APPLICATION

To
The International Joint Commission
Washington, D. C., and
Ottawa, Canada,

Sirs:

The State of Washington, U. S. A. through its duly constituted agency, the Department of Conservation and Development, and at the behest of the authorities of the town of Oroville and the County of Okanogan, both of the State of Washington, hereby submits to the International Joint Commission, under the provisions of Article IV of the Treaty of January 11th, 1909, between the United States and Great Britain, this application requesting that the Commission give consideration to such effects, if any, as the construction and operation of certain dams, dikes and bars in the Okanogan River may have upon the levels or stages of said river, and of Osoyoos Lake at and above the international boundary between the United States of America and the Dominion of Canada.

The applicant states that Osoyoos Lake is an expanse of the Okanogan River which is crossed by the international boundary between the Province of British Columbia and the State of Washington at a point on the river some 40 miles down stream from the town of Penticton, British Columbia, at the outlet of Okanogan Lake and some 70 miles upstream from the point where the Okanogan River enters the Columbia.

It is alleged that the natural level of these waters has been raised by certain obstructions in the Okanogan River at or near the outlet of Osoyoos Lake, or by artificial control, release
and application of waters entering Osoyoos Lake on the Canadian side of the international boundary, viz:

(a) Certain dikes along the lake shore at the outlet of Osoyoos Lake;
(b) A bar formed in the Okanogan River by materials carried in by flood waters from Tonasket Creek;
(c) Certain structures placed in the Okanogan River with facilities for taking a salmon migration census;
(d) A mill dam approximately 2,000 feet below the above mentioned bar constructed in the Okanogan River to create a pond for log storage, with flash boards placed in the dam spillway to increase and control the pond elevation;
(e) Artificial regulation of lake levels in the basin tributary to Osoyoos Lake.

The applicant requests that the Commission ascertain what effect, if any, these dams or other structures have had upon the formation of bars or other obstructions in the Okanogan River.

The applicant requests this Commission to determine to what extent, if any, the level of Osoyoos Lake at the international boundary has been raised above the natural level and if so raised, what has brought about the increase of level and what measures should be taken to remedy or alleviate existing conditions.

In order to facilitate early investigation and adjustment of this matter in the interests of both Canada and the United States,
and on behalf of the State of Washington and in agreement with the wishes of the authorities of Okanogan County and the Town of Oroville, Washington, the applicant hereby petitions your Commission to investigate existing lake levels in Osoyoos Lake and such other related matters as you may find necessary and to take such further action as may be required for final adjustment of the matter.

IN WITNESS WHEREOF, the applicant, the State of Washington and the authorities of the Town of Oroville and Okanogan County, have authorized and caused to be executed this application by Ed Davis, Director of the Department of Conservation and Development of the State of Washington.

SEP 26 1942

Respectfully submitted by

Ed Davis
Director of the Department of Conservation and Development.