

PROVINCE OF MANITOBA

DEPARTMENT OF AGRICULTURE AND CONSERVATION

WATER CONTROL AND CONSERVATION BRANCH

FINAL LICENSE FOR THE DEVELOPMENT OF WATER POWER

Seven Sisters Falls Site, Winnipeg River

Issued in accordance with the provisions of the Water Power Act, Chapter 288, Revised Statutes of Manitoba, 1954, and amendments, and of the Regulations in force thereunder to govern the mode of granting and administering Provincial water-power rights.

WHEREAS, pursuant to the provisions of The Dominion Water Power Act and Regulations, the Minister of the Interior of Canada issued to Northwestern Power Company Limited an Interim License dated September 19, 1928, to divert and use water for the development of power at the Seven Sisters Falls Site on the Winnipeg River in the Province of Manitoba;

AND WHEREAS the Manitoba Natural Resources Act provides that from and after July 15, 1930, any power or right theretofore exercised by the Minister of the Interior relating to the natural resources of Manitoba, including lands and water power, was thereafter to be exercised by the Minister of Mines and Natural Resources of Manitoba;

AND WHEREAS under the authority of said Interim License, Northwestern Power Company Limited completed its initial power development at the Seven Sisters Falls Site as of December 31, 1931;

AND WHEREAS Northwestern Power Company Limited, with the assent of the Minister of Mines and Natural Resources of Manitoba, assigned to Winnipeg Electric Company as of June 8, 1936, all its right, title and interest in and to said Interim License;

AND WHEREAS the Winnipeg Electric Company has, since December 31, 1931, completed the development of the Seven Sisters Falls Site;

AND WHEREAS, pursuant to The Department of Agriculture and Immigration Act Amendment Act, 1959, the administration of water-powers and lands in the Province of Manitoba required for their protection, development, maintenance and operation were transferred to and vested in

the Minister of Agriculture and Conservation;

AND WHEREAS Winnipeg Electric Company, with the assent of the Minister of Agriculture and Conservation of Manitoba, assigned to Manitoba Hydro as of April 1, 1961, all its right, title and interest in and to said Interim License;

AND WHEREAS Manitoba Hydro, a corporation duly incorporated by Act of the Legislature of the Province of Manitoba, and whose head office address is 820 Taylor Avenue in the City of Winnipeg (hereinafter called "the Licensee") has applied by letter dated September 14, 1959, signed by D. M. Stephens, Chairman and General Manager, to the Director of Provincial Water Powers at Winnipeg (hereinafter called "the Director") for a Final License for the said Seven Sisters development and has done all things which in the opinion of the Director are required to be done by the Licensee prior to the issuance of a Final License;

AND WHEREAS the Licensee has duly executed an acceptance of the terms and conditions of this Final License and has undertaken to observe and fulfill all the terms and conditions which the Licensee is required to observe and fulfill under this Final License and under the Water Power Act, R.S.M. 1954, Cap. 288 (hereinafter called "the Act") and the Manitoba Water Power Regulations being Manitoba Regulation 95/45 and all amendments thereto (hereinafter called "the Regulations");

NOW THEREFORE, under authority of and subject to the provisions of the Act and the Regulations thereunder this Final License is issued, granting to the Licensee:

- (a) The right to impound, divert and use waters of the Winnipeg River at and near the Seven Sisters Falls Site,
- (b) The right to develop electric power and energy from the said waters,
- (c) The right to generate, transmit, distribute, sell and deliver the said electric power and energy and for that purpose to use and occupy the lands of the Province hereinafter described, and

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- (d) The right to operate and maintain the undertaking, the location and description of which is shown upon the record plans numbered and filed in the office of the Director at Winnipeg.

Subject, nevertheless, to the provisions of the Regulations and any other regulations now or hereafter in force governing the granting and administering of Provincial water-powers and the lands required in connection with the development and use thereof, and to the following special terms and conditions, namely:

1. The Licensee may divert and use continuously for the development of power at the said Seven Sisters Site all the water of the Winnipeg River which may be flowing at the said Site from time to time during the term of this Final License, subject, however, to the Provisions of Section 72 of the Regulations.
2. The undertaking authorized to be maintained and operated by the Licensee under this Final License shall comprise the following: a powerhouse with six main hydro-electric generators, having a capacity of 225,000 horsepower; one station service generator; a concrete dam with regulating sluices and spillway; dykes; a rock-cut tailrace channel; switching facilities in the powerhouse; transmission lines; roads; and all necessary works, machinery and equipment for the complete development, generation and transmission of electric power available at the said Seven Sisters Falls Site, all as shown by plans and descriptions thereof filed in the office of the Director at Winnipeg, as follows:

HAVE USED:
209,000 hp.
(150 MW)

<u>Manitoba Water Control and Conservation Branch File Number</u>	<u>Licensee's File Number</u>	<u>Description</u>
21-7-1017	0105-E-1001 (Rev.0)	General Plan of Power-house, Sluiceway and Dam.
21-7-1018	1564-E-4 (Rev. 1)	Seven Sisters Power Plant, Tailrace Canal. Plan Profile and Section.
21-7-3034	1677-C-5 (Rev. 3)	Powerhouse Superstructure, South Elevation of Generator Room, Switch House and Gate House.

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and Conservation Branch
File Number

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File Number

Description

21-7-3035	965-C-4 (Rev.2)	Powerhouse Superstructure, North End Elevation.
21-7-3036	1678-E-5 (Rev.2)	Powerhouse Superstructure, Elevation Downstream Generator Room and Switch House Walls.
21-7-3037	1676-E-5 (Rev. 1)	Powerhouse Superstructure, Elevation Upstream Gate- house and Switch House Walls.
21-7-1019	1450-E-5 (Rev. 1)	General Arrangement of Power- house, Elevations.
21-7-3038	578-R-4 (Rev. 1)	General Arrangement of Power- house, Plans.
21-7-3039	1557-C-5 (Rev. 13)	General Arrangement of Power- house Extension.
21-7-3040	577-E-4 (Rev. 3)	Powerhouse Cross-Sections through Units 1-2-3 and Service Unit.
21-7-1020	548-E-3 (Rev. 1)	Seven Sisters Development, Layout of Sluice and Spill- ways.
21-7-1021	1543-S-2 (Rev. 1)	Plan, Profile and Typical Sections of Proposed Dykes at Seven Sisters.

3. Lands of the Province which may be entered upon, used or occupied for the maintenance and operation of the said undertaking shall be the following:

(a) Lands of the Province not covered by water required for main diverting works, powerhouses, etc.

All those portions of the following lands not covered by the waters of the Winnipeg River, as shown outlined in green on Record Plan No. 21-7-1022, Sheets 1 and 2, filed in the office of the Director at Winnipeg and which is the Licensee's No. 0105-R-0201, Sheets 1 (Rev. 0) and 2 (Rev. 0);

(i) In Township Thirteen (13) and Range Twelve (12) East of the Principal Meridian in Manitoba: South Half of Section Thirty-two (32); South Half of Section Thirty-one (31); Road Allowance west and east respectively of Section Thirty-one (31).

- (ii) In Township Fourteen (14) and Range Twelve (12) East of the Principal Meridian in Manitoba: North Half and South-west Quarter of Section Six (6); road allowance west of Section Six (6).
- (iii) In Township Thirteen (13) and Range Eleven (11) East of the Principal Meridian in Manitoba: South-east Quarter of Section Thirty-six (36); North Half of Section Twenty-five (25); road allowance west of Section Twenty-five (25); North Half of Section Twenty-six (26); road allowance west of Section Twenty-six (26); East Half and North-west Quarter of Section Twenty-seven (27); South Half and North-east Quarter of Section Thirty-four (34); road allowance east of Section Thirty-four (34); North Half of Section Thirty-five (35); road allowance North of Section Thirty-five (35).
- (iv) In Township Fourteen (14) and Range Eleven (11) East of the Principal Meridian in Manitoba: South-east Quarter of Section Two (2); road allowance east of Section Two (2); South Half of Section One (1).
- (b) Lands of the Province covered by water required for main diverting works, powerhouses, etc.
- All those portions of the North-west Quarter of Section Twenty-seven (27), the South-west Quarter of Section Thirty-four (34) and the East Half of Section Thirty-three (33), all in Township Thirteen (13) and Range Eleven (11) East of the Principal Meridian in Manitoba, covered by the waters of the Winnipeg River, as shown outlined in red on Record Plan No. 21-7-1022, Sheets 1, 2 and 3, filed in the office of the Director at Winnipeg and which is the Licensee's No. 0105-R-0201, Sheets 1 (Rev. 0), 2 (Rev. 0) and 3 (Rev.0).
- (c) Lands of the Province required only to be flooded in connection with the storage or pondage of water.
- All those portions of the following Townships shown outlined in brown on Record Plan No. 21-7-1015 filed in the office of the Director in Winnipeg, excepting thereout, first, all those lands heretofore described as required for works and, second, all those

lands shaded yellow on the said Plan No. 21-7-1015:

- (i) Townships Thirteen (13) and Fourteen (14) in Range Eleven (11) East of the Principal Meridian in Manitoba.
 - (ii) Townships Thirteen (13) and Fourteen (14) in Range Twelve (12) East of the Principal Meridian in Manitoba.
 - (iii) Townships Thirteen (13) and Fourteen (14) in Range Thirteen (13) East of the Principal Meridian in Manitoba.
- (d) Lands of the Province required only for rights of way for transmission lines

All those portions of the following lands shown coloured in pink on plans entered and filed in the Winnipeg Land Titles Office as Nos. 3408 and 3409, copies of which are filed in the office of the Director at Winnipeg:

- (i) In Township Thirteen (13) and Range Eleven (11) East of the Principal Meridian in Manitoba: South-east Quarter of Section Twenty-nine (29).
- (ii) In Township Twelve (12) and Range Ten (10) East of the Principal Meridian in Manitoba: South Half and North-east Quarter of Section Thirty-three (33); North Half of Section Thirty-four (34).
- (iii) In Township Twelve (12) and Range Nine (9) East of the Principal Meridian in Manitoba: North-west Quarter of Section Twelve (12); North Half and South-West Quarter of Section Eleven (11); East Half and South-west Quarter of Section Ten (10); South-east Quarter of Section Nine (9); North Half of Section Four (4); North Half of Section Five (5); South Half of Section Six (6).

4. The licensee shall not raise the headwater of the development to an elevation higher than 899.5 above mean sea level, Canadian Geodetic Datum, 1929 Adjustment, provided, however, that with the consent of the licensee of the next development upstream, namely, Slave Falls Generating Station, and with the prior written approval of the Director, the licensee may

raise and maintain the headwater elevation in accordance with Section 72 of the Regulations.

5. The Licensee shall not be responsible for loss or damage of or to lands or property upstream from the Seven Sisters Falls Development caused by or resulting from the operation of the said Development at headwater elevations not exceeding those from time to time authorized.
6. In accordance with the provisions of the Regulations the term of this Final License shall be Fifty (50) years from and after the first day of January, A.D. 1932, and the said term shall thereafter be subject to renewal or extension in accordance with the provisions of the laws and Regulations relating thereto and then in force.
7. On the second day of January in each and every year during the term of this Final License the Licensee shall pay an annual rental in advance of Five Hundred Dollars (\$500.00) for the use and occupation of lands of the Province described in parts (a), (b) and (c) of Article 3 hereof. The Licensee shall in addition during the said term pay an annual rental in advance of One Dollar (\$1.00) per acre for the use and occupation of lands of the Province described in part (d) of Article 3 hereof.
8. The Licensee shall also pay an annual rental during the term of this Final License for the use of water for the development of power, determined in accordance with the principles set out in Section 48 of the Regulations and payable at the times and in the manner therein provided, and at the following rates:-
 - (a) The rentals in the first twenty years of the term of this License shall be the greater of:
 - (i) an annual rental of fifty (50) cents per installed horsepower;
 - (ii) an annual rental of one dollar and twenty-five cents (\$1.25) per horsepower year output.
 - (b) The annual rental to be paid after the expiry of the said twenty year period shall be determined as provided in the regulations in force at such time.

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9. The Licensee shall from the first day of January, A. D. 1932 pay annually the proportionate share chargeable to its development of the annual costs of operating and maintaining water storage in Lake of the Woods and Lac Seul; the first of such annual payments shall be made on the first day of January, A. D. 1933 and subsequent annual payments thereafter shall be made on the first day of January of each and every year until the termination of this License, each payment to represent the Licensee's share of the said annual operating costs for the preceding calendar year.
 10. The **Severance line** as defined in Section 1 of the Regulations shall be as shown on Record Plan number **21-7-1016** filed in the office of the Director.
 11. All record plans filed with the said Director and referred to in this Final License are incorporated herewith and made a part hereof.
 12. This Final License is issued upon the express condition that it shall be subject to the provisions of the Regulations and all subsequent amendments thereto.

ISSUED at Winnipeg this 3rd day of June A. D. 1966 ,
at the direction of the Honourable the Minister of Agriculture and Conservation.

Original Signed By:
Minister of Agriculture and Conservation