

PROVINCE OF
BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF
LANDS.

FINAL WATER LICENCE

(Irrigation)

WHEREAS JOHN PORTMAN, whose
address is Greenwood, B. C.

is the owner of the lands to which Conditional Licence No. 875 was made appurtenant,
and is the applicant for this licence; and

Whereas satisfactory proof has been duly filed, and it has been shown to the satisfaction of the
Comptroller that the terms of the said conditional licence have been complied with satisfactorily, and
particularly that the works for the diversion and carriage of the water under the said licence have been
completed and that beneficial use of the water has been made thereunder:

Now, therefore, in pursuance of the "Water Act, 1914," this final licence is issued, granting the
licensee thereunder the right to take and use water under the following terms and conditions:—

(a.) The source of the water-supply is McGarren Creek,
a tributary of Boundary Creek.

(b.) The point of diversion from the stream is located as shown in the exhibit marked "A"
hereto attached, which is incorporated herewith and made a part hereof, the original of
which exhibit is attached to the counterfoil of this licence on file in the office of the
Comptroller of Water Rights, Parliament Buildings, Victoria.

(c.) The date from which this licence and the right to take and use water thereunder shall
take precedence is 21st April, 1902.

(d.) The purpose for which the water is to be used is irrigation.

(e.) The maximum quantity of water which may be used at the place of use when all the lands
mentioned in item (g) hereof are under irrigation is, until lawfully altered, 17.5
acre-feet per annum; and the maximum quantity which may be used per acre at the said

place of use in any year is 2.5 acre-feet: Provided that if any records
have been issued, or if any other licences have been or may hereafter be issued, for the
use of water upon the said lands, the maximum quantity allowed under this licence shall
be reduced by such quantities as may from time to time be used upon the said lands
under such other records or licences, including the records or licences at present out-

standing, namely, Licence No. - - - - from - - - - -
(Stream.)

and Licence No. - - - - from - - - - -
(Stream.)

And provided further that in such cases the Comptroller may, after the requisite hydro-
graphic data has been accumulated for determining the particular quantity of water
which may be used under this licence, require the surrender thereof for the purpose of
readjustment, and may amend the same by stating therein such particular quantity so
determined. The maximum quantity which may be diverted from the stream per annum

Form 1023, W.R.B. (Final Licence—Irrigation).—1M-725-1940

Licence Number 5210

File No. 71-17-9

ORIGINAL.

is 17.5 acre-feet plus such reasonable allowance for evaporation and seepage as may be set by the District Engineer.

(f.) The period of the year during which the water may be used is 1st April to 30th September.

(g.) The area and description of the irrigable lands to which this licence shall be appurtenant, subject to beneficial use being made of the water in the irrigation of the said lands, are 7 acres, comprising part of Lot 2083, Group 1, Qaoypos now Similkamean Division of Yale District

.....; the extent and location of the said lands are further shown by cross-hatching in the said exhibit "A."

(h.) The works for the diversion and the carriage of the water consist of Dam, flume and ditch.

(i.) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(j.) The nature and extent of the incidental use (if any) permitted under this licence are None.

but such use shall not enlarge the quantity of water allowed under item (e) above.

(k.) The diversion of the quantity of water permitted under this licence shall be limited to such rates of flow in the months of the irrigation season as may be determined, after hydrographic surveys, to be reasonable for the production of ordinary crops on the said lands, and the Comptroller may, after such surveys have been made, require the surrender of this licence and may amend the same by specifying therein such maximum rates of flow.

(l.) The terms and conditions of this licence shall replace those of the conditional licence hereinbefore referred to.

(m.)

Issued this 10th day of May, 1926.

File No. 71-17-9

Form 102, W.R.B. (Final Licence-Irrigation).—1M-225-183

30th
47

J. Macdonald
Comptroller of Water Rights.

Licence Number 5210

ORIGINAL

British Columbia.



To accompany Final Licence No. 5210

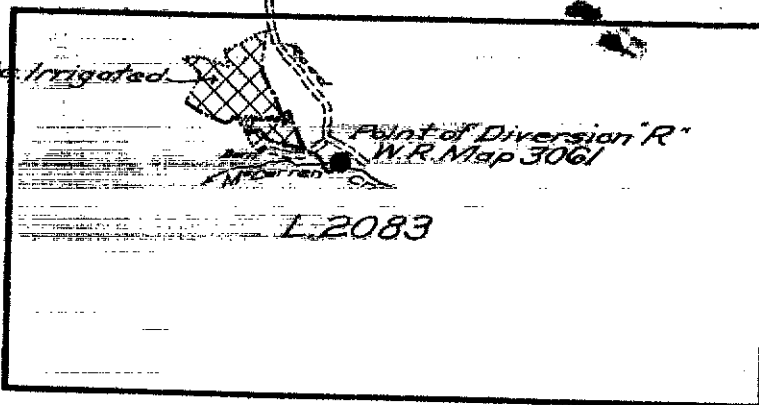
Precinct.

GRAND FORKS ~ WATER DISTRICT.

Scale, 20 Chains to 1 Inch.

OSOYOOS NOW SIMILKAMEEN DIV. OF YALE DIST.

TRUE NORTH.



Handwritten initials: RLD
EM.

Signature Macdonald

Date 10 May 1926

EXHIBIT "A"

FL 5210 For C.L. 275
File 71-17-9



ORDER UNDER THE WATER SUSTAINABILITY ACT
SECTION 26

File No. 0241764

In the matter of Conditional Water Licence F005210, which authorizes the diversion of water from McCarren Creek for irrigation purpose within part of Lot 2083, Group 1, Osoyoos now Similkameen Division of Yale District of which 7 acres may be irrigated; and,

Having determined that the land upon which the water is to be used and to which said licence is appurtenant has been re-described, and being satisfied that no person's rights will be injuriously affected I hereby amend clause (g) of the said licence to read as follows:

(g) The land upon which the water is to be used and to which this licence is appurtenant is District Lot 2083 Similkameen Division Yale District except Plan 43697, of which 2.833 hectares (7 acres) may be irrigated.

Dated at Penticton, B.C. this 16th day of September, 2016

A handwritten signature in black ink that reads "Ron Reilly". The signature is written in a cursive, slightly slanted style.

Assistant Water Manager