

# Province of British Columbia

## *Water Act*



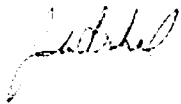
### ORDER

### SECTION 23

File No. 0027059

In accordance with the Notice of Proposed Cancellation, dated the 12th day of March, 2012,  
Final Water Licence F005323 is hereby cancelled.

**Dated** at Nelson, British Columbia, this 16th day of April, 2012.



John R. Bochard  
Assistant Regional Water Manager

PROVINCE OF  
BRITISH COLUMBIA.

## WATER RIGHTS BRANCH.

DEPARTMENT OF  
LANDS.

### FINAL WATER LICENCE.

(DOMESTIC, MINING, MISCELLANEOUS, ETC.).

WHEREAS GEORGE FREDERICK DANIELL, whose  
address is Proctor, B.C.

is the owner of the land, mine, or undertaking to which Conditional Licence No. 5660 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," 1911, 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 Proctor Spring, located as shown

a tributary of in the Exhibit marked "A" hereto attached.

(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 16th November, 1920.

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

(e.) The maximum quantity of water which may be used at the place of use is 500

gallons a day; and the maximum quantity of water which may

be diverted from the stream is 500 gallons a day.

(f.) The period of the year during which the water may be used is the whole year.

(g.) The area and description of the lands or mines upon which the water may be used ~~are~~ <sup>is</sup>  
that part of the westerly portion of Lot 309, Kootenay Dist.  
registered under Cert. of Title 12240<sup>1</sup>, Nelson Land Regn.  
Dist. on which is situate a dwelling and appendages thereto

which area and description are more particularly shown in the said exhibit "A"

Licence Number

**5323**

W.R.B. 1921 (1) (Final Licence—Domestic, etc.)—1M-426-4217

File No. 027059

ORIGINAL

(h.) The works for the diversion and the carriage of the water consist of.....Pipe.....

(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.) This licence shall be appurtenant to that part of the westerly portion of Lot 309, Kootenay District registered under Certificate of Title 12240<sup>I</sup>, Nelson Land Registration Dist. on which is situated a dwelling and appendages thereto.

(k.) 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.

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

(m.) \_\_\_\_\_

Issued this 5th day of July, 1926.

File No. 027059

*Heumacdonald*

Comptroller of Water Rights.

5257 D  
By *[Signature]*

Licence Number 5323

# British Columbia.

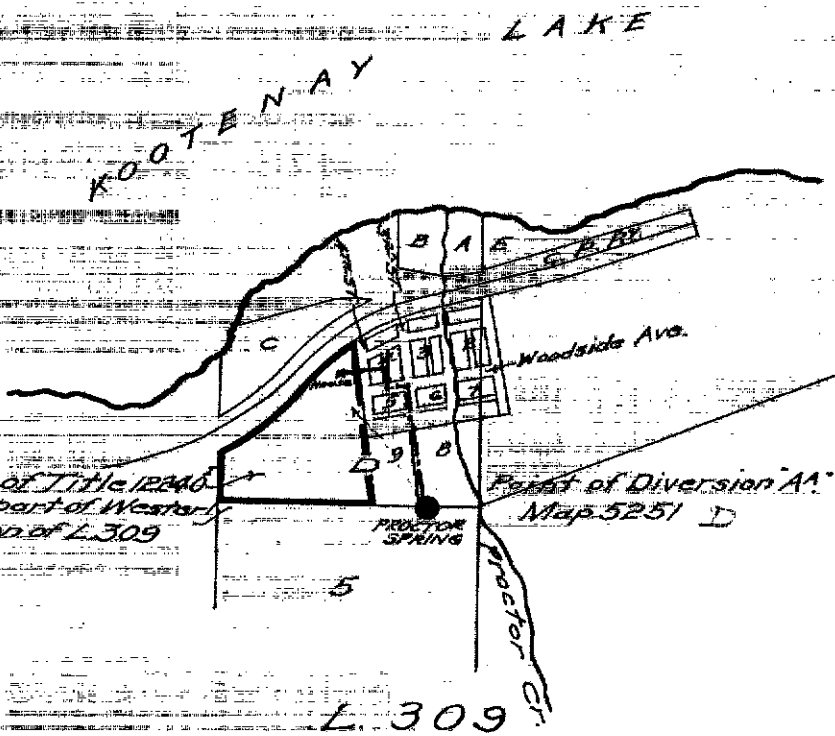


To accompany Final Licence No. 5323

## NELSON ~ WATER DISTRICT.

Scale, 20 Chains to 1 Inch.

NELSON LAND REG. DIST.



TRUE NORTH

Signature

Date

5 July 1926

FL 5323

for C.L. 5660

File 027059

EXHIBIT "A"



DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES  
WATER RESOURCES SERVICE  
WATER RIGHTS BRANCH  
VICTORIA, B.C.

O R D E R

W A T E R   A C T

Section 15


FILE NO. 027059

IN THE MATTER OF Final Water Licence No. 5323,  
which authorizes the diversion of 500 gallons a day of water  
from Proctor Spring for domestic purpose.

