



WHEREAS the Licensee is desirous of relinquishing the right to construct certain of the works authorized under the said Interim License including river channel excavations and control structures at Metchanais and Ominawin Rapids, and of acquiring instead the right to construct alternative works including a control structure at a site known as Jenpeg, a river channel excavation at Kisipachewak Rapids, a by-pass channel at Ominawin Rapids, a dam and dykes at the natural outlet of Kiskitto Lake, a diversion channel from Stan Creek to Kiskitto Lake, and a diversion channel from Kiskitto Lake to the Kinago River drainage basin with control structure; and

WHEREAS Section 39 of the Regulations reads as follows:

"39. Subject to these regulations the terms of any interim license may be amended by a supplementary license entered into between the Minister and the interim licensee; and plans and specifications previously approved may be amended with the consent in writing of the Minister, but any such amendment shall affect only the portion specifically covered in such supplementary license or writing, and shall in no case operate to alter or amend or in any way whatsoever be a waiver of any other part, condition or provision of the original interim license." and,

WHEREAS the Licensee by letter dated January 20, 1972, signed by J.F. Funnell, General Counsel and Secretary, has filed with the Director an application for a supplementary interim license to amend the said Interim License; 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 Supplementary Interim License amending the said Interim License; and,

WHEREAS the Licensee has duly executed an acceptance of the terms and conditions of this Supplementary Interim License amending the said Interim License and has undertaken to observe and fulfil all the terms and conditions which under this Supplementary Interim License and under the Regulations the Licensee is required to observe or fulfil; and,

WHEREAS it is deemed expedient and advisable to issue a Supplementary Interim License amending the Interim License dated November 18, 1970;

NOW THEREFORE, under authority of and subject to the provisions of the Act and the Regulations, this Supplementary Interim License is issued amending the said Interim License dated November 18, 1970 by deleting Articles 3, 5, 7, 8, 10, 11, 12, 13, 14, and 15 thereof, and substituting new Articles 3, 5, 7, 8, 10, 11, 12, 12A, 13, 14, and 15 therefor, as follows:

3. Subject to Article 1 hereof, the Licensee may enter upon, use and occupy for making surveys and investigations and constructing works as may be deemed necessary for the undertaking, such lands of the Province as may reasonably be required for the said purposes and may flood such lands as are designated on a plan identified as No. 39-2-1124 (Rev. 1), or as such plan may be amended and limited from time to time by the Minister provided that, when so requested in writing by the Director, following completion of the works and the commencement of the regulation of water levels, the Licensee shall cause a survey to be made and a plan prepared by a Manitoba Land Surveyor showing in detail the lands required to be occupied for the works and the lands required for flooding purposes only. Such survey shall be limited to include only such areas for the said purposes as the Director may approve and shall be prepared in accordance with Section 24 of the Regulations.
5. Subject to approval of plans of the works under Article 1 hereof, the Licensee may construct the following works:
  - (a) Two diversion channels, one from Lake Winnipeg to Playgreen Lake and the other from Playgreen Lake to Kiskittogisu Lake.
  - (b) River channel excavation at the Kisipachewuk Rapids channel.
  - (c) A reinforced concrete control structure at a site known as Jenpeg on the west channel of the Nelson River with adjacent reinforced concrete headblock with gated openings forming part of the control works (which may be later utilized for a future generating station if so licensed under the Act), also with rockfill abutment and channel closure dams, and earthfill saddle closure dams.
  - (d) A by-pass channel at Ominawin Rapids.

