

DEPARTMENT OF NATURAL RESOURCES
WATER RESOURCES BRANCH

SECOND AMENDING LICENCE, AMENDING FINAL LICENCE DATED MAR. 10,
1966 AS AMENDED BY FIRST AMENDING LICENCE DATED APRIL 29, 1971
FOR THE DEVELOPMENT OF WATER POWER

Kelsey Site, Nelson River

Issued in accordance with the provisions of the Water Power Act, being Chapter W70 of the Continuing Consolidation of the Statutes of Manitoba and of the Regulations in force thereunder to govern the mode of granting and administering Provincial water-power rights.

WHEREAS Manitoba Hydro, a corporation duly incorporated by Act of the Legislature of the Province of Manitoba and whose head office address is Box 815, Winnipeg, Manitoba, (hereinafter called "the Licensee") by Final Licence dated March 10, 1966, issued in accordance with the provisions of the Water Power Act, R.S.M. 1954, Cap. 288, was granted the right to impound, divert and use waters of the Nelson River at and near the Kelsey site; to develop electric power and energy from the said waters; to generate, transmit, distribute, sell and deliver the said electric power and energy and for that purpose to use and occupy certain lands of the Province; and to operate and maintain the undertaking, the location and description of which are shown upon certain record plans filed in the office of the Director of the Water Resources Branch (hereinafter called "the Director"), at Winnipeg; and,

WHEREAS the development authorized to be maintained and operated by the Licensee by the said Final Licence includes five vertical turbines each of 42,000 horsepower capacity, and all plant machinery and equipment for the complete development, generation and transmission of the electric power available at the said Kelsey site, all as shown by plans and descriptions thereof filed in the office of the Director at Winnipeg; and,

WHEREAS the Licensee, by Interim Licence dated January 4, 1968 issued in accordance with the provisions of the said Act and Section 68 of the Regulations, was granted the right to construct, operate and maintain a sixth turbine at the Kelsey site to supplement the then existing five turbines, along with other machinery required for the development, generation, transformation and transmission of additional electric power amounting to forty-two thousand (42,000) horsepower measured on the turbine shaft, and to construct a headblock, draft tube and tailrace deck in which a seventh vertical turbine may be installed in the future, and to construct a protective concrete bulkhead at the east end of this seventh unit, all as shown by plans and descriptions thereof filed in the office of the Director at Winnipeg; and,

WHEREAS under the authority of the said Interim Licence the Licensee has completed construction of the sixth turbine at the Kelsey Site as of June 27, 1969, along with the machinery required for the development, generation, transformation and transmission of additional electric power amounting to forty-two thousand (42,000) horsepower, measured on the turbine shaft, and other works so authorized to be constructed by the said Interim Licence; and,

WHEREAS the Licensee, by Licence dated April 29, 1971 amending the said Final Licence, issued in accordance with the Water Power Act, being Chapter W70 of the Continuing Consolidation of the Statutes of Manitoba (hereinafter called "the Act") and the Regulations was granted the right to operate and maintain a sixth turbine at the Kelsey site, along with other machinery required for the development, generation, transformation and transmission of additional electric power amounting to forty-two thousand (42,000) horsepower measured on the turbine shaft; and,

WHEREAS the Licensee has constructed a seventh turbine at the Kelsey site, along with other machinery required for the development, generation, transformation and transmission of additional electric power

amounting to forty-two thousand (42,000) horsepower measured on the turbine shaft, but without the issuance to the Licensee of an Interim Licence authorizing such construction under the provisions of the Act and Regulations; and

WHEREAS the Licensee by memorandum dated January 27, 1981 signed by J. F. Funnell, General Counsel, has filed with the Director an application for a Second Licence amending the said Final Licence; and,

WHEREAS the Licensee has fully complied with the requirements of the Regulations insofar as it is required for the issue to the Licensee of this Second Amending Licence; and,

WHEREAS the Licensee has duly executed an acceptance of the terms and conditions of this Second Amending Licence and has undertaken to observe and fulfil all the terms and conditions which under this Licence and under the Regulations the Licensee is required to observe or fulfil; and,

WHEREAS it is deemed expedient and advisable to issue a Second Licence amending the said Final Licence;

NOW THEREFORE, under authority of and subject to the provisions of the Act and the Regulations, this Second Amending Licence is issued amending Article 2 of the Final Licence dated March 10, 1966 as amended by First Amending Licence dated April 29, 1971, in the following manner:

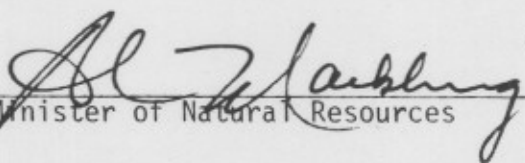
(a) In line 4 of the said Article 2 the word "six" is deleted and replaced by the word "seven".

(b) In lines 8 and 9 of the said Article 2 the following is deleted:

"and a concrete structure partially completed in which a seventh vertical turbine may be installed in the future".

All other terms and conditions of the said Final Licence, as amended by the said First Amending Licence, shall otherwise remain unaltered.

Issued at Winnipeg this 8th day of April, A.D. 1983
at the direction of the Honourable the Minister of Natural Resources.


Minister of Natural Resources