Having determined that the source of the water-  
supply was incorrectly named and that the works were errone-  
ously shown, and being satisfied that no person's rights will  
be injuriously affected, I hereby amend clauses (a) and (h) of  
the said licence to read as follows:-

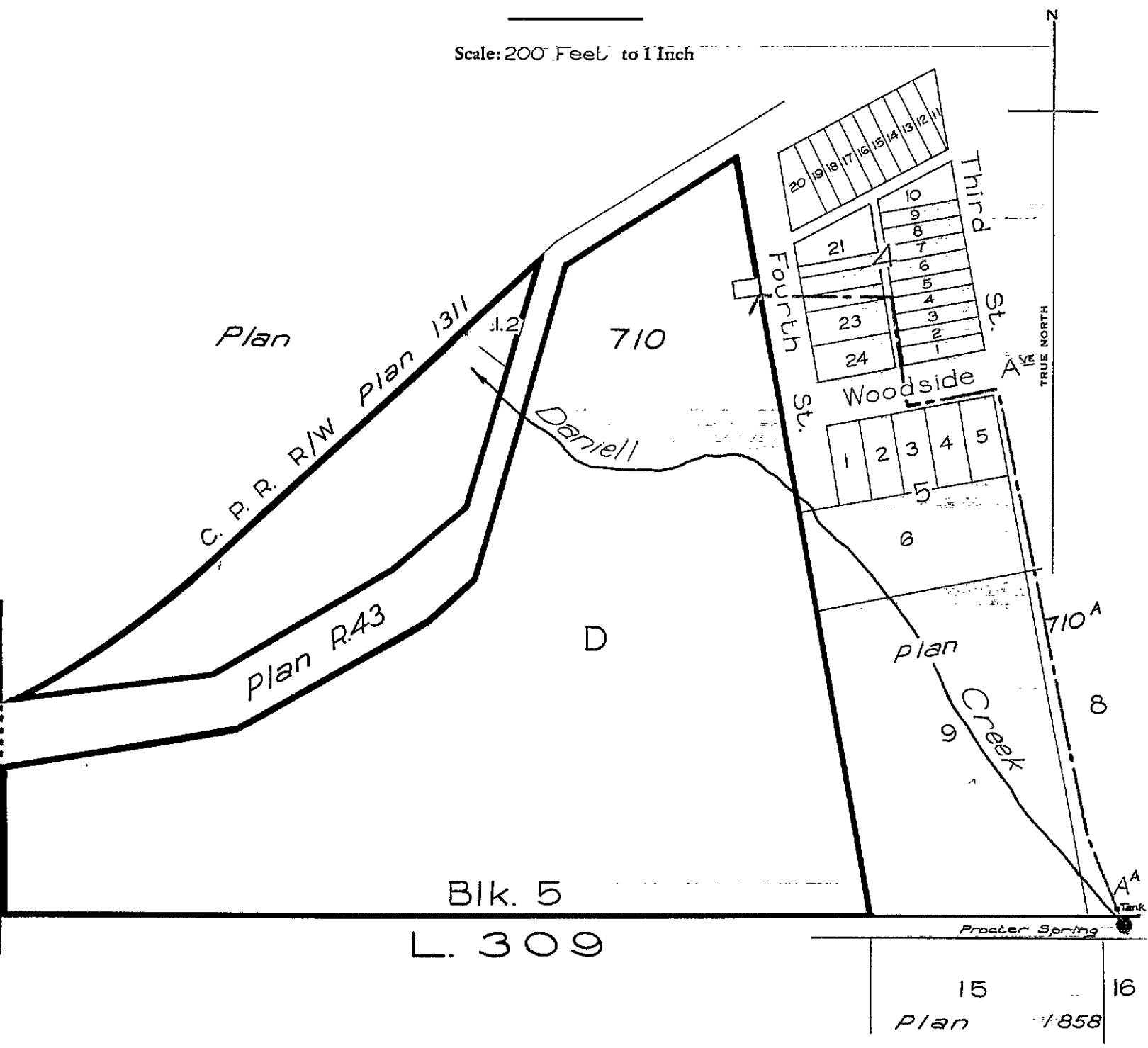
- (a) The source of the water-supply  
is Proctor Spring.
- (h) The works authorized hereunder  
are diversion structure, tank  
and pipe located as shown on  
the attached amended plan.

Dated at VICTORIA, B. C., this 22nd day of August, 1968.



  
A. K. Sutherland,  
Deputy Comptroller of Water Rights.

NELSON WATER DISTRICT  
KOOTENAY DISTRICT

Scale: 200 Feet to 1 Inch



LEGEND

- Point of Diversion 
- W.R. Map 5251<sup>D</sup>
- Pipe 


The boundaries of the land to which this licence is appurtenant are shown thus: 

EXHIBIT "A"

Signature 

Date 22<sup>nd</sup> Aug. 1968  
Amended FL 5323  
File 027059