dakota, and in respect of the regulation of the flow and use of said waters, the Commission, under date of October 2, 1940 submitted its recommendations to the two Governments which recommendations were duly approved; and

WHEREAS, in accordance with the terms of the aforesaid approved recommendations, the Westhope Dam on the Souris River (also known as Dam 357) in North Dakota near the international boundary is so operated as to provide an average flow of not less than 10 cubic feet per second from the State of North Dakota to the Province of Manitoba during the months of June, July, August, September and October; and

WHEREAS, an average flow across the international boundary of 10 cubic feet per second has been found to be inadequate to supply minimum water requirements along said river in Manitoba during the period covered by the aforesaid months; and

WHEREAS, in the judgment of the Commission, the release of stored water at said dam could be increased moderately during said months without occasioning any serious damage to the properties of the United States government or of United States nationals along said river;

NOW THEREFORE, as an interim measure it is ORDERED, that:

1. At times during said months when no surplus flood water is passing over the spillway of said dam, or when the spillage of flood water is less than 20 cubic feet per second, said dam shall be so operated that the average flow of the Souris River into Manitoba shall be 20 cubic feet per second.

2. At the request of the Deputy Minister of Mines and Natural Resources of the Province of Manitoba, the release of water from storage at said dam may vary, so as to average less than 20 cubic feet per second on some days and more on others: PROVIDED, that the total release of water during said period, extending from June 1st to October 31st., inclusive, shall not exceed 6069 acre feet; and, PROVIDED FURTHER, that

in determining such release no account shall be taken of water passing over the spillway at a rate in excess of 20 cubic feet per second; but otherwise the release shall be reckoned on the basis of an average discharge of 20 cubic feet per second.

3. This interim order shall remain in effect until otherwise ordered by the Commission.

Dated at Washington, D. C. this 17th day of November 1942.

A. D. Stoney
Chas Stewart
Roger B. McWhorter
J. L. Terrant