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CLPA files  
Richard

MEMORANDUM RE STEWART LANDING DAM

HISTORY:

In 1897, in deeds given by Alfred Dolge and which are covering Great Lot 60 in the Glen, Bleecker and Lansing Patent, right was reserved to raise the water in East Canada Lake and other lakes, bodies and streams connected therewith and adjacent thereto, not to exceed six feet perpendicularly above the then average high water mark and to flow the surrounding lands as watered April 31, 1930. This deed contained the following clause: "This agreement may be necessary for that purpose and to build, erect and maintain all necessary dams, embankments and other structures to maintain the water at such height above the than average high water mark of said lake."

Following reservations in the deeds covering lands in and around Canada Lake, the Stewart Landing Dam was erected and the level of the lake raised. This level was maintained for many years and used by the Power Corporation for the purpose of generating electricity. Although difficulties were sometimes experienced, the water level in Canada Lake and surrounding lakes was generally kept at its present level.

In 1965, the Power Corporation decided to abandon the Stewart Landing Dam and sell the surrounding territory. Camp owners around Canada Lake were understandably concerned lest the Stewart Landing Dam not be maintained by the new owners. As a result of action taken by the Canada Lakes Protective Association in the summer of 1965, the Niagara Mohawk Power Corporation agreed to delay the sale of the dam and land to enable the Association to work out an agreement with the proposed purchaser. The Niagara Mohawk Corporation also agreed to sell six acres of land at the lower end of Lily Lake to CLPA as a potential dam site should negotiations with the purchaser prove unsuccessful.

The purchaser of said dam, Oregon Mountain Corporation, finally entered into an agreement with CLPA in November of 1965, by the terms of which, Oregon Mountain Corporation agreed to maintain the water level of East Canada, West Canada and Green Lakes at a winter elevation of a maximum of

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1545 feet. Summer elevations were agreed to be a maximum of 1543.91 feet and a minimum of 1541 feet; the summer season being defined as May 15 to September 15. Said agreement further provided that in the event Oregon Mountain Corporation should sell the dam the conveyance would be made subject to all of the terms of the CLPA agreement. It was further agreed that Oregon Mountain would have incorporated in its deed from Niagara Mohawk the contents of the CLPA agreement.

Niagara Mohawk did subsequently sell to Oregon Mountain by deed dated April 21, 1966. Said deed contained the following clause: "This agreement is made subject to all the terms and conditions set forth in the agreement between Oregon Mountain Corporation and Canada Lakes Protective Association dated November 9, 1965, as follows:". Then followed the main text of the November 1965 agreement.

Oregon Mountain Corporation continued to operate and maintain the dam and to develop the land around Stewart Landing until the spring of 1972.

In 1971, Oregon Mountain Corporation found that the taxes on the dam were, in their opinion, excessive and they could no longer afford to pay the taxes and maintain the dam. Consequently, the dam property was sold for taxes and bid in by the County of Fulton in the fall of 1971. In the spring of this year, the County of Fulton indicated that they would not continue the operation of the dam and unless arrangements were made with Oregon Mountain Corporation to continue such operation, the dam would be dismantled.

Acting in this emergency, your Association negotiated with the County of Fulton to allow the dam to remain in operation during the summer of 1972 and to be maintained and operated by the CLPA and Oregon Mountain Corporation. That arrangement will expire in September of this year.

with Oregon Mountain Corporation to modify the 1965 agreement so that it is

PRESENT SITUATION:

to the dam can be transferred to the proposed water resources district and

Following the temporary arrangement with the County of Fulton for the operation of the dam, your officers negotiated with representatives of the Town of Stratford, the Oregon Mountain Corporation, Stewart Landing

Association, the Fulton County attorney, representative of the Town of Caroga and the Board of Assessors of the Town of Stratford in an effort to resolve the continuing problem of the dam maintenance. As a result of these negotiations, a tentative agreement has been reached subject to confirmation by CLPA and Stewart Landing Association as well as approval by the County of Fulton.