- (e) Intermittent earthfill dykes along the west side of Kiskittogisu Lake and the Kisipachewuk Rapids channel, and across the Kiskitto Lake outlet.
  - (f) A diversion channel from Stan Creek to Kiskitto Lake.
  - (g) A diversion channel from Kiskitto Lake to a tributary of the Minago River, with a small overflow weir or stop log control structure.
  - (h) All necessary machinery and equipment required for regulating water levels in Lakes Winnipeg, Playgreen, and Kiskittogisu.
7. The licensee shall, during periods when the water level in Lake Winnipeg is above elevation 715.0 feet above mean sea level, Canadian Geodetic Datum, operate the said control structure at Jenpeg in such a manner as to effect the maximum discharge possible under the circumstances then prevailing until the water level of the said lake recedes to elevation 715.0 feet above mean sea level, Canadian Geodetic Datum.
  8. The licensee shall operate the said control structure at Jenpeg in such a manner that the combined outflow of water from Lake Winnipeg through the natural and artificial channels at any time shall not be less than 25,000 cubic feet per second.
  10. Notwithstanding any other terms or conditions of this Interim License, the licensee shall, during periods when the water level in Lake Winnipeg is below elevation 711.0 feet above mean sea level, Canadian Geodetic Datum, operate the said control structure at Jenpeg as ordered by the Minister under Section 72 of the Regulations.
  11. On the first day of each and every month, the Licensee shall submit a report to the Director showing the schedule for operating the said control structure at Jenpeg for the ensuing three month period, together with the expected daily discharges from, and water levels on, Lakes Winnipeg, Playgreen, and Kiskittogisu.
  12. Subject to Article 10 hereof, but notwithstanding any other terms or conditions of this Interim License, the Licensee shall operate the said control structure at Jenpeg in such a manner that any increase or decrease in the rate of the discharge therefrom during any 24 hour period shall not exceed 15,000 cubic feet per second.

- 12A. The Licensee shall operate the said control structure on the Kiskitto-Minago diversion channel in such a manner as to regulate water levels in Kiskitto Lake within natural ranges subject to the orders of the Director.
13. During the term of this Interim License, the Licensee shall pay a rental for the use and occupation of those lands of the Province described in Articles 3 and 4 hereof which are situated within the Severance Line designated on a plan identified as No. 39-2-1183 (Rev. 1), in such amounts or at such rates as may be fixed by the Lieutenant Governor in Council.
14. The plans filed by the Licensee and made a part of this Interim License are as follows:

<u>Manitoba Water Resources Branch File Number</u>	<u>Licensee's File Number</u>	<u>Description</u>
39-3-1018	0510-D-9172 (Rev. 1)	Location general arrangement and cross-sections of development
39-2-1183 (Rev. 1)	--	Map showing severance line specified in license issued to Manitoba Hydro under the Water-Power Act for regulating Lakes Winnipeg, Playgreen and Kiskittogisu
39-2-1184 (Rev. 1)	--	Map showing lands of the Province authorized to be flooded under license issued to Manitoba Hydro under the Water Power Act for regulating Lakes Winnipeg, Playgreen, and Kiskittogisu.

15. Upon the satisfactory completion by the Licensee of the undertaking and upon the due observance and fulfillment by it of all the terms and conditions required by this Interim License and under the Regulations to be by it observed and fulfilled, the Minister shall and will issue in favour of the Licensee a Final License for the regulation of water levels, and for the use or occupation of those lands of the Province which, in the Minister's opinion, are required for the proper operation and maintenance of the works authorized. The said Final License shall be issued subject to the regulations then in force and shall embody such matters as the Minister may determine in accordance with the Regulations, and the following terms and conditions, namely:

- (a) The undertaking in respect of which the Final License is to be issued is to comprise:
- (i) Two diversion channels, one from Lake Winnipeg to Playgreen Lake and the other from Playgreen Lake to Kiskittogisu Lake.
  - (ii) River channel excavation at the Kisipachewuk Rapids channel.
  - (iii) A reinforced concrete control structure at a site known as Jenpeg on the west channel of the Nelson River with adjacent reinforced concrete headblock with gated openings forming part of the control works (which may be later utilized for a future generating station if so licensed under the Act), also with rockfill abutment and channel closure dams, and earthfill saddle closure dams.
  - (iv) A by-pass channel at Ominawin Rapids.
  - (v) Intermittent earthfill dykes along the west side of Kiskittogisu Lake and the Kisipachewuk Rapids channel, and across the Kiskitto Lake outlet.
  - (vi) A diversion channel from Stan Creek to Kiskitto Lake.
  - (vii) A diversion channel from Kiskitto Lake to a tributary of the Minago River, with a small overflow weir or stop log control structure.
  - (viii) All necessary machinery and equipment required for regulating water levels in Lakes Winnipeg, Playgreen, and Kiskittogisu.
- (b) The Licensee may regulate water levels in Lakes Winnipeg, Playgreen and Kiskittogisu to and between the following elevations, all elevations being specified in feet above mean sea level, Canadian Geodetic Datum (with wind effect eliminated):
- (i) Lake Winnipeg - maximum 715.0 and minimum 711.0,
  - (ii) Playgreen Lake - maximum 714.9 and minimum 707.0, measured at the north end of Playgreen Lake,
  - (iii) Kiskittogisu Lake - maximum 714.8 and minimum 706.0, subject, however, to the provisions of Section 72 of the Regulations which reads as follows:  
"72. Every license shall be deemed to have been executed on the express condition that the licensee shall--

