

Province of British Columbia

Water Act

PERMIT AUTHORIZING THE OCCUPATION OF CROWN LAND SECTION 26

WITH MY CONSIDERATION of the Bridge River Power Development Water Use Plan (the WUP), I have undertaken a review of the water rights associated with the Bridge River Power Development to clarify the licensee's existing rights;

WHEREAS I am prepared to issue water licences in substitution of existing licences, and *Permits under the Water Act authorizing the Occupation of Crown Land (PCLs)* for flooding in substitution of existing PCLs, to clarify existing rights;

WHEREAS certain PCLs authorize access roads and/or transmission lines, and uncertainty exists regarding the authority being exercised, the connection of these works to the associated water power licence, the status of these works and the current ownership of the lands affected;

WHEREAS the current policy requires *Land Act* tenures for access roads and transmission lines associated with water power licences;

WHEREAS the licensee has requested more time to evaluate the current status of these access roads and transmission lines, and where required, submit applications for appropriate land tenures under the *Land Act*;

WHEREAS there is an urgency to implement the WUP and commence the regulation and monitoring of water use in the Bridge River Power Development;

WHEREAS as an interim measure to provide the licensee with time to assess their current access road and/or transmission line land tenure requirements and submit the appropriate applications for *Land Act* tenures;

I HEREBY AUTHORIZE the Holder of Final Water License 126278 which authorizes the diversion and use of water from Bridge River, to occupy Crown Land by maintaining and operating thereon the roads authorized under PCL 4278 as follows:

- (a) The Crown Land which is authorized to be occupied under this permit is described in PCL 4278, the location of which is shown approximately on the 28 plans attached to that PCL.
- (b) The approximate total area of Crown Land authorized to be occupied under this permit is 23.88 hectares for access roads, being 26,060.40 metres in length and 9.14 metres in width.
- (c) Prior to the cutting, destruction or flooding of any timber, the permittee shall apply for and obtain a licence to cut timber from the District Forest Manager. The amount of stumpage, royalty and (or) compensation payable to the Crown in respect of trees, including

merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum or sums fixed by the Forest Service of the Province of British Columbia.

- (d) This permit is appurtenant to the undertaking to which the aforesaid water licence is appurtenant.
- (e) This permit shall expire two years from the date issued.
- (f) This permit is issued and accepted on the understanding that the permittee shall indemnify and save harmless the Government of the Province of British Columbia for all loss, damage to works, cost or expense suffered by the permittee by reason of the Crown Land or any portion thereof being submerged or damaged by erosion or otherwise affected by flooding.
- (g) The holder of this permit shall not be entitled to compensation if the Crown grants permits to other persons to occupy the land affected by this permit.
- (h) In the event of a dispute at any time with respect to the area or boundaries of the land affected by this permit, the holder shall, at his own expense, have the said land surveyed by a duly qualified surveyor.
- (i) This permit is issued in substitution of Permit # 4278.



Glen Davidson, P.Eng.
Comptroller of Water Rights

File No.: 0212289

Date Issued: *March 30, 2011*

PERMIT NO: 26556