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ALBERTA
INTERNATIONAL AND INTERGOVERNMENTAL RELATIONS

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Office of the Minister

Right Honourable Herb Gray
Chair, Canadian Section

JUL 24 2003

- and -

Honourable Dennis L. Shornack
Chair, United States Section
International Joint Commission
234 Laurier Avenue West, 22nd Floor
Ottawa, Ontario
K1P 6K6

Dear Messrs. Gray and Shornack:

I am pleased to have had the opportunity to review your letter of June 12, 2003, to Premier Ralph Klein, regarding the consideration by the International Joint Commission (IJC) of Montana Governor Judy Martz's request to review its 1921 Order governing the Milk and St. Mary Rivers.

Alberta fully supports the existing apportionment regime. Should the IJC, however, decide to undertake the review requested by Governor Martz, the government of Alberta will naturally be pleased to cooperate in any way that will facilitate the IJC's deliberations.

Officials from Alberta Environment who are responsible for water issues in the Milk and St. Mary Rivers have been in contact with their counterparts in Montana respecting this issue, as well as with officials from the IJC, and the province of Saskatchewan. I look forward to continued updates from yourselves and Alberta Environment as we work toward resolution of this issue.

Sincerely,

Halvar C. Jonson
Minister

cc: Honourable Ralph Klein
Premier

Honourable Lorne Taylor
Minister of Environment



International Joint Commission
United States and Canada

June 12, 2003

The Honourable Ralph Klein
Premier of Alberta
307 Legislative Bldg.
10800 - 97 Avenue
Edmonton, AB T5K 2B7

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Dear Premier Klein:

The International Joint Commission has received the attached letter from Governor Martz of the State of Montana asking it to review its 1921 Order for the St. Mary and Milk Rivers in Montana, Alberta, and Saskatchewan. This Order specifies procedures for implementing Article VI of the Boundary Waters Treaty to apportion the flows of the St. Mary and Milk Rivers between the two countries. Apportionment is carried out, per the Treaty, "jointly by the properly constituted reclamation officers of the United States and the properly constituted irrigation officers of His Majesty [Accredited Officers] under the direction of the International Joint Commission."

As you may know, the Commission has committed to reviewing Orders over which it has continuing jurisdiction. It has already conducted such reviews in the St. Croix River and Rainy Lake basins, is currently conducting reviews in the Lake Ontario - St. Lawrence River basin and for Duck Lake, and is planning to conduct a review for the Upper Great Lakes, pending funding. These reviews have allowed the Commission to consider such things as changed conditions and new interests, scientific and technical advances since the Order, and potential climate change and variability. Small reviews have been conducted with Commission-supplied funding and focused agency support, while larger reviews have required funding supplied jointly by the two governments and broader agency support. Of the two completed reviews, one resulted in a change to the Commission's Orders, while the other did not.

The Commission is exploring whether or not to conduct a review of its 1921 Order, as requested. As part of that process, we plan to be in contact with key officials in both countries. We intend, through these initial contacts, to gain a more fulsome understanding of issues and concerns, as well as likely resource requirements should the Commission decide to undertake a review. We will keep you informed of our progress and findings.

Similar letters are being sent to the Canadian Minister of Foreign Affairs, the U.S. Secretary of State, the Premier of Saskatchewan, the Governor of Montana, and the two Accredited Officers. Should you have any questions, please do not hesitate to have your staff contact us.

Sincerely,

The Rt. Hon. Herb Gray, P.C., Q.C.
Chair, Canadian Section


The Hon. Dennis L. Schornack
Chair, United States Section