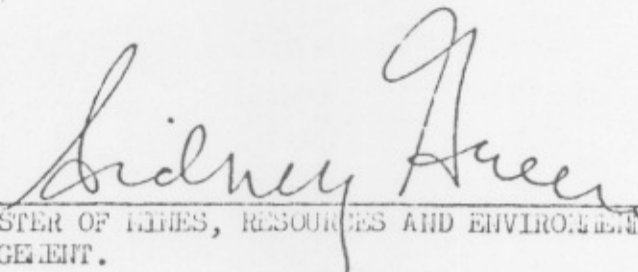
- (a) Divert, use, or store the water authorized to be diverted, used, or stored by him in such a manner as not to interfere in the opinion of the Minister, with the maximum advantageous development of the power and other resources of the river or stream upon which his works are located;
  - (b) Conform to and comply with any orders in respect of the control or regulation of the flow of the waters of such river or stream as may be made from time to time by the Minister or any person authorized by the Minister in that behalf;
  - (c) At no time cause or permit the surface-level of the waters of such river or stream or of any storage reservoir operated by him to be raised or lowered beyond the limits which shall be fixed from time to time by the Minister or by a person authorized by the Minister in that behalf."
- (c) The licensee shall, during periods when the water level in Lake Winnipeg is above elevation 715.0 feet above mean sea level, Canadian Geodetic Datum, operate the said control structure at Jenpeg in such a manner as to effect the maximum discharge possible under the circumstances then prevailing until the water level of the said lake recedes to elevation 715.0 feet above mean sea level, Canadian Geodetic Datum.
- (d) The licensee shall operate the said control structure at Jenpeg in such a manner that the combined outflow of water from Lake Winnipeg through the natural and artificial channels at any time shall not be less than 25,000 cubic feet per second.
- (e) Subject to Article 8 of the Interim License, and except as may be otherwise authorized by the Minister under Section 72 of the Regulations, the licensee shall regulate the water level of Lake Winnipeg so as to prevent the water level from receding below elevation 711.0 feet above mean sea level, Canadian Geodetic Datum.

- (f) Notwithstanding any other terms or conditions of this Final License, the Licensee shall, during periods when the water level in Lake Winnipeg is below elevation 711.0 feet above mean sea level, Canadian Geodetic Datum, operate the said control structure at Jenpeg as ordered by the Minister under Section 72 of the Regulations.
- (g) On the first day of each and every month, the Licensee shall submit a report to the Director showing the schedule for operating the said control structure at Jenpeg for the ensuing three month period, together with the expected daily discharges from, and water levels on, Lakes Winnipeg, Playgreen, and Kiskittogisu.
- (h) Subject to Article 10 of the Interim License, but notwithstanding any other terms or conditions of the Interim License, the Licensee shall operate the said control structure at Jenpeg in such a manner that any increase or decrease in the rate of the discharge therefrom during any 24 hour period shall not exceed 15,000 cubic feet per second.
- (i) The Licensee shall operate the said control structure on the Kiskitto-Minago diversion channel in such a manner as to regulate water levels in Kiskitto Lake within natural ranges subject to the orders of the Director.
- (j) During the term of the Final License, the Licensee shall pay a rental for the use and occupation of those lands of the Province described in Articles 3 and 4 of the Interim License which are situated within the Severance Line designated on a plan identified as No. 39-2-1183 (Rev. 1), in such amounts or at such rates as may be fixed by the Lieutenant Governor in Council.
- (k) The term of the Final License shall be fifty (50) years from the date of issuance thereof and shall be subject to renewal or extension in accordance with the provisions of the Laws and Regulations relating thereto and then in force.
- (l) The Severance Line as defined in Section 1 of the Regulations shall be shown in red and marked "Severance Line" upon record plan No. 39-2-1183 (Rev. 1), on file in the office of the Director.



All other terms of the said Interim License shall otherwise remain unaltered.

Issued at Winnipeg this 9<sup>th</sup> day of August A.D. 1972  
at the direction of the Honourable Minister of Mines, Resources  
and Environmental Management.

  
MINISTER OF MINES, RESOURCES AND ENVIRONMENTAL  
MANAGEMENT.