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DEPUTY MINISTER
OF
RESOURCES AND DEVELOPMENT

DEPT. OF LANDS & FORESTS
OCT 25 1952
VICTORIA, B.C.

Ottawa, 22 October, 1952.

C. E. Hopper, Esq.,
Assistant Deputy Minister,
Department of Lands and Forests,
Victoria, B.C.

Dear Mr. Hopper:

I wish to acknowledge receipt of your letter of October 17. I was pleased to note you have received a copy of the traverse.

As regards your last paragraph, I can only say we were very much disappointed on receiving the amending Order No. 2478 of the 10th October. When we received the Minister's telegram of October 8 there was indication of your government agreeing to an unburied pipeline except where the pipeline went under beds of streams, crossed highways or traversed private property. This was very satisfactory to us and steps were taken to make final arrangements with the United States Government. However, on receipt of the above mentioned Order, this seems to have been withdrawn and we are now back in the position of a completely buried pipeline. This has been very embarrassing to us because the United States Government is most anxious to commence operations in the near future. In view of the urgency of the pipeline and the necessity for defence purposes of having oil supplied in the north, we feel that it is not reasonable to insist on this provision. If the pipeline is not to be buried there may be some problems in connection with surface rights and use of the right of way for other purposes.

The Department of Justice has been examining the Order in Council granting to Canada the rights to the use of the right of way and the amending Order in Council regarding burying the pipe. The Department of Justice believes that some changes may be desirable in the legal phraseology and the form of the Order in Council.

A communication on Ministerial level will likely be going forward on this subject within the next few days, but I thought it might be helpful if I gave you this information in the meantime with the hope that your government will agree to our request.

Yours sincerely,

H. A. Young

H. A. Young,
Deputy Minister.

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