

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE MINISTER OF FOREST, LANDS AND
NATURAL RESOURCE OPERATIONS

Fish Protection Act

I, Steve Thomson, Minister of Minister of Forest, Lands and Natural Resource Operations, consider that because of drought the flow of water in the Coldwater River and its tributaries is so low that the survival of the coho, chinook, and steelhead fry and juvenile populations in the Coldwater River and its tributaries may be threatened.

I have given due consideration to the needs of agricultural users.

Therefore, for the purposes of protecting the survival of that population of fish I, Steve Thomson, Minister of Forest, Lands and Natural Resource Operations (the "Minister"), order that, in accordance with Section 9 of the *Fish Protection Act*, S.B.C. 1997, c.21, s. 37:

1. Subject to paragraph 2 of this Order, the diversion and use of water by licensees under the following water licences for irrigation purpose from the Coldwater River and its tributaries, as listed in paragraph 4 of this Order, is hereby restricted as follows:
 - a. effective from midnight, July 31, 2015, until 23:59 of August 11, 2015, diversion and use of water by licensees under the following water licences for irrigation purpose is only to occur between the hours of 18:00 and 06:00, and,
 - b. effective 23:59, August 11, 2015, all diversion and use of water by licensees under the following licences for irrigation purpose is to cease until 23:59, September 30, 2015, unless this Order is amended by further order.
 - c. this Order applies to the following water licences and the diversion and use of water for irrigation purpose by their licensees (who are listed in the attached Schedule A to this Order):

Conditional Water Licences C015179, C017572, C028275, C030077, C034087, C041124, C053595, C053596, C062083, C062084, C063657, C067235, C068318, C103632, C110010, C110011, C110012, C110921, C110922, C111708, C118893, C119905, C119906, C119907, C120570, C121931, C131392, and;

Final Water Licences F004237, F004308, F005656, F005657, F005660, F005666, F005713, F005714, F005717, F007464, F009072, F009268, F011229, F011230, F015575, F019456, F019457, F019749, F013904, F019376, F021362, F063066, F130794.

2. If an Engineer, including a Regional Water Manager as designated under the Water Act determines the seven day average flow increases to greater than 480 litres per second, the water licenses mentioned under this order may continue to divert and use water for irrigation purposes, when so advised, in writing, by a Regional Water Manager that this flow level has been achieved. Thereafter, the licensee may resume diversion and use of water for irrigation purposes in a manner consistent with paragraph 1 (a) of this Order.
3. The Order is in effect from midnight, July 31, 2015 until the end of the day of September 30, 2015 unless the terms and conditions of this Order are amended by further order.
4. The Coldwater River tributaries to which this Order applies are: Voght Creek, Spanish Creek, Cam Creek, Kwinshatin Creek, Skuagam Creek, Talapis Creek, Oluk Creek, Lemoto Creek, Read Creek, North Creek, Midday Creek, West Midday Creek, Gillis Creek, Howarth Creek, Garcia Lake, Godey Creek, Nilsson Creek, Marquart Lake, Kanevale Creek, Sampson Reservoir, Seymour Lake, Stirling Creek, Brown Creek, Freshet Creek, Easterly Slought, Pye Creek, Brook Creek, Castillion Creek, Salem Creek, and Nelly Creek.
5. For information, it is a high penalty offence under section 94(1)(b) of the *Water Act* to contravene an order of the Minister made under section 9(2) of the *Fish Protection Act*.

2015 / July 30th .
Date

Steve Thomas
Minister of Forest, Lands and
Natural Resource Operations

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Fish Protection Act*, S.B.C. 1997, c. 21, s. 9



Ministry of Forests, Lands and Natural Resource Operations

August 19, 2015

Dear Licensee

Consistent with Section 2 of the *Fish Protection Act* Order applied to the Coldwater River, effective July 31, 2015, I as the Regional Water Manager as designated under the *Water Act* have hereby determined that the seven day average flow has increased to greater than 480 litres per second.

As such, you may resume diversion and use of water for irrigation purposes in a manner consistent with paragraph 1 (a) of the Order.

This allows for irrigation between the hours of 18:00 and 06:00.

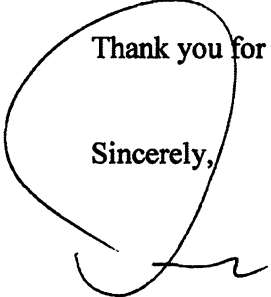
Please note that as this increase in flows is the result of a recent rain event and given that my staff are of the opinion that the resumption of drought conditions is likely to continue, I do expect that flows will likely drop below 480 litres per second in the coming days.

To this end, I ask that you voluntarily cease withdrawals from the Coldwater River when flows are below 480 litres per second.

In order to protect fish populations, please be advised that a subsequent *Fish Protection Act* order may be applied.

Thank you for your cooperation.

Sincerely,



Ray Crampton
Regional Water Manager
Thompson Okanagan Region