THE AGREEMENT:

- The district would have the authority to determine all property owners surrounding the bodies of water controlled by the dam for the purpose of said dam.
1. Town of Stratford has agreed to lower the assessment on the dam from \$40,000.00 to \$12,000.00 for a period of two years and then place a permanent assessment of \$20,000.00 on the dam.
  2. The Oregon Mountain Corporation has agreed to retake title to the dam from the County of Fulton for a period of two years and to maintain the dam and pay taxes thereon during said period.
  3. The County attorney has agreed to present the matter to the Fulton County Board of Supervisors and attempt to arrange for the dam to be returned to the Oregon Mountain Corporation at a price suitable to both parties.
  4. If all of the above is accomplished, the CLPA and Stewart Landing Association agree within the next two years to organize a Canada Lake water resources district for the purpose of owning and maintaining the dam.
  5. The above tentative agreement is subject to ratification by both CLPA and Stewart Landing memberships.

In consummating the above arrangements, time is of the essence since the dam would have to be returned to the tax rolls early this fall so that Oregon Mountain Corporation could assume ownership and pay taxes during the years 1973 and 74. In the event the above arrangements are approved by the two associations, then it will be necessary for your officers to negotiate with Oregon Mountain Corporation to modify the 1965 agreement so that title to the dam can be transferred to the proposed water resources district and responsibility for such maintenance transferred from the Oregon Mountain Corporation to the district.

In the event of approval of the above arrangements, steps would

have to be taken immediately for the formation of a water resources district and the proposal submitted to the owners of all property affected by the various bodies of water involved. This matter would then be put to a vote of said property owners and if a majority approved the formation of the proposed district, it could be accomplished.

The district would then have the authority to levy upon all property owners surrounding the bodies of water controlled by the dam for the purpose of maintaining and operating the dam, including the payment of taxes to the Town of Stratford at an assessed valuation of \$20,000.00.

This should solve the problem for the foreseeable future and obviate the constantly recurring problem of the levels of the various lakes during periods of transfer of ownership of the dam. It would bring to the owners of properties surrounding the lakes some assurance that the lakes would be maintained at their present level and not be subject to the vagaries of any person or corporation who might hereafter control the dam.

the Town Corporation for the purpose of generating electricity. Although difficulties were sometimes experienced, the water level in Canada and surrounding lakes was generally kept at its present level.

In 1965, the Power Corporation decided to abandon the Stewart Landing Dam and sell the surrounding territory. Many owners around Canada who were understandably concerned that the Stewart Landing Dam not be maintained by the dam owners. As a result of action taken by the Canada Hydro

Electric Commission in the year of 1967, the Niagara Mohawk River Corporation agreed to delay the work of the dam and to scrub the application of the dam at all times until the proposed purchase. The Niagara Mohawk Corporation also agreed to maintain the dam at the lower end of the dam and to provide for the dam's operations with the present

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\* No date  
traces original

STEWARTS LANDING DAM

Spillway -----	159 Ft. Long
Taintor Gate -----	20 Ft. Wide
Top o f Dam -----	1550.41 ✓
Crest of Spillway -----	1542.41
Crest of Flashboards -----	1543.91.16
Bottom o f Taintor Gate -----	1536.41
Center Line of Intake -----	1520.91
Bottom of Sluice Gate -----	1516.58
Elevation Maximum Draft -----	1538.71
Elevation Sill of Old Dam -----	1537.71
Bottom of Apron in Front of Racks -----	1540.4
Danger Line High Water -----	1544.0
Elevation - RED LINE - Max. Height Water	1545.0
Elevation B.M. at Green Lake Bridge -----	1548.65
Elevation B.M. at London Bridge Canada L.	1555.62

Proposed in 178

Summer level 1542.83  
 Oct 1 → Dec 1 1540.83 } 2' drop Oct. 1  
 Dec 1 → Ice out 1536.41 (6 1/2' drop)