

PROVINCE OF
BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF
LANDS.

DETERMINATION AND ORDER.

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters

of Oregon Jack Creek and a spring on Oregon Jack Creek Indian Reserve No. 5

in the neighbourhood of Ashcroft, in the

Ashcroft Water District.

NOW, on the 18th day of July, 1921, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and

designated as Indian File No. 18,19,20.-3-1) that on the 26th day of September

1888 there was filed in the office of the Dominion Lands Agent at New Westminster, B.C. a bona fide application for a record of water from Oregon Jack Creek and a spring, tributaries of Thompson River, for use on the Lower Oregon Jack Creek Indian Reserve (Nos. 3 & 5 Oregon Jack Creek) and that water from said creek and spring has been used for beneficial purposes on the said Indian Reserve.

PROVINCE OF
BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF
LANDS.

CONDITIONAL WATER LICENCE.

(For a ~~an~~ **Irrigation** Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. **4563**, duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a **Conditional** licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this

Conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to **Lower Oregon Jack Creek Indian Reserve (Sec. 3 & 5 Oregon Jack Creek)**

Superseded by
Final Licence 9010/9009

Made and entered this 24th day of April 1924

E. A. Cleveland

Comptroller of Water Rights.

No. **7520**

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(a.) The sources of the water supply are Oregon Jack Creek and a spring
tributaries of Thompson River.

(b.) The points of diversion from the said sources are 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 on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(c.) The date ^{from} for which the said licence shall take precedence is

26th September, 1886

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

(e.) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (g) of this clause, until lawfully altered,

is 351 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully

altered is 3 acre-feet: Provided that where

sources of supply other than those named in subclause (a) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (g) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply; Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(f.) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(g.) The water may be used on Lower Oregon Jack Creek Indian Reserve
(Nos. 3 & 5 Oregon Jack Creek) of which 117

acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(h.) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

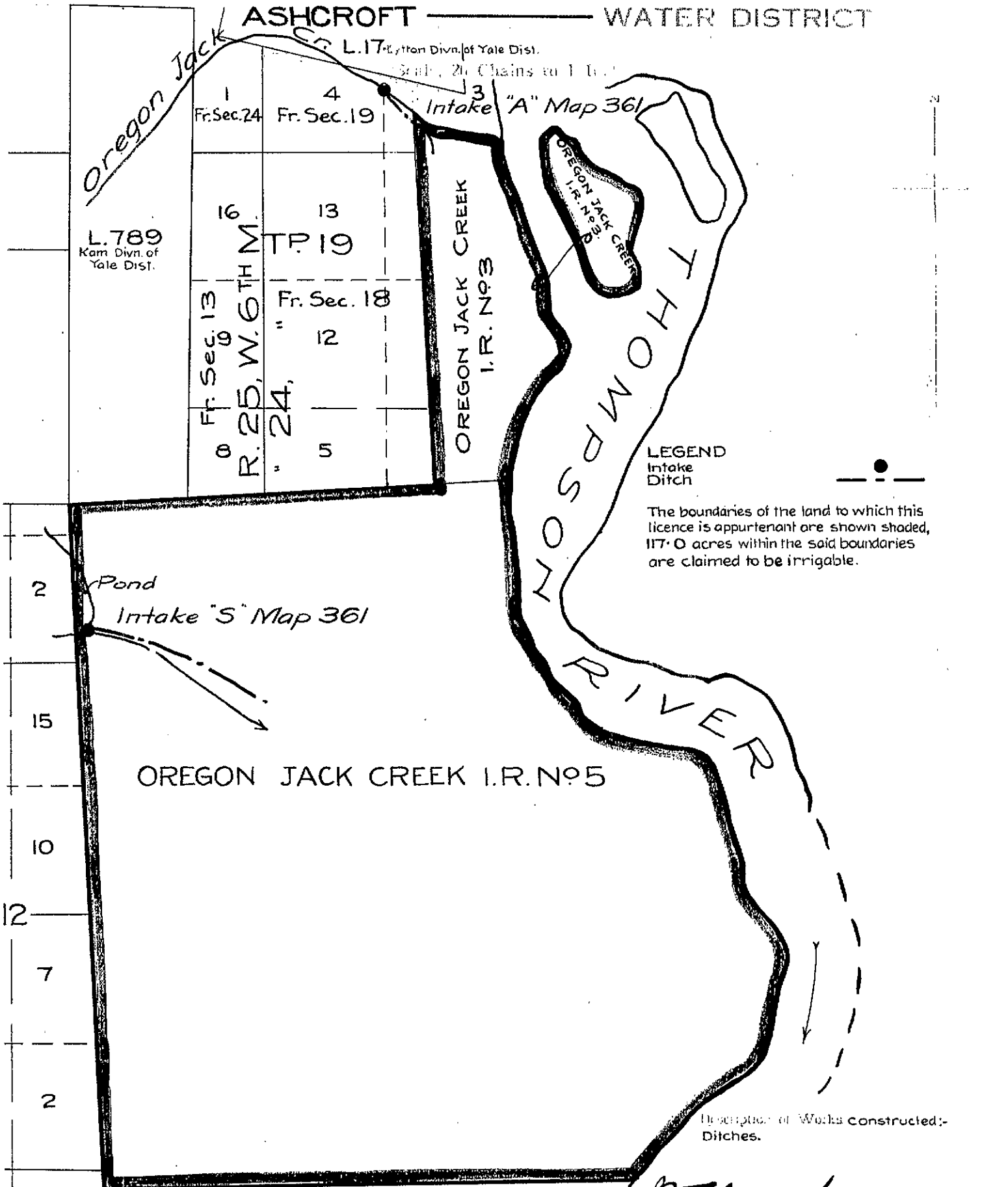
(i.) The execution of the said works shall be commenced or resumed on or before the first day of June, 1924, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(j.) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(k.) 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.

British Columbia

To accompany Board Order No. 4563



Signature

J. E. Haw
 J. E. Haw 24 Apr. 1924
 C.L. 7520 I.R. 4563

Description of Works Constructed:-
 Ditches.

R.H.L.
 C.H.L.
 EXHIBIT

R.B.

18-3-I.R.
 20-3-I.R.